

Norfolk Boreas Offshore Wind Farm Applicant's Comments on Responses to the Examining Authority's Fifth Round of Written Questions

Applicant: Norfolk Boreas Limited
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Table of Contents

1	Archaeology and Heritage Assets	11
1.0	Offshore and intertidal archaeology	11
1.1	Onshore archaeology	11
1.2	Onshore heritage assets.....	11
2	Biodiversity, Biological Environment and Ecology	11
2.0	Offshore benthic and marine mammals.....	11
2.1	Onshore Ecology.....	12
2.2	Offshore Ornithology	12
3	Compulsory Acquisition	12
3.0	Compulsory Acquisition	12
4	Cumulative effects of other proposals	13
4.0	General cumulative effects, including phasing	13
4.1	Onshore cumulative effects of other proposals (construction).....	36
5	Development Consent Order and Deemed Marine Licences	36
5.0	General	36
5.1	Articles.....	38
5.2	SCHEDULE 1 PART 1: Authorised Development	39
5.3	SCHEDULE 1 PART 3: Requirements.....	39
5.4	SCHEDULES 9 to 13: Deemed Marine Licences	40
5.5	SCHEDULE 14: Hedgerows.....	48
5.6	SCHEDULE 15: Arbitration Rules	48
5.7	SCHEDULE 16: Procedure for Discharge of Requirements	48
5.8	SCHEDULE 17: Protective Provisions	49
5.9	Consents, Licences and Other Agreements	50
5.10	Compensation to Protect Natura 2000 Network	50
6	Fishing and fisheries	50
6.0	Fishing and fisheries	50
7	Grid connection	52
7.0	Grid connection	52
8	Habitats Regulation Assessment	52
8.0	River Wensum SAC	52
8.1	Norfolk Valley Fens SAC.....	53
8.2	Southern North Sea SAC.....	53

8.3	Haisborough, Hammond and Winterton SAC	53
8.4	Offshore ornithology	55
8.5	Greater Wash SPA	58
8.6	Flamborough and Filey Coast SPA, Alde-Ore Estuary SPA and Haisborough Hammond and Winterton SAC	59
8.7	Flamborough and Filey Coast SPA	63
9	Landscape and Visual Effects.....	63
9.0	The Applicant’s landscape and visual assessment	63
9.1	The Applicant’s visual assessment.....	64
9.2	Alternatives considered	64
9.3	Landscape effects	64
9.4	Visual effects	64
9.5	Outline Landscape and Ecological Management Strategy (OLEMS)	64
9.6	Good Design	75
9.7	Matters arising from the accompanied site inspection (ASI) on Thursday 23rd January	76
10	Marine and Coastal processes	76
10.0	Marine and Coastal processes	76
11	Navigation.....	76
11.0	Navigation.....	76
11.1	Aviation and Radar	77
12	Onshore construction effects	77
12.0	Cable corridor and ducting.....	77
12.1	Cable corridor and ducting.....	77
12.2	Mobilisation Areas.....	78
12.3	Noise and Vibration	78
12.4	Construction Hours	78
13	Socio-economic effects	78
13.0	Skills and Employment Strategy	78
13.1	Jobs.....	78
13.2	Tourism.....	78
13.3	Land use and Agriculture	79
13.4	Public Health	79
13.5	Other offshore industries and activities.....	82
14	Traffic and transportation.....	82
14.0	Outline Traffic Management Plan (OTMP)	82

14.1	Highway Intervention Scheme for Link 34 (B1145 through Cawston)	83
14.2	Oulton.....	91
14.3	Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east	92
14.4	Outline Access Management Plan and Access to Works Plan.....	92
15	Water Resources and Flood Risk	92
15.0	Water Resources and Flood Risk	92
16	General	94
16.0	General	94
16.1	Environmental Statement (ES)	104
16.2	Waste management, ground conditions and contamination	104
REFERENCES	106	

Glossary of Acronyms

AEol	Adverse Effect on Integrity
AOD	Above Ordnance Datum
BT	British Telecom
CA	Compulsory Acquisition
CAOS	Compulsory Acquisition Objections Schedule
CSIMP	Cable Specification Installation and Monitoring Plan
DAS	Design and Access Statement
DCO	Development Consent Order
dDCO	Draft Development Consent Order
DEFRA	Department for Environment, Food and Rural Affairs
DML	Deemed Marine Licence
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
FFC	Flamborough and Filey Coast
GIS	Gas Insulated Switchgear
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
HHW	Haisborough Hammond and Winterton
HIS	Highway Intervention Scheme
HoTs	Heads of Terms
HRA	Habitats Regulations Assessment
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
JNCC	Joint Nature Conservation Committee
KIS-ORCA	The Kingfisher Information Service - Offshore Renewable & Cable Awareness project
LPA	Local Planning Authority
M	Metres
MCA	Maritime and Coastguard Agency
MGN	Marine Guidance Note
MMO	Marine Management Organisation
NCC	Norfolk County Council
NFFO	National Federation of Fishermen's Organisations
NFU	National Farmers Union
NNDC	North Norfolk District Council
OAMP	Outline Access Management Plan
OCoCP	Outline Code of Construction Practice
OLEMS	Outline Landscape and Ecological Management Strategy
OTMP	Outline Traffic Management Plan
PPA	Performance Planning Agreement
RPA	Relevant Planning Authorities
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SoCC	Statement of Community Consultation

SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special Protection Area
TCE	The Crown Estate
TBC	To be Confirmed
TH	Trinity House
UK	United Kingdom

Glossary of Terminology

Array cables	Cables which link wind turbine to wind turbine, and wind turbine to offshore electrical platforms.
Cable logistics area	Existing hardstanding area to allow the storage of cable drums and associated materials and to accommodate a site office, welfare facilities and associated temporary infrastructure to support the cable pulling works.
Cable pulling	Installation of cables within pre-installed ducts from jointing pits located along the onshore cable route.
Ducts	A duct is a length of underground piping, which is used to house electrical and communications cables.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to the EIA and information to support the HRA.
Interconnector cables	Offshore cables which link offshore electrical platforms within the Norfolk Boreas site.
Jointing pit	Underground structures constructed at regular intervals along the onshore cable route to join sections of cable and facilitate installation of the cables into the buried ducts.
Landfall	Where the offshore cables come ashore at Happisburgh South.
Landfall compound	Compound at landfall within which HDD drilling would take place.
Landfall compound zone	Area within which the landfall compounds would be located.
Link boxes	Underground chambers or above ground cabinets next to the cable trench housing low voltage electrical earthing links.
Mobilisation area	Areas approx. 100 x 100m used as access points to the running track for duct installation. Required to store equipment and provide welfare facilities. Located adjacent to the onshore cable route, accessible from local highways network suitable for the delivery of heavy and oversized materials and equipment.
Mobilisation zone	Area within which a mobilisation area would be located.
National Grid new / replacement overhead line tower	New overhead line towers to be installed at the National Grid substation.
National Grid overhead line modifications	The works to be undertaken to complete the necessary modification to the existing 400kV overhead lines.
National Grid overhead line temporary works	Area within which the work will be undertaken to complete the necessary modification to the existing 400kV overhead lines.
National Grid substation extension	The permanent footprint of the National Grid substation extension.
National Grid temporary works area	Land adjacent to the Necton National Grid substation which would be temporarily required during construction of the National Grid substation extension.
Necton National Grid substation	The grid connection location for Norfolk Boreas and Norfolk Vanguard.
Norfolk Boreas site	The Norfolk Boreas wind farm boundary. Located offshore, this will contain all the wind farm array.
Norfolk Vanguard	Norfolk Vanguard offshore wind farm, sister project of Norfolk Boreas.
Offshore service platform	A platform to house workers offshore and/or provide helicopter refuelling facilities. An accommodation vessel may be used as an alternative for housing workers.
Offshore cable corridor	The corridor of seabed from the Norfolk Boreas site to the landfall site within which the offshore export cables will be located.

Offshore electrical platform	A fixed structure located within the Norfolk Boreas site, containing electrical equipment to aggregate the power from the wind turbines and convert it into a suitable form for export to shore.
Offshore export cables	The cables which transmit power from the offshore electrical platform to the landfall.
Offshore project area	The area including the Norfolk Boreas site, project interconnector search area and offshore cable corridor.
Onshore cable route	The up to 35m working width within a 45m wide corridor which will contain the buried export cables as well as the temporary running track, topsoil storage and excavated material during construction.
Onshore 400kV cable route	Buried high-voltage cables linking the onshore project substation to the Necton National Grid substation.
Onshore cables	The cables which take power and communications from landfall to the onshore project substation.
Onshore infrastructure	The combined name for all onshore infrastructure associated with the project from landfall to grid connection.
Onshore project area	The area of the onshore infrastructure (landfall, onshore cable route, accesses, trenchless crossing zones and mobilisation areas; onshore project substation and extension to the Necton National Grid substation and overhead line modifications).
Onshore project substation	A compound containing electrical equipment to enable connection to the National Grid. The substation will convert the exported power from HVDC to HVAC, to 400kV (grid voltage). This also contains equipment to help maintain stable grid voltage.
Onshore project substation temporary construction compound	Land adjacent to the onshore project substation which would be temporarily required during construction of the onshore project substation.
Overhead Line	An existing 400kV power line suspended by towers.
Pre sweeping	The practice of dredging the seabed to prepare it for foundation or cable installation. It is either used to provide a level surface on which to place foundations or to allow cables to be installed at a sufficient depth to minimise the chance of them becoming exposed.
Project interconnector cable	Offshore cables which would link either turbines or an offshore electrical platform in the Norfolk Boreas site with an offshore electrical platform in one of the Norfolk Vanguard sites.
Project interconnector search area	The area within which the project interconnector cables would be installed.
Running track	The track along the onshore cable route which the construction traffic would use to access workfronts.
Safety zones	An area around a vessel which should be avoided during offshore construction.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
The Applicant	Norfolk Boreas Limited
The Norfolk Vanguard OWF sites	Term used exclusively to refer to the two distinct offshore wind farm areas, Norfolk Vanguard East and Norfolk Vanguard West (also termed NV East and NV West) which will contain the Norfolk Vanguard arrays.
The project	Norfolk Boreas Wind Farm including the onshore and offshore infrastructure.
Transition pit	Underground structures that house the joints between the offshore export cables and the onshore cables
Trenchless crossing compound	Pairs of compounds at each trenchless crossing zone to allow boring to take place from either side of the crossing.

Trenchless crossing zone	Areas within the onshore cable route which will house trenchless crossing entry and exit points.
Workfront	A length of onshore cable route within which duct installation works will occur, approximately 150m.

The Applicant's Comments on Responses to the Examining Authority's Fifth Round of Written Questions in regard to the Norfolk Boreas Application.

The Examining Authority (ExA), published a fifth round of Written Questions (WQs) on 11 August 2020.

The Applicant has responded to each of their relevant questions, detailed in numerical order in Sections 1 to 16 of this document.

The Applicant has provided comments on responses from interested parties to the fifth round of written questions that were submitted for, and published at, Deadline 14.

The Applicant has not included the questions where a response has not been submitted by an Interested Party at Deadline 14.

1 Archaeology and Heritage Assets

1.0 Offshore and intertidal archaeology

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

1.1 Onshore archaeology

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

1.2 Onshore heritage assets

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

2 Biodiversity, Biological Environment and Ecology

2.0 Offshore benthic and marine mammals

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.2.0.1	Natural England (NE)	Micrositing to mitigate impacts to archaeological and Annex 1 habitat features: In response to R17.1.21 MMO [REP13-035] stated that it is content that the information within the proposed CSIMP does provide enough detail to assist with the discharging of the plan at the post consent stage. However, MMO defers to NE on all aspects relating to HRA. Therefore, is NE content with the Applicant's response to R17.1.21 [REP13-013]? If not, what further mitigation does NE consider necessary?	Natural England respectfully agrees to disagree with the Applicant's response at REP13 – 013, question R17.1.21. Please be advised that our advice on ability to micro site presented at REP5 -081 remains unchanged. We believe that all known mitigation measures have been presented in the CSIP. Should the project be consented then the feasibility of any mitigation measures will need to be considered pre construction and should Adverse Effect on Integrity remain, this will need to be fully addressed by the competent authority.	The Applicant notes NE's position and would refer the ExA to section 1.12 of REP6-013 where the Applicant responded to Natural England's REP5-081 submission. The Applicant understands that Natural England are referring here to the CSIMP and not a CSIP as stated. Hornsea Project 3 use a Cable Specification and Installation Plan (CSIP) as a means of mitigating impacts to the North Norfolk Sandbanks and Saturn reefs SAC.
Q5.2.0.2	The Applicant	Decommissioning in the HHW SAC: Clarify if cable as well as cable protection would be removed from the HHW SAC in decommissioning.	The scope of the decommissioning works would be determined by the relevant legislation and guidance at the time of decommissioning. Decommissioning would be subject to a separate licence supported by an EIA for the decommissioning of the project and the decommissioning programme required under section 105 and 108 of the Energy Act 2004. In the case of export cables within the HHW SAC, it would be agreed with the relevant authorities (currently the MMO, in consultation with Natural England) through the decommissioning plan whether the cables would be removed from the seabed. Current best practice in the UK, as described in section 5.4.19.7 of Chapter 5 Project Description of the ES, is that buried offshore cables would be simply cut at the ends and left in situ.	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>The main rationale for not removing export cables within the HHW SAC is that the EIA for the decommissioning would likely conclude that cable removal would cause far greater impacts to the Annex I feature of the HHW SAC than leaving the cables in situ. Therefore, the Applicant has not made a commitment to decommission marine export cables within the HHW SAC at this stage.</p> <p>Following discussions with Natural England on 13 August 2020 the Applicant understands that although NE's general position is that all infrastructure should be removed from SACs in this instance and given the features of the HHW SAC, NE are likely to agree that cables should be left in situ. The only exception is where cable protection is being decommissioned thus exposing the cables as this may present a hazard to other marine users. At these locations it may be necessary to remove the relevant discrete sections of cable. However, if necessary, these details would be agreed within the final decommissioning plan prior to decommissioning and does not require anything further pre consent.</p>	

2.1 Onshore Ecology

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			No Questions	

2.2 Offshore Ornithology

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			No Questions	

3 Compulsory Acquisition

3.0 Compulsory Acquisition

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.3.0.1	The Applicant;	Provide a detailed, track change update of the Compulsory Acquisition Objections Schedule [REP6-023] in relation to the status of negotiations [REP11-010].	An updated tracked changed version of the Compulsory Acquisition Objections Schedule [REP6-023] has been submitted by the Applicant at Deadline 14 (ExA.CA.D14.V6). This includes updates to landowner negotiations where applicable.	
Q5.3.0.1	NFU/LIG	Provide a detailed, track change update of the Compulsory Acquisition Objections Schedule [REP6-023] in relation to the status of negotiations [REP11-010].	The NFU and LIG confirm that there is no change to previous submissions to The Compulsory Acquisition Objections Schedule (COAS). Therefore status of objection is as stated in the schedule.	Noted.

4 Cumulative effects of other proposals

4.0 General cumulative effects, including phasing

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.4.0.1	Chris Allhusen	Projects included in cumulative impact assessment Provide any comments that you wish to make further to the Applicant's response to the ExA question at ISH5 [REP13-016, ref 8c)] and follow up from OFH2 [REP13-014, ref 4] in which the Applicant confirms that its response to WQ1 [REP2-021, response to Q4.0.1] stands regarding not including the Dudgeon and Sheringham Shoal extension project(s) in the cumulative impact assessment for the Proposed Development.	The splitting up of the Vattenfall applications to PINS of Vanguard and Boreas is an attempt to reduce the perceived overall size of the project. I see from this question that PINS consider the Dudgeon and Sheringham Shoal projects may have a cumulative impact on Boreas, but surely the Vanguard project has a major cumulative impact as well, especially as regards the cumulative effect of the twin sub-stations.	Vattenfall Wind Power Ltd has adopted a strategic approach to the planning of the transmission infrastructure for Norfolk Vanguard and Norfolk Boreas with the aim of optimising overall design and reducing impacts where practical. A full Cumulative Impacts Assessment (CIA) has been undertaken as part of the Environmental Impact Assessment as detailed in ES Chapter 33 Onshore Cumulative Impacts [APP-246]. This includes potential cumulative impacts with Norfolk Vanguard, which would occur under Scenario 1 and considers the co-location of the permanent onshore infrastructure.
Q5.4.0.1	Cawston Parish Council	Projects included in cumulative impact assessment Provide any comments that you wish to make further to the Applicant's response to the ExA question at ISH5 [REP13-016, ref 8c)] and follow up from OFH2 [REP13-014, ref 4] in which the Applicant confirms that its response to WQ1 [REP2-021, response to Q4.0.1] stands regarding not including the Dudgeon and Sheringham Shoal extension project(s) in the cumulative impact assessment for the Proposed Development.	It suits the Applicant to "kick the can down the road" and ignore the proposed Extension Projects, since they serve to undermine its repeated claim that impacts are "temporary and reversible". Cawston residents would not agree. We find it difficult to understand how they can claim there is insufficient information to make any sort of assessment when this is a similar proposal to cut a cable trench (completing the encirclement of Cawston) and elsewhere they rely upon Boreas being a similar project to Vanguard.	The Applicant refers to the position as detailed in the Applicant's oral case as Issue Specific Hearing 5 (ISH) [REP13-016]. The scope of the Norfolk Boreas CIA (in terms of relevant issues and projects) was agreed with all relevant stakeholders, prior to submission and in line with guidance identified all projects where reasonably well described and sufficiently advanced information was available in order to undertake a meaningful and robust cumulative assessment. The Scoping Report for the Dudgeon and Sheringham Shoal extension project(s) was not submitted until after the Norfolk Boreas Application. The level of information available with respect to these project(s) is not sufficient to carry out a CIA. The preliminary environmental information (such as construction methodologies or potential traffic movements) will not be available until Spring 2021 (see REP14-054), sometime after the close of this examination. However, any potential cumulative impacts of these project(s) with Norfolk Boreas will be assessed as part of their EIA which will form part of their DCO Application. This is the only logical approach to any cumulative assessment of impacts where two proposals are separated in time such that cumulative assessment in meaningful detail is not possible at the time the first proposal is assessed. Full detail from Norfolk Boreas, Norfolk Vanguard and Hornsea Project Three will be available for the Dudgeon and Sheringham Shoal extension project(s) to include in their cumulative assessment at the appropriate point in time when a robust and proper assessment can be made on that project's contribution to the cumulative impacts on given topics.
Q5.4.0.1	NFU/LIG	Projects included in cumulative impact assessment Provide any comments that you wish to make further to the Applicant's response to the ExA question at ISH5 [REP13-016, ref 8c)] and follow up from OFH2 [REP13-014, ref 4] in which the Applicant confirms that its response to WQ1 [REP2-021, response to Q4.0.1] stands regarding not including the Dudgeon and Sheringham Shoal extension project(s) in the cumulative impact assessment for the Proposed Development.	The NFU and LIG does not understand why it not possible for a CIA (Cumulative Impact Assessment) to be carried out and assessed now. Why is it only possible in 2021? Surely Vattenfall for the Boreas Project should have to carry out another EIA now before the end of the Examination and they have the expertise and knowledge to be able to provide an informed assessment. We do agree that the impacts of the projects including Norfolk Boreas will need to be considered as part of the Dudgeon and Sheringham Extension Projects in their EIA. The NFU and LIG confirm that the adverse effects of construction activities will be worse due to multiple schemes, potentially being	The Applicant refers to the comments on Cawston Parish Council's response to Q5.4.0.1 above and confirms that the Norfolk Boreas CIA has considered the impacts of Hornsea Project Three and Norfolk Vanguard (under Scenario 1), as well as the existing Dudgeon Offshore Wind Farm where relevant.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>Norfolk Vanguard, Norfolk Boreas, Hornsea Project 3, Dudgeon and Sheringham Shoal Extension Projects, on landowners and communities. The multiple schemes adverse effects do therefore need to be considered and addressed. Further we do not agree that the geographical and temporal spread of the relevant projects is great enough to minimise the cumulative impact.</p>	
Q5.4.0.1	Oulton PC	<p>Projects included in cumulative impact assessment Provide any comments that you wish to make further to the Applicant's response to the ExA question at ISH5 [REP13-016, ref 8c)] and follow up from OFH2 [REP13-014, ref 4] in which the Applicant confirms that its response to WQ1 [REP2-021, response to Q4.0.1] stands regarding not including the Dudgeon and Sheringham Shoal extension project(s) in the cumulative impact assessment for the Proposed Development.</p>	<p>OPC and residents have recently received leaflets from Equinor along with a link to an online consultation page for the Sheringham & Dudgeon Extension Project (SEP/DEP). This online link has highlighted a revised cable route search area, part of which includes the Cawston & Oulton areas, and in particular the red dotted line study area, which takes in the B1149/The Street up to 'The Old Railway Gatehouse'.</p> <p>OPC noted from watching the virtual ISH 5 & the ExA question that the applicant will not be considering cumulative impacts with Vanguard/Boreas Scenario 1/2 and the SEP/DEP extension project, due to "insufficient information" available. OPC disputes this fact as it is clear that the SEP/DEP cable route will be forced to cross, at a point near to Cawston/Oulton/B1149, with the Vanguard/Boreas cables. This is a serious technical issue.</p> <p>OPC wish to submit into the Boreas Examination all of the material which is currently being used for public consultation, as SEP/DEP proposes a timescale which overlaps with the construction of Norfolk Boreas. (see annex 1)</p> <p>The HISs are currently in agreement for HOW3/Vanguard/Boreas, with the first project to construct implementing the HIS and the last decommissioning. In the case of SEP/DEP project this could involve Oulton Street's HIS, given the potential location of the cable route. There is also the potential cumulative traffic with Boreas Scenario 1 or Scenario 2 with SEP/DEP.</p> <p>OPC note that in ALL scoping reports there is mention of advice notes nine & seventeen, which is guidance on how to assess cumulative impacts from other projects. The item 'Projects on the Planning Inspectorate's Program of Projects', highlighted in the list below, would seem to meet the criteria for the SEP/DEP project to be included in this Boreas Examination, as it appears on the Planning Inspectorate's list of projects - and Norfolk Boreas is still at the examination stage.</p> <p>See extract below: <i>188. The Planning Inspectorate Advice Notes Nine and Seventeen provide guidance on plans and projects that should be considered in the CIA including:</i></p> <ul style="list-style-type: none"> • <i>Projects that are under construction;</i> • <i>Permitted applications, not yet implemented;</i> • <i>Submitted applications not yet determined;</i> • Projects on the Planning Inspectorate's Program of Projects; • <i>Development identified in relevant Development Plans, with weight being given as they move closer to adoption and recognising that much information on any relevant proposals will be limited; and</i> • <i>Sites identified in other policy documents as development reasonably likely to come forward</i> 	<p>The Applicant refers to the comments on Cawston Parish Council's response to Q5.4.0.1 above.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>Equinor's SEP/DEP Ext project will include previous projects as part of their CIA but those projects (HOW3/Vanguard/Boreas) will not include the impacts from SEP/DEP. This means that consented DCOs will be missing potential cumulative impacts, which may significantly affect their Highway Intervention Schemes (HIS) and traffic movements and numbers, when ALL projects start construction, in overlapping timeframes.</p> <p>OPC strongly suggest that there is both a procedural and a material case for covering this possibility in the DCO. The ExA for Vanguard decided not to consider some of the cumulative impacts of Boreas, and this mistake is already being challenged.</p> <p>See extract below from Equinor's Scoping report.....</p> <ul style="list-style-type: none"> • <i>Projects identified as having a potential cumulative impact include Norfolk Vanguard, Norfolk Boreas and Hornsea Project Three, three offshore wind projects which make landfall on the North Norfolk Coast and have onshore cables routes leading to Necton and Norwich respectively. Agreement of the projects to be taken into account as part of the CIA will be undertaken during the subsequent stages of the EIA.</i> 	
Q5.4.0.1	RSPB	<p>Projects included in cumulative impact assessment</p> <p>Provide any comments that you wish to make further to the Applicant's response to the ExA question at ISH5 [REP13-016, ref 8c)] and follow up from OFH2 [REP13-014, ref 4] in which the Applicant confirms that its response to WQ1 [REP2-021, response to Q4.0.1] stands regarding not including the Dudgeon and Sheringham Shoal extension project(s) in the cumulative impact assessment for the Proposed Development.</p>	<p>The RSPB accepts that the Dudgeon and Sheringham Shoal extension projects are at an early stage and no information from these projects is available currently for the Norfolk Boreas assessments. Therefore, our comment at Deadline 3 (REP3-028) still stands.</p>	Noted.
Q5.4.0.2	The Applicant	<p>Cumulative impact assessment and Scenarios</p> <p>a) Set out succinctly why different approaches have been adopted for cumulative impact assessment for offshore (no reference to scenarios) and onshore (includes reference to and differentiates between the two scenarios).</p> <p>b) Would there be any difference in findings if the offshore cumulative assessment had differentiated between scenarios?</p>	<p>a) As explained in paragraph 21 of Chapter 6 EIA methodology (APP-219), the reason for not including separate assessments for Scenario 1 and Scenario 2 in the offshore assessments is that in the offshore environment Norfolk Vanguard would not undertake any enabling works for Norfolk Boreas, in contrast to the onshore environment where Norfolk Vanguard would undertake significant enabling works for Norfolk Boreas under Scenario 1.</p> <p>The worst case scenario for all cumulative effects offshore would be that Norfolk Vanguard is taken forward and therefore that is what has been assessed. This is the same as the approach taken to all other projects and it would not be reasonable to assess separate CIA scenarios including or excluding other projects.</p> <p>The approach to assessment was outlined in the PEIR to which there were no responses that questioned the approach and the approach was also agreed with all relevant stakeholders through the Evidence Plan process.</p> <p>b) If a separate cumulative assessment was conducted for Scenario 2 offshore, this would exclude Norfolk Vanguard from the cumulative assessment. However, as stated above there is separate offshore infrastructure for Norfolk Boreas and Norfolk Vanguard and therefore in the offshore assessment it would not be appropriate to undertake a cumulative assessment which excludes Norfolk Vanguard. The worst case cumulative assessment for the offshore environment is to include both Norfolk Vanguard and Norfolk Boreas. Notwithstanding this, whilst the</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.4.0.3	The Applicant	<p>Cumulative adverse effects over time in Broadland District</p> <p>At OFH3, the ExA heard submissions that there would be 11 years of cumulative construction stage adverse effects relating to traffic, noise and vibration, air quality, onshore heritage, health and visual would be felt by communities in Broadland District if the Order was consented.</p> <p>Confirm what the worst case scenario would be (duration of specific construction activities and number of years in total) for Cawston, Oulton and the crossing north of Reepham, based on the projects included in your cumulative assessment.</p>	<p>exclusion of the Norfolk Vanguard project from the CIA would in all cases lead to impacts of less magnitude, this would not necessarily reduce the impact significance.</p> <p>The construction works which affect communities in Broadland District are associated with the onshore cable route construction. That is the duct installation and cable pulling works for Norfolk Boreas and Norfolk Vanguard, and the works referred to by HP3 as the onshore cable corridor construction, comprising the installation of the onshore export cables for HP3. Prior to these works there would be some pre-construction works such as environmental surveys. However, for the purpose of this worst case, commencement refers to the start of the main construction works on the onshore cable route.</p> <p>The detailed construction programmes are not yet developed to identify when specific construction activities will be undertaken in specific areas such as Cawston, Oulton or the crossing north of Reepham, therefore this specific information cannot be provided at this stage. As such, the information below provides an overall worst case in terms of the cumulative elapsed time (number of years in total) of the overall onshore cable route construction works as a result Norfolk Boreas, Norfolk Vanguard and HP3 (the offshore wind farm projects included in the cumulative assessment), but not specific to communities in the Broadland District. The level and length of construction activities within the Broadland District will not be continuous throughout the periods shown, further details are provided below on durations of specific construction activities.</p> <p>Outline Worst Case Activity Periods for Broadland District Communities</p> <p>The following worst case activity periods are based on the high level indicative programme information contained within Project Description ES Chapter for each of the relevant projects [Norfolk Boreas Chapter 5 APP-218, Norfolk Vanguard Chapter 5 APP-239, HP3 Chapter 3 APP-058], a programme extracts from these chapters are presented in Appendix 4.1 for ease of reference. These high level indicative programmes identify that main construction works on the onshore cable routes are planned to commence for HP3 in 2022, Norfolk Vanguard in 2022, Norfolk Boreas Scenario 1 in 2026 or Norfolk Boreas Scenario 2 in 2023.</p> <p>Norfolk Vanguard and Norfolk Boreas have the option to undertake the cable pulling works in up to two phases per project totalling a worst case of four total cable pulling phases, should both projects proceed. This is the worst case in terms of the period of the works, resulting in a 2 year period for duct installation works followed by further 2 years for cable installation per project, resulting in a worst case of 6 years.</p> <p>HP3 have the option to be completed in a single phase or in two phases, including the potential for an overlap or a gap between the completion of construction of one phase and the start of construction of another. The worst case in terms of duration would be two phases with a maximum of 3 years break where no construction activity occurs between phases, spanning a total of 5.5 years.</p>	

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			<p>Scenario 1 cumulative worst case period of works (years in total) Under Norfolk Boreas Scenario 1 (NB1), Norfolk Vanguard (NV) proceeds to construction and undertakes the duct installation works for both projects therefore the worst case duration would be total of 6 years (2 year duct installation, 2 years NV cable pulling, 2 years NB1 cable pulling) from the start of 2022 to the end of 2027. If HP3 was also to proceed, then they would commence construction on the onshore cable route in early 2022 until early 2024, followed by a period of no activity, until commencing again in early 2027 and ending early 2028. Therefore, under this worst case, the total elapsed time of construction activities across all three projects would be from the start of 2022 to early 2028, just over 6 years.</p> <p>Scenario 2 cumulative worst case period of works (years in total) Under NBS2, NV does not proceed to construction, NB2 worst case duration would be 4 years (2 year duct installation and 2 years cable pulling works (from start 2023 to end 2026). If HP3 was to also proceed, their construction period would be as outlined above from early 2022 to early 2028. Therefore, under this worst case the total elapsed time of construction activities across both projects would be determined by the period of the HP3 works i.e. early 2022 to early 2028, approximately 6 years.</p> <p>Duration of specific construction activities Though the worst-case elapsed time of construction could be approximately 6 years, the level of construction activity within this period will fluctuate and depend on the specific activities being undertaken. Although detailed programmes will not be available until closer to construction, there are a number of key assumptions made within the Norfolk Boreas EIA which provide a guide on the duration of specific activities and can be used to provide a more realistic indication of the works period for Cawston, Oulton and east of Reepham within the overall elapsed period for the works across the entire onshore cable route:</p> <ul style="list-style-type: none"> • Duct installation at an indicative rate of 150m/week [APP-218] • Cable pulling and jointing at an indicative rate of 5 weeks per cable length (~800m) [APP-218] <p>Appendix 24.22 (Scenario 2) [APP-637] indicates the period of duct installation for Cawston, Oulton and east of Reepham which will be conducted principally from MA6 (East and West) and MA7 (West). This is estimated in the order of 43 weeks (~10 months) within the 2 year overall period allocated for the task of onshore duct installation throughout the onshore cable route.</p> <p>Similarly, Appendix 24.22 (Scenario 2) [APP-637] and Appendix 24.4 (Scenario 1) [APP-619], with reference to Figure 24.12 (Scenario 2) [APP-463] and Figure 24.7 (Scenario 1) [APP-458] illustrate the area of Cawston, Oulton and east of Reepham is principally incorporated within cable section 9. This cable section estimates 6 cable lengths with a subsequent construction period of 30 weeks within each 1 year cable</p>	

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			<p>pulling period allocated for the task of overall onshore cable pulling throughout the onshore cable route.</p> <p>On this basis, with respect to Norfolk Vanguard and Norfolk Boreas, under Scenario 1 the period of works for both projects is approximately 38 months (just over 3 years) within a 6 year period (including duct installation and cable pulling). Under Scenario 2, the period of works for Norfolk Boreas is approximately 24 months (2 years) within a 4 year period.</p> <p>The HP3 ES Chapter 3, Section 3.7 includes that the installation of their onshore export cables is expected to take up to 30 months in total, however work is expected to progress along the export cable route with a typical duration of three months at any particular location. As stated under the two phase worst case there would be a 3 years break where no construction activity occurs between phases. Therefore within the 6 year period therefore would only be a total of 30 months construction activity, and typically 3 months in one area.</p> <p>Further information on the duration of works in Cawston are provided in the recent Technical Note provided by HP3 [ExA.AS-4.D14.V1], this identifies that the onshore construction works for HP3 which required construction vehicles through Cawston are in connection the delivery of two cable sections; 9 & 10 (to the West of the village). In the note HP3 commit to a staggered approach to the installation of the cable in these sections (to reduce traffic flows) and as such works will be over a total of up to 11 months in this area.</p> <p>Therefore, although the total cumulative elapsed period for the works is shown as 6 years, the duration of works within that period will not be continuous.</p>	
Q5.4.0.3	Cawston Parish Council	<p>Cumulative adverse effects over time in Broadland District</p> <p>At OFH3, the ExA heard submissions that there would be 11 years of cumulative construction stage adverse effects relating to traffic, noise and vibration, air quality, onshore heritage, health and visual would be felt by communities in Broadland District if the Order was consented.</p> <p>Confirm what the worst case scenario would be (duration of specific construction activities and number of years in total) for Cawston, Oulton and the crossing north of Reephams, based on the projects included in your cumulative assessment.</p>	<p>We expect to comment on this topic in more detail once we have seen the Applicant's assessment of the worst case scenario, as we fear this will be somewhat different from our own.</p> <p>The worst case scenario may extend if the present HIS were to be adopted and then, as we expect, fails, resulting in reduction of peak HGV traffic numbers for an extended, and potentially unlimited, duration.</p>	<p>The Applicant refers to its response to Q5.4.0.3 which provides an overall worst case in terms of the cumulative elapsed time (number of years in total) of the overall onshore cable route construction works as a result of Norfolk Boreas, Norfolk Vanguard and HP3 (the offshore wind farm projects included in the cumulative assessment) based on the published programme information.</p> <p>As detailed in the OTMP [REP14-022] the Applicant is committed to reducing the cumulative HGV peak flow by revising construction methodologies and by ensuring Norfolk Boreas and Hornsea Project Three peak traffic demand does not overlap. This refinement will not impact the worst case cumulative elapsed time as detailed in the Applicant's response to Q5.4.0.3.</p>
Q5.4.0.4	The Applicant	<p>Cumulative adverse effects on health</p> <p>a) In Table 27.5 [APP-240], justify how disturbance or obstruction of roads and footpaths can be characterised as a 'temporary' source of impact leading to potential health effects, in Cawston and Oulton, in light of your response to Q5.4.0.3.</p> <p>b) How would the assessment of cumulative effects on health effects change in light of the duration of worst case cumulative construction period (your response to Q5.4.0.3).</p>	<p>a) Table 27.5 defines the criteria as:</p> <p><i>"Temporary disturbance or obstruction of roads and footpaths due to road transportation of materials and equipment, workforce traffic, and construction areas."</i></p> <p>Where construction area road closures are required, these will be for short durations i.e. 1-2 weeks each, and as such the impacts are both short-term and temporary as stated in ES Chapter 24 Traffic and Transport [APP-237]. Roads and footpaths will not be closed for the entire duration of the construction period, and closures will only be required whilst works are undertaken on a particular section which is</p>	

