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Your Reference: EN010098-000968-ExQ1
Our Interested Party Reference: 20029912

29th March 2022

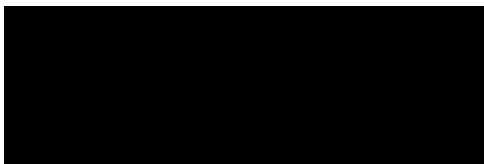
Dear Ms Dowling,

Application by Ørsted Hornsea Project Four Limited for an Order Granting Development Consent for the Hornsea Project Four Offshore Wind Farm

We write with reference to the above and the Examining Authority's Written Questions and Requests for Information (ExQ1) issued on Monday 28th February 2022.

Please find enclosed our response to **Question CA.1.18** in Appendix A.

Yours sincerely



Louise Rich
Senior Development Manager

Appendix A

Hornsea Four Offshore Wind Farm Development Consent Order

ExQ1: Monday 28 February 2022

Responses due by Deadline 2: Tuesday 29 March 2022

The Crown Estate's Response to ExA's written question issued 28 February 2022.

		Question	The Crown Estate Response
CA.1.1 8	Applicant The Crown Estate BP Endurance	<p>Burbo Bank DCO and the implications for Part 4 of the BoR [AS-002]</p> <p>Applicant: Part 4 of the Book of Reference [AS-002] and the land plans [APP-210] only detail the on-shore interests of the Crown Estate. Conclusions reached by the SoS in the Burbo Bank decision supported a recommendation from the ExA in that case, that where the sole interest of the Crown Estate in land forming part of the sea bed is in the area proposed to be granted to the OWF undertaker, the Crown interest in the sea bed need not be listed in Part 4 of the Book Reference. Given that there is an overlap between the licences granted by the Crown Estate for Hornsea 4 and those for the Endurance Aquifer, the circumstances applicable in the Burbo Bank decision would not appear to apply here. Please explain why Part 4 of the BoR does not itemise both of the offshore affected Crown interests? Can you explain what is the purpose and legal status of the Crown Land – Onshore and Offshore Plans [APP-221] ?</p> <p>BP Endurance and The Crown Estate:</p>	<p><i>The Crown Estate's understanding of the Burbo Bank decision is that, in the particular circumstances of that case (rather than as a general principle), the ExA was content with the absence of a BoR referencing the Crown's interest in the seabed. This land was already subject to a conditional agreement for lease and consent for the purposes of s135 PA2008 had been granted. In light of this, and in circumstances where the Crown was the sole party with an interest in the seabed, the absence of a BoR was not considered to be a cause for concern.</i></p> <p><i>The Crown Estate considers that the offshore interests ought normally to be identified in the BoR, as appears to be the conclusion reached by the ExA in the Burbo Bank decision.</i></p> <p><i>However, it will leave it to the ExA to decide as to whether, in this case, this is necessary. We would note that the only distinction between the two scenarios appears to be that, in light of the overlap with the area covered by the Endurance Carbon Capture and Storage Project, in this case it is not just the Crown's interests which are affected by the decision as to</i></p>

		<p>What is your understanding of the implications of the Burbo Bank decision for this Application? Do you consider that different circumstances apply in this case ie the BoR and land plans should be updated to identify the different interests in the Crown land that is the seabed?</p>	<p><i>whether offshore interests feature in the BoR.</i></p>
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