



Hornsea Project Four

Applicant's Statement of Commonality of Statements of Common Ground

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Prepared Faye McGinn, Orsted, August 2022
Checked Thomas Watts, Orsted, August 2022
Accepted Hannah Towner-Roethe, August Orsted, 2022
Approved Julian Carolan, Orsted, August 2022

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1 Introduction

1.1 Overview of Hornsea Four

1.1.1.1 Hornsea Four is an offshore wind farm which will be located approximately 69 km offshore the East Riding of Yorkshire in the Southern North Sea and will be the fourth project to be developed in the former Hornsea Zone. Hornsea Four will include both offshore and onshore infrastructure and consists of:

- **Hornsea Four array area:** This is where the offshore wind generating station will be located which will include the turbines, array cables, offshore accommodation platforms and a range of offshore substations as well as offshore interconnector cables and export cables;
- **Hornsea Four offshore export cable corridor (ECC):** This is where the permanent offshore electrical infrastructure (offshore export cables, as well as the High Voltage Alternating Current (HVAC) booster station (if required), will be located;
- **Hornsea Four intertidal area:** This is the area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS) through which all of the offshore export cables will be installed;
- **Hornsea Four onshore export cable corridor:** This is where the permanent onshore electrical cable infrastructure will be located; and
- **Hornsea Four onshore substation (OnSS) including energy balancing infrastructure:** This is where the permanent onshore electrical substation infrastructure (onshore High Voltage Direct Current (HVDC) converter/HVAC substation, energy balancing infrastructure and connections to the National Grid) will be located.

1.2 Purpose of Statement of Commonality

1.2.1.1 This document provides the Examining Authority (ExA) with an overview of the position of each Statement of Common Ground (SoCG) between the Applicant and the interested parties (see Annex E or Rule 6 Letter (PD-005)) in relation to Hornsea Four at Deadline 7. This document has been updated and submitted at the requested deadlines outlined in the Hornsea Four Examination timetable.

1.2.2 Structure

1.2.2.1 This report is structured as follows:

- Section 2: Summary of commonality of each topic covered – provides an overview of all topics covered and each stakeholder's position.
- Section 3: Tables of commonality – this provides further detail on the aspects of each topic that are covered by the SoCG and each stakeholder's position.

1.3 List of Statement of Commonality

1.3.1.1 **Table 1** provides the list of SoCGs that have been prepared by Hornsea Four and the respective regulative authority in accordance with the list as requested by the Planning Inspectorate in the Rule 8 letter issued on 28th February 2022.

1.4 Summary of Current Position of SoCG

1.4.1.1 The SoCGs submitted alongside this document at Deadline 8 reflect the positions of the Applicant and stakeholders.

1.4.1.2 **Table 1** provides an overview of the status of each SoCG throughout the examination including those finalised at, and prior to, Deadline 8.

1.4.2 Letters of Comfort (LoC) and Position Statements (PS)

1.4.2.1 In some instances, Letters of Comfort (LoC) and Positions Statements (PS) were prepared instead of SoCG. The matters on which the parties remain in discussion are limited in scope (i.e. substantive matters are either agreed or can be addressed post consent through crossing and/or proximity agreements) and so the LoCs were considered to be more appropriate than a SoCG in order to capture the status of discussions. The outline of each LoC and PS is provided below. A PS is substantively the same as a SoCG but follows a different format to allow each party to identify the issues pertinent to their commercial interests and to determine the level of detail to put before the ExA pending the conclusion of commercial discussions. The PSs will be updated in the same way as SoCGs.

1.4.3 Signed Statements of Common Ground

1.4.3.1 In the majority of instances SoCGs have been signed by both parties using an image of a written signature inserted into the final PDF document. The East Riding of Yorkshire Council (ERYC) SoCG differs in this regard as such a signature was unavailable and as a result the SoCG has been signed in plain text. This is as agreed with ERYC and constitutes a final and signed SoCG.

