



**Application by GT R4 Limited (trading as Outer Dowsing Offshore Wind for the Outer Dowsing Offshore Wind project)
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 6 November 2024**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the Examination Timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 4 September 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with Q1 (indicating that it is from ExQ1) and then has an issue short code and a question number. For example, the first question on general and cross topic questions is identified as Q1 GC.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact outerdowsingoffshorewind@planninginspectorate.gov.uk and include 'Outer Dowsing Offshore Wind' in the subject line of your email.

The ExA is aware that there have been a number of documents submitted, by both the Applicant and Interested Parties (IPs) that include, or that include reference to, changes that the Applicant proposes to make related to the Offshore Restricted Build Area (ORBA). The ExA notes that until such time as a Change Request related to this proposed amendment to the application is accepted by the ExA, submissions which relate to, or which rely on the ORBA carry little weight in the Examination. The ExA has, therefore, attempted to restrict its reliance on evidence and has restricted its questioning to matters which do not rely on and are not related to the proposed changes associated with the ORBA. The ExA requests that IPs also follow this approach in their responses to questions below.



Responses are due by Deadline 2: Wednesday 27 November 2024.

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[Examination Library](#) It will be updated as the Examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Issue reference: topic reference: question number, e.g. Q1 GC.1.1 – refers to question 1 in this table (the first question in the ‘General and cross topic Questions’ category). Each topic has a short code for reference; these codes are listed in the table of contents below:



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ExQ1	Question to:	Question:
GC General and Cross-topic Questions		
1. Design, parameters and other details of the Proposed Development		
Q1 GC 1.1	The Applicant	<p>Duration of onshore construction operations</p> <p>In paragraph 189 of the Environmental Statement (ES) Chapter 3 [APP-058] the Applicant states that installing the onshore cable ducts and export cables is anticipated to take up to 42 months. How has this proposed construction period been arrived at and how does it compare with that of other recently-consented offshore wind farm projects such as Hornsea Four and the Sheringham Shoal and Dudgeon Extension Projects? What certainty can Interested Parties (IPs) have that any completed sections of the onshore Export Cable Corridor will be reinstated at the earliest available opportunity?</p>
Q1 GC 1.2	The Applicant	<p>Updates to the draft Development Consent Order (dDCO)</p> <p>In order to minimise the risk of confusion and to rationalise the documents which the ExA and IPs should rely on during the Examination, the Applicant is requested to submit updated copies of the dDCO and any other related documents which do not include (or which clearly exclude) amendments or reference to elements of the application which are subject to Change Requests that have not been accepted by the ExA.</p>
Q1 GC 1.3	The Applicant	<p>Infrastructure security</p> <p>What consideration has the Applicant given to the protection of the proposed onshore and offshore infrastructure from both acts of vandalism and the threat of terrorist attack?</p>
2. Environmental Statement (General)		
Q1 GC 2.1	The Applicant	<p>Cumulative effects updates</p> <p>Provide updates, as appropriate, to the assessment of cumulative effects in the ES having regard to any progress and new details submitted in relation to other projects.</p>
Q1 GC 2.2	Marine Management Organisation (MMO)	<p>East Marine Plans</p> <p>Is the MMO satisfied that the Policy Compliance Document [AS-012] addresses its request for a marine plan policy assessment in one document requested in its Relevant Representation (RR) [RR-042]? If not, what would the MMO require?</p>

