



# The Planning Inspectorate

## Planning Act 2008 – Section 91

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

### Agenda for Issue Specific Hearing 7 dealing with matters relating to the draft Development Consent Order

<b>Issue Specific Hearing 7:</b>	Draft Development Consent Order
<b>Date:</b>	Monday 18 July 2022
<b>Arrangements Conference from:</b>	9:15am <sup>1</sup>
<b>Hearing start time:</b>	9:30am <sup>2</sup>
<b>Location:</b>	Virtual event via Microsoft Teams
<b>Hearings Guidance:</b>	Please see Annex A of this Agenda

Interested Parties who wish to speak at this event were required to provide notification by Deadline 1. In order to receive the joining instructions to participate in this virtual Hearing can you please complete and submit the following [form](#). Alternatively, you can contact the Inspectorate's Case Team for further information about the event ([HornseaProjectFour@planninginspectorate.gov.uk](mailto:HornseaProjectFour@planninginspectorate.gov.uk)).

If you wish to observe the Hearing then you do not need to register. A link to the livestream will be made available on the project page of the National Infrastructure Website<sup>3</sup> closer to the event.

Interested Parties are entitled to make oral representations at Hearings. However, this is subject to the power of the Examining Authority (ExA) to control the conduct and management of hearings.

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<sup>1</sup> Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

<sup>2</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/hornsea-project-four-offshore-wind-farm>

The virtual event will be open 15 minutes prior to the start of the hearing to enable a prompt start. Hearings will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

## **Agenda**

The main purpose of the Hearing is to undertake an examination of the draft Development Consent Order (draft DCO) Articles and Schedules, and in particular to:

- clarify issues around how the draft DCO is intended to work – what would be consented, the extent of the powers and what requirements, conditions, provisions and agreements are proposed;
- identify any possible issues of prevention, mitigation or compensation that are not covered by the DCO as currently drafted; and
- establish or confirm the views of Interested Parties as to the appropriateness, proportionality or efficacy of the proposals.

**Please note that the ExA intend to use the latest version of the draft DCO that was submitted by the Applicant at Deadline 5a [REP5a-002] as the basis of discussions at this Hearing.**



# Agenda

<b>Title of meeting</b>	Hornsea Project Four Offshore Wind Farm Issue Specific Hearing 7 on the draft Development Consent Order
<b>Date</b>	Monday 18 July 2022
<b>Time</b>	9:30am
<b>Venue</b>	Online via Microsoft Teams invitation
<b>Attendees</b>	Invitees

## **1. Welcome, introductions, arrangements for the Hearing**

## **2. Changes to the draft DCO**

The Applicant will be asked to provide a brief overview of the key changes to the draft DCO since ISH1 [EV-007] in light of recent submissions, the ExA's Further Written Questions (ExQ2) [PD-012] and discussions with Interested Parties.

## **3. Articles and Schedules of the draft DCO (excluding Schedules 2, 9, 11, 12, 15 and 16)**

The ExA will ask questions on Articles and Schedules where it needs further clarification or where matters remain outstanding, seeking responses where appropriate from, amongst others, the Applicant, East Riding of Yorkshire Council (ERYC), the Marine Management Organisation (MMO), Natural England (NE) and other Interested Parties.

## **4. Schedule 2 of the draft DCO (Requirements) and Schedules 11 and 12 of the draft DCO (Deemed Marine Licences)**

The ExA will ask questions on Requirements and the Deemed Marine Licences where it needs clarification on the drafting or where matters remain outstanding, seeking responses where appropriate from, amongst others, the Applicant, ERYC, MMO, NE and other Interested Parties.

## **5. Schedule 9 of the draft DCO – Protective Provisions**

The ExA will seek an update on progress regarding the agreement of the wording of Protective Provisions for the following organisations that have raised a concern and that are currently included in the draft DCO [REP5a-002]:

- National Grid as electricity and gas undertaker;
- Network Rail Infrastructure Ltd;
- The Environment Agency;
- Doggerbank Offshore Wind Farm Project 1 and Project 2;

- bp Exploration Operating Company Ltd as representative for the carbon storage licensee;
- NEO Energy (SNS) Limited;
- Perenco UK Ltd;
- Northern Powergrid (Yorkshire) Plc; and
- Bridge Petroleum 2 Ltd.