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			<p>limited in time due to the use of a sectionalised construction method referred to in embedded mitigation Table 27.20 [APP-240]. It should be noted that both HP3 and Boreas (and Norfolk Vanguard) have also committed to utilising a sectionalised construction approach to minimise the disruption to local communities.</p> <p>The impacts as a result of the transportation of materials and equipment will also be temporary, taking place only during the construction phase of the project. Considering cumulative impacts Vattenfall have committed to installing ducts for both of their projects in a single construction phase consequently the majority of the movement of materials for both projects will occur only in one construction period. Substantially reduced material movements will be required to enable cable pulling into the already installed ducts for the second Vattenfall project.</p> <p>The Applicant has responded in full to concerns regarding the increased impact of traffic on human health in the response to Q5.13.4.1. In summary, the approach taken by the Applicant has been deemed appropriate by Public Health England, the increase in traffic from current levels as a result of cumulative construction effects have not been assessed as significantly higher than the current traffic levels and human health impacts must be assessed appropriately and proportionally to ensure a true representation of the potential impacts. For further detail please see the response to Q5.13.4.1.</p> <p>b) The assessment of cumulative effects on health was conducted using both the worst case and the cumulative worst case, as a result of this the assessment and its findings are still applicable and valid.</p>	
Q5.4.0.4	Cawston Parish Council	<p>Cumulative adverse effects on health</p> <p>a) In Table 27.5 [APP-240], justify how disturbance or obstruction of roads and footpaths can be characterised as a 'temporary' source of impact leading to potential health effects, in Cawston and Oulton, in light of your response to Q5.4.0.3.</p> <p>b) How would the assessment of cumulative effects on health effects change in light of the duration of worst case cumulative construction period (your response to Q5.4.0.3).</p>	<p>We expect to comment on this topic in more detail once we have seen the Applicant's assessment of the worst case scenario, as we fear this will be somewhat different from our own.</p> <p>The worst case scenario may extend if the present HIS were to be adopted and then, as we expect, fails, resulting in reduction of peak HGV traffic numbers for an extended, and potentially unlimited, duration.</p>	The Applicant refers to the comments on Cawston Parish Council's response to Q5.4.0.3 above.
Q5.4.0.5	The Applicant	<p>Cumulative effects, inter-relationships and intra-project and inter-project cumulative effects</p> <p>Representations at, and in lieu of attendance at, OFH3, particularly at the Cawston and Oulton sessions) raise concerns about the cumulative, sequential, combined (when receptors would be subjected to multiple impacts) adverse effects of construction activities on communities.</p> <p>It is unclear to the ExA where the overall effects on communities such as Cawston and Oulton are set out in the assessment when taking into account cumulative effects from other projects and</p>	<p>a) As the footprint for environmental impacts is restricted to the areas adjacent to the cable route, the Applicant assessed communities along the route as a population. This approach to the assessment follows the guidance and approaches recommended by Public Health England (PHE)¹ and is considered appropriate for the role and purposes of an EIA, in support of a DCO application and in relation to the scale of the project and the impacts anticipated. The Applicant has been careful to consider best practice EIA methodologies, current guidance and in particular has actively engaged with all relevant bodies who have a public health remit specifically, PHE and the local planning authorities. All relevant bodies have agreed that the Applicant's approach to the assessment is both</p>	

¹ Cave, B., Fothergill, J., Pyper, R. & Gibson, G. (2017) Health and Environmental Impact Assessment: a briefing for public health teams in England. PHE Briefing Note. London, England. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/629207/Health_and_environmental_impact_assessment.pdf

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		<p>inter-relationships [APP-219, para 40] (also referred to as intraproject effects in the human health assessment [APP-240]).</p> <p>The intra-project cumulative assessment [APP-240, Section 27.7.1] does not take account of all impacts on one set of receptors and distinguishes in no finer detail for its site-specific assessment than "population along the onshore cable route".</p> <p>The inter-project cumulative assessment states that the geographic and temporal spread of the relevant projects means that populations would be unlikely to feel a significant increase in health effects as a result of multiple projects being constructed [APP-240, Section 27.7.2]. This is different to the representations made by Interested Parties and others at OFH3.</p> <p>a) Explain where the overall effects on communities are set out in the application documentation.</p> <p>b) provide more rapid and effective response, alongside the project wide Local Planning Authority investigation procedures [REP10-006, Section 5.2] and [REP10-012, Section 2.4]? This might also be appropriate for the period of onshore construction at the landfall for the communities at Happisburgh.</p>	<p>compliant and appropriate for the scale of the project and the impacts anticipated, please refer to Section 2.1 of the final SoCGs with Breckland Council [REP9-013], Broadland District Council [REP10-036], North Norfolk District Council [REP10-040] and Norfolk County Council [REP9-015]. Furthermore, PHE in their response to the ExA's Third Round of Written Questions [REP7-063] confirmed "We are satisfied with the Applicant's assumptions and assessment as set out in ES Chapter 27 Human Health [APP-240]". The Applicant has been in ongoing dialogue with the aforementioned bodies during the EIA process and through the development of the proposed mitigation strategies.</p> <p>The Applicant undertook an assessment of all the impacts to the population along the onshore cable route. Each potential topic which could impact human health (including wellbeing) was assessed as part of the ES [APP-232 – APP-247]. These topics include</p> <ul style="list-style-type: none"> • Chapter 20 Water Resources and Flood Risk; • Chapter 21 Land Use and Agriculture; • Chapter 24 Traffic and Transport (Chapter 24); • Chapter 25 Noise and Vibration; • Chapter 26 Air Quality; • Chapter 29 Landscape and Visual Impact Assessment; • Chapter 30 Tourism and Recreation; and • Chapter 31 Socio-economics. <p>None of these topics, were assessed as having a significant impact on the population in question, post mitigation. The impact on the assessed population is laid out in the above chapters, an overview of which can be found in Chapter 34 Summary [APP-247], and inter-relationships have been summarised in Chapter 33 Onshore Cumulative Impacts [APP-246].</p> <p>The Applicant conducted a cumulative impact assessment with other proposed wind farm development where sufficient information was available to do so, namely Norfolk Vanguard and HP3. Both Norfolk Vanguard and HP3 also concluded in their own ES's that project level or cumulative noise, air quality, human health, socio-economics impacts to the local community would not be significant.</p> <p>It is clear from the HP3, Vanguard and Boreas project and cumulative impact assessments that there is a common conclusion that project and cumulative impacts on local communities following mitigation are non-significant.</p> <p>Given the temporary and episodic nature of the impacts which are restricted to the construction phase of the project along the onshore cable route and the non-significant assessment of all the relevant impacts, a community by community assessment is not considered proportionate or necessary by the Applicant. The use of a sectional approach as a form of embedded mitigation, will result in communities being impacted for a part of the construction period, and not the entire duration reducing the duration and scale of impacts experienced at each point along the onshore cable route.</p> <p>A community by community assessment was not deemed proportionate, borne out through comprehensive and ongoing consultation with the relevant statutory public health bodies.</p>	

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			<p>b) Part of the role of the Norfolk Boreas Limited Community Liaison Officer (CLO) will be to manage proactive updates to communities, to enable them to understand the work programme, and thus enable for example any personal measures they might consider appropriate, as far as possible allowing them control of how they respond to the works programme, as well as to respond reactively to any public concerns, queries or complaints in a professional and diligent manner. Equally, via regular meetings with local representatives such as the Principal Contractor, Public Relations direct contact, there will be opportunities to explore and identify ways in which adjustments, not impacting materially on the planned works can be implemented to accommodate local interests and needs (see also the Applicant's response to ExA Q5.4.0.7 and Q5.4.0.8 below).</p> <p>Enquiries and grievances will be dealt with in an expedient and courteous manner. Any complaints will be logged, investigated and, where appropriate, rectifying action will be taken and mitigation measures will be reported back to the relevant party, again as appropriate and in compliance with GDPR. Relevant reporting will also be shared with appropriate stakeholders, as part of any agreed mechanism outlined in the final CoCP and or TMP.</p> <p>Where the Applicant and relevant stakeholders identify the potential for any particular sensitivities, specific measures will be put in place, for example a 24h telephone response line, so that issues can be resolved or tensions de-escalated quickly. Key performance measures will be agreed with statutory consultees in advance and recorded in the CoCP, such as realistic and prompt response and resolution timings. However, the Applicant's emphasis will firmly be to prevent avoidable distress and harm, by anticipating opportunities to enable locally appropriate solutions. The strategy to share the CLO responsibilities among individuals who will understand their local area well, foster local relationships and understanding, also means that more bespoke, locally-appropriate measures can be implemented and communicated.</p>	
Q5.4.0.5	Cawston Parish Council	<p>Cumulative effects, inter-relationships and intra-project and inter-project cumulative effects</p> <p>Representations at, and in lieu of attendance at, OFH3, particularly at the Cawston and Oulton sessions) raise concerns about the cumulative, sequential, combined (when receptors would be subjected to multiple impacts) adverse effects of construction activities on communities.</p> <p>It is unclear to the ExA where the overall effects on communities such as Cawston and Oulton are set out in the assessment when taking into account cumulative effects from other projects and inter-relationships [APP-219, para 40] (also referred to as intraproject effects in the human health assessment [APP-240]).</p> <p>The intra-project cumulative assessment [APP-240, Section 27.7.1] does not take account of all impacts on one set of receptors and distinguishes in no finer detail for its site-specific assessment than "population along the onshore cable route".</p> <p>The inter-project cumulative assessment states that the geographic and temporal spread of the relevant projects means</p>	<p>We expect to comment on this topic in more detail once we have seen the Applicant's assessment of the worst case scenario, as we fear this will be somewhat different from our own.</p> <p>The worst case scenario may extend if the present HIS were to be adopted and then, as we expect, fails, resulting in reduction of peak HGV traffic numbers for an extended, and potentially unlimited, duration.</p>	The Applicant refers to the comments on Cawston Parish Council's response to Q5.4.0.3 above.

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		<p>that populations would be unlikely to feel a significant increase in health effects as a result of multiple projects being constructed [APP-240, Section 27.7.2]. This is different to the representations made by Interested Parties and others at OFH3.</p> <ul style="list-style-type: none"> a) Explain where the overall effects on communities are set out in the application documentation. b) provide more rapid and effective response, alongside the project wide Local Planning Authority investigation procedures [REP10-006, Section 5.2] and [REP10-012, Section 2.4]? This might also be appropriate for the period of onshore construction at the landfall for the communities at Happisburgh. 		
Q5.4.0.6	The Applicant	<p>Cumulative effects at port(s)</p> <p>The ExA understands that confirmed details of the base port(s) to be utilised for offshore construction and maintenance has yet to be made in relation to offshore construction and operation of the proposed Norfolk Boreas OFW project. Once a decision was reached:</p> <ul style="list-style-type: none"> a) How would such facilities be provided or brought into operation? b) What would be the mechanism for the assessing and mitigating any adverse cumulative traffic and transport effects which could arise at the port(s)? c) Should the Outline Travel Plan (OTP) [APP-700] include a commitment to assess car parking needs and availability during the construction phase at the port(s) to identify potential cumulative effects on the local community including those associated with offshore construction workers' car parking, in order to develop a car parking strategy, in consultation with the relevant local authority, before the commencement of the offshore works? d) Should the Outline Traffic Management Plan (OTMP) [REP10-016] include a commitment to assess HGV movements cumulatively, with any mitigation proposals for agreement with the relevant highway authority. e) Should the OTMP also include a commitment to prepare Route Access Surveys for ports other than Kings Lynn as that which is included for Kings Lynn prepared for Norfolk Vanguard OWF [REP10-020, Appendix 3]. f) If the principle is agreed, the Applicant to include suitable wording for the OTP and OTMP, or appropriate wording secured elsewhere. g) If the principle is not agreed, the Applicant to provide without prejudice wording for inclusion in the OTMP and OTP to cover these points, should the ExA be minded to recommend their inclusion to the SoS. h) NCC to comment. 	<p>a) To the extent that appropriate facilities did not already exist at the base port, new facilities would need to be consented, either through permitted development rights (if applicable) or by way of a separate planning application.</p> <p>b) Any new facilities which are likely to give rise to significant environmental effects cannot be constructed under permitted development rights and would be subject to a separate planning application. This would be accompanied by an environmental impact assessment which identifies measures necessary to mitigate any significant environmental effects predicted (as appropriate), including in relation to adverse cumulative traffic and transport effects. Any necessary mitigation measures would be secured through any planning permission issued.</p> <p>c) to e) As stated in the OTMP (paragraph 3) [REP10-016] the scope of the OTMP and OTP (and the OAMP) is for the management and control of the onshore construction works, they are not applicable to offshore construction or maintenance works. Therefore, it is not appropriate to include any requirements for offshore works within these documents.</p> <p>The Applicant acknowledges the need to consider the potential impacts associated with employee and HGV movements for the offshore construction works associated with the primary base port. However, the traffic impacts of the base port will be assessed when the actual site has been announced in the context of any port operating permissions or as part of a separate planning application if new facilities are required.</p> <p>f) and g) As detailed in response to points c) to d) the principle is not agreed, the scope of the OTMP and OTP is for the onshore construction works only and therefore any requirements relating to the offshore construction and maintenance works are beyond the scope of these documents and therefore no additional wording should be included.</p>	
Q5.4.0.6	Norfolk County Council	<p>Cumulative effects at port(s)</p> <p>The ExA understands that confirmed details of the base port(s) to be utilised for offshore construction and maintenance has yet to be made in relation to offshore construction and operation of the</p>	<p>This is not an issue that causes NCC any significant concern. In effect any negative impact is limited due to the physical capacity of the port to deal with the cargo passing through it - eg if the port is loading/unloading wind farm components then they will not be able to load/unload something else. If the port itself were to expand to cater for maintenance</p>	<p>The Requirement included within the East Anglia One DCO was included as a result of concerns raised by relevant local authorities in relation to the potential port operations for that project. No such concerns have been raised in respect of port operations for Norfolk Boreas (or Norfolk Vanguard). As stated by NCC 'this is not an issue that causes NCC any</p>

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		<p>proposed Norfolk Boreas OFW project. Once a decision was reached:</p> <ol style="list-style-type: none"> How would such facilities be provided or brought into operation? What would be the mechanism for the assessing and mitigating any adverse cumulative traffic and transport effects which could arise at the port(s)? Should the Outline Travel Plan (OTP) [APP-700] include a commitment to assess car parking needs and availability during the construction phase at the port(s) to identify potential cumulative effects on the local community including those associated with offshore construction workers' car parking, in order to develop a car parking strategy, in consultation with the relevant local authority, before the commencement of the offshore works? Should the Outline Traffic Management Plan (OTMP) [REP10-016] include a commitment to assess HGV movements cumulatively, with any mitigation proposals for agreement with the relevant highway authority. Should the OTMP also include a commitment to prepare Route Access Surveys for ports other than Kings Lynn as that which is included for Kings Lynn prepared for Norfolk Vanguard OWF [REP10-020, Appendix 3]. If the principle is agreed, the Applicant to include suitable wording for the OTP and OTMP, or appropriate wording secured elsewhere. If the principle is not agreed, the Applicant to provide without prejudice wording for inclusion in the OTMP and OTP to cover these points, should the ExA be minded to recommend their inclusion to the SoS. NCC to comment. 	<p>contracts etc, then separate planning consents would be required and any associated issues examined at that time.</p> <p>If Great Yarmouth is chosen as the preferred port (rather than Kings Lynn), there may be potential impacts to traffic on the Trunk Road network if the Great Yarmouth third river crossing project (NSIP ref TR010043) is implemented at the same time. However, given we anticipate the impact would arise on the trunk road network, rather than the county highway, the ExA may wish to also direct this question to Highways England.</p> <p>Whilst we have not specifically raised a concern in the relation to port operations, a similar issue arose with the East Anglia One project with the ExA including the following requirement -</p> <p><i>(1) No stage of the connection works shall be commenced until a travel plan for the onshore port-related traffic to and from the selected base port or ports and relating to the authorised project, has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority. The travel plan must be implemented as approved at all times specified within the travel plan during the construction and/or operation of the authorised development.</i></p> <p><i>(2) For the purposes of this Requirement— "base port" means the port used by management personnel for construction of the authorised development and for the ongoing operational management of the authorised development;</i></p> <p><i>"relevant planning authority" and "relevant highway authority" mean the planning or highway authority or authorities in whose area the relevant port is located; and "selected base port" or "ports" means a port or ports situated in England and/or Wales.</i></p> <p>If the ExA deems it necessary, NCC would have no objection to the inclusion of a similar requirement.</p>	<p>significant concern' and as such an additional Requirement is not considered necessary.</p> <p>The position from NCC also aligns with the Applicant's response to Q5.5.4.0.6 (detailed above) which states that potential traffic impacts of the base port will be considered in the context of any existing port operating permissions or as part of a separate planning application if new facilities are required. As such the mechanisms are in place to ensure any potential impacts are assessed and if required mitigated, therefore an additional Requirement is not needed.</p> <p>Without prejudice to the Applicant's position, if the ExA and the Secretary of State were minded to include a Requirement for a port travel plan associated with the offshore works, the Applicant proposes the following revised wording to address the specific matters raised by the ExA;</p> <p><i>(1) No stage of the offshore works may commence until a travel plan for the onshore port-related traffic to and from the selected base port(s) relating to the construction of the offshore works, has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority. The travel plan must be implemented as approved at all times specified within the travel plan during the construction of the offshore works.</i></p> <p><i>(2) For the purposes of this Requirement— "selected base port" means the port situated in England used by management personnel for construction of the offshore works; and "relevant planning authority" and "relevant highway authority" mean the planning or highway authority or authorities in whose area the selected base port is located.</i></p>
Q5.4.0.7	The Applicant	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <ol style="list-style-type: none"> Provide a fuller description of all three roles, including: <ul style="list-style-type: none"> key responsibilities part time or full time; location; duration of contract; The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in 	<p>The identification of these roles and the assurance that they will be operational at the appropriate point post-consent are secured in the relevant outline plans which are certified documents within the dDCO. The Applicant asserts it is not necessary to secure the level of detail described below at this stage. There is an implicit requirement the role definition and job description will correspond to the execution plans for construction of the detailed design, which will be drawn up in due course. The scope of these roles will be subject to discussion with the relevant LPAs as part of the production of the final CoCP and TMP. However, for the sake of transparency, the Applicant shares early thinking here.</p> <p>While each of the three roles mentioned in the question will collaborate and exchange relevant information as appropriate, they are distinct, and primarily, aim to meet the interests and needs of different stakeholders in relation to accessing information and providing a means of communicating opportunities, concerns and feedback to the Applicant.</p>	

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		<p>locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>The feedback will inform Project activities and enable adaptation to improve implementation of our plans.</p> <p>Community Liaison Officer (CLO)</p> <p>Main purpose: to represent the Applicant and become the focal point of contact between community stakeholders (e.g. residents, local business owners, schools, Parish Councillors, local groups, local road users) and the Applicant. The CLO(s) will inform stakeholders proactively about the Applicant's planned activities and implement engagement activities, including handling feedback, issues and concerns, and ensuring appropriate escalation and resolution.</p> <p>Key Responsibilities</p> <ul style="list-style-type: none"> • Key point of contact for all local community stakeholders including Parish Councils, residents, interest groups etc., potentially affected by the project • Refresh local community and stakeholder mapping and maintain relevant [GDPR compliant] stakeholder database • Daily liaison with internal and external project personnel based on and off site • Deliver integrated communication solutions on behalf of the Applicant. Such activities may include: Organise, attend and facilitate engagement activities with community groups and individuals. Regular updates to District area's/ Parish Council Representatives. Maintain details of engagement activities (including reporting to stakeholders). Coordinate with specialists / prepare and deliver presentations on project activities to community stakeholders. Prepare reports and assist with the dissemination of results to the community and stakeholders. Manage relevant communication (digital and analogue) materials and events including, notification flyers, traffic alerts e.g. via radio, webpage content, liaison with contact centre. Coordinate and deliver specific temporary closures information to affected stakeholders (as appropriate). • Implement and monitor the grievance mechanism. Work closely with others in the company (including consultants and contractors) to document and respond (and escalate, as needed) issues arising from the grievance mechanism. Report to management. • Pre-emptively assess, evaluate, and propose mitigation measures in relation to stakeholders' interests and needs, and assist in the management of risk/benefit assessment, and strategic plans and programs. <p>1.5 FTE One half time CLO for each work-area, corresponding to the three relevant LPA areas: North Norfolk District Council, Broadland Council, Breckland Council; reporting to Local Liaison Manager</p> <p>The term of the CLO role will span the duration of the onshore construction works. Anticipated start date 2022.</p>	

			<p>Agricultural Liaison Officer (ALO)</p> <p>Main purpose: to represent the Applicant and become the focal point of contact between Landowners, Agents, other Land Interests, including tenants / occupiers, and the Applicant. The ALO(s) will inform stakeholders proactively about the Applicant’s planned activities and implement engagement activities, including handling feedback, issues and concerns, and ensuring appropriate escalation and resolution.</p> <p>Key Responsibilities</p> <ul style="list-style-type: none"> • Key point of contact for all land interests, their agents and interest groups such as the LIG and NFU. • Maintain [GDPR compliant] land interests database • Support management of the Applicant’s timely access requirements • Regular liaison with internal and external project personnel based on and off site. • Identify information needs of land interests and coordinate with colleagues to proactively ensure timely and accessible information giving. Organise, attend and facilitate engagement activities with land interests and agents. Maintain documentation of engagement activity. Ensure land interests are aware of broader community liaison activities, materials & tools. Regular contact with Applicant’s wider stakeholder engagement team. • Pre-emptively assess, evaluate, and propose mitigation measures in relation to stakeholders’ interests and needs, and assist in the management of risk/benefit assessment, and strategic plans and programs. • Implement and monitor the grievance mechanism. Work closely with others in the company (including consultants and contractors) to document and respond (and escalate, as needed) issues arising from the grievance mechanism. Report to management. <p>One FTE to cover the onshore cable corridor area</p> <p>The term of the ALO role will span the duration of onshore construction works. Indicative start date 2022</p> <p>Traffic Management Plan Coordinator (TMPC)</p> <p>Main purpose: Represent the Applicant and become the focal point of contact between relevant stakeholders – namely Local Highways Authority – NCC, Highways England, Local Authorities (e.g. District Councils in their role as discharging authority), Police and the Local Rescue / Emergency services – and the Applicant. The TMPC will inform stakeholders about the Applicant’s planned and appropriate reactive activities and implement engagement activities, including handling feedback, issues and concerns, and ensuring appropriate escalation and resolution.</p> <p>The TMPC has a very specific technical role, to manage the implementation of the TMP, however within this role, there is a strong requirement to collaborate with relevant stakeholders, and ensure there is appropriate two-way information flow between the parties to pre-empt, avoid and mitigate for disruption to / resulting from any third-party activities in the locality.</p> <p>Key Responsibilities</p>	
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PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<ul style="list-style-type: none"> • Manage the implementation of the TMP plan • Organise, attend and facilitate engagement activities with relevant stakeholders • Report monitoring and progress of plan to the Applicant and relevant stakeholders (i.e. local authorities, NCC and HE etc.) • Maintain documentation of engagement activities • Inputting into and attending community liaison as required by Norfolk Boreas Limited • Providing details of any complaint investigations to Norfolk Boreas community liaison • Daily liaison with internal and external project personnel based on and off site. First point of contact for construction workers and sub-contractors with respect to any traffic-related topics • Feed into coordination of the Applicant's timely access requirements. <p>One FTE The term of the TMCP role will span the duration of onshore construction works. An indicative start date being 2022</p>	
Q5.4.0.7	Norfolk County Council	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>NCC have advised the applicant that we may be able to assist with the role of Traffic Management Plan Coordinator, depending on the scope of the role and provided it is fully funded by the applicant. However we have not yet had any detailed discussions concerning this role. We believe it is imperative that whoever takes on the role is fully aware of the local/seasonal sensitivities on the highway network.</p>	<p>The Applicant notes the suggestion made by NCC, and agrees that the Traffic Management Plan Coordinator must understand the local/seasonal sensitivities influencing traffic flows on the highway network.</p> <p>The OTMP, Section 5.3, 5.4 and 5.5 [REP14-022] detail the role of TMPCo, the potential plan breaches and the corrective process respectively. The contractor is responsible for establishing the role of TMPCo and the responsibility for enforcing the plan is with Norfolk Boreas Limited. It would not be appropriate for NCC to assume the role of Traffic Management Plan Co-ordinator (TMPCo) as the corrective process to be applied upon a breach of the plan is enforced within the jurisdiction of the contract between Norfolk Boreas Limited and the appointed contractor.</p> <p>Whilst it is recognised that NCC do have traffic enforcement powers, the Applicant considers the governance set out in the OTMP [REP14-022] to be appropriate and agile to manage day to day traffic management issues. The plan has been developed in consultation with NCC to contain details of seasonal constraints and is sufficiently detailed such that it will give clear direction as to the contractor's responsibility for managing the Project's contribution to cumulative traffic demand.</p> <p>The TMPCo would provide the interface between the Project and NCC providing timely monitoring and enforcement information as well as feeding back on complaints and other relevant Project related issues</p> <p>We will continue to discuss these matters with NCC, and the agreed outcomes of these decisions will be fed into the final TMP and the CoCP for approval with NCC and the relevant LPAs.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.4.0.7	Breckland Council	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>Breckland Council is of the view that it is the responsibility of the applicant to set out in detail the role and responsibilities of the three roles.</p> <p>It would expect the Officers to be locally based, full time and to be in place until such time as the LPA agrees with the applicant. It would see the role being as set out in the question i.e. a local presence to enable a rapid and effective response to community concerns. It would expect the officers to be empowered to address concerns directly with the applicant and the local council and seek to resolve those concerns where it can.</p> <p>The details can be secured by agreement with the relevant local authority in advance of any works commencing.</p>	<p>The Applicant notes Breckland Council's comment, and believes the answer provided at deadline 13 covers all the points made, and provides appropriate detail at this juncture.</p> <p>For the avoidance of any doubt, "spanning the duration of the onshore construction works" we expect is equivalent to "in place until such time as the LPA agrees with the Applicant", given that the scope (including duration) of these roles will be subject to discussion with the relevant LPAs as part of the production of the final CoCP and TMP.</p>
Q5.4.0.7	Cawston Parish Council	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>We expect to comment on this topic further once the Applicant's responses are published. At this stage we would suggest that a "rapid and effective response" should include powers to make real and urgent changes to the benefit of residents.</p> <p>We would very much hope that the answer to "Are Parish Councils to be consulted on the content and details of the Communications Plan?" is "Yes", and that on this occasion the consultation will be a genuine exchange and not a box ticking exercise, characterised by restating the applicant's plans, hinting at community benefits post approval, whilst dismissing concerns and constructive proposals</p>	<p>The Applicant refers to responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036).</p>
Q5.4.0.7	Chris Allhusen	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3].</p>	<p>Could I please ask that a further question of the Agricultural Liaison Officer, in that he or she is qualified for the position. They will need to have a considerable knowledge of agriculture, land use, drainage, ecology to name a few skills.</p>	<p>Noted.</p> <p>All personnel appointed by the Applicant, or their Contractors will be appropriately qualified for the post that they are to fulfil.</p>

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		<p>The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>		
Q5.4.0.7	NFU / LIG	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>The role of the ALO has been identified and agreed by the NFU and LIG with Vattenfall. The role outlined of the ALO is very specific for landowners and is set out in REP 10 -013 Appendix B. The key responsibilities have been outlined and the duration of the contract. The NFU would expect the ALO to cover the full length of the project and all the landowners affected.</p> <p>The NFU and LIG are expecting the ALO to provide an on the ground service between landowners and Vattenfall's contractors on site at all times during construction and for one year after construction has been completed. Part of the role is to engage with landowners to inform them of all activities taking place on their land and to resolve any issues which arise.</p> <p>As stated the ALO role is secured in REP10 -013 Appendix B of the outline Code of Construction.</p>	<p>Noted.</p> <p>As stated, the ALO role is secured in REP10 -013 Appendix B of the Outline Code of Construction, and the role and scope of the ALO is described there in some detail. It is specified there that post-construction the ALO will remain in place for up to one year in order to manage remediation issues.</p>
Q5.4.0.7	Oulton PC	<p>Community Liaison</p> <p>The OCoCP sets out the role of a Community Liaison Officer [REP10-013, Section 2.4] and the role of an Agricultural Liaison Officer [REP10-013, Appendix B]. The OTMP sets out the role of a Traffic Management Plan Coordinator [REP10-017, Section 5.3]. The ExA notes that there is an indicative outline of the role description for the Traffic Management Coordinator.</p> <p>a) Provide a fuller description of all three roles, including:</p> <ul style="list-style-type: none"> • key responsibilities • part time or full time; • location; 	<p>OPC would expect a liaison officer, given the number of projects affecting local communities and businesses. All would require a point of contact. It may even be that there is a need for an over-arching coordinator for ALL projects. The current cumulative impact from HGVs seems to have been the main focus, but projects would still need to take into consideration and manage effectively other traffic involved with the projects, as well as agricultural traffic and other road users.</p> <p>Local communities will need to be informed of when construction will start, where there might be diversions and road closures, along with clear maps of alternative routes well ahead of time and for how long.</p>	<p>The Applicant refers Oulton Parish Council to the responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036).</p> <p>The Applicant notes Oulton PC's expectations, and notes an alignment with the provisions the Applicant expects to put in place.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<ul style="list-style-type: none"> • duration of contract; <p>b) The ExA notes that there would be project wide Local Planning Authority investigation procedures [REP10-016, Section 5.2] and [REP10-012, Section 2.4] in place. Is the role of the proposed Community Liaison Officer to provide an on-the-ground, local presence to enable a rapid and effective response to community concerns, in locations such as Necton, Cawston, Oulton and Happisburg? Respond to this question in light of the representations during OFH3.</p> <p>c) Where and how are these details secured?</p> <p>d) Other Interest Parties may wish to comment</p>	<p>Agricultural businesses would also need to know how road closures and diversions will impact their access to fields, and planting and harvesting schedules, as well as best or alternative routes during construction.</p> <p>OPC is still fearful that this will result in all of the agricultural traffic coming through the residential end of Oulton Street because of delays or restrictions at the southern end of The Street. As well as traffic issues there may be noise issues which the community may need to raise as a concern during the construction phase, again requiring a dedicated contact point. There should also be clear project identification of vehicles using shared construction routes so there is no confusion between projects</p> <p>The Parish Councils need to be a point of contact, and liaison officers should be required to attend PC meetings when asked to do so, so that information can be posted on parish noticeboards and websites or via residents' contact lists.</p>	
Q5.4.0.8	The Applicant;	<p>Community Liaison</p> <p>The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OFW project and Hornsea Project Three if it were consented.</p> <p>a) Explain the relationship of each post to all three projects.</p> <p>b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods.</p> <p>c) Where and how is this secured?</p> <p>d) Other Interested Parties may wish to comment</p>	<p>a) It is most likely that under Scenario 1, the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OWF project, should both Vattenfall projects proceed to construction.</p> <p>These roles would not be a shared resource with HP3. Under both Scenario 1 and Scenario 2, HP3 and its representatives are a stakeholder, and each of the roles outlined above would equally ensure that HP3 is aware of the Applicant's programmed activities, and that relevant views and activities of HP3, are considered during planning and implementation of the Applicant's schedule of works, including communication and engagement.</p> <p>b) There are clear variations between the construction methodology, duration and geographic locations of the Applicant's and HP3 onshore construction programmes. However, should NB (and potentially NV) and HP3 construction periods overlap, the Applicant will seek to schedule regular communication with their equivalent party in HP3. The Applicant will collaborate with HP3 such that any contact from the public or stakeholder (be-it a concern, complaint or idea), is passed on efficiently to the relevant party. The purpose of these proactive and reactive exchanges / meetings would be to update both parties on respective plans and progress, explore the potential for cumulative effects and to agree avoidance and mitigation strategies, including effective communication, to local community stakeholders.</p> <p>c) The implementation of these roles and the commitment to a communication plan which will include procedures for engaging with HP3 are secured in the relevant outline plans which are certified documents within the dDCO.</p>	
Q5.4.0.8	Breckland Council	<p>Community Liaison</p> <p>The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk</p>	<p>Breckland Council would refer to the response above in terms of the roles and responsibilities of the officer and how it would be secured.</p> <p>It would make sense if the projects are carried out at the same time for there to be a single point of contact. The concern would be that</p>	<p>The Applicant refers to responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036). The Applicant is currently proposing 3.5 FTE to cover the responsibilities of the roles described, and therefore consider the important work they will undertake is properly resourced.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		Vanguard OFW project and Hornsea Project Three if it were consented. a) Explain the relationship of each post to all three projects. b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods. c) Where and how is this secured? d) Other Interested Parties may wish to comment	this may require more than a single post and it is important that the role is properly resourced.	
Q5.4.0.8	Norfolk County Council	Community Liaison The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OFW project and Hornsea Project Three if it were consented. a) Explain the relationship of each post to all three projects. b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods. c) Where and how is this secured? d) Other Interested Parties may wish to comment	Given the significant cumulative traffic impacts and linkage between all three projects, NCC believe it is imperative the Traffic Management Plan Coordinator is a shared resource across all three projects	As noted in our response to Q 5.4.0.8 we do not consider the Project TMP can be a shared resource with HP3. With reference to the Applicant's comments on NCCs response to Q5.4.0.7 above, it is noted that the corrective process to be applied upon a breach of the plan are enforced within the jurisdiction of the contract between Norfolk Boreas Limited and the appointed contractor. It is also noted that the HP3 Construction Traffic Management Plan, 8.2 Compliance and Monitoring [REP10-48 of the HP3 examination] broadly contains the same contractual obligations. It would therefore not be appropriate for a TMPCo to oversee both contracts as this would potentially introduce commercial sensitivities. Should the construction activities of Norfolk Boreas and Norfolk Vanguard overlap with Hornsea Project 3, then a key role of the TMPC would be regular liaison with the Hornsea Project 3 TMPC. The respective Outline Code of Construction Practice (OCoCP) as submitted for both Norfolk Boreas [REP14-012] and Hornsea Project Three [REP9-043 of the HP3 examination] both contain provision to secure the co-ordination of traffic demand across all projects and to ensure that engagement is continuous with NCC.
Q5.4.0.8	Cawston Parish Council	Community Liaison The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OFW project and Hornsea Project Three if it were consented. a) Explain the relationship of each post to all three projects. b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods. c) Where and how is this secured? d) Other Interested Parties may wish to comment	We expect to comment on this topic further once the Applicant's responses are published. At this stage we would suggest that a "rapid and effective response" should include powers to make real and urgent changes to the benefit of residents. We would very much hope that the answer to "Are Parish Councils to be consulted on the content and details of the Communications Plan?" is "Yes", and that on this occasion the consultation will be a genuine exchange and not a box ticking exercise, characterised by restating the applicant's plans, hinting at community benefits post approval, whilst dismissing concerns and constructive proposals	Noted. Please see the Applicant's comments on Cawston's response to Q5.4.0.7
Q5.4.0.8	NFU/LIG	Community Liaison The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OFW project and Hornsea Project Three if it were consented. a) Explain the relationship of each post to all three projects.	The NFU and LIG could see that it may be possible for the ALO for Norfolk Vanguard project to take on the role for Norfolk Boreas. But we believe that Orsted for the Hornsea 3 project should be securing an ALO for their own project.	Noted. The Applicant is in agreement with the points made by the NFU/LIG. Should the construction activities of Norfolk Boreas and Norfolk Vanguard overlap with Hornsea Project 3, then a key role of the ALO would be regular liaison between the respective project ALOs.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<ul style="list-style-type: none"> b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods. c) Where and how is this secured? d) Other Interested Parties may wish to comment 	<p>We would of course expect the ALO for Vattenfall projects to liaise with the ALO for Hornsea 3 especially in regard to where the cables for both projects cross.</p> <p>We would request and are expecting that the above point is included under the role of the ALO in REP10 -013.</p>	
Q5.4.0.8	Oulton PC	<p>Community Liaison</p> <p>The ExA is not clear whether the Community Liaison Officer, Agricultural Liaison Officer and Traffic Management Plan Coordinator are to be a shared resource with the Norfolk Vanguard OFW project and Hornsea Project Three if it were consented.</p> <ul style="list-style-type: none"> a) Explain the relationship of each post to all three projects. b) What measures are proposed to provide a single point of contact for community liaison in the event of concurrent construction periods if the Proposed Development and Hornsea Three OWF were to both be consented and have concurrent construction periods. c) Where and how is this secured? d) Other Interested Parties may wish to comment 	See response to Q 5.4.0.7	The Applicant refers to responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036).
Q5.4.0.9	The Applicant	<p>Community Liaison</p> <ul style="list-style-type: none"> a) Are Parish Councils to be consulted on the content and details of the Communications Plan? b) If they are, should this be included in the OCoCP? c) If they are not, why not? d) Other Interested Parties may wish to comment. 	<p>a) to c) As noted in the Applicant's response to Q5.4.0.7 above, the communication planning will be agreed with the LPAs, as part of the process to finalise the CoCP and the TMP. The LPAs are best placed to advise on and influence communication plans, as they have district wide expertise and statutory remit with respect to communications with local stakeholders.</p> <p>The relevant CLO will make contact early with each relevant Parish Council (and as appropriate with Local District Councillors) to introduce themselves and their role. They will seek to establish both an open invitation to stakeholders to make contact whenever communities identify specific opportunities or issues that they want to bring pre-emptively or reactively to the attention of the Project, as well as regular Project meetings, to ensure there is an opportunity for general updates (two way) and reviewing and evaluating the effectiveness of local engagement and communication, and ensuring adjustments and improvements are made as and when appropriate. In this sense, the relevant PCs will be able to feed into communications plans. It is anticipated regular project meetings will be organised collectively – with representatives from each PC attending, on a monthly basis. This enables local representatives to understand how the Project is operating in a slightly wider local context and facilitates collective learning and opportunities to be identified.</p> <p>The Applicant would of course, have no issue should the LPA want to consult with relevant Parishes on the communication plans. We do not consider at this stage it would be necessary to write this into the OCoCP nor the OTMP.</p>	
Q5.4.0.9	Breckland Council	<p>Community Liaison</p> <ul style="list-style-type: none"> a) Are Parish Councils to be consulted on the content and details of the Communications Plan? b) If they are, should this be included in the OCoCP? 	Breckland Council considers that Parish Councils should be consulted on the details of the communications plan	The Applicant refers to responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036).