Table 1: Status of SoCG's at Deadline 8

Party	Status at DCO Application	Status at Deadline 1	Status at Deadline 3	Status at Deadline 4	Status at Deadline 5	Status at Deadline 6	Status at Deadline 7	Status at Deadline 8
East Riding of Yorkshire Council (Document reference: F3.1)	Draft submitted Discussions ongoing	Updated draft submitted, discussions ongoing.	Updated the format/structure and further agreements	In continued discussions with ERYC. No update at Deadline 4	Updated draft submitted	No update	Updated final document submitted.	
Environment Agency (EA) (Document reference: G1.12)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.		Updated draft submitted			Updated final document submitted.	
Historic England (Document reference: G1.14)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.	No update	Updated draft submitted	Updated draft submitted	No update	Updated final document submitted.	
Holderness Fishing Industry Group (HFIG) (Document reference: G1.21). Combined with NFFO.	Not drafted.	Draft submitted, discussions ongoing.	Updated draft submitted.	Updated draft submitted	Final document submitted	Updated final document submitted		
Maritime and Coastguard Agency (MCA) (Document reference: G1.25)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.	Updated draft submitted.	No update	Updated draft submitted	Final document submitted		
Marine Management Organisation (MMO) (Document reference: G1.17)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.	Updated draft submitted.	No update	Updated draft submitted	Updated draft submitted	Updated draft submitted	Final document submitted
Ministry of Defence (MOD)	Not drafted.	Draft submitted, discussions ongoing.		Updated draft submitted	Updated draft submitted	Final document submitted		

Party	Status at DCO Application	Status at Deadline 1	Status at Deadline 3	Status at Deadline 4	Status at Deadline 5	Status at Deadline 6	Status at Deadline 7	Status at Deadline 8
(Document reference: G1.30)								
Natural England: Derogation and Compensation Matters (Document reference: F3.4).	Draft structure and Agreement Log submitted Discussions ongoing	Draft submitted, discussions ongoing. See Section 3.		Discussions ongoing		Discussions ongoing	Updated final document submitted.	
Natural England: Onshore (Document reference: F3.5)	Draft submitted Discussions ongoing	Not submitted at Deadline 1 as no update from application submission. Discussions ongoing.		No update			Updated final document submitted.	
Natural England: Other Offshore Matters (Document reference: G1.13)	Draft submitted to stakeholder for review.	Submitted as DRAFT. Commonality undefined. See Section 3.	Updated draft submitted.	No update	No update	No update	Updated final document submitted	
Natural England: Offshore and Intertidal Ornithology (Document reference: G1.18)	Draft submitted to stakeholder for review.	Submitted as DRAFT. Commonality undefined. See Section 3.	Updated draft submitted	Expected Deadline 5		No update	Updated final document submitted	
National Air Traffic Services (NATS) (Document reference: G1.31)	Not drafted.	Draft submitted, pending discussion.		Updated draft submitted	Updated draft submitted	Final document submitted		

Party	Status at DCO Application	Status at Deadline 1	Status at Deadline 3	Status at Deadline 4	Status at Deadline 5	Status at Deadline 6	Status at Deadline 7	Status at Deadline 8
National Highways (Document reference: F3.3)	Draft submitted	No further updates proposed to SoCG due to Rule 6 letter						
National Federation of Fisherman's Organisations (NFFO) (Document reference: G1.21). Combined with Holderness Fishing Group	Not drafted.	Draft submitted, discussions ongoing.	Updated draft submitted.	Updated draft submitted.	Final document submitted	Updated final document submitted		
RSPB (Document reference: G1.22)	Draft submitted to stakeholder for review.	Submitted as DRAFT See Section 3.	Updated draft submitted.	Expected Deadline 5		No update	Final document expected at Deadline 8	Final document signed and submitted.
The Wildlife Trusts (Document reference: G1.19)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing. See Section 3	See Section 3	See Section 3	Letter of comfort submitted			
Trinity House (Document reference: G1.26)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.	Updated draft submitted.	Updated draft submitted	Final document submitted			
UK Chamber of Shipping (Document reference: G1.20)	Drafted and discussed with consultee but not submitted.	Draft submitted, discussions ongoing.		No update	Updated draft submitted	No update	Final document submitted	

Table 2 Status of LoC and PS at Deadline 8

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
Alderney Wildlife Trust (Document reference: B2.8.4)	LoC received	Discussions ongoing.		Discussions ongoing	Discussions ongoing	Further to the LoC, discussions have progressed to an MoU. Update contained in the Schedule of Side Agreements ref G6.18 Rev: 1		Further to the LoC, discussions have progressed to an MoU. Update contained in the Schedule of Side Agreements ref G6.18 Rev: 1
National Grid Interconnector Holdings Ltd (Document reference: G1.11)		Joint Position Statement submitted: parties in discussion regarding coordination of activities	Annex 1 submitted at Deadline 2; discussions ongoing.	Discussions ongoing	Discussions ongoing	Discussions ongoing between the Parties to explore collaboration post close of the Examination. Final Position Statement at REP1-040 and REP2 – 034	Position remains as at Deadline 6. Final Position Statement at REP1-040 and REP2 – 034 .	
National Grid Gas PLC (Document reference: G1.16)		Draft submitted, discussions ongoing	Updated draft submitted.	Discussions ongoing	Discussions ongoing	Discussions ongoing and update within the Schedule of Side	Agreed Protective Provisions included in C1.1 draft DCO submitted at	

