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Subject: Norfolk Boreas - SOCG between Vattenfall & CoS
Date: 04 May 2020 10:11:57
Attachments: [EN010087-002078-Norfolk Boreas Chamber of Shipping Statement of Common Ground \(Version 2\).pdf](#)

To who it may concern,

Following discussions and consultation with Vattenfall and Anatec, the Chamber of Shipping is content to say that the attached is an accurate reflection of final positions.

Should you require further detail, please do not hesitate to contact me.

Yours faithfully,

Robert

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Norfolk Boreas Offshore Wind Farm

Statement of Common Ground

Chamber of Shipping

(Version 2)

Applicant: Norfolk Boreas Limited
Document Reference: ExA.SoCG-5.D9.V2
Deadline 9
Date: April 2020
Revision: Version 2
Author: Anatec Limited

Photo: Ormonde Offshore Wind Farm

| Date | Issue No. | Remarks / Reason for Issue | Author | Checked | Approved |
|------------|-----------|--|--------|---------|------------|
| 16/08/2019 | 01D | First draft for Chamber of Shipping Review | Anatec | Anatec | Vattenfall |
| 29/08/2019 | 02D | Second draft for CoS review following call | Anatec | Anatec | Vattenfall |
| 13/09/2019 | 01F | Draft agreed with CoS | Anatec | Anatec | Vattenfall |
| 29/04/2020 | 02F | Final version for submission at Deadline 9 | Anatec | Anatec | Vattenfall |

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Glossary of Acronyms

| | |
|-----------------|-------------------------------------|
| CoS | Chamber of Shipping |
| DCO | Development Consent Order |
| DWR | Deep Water Route |
| EIA | Environmental Impact Assessment |
| ES | Environmental Statement |
| FSA | Formal Safety Assessment |
| HDD | Horizontal Directional Drilling |
| IMO | International Maritime Organization |
| Km | Kilometres |
| km ² | Kilometres Square |
| LiDAR | Light Detection and Ranging |
| m | Metres |
| MGN | Marine Guidance Note |
| NRA | Navigation Risk Assessment |
| SoCG | Statement of Common Ground |

Glossary of Terminology

| | |
|------------------------------------|---|
| Array cables | Cables which link wind turbine to wind turbine, and wind turbine to offshore electrical platforms. |
| Baseline | Existing conditions within the array area or export cable route including navigation features and vessel routes. |
| Marine Guidance Note (MGN) | A system of guidance notes issued by the MCA which provide significant advice relating to the improvement of the safety of shipping and of life at sea, and to prevent or minimise pollution from shipping. |
| Navigation Risk Assessment (NRA) | A document which assesses the overall impact to shipping and navigation of a proposed Offshore Renewable Energy Installation (OREI) based upon Formal Safety Assessment (FSA) |
| Project interconnector search area | The area within which the project interconnector cable would be installed. |
| Safety Zone | A marine zone demarcated for the purposes of safety around a possibly hazardous installation or works/construction area under the Energy Act 2004 and Electricity (offshore Generating Station Stations (Safety Zones) (Applications Procedures and Control of Access Regulations 2007 (SI No 2007/1948). |

1 INTRODUCTION

1. This Statement of Common Ground (SoCG) has been prepared with the Chamber of Shipping (CoS) and Norfolk Boreas Limited (hereafter ‘the Applicant’) to set out the areas of agreement and areas of disagreement in relation to the Development Consent Order (DCO) application for the Norfolk Boreas Offshore Wind Farm (hereafter ‘the project’). A full description of the project can be found in Chapter 5 of the Environmental Statement (Document reference 6.1.5 of the Application, APP-218).
2. This SoCG comprises an agreement log which has been structured to reflect the topics of interest to the CoS with regard to the Norfolk Boreas DCO application (hereafter ‘the Application’). The agreement log (Table 2.1) outlines all topic specific matters agreed between the CoS and the Applicant.
3. The Applicant has had regard to the guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.

1.1 Consultation with the Chamber of Shipping

4. This section briefly summarises the consultation that the Applicant has had with the CoS. For further information on the consultation process please see the Consultation Report (document reference 5.1 of the Application, APP-027).
5. The Applicant has engaged with the CoS on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to Section 42 of the Planning Act 2008.
6. Table 1.1 provides an overview of meetings and correspondence undertaken with the CoS throughout the examination process. This final version takes into consideration all consultation with the CoS including the Relevant Representation submitted as part of the Section 56 Consultation.
7. Minutes of the meetings outlined in Table 1.1 are provided in Appendices 9.15 – 9.26 (pre-Section 42) and Appendices 25.1 – 25.9 (post-Section 42) of the Consultation Report (document reference 5.1 of the Application, APP-027).