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>c) If they are not, why not? d) Other Interested Parties may wish to comment.</p>		
Q5.4.0.9	Cawston Parish Council	<p>Community Liaison</p> <p>a) Are Parish Councils to be consulted on the content and details of the Communications Plan? b) If they are, should this be included in the OCoCP? c) If they are not, why not? d) Other Interested Parties may wish to comment.</p>	<p>We expect to comment on this topic further once the Applicant's responses are published. At this stage we would suggest that a "rapid and effective response" should include powers to make real and urgent changes to the benefit of residents.</p> <p>We would very much hope that the answer to "Are Parish Councils to be consulted on the content and details of the Communications Plan?" is "Yes", and that on this occasion the consultation will be a genuine exchange and not a box ticking exercise, characterised by restating the applicant's plans, hinting at community benefits post approval, whilst dismissing concerns and constructive proposals</p>	The Applicant refers to responses to Q.5.4.0.7, Q.5.4.0.8 and Q.5.4.0.9 (REP14-036).
Q5.4.0.10	The Applicant	<p>Respond to Points in Mulbarton Parish Council's D13 submission</p> <p>Respond to the matters raised in Mulbarton Parish Council's representations at Deadline 13.</p>	<p>The Applicant acknowledges the detailed thinking presented by Mulbarton PC. While aspects of the schemes presented therein may be technically deliverable – they are alternatives which are not relevant to this stage of the development process of the Project. Conceptual technical solutions to issues surrounding a more coordinated offshore grid, and the required regulatory reform required to enable them are the topic of the Offshore Transmission Network Review, announced on 15 July 2020 by the Energy Minister. The review's objective is "to ensure that the transmission connections for offshore wind generation are delivered in the most appropriate way, considering the increased ambition for offshore wind to achieve net zero. This will be done with a view to finding the appropriate balance between environmental, social and economic costs."¹. Both the Department of Business Energy and Industrial Strategy and NG ESO are agreed that the Offshore Transmission Network Review should not affect those projects with an existing contracted position for grid connection. Rather, the wholesale changes to the current regulatory framework, and funding mechanism, that are required by a conceptual integrated offshore network, including variations on the themes described in the Mulbarton PC paper, require longer time frames to be explored, enabled, funded, consented and delivered – and are only relevant in relation to projects expected to connect to the onshore network after 2030 (i.e. without a current grid agreement). As previously stated in submissions [AS-024, REP5-045, REP7-017], Vattenfall is participating in the Offshore Transmission Network Review as a key stakeholder, interested in supporting UK Government's desire to deliver on offshore wind goals as part of the UK's drive to achieve net zero C-emissions by 2050.</p> <p>The assertion made by the submission, that proposals of the type it describes could be delivered and progress to delivering power to the national grid on the same time frame as the projects described by their respective developers, omits to consider the necessary steps that would need to begin afresh. For example, new grid connection agreements, new offshore surveys, a new EIA and NSIP process would need to be undertaken and successfully completed. This would be followed by detailed design and other business-critical milestones, which effectively would mean construction could begin no sooner than the very late 2020s, and first power would therefore not be delivered until after 2030.</p>	

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			<p>Furthermore, the Applicant would draw the author of the paper's attention to the Applicant's (and Norfolk Vanguard's) consultation materials (e.g. APP-172 doc.5.1.22.13 Consultation Report Appendix 22.13 - Consultation Summary Document, p19) which illustrates the offshore and coastal environmental constraints limiting the likelihood of achieving consent for offshore cabling making landfall via the Wash, for Walpole or near Bawdsey for Bamford. Such options do not meet the current environmental protection standards which developers expect to deliver.</p>	
Q5.4.0.11	The Applicant	<p>The Crossing with Hornsea Three OWF, North of Reepham</p> <ul style="list-style-type: none"> a) Explain what is meant by 'overall thermal efficiency' with respect to the crossing of cables between Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas [REP10- 037, Page 16, 17]. b) Further to matters raised by N2RS at OFH2 [EV12-002] regarding lack of certainty over HVAC or HVDC and therefore cable numbers should Hornsea Three OWF be consented, the NFU at OFH3 [EV13-011] and your statement in the latest SoCG with the NFU [REP10-037, pages 15 to 17], provide a method statement with cross-section illustrations for construction of the crossing point of cables which illustrates all the possible construction process options (open cut trench and trenchless) of the Proposed Development with both scenarios (ie with and without Norfolk Vanguard OFW) and Hornsea Three with HVAC and HVDC. c) In presenting the options set out the thermal efficiency factors and potential for disruption to agriculture for each option. d) Include in the OCoCP this method statement, or a version of it which sets out those options which would meet the "most thermally efficient crossing design". e) Where is the commitment by all parties to ensure that other parties could still install their cables secured [REP9-026, para 23]? f) The ExA understands that discussions are on-going with Ørsted for Hornsea Project Three to agree the most thermally efficient crossing design. What are the implications for this Examination if no agreement is reached? 	<p>a) Overall thermal efficiency relates to minimising the overall thermal interaction (heating) between the different project cables and the ground. The projects will seek to be thermally independent of each other, or in other words, to minimise the thermal interaction of the projects so far as possible.</p> <p>b) The general principle for the crossing of the cables as noted in the SoCG with the NFU [REP10-037], presents an outline method statement, which details that:</p> <p><i>The general principle will be that the project with the least number of cables will carry out the installation method by trenchless crossing and be below the other project. Therefore, the project with the most cables will use an open cut trench method and be located above the other project. However, if there is a good technical reason, such as beneficial for overall thermal efficiency, it may be that the project with the least cables would be more appropriately located above the other project. In the case where only one project goes ahead, the project to be constructed, will be installed using open cut methods within the subsurface.</i></p> <p>The general principle captures the overarching construction arrangement, however the specific crossing arrangement and associated method statement can only be determined following detailed design once the number of cables, circuits and power flow is identified.</p> <p>c) The potential for disruption to agriculture will be minimised so far as possible through the general principle that where the projects cross, the project with the least number of cables will carry out the installation by trenchless crossing below the project with the most cables, which will use open trench methods. This limits the open trench works to only Norfolk Vanguard and Norfolk Boreas or Hornsea Project Three such that either:</p> <ul style="list-style-type: none"> 1) Norfolk Vanguard and Norfolk Boreas ducts are installed through open trench method with Hornsea Project Three utilising a trenchless crossing 2) Hornsea Project Three is installed through open trench method with Norfolk Vanguard and Norfolk Boreas utilising a trenchless method. <p>This principal is also most likely to result in the least thermal interaction, unless, during detailed design and final selection of number of cables, circuits and current flow it is identified due to technical reasons, that it would be beneficial for the project with least cables to cross over the project with the most cables. Irrespective, the open trench works are</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>limited to only Norfolk Vanguard and Norfolk Boreas or Hornsea Project Three.</p> <p>d) The general principal will provide an overall thermally efficient crossing design, however the specific crossing arrangement and associated method statement can only be determined following detailed design once the number of cables, circuits and power flow is identified. It is therefore not appropriate to include a method statement in this regard to the OCoCP at this stage.</p> <p>e) The draft Norfolk Boreas DCO includes protective provisions for Orsted Hornsea Project Three (UK) Ltd and these are reciprocated in the draft Orsted Hornsea Project Three DCO for Norfolk Boreas and Norfolk Vanguard to ensure that other party's cables can be installed. As agreed in the SoCG [REP9-026], the Applicant and Orsted will continue to cooperate in respect of the planning crossing works and share design specifications when known to help facilitate the design of the other party's cables at the point of crossing.</p> <p>f) The crossing design will be determined post consent as part of detailed design when further details on number of cables, circuits and power flows are known, but will follow the general principles as outlined above to provide a thermally efficient design.</p> <p>The draft Norfolk Boreas DCO includes protective provisions for Orsted Hornsea Project Three (UK) Ltd and these are reciprocated in the draft Orsted Hornsea Project Three DCO for Norfolk Boreas and Norfolk Vanguard which note that both parties "must act in good faith and use reasonable endeavours to co-operate with, and provide assistance to, each other as may be required". The Applicant therefore sees no implications for the examination if this design is not completed/agreed prior to the close of examination as both parties will continue to co-operate, as bound by the protective provisions, to develop a thermally efficient design.</p>	
Q5.4.0.11	The NFU / LIG	<p>The Crossing with Hornsea Three OWF, North of Reepham</p> <p>a) Explain what is meant by 'overall thermal efficiency' with respect to the crossing of cables between Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas [REP10- 037, Page 16, 17].</p> <p>b) Further to matters raised by N2RS at OFH2 [EV12-002] regarding lack of certainty over HVAC or HVDC and therefore cable numbers should Hornsea Three OWF be consented, the NFU at OFH3 [EV13-011] and your statement in the latest SoCG with the NFU [REP10-037, pages 15 to 17], provide a method statement with cross-section illustrations for construction of the crossing point of cables which illustrates all the possible construction process options (open cut trench and trenchless) of the Proposed Development with both scenarios (ie with and without Norfolk Vanguard OFW) and Hornsea Three with HVAC and HVDC.</p>	<p>The NFU and LIG would be grateful if Vattenfall could provide a method statement with cross section illustrations for construction of the crossing point of cables which illustrates all the possible construction process options (open cut trench and trenchless) of the Proposed Development with all the different possible configurations (ie with and without Norfolk Vanguard OFW) and Hornsea Three with HVAC and HVDC. This would be very helpful and much appreciated by landowners.</p> <p>The NFU and LIG can confirm that they have still received no method statement or guarantee from Orsted in regard to Hornsea 3 that they will agree to the method to lay the cables at the crossing point to be the most thermally efficient and least disruptive to landowners.</p>	<p>The Applicant provided a detailed response in relation to the Hornsea Three crossing in question 5.4.0.11 of the Applicant's Responses to the Examining Authority's Fifth Round of Written Questions (REP14-036)- which outlines why no method statement is appropriate at this stage. The response also details the mechanism by which the Applicant, Norfolk Vanguard and Hornsea Project 3 are committed to cooperation.</p>

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		<ul style="list-style-type: none"> c) In presenting the options set out the thermal efficiency factors and potential for disruption to agriculture for each option. d) Include in the OCoCP this method statement, or a version of it which sets out those options which would meet the "most thermally efficient crossing design". e) Where is the commitment by all parties to ensure that other parties could still install their cables secured [REP9-026, para 23]? f) The ExA understands that discussions are on-going with Ørsted for Hornsea Project Three to agree the most thermally efficient crossing design. What are the implications for this Examination if no agreement is reached? 		
Q5.4.0.12	The NFU and/ or LIG	<p>The Crossing with Hornsea Three OWF, North of Reepham</p> <p>The Applicant will submit the requested method statement for construction process options at the crossing with Hornsea Three OWF at Deadline 14 (25 August 2020) at the same time as responses to these written questions.</p> <p>You are requested to provide any comments, including suggestions for amendment on this at Deadline 15 (1 September 2020).</p>	The NFU and LIG would like to confirm that the method statement agreed must include the wording 'least disruptive to agricultural land' as well as most thermally efficient.	<p>The Applicant provided a detailed response in relation to the Hornsea Three crossing in question 5.4.0.11 of the Applicant's Responses to the Examining Authority's Fifth Round of Written Questions (REP14-036). In particular part c) stated:</p> <p><i>The potential for disruption to agriculture will be minimised so far as possible through the general principle that where the projects cross, the project with the least number of cables will carry out the installation by trenchless crossing below the project with the most cables, which will use open trench methods. This limits the open trench works to only Norfolk Vanguard and Norfolk Boreas or Hornsea Project Three such that either:</i></p> <ol style="list-style-type: none"> 1) Norfolk Vanguard and Norfolk Boreas ducts are installed through open trench method with Hornsea Project Three utilising a trenchless crossing 2) Hornsea Project Three is installed through open trench method with Norfolk Vanguard and Norfolk Boreas utilising a trenchless method. <p><i>This principal is also most likely to result in the least thermal interaction, unless, during detailed design and final selection of number of cables, circuits and current flow it is identified due to technical reasons, that it would be beneficial for the project with least cables to cross over the project with the most cables. Irrespective, the open trench works are limited to only Norfolk Vanguard and Norfolk Boreas or Hornsea Project Three.</i></p> <p>Given the technical (and other environmental) requirements of the crossing, it may not be appropriate to undertake the crossing in a way which is least disruptive to agricultural land, but as set out above (our emphasis) potential for disruption will be minimised as far as possible.</p>
Q5.4.0.13	The Applicant	<p>The Crossing with Hornsea Three OWF, North of Reepham</p> <ol style="list-style-type: none"> a) In order that the ExA can be satisfied that the necessary design assurances would be in place to enable the Applicant to rely on base survey data by others as set out in the SoCG with Ørsted for Hornsea Three OWF [REP9-026, para 23], should Hornsea Three OWF proceed ahead of the Proposed Development, include a reference to the Agreement in the dDCO. b) Does this agreement regarding survey by others need to be reflected anywhere else in the documentation for the 	a) The SoCG between the parties outlines specific areas in which cooperation and assistance is identified, such as survey works. This is proposed to help reduce the number of surveys undertaken and ensure consistency in base survey data utilised by all parties. This will only apply in areas where requirements for survey data overlap (i.e. at the crossing point) and where the survey data remains contemporaneous with the discharge requested for the subsequent project. For example, if one project has undertaken archaeological investigation works at the cable crossing, then there would not be a need for the follow on project to undertake these works again if the LPA was content to rely on the earlier survey work having been completed. If it is not possible to rely on	

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		<p>Proposed Development, such as the OCoCP, OLEMS, WSI etc?</p> <p>c) How would responsibility and liability be determined in the event of baseline surveys proving inaccurate?</p>	<p>previous survey work, whether due to design approach, timing of works, or areas of overlap, further survey work would be undertaken as necessary. Therefore, it is not necessary or appropriate to include a reference to this in the dDCO. Notwithstanding this, it should be noted that the Protective Provisions with HP3 (contained in Schedule 17, Part 8 of the dDCO) contain a requirement to act in good faith, and use reasonable endeavours to cooperate with and provide assistance to Hornsea Three OWF at paragraph 94. These protective provisions are reciprocated within the Hornsea Three draft DCO in relation to Norfolk Boreas.</p> <p>b) As set out above, the sharing of survey information is the preferred approach but is not mandatory, therefore this does not need to be included in any further documentation. Each project has their own commitments with their own management plans and DCO Requirements to undertake the required pre-construction surveys. If a project chooses to use third party data to meet their commitments and discharge the DCO Requirements then this will be at the discretion and approval of the relevant planning authority or consultees.</p> <p>c) As stated in response to part b) the accuracy of any baseline survey data is subject to review and approval by the relevant planning authority or consultees. If they were not content to rely on the accuracy of baseline survey data provided, further surveys would need to be undertaken by the project seeking discharge of the relevant Requirement. Therefore, there would not be any need to consider responsibility or liability for inaccurate survey data.</p>	

4.1 Onshore cumulative effects of other proposals (construction)

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

5 Development Consent Order and Deemed Marine Licences

5.0 General

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.0.1	Colin King	<p>Updated dDCO Provide any comments on the Applicant's updated dDCO submitted at D13 [REP13-007] to [REP13-012].</p>	<p>The schedule of changes to the Development Consent Order includes the SoS comments to carry across changes from the Norfolk Vanguard as made order and ensure consistency between the two projects.</p> <p>This action I feel reveals a problem. While it is possible to adjust the dDCO of Boreas to ensure consistency with Vanguard, there is no mention of the possibility to adjust the DCO of Vanguard to provide consistency with Boreas. Considering no cumulative effects were considered in the</p>	<p>To the extent that it is necessary to secure mitigation for cumulative impacts considered as part of the Norfolk Boreas examination, the correct approach is to secure this in the dDCO for Norfolk Boreas.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			Vanguard examination, there is more likelihood that the Vanguard DCO will require changes, once the cumulative effects have been considered in the Boreas Examination.	
Q5.5.0.1	MMO	Updated dDCO Provide any comments on the Applicant's updated dDCO submitted at D13 [REP13-007] to [REP13-012].	The MMO has reviewed the updated dDCO and is content with most of the updates as these have been implemented from the Norfolk Vanguard decision. The MMO does have comments on the inclusion of Condition 20 to Schedules 11 and 12 and these are discussed in section 1.3 of this document. In addition to this the MMO has requested a further update in relation to timescales. Please see section 1.5 of this document for further information.	As stated in the Applicant's response to Q5.8.3.2, it has been agreed with the MMO and Natural England to remove Condition 20 and reinstate Condition 3(1)(g) (with amendments). Please also see the Applicant's comments on the MMO's responses to Q5.5.4.4 and 5.16.0.5 below.
Q5.5.0.1	Natural England	Updated dDCO Provide any comments on the Applicant's updated dDCO submitted at D13 [REP13-007] to [REP13-012].	Please see our response to Qu. 5.5.4.4 below.	The Applicant has commented on Natural England's response to Q5.5.4.4 below.
Q5.5.0.1	NFU/LIG	Updated dDCO Provide any comments on the Applicant's updated dDCO submitted at D13 [REP13-007] to [REP13-012].	Article 26: Q5.5.0.1: Temporary Use of Land: The request by the NFU that all DCOs going forward should give 28 days notice for temporary possession is due to problems that farmers are facing by only receiving 14 days. It is not possible to plan or change arrangements within a 14 day notice period or give a third party any notice. A landowner/farmer could be away on holiday for two weeks and so would not know if a notice for 14 days had arrived. This helps to change supply deliveries like sprays and fertilisers and if livestock need to be moved from an area this is easier to achieve with 28 days notice. The notice period of 28 days notice has now been agreed in the DCO application by Highways England for the A30 Chiverton to Carland Cross. As stated in our other written submissions HS2 has now agreed to a 3 month notice for temporary possession as the Select Committee in the House of Commons realised how important it is to agricultural businesses to be able to plan before land is taken. Further in negotiations with Orsted for Hornsea 4 we have requested that a 3 month notice is served with a Notice of Entry. It is therefore felt that as a minimum a 28 day notice has to be served.	Noted. The Applicant does not consider that any new points have been raised by the NFU/LIG which have not already been responded to in the Applicant's previous submissions. In particular, the Applicant refers to its response to the ExA's third round of Written Questions, Q.3.5.1.3 at Deadline 7 [REP7-017] and more recently the Applicant's response to Open Floor Hearing 3 [REP13-015].
Q5.5.0.1	NSAG	Updated dDCO Provide any comments on the Applicant's updated dDCO submitted at D13 [REP13-007] to [REP13-012].	The schedule of changes to the Development Consent Order includes the SoS comments to carry across changes from the Norfolk Vanguard as made order and ensure consistency between the two projects. How can it be right that adjustments be made only from Vanguard to Boreas? The Vanguard DCO has already been passed by the SoS. It was made clear that cumulative effects of the substations were not considered by the Vanguard ExA, when recommending action to the SoS. There seems to be no way of adjusting the Vanguard DCO (after its approval) to match any changes made to the Boreas DCO during its examination. The two projects therefore can never be made consistent with each other. Unless the Vanguard decision is reversed by the SoS until such times as the cumulative effects of the substations (in particular) can be assessed and suitable changes made to the Vanguard DCO, so that the projects can be consistent with each other.	To the extent that it is necessary to secure mitigation for cumulative impacts considered as part of the Norfolk Boreas examination, the correct approach is to secure this in the dDCO for Norfolk Boreas.
Q5.5.0.2	The Applicant	Schedule of Changes to the draft Development Consent Order	a) To avoid duplication in the Schedule of Changes and making it unnecessarily lengthy and unwieldy, the Applicant has grouped together	

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		Further to submission of [REP13-012], provide further updates with all versions of the dDCO and: a) Check all other changes such as turbine numbers in Schedules 9 and 10 are included in the Schedule of Changes. b) Check that the refs tally with changes eg Ref 05, are the Schedules correct?	changes from the DCO that are the same - for instance where the provisions in Schedule 1, Part 3, Requirements are repeated in the DMLs at Schedule 9-13. The reduction in the maximum number of wind turbine generators from 180 to 158 is shown in row 64 of the Schedule of Changes [REP13-012], which makes clear that this change has been made at: <ul style="list-style-type: none">Schedule 1, Part 1, paragraph 1(a)Schedule 1, Part 3, Requirement 3(1)Schedule 9 -10, Part 3, Paragraph 2(1)(a)Schedule 9 -10, Part 4, Condition 8(1)(b). b) The Applicant agrees that entry 5 on the Schedule of Changes [REP13-012] should have referred to Schedule 9-10, rather than Schedule 11-12. The Applicant will include this update in the next version of the Schedule of Changes to be submitted alongside the final dDCO.	
Q5.5.0.3	The Applicant	Explanatory Notes: Page 337 (Explanatory Notes) refers to certification of plans, etc as 'Article 38'. Should this be Article 37? [REP13-008]	The Applicant agrees that the reference in the Explanatory Notes of the dDCO should refer to Article 37 rather than Article 38. The Applicant will update this in the next version of the dDCO.	

5.1 Articles

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.1.1	The Applicant	Article 2: Highway Authority definition Include in Article 2, a definition for Highway Authority: "the highway authority" means Highways England or Norfolk County Council";	The Applicant will update the next version of the dDCO to include this definition as requested.	
Q5.5.1.2	The Applicant	Article 16: Authority to investigate the land onshore The NFU confirmed at OFH3 (Session 3) that either of its previously requested additions regarding equipment to be used and an estimate of how long surveys would take (to dDCO Article 16 or to the role description for the Agricultural Land Officer (ALO)) would allay the concerns of those it is representing [EV13-011]. Notwithstanding your comments regarding additional inefficiencies and inconsistencies with the made Norfolk Vanguard DCO [REP13-015, ref 17], if the ExA came to a different conclusion from that contained in the Norfolk Vanguard DCO regarding the need for such procedures, if you wish, state a without prejudice preference for which way (Article 16 wording or wording in the ALO role description) this could be secured?	Notwithstanding the Applicant's position as outlined in REP13-015, the Applicant considers that Appendix B of the OCoCP, which contains the role of the Agricultural Liaison Officer (ALO), could be amended to include further details in relation to the provision of preconstruction survey information. Accordingly, the following wording has been included in the updated OCoCP Appendix B (Version 6), submitted at Deadline 14. The ALO will have responsibility for liaising with landowners, agents and occupiers in respect of the following: <ul style="list-style-type: none">"Where possible, providing preconstruction survey information to landowners (such as company name, survey type and equipment to be used, and an estimate of how long the surveys are expected to take) prior to the preconstruction survey commencing." This text follows the wording that the NFU requested from the Highways England A303 scheme, as referred to in response to the fourth round of written questions (Q.4.5.1.1), on which the Applicant commented at Deadline 11 [REP11-007].	
Q5.5.1.2	NFU / LIG	Article 16: Authority to investigate the land onshore The NFU confirmed at OFH3 (Session 3) that either of its previously requested additions regarding equipment to be used and an estimate of how long surveys would take (to dDCO Article 16 or to	The NFU can confirm that after checking the dDCO on 25.8.2020 no wording has been changed in Article 16 or to the role of ALO to cover surveys.	The Applicant refers to its response to Q5.5.1.2 above, which confirms that the Applicant has updated the version of the OCoCP (Document 8.1) [REP14-013] submitted at Deadline 14 in accordance with similar wording previously referred to by the NFU.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>the role description for the Agricultural Land Officer (ALO)) would allay the concerns of those it is representing [EV13-011]. Notwithstanding your comments regarding additional inefficiencies and inconsistencies with the made Norfolk Vanguard DCO [REP13-015, ref 17], if the ExA came to a different conclusion from that contained in the Norfolk Vanguard DCO regarding the need for such procedures, if you wish, state a without prejudice preference for which way (Article 16 wording or wording in the ALO role description) this could be secured?</p>	<p>The NFU believes that it is essential that the following wording is included in the Article 16:</p> <p><i>'16 (3) The notice required under paragraph (2) must indicate the nature of the survey or investigation that the undertaker intends to carry out'.</i></p> <p>Then the following wording should be agreed in the Role of the ALO in OCoCP:</p> <p><i>"The ALO will provide preconstruction survey information to landowners including company name, survey type and equipment to be used, an estimate of how long the surveys are expected to take".</i></p> <p>From the experience gained on other linear schemes this information is required by landowners due to the amount of surveys that are carried out. It is not an onerous request.</p> <p>The NFU would still like boreholes to be added in if they are to be carried out. A borehole is not a trial pit. In the Option Agreement the wording does include boreholes or trial pits.</p>	

5.2 SCHEDULE 1 PART 1: Authorised Development

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

5.3 SCHEDULE 1 PART 3: Requirements

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.3.1	The Applicant	Requirements 16 and 18 There are questions below under Section 5.9 of these questions.	Noted.	
Q5.5.3.2	The Applicant	Plans within the CoCP listed in Requirement 20(2): In answer to WQ2.15.0.9, REP5-045 confirms that the OCoCP now refers specifically to a Flood Warning and Evacuation Plan to be produced post-consent "as part of the Environmental Emergency/Incident and Response Plan". Should both these plans be listed within R20(2) of the dDCO as specific plans to be covered by the CoCP?	<p>Requirement 20 (2) of the dDCO lists the subjects which the OCoCP must provide details of rather than all the individual subsidiary plans. As such the provision of the Environmental Emergency/Incident and Response Plan is covered by 20 (2) (a) <i>relevant health, safety and environmental legislation and compliance.</i></p> <p>The details of the subsidiary plans required within the final CoCP are secured in Table 2.1 of the OCoCP. Table 2.1 has been updated to include the 'an Environmental Emergency / Incident and Response Plan (which includes a Flood Warning and Evacuation Plan)' under Requirement 20 (2) (a). An updated OCoCP (Version 6) has been submitted at Deadline 14.</p> <p>In accordance with Requirement 20 (2) the CoCP must accord with the OCoCP and therefore the provision of all other subsidiary plans including the Environmental Emergency/Incident and Response Plan is secured through the OCoCP and do not need to be listed within the dDCO Requirement 20 (2).</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.3.3	The Applicant	Notification to EA Environmental Incident Response teams: Signpost whether and if so, where the OCoCP Section 13 Environmental Incident and Response and Contingency has been updated to include that the 'Environment Agency incident response teams must be notified where an environmental incident could cause spillage or contamination into a watercourse including drains' reported as agreed with the EA in REP6-014.	The update was included as the final sentence of paragraph 185 of the OCoCP Version 5 submitted at Deadline 10 [REP10-012]; <i>'The Environment Agency incident response teams must be notified where an environmental incident could cause spillage or contamination into a watercourse including drains.'</i> As such, this is included as paragraph 186 of the updated OCoCP Version 6 submitted at Deadline 14.	
Q5.5.3.3	The Environment Agency (EA)	Notification to EA Environmental Incident Response teams: Signpost whether and if so, where the OCoCP Section 13 Environmental Incident and Response and Contingency has been updated to include that the 'Environment Agency incident response teams must be notified where an environmental incident could cause spillage or contamination into a watercourse including drains' reported as agreed with the EA in REP6-014.	The Applicant has revised the OCoCP as stated in the SoCG. The revised wording can be found in the OCoCP REP10-012 Section 13 paragraph 185.	The Applicant welcomes the agreement from the Environment Agency that the commitment is included in the OCoCP. To clarify, this commitment is now in paragraph 186 of the updated OCoCP [REP14-12] which was submitted at Deadline 14.

5.4 SCHEDULES 9 to 13: Deemed Marine Licences

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.4.1	The Applicant	Schedules 11 & 12 Conditions 9 & 14 for marine pollution contingency plan: In referring to the plan, condition 7(10) of the DMLs schedules 11 and 12 refers to Condition 14 (1)(d)(i) for the marine pollution contingency plan. However, in these transmission asset DMLs, the plan is actually secured through Condition 9 whereas it is secured in Condition 14 for the generation asset DMLs. Confirm and correct drafting error as appropriate	The Applicant agrees that Condition 7(10) of Schedule 11-12 should refer to Condition 9(1)(d) rather than Condition 14(1)(d). The Applicant will update this cross-reference in the next version of the dDCO.	
Q5.5.4.2	The Applicant	Notification of shallow buried cables: Confirm whether the amendment proposed by NFFO in the SoCG [REP9-025] to the wording of Schedules 9 and 10 Condition 9 (12) of the dDCO including the words "a state of shallow burial or exposure of" in regard to cables on or above the seabed will be effected; and whether equivalent condition wording will also be included in Schedules 11, 12 and 13 of the dDCO.	As stated in the Applicant's Responses to the Examining Authority's Fourth Round of Written Questions (REP10-034), the Applicant's view is that the wording of Schedules 9 and 10 Condition 9(12) and the equivalent wording included in Schedules 11 and 12 Condition 4(12) and Schedule 13 Condition 3(12), is appropriate and should remain as currently drafted. The wording currently proposed with regards to the notification of cable exposures is as follows: <i>'In case of exposure of cables on or above the seabed, the undertaker must within three days following identification of a potential cable exposure, notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO and MCA within five days.'</i> This wording already goes beyond the standard condition, and has been agreed with both the Maritime and Coastguard Agency (MCA) and Trinity House for Norfolk Boreas in their respective final Statements of Common Ground (REP9-024 and REP9-028). The proposed wording also takes account of the changes agreed (between the Applicant and the MCA) in response to the consultation letter for the Norfolk Vanguard project from the Secretary of State dated 6 December 2019, and is the wording	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>included in the as made DCO for Norfolk Vanguard, dated 1st July 2020. The consistency with Norfolk Vanguard is of relevance, importantly post consent, when it is likely a single marine coordination centre will be responsible for issuing both project notices. In particular, consistency is important from a contractor compliance perspective and to avoid confusion amongst stakeholders.</p> <p>In addition, "shallow burial" is a broad term with no standard definition across the offshore industry. Therefore the Applicant's view is that this term is not suitable as a parameter for reporting purposes or for inclusion within notifications such as Notices to Mariners (NtMs). The intention will be to bury the cables to an optimum depth to ensure that cables do not become exposed during operation and where it is not possible to achieve the optimum depth, due to ground conditions, cable protection will be put in place to prevent exposure. The Applicant's assessment of the seabed conditions within the offshore project area indicates that burial to an optimum depth will be achievable in the vast majority of areas. Cables will be continually monitored during operation which will provide an early indication of when a cable is no longer buried to the optimum depth. This would allow the operator of the cable to be alert to the situation before the cable becomes a hazard. As described in the Outline Fisheries Liaison and Co-existence Plan (FLCP) (APP-710) regular communication and liaison with the fishing industry will be maintained throughout the lifetime of the project. This would include appropriate communication with the fishing industry in the event that cables become unburied.</p>	
Q5.5.4.3	The Applicant	<p>ERCOP Conditions 15 and 10: Condition 15(8) in Schedules 9 and 10 and 10(8) in Schedules 11 and 12 requires MMO confirmation in writing that the undertaker has adequately addressed MCA recommendations contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes. The DML condition no longer refers explicitly to approval and implementation of an ERCOP. Confirm if this redrafting is accepted by MMO and MCA and confirm whether the same wording will be included in Schedule 13 of the dDCO.</p>	<p>The Applicant confirms that the wording contained within Condition 15(8) in Schedules 9 and 10 and 10(8) in Schedules 11 and 12 is agreed and as per the MCA's preferred drafting approach to this condition (see agreement within SoCG REP9-024), which no longer refers explicitly to approval and implementation of an ERCOP. As stated by the MMO in their Deadline 11 response on the draft DCO (REP11-020) the MMO is also content with the wording of this condition. This condition will be included in Schedule 13 of the draft DCO to be submitted at Deadline 16.</p>	
Q5.5.4.3	The Marine Management Organisation (MMO)	<p>ERCOP Conditions 15 and 10: Condition 15(8) in Schedules 9 and 10 and 10(8) in Schedules 11 and 12 requires MMO confirmation in writing that the undertaker has adequately addressed MCA recommendations contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes. The DML condition no longer refers explicitly to approval and implementation of an ERCOP. Confirm if this redrafting is accepted by MMO and MCA and confirm whether the same wording will be included in Schedule 13 of the dDCO.</p>	<p>1.2.1 The MMO understands the Applicant and the Maritime and Coastguard Agency have agreed on the changes to this wording in their Statement of Common Ground (SoCG) (REP9-024). The MMO is content with the updated wording agreed.</p> <p>1.2.2 The MMO notes the Applicant has now agreed to include the condition in Schedule 13 and this will now be updated in the next dDCO, the MMO is content with the inclusion in Schedule 13.</p>	Noted.
Q5.5.4.3	Maritime and Coastguard Agency (MCA)	<p>ERCOP Conditions 15 and 10: Condition 15(8) in Schedules 9 and 10 and 10(8) in Schedules 11 and 12 requires MMO confirmation in writing that the undertaker has adequately addressed MCA recommendations contained within MGN543 "Offshore Renewable Energy Installations (OREIs) –</p>	<p>The MCA, in conjunction with the MMO and TH, reviewed its navigation safety conditions for offshore renewable energy installations. As part of the review, it was agreed that although an ERCOP is still required, the condition of consent should refer to the requirements of MGN 543 and its annexes rather than specify an ERCOP. This is because the ERCOP is a</p>	<p>The Applicant is in agreement with the MCA's response and , as stated in response to Q5.5.4.3 in REP14-036 (reproduced above), the MGN543 condition wording stated on the MCA's response will be added to Schedule 13 of the draft DCO to be submitted at Deadline 16.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes. The DML condition no longer refers explicitly to approval and implementation of an ERCOP. Confirm if this redrafting is accepted by MMO and MCA and confirm whether the same wording will be included in Schedule 13 of the dDCO.	<p>working document to be constantly reviewed throughout the lifetime of the project and going through the process of discharging the condition multiple times is unnecessary. Therefore, we agreed the condition should instead state:</p> <p><i>No part of the authorised project may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the authorised project contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes.</i></p> <p>The applicant has correctly referenced this in Schedules 9 and 10 and 10(8) in Schedules 11 and 12.</p> <p>The MCA would also expect this condition to be included in Schedule 13 for the Interconnector DML conditions. This is vital to address our concerns regarding the following condition not being included in the dDCO/DML:</p> <p><i>The MCA requirement is for a detailed cable laying plan for the Order limits, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to chart datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or such similar assessment to ascertain suitable burial depths and cable laying techniques, including cable protection;</i></p> <p>On this occasion only, the MCA agreed to include the following condition instead (as the above 5% requirement is captured in MGN 543), to ensure consistency between both Vanguard and Boreas projects, and this has been addressed and agreed in our SoCG with the applicant:</p> <p><i>No part of the authorised project may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the authorised project contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes.</i></p> <p>We understand that the applicant will be including this condition in Schedule 13 in the next dDCO/DML.</p>	
Q5.5.4.4	The Applicant	Decommissioning of cables in HHW SAC Conditions 20 and 3(1)(g): Confirm satisfaction or otherwise with change to the dDCO [REP13-007/008] that includes a new cable decommissioning condition 20 in Schedules 11 and 12 and removes condition 3(1)(g) prohibiting rock or gravel dumping.	Please see the Applicant's response to Q5.8.3.2 for an update on discussions between the Applicant, NE and the MMO regarding conditions relating to the decommissioning of cables in the HHW SAC (Conditions 20 and 3(1)(g) of Schedules 11 and 12).	
Q5.5.4.4	Natural England (NE)	Decommissioning of cables in HHW SAC Conditions 20 and 3(1)(g): Confirm satisfaction or otherwise with change to the dDCO [REP13-007/008] that includes a new cable decommissioning condition 20 in Schedules 11 and 12 and removes condition 3(1)(g) prohibiting rock or gravel dumping.	With regard to the removal of condition 3 (1) (g) from the transmission deemed marine licences (DMLs), Natural England does not agree with the removal of this condition which secures that the cable protection deployed within the HHW SAC will be possible to decommission. However, at a meeting on 24 August we agreed with the Applicant that the condition would be reinstated with an amendment to note that the restriction did not apply to cable protection deployed at cable crossings.	The Applicant has, as agreed by Natural England and the MMO reinstated Condition 3 (1) (g) within the dDCO and this will be submitted at Deadline 16. As explained in the Applicant's response to Q5.8.3.2 (submitted at Deadline 14) the Applicant did provide Natural England and the MMO with revised wording for Condition 20 which was designed to accommodate some of NE's requests whilst staying as true as possible to

