

From: [REDACTED]
To: [Immingham OCGT](#)
Cc: [REDACTED]
Subject: Response for Deadline 3- Written Summaries on behalf of the Hornsea 2 Companies [S+W-LegalDiv.FID5120649]
Date: 10 October 2019 16:58:52
Attachments: [REDACTED]

Dear Sirs,

Please find attached Written Summaries of the oral submissions presented at the Issue Specific Hearing and the Compulsory Acquisition Hearing on the 2nd October on behalf of our client the Hornsea 2 Companies.

I would be grateful if you could please confirm safe receipt of this email.

Please do not hesitate to contact me if you require any further information.

Kind Regards,

Sophie

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OUR REF H3688.2/SM
YOUR REF ELN10097
10 October 2019

BY EMAIL

Immingham OCGT Case Team
Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sirs

**Application by VPI Immingham B Ltd for an Order Granting Development Consent for the VPI Immingham OCGT Project (“the Development Consent Order”)
Deadline 3- Hornsea 2 Companies written summary of oral submission presented at Compulsory Acquisition Hearing 2 October 2019**

We are instructed by Optimus Wind Limited, Breesea Limited, Sonningmay Wind Limited and Soundmark Wind Limited (together the “Hornsea 2 Companies”) to submit this brief written summary of oral representations made on behalf of the Hornsea 2 Companies at the Compulsory Acquisition Hearing 1 on Tuesday 2 October 2019.

1. We acknowledged the Applicant’s confirmation that they are willing in principle to both enter into a private crossing/proximity agreement and for protective provisions to be included within the Development Consent Order for the protection of the Hornsea 2 Companies’ interests and assets.
2. We noted, as has also been set out in Written Representations submitted on behalf of the Hornsea 2 Companies (Document Reference REP2-038), that the Hornsea 2 Companies’ objection to the grant of the Development Consent Order is based on the potential detriment to the Hornsea 2 Companies’ property interests, assets and undertakings (and the property interests, assets and undertakings of the future Offshore Transmission Owner (“OFTO”) to whom the transmission assets will be transferred in due course). If not appropriately controlled powers sought under the Development Consent Order could cause or facilitate serious adverse impact on the property interests, rights, protections and assets of the Hornsea 2 Companies and the future OFTO.
3. We acknowledged and confirmed the update provided on behalf of the Applicant summarising the productive discussions to date, seeking to agree the detail of the protections required.
4. We acknowledged that it should be possible for protections to be put in place by a combination of protective provisions and private agreements which would offer adequate protection to the Hornsea 2 Companies and the future OFTO.

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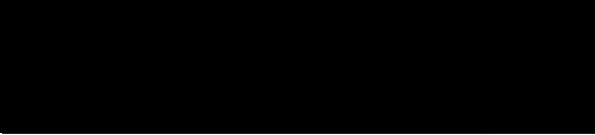
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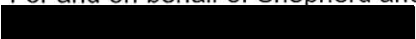
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5. We undertook to continue discussions with the Applicant and update the Examining Authority if agreement on the required protection can be reached.

Yours faithfully,



Scott McCallum
For and on behalf of Shepherd and Wedderburn LLP



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