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
						Agreements G6.18 Rev:1	deadline 7. Final update provided in Schedule of Side Agreements G6.18 Rev:2.	
National Grid Electricity Transmissions PLC (Document reference: G1.27)		Draft submitted, discussions ongoing	Updated draft submitted.	Discussions ongoing	Discussions ongoing	Discussions ongoing and update within the Schedule of Side Agreements G6,18 Rev:1	Agreed Protective Provisions included in C1.1 draft DCO submitted at deadline 7. Final update provided in Schedule of Side Agreements G6.18 Rev:2.	
Northern Endurance Partnership (Document reference: G1.29)	Draft Protective Provisions included in Application	Joint Position Statement between the Applicant and bp: submitted: parties setting out the status of discussions and justification for their draft PPs	Discussions ongoing. Updated Protective Provisions submitted within the draft DCO to Examination.	Discussions ongoing	Discussions ongoing	Discussions ongoing. Updated Protective Provisions into Examination	The Applicant's preferred Protective Provisions are included in C1.1 draft DCO at deadline 7. Discussions remain ongoing. For additional details, see G7.8	

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
							bp closing remarks.	
Northern Gas Networks Ltd (Document reference: G1.24)		Draft submitted, discussions ongoing		Discussions ongoing	Discussions ongoing	Minor points to be agreed. Update within the Schedule of Side Agreements G6.18 Rev: 1	Agreed Protective Provisions included in C1.1 draft DCO submitted at deadline 7. Final update provided in Schedule of Side Agreements G6.18 Rev:2.	
Northern Powergrid (Yorkshire) PLC (Document reference: G1.28)		Draft submitted, discussions ongoing		Discussions ongoing	Agreements completed			
NEO Energy (Document reference: G2.15)	Not drafted. Discussions ongoing	Drafted and discussions ongoing but not submitted.	Protective Provisions submitted within the draft DCO to Examination.	No update	Draft cooperation agreement provided to NEO	Awaiting comments from NEO on draft cooperation agreement. Further update in Schedule of Side	Applicant's preferred Protective Provisions in C1.1 draft DCO submitted at Deadline 7.	

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
						Agreements G6.18 Rev: 1		
Network Rail Infrastructure (Document reference: G1.23)		Draft submitted, discussions ongoing.		Discussions ongoing	Discussions ongoing	Engrossments being signed. Update within the Schedule of Side Agreements G6.18 Rev: 1	All agreements completed. Agreed Protective Provision included in C1.1 draft DCO submitted at deadline 7. Final update provided in Schedule of Side Agreements G6.18 Rev:2.	
Ocean Conservation Trust (Document reference: Appendix C of B2.8.6 RP Volume B2 Annex 8.6 Compensation measures for FFC SPA Fish Habitat)	LoC received.			No update	No update	No further update required within the Examination timeframe, discussions focussed on post Examination implementation (see G6.6 Fish Habitat Enhancement: Seagrass Restoration)		

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
Enhancement Roadmap)						Implementation Study and Fish Monitoring Survey Summary).		
Project Seagrass (Document reference: Appendix A of B2.8.6 RP Volume B2 Annex 8.6 Compensation measures for FFC SPA Fish Habitat Enhancement Roadmap)	LoC received.	Discussions ongoing.		Discussions ongoing	Discussions ongoing	No further update required within the Examination timeframe, discussions focussed on post Examination implementation (see G6.6 Fish Habitat Enhancement: Seagrass Restoration Implementation Study and Fish Monitoring Survey Summary).		
States of Guernsey (Document reference: Appendix B of	LoC received.	Discussions ongoing.		Discussions ongoing	MoU agreed	Memorandum of Understanding complete and dated 10 th June 2022. Update		