Table 1.1 Summary of Consultation with the Chamber of Shipping

| Date | Contact Type | Topic |
|---------------------------|-----------------|--|
| Pre-Application | | |
| 23 rd May 2018 | Hazard Workshop | Increased encounters - CoS raised concerns over small vessels being displaced into the Deep Water Routes (DWR) which were originally intended for larger, deep draughted vessels. |

| Date | Contact Type | Topic |
|---|----------------|---|
| | | Cumulative Baseline - CoS stated the International Maritime Organization (IMO) routing measures should be included within the cumulative case. |
| 19 th July 2018 | Hazard Log | Comments received requesting further information on ranking system. Matrixes provided, no further comments received. |
| Post-Application | | |
| 20 th and 21 st August 2019 | Teleconference | <p>Call to discuss SoCG, plus follow up email.</p> <p>The CoS has no issues with the content of the SoCG but wishes to keep dialogue open as the examination develops to allow them to participate on behalf of their members and the safety of navigation in relation to this development.</p> <p>CoS are in agreement that the baseline information provided (within the NRA) is adequate, that data has been well collected and the coverage is adequate.</p> <p>Final Build Out</p> <p>The CoS continues to have concerns over the commercial shipping routes that will be affected by this development.</p> <p>Small Craft within the Deep Water Route (DWR)</p> <p>The CoS has additional concerns with smaller vessels being forced into the DWR and further discussions with the applicant would be welcome on this topic.</p> <p>Vessel Routing</p> <p>The CoS maintains its previous position that International Maritime Organisation (IMO) routing measures should be further considered in this application and the deviation of vessels, and the resulting impact this has on the company and vessels, should be taken into account.</p> |

2 STATEMENT OF COMMON GROUND

8. The project has the potential to impact upon shipping and navigation. Chapter 15 of the Norfolk Boreas Environmental Statement (ES) (document reference 6.1.15 of the Application, APP-228) provides an assessment of the significance of these impacts.
9. Table 2.1 provides areas of agreement (common ground) and areas of disagreement with the Chamber of Shipping regarding shipping and navigation.
10. This SoCG represents the final position of the parties.

Table 2.1 Agreement Log – Shipping and Navigation

| Topic | Norfolk Boreas Limited position | Chamber of Shipping Position | Final position |
|--|--|------------------------------|--|
| Consultation | | | |
| Consultation | The CoS has been adequately consulted regarding shipping and navigation to date. | No further comment | Agreed It is agreed that the consultation has been adequate. |
| Environmental Impact Assessment | | | |
| Existing Environment | Marine traffic surveys - Marine traffic survey data collected for Norfolk Boreas Limited for the characterisation of shipping and navigation are suitable for the assessment. | No further comment | Agreed It is agreed that the marine traffic survey data collection is as per Marine Guidance Note (MGN) 543 and therefore suitable for the assessment. |
| | Baseline environment - The Navigation Risk Assessment (NRA) (document reference 6.3.15.1 of the application, App-569) and ES (document reference 6.1.15 of the Application, APP-228) adequately characterises the baseline environment in terms of shipping and navigation including IMO Routeing Measures and Vessel Routeing . | No further comment | Agreed It is agreed that the NRA (document reference 6.3.15.1 of the application, App-569) and ES (document reference 6.1.15 of the Application, APP-228) adequately characterises the baseline environment in Chapter 15: Shipping and Navigation of the ES which includes the NRA. |
| Assessment Methodology | Compliance with guidance - Appropriate legislation, planning policy and guidance relevant to shipping and navigation has been used. The FSA based approach to the assessment of effects is deemed appropriate for the purposes of predicting changes to the receiving environment. | No further comment | Agreed It is agreed that the appropriate legislation, planning policy and guidance has been used in the NRA(document reference 6.3.15.1 of the application, App-569) and Chapter 15: Shipping |

