



## Meeting note

<b>Project name</b>	Thanet Extension Offshore Wind Farm
<b>File reference</b>	EN010084
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	1 May 2018
<b>Meeting with</b>	<b>Vattenfall</b>
<b>Venue</b>	Temple Quay House, Bristol
<b>Attendees</b>	<b>The Planning Inspectorate</b> Chris White - Infrastructure Planning Lead Kay Sully - Case Manager Kate Mignano - Case Manager Ewa Sherman - Case Officer Richard Kent - Senior EIA and Land Rights Advisor Dave Anthony - Lawyer (dialling in) <b>The Applicant</b> Daniel Bates - Vattenfall Helen Jameson - Vattenfall (dialling in) Jennifer Holgate - Womble Bond Dickinson Holly Wood-Pinkham - Womble Bond Dickinson
<b>Meeting objectives</b>	Project update and review of draft documents
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. Kate Mignano was introduced as the new Case Manager for the project following submission of the application.

### Project update

The Applicant advised that there have been some changes to the project redline boundary. The offshore boundary has been reduced and the onshore boundary has been refined and slightly increased in places. The Applicant intends to carry out targeted section 42 consultation, to those landowners affected by the onshore changes.

The Applicant will provide the updated information on their project webpage and will contact all key stakeholders to inform them of the change. The Applicant confirmed the targeted consultation will be fully documented in the final version of the Consultation Report.



The project is expected to be submitted at the end of June 2018.

## **Comments on the draft documents**

The Inspectorate reviewed the draft Development Consent Order (DCO) and draft Explanatory Memorandum (EM) submitted by the Applicant in March 2018. Detailed feedback is provided in the annex to this note.

The Inspectorate advised that the drafting should follow the best practice contained in the Inspectorate's [Advice note fifteen](#). The comments provided during the meeting focused on the main elements of DCO and EM drafting: certainty, justification and effect, including clear explanation if/ where the Application seeks flexibility in the DCO. Generally applicants are advised to not simply rely on precedents from made DCOs. If they wish to adopt similar wording/ powers, justification will be required.

## **Submission**

With regard to the preparation of the submission of the DCO application, the Inspectorate advised that it will issue a letter to the Applicant, including all practical matters required for the acceptance of the project, an electronic index template to be used for indexing of application documents, and a separate fee letter. It would be useful if the Applicant sent the Inspectorate a draft electronic index to ensure that all entries work, and to avoid any potential issues when uploading and publishing the documents on the project website later. Any confidential documents should be clearly marked, and provided with front cover sheets.

The Applicant was advised to send the updated shapefile for the project, including both onshore and offshore parts of the proposal.

## **Compulsory Acquisition**

The Inspectorate advised that the Examining Authority (ExA) on the [Richborough Connection Project](#) provided an Appendix to the Recommendation Report [Appendix D: Compulsory Acquisition Objections Schedule](#) which set out progress and how the objections have been considered.

## **Habitats Regulations Assessment (HRA)**

The Inspectorate highlighted the recent judgement European court ruling C-323/17 - People Over Wind, Peter Sweetman v Coillte Teoranta (2018) which held that it is impermissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European Site (i.e. mitigation measures) at the screening stage. The Applicant confirmed that it would take the judgement into account in drafting the Report to Inform Appropriate Assessment.

## **Other matters**

The Inspectorate stated that a good practice guide to the application documents can be very useful for the ExA, the Secretary of State and members of the public. The Inspectorate recommended that the Applicant also prepares a document called



Statement of Commonality which provides a summary of all matters as agreed in the Statements of Common Ground (SoCG) between the Applicant and others.

Regarding the General Data Protection Regulations 2018 (GDPR 2018) the Applicant stated that it will refer to it in the Consultation Report, taking into account rights and responsibilities under the requirements of GDPR 2018.

The Applicant advised that the lease with The Crown Estate is being finalised, and the discussions regarding the burying of cables within the Pegwell Bay Country Park are still ongoing.

### **Specific decisions/ follow-up required**

The Applicant and the Inspectorate agreed to hold the next telecon on 5 June 2018.