



HEARING AGENDA

Application by Equinor New Energy Limited for an Order Granting Development Consent for the Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project

Issue Specific Hearing 6	Strategic Matters
Date	Friday 31 March 2023
	Hearing Start Time: 10:00 am
Timings	Arrangements Conference for virtual attendance online: 09:00 am Seating for in-person Hearing available at the venue from: 09:00 am
Location	Fishmongers Recital Hall, Gresham School, Cromer Road, Holt NR25 6EA Microsoft Teams for virtual attendance online

REQUESTED ATTENDEES

1. Applicant
2. Natural England
3. Marine Management Organisation
4. Perenco UK
5. Maritime and Coastguard Agency
6. Corporation of Trinity House
7. UK Chamber of Shipping
8. Defence Infrastructure Organisation Safeguarding Team/The Ministry of Defence
9. National Air Traffic Services
10. Eastern Inshore Fisheries and Conservation Authority

In addition, the Examining Authority welcomes involvement from all parties at Issue Specific Hearing 6. You were required to confirm attendance at Issue Specific Hearing 4 by Deadline 1, Monday 20 February 2023.

PURPOSE OF ISSUE SPECIFIC HEARING 6

The main purpose of the Issue Specific Hearing 6 is to clarify and get views on strategic onshore matters relating to:

1. Benthic Ecology;
2. Shipping and Navigation;
3. Helicopter Access to Offshore Platforms;



4. Civilian and Military Aviation – Radar impacts;
5. Commercial Fishing; and
6. Draft Development Consent Order.

DOCUMENTS

The Examining Authority referred to several documents in the preparation of this agenda, and some of the documents that we will be referring to during the Hearing are listed here. These documents can be located using the Examination Library reference number in [] square brackets:

1. Draft Development Consent Order (Revision D) [REP2-008]
2. Environmental Statement Chapter 6 Marine Geology, Oceanography and Physical Processes [APP-092]
3. Environmental Statement Chapter 7 Marine Water and Sediment Quality [APP-093]
4. Environmental Statement Chapter 8 Benthic Ecology [APP-094]
5. Environmental Statement Chapter 12 Commercial Fisheries [APP-098]
6. Environmental Statement Chapter 13 Shipping and Navigation [APP-099]
7. Environmental Statement Chapter 15 - Aviation and Radar [APP-101]
8. Environmental Statement Chapter 16 Petroleum Industry and Other Marine Users [APP-102]
9. Outline Offshore Operations and Maintenance Plan (Revision B) [REP1-018]
10. Outline Fisheries Liaison and Co-existence Plan [APP-295]
11. Helicopter Access Study [APP-205]
12. Navigation Risk Assessment [APP-198]
13. Schedule of Mitigation and Mitigation Routemap [APP-282]
14. Offshore In Principle Monitoring Plan (IPMP) [APP-289]
15. Outline Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) Cable Specification, Installation and Monitoring Plan (CSIMP) [APP-291]
16. Applicant's comments to relevant representations [REP1-034], [REP1-035] and [REP2-017]
17. Assessment of Potential Impacts on Cromer Shoal Chalk Beds Marine Conservation Zone Features from Planting of Native Oyster Beds (Revision B) [REP1-010]
18. In-Principle Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) Measures of Equivalent Environmental Benefit (MEEB) Plan (Revision C) [REP2-020]
19. Marine Processes Technical Note [REP1-059]
20. Marine Plan Policy Review [REP1-060]
21. Disposal Site Characterisation Report (Revision B) [REP1-019]
22. Draft Statement of Common Ground with the MMO [REP1-044]
23. Draft Statement of Common Ground with the Maritime and Coastguard Agency [REP1-045]
24. Draft Statement of Common Ground with Trinity House [REP1-049]
25. Draft Statement of Common Ground with Natural England (Offshore) [REP2-044]
26. Draft Statement of Common Ground with UK Chamber of Shipping [REP2-047]