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
B2.8.4 RP Volume B2 Annex 8.4 Compensation measures for FFC SPA Predator Eradication Roadmap).						within the Schedule of Side Agreements G6.18 Rev:1.		
States of Alderney (Document reference: Appendix A of B2.8.4 RP Volume B2 Annex 8.4 Compensation measures for FFC SPA Predator Eradication Roadmap).	Consultation response of support received.			No update	No update	Update regarding MoU in the Schedule of Side Agreements G6.18 Rev:1.		
Yorkshire Wildlife Trust (Document reference: Appendix B of	LoC received.	Discussions ongoing.		Discussions ongoing	Discussions ongoing	Regular engagement as implementation continues. No further update		

Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
B2.8.6 RP Volume B2 Annex 8.6 Compensation measures for FFC SPA Fish Habitat Enhancement Roadmap).						required within the Examination timeframe, discussions focussed on continued implementation (see G6.6 Fish Habitat Enhancement: Seagrass Restoration Implementation Study and Fish Monitoring Survey Summary).		
The Wildlife Trusts				LoC being progressed.	Letter of comfort submitted			
Perenco				Protective Provisions submitted within the draft DCO.	Cooperation agreements being progressed	2/3 agreements completed. 1/3 agreements agreed and waiting completion	1/3 agreements still waiting completion	3/3 agreements completed. Protective Provisions no longer required.
Bridge Petroleum					Protective Provisions	Update below at para. 7.2.1.1.	Applicant's preferred Protective	

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Party	LoC/PS summary and position at the point of application	LoC/PS summary and position at Deadline 1	LoC/PS summary and position at Deadline 3	LoC/PS summary and position at Deadline 4	LoC/PS summary and position at Deadline 5	LoC/PS summary and position at Deadline 6	LoC/PS summary and position at Deadline 7	LoC/PS summary and position at Deadline 8
					submitted within the draft DCO		Provisions in C1.1 draft DCO submitted at Deadline 7.	

2 Summary of Commonality of Each Topic Covered

2.1.1.1 This section provides a summary of the topics covered in each of the SoCGs and shows there is a commonality in the topics or matters being discussed with the stakeholders.

2.1.1.2 **Table 3** presents a summary of commonality at Deadline 7, on each topic discussed between the Applicant and stakeholder using the following colour code:

	Matter agreed
	Matter not agreed
	Some matters remain not agreed
	Topic not relevant to the stakeholder or deferred

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Table 3 Summary of Commonality with each stakeholder in relation to each topic covered at Deadline 8

Party	DCO/DML	Project Description	Policy and Planning	Marine Geology, Oceanology	Benthic and Intertidal Ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore and Intertidal Ornithology	Commercial Fisheries	Shipping and Navigation	Aviation and Radar	Marine Archaeology	Seascape, Landscape and Visual Resources	Infrastructure and Other Users	Compensation measures	Cumulative and Transboundary	Geology and Ground Conditions	Hydrology and Flood Risk	Ecology and Nature	Landscape and Visual	Historic Environments	Land Use and Agriculture	Traffic and Transport	Noise and Vibration	Air Quality	Socio- economics	Others Documents and Plans
East Riding of Yorkshire Council	Green	Green	Green	Green													Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
Environment Agency (EA)	Green		Green	Green					Green								Green	Green	Green								Green
Historic England	Green											Yellow									Yellow						
Holderness Fishing Industry Group (HFIG)	Green					Yellow			Green																		Green
Maritime and Coastguard Agency (MCA)	Green									Green					Green												
Marine Management Organisation (MMO)	Yellow			Yellow	Yellow	Yellow	Yellow																				Yellow
Ministry of Defence (MOD)	Green										Green																
Natural England: Derogation and Compensation Matters	Yellow														Yellow												
Natural England: Onshore	Green																	Green	Green			Yellow		Green		Green	

Hornsea 4



Party	DCO/DML	Project Description	Policy and Planning	Marine Geology, Oceanology	Benthic and Intertidal Ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore and Intertidal Ornithology	Commercial Fisheries	Shipping and Navigation	Aviation and Radar	Marine Archaeology	Seascape, Landscape and Visual Resources	Infrastructure and Other Users	Compensation measures	Cumulative and Transboundary	Geology and Ground Conditions	Hydrology and Flood Risk	Ecology and Nature	Landscape and Visual	Historic Environments	Land Use and Agriculture	Traffic and Transport	Noise and Vibration	Air Quality	Socio- economics	Others Documents and Plans
Natural England: Offshore and Intertidal Ornithology	Yellow			Yellow				Yellow																			Yellow
Natural England: Other Offshore Matters	Yellow			Yellow	Yellow	Yellow	Yellow						Green														Yellow
National Air Traffic Services and Ministry of Defence (NATS)	Green										Green																
National Highways																						Green					
National Federation of Fisherman's Organisations (NFFO)	Green					Yellow			Green																		Green
RSPB								Yellow							Yellow												Yellow
The Wildlife Trusts																											
Trinity House	Green														Green												
UK Chamber of Shipping										Yellow																	