| Topic | Norfolk Boreas Limited position | Chamber of Shipping Position | Final position |
|---|---|------------------------------|--|
| | | | and Navigation of the ES(document reference 6.1.15 of the Application, APP-228). |
| | <p>Identification of impacts - The potential impacts identified within the chapter represent a comprehensive list of potential effects on shipping and navigation from the project. This includes modelling of base case plus future case routeing and consultation with regular operators identified within the area (see section 5.5 of the NRA (document reference 6.3.15.1 of the Application, App-569).</p> | No further comment | <p>Agreed</p> <p>It is agreed that the Applicant has comprehensively identified navigational safety impacts on shipping and navigation receptors from the project.</p> |
| Cumulative impact assessment (CIA) | <p>The cumulative (and in-combination) assessment of potential changes to shipping and navigation is appropriate and no cumulative impacts will be significant in Environmental Impact Assessment (EIA) terms. It is noted that cumulative future case routeing considers existing IMO routeing.</p> <p>Consultation was undertaken with regular operators and no concerns were raised as noted in section 5..5 (document reference 6.3.15.1 of the Application, App-569).</p> | No further comment | <p>Agreed</p> <p>Based on the information provided within the NRA (document reference 6.3.15.1 of the application, App-569) and Chapter 15: Shipping and Navigation of the ES (document reference 6.1.15 of the Application, APP-228) it is agreed that cumulative impacts, including main route deviations caused by the project cumulatively, are unlikely to be significant on the understanding that appropriate mitigation measures (as noted in the Chapter 15: Shipping and Navigation) are implemented.</p> |
| Worst Case and Final Build Out | At this examination stage of the project it cannot be confirmed how much of the site will be built out, however the Applicant will consider consultation responses on the subject during the layout approval process which will be undertaken | No further comment | Agreed |

| Topic | Norfolk Boreas Limited position | Chamber of Shipping Position | Final position |
|---|---|--|---|
| | with the MCA and Trinity House (through the Marine Management Organisation (MMO) post consent. The worst case contained with the NRA does demonstrate a worst case full build out. | | |
| Small Craft within the DWR (Small Craft refers to the MCA's terminology – a vessel up to 24 metres in length and in this instance is specifically referring to recreational vessels up to 24m) | Despite the very low level of recreational activity there may be a small increase in encounters with other vessels; however given adherence to COLREGs (IMO, 1972) (in particular in relation to crossing the DWR) and good seamanship, it is highly unlikely that there will be any perceptible effects associated with recreational vessels with regards to collision risk and therefore the impact was deemed to be not significant under EIA terms. Section 17 of the NRA (document reference 6.3.15.1 of the application, App-569) details an assessment undertaken on the buffers from the existing DWR which ensure that adequate space is available for the types and numbers of vessels within it. | No further comment | Agreed |
| Small Commercial Vessels (coastal Traffic) | The Norfolk Boreas Site is located within the southern North Sea, approximately 40 nautical miles (nm) east off the UK coast. The marine traffic surveys identified low numbers of commercial vessel transiting the Norfolk Boreas Site (of the six routes identified they were all used by less than one vessel per day). Section 19 of the NRA (document reference 6.3.15.1 of the application, App-569) shows that of these six | The Chamber also raised concerns on coastal traffic, made up of but not limited to bulkers, aggregate dredgers, parcel tankers etc who operate tramp services around the UK and intra Europe. Such vessels do not typically use DWRs but it is the CoS's view that some of these vessels may be forced to due to the development | Agreed - It is agreed that an additional small number of vessels may use the DWR but that there is no subsequent increase to risk. |

| Topic | Norfolk Boreas Limited position | Chamber of Shipping Position | Final position |
|----------------------------------|--|------------------------------|--|
| | <p>routes only one of the routes is likely to use the DWR for longer than it currently does (Route 16 Great Yarmouth or Lowestoft (UK) / Esbjerg (Denmark)) meaning that a notable increase in the number of vessels using the DWR per day is not expected and there is therefore no increase in encounters or collision risk.</p> | | |
| Mitigation and Management | | | |
| Safety zones | <p>The Applicant will submit an application for safety zones of up to 500metres (m) during construction, major maintenance and decommissioning phases; and 50m pre commissioning.</p> | No further comment | <p>Agreed</p> <p>The post consent use of construction, major maintenance and decommissioning safety zones are noted and supported by the CoS.</p> |

The names inserted below are to confirm that these are the current positions of the two parties contributing to this SOCG

| | |
|--------------|------------------------------------|
| Printed Name | Robert Merrylees |
| Position | Policy Manager (Nautical & Safety) |
| On behalf of | Chamber of Shipping |
| Date | 20/04/2020 |

| | |
|--------------|--|
| Printed Name | Jake Laws |
| Position | Norfolk Boreas Consents Manager |
| On behalf of | Norfolk Boreas Limited (the Applicant) |
| Date | 28/04/2020 |