27. Eastern Inshore Fisheries and Conservation Authority [REP1-107, REP1-108 and REP1-109]
28. Marine Management Organisation Deadline 1 submission [REP1-116]
29. Marine Management Organisation Deadline 2 response [REP2-59]
30. Maritime and Coastguard Agency Deadline 1 Submissions [REP1-117] and [REP1-118]
31. Ministry of Defence – Updated Position- Deadline 1 [REP1-121]
32. Perenco UK Limited – Deadline 1 submissions [REP1-157 and REP1-158]
33. Trinity House – Deadline 1 submission [REP1-163]
34. Natural England’s Deadline 1 and 2 Submissions [REP1-136] and [REP2-060]
35. Natural England’s Advice on [REP1-059] Marine Processes Technical Note [REP2-062]
36. Natural England's Risk and Issues Log - Deadline 2 Submission [REP2-064]
37. Natural England’s Further Response and Comments on *Responses by the Applicant [REP1-036]* to the Examining Authority’s First Written Questions [REP2-065]
38. A plan/annotated map to illustrate the points made by the Marine and Coastguard Agency, as described in their Deadline 1 submission [REP1-117] under the section headed ‘*Navigable sea room and collision risk*’, is requested by the ExA. This should include both the limits on navigable sea room that exist and the resultant sea room if the proposed development is implemented in full.

HEARING FORMAT

The Hearing will be a blended event, whereby the principal means of conducting the Hearing will be face-to-face within the venue cited above. Participants may join online if they wish using the Microsoft Teams platform and, if you have registered to join using this format, the joining link for the virtual Issue Specific Hearing will be sent to parties the day before, or on the day of, each session. Observers may attend in person or can watch remotely via the livestream of the event, the link for which will be published on the project page of the National Infrastructure website on the day of the Hearing. The Examining Authority will not accept representations at the Hearing in the form of video or audio recordings.

The virtual event will be open 60 minutes prior to the start of the Hearing to enable a prompt start. Hearings will finish as soon as the Examining Authority 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 Examining Authority 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.



AGENDA

The Hearing will start promptly at the indicated time of 10:00 am. All other times in the Agenda are indicative. The Examining Authority will close the Hearing at 05:30 pm, or sooner if all relevant matters have been covered.

09:00 am Arrangements Conference for virtual attendance

1. Registration by the Case Team

09:00 am Seating available for in-person attendance

2. Registration by the Case Team

10:00 am Issue Specific Hearing 6 (session 1)

- 1. Welcome by Lead Member of the Examining Authority**
- 2. Procedure for running the Issue Specific Hearing**
- 3. Benthic Ecology**
 - i. Provide a detailed assessment (or explain why it cannot be provided) of the extent of necessary cable protection needed within the Marine Conservation Zone, designation at the Cromer Shoal Chalk Beds, for this examination, for a more accurate worst-case scenario regarding adverse impacts to the Marine Conservation Zone.
 - ii. Whether the potentially harmful effects of removing cable protection within the Marine Conservation Zone in the decommissioning stage, if it has been in situ for a long period of time, outweighs the benefits of it remaining.
 - iii. Whether the proposed cables and possible cable protection would impact or counter the conservation objectives of the fishing Bylaws (including Closed Area Bylaw 2021) which cover the Marine Conservation Zone.
 - iv. Due to their potential adverse impact with the seabed and therefore benthic ecology, whether the use of Jack-Up vessels could be avoided within the Marine Conservation Zone and what alternatives exist.
 - v. Natural England consider sub-cropping chalk (chalk covered with a veneer of sediment) to also comprise the subtidal chalk feature [REP2-065]. If this is the case, what are the implications of this



on the assessment of potential impacts to the Marine Conservation Zone?

