



## Meeting note

<b>Project name</b>	Hornsea Project Four Offshore Wind Farm (Generating Stations)
<b>File reference</b>	EN010098
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	15 July 2021
<b>Meeting with</b>	Ørsted Hornsea Project Four Limited
<b>Venue</b>	Microsoft Teams Meeting
<b>Meeting objectives</b>	Project Update
<b>Circulation</b>	All Attendees

### **Summary of key points discussed and advice given:**

#### ***Introduction***

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. The Inspectorate introduced changes to the case team.

#### ***Status regarding previous meeting minutes***

The Applicant advised there were no outstanding actions from the previous meeting minutes.

#### ***Hornsea Project Four Update***

The Applicant was working towards a submission of the application in September 2021. Comments on the ornithology sections of the Report to Inform Appropriate Assessment (RIAA) were received from Natural England (NE) in advance of a compensation workshop on 3 August 2021. Evidence reports were being prepared ahead of this. An Adverse Effects on Integrity (AEOI) note for the gannet species had been issued. Updated data had been received from Hornsea 3 (H3) and the Environmental Statement (ES) chapter on the RIAA was updated internally with post development data.

The targeted consultation for onshore changes was due to conclude on 30 July 2021. Parish council briefings were completed in June 2021. The draft Development Consent

Order (DCO) was undergoing its second review by both NE and the Marine Management Organisation (MMO). It was nearing completion with the inclusion of the developable area three. The Inspectorate advised levels of satisfaction on DCO wording could be included in the Statements of Common Ground (SoCG).

The Applicant was preparing a non-statutory, targeted consultation on proposed compensation measures prior to submission of the application. A number of Compensation Workshops had been held in advance of the consultation, providing ecological evidence to support the compensation measures for kittiwake, guillemot, razorbill and gannet. Options being considered were offshore nesting, bycatch measures, fish habitat management (seagrass), onshore nesting and predator eradication. NE, and all other attendees at the Compensation Workshops attendees' views were being sought. Consultation would include potential impacts from implementation of any of the proposed measures and the locations specified.

Consultation options covered a wide geographical spread and were selected for the ability to compensate for the species being considered. Consultation materials included mapping of locations, options and species, along with area specific project descriptions. The Applicant's consultation strategy was to identify onshore stakeholders to the parish council level, if time permitted, and offshore statutory consultees at a regional level. This would be referenced in the consultation report. An Environmental Impact Assessment (EIA) annex and an appendix to the RIAA would be produced on the basis of consultation responses and form part of the DCO Application. The Inspectorate queried whether NE or MMO had provided comments on the locations and whether the range of options would be reduced following consultation responses. Ecological evidence had been supplied to support the proposed measures but no consultation on the delivery locations specifically had been concluded. Some areas for Seagrass and fish habitat enhancement had been discussed but there were additional new areas for consideration. The material had been discussed at Evidence Plan meetings.

The Applicant was aiming for a suite of compensation measures for the Auk species, maximising predator eradication alongside by catch and fish management, where applicable. The Inspectorate advised to investigate a range of compensation measures. There was some commercial sensitivity with onshore and offshore nesting in terms of opportunities to repurpose existing structures due for decommissioning. Discussions were ongoing and the Applicant queried the information required at acceptance regarding this. The Inspectorate advised it was preferable to close out any gaps during pre-application but acknowledged this was not always possible. At acceptance a pragmatic approach would be taken, and it would look for evidence of a mechanism and framework in place for engaging with necessary parties and delivery of compensation. Criteria for compensation measures (including location and funding) should be addressed in the application. It acknowledged the challenges in quantifying levels of compensation in cases where there was no initial agreement on AEOI. It would look for a pathway to facilitate ongoing discussions and evidence of how the success of compensation measures would be monitored. Although the project has concluded no AEOI, should compensation need to be delivered, the use of a ratio to identify numbers might require multiple sites. Therefore, a precautionary approach to compensation plans was being taken. A without prejudice case was being prepared to cover the multiplier effect and data provided by NE.

The Inspectorate queried the extent that strategic evidence in the public domain relating to in-combination effects on species could be considered. The Applicant

confirmed engagement was progressing with other developers for a number of species. The preferred measure of prey availability was challenging for the industry to deliver. This would require a government steer.

Submission was planned for September 2021 but this could be delayed until October 2021 depending on the outcome of the compensation measures consultation. Following the meeting the Applicant confirmed submission had been extended to 30 September 2021 to accommodate non-statutory pre-application consultation on proposals for compensation measures.

SoCG were expected to be completed with the main stakeholders prior to submission but additional SoCG's could be still under development.