3 Additional commentary – Deadline 1

3.1.1 Comment of the status of The Wildlife Trust (TWT) SoCG

3.1.1.1 The Applicant sent the draft SoCG to TWT on 16th February 2021. Following receipt of the draft SoCG, due to resourcing issues, TWT confirmed a preference to pursue a more strategic approach to address their overarching concerns. It is the Applicant's understanding that their overarching strategic concerns relate to underwater noise management, benthic ecology, mitigation, compensation and monitoring (though this understanding has not been confirmed by TWT). The Applicants position is that all strategic concerns are also Hornsea Four specific concerns. It is therefore the Applicant's intention to work with the wider Ørsted group and TWT to draft a SoCG from a strategic perspective utilising the attached draft SoCG template due to the clear overlap between strategic concerns and Hornsea Four concerns. An updated SoCG will hopefully be submitted into Deadline 3. This will allow the parties further time to collaborate. This statement has been agreed with TWT.

3.1.2 Comments of the status of Natural England and RSPB SoCG

3.1.2.1 The SoCG for RSPB and Natural England (relating to Other Offshore Matters, Derogation and Compensation and Offshore Ornithology) as submitted at Deadline 1 are drafts as provided to the stakeholders for review. Neither stakeholder has had the opportunity to provide comments ahead of Deadline 1. The Applicant is anticipating comments back from both stakeholder by either Deadline 2 or Deadline 3.

3.1.3 Comments of the status of Network Rail, Northern Gas, National Grid Electricity Transmissions PLC and National Grid Gas PLC Position Statements

3.1.3.1 The Position Statements between Hornsea Project Four and Network Rail, Northern Gas, National Grid Electricity Transmissions PLC and National Grid Gas PLC as submitted at Deadline 1, are drafts as provided to the stakeholders for review. The stakeholders have not had the opportunity to provide comments ahead of Deadline 1 but the Applicant is anticipating comments back from the stakeholders by Deadline 2.

4 Additional commentary – Deadline 3

4.1.1 Comment of the status of The Wildlife Trust (TWT) SoCG

4.1.1.1 The Applicant has agreed with The Wildlife Trusts to withdraw [G1.19 Statement of Common Ground between Hornsea Project Four and The Wildlife Trusts Revision: 01](#) as submitted into the Examination at Deadline 1 ([REP1-047](#)). This document will be superseded by the submission of a Letter of Comfort (LoC) between both parties targeted for submission at Deadline 5. The reason for this updated approach being that the matters on which both parties remain in

discussion are strategic in scope and therefore a LoC is considered to be more appropriate than a SoCG in order to capture the ongoing collaborative nature of the discussions at a portfolio level.

5 Additional commentary – Deadline 4

5.1.1 Comment of the status of The Wildlife Trust (TWT) SoCG

5.1.1.1 The status remains as above (see paragraph 4.1.1.1).

5.1.2 Comment on the status of Harbour Energy

5.1.2.1 The Applicant and Harbour Energy have reached agreement in principle and are in the process of agreeing the terms of a co-operation agreement to govern the interaction between the development of Hornsea Four and the decommissioning of the Johnston Subsea Gas Field infrastructure. The Applicant will update the Examiners at DL5 as to the progress of the co-operation agreement.

5.1.3 Comment on the status of Perenco UK Limited

5.1.3.1 The Applicant and Perenco UK Limited have reached agreement in principle relating to all matters save for the buffer distance required by Perenco for helicopter access. As the Examiners are aware the Applicant has proposed 2.7nm which has been included in the proposed draft Protective Provision submitted at DL4. This has not been agreed to by Perenco. The parties are in the process of agreeing the terms of a co-operation agreement relating to all other matters and if a helicopter buffer distance can be agreed then this will also be included in the co-operation agreement removing the need for Protective Provisions. The Applicant will update the Examiners at DL5 as to the progress of the co-operation agreement.