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			<p>With regard to the addition of condition 20 to the transmission DMLs, Natural England has concerns regarding the drafting of the condition. The decommissioning of cable protection is a significant consideration within the SoS Norfolk Vanguard decision regarding the impacts within the HHW SAC. In order to ensure the success of decommissioning Natural England considers that the condition should include more provision to ensure the following is provided for each deployment of cable protection within the designated site;</p> <ul style="list-style-type: none"> • A feasibility study confirming that the cable protection planned to be deployed may be recovered, • A method statement for the decommissioning of the protection works, • A monitoring plan to assess the cable protection prior to decommissioning, • A monitoring plan to monitor the recovery of the site post decommissioning, • Wording that secures the timing of the production of the above, • A requirement to consult the relevant statutory nature conservation body (SNCB) on the above, and • A requirement that the feasibility and methodology of removal will be reviewed and updated at periods throughout the lifetime of the project. <p>At a meeting on 24 August we discussed our requirements with the Applicant and they proposed an updated condition. The updated condition does ensure consultation with the SNCB, however, does not address all of our concerns as listed above.</p> <p>There was also a question raised on the appropriate location of such a condition, i.e. whether this should be within the DCO or DML. Natural England defers to the MMO as the enforcing body for the DML regarding the appropriateness of locating such requirements within the DML. However, we are willing to provide draft wording for both a decommissioning condition and requirement at Deadline 15 to provide an alternative to the ExA and SOS if it would be helpful.</p>	<p>the original condition provided by the Secretary of State for the Norfolk Vanguard DCO.</p> <p>However, it was not possible to agree the precise wording or where the Condition would be best placed within the DCO and thus the solution to remove it and reinstate Condition 3(1)(g) was agreed upon.</p> <p>The Applicant recognises that the SoS may be minded to add Condition 20 into the transmission DML as was done for Vanguard (or to include it as a Requirement), and that the SoS may amend the condition (or Requirement) to include some or all of Natural England's requested changes. The Applicant would accept this decision by the SoS and would be confident of discharging the condition (or Requirement).</p>
Q5.5.4.4	The MMO	<p>Decommissioning of cables in HHW SAC Conditions 20 and 3(1)(g): Confirm satisfaction or otherwise with change to the dDCO [REP13-007/008] that includes a new cable decommissioning condition 20 in Schedules 11 and 12 and removes condition 3(1)(g) prohibiting rock or gravel dumping.</p>	<p>1.3.1 The MMO has been involved in ongoing discussions with the Applicant and Natural England (NE) in relation to the requirement for both conditions. The MMO notes the Applicant removed Part 4, condition 3(1)(g) from Schedule 11 and 12 of the dDCO and replaced this with condition 20.</p> <p>1.3.2 In a meeting on 24 August 2020, NE, the Applicant and the MMO agreed that Schedule 11 and 12 will be updated to include an amended condition 3(1)(g):</p> <p><i>'(g) in the Haisborough, Hammond and Winterton Special Area of Conservation, cable protection must not take the form of rock or gravel dumping where it is deployed to protect export cables apart from at cable crossing locations with existing cables and pipelines.'</i></p>	<p>As explained in the Applicant's response to Q5.8.3.2 (submitted at Deadline 14) the Applicant will include these changes to the DMLs in the draft DCO to be submitted at Deadline 16.</p> <p>The Applicant understands that the MMO has some concerns with the wording of the removed Condition 20 and recognise the advice provided to the SoS in their response to this question.</p> <p>The Applicant's position, as stated in the response to Q5.8.3.2 is that, should the SoS decide that Condition 20 should be applied to the Norfolk Boreas DMLs, or alternatively included as a Requirement of the dDCO, the Applicant would be content for this to happen. The Applicant also understands that should the condition/ requirement be included by the SoS, the MMO's requested changes, as outlined here could also be</p>

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			<p>1.3.3 This will be submitted in the Applicant's response to the ExA fifth round of written questions and will be in the updated dDCO at Deadline 14. This updated wording is the preferred approach to securing the decommissioning of cable protection within the Haisborough Hammond and Winterton (HHW) Special Area of Conservation (SAC) as condition 3(1)(g) secures the type of cable protection that can be decommissioned.</p> <p>1.3.4 The Applicant, NE and the MMO also agreed that condition 20 of Schedule 11 and 12 (wording below) should be removed from the DCO: 'Decommissioning of cable protection within the Haisborough, Hammond and Winterton Special Area of Conservation</p> <p>20.—(1) <i>The obligations under paragraphs (2) and (3) shall only apply if and to the extent that—</i></p> <p>(a) <i>cable protection is installed as part of the authorised project within the Haisborough, Hammond and Winterton Special Area of Conservation as at the date of the grant of the Order;</i></p> <p>(b) <i>it is a requirement of the written decommissioning programme approved by the Secretary of State pursuant to section 105 (requirement to prepare decommissioning programmes) of the 2004 Act, including any modification to the programme under section 108 (reviews and revisions of decommissioning programmes), that such cable protection is removed as part of the decommissioning of the authorised project.</i></p> <p>(2) <i>Within such timeframe as specified within the decommissioning programme approved by the Secretary of State, the undertaker shall carry out an appropriate survey of cables within the Haisborough, Hammond and Winterton Special Area of Conservation that are subject to cable protection and that are situated within the Haisborough, Hammond and Winterton Special Area of Conservation to assess the integrity and condition of that cable protection and determine the appropriate extent of the feasibility of the removal of such cable protection having regard to the condition of the cable protection and feasibility of any new removal techniques at that time, and submit that along with a method statement for recovery of cable protection to the MMO.</i></p> <p>(3) <i>Within such timeframe as specified within the decommissioning programme approved by the Secretary of State, the MMO must confirm whether or not it is satisfied with the method statement pursuant to (2) above.</i></p> <p>(4) <i>If the MMO has confirmed it is satisfied pursuant to (3) above, then within such timeframe as specified within the decommissioning programme approved by the Secretary of State, the undertaker shall endeavour to recover the cable protection to the extent identified in the survey and according to the methodology set out in the method statement submitted pursuant to (2) above.'</i></p> <p>The MMO notes that the Applicant will submit a revised dDCO at Deadline 14 reflecting this change.</p> <p>1.3.5 Notwithstanding this the MMO understands it is for the Secretary of State (SoS) to make the final decision as to which condition should be included. If the SoS decides that Condition 20 is required in Schedules 11 and 12, the MMO has major concerns about this approach, these have been set out below.</p>	<p>contained within the final wording. The Applicant would also be content with these changes.</p>

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			<p>1.3.6 The MMO recognises that it is a matter for the SoS to approve decommissioning programmes under the Energy Act 2004 and to decide how such programmes are secured. The MMO also understands that if decommissioning of cable protection is a requirement of a decommissioning programme approved by the SoS then enforcement of that programme is a matter for the SoS under the Energy Act 2004. As the MMO has no function to discharge decommissioning programmes under the Energy Act 2004 we therefore question whether this condition should be included in the DMLs.</p> <p>1.3.7 The MMO's understanding is that works to decommission cable protection are not included in the licensed marine activities in the DMLs and will therefore require additional consent through a marine licence granted under the Marine and Coastal Access Act 2009 (MCAA 2009). In our view the condition as drafted, would appear to make decommissioning subject to dual regulation through both the Energy Act 2004 and MCAA 2009 and this could be a cause of confusion. The MMO therefore considers that decommissioning works should not be included in the DMLs. The marine environment is changeable and therefore in our view decommissioning works should have a separate consent at the time of decommissioning to ensure that all required assessments are appropriate at that time.</p> <p>1.3.8 The MMO believes that the SoS has included the condition to enable the MMO (as the competent authority under the consenting process) to review and approve the Applicant's method statement for the decommissioning of cable protection within the HHW SAC, if the SoS requires this through a decommissioning programme under section 105 of the Energy Act 2004. The MMO's understanding is that this is to ensure the project does not cause an adverse effect on the integrity (AEoI) of the HHW SAC. The MMO defers to NE in relation to AEoI but highlights that, as indicated in paragraph 1.3.7, the decommissioning works will still require consent under the Marine and Coastal Access Act 2009.</p> <p>1.3.9 The MMO has concerns that the way condition 20(4), of schedules 11 and 12, is currently worded, this may allow works to be undertaken that are not consented: <i>'(4) If the MMO has confirmed it is satisfied pursuant to (3) above, then within such timeframe as specified within the decommissioning programme approved by the Secretary of State, the undertaker shall endeavour to recover the cable protection to the extent identified in the survey and according to the methodology set out in the method statement submitted pursuant to (2) above.'</i> The MMO believes this wording could duplicate and potentially conflict with the further decommissioning consent required through MCAA 2009.</p> <p>1.3.10 In addition, Condition 20(1) does not refer to 20(4) and should be updated to the text below as it is not clear when the requirement will come into force. '20.—(1) The obligations under paragraphs (2), and (3) and (4) shall only apply if and to the extent that—'</p>	

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			<p>1.3.11 The MMO also has concerns regarding the fact that it will have no control over the timescales to review, consult and approve the documentation required by the SoS in Condition 20 as currently drafted. The MMO questions whether this would amount to reviewing one document at an early stage in the project, one document at the decommissioning stage of the project or an iterative version that is submitted at periods throughout the consented project? The MMO believes these timescales should be agreed between the SoS and the MMO prior to the decommissioning programme being submitted and approved as this will ensure that impacts on the marine environment are fully assessed.</p> <p>1.3.12 In addition to this the wording of condition 20(3) of Schedules 11 and 12 is not consistent with the wording of other conditions throughout the dDMLs. The MMO believes the following wording should be used if the condition is included: <i>'(3) Within such timeframe as specified within the decommissioning programme approved by the Secretary of State, the MMO must confirm whether or not it is satisfied approve in writing the method statement pursuant to (2) above.'</i></p> <p>1.3.13 In conclusion, the MMO considers that if the SoS is has concerns in relation to decommissioning of cable protection this would best be dealt with as requirement under the DCO but considers that any requirement for a decommissioning programme under the Energy Act 2004 should provide clarity on the timescales for submission of documents and also require consultation with the Statutory Nature Conservation Body prior to approval.</p>	
Q5.5.4.4	Marine & Coastguard Agency (MCA)	Decommissioning of cables in HHW SAC Conditions 20 and 3(1)(g): Confirm satisfaction or otherwise with change to the dDCO [REP13-007/008] that includes a new cable decommissioning condition 20 in Schedules 11 and 12 and removes condition 3(1)(g) prohibiting rock or gravel dumping.	<p>The MCA would expect to be consulted on the decommissioning programme as part of the assessment of the risk and impact on shipping and the safety of navigation. The wording appears to allow for the assessment through the decommissioning programme by the Secretary of State, and the MMO must confirm whether or not it is satisfied with the method statement.</p> <p>However, for any timings specified by the Secretary of State, we would expect sufficient timescales to be included for this consultation process to be carried out by the MMO in consultation with the MCA (and Trinity House). We would therefore want to ensure that the condition is sufficient for MMO purposes to ensure the approval process can be undertaken by the MMO in consultation with others as appropriate. The MCA has no concerns to raise regarding the proposed removal of condition 3(1)(g) prohibiting rock or gravel dumping.</p>	As explained in the Applicant's response to Q5.8.3.2 (submitted at Deadline 14), Condition 20 will be removed from the dDCO and Condition 3(1)(g) (with a minor amendment) will be reinstated.
Q5.5.4.4	Trinity House (TH)	Decommissioning of cables in HHW SAC Conditions 20 and 3(1)(g): Confirm satisfaction or otherwise with change to the dDCO [REP13-007/008] that includes a new cable decommissioning condition 20 in Schedules 11 and 12 and removes condition 3(1)(g) prohibiting rock or gravel dumping.	<p>Recognising similar conditions to Condition 20 in Schedules 11 and 12 were made by the Secretary of State to the DCO/DML for the Norfolk Vanguard OWF project, Trinity House would request that any "timeframe as specified within the decommissioning programme approved by the Secretary of State" is agreed between the Applicant and the Marine Management Organisation (MMO) prior to the written decommissioning programme being submitted. Trinity House would expect the timeframe specified to be sufficient for the MMO to consult with other bodies on matters relating to Maritime Safety and the Environment prior to confirming satisfaction with the method statement. It is likely that Trinity House and the Maritime & Coastguard Agency (MCA) would have</p>	As explained in the Applicant's response to Q5.8.3.2 (submitted at Deadline 14), Condition 20 will be removed from the dDCO and Condition 3(1)(g) (with a minor amendment) will be reinstated.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			comments to feedback to the MMO, and the Applicant, on the method statement with regard to maritime safety, and it is considered therefore that the agreed timeframe must allow for adequate assessment of the proposed method(s). Trinity House have no comments on the proposed removal of condition 3 (1) (g).	
Q5.5.4.5	The Applicant;	MMO objection to Part 5 of Schedules 9 to 13 Procedure for Appeals Confirm satisfaction with the amendment to the Boreas dDCO/DMLs in [REP13-007/008] removing part 5 following the determination of the Norfolk Vanguard application. The MMO had previously sustained an objection to Part 5 of Schedules 9 to 13 which proposes an override of the Marine Licensing (Licence Application Appeals) Regulations 2011 (Appeal Regulations) to enable the Applicant to appeal a MMO decision or failure to determine within the prescribed time period. In SoCG [REP9-023] the parties agree with each other that it should be the Secretary of State who decides this matter. TH also supported the MMO's position in regard to arbitration or appeal and deemed refusal.	The Applicant will provide any comments, as necessary, in response to the MMO and TH at Deadline 15. However, the Applicant has been in discussions with the MMO and understands that this change (to remove Part 5 from the DMLs) is supported by the MMO.	
Q5.5.4.5	The Marine Management Organisation (MMO)	MMO objection to Part 5 of Schedules 9 to 13 Procedure for Appeals Confirm satisfaction with the amendment to the Boreas dDCO/DMLs in [REP13-007/008] removing part 5 following the determination of the Norfolk Vanguard application. The MMO had previously sustained an objection to Part 5 of Schedules 9 to 13 which proposes an override of the Marine Licensing (Licence Application Appeals) Regulations 2011 (Appeal Regulations) to enable the Applicant to appeal a MMO decision or failure to determine within the prescribed time period. In SoCG [REP9-023] the parties agree with each other that it should be the Secretary of State who decides this matter. TH also supported the MMO's position in regard to arbitration or appeal and deemed refusal.	<p>1.4.1 The MMO has consistently maintained the position that it would be inappropriate to subject the MMO to an arbitration and appeals process as this would place the Applicant in a more advantageous position than an applicant applying for a marine licence under MCAA 2009.</p> <p>1.4.2 Further, there is no evidence to show that the MMO has caused delays in the exercise of this function and the removal of Part 5 is consistent with the Norfolk Vanguard decision and other decisions on recent DCO cases. The Norfolk Vanguard decision also accepted that there were dangers in a deemed discharge process given the importance of the matters to which it would apply and given the need to arrive at a properly considered decision.</p> <p>1.4.3 The MMO therefore welcomes the removal of the appeals process from the dDCO (REP13-024) and this will be reflected in the final SoCG with the MMO and the Applicant which will be submitted by the Applicant at Deadline 16.</p>	The Applicant understands the MMO's position on this matter and, as stated here, has been working with the MMO to update the Statement of Common Ground to reflect the final agreed position. As stated by the MMO the Applicant will submit the final SoCG at Deadline 16.
Q5.5.4.5	MCA	MMO objection to Part 5 of Schedules 9 to 13 Procedure for Appeals Confirm satisfaction with the amendment to the Boreas dDCO/DMLs in [REP13-007/008] removing part 5 following the determination of the Norfolk Vanguard application. The MMO had previously sustained an objection to Part 5 of Schedules 9 to 13 which proposes an override of the Marine Licensing (Licence Application Appeals) Regulations 2011 (Appeal Regulations) to enable the Applicant to appeal a MMO decision or failure to determine within the prescribed time period. In SoCG [REP9-023] the parties agree with each other that it should be the Secretary of State who decides this matter. TH also supported the MMO's position in regard to arbitration or appeal and deemed refusal.	Although this question has not been addressed to the MCA, we would like to comment that the MCA fully supports the MMO's position regarding to arbitration, appeals and deemed refusal.	The Applicant recognises the MCA's support of the MMO's position and therefore assumes the MCA is in agreement with the removal of part 5 of the DMLs.
Q5.5.4.5	Trinity House (TH)	MMO objection to Part 5 of Schedules 9 to 13 Procedure for Appeals Confirm satisfaction with the amendment to the Boreas dDCO/DMLs in [REP13-007/008] removing part 5 following the determination of the Norfolk Vanguard application. The MMO had previously	Trinity House confirms that it is content with the applicant's proposed amendment to the draft DCO and DMLs in [REP13-007/008] in respect of the removal of Part 5 to Schedules 9 to 13. Trinity House also confirms that it is content with the applicant's proposed amendment to Article 38 (Arbitration) of the DCO in [REP13-007/008].	The Applicant welcomes these confirmations.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		sustained an objection to Part 5 of Schedules 9 to 13 which proposes an override of the Marine Licensing (Licence Application Appeals) Regulations 2011 (Appeal Regulations) to enable the Applicant to appeal a MMO decision or failure to determine within the prescribed time period. In SoCG [REP9-023] the parties agree with each other that it should be the Secretary of State who decides this matter. TH also supported the MMO's position in regard to arbitration or appeal and deemed refusal.		

5.5 SCHEDULE 14: Hedgerows

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.5.1	The Applicant	<p>Schedule 14 Update Schedule 14 and/ or the Important Hedgerow Plans to resolve seeming anomalies as follows:</p> <ul style="list-style-type: none"> a) Potentially important hedgerow 62 appears in the Schedule but not on plan; b) Hedgerow 296 is important on plan and potentially important in Schedule 14; c) Potentially important hedgerow 297 appears on plan but not in Schedule 14; and d) Important hedgerow 295 appears on plan but not in Schedule 14. 	<p>a) <u>Hedgerow 62</u> can be found on Sheet 11 of the Hedgerows Plan. It sits next to hedgerow 63, however the two hedgerows can blend together when viewed at 100% zoom. Due to the closeness of these two hedgerows the label for hedgerow 62 unfortunately was covered by the label for hedgerow 63 in the previous version of the plan. This has now been updated in 2.11 Important Hedgerows Plan (Version 2) submitted at Deadline 14 to clearly show both labels.</p> <p>b) <u>Hedgerow 296</u> was correctly listed in Schedule 14 PART 3 Scenario 2 as Important, and duplicated in Schedule 14 PART 4 Scenario 2 as potentially important in error. This duplication will be removed in the next version of the draft DCO.</p> <p>c) <u>Hedgerow 297</u> is a potentially important hedgerow which will be included in the next version of the draft DCO in Schedule 14 PART 4 Scenario 2</p> <p>d) <u>Hedgerow 295</u> is an Important Hedgerow which will be included in the next version of the draft DCO in Schedule 14 PART 3 Scenario 2.</p>	

5.6 SCHEDULE 15: Arbitration Rules

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			No Questions	

5.7 SCHEDULE 16: Procedure for Discharge of Requirements

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			No Questions	

5.8 SCHEDULE 17: Protective Provisions

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.8.1	The Applicant	Changes to Protective Provisions consistent with Vanguard made DCO: The ExA notes the update provided by the Applicant at ISH5. Can it now confirm that any drafting changes made to Protective Provisions in response to the making of the Norfolk Vanguard Development Consent Order are now agreed by all parties [REP13-008 and REP13-012; REP13-016]. Other parties may wish to comment.	As the Applicant explained in the Issue Specific Hearing 5 Action Tracker [REP13-017], the Applicant has obtained approval from National Grid, Cadent Gas, and Network Rail to change the protective provisions at Part 2, 3, and 4 respectively of the dDCO. The changes to the remainder of the protective provisions are minor drafting changes and do not affect the principle of the provisions. The Applicant has, however, informed Anglian Water, the Environment Agency, and Hornsea Project Three of these changes. The Applicant understands that these changes are agreed by all statutory undertakers.	
Q5.5.8.1	National Grid	Changes to Protective Provisions consistent with Vanguard made DCO: The ExA notes the update provided by the Applicant at ISH5. Can it now confirm that any drafting changes made to Protective Provisions in response to the making of the Norfolk Vanguard Development Consent Order are now agreed by all parties [REP13-008 and REP13-012; REP13-016]. Other parties may wish to comment.	National Grid do not object to the minor amendments to the Protective Provisions made in relation to the Norfolk Vanguard Development Consent order being carried over into the Norfolk Boreas Development Consent Order. We understand those amendments are the ones appended to this document as Appendix 1. However National Grid have agreed some additional wording in the context of Norfolk Boreas Protective Provisions, not included in the Norfolk Vanguard Protective Provisions, which they would like to be retained in the Norfolk Boreas Protective Provisions, in particular the additional wording in paragraph 12(2) and (3) of the Protective Provisions for the benefit of National Grid as submitted within the Promoters dDCO at deadline 10, being 6 May 2020. The wording of paragraph 12(2) and (3) of the Protective Provisions is reproduced for ease of reference at Appendix 2 to this response. This wording protects National Grid from the risks of the transfer of benefit to an entity with insufficient covenant strength to back off the indemnity given in paragraph 22 of the Protective Provisions for National Grid's benefit on the face of the Order, without the need to seek amendments to the Transfer of Benefit Article in the DCO. Both National Grid and the Promoter are content with the wording in paragraph 12(2) and (3) of the Norfolk Boreas Protective Provisions as a proportionate way to address this concern and accordingly, National Grid would respectfully request that, whilst this differs from Norfolk Vanguard (where amendments to the transfer of benefit provisions were agreed for the protection of National Grid), that this wording is included in the National Grid Protective Provisions on the face of the Order.	The Applicant notes National Grid's response and confirms that this wording is agreed and is contained within paragraph 12 of Schedule 17, Part 2 of the dDCO (Document 3.1).
Q5.5.8.1	Anglian Water	Changes to Protective Provisions consistent with Vanguard made DCO: The ExA notes the update provided by the Applicant at ISH5. Can it now confirm that any drafting changes made to Protective Provisions in response to the making of the Norfolk Vanguard Development Consent Order are now agreed by all parties [REP13-008 and REP13-012; REP13-016]. Other parties may wish to comment.	We note that the protective provisions for Anglian Water have been updated following the approval of the Norfolk Vanguard DCO for consistency and have been in dialogue with applicant in relation to this matter. I am writing to confirm that these are agreed with Anglian Water as these do not change the substance of the protective provision provisions as submitted. The intention is that the Statement of Common Ground (SoCG) with Anglian Water is to be updated to take account of the above and submitted for deadline 16 by the applicant on behalf of both parties as the final SoCG.	The Applicant notes and agrees with the response made by Anglian Water.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.5.8.1	The Environment Agency;	Changes to Protective Provisions consistent with Vanguard made DCO: The ExA notes the update provided by the Applicant at ISH5. Can it now confirm that any drafting changes made to Protective Provisions in response to the making of the Norfolk Vanguard Development Consent Order are now agreed by all parties [REP13-008 and REP13-012; REP13-016]. Other parties may wish to comment.	With the exception of the issue of deemed or refused consent which is addressed at Q5.5.8.2 below, the drafting changes made to Protective Provisions are agreed by the Environment Agency.	The Applicant notes and agrees with the response made by the Environment Agency.
Q5.5.8.2	The Applicant	Part 7 para 73 Presumption of deemed consent or refusal: The ExA notes the continuing disagreement between the Applicant and the Environment Agency in relation to deemed discharge mechanism [REP9-020]. The ExA also notes the position set out by the Applicant at ISH5 [REP13-016]. Does either party wish to add anything further?	The Applicant has further consulted with the Environment Agency and has agreed to include a deemed refusal mechanism within the protective provisions where approval is neither given or refused within 2 months of submission of plans for the approval of the Environment Agency. The Applicant will further engage with the Environment Agency to agree the final form of protective provisions for inclusion within the Applicant's submission of the final dDCO at Deadline 16.	
Q5.5.8.2	The Environment Agency (EA)	Part 7 para 73 Presumption of deemed consent or refusal: The ExA notes the continuing disagreement between the Applicant and the Environment Agency in relation to deemed discharge mechanism [REP9-020]. The ExA also notes the position set out by the Applicant at ISH5 [REP13-016]. Does either party wish to add anything further?	The Applicant has engaged in further discussions with the Environment Agency and has agreed to include a deemed refusal mechanism within the protective provisions. The protective provisions are not agreed but we understand that the Applicant will continue to engage with the Environment Agency to agree the final form of protective provisions for inclusion within the Applicant's submission of the final dDCO at Deadline 16.	The Applicant notes and agrees with the response made by the Environment Agency.

5.9 Consents, Licences and Other Agreements

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

5.10 Compensation to Protect Natura 2000 Network

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

6 Fishing and fisheries

6.0 Fishing and fisheries

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.6.0.1	The Applicant	Request for specific DML wording to be added re reduction in clearance depth: Trinity House (TH) stated in [REP8-034] and confirmed in the SoCG [REP9-028] that it continues to disagree with the Applicant regarding the DML condition wording and maintains its request for specific wording to be added on the grounds that a reduction of	The Applicant would like to reiterate that as stated in REP11-007 (the Applicant's response to the Examining Authority's fourth round of questions ²) and the SoCG with Trinity House REP9-028 that the Applicant does not disagree with Trinity House with regards to the need for mitigation to be in place to manage any navigation safety risk associated with reducing under keel clearance by more than 5%. However the	

² Response to Q.4.5.5.1 noted 'The Applicant will be fully compliant with the requirement to seek consultation on any cable protection that exceeds the 5% safety margin as defined within Marine Guidance Note (MGN) 543'.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>over 5% in clearance depth may cause a significant hazard to navigation without the timely risk mitigation that TH are concerned to secure in the DMLs. TH requested to signpost where in the examination alternative drafting has been provided, and if no drafting is available, provide suitable wording for consideration.</p>	<p>Applicant does maintain and highlights to the Examining Authority that this process is already included within Marine Guidance Note MGN 543. Annex 1(3d) of MGN 543 states <i>'the MCA would be willing to accept up to 5% reduction in surrounding charted depths referenced to Chart Datum, unless developers are able to demonstrate evidence that any identified risks to any vessel type are satisfactorily mitigated'</i>, noting compliance with MGN 543 is secured in Condition 15(8) (Schedule 9-10) and Condition 10(8) (Schedule 11-12) (and will be included at Schedule 13 in the next version of the dDCO to be submitted at Deadline 16) as follows:</p> <p>(8) No part of the authorised scheme may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed MCA recommendations as appropriate to the authorised scheme contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes. Inclusion of additional text or indeed a new condition would in the Applicant's opinion create potential for confusion and could misalign this DCO/DML with that agreed as part of the Norfolk Vanguard DCO. Consistency with Norfolk Vanguard is important, especially from a contractor compliance perspective. Having the additional text regarding 5% of navigable depth on the face of one DCO and not the other might imply that only one project needs to comply with this requirement; whereas both projects need to comply fully with the requirements of MGN 543. Therefore the Applicant considers it is best practice for both DCOs to align in this respect. The Applicant recognises that Trinity House might want to amend this condition on future offshore wind DCOs but given the nature of the sister projects (Norfolk Vanguard and Norfolk Boreas) the Applicant considers there is the need for an exception in this case.</p> <p>Furthermore, Trinity House has the ability to review and has input into the cable details at various points – all of which are prior to construction. Trinity House therefore has a number of opportunities to raise any concerns relating to compliance with this requirement and can, ultimately, request that the MMO does not approve the design plan until it is complied with (secured through Schedule 9-10, condition 14(1)(a), Schedule 11-12, condition 9(1)(a) and Schedule 13 condition 7 (1) (a), which require agreement with the MMO in consultation with Trinity House and the MCA on the length and arrangements of all cables as part of the design plan).</p> <p>It should also be noted that the precise drafting of this condition has been agreed with the MCA as confirmed in their SoCG (REP9-024).</p> <p>Finally, the Applicant would like to clarify that the wording "and Trinity House" was added to the updated draft DCO submitted at D7 (Condition 15(8) (Schedule 9-10) and Condition 10(8) (Schedule 11-12)) as the Applicant believed that this additional wording to the MGN543 condition would provide Trinity House with a further control measure (again, prior to any construction). However following Trinity House's D8 response and further liaison with Trinity House, and given their concerns on the additional onus/remit it could place upon Trinity House, the Applicant agreed to remove the wording 'and Trinity House' from</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.6.0.1	Trinity House (TH)	<p>Request for specific DML wording to be added re reduction in clearance depth:</p> <p>Trinity House (TH) stated in [REP8-034] and confirmed in the SoCG [REP9-028] that it continues to disagree with the Applicant regarding the DML condition wording and maintains its request for specific wording to be added on the grounds that a reduction of over 5% in clearance depth may cause a significant hazard to navigation without the timely risk mitigation that TH are concerned to secure in the DMLs. TH requested to signpost where in the examination alternative drafting has been provided, and if no drafting is available, provide suitable wording for consideration.</p>	<p>Condition 15(8) (Schedule 9-10) and Condition 10(8) (Schedule 11-12) from the updated draft DCO submitted at Deadline 10.</p> <p>Trinity House and the MCA requested the 5% reduction in depth to be directly secured early in the process. Suggested wording was initially included in REP2-040 Deadline 2 submission SoCG with TH and REP2-049 Deadline 2 submission SoCG with The MCA.</p> <p>Trinity House continued to raise the issue in SoCGs and relevant submissions REP6-039, REP8-034, REP8-024, REP9-028 and REP10-069.</p> <p>Accordingly, Trinity House would therefore submit to the ExA that its preferred drafting in the DML Conditions [Schedule 9 Part 4 14 (1)(g), Schedule 10 Part 4 14 (1)(g), Schedule 11 Part 4 9(1)(g), Schedule 12 Part 4 9(1)(g), Schedule 13 Part 4 7(1)(f)] would include the following wording;</p> <p><i>"a detailed cable laying plan of the Order limits, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to chart datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or such similar assessment to ascertain suitable burial depths and cable laying techniques, including cable protection."</i></p>	<p>The Applicant refers to previous responses in relation to this matter within the Examining Authority's fifth round of questions [REP14-036], the Applicant's response to the Examining Authority's fourth round of questions [REP11-007] and the SoCG with Trinity House [REP9-028]. The Applicant maintains its position that it is not necessary to include any further wording within the DMLs and highlights to the Examining Authority that this process is already included within Marine Guidance Note (MGN) 543, as supported by the MCA in response to WQ5.5.4.3 (REP14-059) and reproduced above.</p>