### ***Derogation Case preparation***

The ES had been prepared in early 2021 and had since undergone minor updates. The Applicant was concentrating on the without prejudice derogation case preparation. The reviewed first draft was being updated. Consideration of alternatives, site selection and appropriate assessment numbers on the developable area were being updated.

For acceptance the Applicant was seeking agreement with Statutory Nature Conservation Bodies (SNCB) on the efficacy of proposed measures to compensate for features of Flamborough and Filey (FFC) Coast Special Protection Area (SPA). It was also seeking to develop a SoCG, or similar, with NE on derogation/compensation matters. It intended to set out a road map as to when and how gaps would be filled, covering timescales, monitoring, design, construction, delivery mechanism and legislative issues. PINs confirmed that they were broadly agreeable to the proposed deliverables and could not identify any additional deliverables. All areas had been discussed with NE who were broadly aligned with the approach. It would set the framework for common ground on derogation matters. Points linked to the draft DCO would fall under the delivery mechanism. Draft wording would be provided within the DCO. The Inspectorate acknowledged this would provide confidence that the project was capable of being examined within the statutory timeframe. The Inspectorate advised it would be useful to provide a Statement of Commonality for SoCG, summarising positions of bodies with collective issues. The Applicant was signposted to an example used in the Richborough Connection Project, on the Inspectorate's website under example documents.

### ***Net Zero Teesside (NZN) and Endurance***

The Applicant highlighted industry concerns about co-location and co-existence of offshore developments including offshore wind (OSW) and carbon capture storage (CCS). An OSW and CCS co-location forum had been initiated to identify challenges, opportunities and solutions. The Applicant was promoting opportunities to co-exist with endurance.

The Applicant sought to understand the reasons for the NZN withdrawal. The Inspectorate signposted to the published s51 advice on the NZN project page, which should provide the information the Applicant was seeking. The Inspectorate commented that the reasons for the withdrawal of the NZN application had limited implications for the H4 project as the NZN application did not include offshore infrastructure related to the Endurance Reservoir.

The Applicant had asked BP about the consideration of OSW for the Endurance Acquirer, taking into account the Northern Endurance Partnership. The Scoping Report for NZT acknowledged the separate consents for schemes, but also that the ES should provide a description of offshore elements and interactions. This would help to understand the entire project and its cumulative effects. A clearer policy statement was being sought through the National Policy Statement (NPS) review. A level of certainty in relation to the Endurance Reserve would be considered during Examination to ensure any projects did not become stranded assets. The Applicant queried the approach for assessing cumulative impacts and whether NZT would consider the impact of its offshore infrastructure on other projects. The Inspectorate advised if the application is for onshore infrastructure there would be restrictions to the scope of the Examining Authority (ExA) to review offshore cumulative impacts. However, the ExA would look at the justifications for project and its deliverability, particularly regarding the use of compulsory purchase orders/compulsory acquisition.

The Applicant was seeking clarification from BP about considerations of alternatives to help assess the level of impact. The Inspectorate advised that concerns could be outlined in relevant representations submitted for the NZT application. It also advised cumulative impact would be considered during examination. Further information on the Endurance Reserve was expected following completion of the cluster bidding process, and information was being sought from members of the Endurance Partnership on its role. For the purpose of submission, the Applicant should evidence attempts at dialogue, and consider some form of position statement or SoCG (even if limited common ground reached) to inform the ExA of the current position.

### ***Update from PINs***

In light of government announcements, the exploration of in-person or blended events from mid- September 2021 onwards would be considered on a case by case basis. The Inspectorate signposted to the Bristol Airport expansion inquiry, which would be live streamed to YouTube. The Inspectorate requested an update at the next meeting regarding potential venues for in person events. The selection would need to consider public transport, facilities, accommodation, IT and accessibility.

### ***AOB***

The Applicant queried the Norfolk Vanguard decision implications and the potential impact on its priority for compensation. The Inspectorate advised it did not have a view and it was for the Secretary of State to make the decision. The delayed decision period for other cases had been raised at a recent conference and evidenced the impact of not closing issues during Examination. Project Speed was part of the government incentive to speed up the consenting process. The Inspectorate advised it was helpful to carry out and consult on changes at pre-application stage, especially in cases where additional land triggered the compulsory acquisition regulations.

Discussions were ongoing with Viking Link regarding impacts outside order limits. An update would be provided at the next meeting. The Inspectorate called for a strategic approach for all sectors using the same space.

### ***Next meeting***

The next meeting would be arranged for mid-August, in advance of submission.