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To the applicant only

Our Ref: EN010119
Date: 7 January 2025

Dear Mr Harper

Planning Act 2008-Section 89(3)

Application by North Falls Offshore Wind Farm Limited for an order granting development consent for the North Falls Offshore Wind Farm project (EN010119)

Procedural Decision made by the Examining Authority (ExA) following the submission of the Applicant's draft Land Rights Tracker

We write following the Applicant's submission of the draft Land Rights (LR) tracker on 16 December 2024, pursuant to the Examining Authority's (ExA) fifth Procedural Decision included in [PD-005] dated 28th November 2024. The ExA has reviewed the draft LR tracker and has made the further Procedural Decision that the Applicant should provide clarifications and make the following modifications to the tracker: -

1. The ExA notes that the Applicant states that until detailed design has been undertaken, it is not able to confirm the detail of the duration of the requirement for temporary rights. Nevertheless, the ExA considers that it is appropriate for the Applicant to include worst-case estimates for the duration of the temporary possession and rights within the LR tracker. The Applicant should therefore populate the tracker on that basis.
2. In [PD-005] the ExA requested that the, "... reason for Acquisition or Temporary Use including the identification of the relevant Work Number(s) together with a summary descriptor for the proposed acquisition of a freehold or the acquisition for a right(s)" be included in the LR tracker. The Applicant should ensure that all the requested information, including the Work Number, is set out in section D of the LR tracker.
3. In the draft LR tracker, there is a column headed "Menu of Rights category". This is not explained in the Applicant's commentary, and it is unclear as to what this refers. For the avoidance of doubt, please explain what is proposed to be included in this column and confirm that it will identify whether the relevant powers sought relate to permanent or temporary rights.

4. The ExA agrees with the Applicant that the submission of the LR tracker will provide us with the required information and will supersede the Schedule of Negotiations [APP-010] and the Statutory Undertaker's Schedule [APP-011]. The ExA therefore confirms that [APP-010] and [APP-011] need not be resubmitted during the Examination.

The Applicant should now proceed to submit the initial completed LR tracker by no later than Deadline 1 (18 February 2025), pursuant to the fifth Procedural Decision included in [PD-005].

Yours faithfully

Wendy McKay

Wendy McKay
Lead Member of the Panel of Examining Inspectors

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