7 Grid connection

7.0 Grid connection

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

8 Habitats Regulation Assessment

8.0 River Wensum SAC

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

8.1 Norfolk Valley Fens SAC

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

8.2 Southern North Sea SAC

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

8.3 Haisborough, Hammond and Winterton SAC

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.8.3.1	Natural England	For clarification, in [REP13-038] NE, in its response to R17.1.22, refers to comments in the risk and issue log provided at D12. The ExA has no record of this log. The last log [REP10-065] was submitted at D10, is this the one NE intended to refer to?	Our apologies. Yes, the log submitted at Deadline 10 was the log to which we intended to refer.	Noted
Q5.8.3.2	The Applicant	To update the ExA on the outcome of the meeting scheduled for 13 August in [REP13- 013].	<p>During the meeting held between Natural England and the Applicant on 13 August 2020 both ornithological issues and benthic issues were discussed, primarily within the context of HRA for the HHW SAC and AOE and FFC SPAs. The MMO also attended the meeting for discussions regarding the cable protection decommissioning condition. Follow up meetings were also held with Natural England on 17, 20 and 24 August 2020 (which also included the MMO), as well as a separate meeting with the MMO on 19 August 2020. Further information regarding the discussions about the Applicant's derogation case is provided in the Applicant's response to Q5.8.6.1.</p> <p>Natural England confirmed that in general their position on AEol to the three Natura 2000 sites remained unchanged as a result of the SoS's decision for Norfolk Vanguard and the minded to consent position for Hornsea Project Three. Natural England maintain that their advice provided to the Norfolk Vanguard examination (and subsequently to the SoS) and to the Norfolk Boreas examination is correct and therefore will not materially change. Natural England are of the opinion that judgements such as whether the impact is 'de minimis' are matters for the Secretary of State to determine.</p> <p>With regards to the inclusion of Hornsea Project Three numbers for CRM of auks and gannets, Natural England confirmed that they were in the process of acquiring the numbers used by the SoS in its assessment for that project and would be running models using those numbers with the intention of providing a position on the significance of CIA effects of these species at Deadline 14 or 15 of the Norfolk Boreas Examination.</p> <p>With regard to Condition 23 which the SoS included within the Norfolk Vanguard DMLs to ensure that the cable protection deployed in the</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>HHW SAC was such that it could be decommissioned (included as Condition 20 of the Norfolk Boreas DMLs at Deadline 13), Natural England provided a revised version of that condition for discussion. This revised wording included further requirements for feasibility studies, method statements, monitoring, timescales and the inclusion of Natural England as a consultee. Although the Applicant accepted that Natural England should be named as a consultee, the Applicant considered that the other additions proposed by Natural England were already included in the SoS's original drafting or would be addressed under the requirements of Section 105 and Section 108 of the Energy Act 2004, and it was not therefore necessary to revise the condition in this respect. The Applicant then proposed alternative wording which remained as true as possible to the original wording provided by the SoS but made a minor change designed to address Natural England's request to name them as consultee. Natural England highlighted that they would like some further revisions to the SoS's original drafting and the Applicant understands that these points will be detailed within Natural England's Deadline 14 submission.</p> <p>Natural England and the MMO both expressed a preference for the wording to be included as a Requirement in the DCO rather than a Condition within the DMLs, and the Applicant noted that the wording was such that it could be included as either a DML condition or a Requirement.</p> <p>Natural England and the MMO reviewed the revised wording proposed by the Applicant and provided feedback at a meeting on the 24 August 2020. Natural England and the MMO still had a number of residual concerns and therefore the Applicant suggested that a potential solution was to remove Condition 20 altogether and reinstate Condition 3(1)(g). The Applicant's position is that Condition 20 and Condition 3(1)(g) are both designed to ensure that the undertaker installs cable protection (installed where cables are not buried to the optimum depth) in such a way that it could be decommissioned at the end of the project life. The Applicant, in consultation with Natural England and the MMO, introduced Condition 3(1)(g) at Deadline 10 of the Norfolk Boreas examination as Natural England agreed that this would mean that it would secure a type of cable protection which could be decommissioned.</p> <p>An equivalent Condition 3(1)(g) was not included within the Norfolk Vanguard DCO and therefore the SoS introduced Condition 23 (Condition 20 in the Norfolk Boreas DMLs) as a way of securing this. Therefore, Natural England, the MMO and the Applicant are all in agreement that Condition 3(1)(g) should be reinstated in the Norfolk Boreas dDCO in preference to new Condition 20 (which will be removed). These changes will be included within the dDCO which is submitted at Deadline 16.</p> <p>The Applicant has proposed a minor amendment to Condition 3(1)(g) as follows: <i>"(g) in the Haisborough, Hammond and Winterton Special Area of Conservation, cable protection must not take the form of rock or gravel"</i></p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p><i>dumping where it is deployed to protect export cables apart from at cable crossing locations with existing cables and pipelines."</i></p> <p>This amendment ensures that the Condition only applies to cable protection associated with unburied cables due to ground conditions and that, where required for crossings, it can be left in situ as was the original intention of the commitment made at Deadline 6 and detailed within the HHW SAC control documents (document 8.20). This amendment was agreed in principle by Natural England on the 24 August.</p> <p>Should the SoS decide that Condition 20 should be applied to the Norfolk Boreas DMLs, or alternatively included as a Requirement of the dDCO, the Applicant would be content for this to happen. The Applicant understands that should this be the case Natural England and the MMO would request further amendments to that condition/ requirement and should the SoS be minded to make these amendments, as Natural England and the MMO have presented them to the Applicant, the Applicant would also be content for these to be made.</p> <p>As set out above, during the meetings on 17, 20 and 24 August 2020 it was discussed whether Natural England felt that it was necessary to progress anything further for the Norfolk Boreas derogation case, in response to Q5.8.6.1. Please see the Applicant's response to Q5.8.6.1 for further information on these discussions.</p>	
Q5.8.3.2	Natural England	To update the ExA on the outcome of the meeting scheduled for 13 August in [REP13- 013].	At the meeting on 13 August the discussion relating to the Haisborough, Hammond and Winterton SAC focussed on the need for an appropriate decommissioning condition. Our response to Qu. 5.5.4.4 above provides more detail. Natural England would also draw your attention to our other Deadline 14 response (Our Ref: NE.NB.D14.03.BenImp) which addresses the SoS decision and minded to documents of Vanguard and Hornsea 3 respectively.	See response to Q5.9.5.5

8.4 Offshore ornithology

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.8.4.1	Natural England	For in-combination effects, does NE have a view on the following scenario? Each OFW considered could be said to have a de minimis effect on bird mortality. However, at what point does a number of de minimis effects accumulate into a significant effect?	<p>Natural England has significant reservations regarding the use of 'de minimis' arguments to rule out adverse effects on integrity when a project contributes to an in-combination impact on European sites, particularly where it has been established that impacts have already reached a level resulting in a negative assessment on site integrity. This is because if there is an existing effect on site integrity, any further addition to that effect will only exacerbate the impact.</p> <p>Natural England has advised since the Hornsea Project Two examination that we cannot rule out an adverse effect on the integrity of the kittiwake feature of the Flamborough & Filey Coast SPA (FFC SPA) due to in-combination collision mortality from existing, consented and planned offshore windfarms. Natural England has also previously advised that we cannot rule out an adverse effect on the integrity of the lesser black-backed gull (LBBG) feature of the Alde-Ore Estuary SPA (AOE SPA) due to</p>	Natural England's comments are noted. Importantly, it is not agreed that it has been established that impacts have already reached a level resulting in a negative assessment on site integrity. Neither is it agreed that the in-combination total has reached or exceeded the level at which the conservation objectives for the relevant European sites cannot be achieved. Therefore, in respect of the Norfolk Boreas application, it is not correct to say that any further addition to effects will exacerbate an existing effect on site integrity. It should be remembered that a significant element of precaution (and in the Applicant's view, over-precaution) is built into the ornithology assessments on which assessments are based. As the Applicant has also explained, this over-precaution is compounded when multiple elements of individual

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>in-combination collision mortality from existing, consented and planned offshore windfarms.</p> <p>Subsequent to Hornsea Project Two being consented, further projects contributing to in-combination impacts on either or both of these SPAs have been approved. Most recently, Norfolk Vanguard has been consented and Hornsea 3 has received a 'minded to approve' decision. Norfolk Boreas, East Anglia One North and East Anglia Two are all currently proceeding through their Examinations, and Hornsea Project Four4 are expected to submit an application to PINS before the end of 2020. Furthermore, The Crown Estate has leased a number of sea areas adjacent to existing 'Round 2' windfarms for development of extension projects. As a result of the existing and future pressures that are likely to impact these populations, it is critical that project-specific contributions to in-combination impacts are appropriately considered.</p> <p>Natural England advises that an adverse effect on SPA integrity cannot be ruled out once an in-combination total (even were it made up of multiple 'de minimis' effects) reaches or exceeds a level at which it is considered that the high-level conservation objectives for the site in question cannot be achieved. This advice has not been affected by the recent BEIS Habitats Regulation Assessments regarding Thanet Extension, Norfolk Vanguard and Hornsea Project Three OWFs.</p> <p>As set out in our Deadline 4 response [REP4-039], where predicted impacts equate to 1% or below of baseline mortality for a population (e.g. colony population) then this level of impact could be considered non-significant. However, while 1% baseline mortality can be considered to be insignificant in the context of the population in isolation, it does not follow that there is no need to include this level of additional mortality in an assessment of in-combination impacts. Where predicted impacts, including in-combination impacts, equate to greater than 1% of baseline mortality of the relevant population (e.g. colony population), then we advise this is given further consideration, e.g. through population modelling to determine the significance of the mortality for the population in question.</p> <p>As quantitative thresholds applied to metrics are inevitably arbitrary Natural England advises that a range of site- and project-specific factors need to be considered when making integrity judgements. Population metrics need to be considered with reference to the site trend, population status and SPA conservation objective. As it is not known what the growth rate of a specific feature of a colony will be over the next 30 years, this uncertainty should be considered when judging the significance of predicted impacts against the conservation objectives for the feature. In interpreting the metrics from a PVA, the counterfactual of growth rate and counterfactual of population size metrics at the end of the impact (e.g. after 30 years) should be considered against a realistic assessment of the current and potential future population trend.</p> <p>Appropriate Assessment conclusions should then be made against the high-level conservation objectives for the sites, which includes an objective to 'maintaining or restoring...the population of each of the qualifying features.' This in turn poses the question of whether the population in question requires maintaining at its current level, or restoring to a favourable level. In Natural England's finalised conservation advice for both qualifying features, we advise that the 'population</p>	<p>precaution are brought together. In these circumstances it is entirely appropriate for the competent authority, in this case the Secretary of State, to consider a number of factors in determining whether the in-combination impact will result in an AEoI for relevant European sites.</p> <p>As Natural England explain in their response, where impacts equate to or are greater than 1% of baseline mortality, Natural England advise that this is given further consideration through population modelling to determine the significance of the mortality for the population in question. Determining the significance of this requires consideration of population metrics against a realistic assessment of the current and potential future population trends, as well as whether the population needs to be maintained or restored. Added to this, are variables relating to matters such as precaution and headroom. Therefore, in determining whether AEoI can be ruled out, the competent authority will consider matters such as maximum reductions in population growth as compared to trends of growth; the level of risk to the populations conservation status; the exact nature of the conservation objectives; the precautionary nature of the collision risk model; the potential for headroom; and the significance and likelihood of an AEoI. In determining significance and likelihood it is appropriate to consider the extent to which a project's in-combination impact can be said to be 'de-minimis'. The relevance and extent of this is however, ultimately, a judgement for the Secretary of State to make, as competent authority, in determining whether AEoI can be ruled out.</p>

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			<p>abundance' attribute requires a 'restore' target, due to the historic declines of both species at their respective sites. In other words, the populations in question are currently in unfavourable states and the conservation objective for the site is to restore it to their previous favourable state.</p> <p>This has important consequences for in-combination effects, as each additional impact beyond an already detrimental level, be it in terms of reduced colony growth rates or population abundance, will take the population further away from its desired state and the attainment of the required favourable condition more difficult e.g. by making the population more prone to stochastic events (such as winters with low survival rates or breeding seasons with poor food availability), or impairing the effectiveness of conservation measures.</p> <p>In other words, these impacts would be contrary to the high-level conservation objectives of the site. Regarding this we note the following statement in the ECJ judgement on Joined Cases C-293/17 and C-294/17 <i>Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others</i>, which states:</p> <p><i>"In circumstances such as those at issue in the main proceedings, where the conservation status of a natural habitat is unfavourable, the possibility of authorising activities which may subsequently affect the ecological situation of the sites concerned seems necessarily limited."</i></p> <p>This highlights a critical role of the Appropriate Assessment in identifying whether or not there is a risk of a project's in-combination contribution further undermining the conservation objectives to restore the site, particularly where it has already been established that there is a likely significant effect from that project, this test being in some respects analogous to a consideration of whether an impact might be 'de minimis'.</p> <p>There are particular risks associated with in-combination impacts on breeding seabird SPA features. LBBG and especially kittiwake have relatively large foraging ranges, which makes these species prone to a series of in-combination impacts 'stacking up', as birds will be fairly widely distributed in the breeding season. This means birds from the FFC SPA kittiwake and AOE SPA LBBG colonies will be interacting with multiple southern North Sea OWF in the breeding season, and with additional projects in the non-breeding periods. Hence there is an associated risk that in ruling out adverse effects on the basis that the individual project being considered has a minor contribution to the in-combination collision total, that total, which has already reached a level where adverse effects could arise, will only increase.</p> <p>Furthermore, as that in-combination total continues to increase with additional offshore wind farm projects consented in the North Sea, the percentage contribution from individual consent-seeking</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			projects to that increasing total will tend to decrease, which could lead to further decisions being made on the basis of individual projects having minor contributions. In the context of impacts that have already reached a detrimental level, this 'de minimis'-based approach to further impacts clearly risks the impacts on these SPAs becoming examples of 'death by a thousand cuts', which is precisely the scenario that the emphasis on considering ongoing impacts in the Habitats Regulations was intended to avoid.	
Q5.8.4.1	RSPB	For in-combination effects, does NE have a view on the following scenario? Each OFW considered could be said to have a de minimis effect on bird mortality. However, at what point does a number of de minimis effects accumulate into a significant effect?	<p>Whilst this question is directed to Natural England, the RSPB considers this to be a fundamental issue that we have raised concerns about on previous Offshore Wind Farm cases. We consider it essential that this be addressed for the Norfolk Boreas project.</p> <p>We note Natural England's response to question R17.1.8 regarding conclusions on AEOI for kittiwake from the Flamborough and Filey Coast SPA:</p> <p><i>"Additionally, we note that FFC SPA kittiwakes have a relatively large foraging range and this makes it particularly prone to in-combination effects 'stacking up', as birds will be fairly widely distributed in the breeding season. This means birds from the FFC SPA colony will be interacting with a substantial proportion of the southern North Sea offshore wind farms in the breeding season, and with the majority of North Sea projects in the non-breeding periods. Hence there is an associated risk that in ruling out AEOI on the basis that individual projects have a minor contribution to the in-combination collision total, that total, which has already reached a level where adverse effects could arise, will only increase. Furthermore, as that in-combination total continues to increase with additional offshore wind farm projects consented in the North Sea, the percentage contribution of individual projects to that increasing total will tend to decrease, which could lead to further decisions being made on the basis of individual projects having minor contributions. This risks the impacts on the SPA becoming an example of 'death by a thousand cuts'."</i></p> <p>The RSPB supports fully this position set out by Natural England.</p> <p>The RSPB is developing our detailed comments on the Secretary of State's recent decisions on the Hornsea THREE and Norfolk Vanguard schemes, and specifically our thoughts on the issue of 'de minimis' and its appropriateness when considering incremental increases in collision risk and displacement from multiple developments. We had hoped to have this completed for Deadline 14 (25th August), but unfortunately this will not be possible. However, we can commit to providing our detailed comments by Deadline 15 (1st September).</p>	The Applicant has provided comments on Natural England's response to this question (above) and the same comments are applicable to the RSPB's response on this question. The Applicant will review the RSPB's detailed response, when available, and provide further comments if it is appropriate in due course.

8.5 Greater Wash SPA

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

8.6 Flamborough and Filey Coast SPA, Alde-Ore Estuary SPA and Haisborough Hammond and Winterton SAC

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.8.6.1	The Applicant	In the event that no AEoI could not be agreed for all or any of the HRA sites and without prejudice, is the Applicant willing to work with NE and the ExA in providing a fully developed derogation case to submit to the SoS by the end of the Examination?	<p>The Applicant considers that a fully developed derogation case has already been provided. The term 'in principle' is used only because the derogation case is provided without prejudice to the Applicant's position that there is no AEoI, and therefore that a derogation case is not required.</p> <p>With respect to Flamborough and Filey Coast SPA, Natural England stated that 'we agree that in-principle, the provision of additional nest sites for kittiwakes in the southern North Sea / south-east of England might have the potential to be of benefit to the regional kittiwake population and hence in our view, would ensure coherence of the Natura 2000 network' (REP9-045).</p> <p>With respect to the Alde-Ore Estuary SPA, Natural England stated that, 'Natural England welcomes the in principle compensation measures presented by Norfolk Boreas for lesser black-backed gulls (LBBGs) at the Alde-Ore Estuary SPA. We believe that these proposals are in principle heading in the right direction. But Natural England's view is whilst the Applicant's proposal to fund a project coordinator and scoping study is helpful, there must be a commitment to delivering measures on the ground that would offset the predicted collision risk mortality' (REP9-046).</p> <p>With regard to the compensatory measures proposed for the HHW SAC, Natural England has not raised any outstanding issues and therefore the Applicant understands that Natural England is in agreement that no further work is required for the HHW SAC compensatory measures pre-consent.</p> <p>In addition, the Applicant has proposed dDCO conditions to secure detailed compensation plans as part of the derogation case should this be considered necessary, and this specifically includes a commitment to delivering measures on the ground at Alde-Ore Estuary SPA, as advised by Natural England in REP9-046 (this is further clarified below).</p> <p><u>FFC SPA</u></p> <p>With respect to the Applicant's proposed compensation options for kittiwake from the Flamborough and Filey Coast SPA, Natural England (REP9-047) stated that 'if measures directly benefiting kittiwake at the FFC SPA are considered necessary (noting that compensation should be first aimed at the feature and site affected), then fisheries management would seem to be the only plausible option.' However, Natural England then went on to state that: 'We recognise that this approach is not in Norfolk Boreas's gift to deliver alone, but it would likely require facilitation by the UK Government/the regulating authority.' The Applicant is in complete agreement with both these statements. If fisheries management was an option that the Applicant felt was deliverable, and therefore appropriate to offer as compensation, then it would have been further developed in the Applicant's proposals. However, since this measure cannot be delivered by the Applicant alone (as noted by Natural England) this was not considered to represent an appropriate option for the Applicant to offer as compensation.</p> <p>Therefore, the alternative option of providing an artificial nest structure was favoured on the grounds of being effective, proven and deliverable,</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>and Natural England agreed that it was a feasible option (Natural England (REP9-045) stated that: 'Though this wasn't Natural England's preferred option, we agree that in-principle, the provision of additional nest sites for kittiwakes in the southern North Sea/south-east of England might have the potential to be of benefit to the regional kittiwake population and hence in our view, would ensure coherence of the Natura 2000 network').</p> <p>Natural England (REP9-047) identified aspects of this option for which additional detail and investigation would be welcomed in order to maximise the likelihood of success (e.g. determination of location, consideration of prey resource, risk of collisions, delivery mechanism, etc.). The Applicant agrees that these are aspects which will require further consideration, but does not consider this to be either necessary or appropriate at the current stage. Indeed, Natural England (REP9-047) has already outlined approaches they consider could be taken, for example: 'site selection could be informed by the modelled distribution of kittiwake from the FFC SPA shown in Cleasby et al. (2018). An analysis of population trends/productivity of kittiwake colonies in East Anglia with those in south-east England and the Channel, drawing on Hamilton et al. (2016), would also help identify locations that are most likely to host productive kittiwakes over the project lifetime'. The Applicant agrees that these would be appropriate steps in the process of site selection, along with practical considerations in terms of construction, maintenance and monitoring. However, these aspects are not fundamental to determine whether this compensatory measure is appropriate to ensure Natura 2000 coherence (and Natural England has stated that in their opinion this coherence would be ensured), or whether there can be certainty on the prospects of delivering the measure. Therefore it is appropriate that this is addressed, in discussion with Natural England, following consent award, and only if the Secretary of State determines compensation to be a requirement. Indeed, the draft conditions proposed for the dDCO recognise the need for this through the development of the detailed plan post consent.</p> <p><u>AOE SPA</u></p> <p>With respect to the Applicant's proposed compensation options for lesser black-backed gull from the Alde-Ore Estuary SPA, the Applicant considers that there is very little disagreement with Natural England. Both parties consider that reducing predation is the most appropriate option, and that this would be best achieved through the use of predator-proof fencing. The only area remaining to be resolved is the location of the fence, and this is a matter which can only be determined through discussion with relevant landowners and Natural England. The Applicant considers that it would be unreasonable to expect relevant landowners to spend time and resource engaging in detailed discussions on this matter at the current time, since the requirement for this compensation has not been determined by the Secretary of State. Furthermore, since Natural England has agreed that identifying a suitable location and installing a fence could be achieved following award of consent and prior to turbine operation at Norfolk Boreas it is not necessary to do so at present. The need for further detail post consent is expressly recognised in the draft conditions</p>	

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			<p>proposed for the dDCO and accordingly can, if compensatory measures are considered necessary, be secured.</p> <p>The Applicant also understands that Natural England considers the dDCO should secure an express commitment to install a fence as a compensatory measure, and since this is intended to compensate for potential collisions at Norfolk Boreas it is appropriate that this fence should be installed prior to operation of the turbines. Therefore, the Applicant proposes to update the dDCO as follows (subject to further comment from Natural England and the MMO):</p> <p>PART 2</p> <p>Alde-Ore Estuary Special Protection Area: Delivery of measures to improve breeding success</p> <p>2.—(1) No later than 12 months prior to the commencement of any offshore works, a strategy for the delivery of measures to improve breeding success at the Alde-Ore Estuary Special Protection Area and proposals for monitoring and reporting on their effectiveness must be submitted to the Secretary of State for approval, in consultation with the relevant statutory nature conservation body.</p> <p>(2) The strategy must accord include measures to install predator proof fencing in accordance with the principles contained in Section 4 of the Alde-Ore Estuary Special Protection Area (SPA) - In principle Compensation Measures for lesser black-backed gull, and must be approved in writing by the Secretary of State prior to the commencement of any offshore works.</p> <p>(3) The strategy must include timescales for the measures to be delivered prior to operation of the offshore generating station and must be carried out as approved, unless otherwise agreed in writing by the Secretary of State.</p> <p>(4) Results from the monitoring scheme required under sub-paragraph (1) including any proposals to address the effectiveness of the measures to improve breeding success at the Alde-Ore Estuary Special Protection Area must be submitted to the Secretary of State and the relevant statutory nature conservation body, and any proposals to address effectiveness must thereafter be implemented by the undertaker as approved in writing by the Secretary of State.</p> <p>Following the meeting with Natural England on 10 July 2020, the Applicant had understood that Natural England agreed that any further details relating to matters of compensation could, if necessary, be dealt with post consent through the detailed compensation plans, and this was summarised in the Applicant's response to the Examining Authority's request for further information at Deadline 13 (REP13-013, see R17.1.26), 'Natural England supports the thorough consideration of compensatory measures which have been proposed [by the Applicant (in consultation with Natural England)]. Natural England confirmed during the meeting on the 10 July that they consider that the proposals contain a sufficient level of detail to demonstrate that they can suitably compensate for any AEoI</p>	

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			<p>and they are in agreement that any further detail would be agreed post consent in the final plans'.</p> <p>Notwithstanding the above, the Applicant is now engaging further with Natural England to explore what, if any, additional information could be usefully provided and consulted on, in response to Natural England's Deadline 9 submissions, and within the confines of the time remaining until Deadline 16 on the 8th September.</p>	
Q5.8.6.2	Natural England	Accepting that NE have strategic decisions to make resulting from the SoS letters referring to Norfolk Vanguard, Hornsea 3, and other recent OWF decisions, can it provide its best estimation of being able to provide definitive decisions on AEol by the end of the Examination?	<p>We note that the Hornsea Project Three Applicant has only provided updated figures for the revised design parameters for FFC SPA kittiwake in their information provided post examination, with no updated collision predictions provided for the other key species for cumulative/in-combination collision assessments (gannet, LBBG, herring gull or great black-backed gull), or updated abundance estimates taking account of the additional data submitted post examination to feed into displacement assessments (gannet, guillemot and razorbill).</p> <p>We can therefore update the FFC SPA kittiwake in-combination collision total to account for the revised central predicted figure for Hornsea Project Three of 73 adult collisions (compared to 182 as presented by the Boreas Applicant in REP2-035) and to remove the Thanet Extension project contribution to the in-combination total. These updates bring the FFC SPA kittiwake in-combination collision total including Hornsea 3 (but excluding Hornsea Project Four due to the uncertainty in the figures for this project as from the PEIR, as set out in REP4-040) to 434 kittiwakes. This total again equates to more than 1% of baseline mortality of the colony (3.34% of FFC SPA designated population or 2.90% of FFC SPA mean 2016-17 census data). Considering the outputs from the density independent Hornsea Project Three FFC SPA kittiwake PVA for demographic rate set 2 for matched runs³, if the additional mortality from the windfarm is 450 adults per annum (closest PVA outputs available to predicted 434 mortalities for in-combination total including Hornsea Project Three but excluding Hornsea Project Four) then the population of FFC SPA after 30 years will be 13.7% lower than it would have been in the absence of the additional mortality. The population growth rate would be reduced by 0.5%. If it is assumed that the population is stable then this would mean that the population would be 13.7% lower than the current population size. This would be counter to the restore conservation objective for this feature at the site and would result in an adverse effect on the integrity of the site. Considering the same plausible future colony growth rate scenarios as we considered in REP4-040 (i.e. stable, 0.37%, 1%, and 3% per annum) and the fact that this feature has a restore conservation objective, there are indications that the predicted level of mortality would mean the population could decline from current levels should it currently be stable. Given that that we have already advised at Hornsea Project Two and East Anglia Three examinations onwards that it was not possible to rule out an AEol on the FFC SPA from operational and consented projects due to the level of annual in-combination collision mortality predicted for kittiwake, our advice remains that there is an AEol of this feature due to in-</p>	<p>The Applicant notes that, with the exception of the reduction in the kittiwake collision estimate for Hornsea Project Three, the Natural England response presents no new information or assessment. The Applicant has responded to Natural England's interpretation of the Norfolk Boreas assessment in previous submissions:</p> <ul style="list-style-type: none"> Kittiwake in-combination assessment. As set out in REP2-035 and REP5-051, the Applicant considers that Natural England has failed to fully take account for over precaution in the assessment (for example due to headroom, REP6-021). The Applicant is also aware of very compelling evidence, presented in Coulson (2011) that the conservation objective for this population (<i>Restore the size of the breeding population at a level which is above 83,700 breeding pairs, whilst avoiding deterioration from its current level as indicated by the latest mean peak count or equivalent</i>) is based on an erroneous count, conducted in 1979, which was almost certainly a count of individuals, not pairs (see Coulson 2011 pages 238-240 for a detailed consideration). Since the most recent population estimate is over 51,000 pairs, against a designated size of 44,520, this population context is highly relevant to the determination of AEol. Natural England's precautionary interpretation of the PVA outputs, which suggests a reduction of 13.7% in the population size, would reduce the current population of 51,000 to 44,000 over the 30 year lifetime of the wind farm. This would clearly mean that, even when applying Natural England's precautionary approaches, the population would still be very close to its designated size at the end of the wind farm's projected lifespan, and on this basis an AEol could be ruled out. Natural England has not presented any new information for the other designated features of the Flamborough and Filey Coast SPA which have been assessed (gannet, guillemot, razorbill and seabird assemblage). The Applicant disagrees with Natural England's conclusions and provided responses to Natural England in REP8-027 and REP10-033.

³ Hornsea Project Three Offshore Wind Farm (2019) Appendix 73 to Deadline 4 Submission – Detailed response to ExA Q2.2.30 and Q2.2.39: PVA information. Available from: [https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010080/EN010080-001565-Orsted%20Hornsea%20Project%20Three%20\(UK\)%20Ltd%20-%20Appendix%2073%20-%20Detailed%20response%20to%20the%20Examining%20Authority's%20Q2.2.30%20and%20Q2.2.39.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010080/EN010080-001565-Orsted%20Hornsea%20Project%20Three%20(UK)%20Ltd%20-%20Appendix%2073%20-%20Detailed%20response%20to%20the%20Examining%20Authority's%20Q2.2.30%20and%20Q2.2.39.pdf)

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			<p>combination collision mortality and that includes a contribution from Norfolk Boreas.</p> <p>With regard to the appropriate Hornsea Project Three figures to include for the other species for cumulative/in-combination collision and displacement assessments for other species, we currently are not in a position to update assessments, as the updated figures to account for the revised worst case scenario or inclusion of the additional 3 months of data have not been provided by the Hornsea Project Three Applicant. Therefore, our advice currently remains as that set out in REP4-040, REP7-047, REP9-049.</p> <p>However, as noted in our Deadline 13 response [REP13-038], for those species/site combinations where we previously concluded in REP4-040 that a significant adverse impact (i.e. moderate adverse or above) for cumulative EIA scale or AEoI for in-combination could not be ruled out irrespective of whether Hornsea Project Three was included or not, even with the removal of the contributions to these totals from Thanet Extension, the contributions from Hornsea 3 will most likely be greater than those from Thanet Extension. Therefore, it follows that in these instances our advice will most likely remain as that set out in:</p> <ul style="list-style-type: none"> • REP4-040 for the FFC SPA for auk in-combination displacement; gannet in-combination displacement and collision plus displacement; assemblage in-combination displacement and collision; • REP9-049 for the FFC SPA for gannet in-combination collision risk. <p>As noted in our response to point R17.1.6 REP13-038, our advice remains that an AEoI cannot be ruled out for in-combination collision mortality of LBBGs at the Alde-Ore Estuary SPA.</p>	

8.7 Flamborough and Filey Coast SPA

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9 Landscape and Visual Effects

9.0 The Applicant's landscape and visual assessment

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9.1 The Applicant's visual assessment

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9.2 Alternatives considered

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9.3 Landscape effects

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9.4 Visual effects

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

9.5 Outline Landscape and Ecological Management Strategy (OLEMS)

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.9.5.1	The Applicant	Onshore project substation 12m access strip for large machinery Further to the Land Plan showing the "area to be cleared of landscaping obstruction" [REP13-020], include a cut-out plan in the DAS which illustrates the adjustments to the mitigation planting in the north east corner of the Order Limits for the onshore project substation from that currently shown on the Scenario 1 Mitigation Planting Plan [REP7- 010, sheet 3 of 8].	Figure 5 within the DAS showing the Scenario 1 Mitigation Planting, has been updated to show the "area to be cleared of landscape obstruction" as depicted on REP13-020. An updated DAS and accompanying figures has been submitted at Deadline 14 (Version 5).	
Q5.9.5.1	Chris Allhusen	Onshore project substation 12m access strip for large machinery Further to the Land Plan showing the "area to be cleared of landscaping obstruction" [REP13-020], include a cut-out plan in the DAS which illustrates the adjustments to the mitigation planting in the north east corner of the Order Limits for the onshore project substation from that currently shown on the Scenario 1 Mitigation Planting Plan [REP7- 010, sheet 3 of 8].	This is to enable us to farm the adjacent pieces of land. Please ask that the boundary is a straight line, not a curve, as from a practical point of view, the area will need to be fenced, and that in addition it is a minimum of 12 metres wide at the narrowest point.	The DAS has been updated at Deadline 14 (Version 5) (REP14-014) and shows the "area to be cleared of landscape obstruction" as depicted on REP13-020. This provides a 12m clearance on the corner of the private access track to allow the free passage of large agricultural vehicles as requested by the landowners of the land, Mr and Mrs Allhusen. The Applicant notes and appreciates the comments made by both Mr Allhusen and the NFU in response to the Examining Authority's Fifth Round of Written Questions and the suggestion that a straight fence line

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
				maintaining a minimum clearance distance of 12m is adopted rather than a curved fence. However, as the plan seeks to depict the minimum area to be cleared of landscape obstructions, rather than the line of any fencing, it is not considered necessary to amend the plan further.
Q5.9.5.1	NFU/LIG	Onshore project substation 12m access strip for large machinery Further to the Land Plan showing the "area to be cleared of landscaping obstruction" [REP13-020], include a cut-out plan in the DAS which illustrates the adjustments to the mitigation planting in the north east corner of the Order Limits for the onshore project substation from that currently shown on the Scenario 1 Mitigation Planting Plan [REP7- 010, sheet 3 of 8].	12m strip for large machinery. This is to enable adjacent pieces of land to be farmed. The boundary will need to be a straight line, not a curve, as from a practical point of view, the area will need to be fenced, and it will provide an access with a minimum of 12 metres wide at the narrowest point.	As above.
Q5.9.5.2	The Applicant	Finishes for National Grid substation extension a) Further to requests and comments at OFH3, can the electrical equipment required for the National Grid substation extension be coated or manufactured with a matt finish? b) If so, the Applicant is requested to include relevant wording to secure this either in the DAS or in the OLEMS.	a) The Applicant refers to its response to Q2.5.3.3 of the Examining Authority's Further Written Questions [REP5-045], its comments on deadline 4 submissions and additional submissions [REP5-051] regarding Breckland Council's REP4-026 and its response to ISH5 Action Point 13 [REP13-017]. Materials used for the electrical equipment, primarily aluminium, steel and ceramics/polymers, are dictated by the electrical and structural technical performance required to safely and efficiently operate the equipment at 400 kV. Therefore, it is not possible to alter the appearance and finishes of the electrical equipment. b) Due to the limitations on the opportunities to alter the appearance and finishes of the electrical equipment for operational functional requirements, the Applicant considers it is not appropriate to include further wording in the DAS or OLEMS with respect to this equipment.	
Q5.9.5.2	National Grid	Finishes for National Grid substation extension a) Further to requests and comments at OFH3, can the electrical equipment required for the National Grid substation extension be coated or manufactured with a matt finish? b) If so, the Applicant is requested to include relevant wording to secure this either in the DAS or in the OLEMS.	National Grid understands that the "electrical equipment" referred to specifically relate to busbars. Typically any electrical equipment installed at National Grid substations is either painted by the equipment manufacturer or left bare. In the case of the busbars National Grid do not paint or coat them as it will negatively affect the thermal carrying capability of the assets. Overtime the busbars will dull as they oxidise. If the Examining Authority is referring to any other electrical equipment National Grid requests that they are informed about such equipment and consulted on any painting or finish.	Noted.
Q5.9.5.3	The Applicant	Action Point 12 from ISH5 For clarity, the ExA is anticipating more than materials options to be submitted at D14 [REP13-017, action# 12]. a) The action point states "sketch design options for layout, massing and "agricultural style" for the proposed onshore project substation....." b) An indication of scale should be provided on any sketch elevations etc eg a person or a double decker bus. c) Points agreed with the landowner such as the "different layout and approach to some of the landscaping and drainage features on the site" [REP13-015, page 17] should be illustrated.	a) In response to Action Point 12 from ISH5 the Applicant has produced a Preliminary Design Report [ExA.AS-2.D14.V1] which includes the following; <ul style="list-style-type: none"> • Design parameters and principles from existing documentation (Section 2). This includes outlining the approach on form and massing, style, materials and colour and finishes; • A review of materials options for the convertor halls (Section 3) and a colour analysis and review of potential façade colours for external treatment of the convertor halls (Section 4); • On overview of the zoning plan (Section 5) and how this could be reflected in an indicative onshore project substation layout (Section 6). This includes isometric visualisation of the design layout of the onshore project substation, which reflects the massing and proposed 	

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			<p>agricultural style.</p> <p>The DAS has been updated to include reference to and inclusion of the Preliminary Design Report, an updated DAS (Version 5) has been submitted at Deadline 14.</p> <p>b) As requested an indication of scale in the form of a person 1.8m in height has been included on the elevational visualisation presented in Figure 2 of the Preliminary Design Report [ExA.AS-2.D14.V1].</p> <p>c) <u>Landscaping</u></p> <p>At a meeting held between the landowner, a LIG representative and the Applicant on the 16th March 2020 a range of landscaping topics were discussed in relation to the Norfolk Boreas substation including screening planting, planting plans and the use of small scale bunding. In response and since these initial discussions the Applicant has continued to engage in constructive dialogue on these matters, summarised as follows:</p> <ul style="list-style-type: none"> • Explaining the relationship between the onshore project substation and the proposed mitigation planting along the boundary; • Discussing appropriate plant species; • Discussing growth rates and the potential use of some regular or select standard trees. <p>Where relevant, updates on these matters have been made to the OLEMS (Version 6) submitted at Deadline 14 (document reference 8.7). For example, in Section 6.6 paragraph 67, in relation to the size and age of trees which could be planted as part of the screening as follows;</p> <p><i>..The detailed design of the planting will include the use of standard trees in select locations where their larger size will best mitigate against visual impacts, for example at a prominent end corner of a converter hall or side façade exposed in a framed view from a nearby road.</i></p> <p><u>Attenuation Pond</u></p> <p>At the meeting in March 2020, the landowner suggested that the depicted location of the Norfolk Boreas attenuation pond under Scenario 1 (as shown in DAS Figure 5 REP7-013) could instead be used for tree planting. The Applicant explained that the location was indicative and the final location would be determined based largely on the physical form of the final design of the substation. It was agreed that the Applicant would update the landowner on this matter as the design evolved. The position as presented in March 2020 remains the case, and at this stage of the design process the Applicant does not have anything further to update.</p> <p><u>Ditch/Cable Crossing</u></p> <p>At the meeting in March 2020, the landowner made a request that where cables crossed ditches of an appropriate depth, the ditch was</p>	