6 Additional commentary – Deadline 5

6.1.1 Comment of the status of The Wildlife Trust (TWT) SoCG

6.1.1.1 The Applicant has submitted [G5.12 Letter of Comfort between Hornsea Four and The Wildlife Trusts](#) into Examination.

6.2 Comments of the status of Historic England SoCG

6.2.1.1 The Applicant has continued to engage with Historic England, including two separate meetings since Deadline 4, to endeavour to make progress with Historic England on more agreements than presented in the SoCG version submitted at Deadline 4 ([REP4-023](#)). These discussions have been positive, and the Applicant is awaiting an updated draft SoCG from Historic England that has been approved for submission.

6.3 Comment on the status of Harbour Energy

6.3.1.1 The Applicant and Harbour Energy have reached agreement in principle and are in advanced negotiations on a co-operation agreement relating to the interaction between the development of Hornsea Four and the decommissioning of the Johnston Subsea Gas Field infrastructure. The Applicant and Harbour Energy acknowledge that the overlap of the Johnston field infrastructure and the Hornsea Four developable area requires the parties to find a way to coexist with respect to the Johnston field decommissioning. However, the parties remain committed to completing an

agreement prior to the end of the Examination to address any impact of potential proximate turbines on decommissioning activities.

6.4 Comment on the status of National Grid Viking Link Limited

6.4.1.1 National Grid Viking Link Limited (VKL) and the Applicant continue to positively engage and share information in order to agree a commercial position as soon as practicable. Both parties have agreed to weekly meetings demonstrating commitment to seeking commercial resolution. With this in mind, Viking Link and the Applicant wish to defer the response to Examiners Questions INF 2.4 in order to continue meaningful discussions with a view to submitting an updated commercial position at Deadline 5A. Please see below a summary of engagement both completed and planned following Deadline 4 and up to Deadline 5A.

- VKL provided risk profile technical details.
- Both parties met on 7th June to discuss technical details and to plan future engagement.
- VKL commit to review and, where possible, will provide additional details relating to cable burial risk assessment and navigational information by 21st June.
- Applicant to provide VKL comments to VKL's risk profile assessment in relation to Hornsea Four once VKL baseline cable risk assessment (in whole or in part) provided.
- Both parties to meet weekly leading up to Deadline 5A.

6.5 Comment on the status of Perenco UK Limited

6.5.1.1 Commercial agreements are progressing well with Perenco on all matters referred to in their Relevant representation ([RR-004](#)) including helicopter access. The Applicant is confident that the commercial agreements will be entered into prior to the end of the Examination. The intention is that the commercial agreements will supersede the Protective Provisions.

6.6 Comment on the status of NEO Energy

6.6.1.1 Discussions are ongoing with NEO regarding a commercial agreement. A draft commercial agreement has been shared with NEO and the Applicant hopes to further engage with NEO in order to dispense with the need for Protective Provisions. The Applicant submits that 2.7 nautical miles (nm) mitigates the impact on helicopter access to the Babbage platform to an acceptable level.

6.7 Comment of the status of The Ministry of Defence (MOD) SoCG

6.7.1.1 The Applicant has confirmed with the MOD that the requested update to commitment Co93 (aids to navigation) will be provided at a future deadline when [Volume A4, Annex 5.2: Commitments Register](#) is updated and resubmitted into Examination.

6.8 Comment on the status of Bridge Petroleum

6.8.1.1 The Applicant initially made significant progress with the commercial negotiations which led to the drafting of a detailed heads of terms between the parties. The progress however of finalising the heads of terms has stalled and the Applicant therefore has provided a set of protective provisions to provide protection to Bridge should the Kumatage development progress in line with the conditions of their licence.

6.9 Comment on the status of RSPB

6.9.1.1 The SoCG for RSPB (relating to Ornithology, Derogation and Compensation) as submitted at Deadline 1 has been reviewed by the Applicant and RSPB at a SoCG meeting on 15 June 2022, after RSPB review of the Deadline 1 submission. The SoCG discussions were positive, though a

number of areas remain to be resolved. The updated "track change" SoCG is now with RSPB for update. The Applicant is anticipating comments back from RSPB and submission at Deadline 7.

7 Additional Commentary – Deadline 6

7.1.1.1 The ExA is referred to the [Schedule of Side Agreements Ref: G6.18 Rev: 1](#) for updates regarding the status of the following: Perenco UK Limited, Harbour Energy and Neo Energy (SNS) Limited.

