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The Applicant and BP Exploration  
Operating Company Limited

Your Ref:

Our Ref: EN010098

Date: 14 April 2022

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Dear Sir/ Madam

**Planning Act 2008 (as amended) Section 89  
The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17**

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

**Request for further information and written comments**

The Examining Authority (ExA) writes to the Applicant and BP Exploration Operating Company Limited (BP) following their oral representations and the subsequent discussions regarding the Interface Agreement that manages the commercial relationship between the parties in the Overlap Zone at the Issue Specific Hearing on the draft Development Consent Order (ISH1) that was held on Tuesday 12 April 2022.

An action point arising out of the Hearing was that the ExA would set out the timelines for the submission of legal submissions and supporting evidence from both the Applicant and BP regarding whether or not the Interface Agreement should be set aside.

In the interests of transparency, the ExA considered that, as this is effectively a request for further information and comments the most appropriate way to respond would be through a written request under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010. As a consequence, having considered the matter further the ExA has set out its proposed timeline for responses on this matter in the Annex to this letter.

The ExA requires responses from the Applicant and BP in accordance with the timeline set out in the Annex, and the responses received will be published at the appropriate deadline in the Examination Timetable.

Should you have any queries regarding the content of the letter, please contact the case team using the details at the top of this letter.

Yours faithfully

*Jo Dowling*

### **Lead Member of the Examining Authority**

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## **Annex A**

Having heard the points raised at ISH1 regarding whether or not the Interface Agreement should be disapplied the ExA considers that further information needs to be submitted into the Examination in order to inform the ExA's recommendation.

In order to enable the parties involved sufficient time to respond but also to ensure that there is sufficient time within the Examination for the ExA to ask further questions or explore the matter orally at a Hearing the ExA requests the following:

- BP Exploration Operating Company Ltd to put in any further evidence, including any further legal submissions and supporting evidence, considered necessary to justify why the Interface Agreement should be disapplied by **Deadline 4**, Tuesday 10 May 2022.
- The Applicant to respond and submit any further evidence, including legal submissions, considered necessary to explain why the Interface Agreement should not be disapplied. This response and any supporting documentation should be submitted by **Deadline 5**, Monday 20 June 2022.