ExQ1	Question to:	Question:
BE Benthic Ecology, Intertidal, Subtidal and Coastal Effects		
Q1 BE 2.1	The Applicant	<p>Securing Mitigation Measures for Sandbanks</p> <p>Environmental Statement (ES Chapter 9 [APP-064] Table 9.12 identifies three additional mitigation measures for benthic and intertidal ecology.</p> <ul style="list-style-type: none"> • Can the Applicant identify where each of these three measures are secured within the dDCO or amend the dDCO to ensure that these measures are secured.
Q1 BE 2.2	Natural England (NE)	<p>Environmental Statement (ES) conclusions</p> <p>The Applicant in ES Chapter 7 Marine Physical Processes [APP-062], Chapter 8 Marine Water and Sediment Quality [APP-063] superseded by AS1-038 and Chapter 9 Benthic and Intertidal Ecology [APP-064] concludes no likely significant effects. The Examining Authority (ExA notes NE's concerns in relation to the assessment and conclusions in relation to Sabellaria Spinulosa reef and Sandbanks.</p> <ul style="list-style-type: none"> • For all other issues in these Chapters, in Environmental Impact Assessment (EIA) terms does NE agree with the Applicant's conclusions of no likely significant effects? • If not, why not?
Q1 BE 2.3	NE	<p>Suspended Sediment Concentration and Seabed Level Changes</p> <p>NE's RR [RR-045] NE Ref B1] states that '<i>Natural England is concerned that impact pathways to key receptors due to construction-related suspended sediment concentration (SSC) and seabed level changes have not been thoroughly considered by the Applicant.</i>'</p> <p>The Applicant has responded [PD1-071] NE Ref B26].</p> <ul style="list-style-type: none"> • Is NE satisfied with the response? If not, please detail specifically what is required.
Q1 BE 2.4	NE	<p>Operations and Maintenance Activities</p> <p>Is NE satisfied with the Applicant's response to its concerns relating to the effects of operations and maintenance activities on marine physical processes? [PD1-071] NE Ref B4] If not, please detail specifically what is required.</p>

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ExQ1	Question to:	Question:
Q1 BE 2.5	NE	<p>Scour Volumes Maximum Design Scenario (MDS)</p> <p>Is NE satisfied with the Applicant's response to its concerns relating to the results of the scour assessment for the Wind Turbine Generator (WTG) foundations? [PD1-071 NE Ref B8] If not, please detail specifically what is required.</p>
Q1 BE 2.6	The Applicant NE	<p>Cumulative Assessment</p> <p>Can the Applicant please explain in further detail why it has not used the recommended NE and Joint Nature Conservation Committee (JNCC) best practice? [PD1-071 NE Ref B20].</p> <p>Can NE explain the difference between the Applicant's current approach and NE's recommended best practice and the likely implications of not following the best practice?</p>
Q1 BE 2.7	The Applicant	<p>Sandwave Levelling Assessment</p> <p>Provide an update on the progress of the Project-specific Sandwave Levelling Assessment? [PD1-071 NE Ref B21] and any implications.</p>
Q1 BE 2.8	NE	<p>Secondary Scour</p> <p>The Applicant has highlighted the relative lack of evidence (numerical, empirical and post monitoring studies) concerning secondary scour formation.</p> <ul style="list-style-type: none"> • Is NE satisfied with the Applicant's justification of evidence the Applicant has used? [PD1-071 NE Ref B31] • If not, what evidence would NE like to see the Applicant use?
CM Civil and Military Aviation and Communication		
Q1 CM 1.1	The Applicant Defence Infrastructure Organisation (DIO) NATS En Route Ltd	<p>Mitigation for Primary Surveillance Radar (PSR) at Staxton Wold and Neatishead and Cromer and Claxby</p> <p>Chapter 16 of the ES [AS1-042] identifies "Major Significant" adverse effects on NATS En Route Ltd PSR at Cromer and Claxby and at Ministry of Defence (MOD) Staxton Wold and Neatishead Air Defence PSR systems. With additional mitigation to be agreed with NATS En Route Ltd and the MOD, the residual effect is deemed in the Environmental Statement (ES) to be "Not Significant".</p>