In addition, the ExA will seek a response on whether the draft DCO should include Protective Provisions for the following organisations:

- Harbour Energy [RR-014, REP2-080 and REP5-101]; and
- Northern Gas Networks Ltd [RR-030 and REP1-052].

## **6. Schedule 15 of the draft DCO – to be certified**

To review the documents to be certified and seek views as to whether the list is complete and if not, what additional documents would need to be included and when this list will be updated.

## **7. Schedule 16 of the draft DCO – compensation to protect the coherence of the National Site Network**

The Applicant, on a without prejudice basis, to provide a brief overview of how the proposed compensation measures to protect the coherence of the National Site Network would be secured. The ExA will then ask questions and seek clarification on the drafting or, where matters remain outstanding, seek responses as appropriate from NE, the RSPB and other Interested Parties.

## **8. Discharge of requirements/ conditions post-decision**

To review with the relevant organisations the procedures and resourcing for the discharge of requirements/ conditions should the Secretary of State make the Order.

## **9. Action points arising from the Hearing**

### **10. Any other business**

### **11. Close of Hearing**

### **Attendees:**

All Interested Parties are welcome to attend the Hearing. However, the Examining Authority would particularly welcome participation by representatives of the following parties as their submissions raise or contribute to issues that may need to be explored at the Hearing:

- The Applicant;
- bp Exploration Operating Company Ltd;
- Bridge Petroleum Ltd;
- Doggerbank Offshore Wind Farm Project 1 Projco Ltd;
- Doggerbank Offshore Wind Farm Project 2 Projco Ltd;
- East Riding of Yorkshire Council;
- Environment Agency;
- Harbour Energy;

- The Marine Management Organisation;
- The Maritime and Coastguard Agency;
- National Grid Electricity Transmission;
- National Grid Gas;
- NEO Energy (SNS) Ltd;
- Natural England;
- Network Rail Infrastructure Ltd;
- Northern Gas Networks Ltd;
- Northern Powergrid (Yorkshire);
- Perenco UK Ltd;
- Royal Society for the Protection of Birds; and
- Trinity House.

### Conduct and Management of Hearings

The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provide that the ExA that will probe, test and assess the evidence at hearings through direct questioning of persons making oral representations. Questioning at this Hearing will therefore be led by the ExA. Cross questioning of the person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that a person has had a fair chance to put their case. Parties wishing to make a representation will be invited to do so at the ExA's discretion.

The ExA will begin the Hearing with opening comments and introductions, then will run through housekeeping matters and explain how the Hearing will be conducted. The ExA's expectation is that each hearing session will typically last for one to two hours. However, the actual duration will depend on the progress made on the day and will be subject to the ExA's powers of control over the conduct of the Hearing.

The agenda may be amended by the ExA at the start of the Hearing or throughout its course. Furthermore, the ExA may wish to raise matters arising from oral submissions, Relevant Representations and Written Representations, and pursue lines of inquiry that are not listed on the agenda in the course of the discussion.

The Hearing is being held at the discretion of the ExA to consider matters that it considers to be important and relevant to the effective and robust examination of the application. Consequently, the business of the Hearing will be limited to the matters identified in the agenda or otherwise raised by the ExA.

Active participation is at the invitation and discretion of the ExA. Oral submissions must address the matters and questions identified on the Hearing agenda or raised by the ExA at the hearing. Oral submissions on other subject matters or from persons who have not been invited to speak by the ExA may only be heard at the discretion of the ExA, who may decide that such matters are not heard in the interests of relevance, efficiency or fairness.

A recording and transcript of the Hearing will be published by the Planning Inspectorate on the project page of the national infrastructure website<sup>4</sup> and any Interested Party may make a written submission on the specific matters either included in the agenda or arising at the Hearing by Deadline 6, Wednesday 27 July 2022.

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<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/hornsea-project-four-offshore-wind-farm>