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			<p>infilled with a culvert and the cable would sit above the culvert. It was agreed by the Applicant that as there is some flexibility in the approach to this matter, the request would be reviewed and accommodated if possible during detailed design of the cable route installation. The position as presented in March 2020 remains the case, and at this stage of the design process the Applicant does not have anything further to update.</p> <p>In summary, on all three matters, the Applicant is committed to continue to engage with the landowner and will feed these considerations into the detailed design stage of the onshore project substation wherever possible. Until such time that the design is sufficiently advanced no further update or final agreement on these matters will be possible. Therefore it is not possible to illustrate these points in the Preliminary Design Report at this stage (ExA.AS-2.D14.V1).</p>	
Q5.9.5.3	NFU/LIG	<p>Action Point 12 from ISH5</p> <p>For clarity, the ExA is anticipating more than materials options to be submitted at D14 [REP13-017, action# 12].</p> <ul style="list-style-type: none"> a) The action point states “<i>sketch design options for layout, massing and “agricultural style” for the proposed onshore project substation.....</i>” b) An indication of scale should be provided on any sketch elevations etc eg a person or a double decker bus. c) Points agreed with the landowner such as the “<i>different layout and approach to some of the landscaping and drainage features on the site</i>” [REP13-015, page 17] should be illustrated. 	<p>The NFU and LIG can confirm the current position the Landowner affected by part of the substation in regard to the following statement “different layout and approach to some of the landscaping and drainage features on the site”:</p> <ul style="list-style-type: none"> a) A request has been made for information on layout b) Discussions are ongoing on landscaping c) There have been no discussions on drainage features. 	<p>The Applicant refers to the Applicant's response to Q5.9.5.3 above;</p> <ul style="list-style-type: none"> a) the Applicant submitted a Preliminary Design Report for the onshore project substation at Deadline 14 which included isometric visualisation of the indicative onshore project substation layout. b) As indicated discussions are ongoing with the landowner regarding landscaping. c) The Applicant clarified in response to Q5.9.5.3 (above) the discussions that have been had with the landowner on drainage features at the meeting in March 2020, i.e. relating to the attenuation pond and ditch crossings.
Q5.9.5.3	Chris Allhusen	<p>Action Point 12 from ISH5</p> <p>For clarity, the ExA is anticipating more than materials options to be submitted at D14 [REP13-017, action# 12].</p> <ul style="list-style-type: none"> d) The action point states “<i>sketch design options for layout, massing and “agricultural style” for the proposed onshore project substation.....</i>” e) An indication of scale should be provided on any sketch elevations etc eg a person or a double decker bus. <p>Points agreed with the landowner such as the “<i>different layout and approach to some of the landscaping and drainage features on the site</i>” [REP13-015, page 17] should be illustrated.</p>	<p>We have been asking this for over a year, with no reply. Surely by now, Vattenfall must have made some decisions as regards Vanguard so the same will apply to Boreas as they are sister projects. Nothing produced to date has truly indicated the size of these buildings. In their replies at REP13-015, page 17, Boreas states that they have provided photographs of similar sub-stations. Whilst they have provided some photographs of sub-stations, they all appear far small that that proposed; nor were any dimensions or capacities included. In addition, Vattenfall are always saying that they have to use ‘the worst-case scenario’; if they know in more detail the size of the sub-station buildings that they are proposing, why cannot they say so?</p> <p>Cladding. The same applies to cladding, which can make an enormous difference to the impact of a large building. We have seen nothing about this, other than their photo montages, which are purely indicative.</p> <p>Tree Screening. The tree screening has been discussed but the current plans show a screen of only 15 m wide. This would only allow for approx. 4 rows of trees, almost totally ineffective. In my experience this should be 30 metres wide and on both the south east</p>	<p>The details of the layout and scale of the onshore project substation are presented in the Design and Access Statement (DAS) first submitted as part of the DCO Application [APP-694]. This included details on the use, the typical components and scale and includes an indication of typical appearance and layout (Plate 3). The DAS has been updated throughout the examination process. The latest version (Version 5) was submitted at Deadline 14 [REP14-014] and included the Preliminary Design Report (Appendix 3) which has provided further information on the appearance of the convertor building including information on colour and materials (cladding) and further images on layout. However, as stated in the DAS [REP14-014] the design and layout will be finalised post-consent once specialists contractors are appointed and based on the most appropriate and best available technology. The Applicant will continue to engage with the landowner as design information is developed.</p> <p>Please refer to the Applicant's response to Open Floor Hearing 3 [rep13-015], Section 18, where the Applicant has provided a response to the points raised by the landowner with respect to tree screening and noise. Discussions are ongoing with the landowner with regards to landscaping and the Applicant welcomes the feedback from the landowner on these matters. Details of the proposed landscape mitigation (based on the</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>and north east sides. Whilst I have been in contact with the Jo Phillips, Boreas's ecologist, I have not had any assurances from Boreas that what we agree will happen. In addition, for any trees to have the slightest possibility of screening these buildings, they will need to be of a considerable age and height when planted and not very small whips.</p> <p>Noise. Referring again to Boreas's replies at REP13-015, page 17, Vattenfall were indeed refused permission to put a noise monitoring station on the terrace of our house! They never asked, despite our requests, to put one anywhere else on the Estate. They never even suggested placing one between Bradenham Hall and the sub-station site, so we can measure before and after noise levels. The site they claim to have used is adjacent to a public highway, our farm buildings and farmyard, so would have picked up all those noises. We live in primarily a rural environment, so such a site is worthless. I would like to see a number of sites established, once the trees have lost their leaves this winter, to measure the base line noise. I do not consider this an unreasonable request. Although [REDACTED] e-mail of the 23rd August 2020 suggests such monitoring might take place, I would like to see them publicly commit to this.</p>	<p>worst case indicative design) are detailed and secured in the OLEMS. This proposed mitigation will be further developed and confirmed once the detailed design of the infrastructure is known and will be subject to a design review through local consultation on the Design Guide. Requirement 17 of the dDCO the secures the details which must be included in the final landscape management scheme which is to be approved by Breckland Council.</p> <p>The Applicant clarified a number of points regarding noise surveys and monitoring in the email issued on the 23rd August 2020. This included confirmation that as secured by DCO Requirement 27(3) the Applicant must undertake a scheme of noise compliance monitoring following completion of the onshore project substation to demonstrate that the noise levels have been achieved after both initial commencement of operations and six months. The Applicant has agreed to explore the potential for operational noise monitoring to be implemented at a location (s) agreed with the landowner.</p>
Q5.9.5.4	The Applicant	<p>Layout and drainage and landscape features at proposed onshore substation</p> <p>Confirm whether the landowner of land on which the proposed onshore substation would be located is in agreement on the "different layout and approach to some of the landscaping and drainage features on the site" [REP13-015, page 17] to which the Applicant refers.</p> <p>If not set out the areas where differences still exist and what in your/ the landowner's opinion needs further resolution</p>	<p>The Applicant refers to the response to part c) of Q5.9.5.3 above. The Applicant is committed to continue to engage in positive and meaningful dialogue. In summary, discussions in relation landscaping, the attenuation pond location and cable crossing of ditches will continue and when the design detail of the onshore project substation is sufficiently advanced to be able to consider the incorporation of these points, this will be progressed further with the landowner.</p>	
Q5.9.5.5	Breckland Council	<p>Independent Design Review for substations</p> <p>In light of comments received at OFH2 [EV12-002] and OFH3 (Necton Session) [EV13- 011], the decision on Norfolk Vanguard, which gives greater certainty to Scenario 1, and the ExA's ongoing concern about the complexity and detail contained in post-consent approvals for R16 and R18, the resource constraints of Breckland Council and the statements in the NIC Design Principles, the ExA invited the Applicant to consider inclusion of an independent design review at an early stage in the post-consent design process for the substations area, including those for Norfolk Vanguard if appropriate. The Applicant has set out its reasons for not involving an independent design review but has committed to amending the DAS to include a design review at an early stage conducted in a local forum [REP13-018].</p> <p>Do you:</p> <ol style="list-style-type: none"> Agree that an early design review should take place? If so, do you consider it should be conducted in a local forum or as an independent design review – or both? 	<p>Breckland Council shares the view of the applicant as set out in REP13-018 in relation to an independent design review. It would support a design review at an early stage at a local level involving the council and parish council together with other local stakeholders.</p>	<p>The Applicant welcomes the agreement from Breckland Council on the Applicant's position stated in REP13-018 that any design review would be best conducted in a local forum involving the district council and local stakeholders. The updated DAS [REP14-14] submitted at Deadline 14 provides details on a suitable design review process and includes a commitment to undertaking a design review at an early stage.</p>
Q5.9.5.5	Chris Allhusen	<p>Independent Design Review for substations</p> <p>In light of comments received at OFH2 [EV12-002] and OFH3 (Necton Session) [EV13- 011], the decision on Norfolk Vanguard, which gives greater certainty to Scenario 1, and the ExA's ongoing concern about the complexity and detail contained in post-consent approvals for R16</p>	<p>No offense to the people who work at Breckland Council, but unfortunately, I have little faith in them acting in the best interests of the residents and affected parties. Whilst I am sure that they have dedicated people, this is a huge project for them to undertake. Breckland are both underfunded and understaffed, especially</p>	<p>The Applicant's position remains unchanged from that stated in REP13-018; <i>'that any design review would be best conducted in a local forum involving the district council and local stakeholders, rather than through an independent design review panel whose objectives may differ from local</i></p>

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		<p>and R18, the resource constraints of Breckland Council and the statements in the NIC Design Principles, the ExA invited the Applicant to consider inclusion of an independent design review at an early stage in the post-consent design process for the substations area, including those for Norfolk Vanguard if appropriate. The Applicant has set out its reasons for not involving an independent design review but has committed to amending the DAS to include a design review at an early stage conducted in a local forum [REP13-018].</p> <p>Do you:</p> <ol style="list-style-type: none"> Agree that an early design review should take place? If so, do you consider it should be conducted in a local forum or as an independent design review – or both? 	<p>following the Covid 19 crisis. I would also not support this being done in a local forum as, from experience, local meetings with Vattenfall were not at all well run and have degenerated into irrelevant arguments almost immediately. I would strongly support the inclusion of an independent design review, and panel. If this were to go ahead, who would choose and appoint members of the review panel?</p>	<p><i>stakeholder aims to ensure the onshore project substation buildings are designed to be as discreet as possible.'</i></p> <p>This position is supported by Breckland Council (see Breckland Council's response to Q5.9.5.5 above).</p> <p>An independent design review panel would involve an independent body such as the Design Council appointing a panel of experts, such as architects, from a pool of voluntary members to assess the proposed design. As detailed in REP13-018 an independent design review panel may not share the objectives of local council officers and local stakeholders who are keen to ensure the onshore project substation buildings are as discreet as possible. A design review panel may wish to explore options to make the substation buildings a more prominent feature in the local landscape, whereas for Norfolk Boreas, the agreed intention is to ensure that the substation buildings are as discreet as possible. The Applicant feels that the most valuable feedback on the proposed landscape mitigation and appearance of the onshore project substation such as plating species or colour, would be from local stakeholders.</p>
Q5.9.5.5	Colin King	<p>Independent Design Review for substations</p> <p>In light of comments received at OFH2 [EV12-002] and OFH3 (Necton Session) [EV13- 011], the decision on Norfolk Vanguard, which gives greater certainty to Scenario 1, and the ExA's ongoing concern about the complexity and detail contained in post-consent approvals for R16 and R18, the resource constraints of Breckland Council and the statements in the NIC Design Principles, the ExA invited the Applicant to consider inclusion of an independent design review at an early stage in the post-consent design process for the substations area, including those for Norfolk Vanguard if appropriate. The Applicant has set out its reasons for not involving an independent design review but has committed to amending the DAS to include a design review at an early stage conducted in a local forum [REP13-018].</p> <p>Do you:</p> <ol style="list-style-type: none"> Agree that an early design review should take place? If so, do you consider it should be conducted in a local forum or as an independent design review – or both? 	<p>I agree with the ExA, and also have concerns over Breckland Council's resource constraints hampering their ability to cope with the complex detail involved in postconsent approvals R16 and R18.</p> <ol style="list-style-type: none"> I agree that an early design review should take place. I consider the project is of such complexity and scale that findings should be sought from both a local forum, for local knowledge and an independent design review to find any technical oversights. <p>As you are aware, I have concerns over the information provided by the applicant, on which to evaluate design requirements, therefore if an independent design review is provided with the applicant's information, this should be balanced with relevant interested parties' submissions to provide the independent design review with all the available, and most comprehensive information.</p>	<ol style="list-style-type: none"> The Applicant has committed to undertake an early design review and this is detailed and secured in Section 5.3.6 of the DAS [REP14-014]. The Applicant refers to its comments on the response from Mr Allhusen on Q5.9.5.5 above regarding the independent design review.
Q5.9.5.5	Necton Parish Council	<p>Independent Design Review for substations</p> <p>In light of comments received at OFH2 [EV12-002] and OFH3 (Necton Session) [EV13- 011], the decision on Norfolk Vanguard, which gives greater certainty to Scenario 1, and the ExA's ongoing concern about the complexity and detail contained in post-consent approvals for R16 and R18, the resource constraints of Breckland Council and the statements in the NIC Design Principles, the ExA invited the Applicant to consider inclusion of an independent design review at an early stage in the post-consent design process for the substations area, including those for Norfolk Vanguard if appropriate. The Applicant has set out its reasons for not involving an independent design review but has committed to amending the DAS to include a design review at an early stage conducted in a local forum [REP13-018].</p> <p>Do you:</p> <ol style="list-style-type: none"> Agree that an early design review should take place? 	<p>Necton Parish Council fully support an independent design review and would prefer it to any local forum(s) run by the applicant. We have experience of previous local forums held by the applicant. No discernible actions or changes happened as a result of local concerns raised or opinions given and therefore an independent design review would be our choice. Necton Parish Council will contribute to the best of our ability to any reviews or forums arranged by the applicant.</p>	<p>The Applicant refers to its comments on the response from Mr Allhusen on Q5.9.5.5 above regarding the independent design review.</p> <p>The Applicant is committed to engaging with Necton Parish Council as part of the design review process (see section 5.3.6 of the DAS [Rrep14-014]) and would welcome contributions from Necton Parish Council in the design review held in the local forum.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		b) If so, do you consider it should be conducted in a local forum or as an independent design review – or both?		
Q5.9.5.5	NSAG	<p>Independent Design Review for substations</p> <p>In light of comments received at OFH2 [EV12-002] and OFH3 (Necton Session) [EV13- 011], the decision on Norfolk Vanguard, which gives greater certainty to Scenario 1, and the ExA's ongoing concern about the complexity and detail contained in post-consent approvals for R16 and R18, the resource constraints of Breckland Council and the statements in the NIC Design Principles, the ExA invited the Applicant to consider inclusion of an independent design review at an early stage in the post-consent design process for the substations area, including those for Norfolk Vanguard if appropriate. The Applicant has set out its reasons for not involving an independent design review but has committed to amending the DAS to include a design review at an early stage conducted in a local forum [REP13-018].</p> <p>Do you:</p> <p>a) Agree that an early design review should take place? b) If so, do you consider it should be conducted in a local forum or as an independent design review – or both?</p>	<p>a) Yes we do agree. b) Both</p>	<p>a) The Applicant has committed to undertake an early design review and this is detailed and secured in Section 5.3.6 of the DAS [REP14-014]. b) The Applicant refers to its comments on the response from Mr Allhusen on Q5.9.5.5 above regarding the independent design review.</p>
Q5.9.5.6	The Applicant	<p>Independent Design Review for substations</p> <p>The ExA is consulting on ways potentially to secure the input of an independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows:</p> <p>DAS [REP7-007,Para 67]</p> <p><i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i></p> <p>AND</p> <p><i>[REP7-007, Appendix 1, first para] The Design Guide will be prepared by Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</i></p> <p>OR</p> <p>inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i></p> <p>OR Both the above.</p>	<p>The Applicant reiterates the previous points raised at Deadline 13 in the Position Statement on Early Involvement of a Design Review [REP13-018], namely that the design review would be best conducted in a local forum involving the district council and local stakeholders rather than through an independent design review. Accordingly, if a design review is to be secured (whether by way of Requirement or in the DAS), in the Applicant's view, this should refer to "an early design review" or "an early design review conducted in a local forum". For reasons already stated, it is the Applicant's firm position that an "independent" design review is not appropriate in this particular case and should not be referred to in either the DAS or any Requirement of the DCO. Further, given that overriding considerations must be for a design which meets technical and safety requirements, the Applicant is wholly opposed to any requirement in the DAS to "take on board findings" of an independent design review.</p> <p>Notwithstanding the Applicant's comments, if the ExA recommends inclusion of a DCO Requirement, the Applicant considers this might best be included at Requirement 16(4) and not Requirement 16(3), such that details provided for approval must have been subject to a design review. The Applicant sees no purpose in securing a design review in both the DAS and a DCO Requirement.</p>	
Q5.9.5.6	Breckland Council	<p>Independent Design Review for substations</p> <p>The ExA is consulting on ways potentially to secure the input of an</p>	See response to Q 5.9.5.5.	The Applicant has commented on the response at Q5.9.5.5 above.

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		<p>independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows:</p> <p>DAS [REP7-007,Para 67]</p> <p><i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i></p> <p>AND</p> <p><i>[REP7-007, Appendix 1, first para] The Design Guide will be prepared by Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</i></p> <p>OR</p> <p>inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i></p> <p>OR Both the above.</p>		
Q5.9.5.6	Chris Allhusen	<p>Independent Design Review for substations</p> <p>The ExA is consulting on ways potentially to secure the input of an independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows:</p> <p>DAS [REP7-007,Para 67]</p> <p><i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i></p> <p>AND</p> <p><i>[REP7-007, Appendix 1, first para] The Design Guide will be prepared by Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</i></p> <p>OR</p>	See response to Q5.9.5.5	The Applicant has commented on the response at Q5.9.5.5 above.

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		<p>inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i> OR Both the above.</p>		
Q5.9.5.6	NFU / LIG	<p>Independent Design Review for substations The ExA is consulting on ways potentially to secure the input of an independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows: DAS [REP7-007,Para 67] <i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i> AND [REP7-007, Appendix 1, first para] <i>The Design Guide will be prepared by Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</i> OR inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i> OR Both the above.</p>	<p>The NFU and LIG agree it would be useful to have an early design review and believe this should be undertaken by a local forum. The two landowners affected must be part of the local forum and it is not just for Breckland Council to approve the design. If it was an independent review panel who would actually form part of the panel and how would they make sure they took in the views of the two landowners directly affected as well as the local village Necton? NFU and LIG need to understand this more fully before being able to advise on a preference.</p>	<p>The Applicant submitted an updated version of the DAS (Document 8.3) at Deadline 14 [REP14-14]. This includes a commitment to undertaking a design review at an early stage and confirms that engagement will take place with relevant landowners.</p> <p>The Applicant's position is explained in REP13-018 which states; <i>'that any design review would be best conducted in a local forum involving the district council and local stakeholders, rather than through an independent design review panel whose objectives may differ from local stakeholder aims to ensure the onshore project substation buildings are designed to be as discreet as possible.'</i></p> <p>This position is supported by Breckland Council (see Breckland Council's response to Q5.9.5.5 above).</p>
Q5.9.5.6	Necton Parish Council	<p>Independent Design Review for substations The ExA is consulting on ways potentially to secure the input of an independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows: DAS [REP7-007,Para 67] <i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i> AND [REP7-007, Appendix 1, first para] <i>The Design Guide will be prepared by</i></p>	<p>Necton Parish Council (NPC) have been concerned throughout the examination process for both Vanguard and Boreas that the applicant has no intention of adequately mitigating the infrastructure that is planned to be constructed at Necton. No costings have been produced for the mitigation requested by NPC, just a refusal. The phrase "... ensure that embedded mitigation is integral in this process..." is something NPC have been asking for. The AND paragraphs is therefore our preference. However, NPC is still concerned that a design review will make recommendations that can be ignored by the applicant / Breckland Council. Is the ExA certain that this wording will ensure that all the independent design review recommendations will be implemented?</p>	<p>The Applicant has previously responded to NPC's concerns and has explained how mitigation has been embedded into the siting decisions for the onshore project substation. The Applicant considers that adequate mitigation has been assessed in the ES and secured through the dDCO.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</p> <p>OR</p> <p>inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i></p> <p>OR Both the above.</p>		
Q5.9.5.6	NSAG	<p>Independent Design Review for substations</p> <p>The ExA is consulting on ways potentially to secure the input of an independent design review and invites without prejudice comments on inclusion of wording in the Design and Access Statement (DAS) and/ or the dDCO as follows:</p> <p>DAS [REP7-007,Para 67]</p> <p><i>The Applicant will engage with Breckland Council and at an early stage with an independent design review panel to review the mitigation and landscape proposals and the architecture of the convertor building of the onshore project substation, at the time when further detailed design information is available. This will be undertaken through the production of a Design Guide.</i></p> <p>AND [REP7-007, Appendix 1, first para] <i>The Design Guide will be prepared by Norfolk Boreas Limited (the Applicant) and will combine input from specialist consultants and take on board findings as appropriate from the independent design review panel. This part of the Norfolk Boreas project will enable the team to undertake the detailed design of the onshore project substation and ensure that embedded mitigation is integral in this process. The Design Guide will be presented as an A3 document, and will combine text and figures to explain the proposals</i></p> <p>OR</p> <p>inclusion of additional wording at R16(3) to read: <i>"The onshore project substation must be constructed in accordance with the details approved by the relevant planning authority, which must also have been subject to an early independent design review."</i></p> <p>OR Both the above.</p>	Both please.	The Applicant notes NSAG's response.
Q5.9.5.7	The Applicant	<p>Outline Landscape and Ecological Management Strategy</p> <p>a) Update the OLEMS to cover the point regarding levels discussed at ISH5 [REP13-016, agenda item 6] and also to refer to liaison with Breckland Council in this regard.</p> <p>Further to the points made at OFH2 and OFH3 (Necton Session) regarding locals' preference for some larger plant material, the ExA considers your response [REP13-014, ref 7], possibly misses the point</p>	<p>a) The OLEMS paragraph 71 has been updated to include reference to giving further consideration to 'levels changes' as well as the use of bunding and has been updated to include both the onshore project substation and the National Grid substation extension.</p> <p>b) The OLEMS paragraph 66 has been updated to include a commitment for the Applicant to explore advance planting, in addition to that implemented by Norfolk Vanguard:</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>made. Your response refers to maturity of vegetation, advance planting and the proposed areas of nurse (faster growing) and core (slower growing species). The ExA understands the request from the Necton local community to be for the planting mixes to include some larger tree plant material ("not knee high") at the time of planting and is based in part on their observations of the planting at the Dudgeon substation.</p> <p>b) The ExA welcomes the Applicant's repeated commitment to explore opportunities for advance planting but notes this is not stated in the most recent version of the OLEMS (other than a reference to the potential for Norfolk Vanguard planting to provide this function in Scenario 1) [REP10-014]. You are requested to include the commitment to explore advance planting opportunities in the OLEMS (and/ or the DAS) for the Proposed Development for both scenarios.</p> <p>c) The ExA considers that rather than leaving the matter of size of planting to be agreed as part of the R18(2)(a) submission, it would be helpful to provide a commitment in the OLEMS to a range of sizes of plant material, which would include some larger plant material at the time of planting in the vicinity of the proposed onshore substations. You are requested to provide without prejudice wording for inclusion in the OLEMS to cover this point, should the ExA be minded to recommend its inclusion to the SoS; or to include appropriate wording in the OLEMS.</p>	<p><i>'Norfolk Boreas will also explore opportunities for advance planting of their landscape planting, in areas which are not affected by the construction works, under both scenarios.'</i></p> <p>c) An additional paragraph (paragraph 67) has been added to the OLEMS in Section 6.6 Landscape Planting Species and Growth to provide further commitment on the size of the proposed planting as follows;</p> <p><i>'While the majority of the tree planting around the onshore project substation and National Grid substation extension will be small whips, these will be complimented by larger planting in select locations. While whips are small at the time of planting and their initial growth rate is slow, once established their growth rate is typically faster than that of trees planted at initially larger sizes. Larger trees do, however, have the advantage of creating a more instant effect in terms of providing a landscape setting to the proposed project. Larger trees are referred to as 'standard trees' and are measured in terms of the girth of their trunks. The four types of standard trees are light standard (6-8cm at approx. 2.0-2.5m), regular standard (8-10cm at approx. 2.5-3.0m), select standard (10-12cm at approx. 3.0-3.5m) or heavy standard (12-14cm at approx. 3.5-4.0m). The detailed design of the planting will include the use of standard trees in select locations where their larger size will best mitigate against visual impacts, for example at a prominent end corner of a converter hall or side façade exposed in a framed view from a nearby road.'</i></p> <p>The updated OLEMS (Version 6) capturing these updates has been submitted at Deadline 14.</p>	
Q5.9.5.8	Breckland Council	<p>Design and Access Statement and Outline Landscape and Ecological Management Strategy</p> <p>The Applicant will submit an updated DAS and an updated OLEMS at Deadline 14 (25 August 2020) at the same time as responses to these written questions.</p> <p>a) You are requested to submit any comments you may have on the Applicant's updated DAS and/ or the updated OLEMS at Deadline 15 (1 September 2020).</p> <p>b) If you have any comments on the way the Applicant has interpreted the ExA's questions above include these.</p> <p>c) If you consider any wording needs changing provide suggested alternative wording.</p> <p>d) If you think there are ongoing omissions set out what these are and how they can be remedied.</p>	Noted.	Noted, the Applicant will await responses at Deadline 15.
Q5.9.5.8	Chris Allhusen	<p>Design and Access Statement and Outline Landscape and Ecological Management Strategy</p> <p>The Applicant will submit an updated DAS and an updated OLEMS at Deadline 14 (25 August 2020) at the same time as responses to these written questions.</p> <p>a) You are requested to submit any comments you may have on the Applicant's updated DAS and/ or the updated OLEMS at Deadline 15 (1 September 2020).</p> <p>b) If you have any comments on the way the Applicant has</p>	Updated DAS & OLEMS. Please see the points raised in this email [responses to Q.5.9.5.1, Q5.9.5.3, Q5.9.5.5 & Q5.9.5.6.6].	Please refer to the Applicant's comments on Mr Allhusen's responses to Q5.9.5.1, Q5.9.5.3 and Q5.9.5.5 & Q5.9.5.6.6 above.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>interpreted the ExA's questions above include these.</p> <p>c) If you consider any wording needs changing provide suggested alternative wording.</p> <p>d) If you think there are ongoing omissions set out what these are and how they can be remedied.</p>		
Q5.9.5.8	NFU / LIG	<p>Design and Access Statement and Outline Landscape and Ecological Management Strategy</p> <p>The Applicant will submit an updated DAS and an updated OLEMS at Deadline 14 (25 August 2020) at the same time as responses to these written questions.</p> <p>a) You are requested to submit any comments you may have on the Applicant's updated DAS and/ or the updated OLEMS at Deadline 15 (1 September 2020).</p> <p>b) If you have any comments on the way the Applicant has interpreted the ExA's questions above include these.</p> <p>c) If you consider any wording needs changing provide suggested alternative wording.</p> <p>d) If you think there are ongoing omissions set out what these are and how they can be remedied.</p>	The NFU and LIG will respond to this for deadline 15 (1st September 2020).	Noted, the Applicant will await responses at Deadline 15.
Q5.9.5.8	Necton PC	<p>Design and Access Statement and Outline Landscape and Ecological Management Strategy</p> <p>The Applicant will submit an updated DAS and an updated OLEMS at Deadline 14 (25 August 2020) at the same time as responses to these written questions.</p> <p>a) You are requested to submit any comments you may have on the Applicant's updated DAS and/ or the updated OLEMS at Deadline 15 (1 September 2020).</p> <p>b) If you have any comments on the way the Applicant has interpreted the ExA's questions above include these.</p> <p>c) If you consider any wording needs changing provide suggested alternative wording.</p> <p>d) If you think there are ongoing omissions set out what these are and how they can be remedied.</p>	Noted.	Noted, the Applicant will await responses at Deadline 15.

9.6 Good Design

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.9.6.1	Breckland Council	<p>Provision for Design Review:</p> <p>Comment on the Applicant's Position Statement Early Involvement of Design Review [REP13-018].</p>	See above [Response to Q5.9.5.5]	Please refer to the Applicant's comments on Breckland Council's response to Q5.9.5.5 above.
Q5.9.6.1	Necton PC	<p>Provision for Design Review:</p> <p>Comment on the Applicant's Position Statement Early Involvement of Design Review [REP13-018].</p>	<p>NPC understands but does not agree with the conclusions given in REP13-018. The applicant seeks to remove qualified independent design consultants from the review. This could limit their obligation to provide adequate embedded mitigation.</p> <p>In addition, the applicant's response REP13-08 immediately removes the National Grid (NG) substation from the design review. NPC believe that mitigation of the highly visible and very reflective NG</p>	The Applicant refers to its comments on the response from Mr Allhusen on Q5.9.5.5 above regarding the independent design review. The Applicant's obligation to ensure adequate mitigation is secured through the DCO Requirements. The Applicant feels that the most valuable feedback on the proposed landscape mitigation and appearance of the onshore project substation such as planting species

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>infrastructure is just as important as that for the enormous substations. The applicant has already responded that the NG equipment will not be painted or changed in any way from that already present in the Dudgeon substation which can be seen for miles.</p> <p>NPC would like mitigation of the NG infrastructure to be included in an independent design review, the implementation of whose recommendation in their entirety form a requirement of the Design and Access Statement.</p>	<p>or colour, would be from local stakeholders rather than an independent design panel.</p> <p>The Applicant refers to the Applicant's response to the ExA's fourth written questions Q4.9.6.1 on the design of the national grid substation and National Grid's response to Q5.9.5.2 above.</p> <p>The National Grid substation extension will predominantly comprise electrical equipment. The materials used for this equipment are predetermined by international electro-technical standards and by National Grid's own technical specifications. Painting or coating of such equipment e.g. busbars, negatively effects the thermal carrying capability of the assets. Due to the functional restrictions of the National Grid substation there are no elements which are open to design influence and therefore it is not appropriate for them to be subject to a Design Review.</p>

9.7 Matters arising from the accompanied site inspection (ASI) on Thursday 23rd January

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

10 Marine and Coastal processes

10.0 Marine and Coastal processes

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

11 Navigation

11.0 Navigation

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

11.1 Aviation and Radar

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

12 Onshore construction effects

12.0 Cable corridor and ducting

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.12.0.1	The Applicant	<p>Pre-commencement works</p> <p>The ExA notes the Clarification Note on Pre-commencement Works [REP4-018] which highlights the commitments specific to the pre-commencement works included in the relevant dDCO Requirements. The ExA also notes the diagram in the updated note on requirements and conditions [REP11-004, Annex 1] showing how Management Plans and Pre-commencement Plans interrelate and correspond to particular Requirements.</p> <p>a) Applicant to include this diagram in all relevant outline management plans.</p>	<p>The diagram referred to was produced specifically for Annex 1 of the Note on Requirements and is relevant in the context of this note and the other diagrams presented in Annex 1. None of the other diagrams within this Annex are replicated in the outline plans and the Applicant considers that including the diagram in the outline management plans would be out of context and is not appropriate or needed.</p> <p>The Applicant considers the relationship between the pre-commencement plans, the associated management plans, and the Requirements are appropriately set out and secured within the relevant wording of the Requirement within the DCO. For example,</p> <p>Under Requirement 20 (4) it clearly states that:</p> <p>'Pre-commencement screening, fencing and site security works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening, fencing and site security set out in the outline code of construction practice, and which has been submitted to and approved by the relevant planning.</p> <p>This clearly identifies that under Requirement 20 (4) the pre-commencement screening, fencing and site security plan must accord with the relevant details of the outline code of construction practice.</p> <p>If considered appropriate by the relevant LPAs, this diagram could also be included in any Planning Performance Agreement negotiated post consent.</p>	

12.1 Cable corridor and ducting

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

12.2 Mobilisation Areas

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

12.3 Noise and Vibration

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

12.4 Construction Hours

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

13 Socio-economic effects

13.0 Skills and Employment Strategy

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

13.1 Jobs

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

13.2 Tourism

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.13.2.1	The Applicant	The ExA notes the information you have provided regarding the tourism in North Norfolk District largely in the Local Impact Report [REP2-087, Appendix G onwards], and in subsequent submissions.	b) The Applicant notes that no additional evidence has been submitted by NNDC to support its position on tourism impacts in REP13-032. Therefore the Applicant has no further comments on tourism and the Applicant's position remains unchanged from the detailed response provided to the ExA's Third Written Questions Q3.13.2.1 [REP7-017].	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>a) NNDC, comment on the Applicant's views [REP13-025, Page 11].</p> <p>b) Applicant, any further comments to NNDC [REP13-032].</p> <p>c) The ExA notes that NNDC is determining whether any further evidence can be provided and whether the draft requirement can be further refined. Final positions are sought from both NNDC and the Applicant at D14.</p>	<p>The Applicant would like to clarify a point made in the Deadline 13 submission. In paragraph 4.2 NNDC state the following;</p> <p><i>'In its submissions following ISH 3, NNDC recorded the Applicant's acceptance at that hearing that the sensitive tourism receptors listed by NNDC may not all have been assessed as part of the ES, instead being left for assessment when particular out-of-hours works are proposed [REP4-031].'</i></p> <p>To clarify, this point relates to noise sensitive receptors not tourism receptors. The Applicant was acknowledging that not every noise sensitive receptor along the cable route had been assessed in the EIA, but the closest receptors, as was agreed with relevant LPAs and in accordance with best practice and relevant methodologies. Since ISH3 the Applicant and NNDC have reached agreement on the definitions of noise sensitive receptors (reflected in the final SoCG REP10-040) and the text which is included in the OCoCP to capture this i.e. Section 9.1. The Applicant has fully assessed potential impacts on tourism receptors in the ES (Chapter 30) [APP-243] and the Applicant's clarification of the noise sensitive receptors assessed has no bearing on the evidence in so far as it is relevant to tourism impacts.</p> <p>c) In their Deadline 13 submission [REP13-032] NNDC refer to providing revised wording and aiming to provide further evidence by Deadline 14. Therefore, the Applicant will need time to consider any further submissions made by NNDC post Deadline 14 and will not be able to submit a final position on this matter at Deadline 14. However, on receipt of any further information from NNDC the Applicant will, if required, provide an updated final position for the subsequent deadline (i.e. Deadline 15 on the assumption that NNDC submit further information on or before Deadline 14).</p>	

13.3 Land use and Agriculture

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

13.4 Public Health

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.13.4.1	The Applicant	Respond to the matters raised in the representation made by Corpusty and Saxthorpe Parish Council.	The Applicant would like to clarify that all appropriate guidelines and standards in gathering data and assessing the results have been adhered to and the opinions provided are given by experienced and professional topic experts as required by EIA Regulations 2017. The experts who have undertaken, checked and approved the impact assessments presented for the Norfolk Boreas project have extensive expertise of undertaking similar impact assessments across a range of Nationally Significant	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>Infrastructure projects in the UK. The Applicant is therefore confident that the impact assessments undertaken are fully compliant with relevant standards and wholly appropriate, for the scale of the project and the nature of the impacts predicted.</p> <p>Public Health England confirmed in their response to the ExA's Third Round of Written Questions [REP7-063] that the Applicant's assumptions and assessment are robust and proportional for an EIA, as stated in our response to the ExA's Q5.4.0.5 above.</p> <p>Key issues in the Corpusty and Saxthorpe Written Representation [REP2-068] have been included as headings below:</p> <p><u>Impacts upon people and communities living along the route of the B1149 and the B1145</u></p> <p>The Applicant has assessed communities as a whole population along the cable route as is appropriate in an EIA. Proportional and appropriate approaches to human health assessment in EIA are detailed in Cave et al. (2017)⁴.</p> <p>The scale and duration of impacts, the mitigation and final impact on the community has been stated in the ES in Chapter 27 Human Health [APP-240], drawing on the assessments conducted in Chapter 26 Air Quality [APP-239], Chapter 24 Traffic and Transport [APP-237], Chapter 25 Noise and Vibration [APP-238], Chapter 20 Water Resources and Flood Risk [APP-233], Chapter 30 Tourism and Recreation [APP-243] and Chapter 31 Socio-economics [APP-244] .</p> <p>With regard to the communities along the route none of the potential impacts have been assessed as significant either for the project alone or cumulatively. The worst-case cumulative impacts are assessed as minor, which is not significant in EIA terms.</p> <p><u>Proper consideration of public health risks and costs to wellbeing</u></p> <p>The Applicant has assessed and considered health effects in line with best practice methods, current guidance and in a manner proportional to the scale and duration of the construction work, operational period and any subsequent decommissioning works. The Applicant will undertake works in a sectional approach along the linear scheme to reduce the duration which each community along the onshore cable route is impacted as part of the embedded mitigation strategy. As stated in the ES the Applicant followed advice provided in the Institute of Environmental Management and Assessment, 2017: Health in Environmental Assessment, a primer for a proportionate approach (Cave et al., 2017). The Applicant engaged fully with PHE, regulatory bodies and local councils to ensure they conducted an EIA which appropriately considered impacts to human health including wellbeing. PHE's support of the Applicant's assessment provides impartial and professional confidence that the consideration of health and wellbeing risks has been conducted properly.</p>	