- vi. Natural England [REP2-064, Point 31] state in reference to the Marine Conservation Zone that "*Should cable protection be placed in the mixed sediment within the cable corridor, then the conservation objectives to restore/maintain features will not be achieved*". Could cable protection in mixed sediment areas of the Marine Conservation Zone be avoided or can the impacts be suitably and sufficiently mitigated.
- vii. What would be the benthic ecology impacts with the provision of a large oyster bed (as is the preferred option of the Applicant put forward for the Measures of Equivalent Environmental Benefit), as it would cover a significant seabed habitat area. This includes the need for any cultch for the oyster bed and what impacts this could have on existing benthic ecology.
- viii. Evidence to demonstrate the effects of the potential oyster bed in terms of impacts to fish species in the area, such as resultant changes in species or numbers/stocks.
- ix. The chances of success for the oyster bed as a 'Measure of Equivalent Environmental Benefit' and how this would be quantified and assessed; also, whether the oyster bed would be developed and cultivated in sufficient time to suitably offset any adverse impacts to the Marine Conservation Zone.

11:30 am **Break**

11:45 am **Issue Specific Hearing 6** (session 2)

4. Shipping and Navigation

- i. Applicant and the Marine and Coastguard Agency is requested to provide a plan/annotated map at the Hearing to illustrate the points made by the Marine and Coastguard Agency [REP1-117] under the section headed '*Navigable Sea room and collision risk*'. This should include both the limits on navigable sea room that exist and the resultant sea room if the proposed development is implemented in full.
- ii. Whether the proposed wind farm extensions would allow for sufficient sea room to ensure reasonable levels of safety for ships traversing this sea area. This includes a discussion relating to the remaining sea room for vessels east of the Triton Knoll wind farm area.
- iii. The Maritime and Coastguard Agency [REP1-117] state that the Applicant's collision risk assessment for two third-party vessels is unrealistic in an already high-risk area. Therefore, has there been sufficient and accurate consideration as to the safety of third-



party vessels? Could more be done to mitigate against this type of collision risk?

- iv. Whether there would be sufficient space for a 'non-production installation' to be installed with decommissioning of the Waveney platform.

5. Helicopter Access to Offshore Platforms

- i. Whether the 1 nautical mile obstruction free area around the Waveney platform installation is reasonably sufficient to allow for helicopter access for the continued operations and future decommissioning of this platform.

01:15 pm **Lunch Break**

02:15 pm **Issue Specific Hearing 6** (session 3)

6. Civilian and Military Aviation – Radar impacts

- i. A discussion as to the progress being made with regards to any mitigation required for civil aviation safety purposes, such as the use of radar.
- ii. Whether there is mitigation being considered and the extent of any progress within this regarding the Ministry of Defence radar installations at RRH Neatishead and RRH Trimingham

7. Commercial Fishing

- i. NPS EN3 states that export cables which should be buried at a sufficient depth, amongst other forms of mitigation against the potential impact of electro-magnetic fields on fish. However, whilst some mitigation is proposed, there may be surface laid export cable within the Cromer Shoal Marine Conservation Zone for example. Given the NPS contents on this matter, is there still a concern that electro-magnetic fields could have significant impact to fish species?
- ii. An update as to discussions within the fishing industry as to potential compensation to mitigate against fishing restrictions, particularly for the potting fleets.

03:45 pm **Break**

04:00 pm **Issue Specific Hearing 6** (session 4)

8. Draft Development Consent Order

- i. Regarding the comments from the Marine Management Organisation for Deadline 2 [REP2-059], whether Part 2, Article 5 of the draft Development Consent Order (Benefit of Order) allows for the transfer or temporary lease of the benefits of the draft Marine Licences in a way which would be a significant departure



from the current statutory framework set out by Marine and Coastal Access Act 2009? Also, whether there would be sufficient involvement in such circumstances by the Marine Management Organisation in considering a proposed transfer or lease of development order benefits?

9. Procedural decisions, review of actions and next steps

10. Closing remarks

05:30 pm

Close of Issue Specific Hearing 6