7.2 Comment on the status of Bridge Petroleum

7.2.1.1 The Applicant submitted a set of Protective Provisions at Deadline 5 due to a lack of progress relating to the detailed Heads of Terms. Bridge Petroleum responded at Deadline 5a objecting to the form of Protective Provisions and the ExA have requested Bridge to comment on the Protective Provisions at Deadline 6. The Applicant summarised their position at ISH7 and would reaffirm that Bridge's development is at this point aspirational. The Applicant has already gone some way to respect the area for Bridge's proposed development even when funding and approvals for that development are not yet in place and there is a lack of certainty as to whether the licence conditions can be discharged and the development will progress. Bridge has indicated in their response at Deadline 5A in relation to paragraph 4 of the Protective Provisions that it would like complete flexibility on when and how it brings forward its development and the Applicant will need to simply fit in. Its request for complete flexibility will result in a loss of turbines across more than one line of orientation which is unacceptable to the Applicant. Although the Applicant is willing to consider the comments from Bridge, if those Protective Provisions continue to seek complete flexibility an agreed position will not be reached before close of the Examination

7.3 Comments on the status of National Grid Viking Link Limited

7.3.1.1 National Grid Viking Link Limited submitted an email on 18th July 2022 (AS-047) withdrawing its objection. The Applicant confirmed at ISH9 that no further action is required.

7.4 Comments on the status of Historic England

7.4.1.1 The Applicant confirms the statement of common ground with HE is final but pending signatures. This will be completed and submitted to the ExA by Deadline 7.

7.5 Comments on the status of National Air Traffic Services

7.5.1.1 The Applicant confirms the statement of common ground with NATS is final and signed.

7.6 Comments on the status of UK Chamber of Shipping

7.6.1.1 The Applicant confirms the statement of common ground with the UK Chamber of Shipping is final but pending signatures. This will be completed and submitted to the ExA by Deadline 7.

8 Additional Commentary – Deadline 7

8.1 Comment on the status of RSPB

8.1.1.1 The Applicant met with the RSPB on 3 June 2022 to clarify final positions in the SoCG. The Applicant is currently awaiting a final version and updates from the RSPB. This is set to be submitted for Deadline 8.

8.2 Comments on the status of UK Chamber of Shipping

8.2.1.1 The Applicant confirms the statement of common ground with the UK Chamber of Shipping is final and signed.

8.3 Comments on the status of Historic England

8.3.1.1 The Applicant confirms the statement of common ground with Historic England is final and signed.

8.4 Comments on the status of Marine Management Organisation

8.4.1.1 The Applicant met with the MMO on 8 August 2022 to clarify final positions in the SoCG. The MMO will review the Applicant's updated documents submitted at Deadline 7 and will provide a final decision on whether these satisfy the MMO's outstanding concerns with a signed statement of common ground at Deadline 8.

8.5 Comments on the status of Natural England

8.5.1.1 The Applicant confirms the statement of common ground with Natural England is final and signed.

9 Additional Commentary – Deadline 8

9.1 Comments on the status of RSPB

9.2 The Applicant confirms the statement of common ground with the RSPB is final and signed.

9.3 Comments on the status of Marine Management Organisation

9.3.1.1 The Applicant confirms the statement of common ground with the MMO is final and signed.

10 Protective Provisions

10.1 Comment on the Protective Provisions

Table 4: Protective Provisions

Protective Provisions	Position at Deadline 7
Schedule 9, Part 1: Electricity, Gas, Water and Sewerage Undertakers	The Applicant has included Protective Provisions in Part 1 of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 for the benefit of water and sewerage undertakers and these have been accepted by all relevant electricity, gas, water and sewerage undertakers including Northern Gas Networks Ltd, UK Power Distribution Ltd and Yorkshire Water Services Ltd.
Schedule 9, Part 2: Electronic Communications Code Networks	The Applicant has included Protective Provisions in Part 2 of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 for the benefit of electronic communications code networks and these have been accepted by all relevant parties including British Telecommunications PLC, Cornerstone Telecommunications Infrastructure Limited, KCOM Group Limited and Vodafone Limited.
Schedule 9, Part 3: National Grid as Electricity and Gas Undertaker	The Protective Provisions included in Part 3A of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and National Grid Electricity Transmission plc (NGET). The Protective Provisions included in Part 3B of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and National Grid Gas plc.
Schedule 9, Part 4: Network Rail Infrastructure Limited	The Protective Provisions included in Part 4 of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and Network Rail Infrastructure Ltd.

