

Orsted Hornsea Project Four
Limited
5 Howick Place
London
SW1P 1WG

17 July 2023

Sheringham and Dudgeon Extension Projects

Orsted Hornsea Project Four Limited

Written Representation:

As set out in REP1-155, Orsted Hornsea Project Four Limited (“**Orsted Hornsea Four**”) holds an Agreement for Lease from the Crown Estate Commissioners in respect of the proposed Hornsea Project Four Offshore Wind Farm (“**Hornsea Four**”).

Following Orsted Hornsea Four's submission at Deadline 7 (REP7-117), the Hornsea Four Offshore Wind Farm Order 2023 was made by the Secretary of State for Energy Security and Net Zero on 12th July 2023.

There is the potential for the projects to interface offshore and Orsted Hornsea Four has been working with the Applicant on a cooperation agreement to ensure both projects can coexist. Further details are set out in the Joint Statement submitted at Deadline 8.

As agreement has not yet been reached, Orsted Hornsea Four has attached its preferred drafting for protective provisions for the benefit of Orsted Hornsea Four to be included in the DCO.

Orsted Hornsea Four considers that its preferred drafting is reasonable, proportionate and necessary to ensure that Hornsea Four can be delivered without impediment and to ensure that there will be no serious detriment to Orsted Hornsea Four's undertaking as a licence holder under the Electricity Act 1989.

PART 16

For the protection of Orsted Hornsea Project Four Limited

1. The provisions of this Part apply for the protection of Orsted unless otherwise agreed in writing between the undertaker and Orsted.

2. In this Part—

“Hornsea Four authorised project” means the authorised project as defined in the Hornsea Four Order;

“Hornsea Four Order” means the Hornsea Four Offshore Wind Farm Order 2023 (as may be amended);

“Orsted” means an undertaker with the benefit of all or part of the Hornsea Four Order for the time being;

3. The undertaker and Orsted must each act in good faith and use reasonable endeavours to co-operate with, and provide assistance to, each other as may be required to give effect to the provisions of this Part.

4. Any dispute arising between the undertaker and Orsted under this Part must unless otherwise agreed in writing between the undertaker and Orsted be determined by arbitration under article 43 (arbitration).

5. Each notice and all other information required to be sent to Orsted under the terms of this Part must be sent to Orsted at its registered office and marked for the attention of the Hornsea Four Project Manager.

6. Where any offshore works or surveys relating to the authorised project are undertaken concurrently with any offshore works or surveys relating to the Hornsea Four authorised project the undertaker must consult with Orsted and take into account any reasonable representations made by Orsted prior to submitting its marine mammal mitigation protocol to the MMO pursuant to paragraph 13(1)(h) of Part 2 of Schedule 10 and/or paragraph 13(1)(h) of Part 2 of Schedule 11 to this Order and/or paragraph

12(1)(i) of Part 2 of Schedule 12 and/or paragraph 12(1)(i) of Part 2 of Schedule 13 in order to ensure that there is no conflict with or adverse impact on any mitigation and/or compensation measures relating to the Hornsea Four authorised project.