

From: [REDACTED]
To: [REDACTED] ff@beis.gov.uk; [Hornsea Project Four](#)
Subject: Hornsea Project Four Development Consent Order
Date: 21 June 2023 18:35:26

Dear Mr Wagstaff,

Pinsent Masons LLP acts for the applicant in relation to the DCO application for the Hornsea Project Four Offshore Wind Farm (the "Hornsea Four DCO").

We write further to the joint submission from the applicant and bp confirming that a commercial agreement has been reached and that there are no requirements under the Hornsea Four DCO for protective provisions for bp or any other party involved in the NEP Project as a result. In the same letter, bp confirmed it has no remaining objection to the Hornsea Four DCO application and withdraws all prior representations.

The mechanism, and protection for both parties, in this regard, previously requested through various iterations of protective provisions submitted to the examination and subsequently to the Secretary of State, are now included in the commercial agreement. Hence there is no longer a requirement for protective provisions in the Hornsea Four DCO.

The applicant can provide the Secretary of State with reassurance that the existence of the commercial agreement does not alter the submissions made on 31 March 2023 (Totality of impact of Protective Provisions on Hornsea Project Four. G11.4) or the impacts outlined in the various scenarios and no further modelling is required. Further, the existence of the commercial agreement also does not alter the environmental impact and habitats regulatory assessments submitted into the examination, which assessed the impacts both including and excluding the bp protective provisions area. Therefore, the Secretary of State has all of the information necessary to determine the Hornsea Four DCO application on the basis of the order limits sought by the applicant.

If the Hornsea Four DCO is granted, the applicant will move to the detailed design stage and work up an indicative layout prior to the end of 2024 (as submitted into the Examination). This will be submitted for approval by the MMO in consultation with relevant consultees. As an aside the applicant notes and supports Natural England's submission that the final indicative layout can also inform the scale of any compensation required, with the applicant remaining confident in the without prejudice auk compensation case advanced through examination.

We hope the above provides reassurance that the parties have dealt with the overlap consistently with the information before the Secretary of State and we look forward to receiving the decision on or before 12 July 2023.

Yours sincerely,

Gareth Phillips
Partner
Pinsent Masons LLP
[REDACTED]

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