⁴ Cave,B. Fothergill,J., Pyper, R. Gibson, G. and Saunders, P. (2017) Health in Environmental Impact Assessment: A Primer for a Proportionate Approach. Ben Cave Associates Ltd, IEMA and the Faculty of Public Health. Lincoln, England. Available at www.iema.net

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>Given the temporary and episodic nature of the impacts, which are restricted to the construction phase of the project, and the non-significant assessment of all the relevant impacts, the applicant is confident the impact assessment provided is proportionate and comprehensive. This is borne out through comprehensive and ongoing consultation with the relevant statutory public health bodies.</p> <p><u>Health effects such as reduction in life expectancy, epigenetic effects, late developing illness associated with medium or long term exposure to particulate matter generated by project-related additional traffic.</u></p> <p>The Applicant would firstly like to reassure Corpusty and Saxthorpe Parish Council that the additional construction traffic will not be a long term impact, ('Long term' relates to effects measured in decades as clarified in the Human Health chapter of the ES [APP-240]).</p> <p>ES Chapter 26 Air Quality [APP-239], states that by following mitigation recommended by IAQM, any residual impacts associated with changes to particulate matter will not be significant.</p> <p>The health effects stated in the Corpusty and Saxthorpe Parish Council Written Representation related to health effects arising from long term exposure to high (significant) levels of particulate matter, which are not relevant in this case. For example, the study cited in reference to epigenetic changes⁵, related to data and results from New Delhi the 6th most polluted city in the world. For comparison London the most polluted city in the UK isn't within the top 500 cities listed for poor air quality. We do not see that this study can be considered an appropriate comparator, or in any way relevant for use as a comparison for air quality health effects in rural England.</p> <p>Corpusty and Saxthorpe Parish Council also cited studies⁶ on the impact of particulate emissions on human health and associated costs. Impacts of air pollution and health as described in the study from the Royal College of Physicians⁷ cited by Corpusty and Saxthorpe Parish Council states:</p> <p><i>"Growth in pollution has not always been as fast as growth in traffic, thanks to tighter exhaust controls. Modern cars produce very little carbon monoxide and hydrocarbons, and the sulphur and lead in diesel and petrol must meet tight regulations."</i></p> <p>The written representation refers to the estimated cost of air pollution to the NHS. However, the findings of the study cited⁸ also state that cases of any pollution related disease are lower in rural areas, and that risk of disease is higher in metropolitan areas.</p> <p><i>"Estimates of attributable cases due to PM2.5 exposure for Lambeth, an area with high exposure (3,242 new cases of disease per 100,000 population by 2035) were far higher than those for South Lakeland (861 new cases of disease per 100,000 population by 2035), an area with low</i></p>	

⁵ <https://www.imperial.ac.uk/news/184333/ways-imperial-researchers-tackling-pollution-crisis/>

⁶ Air Quality damage cost update 2019, ED 59323 | Issue Number 2.0 | Date 27/02/2019, contact Sally Whiting, Ricardo Energy & Environment, Gemini Building, Harwell, Didcot, OX11 0QR, United Kingdom

⁷ <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

⁸ <https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p><i>exposure"</i></p> <p>Whilst the Applicant does not dispute the papers or their findings; the research relates to long term exposure to a level of traffic and air pollution which is many orders of magnitude greater than the temporary worst case used in both the project alone and cumulative assessments within the relevant EIA chapters of the Norfolk Boreas Environmental Statement.. Similar to the reference to epigenetic changes related to New Delhi air quality above, the context of these papers and their conclusions are simply not relevant or applicable to support an argument against a non-significant increase in HGV traffic within a village in rural England.</p> <p><u>"Other significant objective evidence of the effects arising from increased traffic associated with the project are cited"</u></p> <p>The Applicant notes that the study by Imperial College London⁹ cited by Corpusty and Saxthorpe Parish Council refers to pollution levels specifically in London and metropolitan areas. The Applicant would like to reiterate that studies based on metropolitan data, are not an appropriate comparison for the project which is sited in a rural location. The population living along the B1149 and the B1145 already reside along the roads stated, and the increase in traffic associated with the construction phase of the project will not lead to a long term impact (as defined in the relevant guidance) or significant change to the air quality of the area as stated in the ES [APP-239].</p> <p>As stated above Public Health England, an objective and impartial body, support the approach, assessment and findings of the Human Health Chapter in the ES.</p>	

13.5 Other offshore industries and activities

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

14 Traffic and transportation

14.0 Outline Traffic Management Plan (OTMP)

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

⁹ <https://www.imperial.ac.uk/media/imperial-college/grantham-institute/public/publications/briefing-papers/New-solutions-to-air-pollution-challenges-in-the-UK-LFSP-BP.pdf>

14.1 Highway Intervention Scheme for Link 34 (B1145 through Cawston)

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.14.1.1	The Applicant	<p>Outstanding concerns from Cawston PC</p> <p>The ExA notes [REP11-016] that NCC is satisfied that the proposed HIS for Link 34 is sufficient to mitigate against the impact arising from the Proposed Development, including the cumulative scenario with Hornsea Project Three. However, the progress with the HIS has not alleviated concerns with residents and Cawston PC [REP13-019]. Concerns remain on matters relating to: on street carparking, risk of accident, effectiveness and compliance with the 20 mph speed limit, risk from wing mirrors, entrance and egress on to the B1145 from driveway, and incremental reduction in cumulative cap of 239 HGVs to manage driver compliance issue.</p> <p>a) In light of these outstanding concerns from the affected community, NCC and the Applicant to consider what further steps and detailed design – highway and public realm – can be secured in the OTMP before the close of this examination to maximise the mitigation provided by the HIS?</p> <p>b) Comments are sought from NCC to the above question, in light of the note of the meeting with Cawston PC and the Applicant [REP13-019].</p> <p>c) Applicant, what was the outcome of the scheduled site visit on 31 July to review the concerns about entrance and egress from the resident's driveway on to B1145. Other relevant IPs may wish to comment.</p> <p>d) Broadland DC may wish to comment.</p>	<p>a) The Applicant is cognisant of Cawston Parish Council's (CPC) residual concerns and at the recent meeting held on the 21st July 2020 both parties agreed to continue to engage with a view to achieving a constructive outcome [please refer to REP13-019, Appendix 1].</p> <p>The Applicant has continued to respond to and provide clarification on specific matters raised by CPC throughout the examination process. The Applicant has provided clarification on the latest matters raised in CPC's Deadline 13 Submission [REP13-027] in the Applicant's response to Deadline 13 submissions, submitted at Deadline 14 [ExA.ASR.D14.V1].</p> <p>In summary, as set out in the Applicant's Response to Open Floor Hearing 2 [REP13-014] the HIS has evolved substantially during the Norfolk Boreas examination and been subject to numerous revisions in response to stakeholder concerns and formal technical reviews. Having passed an independent road safety audit and received technical approval from NCC the scheme is considered finalised from an infrastructure intervention perspective.</p> <p>As detailed in the Written Summary of the Applicant's Oral Case at Issue Specific Hearing 5 (Item 4 (e)) [REP13-016] notwithstanding the evolution of the HIS during the Norfolk Boreas examination, the Applicant recognises the concerns on cumulative impact. The Applicant is mindful that traffic impacts have been assessed very much on a worst case basis, and it has always been the intention to refine and manage cumulative HGV numbers post consent in line with construction methodologies and programmes.</p> <p>The Applicant has continued to engage with HP3 throughout the development of the HIS. Following the closure of the HP3 examination, HP3 has progressed profiling of HP3's traffic demand through Cawston and has provided a technical note to the Applicant which sets out the revised HGV traffic movements through Cawston [ExA.AS-4.D14.V1]. This note, which has been submitted to the examination at Deadline 14 [ExA.AS-4.D14.v1], includes a commitment to a 'staggered' construction programme over an 11 month period which results in the refinement of impacts for HP3 traffic flows (alone) as follows:</p> <ul style="list-style-type: none"> • The duration of works involving HP3 traffic flows in Cawston will be 11 months; • The peak construction HGV total of 127 daily movements would occur for a maximum of one month; • There will be significantly reduced HGV demand for 10 months of the 11 month construction duration (which would include a secondary peak of 68 daily HGV movements and a 9 month average of 62 daily HGV movements). <p>The HP3 refined profiling of HGV demand represents a significant reduction in that project's HGV impact to the 'Maximum Design Scenario' assessed in the HP3 Environmental Assessment [APP – 079 of</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>the respective examination] which was 127 daily HGV movements for a 30 month period.</p> <p>This demonstrably, re-affirms the Applicant's assertion that the Norfolk Boreas and HP3 HGV peaks can be managed post-consent so as to not overlap (e.g. the respective project HGV primary peaks have a duration of only one week and one month) to significantly reduce potential cumulative impacts.</p> <p>As stated in ISH5 (see the Written Summary of the Applicant's Oral Case at Issue Specific Hearing 5, Item 4 (e), [REP13-016]) the Applicant considers that this management and ultimate reduction of cumulative HGV numbers post consent would be the 'revised details' referred to in Requirement 21 (4) of the dDCO [REP13-007]. The extent of the reduction will need to be determined when further details of programmes are available post-consent and when construction methodologies have been refined to reduce traffic flows where possible.</p> <p>The Applicant has updated the OTMP to commit to a reduction of cumulative HGV movements on Link 34 through Cawston at the pre-construction stage (but post consent) as part of the development of the final TMP and subsequent discharge of Requirement 21 of the dDCO. The OTMP (Version 6) submitted at Deadline 14 has been updated to include the following as paragraph 129 in Section 4.3.2 for Link 34 Cawston;</p> <p><i>"No further physical changes are proposed to the HIS, however as secured through Requirement 21 (4) 'revised details' in the form of a reduction in the cumulative HGV peak from 239 by ensuring Norfolk Boreas and Hornsea Project Three peak traffic demand does not overlap, will be captured in the final TMP. The extent of the reduction will be determined post-consent when construction methodologies are refined and construction programmes are developed."</i></p> <p>Thus, demonstrable avoidance of overlapping peak HGV demand (supported by monitoring and enforcement) becomes a pre-commencement requirement rather than a driver compliance intervention measure. This has therefore been removed from the driver compliance intervention measures in the updated OTMP (Version 6) submitted at Deadline 14.</p> <p>In the event that the 'refined' cumulative HGV totals require further intervention, then the remaining range of driver compliance measures detailed in Section 5.6 of the OTMP includes an incremental reduction of HGV demand as a further driver compliance strategy for HGV reduction.</p> <p>c) During the OFH3 and the meeting held with CPC on the 21st July [REP13-019] the resident of Whitehouse Farm identified their concern was two-fold:</p> <ul style="list-style-type: none"> • Due to the inherent restricted visibility the resident has to encroach onto the live carriageway to obtain enough forward visibility to egress – would this be made worse by the HIS? 	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<ul style="list-style-type: none"> • Would the realignment of the High Street (at the parking triangle) restrict visibility from the Chapel Street give way to an extent that this would encourage dangerous turning manoeuvres onto the High Street in the vicinity of Whitehouse Farm? <p>The Applicant reviewed the entrance and egress from the property and a site visit to discuss the matter with the resident was held on 31st July 2020. The Applicant reviewed the visibility of entrance and egress from the property by comparison of the baseline situation and the High Street realignment for a 30mph design speed (current speed limit) and produced drawings to facilitate discussions at the site visit. The data presented confirmed that a vehicle egressing the Whitehouse Farm in baseline conditions would have to encroach on the carriageway by approximately 1m to achieve safe visibility. This is marginally increased (200mm) by the realignment of the High Street. However, the critical visibility metric is that of an eastbound approaching vehicle who's driver would need to react to a vehicle encroached on to the carriageway. For this metric it was evidenced that forward visibility for an eastbound vehicle is obscured in the baseline situation by westbound traffic, for the HIS the realignment of the carriageway increases the visibility giving unimpeded safe stopping forward visibility, potentially improving road safety for vehicle egress.</p> <p>The resident acknowledged the information presented and requested further details on visibility for a 20mph speed limit (the design speed of the HIS) and visibility to a stationary HGV at the eastbound 'yield point'. They also requested further details of the visibility at the Chapel St, High St junction.</p> <p>The Applicant has produced a Technical Note on Entrance and Egress onto the B1145 which summarises the information which was shared with the resident (during and following the meeting) and includes copies of all the relevant drawings [ExA.AS-5-D14.V1], which has been submitted at Deadline 14. These drawings confirm the following:</p> <ul style="list-style-type: none"> • Egress encroachment of 1.7m required for the baseline situation is identical to that required for the HIS to obtain safe 20mph visibility. Therefore as with the 30mph design speed, eastbound safe stopping visibility is the critical metric; • Very similar encroachment (~1.7m) is required to observe a stationary HGV at the eastbound yield point; • There will be unimpeded, safe stopping, forward visibility for an eastbound HGV to Whitehouse Farm egress; • There will be unimpeded, safe stopping, forward visibility for a HGV at the eastbound yield point; • The HIS achieves the requisite 20mph safe visibility for the Chapel St, High St junction. <p>Whist on site, the resident also raised concerns that vehicles currently use their driveway as an impromptu passing place. This behaviour was observed on site by a number of commercial vehicles. The improved eastbound forward visibility for the HIS will lessen the propensity for vehicles to be 'trapped' at this location and therefore the need to pull</p>	

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			<p>over. Notwithstanding this, the Applicant will investigate if some form of deterrent could be introduced while not restricting the legitimate use of the access for delivery vehicles.</p> <p>The resident made the helpful offer that the access area could be utilised to mount a continuous monitoring camera (within the constraints of planning/conservation permissions).</p>	
Q5.14.1.1	Norfolk County Council	<p>Outstanding concerns from Cawston PC</p> <p>The ExA notes [REP11-016] that NCC is satisfied that the proposed HIS for Link 34 is sufficient to mitigate against the impact arising from the Proposed Development, including the cumulative scenario with Hornsea Project Three. However, the progress with the HIS has not alleviated concerns with residents and Cawston PC [REP13-019]. Concerns remain on matters relating to: on street carparking, risk of accident, effectiveness and compliance with the 20 mph speed limit, risk from wing mirrors, entrance and egress on to the B1145 from driveway, and incremental reduction in cumulative cap of 239 HGVs to manage driver compliance issue.</p> <p>a) In light of these outstanding concerns from the affected community, NCC and the Applicant to consider what further steps and detailed design – highway and public realm – can be secured in the OTMP before the close of this examination to maximise the mitigation provided by the HIS?</p> <p>b) Comments are sought from NCC to the above question, in light of the note of the meeting with Cawston PC and the Applicant [REP13-019].</p> <p>c) Applicant, what was the outcome of the scheduled site visit on 31 July to review the concerns about entrance and egress from the resident's driveway on to B1145. Other relevant IPs may wish to comment.</p> <p>d) Broadland DC may wish to comment.</p>	<p>These appear to be issues that we have already discussed at great length as part of the Issue Specific Hearings. NCC is unable to offer any additional advice or offer further suggested amendments to the Cawston Highway Intervention Scheme.</p>	Noted.
Q5.14.1.1	Cawston Parish Council	<p>Outstanding concerns from Cawston PC</p> <p>The ExA notes [REP11-016] that NCC is satisfied that the proposed HIS for Link 34 is sufficient to mitigate against the impact arising from the Proposed Development, including the cumulative scenario with Hornsea Project Three. However, the progress with the HIS has not alleviated concerns with residents and Cawston PC [REP13-019]. Concerns remain on matters relating to: on street carparking, risk of accident, effectiveness and compliance with the 20 mph speed limit, risk from wing mirrors, entrance and egress on to the B1145 from driveway, and incremental reduction in cumulative cap of 239 HGVs to manage driver compliance issue.</p>	<p>We maintain our previous comments [REP13-019], which were not allayed by our meeting with the Applicant, and expect to comment on this topic further once the responses from the Applicant and NCC are published.</p>	Please refer to Applicant's response to Q5.14.1.1 above.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<p>a) In light of these outstanding concerns from the affected community, NCC and the Applicant to consider what further steps and detailed design – highway and public realm – can be secured in the OTMP before the close of this examination to maximise the mitigation provided by the HIS?</p> <p>b) Comments are sought from NCC to the above question, in light of the note of the meeting with Cawston PC and the Applicant [REP13-019].</p> <p>c) Applicant, what was the outcome of the scheduled site visit on 31 July to review the concerns about entrance and egress from the resident's driveway on to B1145. Other relevant IPs may wish to comment.</p> <p>d) Broadland DC may wish to comment.</p>		
Q5.14.1.2	The Applicant; Interested Parties	<p>Impacts of construction traffic on emergency vehicles</p> <p>a) Notwithstanding the reference to the Highway Code in the Driver Induction Packs [REP13-015] highlight specific locations of conflict between HGVs (or two HGVs travelling in opposite directions) with emergency vehicles, particularly emergency vehicles travelling to the care home on Paul Engelhard Way in Cawston [REP13-054].</p> <p>b) What is the implication of such conflicts on emergency response time, and how is it proposed to be resolved in the OTMP?</p>	<p>a) The HIS design has been informed by validated background traffic surveys, the published Hornsea Project Three traffic demand and the Norfolk Boreas traffic forecasts. The design contains sufficient tolerance to accommodate daily traffic fluctuations, it is therefore assessed that there will not be conflict that will lead to significant delays to drivers including the drivers of emergency vehicles (including those accessing the care home off Chapel St. referred to by CPC [REP 13-015].</p> <p>b) It is therefore not anticipated that there will be any implications on emergency vehicle response times and in some respects a more regulated parking and passing environment could even improve response times. Notwithstanding this, the Applicant's commitment to continuous driver compliance monitoring will rapidly identify if there is an issue and facilitate appropriate driver compliance intervention. Further assurance is provided in the OTMP [REP10-016] commitment to driver induction and education with particular regard to emergency services and the requirement to pull over when safe to do so if platoons of vehicles are forming.</p>	
Q5.14.1.2	Cawston Parish Council	<p>Impacts of construction traffic on emergency vehicles</p> <p>a) Notwithstanding the reference to the Highway Code in the Driver Induction Packs [REP13-015] highlight specific locations of conflict between HGVs (or two HGVs travelling in opposite directions) with emergency vehicles, particularly emergency vehicles travelling to the care home on Paul Engelhard Way in Cawston [REP13-054].</p> <p>What is the implication of such conflicts on emergency response time, and how is it proposed to be resolved in the OTMP?</p>	<p>We expect to comment on this topic further once the Applicant's responses are published, together with those of NCC and BDC.</p>	Please refer to the Applicant's response to Q5.14.1.2 above.
Q5.14.1.3	The Applicant; Norfolk County Council; Broadland District Council	<p>Additional mitigation</p> <p>a) Respond to the submission [REP13-054] and the specific points raised on Page 1.</p> <p>b) Comments are sought from NCC and Broadland DC.</p>	<p>a) The Applicant has reviewed REP13-054 and considers the specific points raised on Page 1 refer to the following two key topics;</p> <ul style="list-style-type: none"> • Volume of personnel traffic and associated impacts; and • Request for compensation for Cawston High Street residents <p>Each point is dealt with in turn below:</p> <p><u>Volume of personnel traffic and associated impacts</u></p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:																								
			<p>The table below shows the employee assignment of personnel passing through Cawston considered within the assessment broken down by activity:</p> <table border="1" data-bbox="1270 411 1991 1108"> <thead> <tr> <th>Project</th> <th>Infrastructure</th> <th>AM Peak</th> <th>PM Peak</th> <th>Source</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Norfolk Boreas S2</td> <td>TC8, MA6-East and West</td> <td>38</td> <td>38</td> <td>NB ES Appendix 24.22 [APP-637] & Appendix 24.28 [APP-643]</td> </tr> <tr> <td>Pass through traffic to other NB Infrastructure sites</td> <td>24</td> <td>24</td> <td>NB ES Appendix 24.28 [APP-643]</td> </tr> <tr> <td>Hornsea Project Three</td> <td>Cable Sections 9 & 10</td> <td>122</td> <td>122</td> <td>HP3 ES</td> </tr> <tr> <td colspan="2" style="text-align: right;">Totals</td> <td>184</td> <td>184</td> <td></td> </tr> </tbody> </table> <p>These numbers have been used as the worst case traffic demand to enable the maximum environmental impacts to be assessed within the ES. The ES has not identified any residual significant impacts associated with this worst case traffic demand including any associated impacts such as noise.</p> <p>In reality, it is not operationally acceptable for personnel to travel to site by single occupancy car use (e.g. excessive parking space would be required, start/finish time could get fragmented) nor is it likely to be acceptable to Norfolk County Council. Therefore, it is anticipated that the vehicles numbers will be significantly reduced to that of personnel numbers.</p> <p>The control and limitation of personnel traffic is secured in the Outline Travel Plan (OTP) [APP-700]. Within the OTP, specific targets relating to workforce trip rates or mode share have not been proposed as it is considered that the contractor will better inform this evaluation when the workforce quantum and demographic has been refined. Final targets and associated measures will be discussed and agreed with NCC during the production of the final OTP secured through dDCO Requirement 21 (1) (b). In the interim, the OTP establishes a framework of measures to be adopted aimed at reducing single car occupancy, supported by robust monitoring, enforcement and governance.</p>	Project	Infrastructure	AM Peak	PM Peak	Source	Norfolk Boreas S2	TC8, MA6-East and West	38	38	NB ES Appendix 24.22 [APP-637] & Appendix 24.28 [APP-643]	Pass through traffic to other NB Infrastructure sites	24	24	NB ES Appendix 24.28 [APP-643]	Hornsea Project Three	Cable Sections 9 & 10	122	122	HP3 ES	Totals		184	184		
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			<p><u>Request for compensation for Cawston High Street residents</u></p> <p>The Applicant provided a response to the request for compensation measures in Cawston during the meeting with CPC held on the 21st July 2020. The Applicant's response to the points raised is documented in the Position Statement of the meeting [REP13-019] on page 7 and 8 'Additional Mitigation Measures' and 'Community Benefit' and in Appendix 1 Meeting Notes. However, a summary of the response to the specific mitigation requested is provided below;</p> <ul style="list-style-type: none"> The measures proposed for Old Railway Gatehouse are specific to the circumstances experienced at that location and are not considered to be applicable for Cawston. The vibration assessments undertaken [see Clarification Note REP8- 028] concluded a non- significant impact and that the levels are much lower than those which would cause structural damage. Therefore, no mitigation is required or proposed in relation to structural surveys. The Applicant will look to deliver a wide range of community benefits which may include some benefits in-kind such as improved community amenities, which may include help with external maintenance of properties. However, such benefits are delivered voluntarily and are not material to the planning process. 	
Q5.14.1.3	Norfolk County Council	<p>Additional mitigation</p> <p>a) Respond to the submission [REP13-054] and the specific points raised on Page 1.</p> <p>b) Comments are sought from NCC and Broadland DC.</p>	<p>NCC has worked with all three wind farm applicants to ensure the Cawston Highway Intervention Scheme works for Hornsea Three as well as the two Vattenfall projects either in isolation or collectively. Given that all three projects have now committed to using the scheme submitted for Boreas, NCC do not believe the situation is as muddled as suggested. Nevertheless I did write to the Secretary of State on 13 August asking if the text to Requirement 18 of the Hornsea 3 DCO could be amended to make it clear that the revised proposals for Hornsea 3 will be based upon the scheme developed through the Boreas examination.</p>	<p>Noted and also please refer to the response from Hornsea Project Three to Q5.14.1.1 below, in which HP3 confirm they intend to secure the revised HIS in an updated Construction Management Plan, to be submitted to the Secretary of State.</p>
Q5.14.1.3	Cawston Parish Council	<p>Additional mitigation</p> <p>a) Respond to the submission [REP13-054] and the specific points raised on Page 1.</p> <p>b) Comments are sought from NCC and Broadland DC.</p>	<p>We expect to comment on this topic further once the Applicant's responses are published, together with those of NCC and BDC.</p>	<p>Please refer to the Applicant's response to Q5.14.1.3 above.</p>
Q5.14.1.4	The Applicant	<p>Cumulative traffic effects in Cawston</p> <p>a) With reference to Action point 4 [EV14-005] provide an update on how Hornsea Project Three's commitment to adopt the revised HIS that has now successfully been through the road safety audit [REP5-055] could be legally secured in the dDCO for the Proposed Development.</p> <p>b) Can the Applicant provide a likely timescale for the signing of the Design Interaction and Co-Operation Agreement stated in the SoCG with Orsted [REP9-026]. Will the design Interaction and Co-operation agreement</p>	<p>a) The Applicant understands that HP3 intend to submit an updated Outline Construction Traffic Management Plan (OCTMP) to the Secretary of State which will include details on the revised HIS for Cawston, as developed by Norfolk Boreas. The implementation of the revised HIS by HP3 will therefore be secured through the HP3 OCTMP and their dDCO Requirement 18 (1).</p> <p>b) Discussions are ongoing with Orsted regarding the Design Interaction and Co-Operation agreement however the document will not be agreed and signed after the examination closes. As detailed above, the implementation of the revised HIS will be secured through the</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		include a commitment from Hornsea Project Three to implement the revised HIS for link 34 [REP5-055]?	submission of an updated OCTMP by HP3 to the Secretary of State prior to final determination of the HP3 application.	
Q5.14.1.4	Hornsea Project Three	<p>Cumulative traffic effects in Cawston</p> <p>a) With reference to Action point 4 [EV14-005] provide an update on how Hornsea Project Three's commitment to adopt the revised HIS that has now successfully been through the road safety audit [REP5-055] could be legally secured in the dDCO for the Proposed Development.</p> <p>b) Can the Applicant provide a likely timescale for the signing of the Design Interaction and Co-Operation Agreement stated in the SoCG with Orsted [REP9-026]. Will the design Interaction and Co-operation agreement include a commitment from Hornsea Project Three to implement the revised HIS for link 34 [REP5-055]?</p>	<p>Hornsea Project Three confirms that it intends to secure the revised Cawston Highway Intervention Scheme (HIS), which has passed a Road Safety Audit during the Norfolk Boreas Examination, by means of submitting an updated version of the Hornsea Three Construction Traffic Management Plan (REP9 -048 of the Hornsea Project Three Examination) which includes the revised Cawston HIS to the Secretary of State by 30 September 2020.</p> <p>Further to this, in response to the Secretary of State's request for comment on Requirement 18 of the Hornsea Three Draft Development Consent Order dated 1 July 2020, Hornsea Project Three intends to propose DCO wording which references the revised Cawston HIS and therefore a cumulative scheme which includes Hornsea Three, Norfolk Vanguard and Norfolk Boreas. This will again be submitted to the Secretary of State by 30 September 2020.</p> <p>Hornsea Project Three reiterates its commitment to ongoing engagement with Norfolk Vanguard Limited, Norfolk Boreas Limited, Broadland District Council, Cawston Parish Council and Norfolk County Council to implement the Cawston Highway Intervention Scheme design post-consent.</p>	The Applicant welcomes confirmation that Hornsea Project Three intend to secure the revised HIS (as developed by Norfolk Boreas) by including the details in an updated Construction Traffic Management Plan, which will be submitted to the Secretary of State by 30 th September 2020.
Q5.14.1.4	Cawston Parish Council	<p>Cumulative traffic effects in Cawston</p> <p>a) With reference to Action point 4 [EV14-005] provide an update on how Hornsea Project Three's commitment to adopt the revised HIS that has now successfully been through the road safety audit [REP5-055] could be legally secured in the dDCO for the Proposed Development.</p> <p>b) Can the Applicant provide a likely timescale for the signing of the Design Interaction and Co-Operation Agreement stated in the SoCG with Orsted [REP9-026]. Will the design Interaction and Co-operation agreement include a commitment from Hornsea Project Three to implement the revised HIS for link 34 [REP5-055]?</p>	We expect to comment on this topic further once the Applicant's responses are published, together with those of NCC and BDC.	Please refer to the Applicant's and Hornsea Project Three's response to Q5.14.1.4 and NCC's response to Q5.14.1.3 above.
Q5.14.1.5	The Applicant	<p>Monitoring and enforcement of the HIS</p> <p>It is stated [REP10-016, para 173] in the Specific Cawston Village Monitoring and Intervention Regime that further intervention measures will be agreed with NCC, to be implemented on validation of a driver compliance issue, including a reduction in the cumulative HGV cap (239 HGV movements) by ensuring Norfolk Boreas and Hornsea Project Three traffic demand does not overlap, and incrementally reducing the volume of traffic passing through Cawston from 239 HGV movements through targeted intervention informed by monitoring and consultation with the Highway Authority.</p> <p>a) What do you mean by "to be implemented on validation of a driver compliance issue"?</p>	<p>a) Review of camera footage by the Applicant and NCC would confirm the nature of the compliance issue, whether it is as a direct result of construction traffic demand, and determine appropriate intervention.</p> <p>b) Details of how the monitoring would work in practice would be agreed with NCC pre-commencement and secured in the final TMP. The broad processes would be:</p> <ol style="list-style-type: none"> i. Camera locations to be agreed in consultation with NCC and CPC; ii. Daily review of footage by the Applicant with a requirement to report anything of note to NCC; iii. On receipt of a complaint immediate review of footage and report back to NCC as to action taken; and iv. Live feed shared with NCC. <p>This process has been included in the updated OTMP (Version 6) submitted at Deadline 14.</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
		<ul style="list-style-type: none"> b) Provide any further information on how this monitoring programme would work in practice. Update the OTMP accordingly. c) Could this have a knock-on effect on the duration of the project, in particular the HGV profiles through Cawston, the worst case scenario that has been assessed in the ES or any other ES parameters? 	<p>c) As explained in the Applicant's response to Q5.14.1.1, the revised HGV traffic data from HP3, submitted by the Applicant at Deadline 13 [ExA.AS-4.D14.v1], confirms that overall HGV demand will be reduced without the need to extend the construction programme or impact on any other parameters on which the cumulative assessment was based. The data also identifies longer periods when average peaks represent much reduced daily HGV demand, allowing flexibility to reassign deliveries within the assessed peak parameters. The continuous monitoring technology would also be used to identify periods where HGV demand could be re-assigned.</p>	
Q5.14.1.5	Cawston Parish Council	<p>Monitoring and enforcement of the HIS</p> <p>It is stated [REP10-016, para 173] in the Specific Cawston Village Monitoring and Intervention Regime that further intervention measures will be agreed with NCC, to be implemented on validation of a driver compliance issue, including a reduction in the cumulative HGV cap (239 HGV movements) by ensuring Norfolk Boreas and Hornsea Project Three traffic demand does not overlap, and incrementally reducing the volume of traffic passing through Cawston from 239 HGV movements through targeted intervention informed by monitoring and consultation with the Highway Authority.</p> <ul style="list-style-type: none"> a) What do you mean by "to be implemented on validation of a driver compliance issue"? b) Provide any further information on how this monitoring programme would work in practice. Update the OTMP accordingly. c) Could this have a knock-on effect on the duration of the project, in particular the HGV profiles through Cawston, the worst case scenario that has been assessed in the ES or any other ES parameters? 	<p>We expect to comment on this topic further once the Applicant's responses are published, together with those of NCC and BDC.</p>	<p>Please refer to the Applicants response to Q5.14.1.5 above.</p>

14.2 Oulton

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.14.2.1	The Applicant	<p>Old Railway Gatehouse</p> <p>Confirm the steps that have been made to seek approval from the residents of Old Railway Gatehouse for the proposed additional mitigation [REP10-016]?</p>	<p>As noted in REP11-007, the Applicant spoke with the residents of Old Railway Gatehouse on the 7th May 2020 and a summary of the call was sent to the residents on the 8th May 2020 as a record of that discussion. The Applicant acknowledged the views of the residents in relation to the project, and a key outcome of the discussion was that the Applicant agreed to consider extending the physical alterations to include the northern side of the property and acoustic glazing of all windows, including the skylight windows. The Applicant committed to continue to engage with the residents to reach a mutually acceptable form of enhanced measures.</p> <p>The Applicant provided further clarification on the effect that the proposed measures would have in terms of noise reduction experienced</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>by the residents of the Old Railway Gatehouse on the 8th July 2020. On the 31st July 2020, the Applicant visited the Old Railway Gatehouse to discuss the proposed measures in further detail.</p> <p>Following this visit the Applicant proposed that the measures discussed were included in a revised version of the OTMP. The Applicant met with the residents of Old Railway Gatehouse on the 18th August 2020 and has agreed this approach. The measures agreed are:</p> <ul style="list-style-type: none"> • Acoustic glazing throughout all windows on the property • 2m acoustic barrier to the east and south of the property. <p>In addition, the Applicant has engaged with Hornsea Project Three to explain the measures proposed and to request that Hornsea Project Three also commit to these measures, such that the residents can be assured, that whatever the order of construction of the projects the agreed measures will be implemented at the property. The updated Norfolk Boreas OTMP with the agreed proposals has been submitted at Deadline 14.</p>	

14.3 Link 69 Little London Road in North Walsham from the B1145 Lyngate Road to an access point 210m east

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

14.4 Outline Access Management Plan and Access to Works Plan

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

15 Water Resources and Flood Risk

15.0 Water Resources and Flood Risk

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.15.0.1	The Applicant	<p>Drafting change in OCoCP regarding watercourse crossings: Correct the drafting of the OCoCP para 150 [REP8-003] regarding scheme for each watercourse crossing "...will be submitted to and approved by the relevant planning authority in consultation ..." with "...Norfolk County Council, the Environment Agency, relevant ..." drainage "...authorities and ...".</p>	The corrections have been made in the OCoCP (now paragraph 154) and the updated OCoCP Version 6 has been submitted at Deadline 14.	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.15.0.2	National Farmers Union (NFU) and Land Interest Group (LIG)	<p>Wording of the OCoCP regarding private agricultural water supplies:</p> <p>Does NFU wish to add anything further in response to the Applicant's representation regarding Private Water Supplies [REP13-015]?</p>	<p>As stated in previous submissions the NFU does not like the wording 'reasonable endeavours' as it is not a strong enough commitment given the importance of a provision of a water supply. If the water supply is adversely and directly affected by the construction works, then it is right that the developer should either find an alternative supply or pay for the cost of an alternative.</p> <p>Within the wording submitted we have provided some protection to the developer as it says 'reasonable costs of the provision of an alternative'. Therefore the developer is not exposed to an unreasonable ask from a landowner/occupier. The wording further says that the landowner/occupier has to demonstrate that the alternative means of supply is 'reasonably required'.</p> <p>The wording we would like to see is highlighted below in black and which has been agreed for other schemes. The NFU believes strongly that this is not an unreasonable request.</p> <p>The wording below in blue is the wording provided by the Applicant in REP 13-015. We have highlighted in red the words we would like to see deleted so that the wording is acceptable. The Applicant in the first and third paragraphs has added in the wording 'within the Order land where it is viable to do so' this wording is not at all acceptable. We accept that the incident to the water supply is likely to take place within the Order land but to provide another supply if that is what is needed then this may need to take place outside the Order land; for instance if a new borehole is required to supply the water.</p> <p><i>Private water supplies:</i></p> <p><i>Where an existing private water supply to a farm is adversely and directly affected by the construction of the Scheme, the main works contractor shall, if requested by the farmer or landowner to do so, provide or procure or meet the reasonable cost of the provision of an alternative supply of water (the form and type of which shall be at the contractor's option).</i></p> <p><i>Where an existing private water supply to an agricultural holding (previously notified in writing to the main works contractor by the landowner) is adversely and directly affected by the construction of the Proposed Works, if reasonably requested by the landowner/agricultural tenant, the Developer will use (reasonable endeavours) to provide or procure or meet the reasonable cost of the provision of installing an alternative supply of water (the form and type of which shall be at the contractor's option) (within the Order land where it is viable to do so).</i></p> <p><i>Where the supply is affected temporarily by the construction of the Scheme, then the alternative supply need only be supplied for the period during which it is affected.</i></p> <p><i>Where the supply is so affected temporarily by the construction of the Proposed Works, then the (installation) of the alternative need only be provided for the period during which it is affected.</i></p> <p><i>Where a request is made by the farmer or landowner for a permanent supply due to permanent severance of the existing supply caused by the construction of the Scheme, the main works contractor shall, where</i></p>	<p>The Applicant provided a detailed response to its position regarding private agricultural water supplies in the response to Q4.13.3.2 of the fourth round of Written Questions submitted at Deadline 11 [REP11-007].</p> <p>The position was further reiterated in the Applicant's Response to Open Floor Hearing 3 (REP13-015) and in the Applicant's comments on Deadline 13 Submissions [REP14-039].</p> <p>The Applicant's final position remains as set out in version 5 of the Outline Code of Construction Practice (REP10-013).</p> <p>It has been clarified that the Applicant is not against the principle of the provision of an alternative water supply, however seeks to maintain a necessary measure of control and reasonableness in how this is provided. Dealing with the relevant points in turn:</p> <p><u>"Reasonable endeavours", "within the Order land", and "where viable to do so"</u></p> <p>If it is not possible to provide or procure an alternative supply using reasonable endeavours <u>and</u> within the Order land, then the Applicant would meet the reasonable cost of <u>installing</u> an alternative if viable to do so. If it is not possible to procure an alternative, and it is not viable to meet the cost of an alternative, then the landowner/ agricultural tenant would be compensated for the loss in accordance with the Compensation Code.</p> <p><u>"Agricultural operation"</u></p> <p>Given the water supplies referred to in the text are supplies to agricultural holdings, it is also reasonable that they relate to agricultural operations.</p> <p><u>"Installation"</u></p> <p>Finally, the reference to installation has been included to clarify that the requirement on the Applicant is to install the water supply, and not to supply the water.</p>

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>provision of an alternative means of supply can be demonstrated by the land owner/farmer to be reasonably required for his business, provide or procure or meet the reasonable cost of a permanent means of alternative supply of water (the form and type (either borehole or mains supply) shall be at the contractor's option).</p> <p>Where a reasonable request is made by the landowner/agricultural tenant for a permanent supply due to permanent severance of the existing supply caused by the construction of the Proposed Works then, if the landowner/agricultural tenant can demonstrate that an alternative means of supply is reasonably required for its (agricultural) operation, the Developer will use (reasonable endeavours) to provide or procure or meet the reasonable cost of installation of an alternative (the form and type (either borehole or mains supply) shall be at the contractor's option) (within the Order land where it is viable to do so).</p>	

16 General

16.0 General

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.16.0.1	Breckland Council	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	Breckland Council would broadly agree with views set out by the applicant at REP13-025. It is, however, important to note that each application should be determined on its own merits with previous appeal decisions being a material consideration with the weight given to the consideration being a judgement to be made by the decision-maker. It is also important to have regard to the cumulative impacts of consented development	Noted.
Q5.16.0.1	Chris Allhusen	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which</p>	I am delighted to see this question! The decision of the SoS on Vanguard makes a mockery of the whole PINS process. The process took months, if not years, and involved a great deal of many people's time, not least the Examining Authority. The reasons for overturning the ExA's recommendations were entirely political and I see no reason why this should not happen again with Boreas. It is, therefore, vital that Boreas agree to as many details as possible at this stage and, from a personal point of view, that covers most of the points above. In addition, just because Vanguard was given the green light, this does not mean that approval for Boreas must automatically follow.	

