

PLANNING ACT 2008

DEVELOPMENT CONSENT ORDER – AWEL Y MOR OFFSHORE WINDFARM

ISSUE SPECIFIC HEARING 1

WRITTEN SUMMARY OF ORAL SUBMISSIONS ON BEHALF OF NORTH HOYLE WIND FARM LIMITED (“NHWFL”)

Agenda Item	Issue	
3.	Update on progress regarding protective provisions between the Applicant and NHWFL	<p>The Applicant acknowledged that, as the export cable for proposed development required to cross the existing export cable for North Hoyle Wind Farm, it was necessary to enter into a cable crossing agreement with NHWFL to regulate the installation. The Applicant has supplied a draft agreement and this is under discussion between the parties.</p> <p>It is noted that the Applicant has sought to make a distinction between matters which require protective provisions to be included in the Order and other matters where a crossing agreement is required. NHWFL does not accept this distinction. They are both examples of where the potential negative impacts of the proposed development on existing apparatus require to be addressed by a legal mechanism to protect the position of the existing undertaker. It may be that the most appropriate mechanism to deal with the potential impact on NHWFL is through a cable crossing agreement. However, if such an agreement cannot be concluded by the end of the examination then it may be necessary for the obligations to be recast in the form of protective provisions.</p>