Schedule 9, Part 5: the Environment Agency	The Protective Provisions included in Part 5 of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and the Environment Agency.
Schedule 9, Part 6: Drainage Authorities	The Applicant has included Protective Provisions in Part 6 of Schedule 9 of C1.1 draft DCO submitted at Deadline 7 for the benefit of drainage authorities and these have been accepted by relevant parties including The Beverley and Holderness Internal Drainage Board.
Schedule 9, Part 7: Doggerbank Offshore Wind Farm Project 1 Projco Limited and Doggerbank Offshore Wind Farm Project 2 Projco Limited	The Protective Provisions included in Part 7 of Schedule 9 to C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and Doggerbank.
Schedule 9, Part 8: Carbon Storage Licenses	The Applicant's preferred Protective Provisions are included in C1.1 draft DCO at deadline 7. Discussions remain ongoing with bp. For additional details, see G7.8 bp Closing Remarks .
Schedule 9, Part 9: NEO Energy (SNS) Limited	The Applicant's preferred Protective Provisions are included in C1.1 draft DCO at deadline 7. For additional details see G7.2 Applicant's comments on other submissions received at Deadline 6 and G8.5 Applicant's comments on NEO's Deadline 7 submission .
Schedule 9, Part 10: Perenco UK Limited	The Applicant's preferred Protective Provisions were included in C1.1 draft DCO at deadline 7. The final agreement between the parties, relating to helicopter access, has now been signed. As set out in G8.10 Update Joint Notification Letter between Perenco and Hornsea Project Four , the parties jointly request that the Examining Authority remove the remaining Protective Provisions in the DCO.
Schedule 9, Part 11: Northern Powergrid (Yorkshire) PLC	The Protective Provisions included in Part 11 of Schedule 9 to C1.1 draft DCO submitted at Deadline 7 are agreed between the Applicant and Northern Powergrid (Yorkshire) PLC.
Schedule 9, Part 12: Bridge Petroleum 2 Limited	<p>The Applicant's preferred Protective Provisions are included in C1.1 draft DCO at deadline 7.</p> <p>The Applicant has amended the protective provisions to extend the timeframe for Bridge to obtain their consents from 3 months to 4 months; included additional exchange of information provisions before and during operation and strengthened the commitment not to hinder Bridge's activities within the protected area. Notwithstanding these concessions the parties have not been able to agree a set of protective provisions. The Applicant cannot allow additional time for Bridge to obtain their consents as the reasonable timescale offered aligns with the Applicant's need to finalise the windfarm layout to allow Hornsea Four to move forward in a timely manner with a CfD application and towards operation.</p> <p>In the Applicant's opinion, the proposed development remains highly aspirational, with neither funding, nor approvals in place. It is not proportionate for the Applicant to sterilise a larger area with the corresponding loss of turbine positions simply because Bridge don't yet know where they might wish to place their infrastructure, especially as there is a real lack of certainty that the licence conditions will be met to allow the proposed development to progress.</p>
Schedule 9, Part 13: Harbour Energy	Further to the submission by Harbour Energy and the Applicant of their respective preferred protective provisions at Deadline 6 (REP6-040 and REP6-049) the parties have continued discussions relating to both the protective provisions and the draft coexistence agreement. As explained at Deadline 6, the hope was that the parties could reach agreement to allow the ExA to dispense with the need to include a set of protective provisions in the recommended DCO.

	<p>Despite the best efforts of the parties, the coexistence agreement will not be finalised before the end of the Examination. The parties have therefore included at Deadline 7: in the case of Harbour Energy some brief comments on the Deadline 6 submissions; and, in the case of the Applicant, their preferred Protective Provisions as amended since Deadline 6 together with an explanation for the amendments.</p> <p>For additional details, see G7.10 Applicant's comments on Harbour Energy's Deadline 6 submissions and G8.6 Applicant's comments on Harbour Energy's Deadline 7 submission.</p> <p>For the avoidance of doubt, the protective provisions are for the benefit of Harbour Energy Limited, Perenco UK Limited, Premier Oil E&P UK EU Limited, Dana Petroleum (E&P) Limited and Dana Petroleum Limited as licence holders of United Kingdom Petroleum Production Licences P686 and P380.</p>
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