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		<p>you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>		
Q5.16.0.1	Colin King	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	<p>a) The applicant's overriding view that previous planning decisions are a material consideration for subsequent similar examinations has it's shortfalls. As mentioned before, the Vanguard examination did not consider cumulative effects, and as the planning examination has evolved, new information and a better understanding of the information all leads to requiring differences between the projects.</p> <p>b) Regarding the SoS decision on the Vanguard application, 1. The SoS Decision Letter 4.8 states, " The ExA also notes that there were suggestions from Interested Parties that it would be beneficial if the grid connection points for the proposed Development (at Necton) and for the proposed Hornsea Project Three (at the Norwich Main substation) could be swapped between the projects."</p> <p>And 4.9 states, " The ExA notes the Applicant's approach to site selection for the onshore and offshore elements of the projects and the part that was played by National Grid in narrowing down the range of options, particularly in respect on the onshore substation at Necton. The ExA notes [ER 4.4.26] that the consideration of an offshore ring main is a strategic matter which involves many layers of interested organisations and is not, therefore, suitable for consideration by the ExA in a forum which is considering a development consent application for a single site. Similarly, the ExA concluded that suggestions about a grid connection swap between the proposed Development and Hornsea Project Three were not matters to be considered during the Examination. "</p> <p>The SoS needed to be aware that Vattenfall's Strategic Approach to Selecting a Grid Connection Point, explains Vattenfall had the choice between Norwich Main or Necton, and it was their decision, as part of the Vanguard and Boreas projects, and therefore should have been part of the Vanguard considerations.</p> <p>This decision still needs scrutiny as to whether it qualifies as good design.</p> <p>2. The SoS needed to be aware that the applicant's visualisations depicted the best case scenario, with applied blue dotted lines to depict the required worst case scenario. If the visualisations were presented as photographs of the views from the viewpoints, with only a blue dotted line box overlaid to demonstrate the extent of the impact from the presents of the substations, I doubt they would be considered suitable or adequate. New visualisations are needed, showing the converter halls actually on the site, and in worst case scenario, for a revaluation.</p> <p>3. Regarding Noise and Vibration, the SoS needed to be aware that only 2 of the long term monitoring points were monitored for the planned week out of 12, and the noise limit was set 6.6dB 5mins and 3.6dB 15mins above the poorly measured average background noise level, and residents close to the substation are in a quiet, tranquil area. More results are needed from the 10 remaining monitoring points, especially</p>	<p>The Applicant notes the points raised and has commented on all points in previous responses to Mr King's submissions.</p> <p>The Applicant's submission [REP13-025] recognises that cumulative assessment with the Norfolk Boreas onshore project substation was specifically not considered by the Norfolk Vanguard ExA.</p> <p>Cumulative impacts of Norfolk Boreas and Norfolk Vanguard are being considered by the Norfolk Boreas ExA and to the extent that it is necessary to secure mitigation for cumulative impacts considered as part of the Norfolk Boreas examination, the correct approach is to secure this in the dDCO for Norfolk Boreas.</p>

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			those in West End Bradenham, as this is a very quiet area, and the noise limit needs to be under the average background noise level for quiet areas where noise creep is a possibility.	
Q5.16.0.1	Cawston Parish Council	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13Cawston Parish Council-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	<p>REP13-025, Para 6.3, states that Identical mitigation proposals, as set out in the Schedule of Mitigation, have been incorporated in the Norfolk Boreas proposals to those put forward by Norfolk Vanguard. These include all the mitigation measures noted by the Secretary of State in the Norfolk Vanguard decision letter (NVDL) including:... Cawston construction traffic – highways intervention scheme (4.69, 4.73, 4.74 and 4.79) The HIS presented in Boreas is not identical to Vanguard; it is a whole new scheme and is being examined here for the first time. Although the Applicant claims it has "evolved" from the previous scheme we would argue that it is a completely different scheme and should be considered as such. Appendix 2 (page 11) Traffic & Transport – Cawston. We suggest that this HIS is not "developed" from NV – it essentially starts again from the status quo plus a few signs and changes to road layout, which are then claimed to create a 20mph zone, with no improvements to pedestrian amenity. In EV14-004, the recording of ISH5, discussing the proposed Equinor Extension projects, the Applicant suggests that they cannot do a useful Cumulative Impact Assessment now due to a lack of levels of information until early 2021. We consider that, as the schemes are fundamentally similar projects, it should be possible to model an assessment, even if at a high level, to give an indication of the expected cumulative impact on our community over many years. The Applicant's approach to CPC's continuing consultation responses continues to be negative and dismissive. It is difficult to see how the applicant can demonstrate that the proposals have been considered in the light of consultation responses received. The Applicant's description of the Proposed Development is unclear, particularly in respect of cumulative impacts on our village community. The applicant's approach and response in relation to the impact of construction traffic in Cawston calls into doubt their ability to demonstrate that the statutory requirements regarding consultation have been met.</p>	<p>The Applicant has sought to engage positively with CPC throughout the examination and is aware of CPC's residual concerns regarding traffic impact. The Applicant has continued to respond to and provide clarification on specific matters raised by CPC throughout the examination process.</p> <p>Please see the Applicant's Response to Open Floor Hearing 2 [REP13-014] Item 1 which summarises how the HIS was developed and revised from that discussed during the Norfolk Vanguard and Hornsea Project Three examinations and does not represent a completely different scheme.</p> <p>Please refer to the Applicant's comments on responses to Q5.4.0.1 above regarding projects included in the cumulative impact assessment.</p>
Q5.16.0.1	The Environment Agency	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	The Environment Agency does not intend to comment or make observations regarding this issue	Noted.

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.16.0.1	Necton Parish Council	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13Cawston Parish Council-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	<p>The applicant has avoided consideration of cumulative visual impact by splitting their wind farm DCO applications into two halves, Vanguard and Boreas. The applicant's contention was that a) insufficient information was available for the Vanguard application so cumulative visual impacts could be ignored and b) that Boreas cannot come to different conclusions than Vanguard so must pass without additional requirements for mitigation of the cumulative visual impact. This is being challenged through the Judicial Review process which is currently at an early stage. If successful, NPC would like to ensure that sufficient mitigation controls are in place for Boreas.</p>	<p>The Applicant's submission [REP13-025] recognises that cumulative assessment with the Norfolk Boreas onshore project substation was specifically not considered by the Norfolk Vanguard ExA.</p> <p>Cumulative impacts of Norfolk Boreas and Norfolk Vanguard are being considered by the Norfolk Boreas ExA and to the extent that it is necessary to secure mitigation for cumulative impacts considered as part of the Norfolk Boreas examination, the correct approach is to secure this in the dDCO for Norfolk Boreas.</p>
Q5.16.0.1	Oulton PC	<p>SoS Decisions and letters regarding other NSIPs</p> <p>The Applicant has set out its view on the implications on the Proposed Development of the Norfolk Vanguard decision and the SoS Hornsea Three letter [REP13Cawston Parish Council-025]. Points were also made at ISH5 [EV14-004]. a) Provide the ExA with any views you have which do not accord with the Applicant's opinion as set out in the above document and particularly Appendix 2, which sets out the relevance of the SoS Norfolk Vanguard decision on the Proposed Development, topic by topic. b) Any other matters arising as a result of the SoS Decisions and letters regarding other NSIPs, which you wish to draw to the ExA's attention should be set out here, stating implications and actions you would wish to see.</p> <p>Note: HRA responses do not need to be given here, as there are specific questions elsewhere.</p>	<p>a) OPC notes with concern the force, manner and content of the Applicant's views as set out in REP13-025 and ISH5 [EV14-004]. Of course the principle of consistency in planning decisions must be upheld by decision-makers, but the NSIP planning process is surely not a simple matter of an ExA recommending to the Secretary of State that he approve a major project because he approved a very similar one recently. This would make a mockery of the whole process and would risk bringing the Planning Inspectorate into disrepute. And yet this is virtually what REP13-025 is strenuously insisting. If the Applicant wished for their two projects – Vanguard and Boreas – to be treated as so very similar, then maybe they should have submitted them together as 2 phases within one application. However, they chose not to do that and, in addition, they requested that some aspects of the cumulative impacts of the two projects (e.g. the increased number of substations at Necton) should be considered by this Boreas ExA – and not at the Vanguard stage. They claimed this was reasonable on the grounds of insufficient detail being available at the time, and yet the full Boreas application was submitted to PINS on the very day after the Vanguard Examination closed. The details of these Boreas substations were well known at the time. This Applicant should not be allowed to have their cake and eat it too.</p> <p>There are genuine and significant cumulative impacts arising from Norfolk Boreas and these merit careful consideration when weighed in the planning balance – precisely because Norfolk Vanguard has been approved. The decision to approve Vanguard means that, if Boreas is also approved, then there will definitely be 4 enormous substations (as well as the national grid extensions to their substations) at Necton – instead of 2 - and these are not a “temporary” impact. There are further issues that remain unresolved, even after three ExAs have attempted to get them resolved - the most obvious of which is the impact of traffic through Cawston. The SoS decision letter on Vanguard is extremely unsatisfactory on this particular issue, and simply leaves the matter to be specified in the DCO to be resolved at a future date, with the agreement of NCC Highways and Broadland DC. This is a shocking example of passing the buck to authorities who will have no leverage in these future negotiations, as construction imperatives – post consent - will become</p>	<p>The Applicant notes the points raised and has commented on all points in previous responses to OPC's (and other parties) submissions.</p> <p>Cumulative impacts of Norfolk Boreas and Norfolk Vanguard are being considered by the Norfolk Boreas ExA and to the extent that it is necessary to secure mitigation for cumulative impacts considered as part of the Norfolk Boreas examination, the correct approach is to secure this in the dDCO for Norfolk Boreas.</p>

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			<p>paramount. Cawston and Oulton PCs have had many meetings with both these authorities and we are well aware of their misgivings about the eventual 'solution' that they will be forced to agree to. At best, it will be a very risky and very destructive dog's breakfast.</p> <p>OPC urges the ExA to remain true to their professional instincts and to continue with their stringent and independent analysis of the costs and benefits of this application. Finally, in addition to the above, the ExA is probably aware that a concerned Norfolk resident has filed with the Administrative Court an application for permission to proceed to a substantive Judicial Review on the Norfolk Vanguard decision.</p> <p>b) OPC feels there is still some confusion as to whether the new requirement for a trench-less crossing is only required if Hornsea Three proceeds to construction, or if the requirement is irrespective of HOW3. In the S of S decision letter it seemed to specify the requirement was for a trench-less crossing - it did not specifically mention Hornsea Three.</p> <p>Requirement 18: providing for a trench-less crossing at the B1149 (and consequential changes later in the DCO); The ExA recommendation report did however mention Hornsea Three...</p> <p>4.77The ExA's consideration of the issues led it to conclude that the B1149 should be subject to trench-less crossing for the onshore cable route. However, the ExA does make the point that the need for trench-less crossing of the B1149 would be avoided if the Hornsea Project Three development was not granted consent as it would be easier to manage the traffic from the single development. [ER 4.7.110 et seq]</p> <p>OPC noted that during the ISH5 the trench-less crossing was discussed and consequently the updated draft DCO has been amended to...</p> <p><i>(t) In circumstances where the Hornsea Three Offshore Wind Farm Development Consent Order is made and its development commences, there shall be trench-less crossing of the B1149 (Work No. 6).</i></p> <p>The implication here is that trenchless crossing might NOT be required if HOW3 does not go ahead.</p> <p>OPC query the wisdom of this, as it was NCC who were concerned about the integrity of the road, post trenching work, under any circumstances.</p> <p>If HOW3 does not proceed there remains an issue of very large agricultural traffic regularly using the B1149 during trenching work, which would have difficulty manoeuvring around the road works (combines, potato harvesters, pea viners etc.).</p> <p>Norfolk Boreas is still proceeding with Scenarios 1&2 so there is still the need to consider Vanguard/Boreas Scenario 1 or Scenario 2 as well as Boreas Scenario 1 with SEP/DEP. The Applicant has consistently underestimated the importance of the B1149 as a radial route from Norwich to the coast, and OPC feel that the trench-less crossing should be included in the DCO, regardless of whether it is in combination with HOW3 or is a standalone project.</p>	

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
			<p>In any case, NCC Highways has always strenuously maintained that it would be ill-advised to disturb the integrity of the substructure of the road by trench-cutting as, given the volume of heavy and agricultural traffic, the road surface would be liable to subsidence thereafter.</p> <p>See extract below:</p> <p>NCC (REP5-066) Deadline 5 Submission - Response to the Applicant's clarification note on trench-less crossings.</p> <p><i>Long-Term Maintenance Liability Review</i></p> <p><i>The issue of long term maintenance liability remains a concern, particularly given the potential for other future large scale projects and their associated HGV load movements. Rural road structure can vary greatly and with an increasing volume of base level traffic, notwithstanding the additional loading from these HGV movements. Any weakening of the surface construction derived from breaking open the bound and subgrade layers will greatly increase the risk of carriageway failure in years to come when it has reverted to local authority responsibility.</i></p>	
Q5.16.0.2	The Applicant	<p>Implications for the Proposed Development of any decisions and/or letters on other offshore wind farms</p> <p>Set out any points, not already submitted to this Examination, that you consider would be important and relevant to the SoS decision for the Proposed Development.</p>	<p>There are no other points, not already submitted to the Examination, which the Applicant considers to be important or relevant to the SoS decision.</p>	
Q5.16.0.3	The Applicant	<p>Need</p> <p>As it is now over a year since the application for the Proposed Development was submitted, set out any points additional to those in your application, on the need for the Proposed Development that you consider would be important and relevant to the planning balance case for the SoS decision. Other parties may wish to comment.</p>	<p>Further to the evidence provided in Chapter 2 of the ES, Need for the Project [APP-215] submitted with the Application in June 2019, the Applicant also provided further information on the need for the project within section 5 (IROPI) of the Applicant's In Principle Habitats Regulations Derogation Provision of Evidence [REP7-024]. Additional points of relevance in REP7-024 include:</p> <ul style="list-style-type: none"> • New evidence of the harmful effects of anthropomorphic expediated climate change and the positive effects on both humans and the natural worlds of deploying non-greenhouse gas emitting technologies to mitigate these impacts including: <ul style="list-style-type: none"> ○ The World Meteorological Organisation (WMO) reported that between 2001 and 2010 extreme weather events caused more than 370,000 deaths worldwide (including a large increase in heatwave deaths from 6,000 to 136,000) – 20% higher than the previous decade (DECC, 2014). These are widely attributed to climate change and there is a clear need to reduce the occurrence of such events in the future. Climate change effects such as flooding have potential to impact on mental health and provide other indirect impacts as a result of disruption to critical supplies of utilities such as electricity and water (Health Protection Agency, 2012) as well as reducing crop yield and driving up food prices. ○ 2019 was the second hottest year globally since records began in 1880 (Copernicus Climate Change service, 2020). Extreme heat as well as extreme storm events caused by 	

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			<p>global warming are a significant risk to public safety and therefore there is a clear need to reduce the occurrence of such events.</p> <ul style="list-style-type: none"> ○ The switch to renewable sources of energy has both air quality and associated human health benefits. A recent study has demonstrated the significant beneficial impacts on human health from decarbonisation, stating that <i>“estimates suggest that overall around 3.5 million or so premature deaths from air pollution worldwide could be prevented annually from phasing out fossil fuels at today's population. If all sources of air pollution from human activities could be eliminated, our estimates show that more than five million premature deaths from air pollution would be prevented annually.”</i> (LSHTM, 2019). ○ The recent EU funded Strategic Environmental Assessment North Sea Energy (SEANSE) project has assessed the impact of climate change on key bird species (Rijkswaterstaat Zee & Delta, 2020) and concluded that changes in prey availability due to climate change is the current pressure which appears to have the largest impact on kittiwake and lesser black-backed gull at the wider North Sea level. This is likely to be responsible for a substantially greater effect than impacts resulting from any other activity (including collision risk). • The declaration of climate emergency by the UK government in May 2019 and the subsequent amendments to The Climate Change Act 2008 (2050 Target Amendment) Order 2019 which commits the UK to a net reduction in greenhouse gas emissions (against the 1990 baseline) to net zero; a reduction of 100% by 2050; • The Government's statutory body's Progress Report on reducing emissions for 2019 (CCC, 2019) which found that actions outlined in the 2018 Progress Report to Parliament (CCC, 2018) were falling significantly behind where they should be and therefore rapid progress within the industry is required to meet the governments targets. • TCE's Round 4 Information Memorandum published in 2019 illustrates how there is only a very small level of contingency in capacity if it is assumed that all Round 3 Wind Farms and Extensions will be consented and successfully achieve a CfD in order to enable the UK to meet the 2030 30GW target (The Crown Estate, 2019). In this context it is worth noting that, at the time of the announcement of ZDAs in 2010, Round 3 was expected to provide 32GW in total, yet in 2020 the capacity of operational OWFs (from all leasing rounds to date) is only 8.5GW with the last six Round 3 OWFs currently in planning, totalling approximately 10GW; • The current Government's response has been to include in its manifesto, a target to deliver 40GW of installed offshore wind generating capacity by 2030 – increasing the target set by the previous administration and the Offshore wind sector by 10GW. These factors clearly illustrate the political will to ensure offshore wind will be the backbone of the clean, reliable, affordable energy 	

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			<p>system that will power an economy with net zero carbon emissions.</p> <p>Consent and construction of the Norfolk Boreas Project would make a significant contribution to all of the needs listed above. Further information on the significance of this contribution is provided in section 5.5 of REP7-024.</p> <p>Further to the need identified within the IROPI case, as listed above, the UK economy has now shrunk by up to 25% (Financial Times, 2020) due to the COVID-19 Pandemic with the number of people claiming out-of-work benefits the highest it has been for twelve years (BBC 2020). As recently presented by industry leaders to the House of Commons Environmental Audit Committee, the commitment to green energy and in particular offshore wind offers a significant boost to the UK economy: According to Orsted's Benj Sykes, the offshore wind industry is the 4th largest investor in UK infrastructure – set to invest £50bn in the UK economy over the course of this decade (reNEWS 2020). This will lead to the creation of a significant number of jobs: the sector estimates that offshore wind could support 27,000 direct jobs across the UK by 2030 (BEIS, 2020) with thousands more employed in the wider supply chain and the CEBR (2012) estimated that, by 2030, offshore wind could increase GDP by 0.6% and support 173,000 jobs at a time when these are badly needed. Green energy such as offshore wind could drive the Covid-19 recovery.</p> <p>The Offshore Wind Industry Council will be investing £100 million in grants to keep UK supply chain companies at the forefront of innovation products and services. Offshore wind is revitalising coastal counties and communities across the UK, with emerging “offshore wind clusters” of business, innovation and higher education institutions which are transforming parts of the UK which might otherwise have been associated with low economic growth. There is certainly an appetite and huge potential for an East of England Cluster – focused around the O&M hub that is growing around Great Yarmouth and Lowestoft ports. As the developer of the two largest offshore wind projects in the southern North Sea, and with potential Operations and Maintenance presence at Lowestoft and Great Yarmouth, the Applicant is an important contributor to the delivery of the East of England offshore wind O&M cluster. This ambition is set out in various local policies and plans, including the New Anglia Local Economic Partnership's Local Industrial Strategy (New Anglia 2020) and in the region's Covid-19 Economic Recovery Restart Plan. While the Applicant's projects remain in development and investment is concomitant with this status, the Applicant continues to work effectively with local and relevant National stakeholders to ensure the local and regional supply chain can continue to prepare for the opportunities the projects promise should they proceed to, construction and operation (Vattenfall 2020) and (Energy focus 2020). The Applicant is also continuing to engage actively with skills providers in the region, providing opportunities for young people and also for those wishing to transfer into the sector (Eastern Daily Press, 2020)</p> <p>In summary since the Application was made in June 2019 the evidence base (which was already extensive) supporting offshore wind and the Norfolk</p>	

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			Boreas project as an efficient and cost-effective solution to reduce the impacts of climate change, energy shortfall and unemployment has increased significantly at a global, national and regional level. Much of this evidence has been captured within the Applicant's derogation case [REP7-024], and evidence that has come to the Applicant's attention since that submitted at Deadline 7 has also been included within this response.	
Q5.16.0.3	Chris Allhusen	Need As it is now over a year since the application for the Proposed Development was submitted, set out any points additional to those in your application, on the need for the Proposed Development that you consider would be important and relevant to the planning balance case for the SoS decision. Other parties may wish to comment.	A decision on this project should be put on hold until the Offshore review is concluded. The use of an offshore ring main would negate the need to destroy even more of Norfolk's countryside, yet Vattenfall, understandably, will not support it. In addition, I would still maintain that the original site selection process was seriously flawed in that a number of sites, for example Top Farm, were never seriously considered by Vattenfall, with excuse like flooding etc.	The Applicant has set out its position with regards to an integrated approach to an offshore transmission network for connection of offshore wind farms to the national grid in point 5 of the Applicant's response to Open Floor Hearing 2 [REP13-014]. The Applicant's position with regard to site selection of the onshore project substation is provided in point 6 of the same document [REP13-014].
Q5.16.0.3	Oulton PC	Need As it is now over a year since the application for the Proposed Development was submitted, set out any points additional to those in your application, on the need for the Proposed Development that you consider would be important and relevant to the planning balance case for the SoS decision. Other parties may wish to comment.	In terms of climate change, the need for renewable energy has only grown during the year since this application was submitted. However, and for this very reason, the need has also grown for the planning and implementation of an integrated offshore transmission network to connect all these wind farms to the grid, thus obviating the need for destructive and repeated disruption to the onshore environment. OPC therefore requests of the ExA that it recommends to the SoS that Norfolk Boreas be included in the remit of the Offshore Transmission Network Review , launched by BEIS on July 15th this year.	The Applicant has set out its position with regards to an integrated approach to an offshore transmission network for connection of offshore wind farms to the national grid in point 5 of the Applicant's response to Open Floor Hearing 2 [REP13-014].
Q5.16.0.4	The Applicant	Comments on Deadline 13 submissions There were a number of submissions at Deadline 13 in lieu of attendance at the OFHs in July published under [EV-13] and other submissions, including post hearing submissions under [REP13]. a) Provide responses to these if they raise matters not already addressed in your response to OFHs [REP13-014] and [REP13-015]. b) Provide response to any other matters raised in Deadline 13 submissions, not already addressed elsewhere.	a) and b) The Applicant refers to the Applicant's comments on Deadline 13 submissions [ExA.ASR.D14.V1] submitted at Deadline 14, where the Applicant has provided responses to topics raised in submissions made by interested parties at Deadline 13 which are not already covered by the responses to OFH2 [REP13-014] or OFH3 [REP13-015].	
Q5.16.0.5	The Applicant	Additional information The Applicant and Interested Parties are invited to submit any additional information to assist the ExA in reaching its recommendation to the SoS not covered previously in the Examination, or in the responses provided above.	A claim for judicial review was issued on 13 August 2020 by Mr Ray Pearce, seeking the quashing of the Norfolk Vanguard DCO on one ground related to whether the Examining Authority and SoS's approach to consideration of cumulative effects with Norfolk Boreas was lawful. Both the SoS, as Defendant, and Norfolk Vanguard Limited, as Interested Party, have indicated to the Claimant their intention to contest the claim. Until such time as the Court rules on the Grounds of Claim put forward, the Norfolk Vanguard DCO remains valid. The mere fact of the claim having been issued is therefore of no relevance to the ExA in reaching its recommendation to the SoS.	
Q5.16.0.5	Chris Allhusen	Additional information The Applicant and Interested Parties are invited to submit any additional information to assist the ExA in reaching its recommendation to the SoS not covered previously in the Examination, or in the responses provided above.	Sub-station site purchase and heads of terms. Whilst we are frequently being portrayed by Boreas as holding up negotiations, this cannot be further from the truth. We, and our agents, have been asking for more details so as to progress the agreement on the purchase of the sub-station site and its heads of terms, since last autumn. Our agent, Savills,	The Applicant continues to engage proactively with the landowner on the concerns outstanding. Negotiations are progressing in a positive manner, including a recent conference call between the Applicant and the landowner's agent on the 10 th August and a face to face meeting with the landowner on the meeting on the 26 th August. The Applicant remains

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			have requested quite reasonable information with no reply, yet we are being continually pressed by them to 'sign up'. I would like to point out to PINS that any delay in this progress lies entirely with Boreas, and we do not take kindly to the suggestion by Vattenfall that we are being obstructive.	confident that the required land can be acquired through private agreement.
Q5.16.0.5	Natural England	Additional information The Applicant and Interested Parties are invited to submit any additional information to assist the ExA in reaching its recommendation to the SoS not covered previously in the Examination, or in the responses provided above.	Natural England refers the ExA to our additional Deadline 14 responses regarding the Implications of the Vanguard decision and Hornsea 3 letter on Norfolk Boreas Ornithology and Benthic (Our ref: NE.NB.D14.02.OrnImp and NE.NB.D14.03.BenImp respectively).	The Applicant has responded to Natural England's Deadline 14 response [REP14-067] (Natural England Ref: NE.NB.D14.03.BenImp) at Deadline 15 in the Applicant's response to Natural England and the MMO's Deadline 14 submissions [ExA.ASR.NE.MMO. D15.V1].
Q5.16.0.5	MMO	Additional information The Applicant and Interested Parties are invited to submit any additional information to assist the ExA in reaching its recommendation to the SoS not covered previously in the Examination, or in the responses provided above.	<p>The MMO understands the SoS in Norfolk Vanguard advised there was insufficient evidence to increase the timescales for the submission of documents from 4 months to 6 months. The MMO acknowledges that the applicant considers that 4 months is an appropriate timescale as this is consistent with the Norfolk Vanguard decision. However, the MMO still believes 6 months is a more realistic timescale for certain documents as this will enable all parties to efficiently discharge conditions.</p> <p>The MMO is currently discussing this with the Applicant to see if it would be possible to update the DMLs to include a 6-month submission date for the following documents:</p> <ul style="list-style-type: none"> • HHW SAC Site integrity Plan (SIP) – condition 9(m) of Schedules 11 and 12 includes 2 conditions to allow the ExA do decide on the best approach for managing impacts to the HHW SAC. The MMO notes that the cable specification, installation and monitoring plan (CSIMP) condition specifies 6 months and the MMO believes the HHW SIP condition should also include the 6-month time scale, if the SoS includes this condition. • Southern North Sea (SNS) SAC SIP – due to the nature of this document the MMO believes that the document will need in depth review and multiple rounds of consultation along with detailed review of the in combination impacts with other industry activities. The MMO believes it is in the best interests of both the Applicant and the MMO if this has a 6-month submission date. • MMMP/Noise monitoring - These will coincide with the SNS SIP therefore the same timescale is required. • Ornithology plan – the MMO has experience of a number of windfarms in the pre-construction phase and in our experience, there is usually a need for multiple rounds of consultation in relation to offshore ornithology monitoring. The MMO believes that as technology is developing and funding for monitoring grows across the industry this plan will need a longer timescale to agree the final details and therefore 6 months is an appropriate timescale for submission. <p>The MMO believes this will assist in our ability to meet the deadlines without the need for requesting additional time to discharge t</p>	<p>The Applicant is cognisant of the MMO's desire for the four documents mentioned to be submitted at least six months in advance of construction and the Applicant does see the merit in submitting these documents as early as possible. There is nothing within the DCO preventing the Applicant from submitting the documents in advance of the specified time limit and indeed it would be the intention of the Applicant to do so if possible.</p> <p>The Applicant's general preference is to maintain consistency with the Norfolk Vanguard DCO, however with regard to the HHW SAC SIP, the Southern North Sea SIP, and the MMMP/noise monitoring plans cited by the MMO, the Applicant is prepared to commit to providing these six months in advance of construction rather than four as requested. The relevant changes will be made to the dDCO submitted at Deadline 16.</p> <p>It should, however, be noted that stage 1 of the Ornithological Monitoring Plan must be submitted at least four months prior to the first <u>pre-construction survey</u>. This plan is therefore on a different timeframe to the <u>general approach of 4 (or 6) months prior to the intended commencement of licensed activities</u>. Therefore, it was agreed with the <u>MMO on the 1st September 2020 (albeit following submission of the MMO's Deadline 15 response) that no update to the DMLs was required in relation to this plan. This approach will be reflected in the dDCO and the SoCG to be submitted at Deadline 16.</u></p> <p>The Applicant is however mindful that the SoS may wish to reverse the changes listed above to ensure consistency with the Norfolk Vanguard project and the Applicant would also be content if that were the case.</p>

16.1 Environmental Statement (ES)

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
No Questions				

16.2 Waste management, ground conditions and contamination

PINS Question Number	Question is addressed to:	Question:	Interested Parties' Response at Deadline 14	Applicant's Response:
Q5.16.2.1	The Applicant	Securing radiological investigation in OCoCP: Signpost where in the OCoCP a radiological investigation by a specialist contractor in the site area that may have been affected by the 1996 plane crash is secured, as stated in [REP13-015] response to OFH3.	In the OCoCP Version 5 [REP10-012] submitted at Deadline 10 paragraph 102 confirmed that further ground investigation would be undertaken in the area of the historic military plane crash in line with the Phase 1 Risk Assessment: <i>"Ground investigation and further assessment of potential contamination should be undertaken in accordance with the recommendations of the Phase 1 Preliminary Risk Assessment (Chapter 19 Ground Conditions and Contamination of ES, Appendix 19.2, document reference 6.3.19.2) including in the areas of potential made ground at the dismantled railways lines and historic military jet crash area. The Environment Agency will be consulted on any proposed ground investigation and further assessment and any refined Conceptual Site Model prior to construction."</i> To provide further clarification paragraph 102 in the OCoCP has been updated to state; <i>'In the area of the historic military jet crash this will include a radiological investigation by a specialist contractor.'</i> The updated OCoCP (Version 6) has been submitted at Deadline 14.	
Q5.16.2.1	Breckland Council	Securing radiological investigation in OCoCP: Signpost where in the OCoCP a radiological investigation by a specialist contractor in the site area that may have been affected by the 1996 plane crash is secured, as stated in [REP13-015] response to OFH3.	Breckland Council has nothing to add to previous statements made in relation to this issue	Noted and the Applicant refers to the comments on the Environment Agency response to Q5.16.2.1 below.
Q5.16.2.1	The Environment Agency	Securing radiological investigation in OCoCP: Signpost where in the OCoCP a radiological investigation by a specialist contractor in the site area that may have been affected by the 1996 plane crash is secured, as stated in [REP13-015] response to OFH3.	This matter is referenced in the OCoCP para 102 (REP10-012). The ExA is advised that the Environment Agency does not have a primary duty to determine if further investigations are required to identify radioactive contaminated land. The Environment Agency's role is in support of Local Authorities and as set out in the Part 2 A guidance on Radioactive Contaminated land. This section states the following: <ul style="list-style-type: none"> Local authorities have a duty to inspect land under the extended Part 2A regime, but there must be reasonable grounds for inspecting land for radioactivity. Reasonable grounds are defined in the statutory guidance. Inspecting potential radioactive land may involve desk studies, site visits for visual inspection and limited sampling of surface deposits or surface radiation surveys. We will carry out an intrusive investigation on behalf of the local authority if the results of desk studies and non-intrusive surveys show the need for one. 	Noted and as indicated in the Applicant's response to Q5.16.2.1 (above), the Applicant updated paragraph 102 of the OCoCP [REP14-012] to confirm that a radiological investigation will be undertaken in the area of the crash as part of the proposed ground investigation and further assessment of potential contamination sources. However, the Applicant wishes to clarify that this is a precautionary measure and that at this stage there is no evidence that radiological contamination is present.

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			<p>Therefore, any site investigation scoping it must be established by the local authority if there are reasonable grounds for an inspection. If they determine there are reasonable grounds then they need to carry out an inspection as explained above.</p>	

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