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ExQ1	Question to:	Question:
		<p>The Examining Authority (ExA) notes from the Relevant Representation [RR-016] from the DIO and Statement of Common Ground with the Ministry of Defence (MOD) [REP1-035] that a mitigation scheme has yet to be submitted for assessment.</p> <p>Can the Applicant provide an update on the progress of discussions with the DIO and MOD to agree upon suitable mitigation? In responding, please also provide clarification on the following:</p> <ul style="list-style-type: none"> • The timeframe for submission of a mitigation scheme for assessment as requested by the DIO. • Progress made by the Air Defence and Offshore Wind Windfarm Mitigation Task Force in identifying mitigation. • The likelihood of technical solutions becoming available within the time limit for the implementation of the Development Consent Order (DCO) (as specified in National Policy Statement (NPS) EN-1 para 5.5.57) • Provide clarification on the means by which the proposed mitigation “<i>will be secured by an industry standard Radar Mitigation Scheme Agreement (RMSA)</i>” as indicated in The Applicant’s planning obligations and side agreements tracker [REP1-023]. What would be the implications of agreement not being secured before the close of Examination? <p>In addition.</p> <ul style="list-style-type: none"> • Can the DIO comment on the Applicant’s suggested potential mitigation measures as referenced in Section 16.7.2.3 of the ES? <p>The ExA notes that a draft Mitigation Services Agreement with NATS En Route was expected by the Applicant to be available in October.</p> <ul style="list-style-type: none"> • Please provide an update on progress. <p>Paragraph 120 of Chapter 16 of the ES states that “<i>Mitigation will be required if both modelling of the windfarm design, based upon parameters outlined in Table 16.4, indicates that WTGs will be above the PSR system threshold levels that allow the WTG blades to be presented on PSR displays, and the airspace is operationally significant to the PSR operator</i>”</p>

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ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Has such modelling taken place? If not, why is it not possible to undertake modelling based upon the maximum design scenario? <p>Paragraphs 120 and 141 of the ES indicate that mitigation may not be required during the operational period of the Proposed Development as it is anticipated that <i>“MOD and NERL will procure “next generation” PSRs...”</i></p> <ul style="list-style-type: none"> • Can the DIO and NATS En Route Ltd comment on the likelihood of this occurring during the operational period? • Can the Applicant confirm what provisions are in place to ensure that the necessary mitigation will be maintained during any future transition to next generation PSRs?
Q1 CM 1.2	DIO	<p>Physical obstruction</p> <p>To address potential issues related to physical obstruction of aircraft, the DIO’s Relevant Representation [RR-016] requests that <i>“conditions are added to any consent issued requiring the submission, approval and implementation of an aviation lighting scheme, and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction”</i>. In response [PD1-071], the Applicant refers to Condition 10 of the Deemed Marine Licences (DML), Schedules 10 and 11 and Requirement (R) 27 in the dDCO [AS1-024].</p> <ul style="list-style-type: none"> • Can the DIO confirm if it is satisfied with the Applicant’s response [PD1-071] and current drafting of the dDCO in this regard? • If not, what changes should be made to the dDCO?
Q1 CM 1.3	The Applicant DIO	<p>Impacts scoped out of the assessment - Holbeach Air Weapons Ranges</p> <p>The ExA notes the Statement of Common Ground with MOD [REP1-035] which states that <i>“The Onshore cable corridor may pass through the statutory safeguarding zone surrounding Holbeach Air Weapons Range. The MOD should be consulted on any works carried out within this zone.”</i>. Section 16.5.1.2 of the ES confirms that potential impacts on the Air Weapons Range have been scoped out.</p> <ul style="list-style-type: none"> • Can the Applicant confirm if this has any implications for the ES. • Can the DIO please elaborate on this concern and how it might be remediated with revised drafting in the dDCO?

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ExQ1	Question to:	Question:
Q1 CM 1.4	The Applicant DIONATS En Route Ltd	<p>Impacts scoped out of the assessment - construction</p> <p>Section 16.5.1.2 of the ES explains [AS1-042] that construction effects on PSR are scoped of the assessment on the basis that Wind Turbine Generators (WTG) only impact upon radar when the blades are rotating at operational speeds.</p> <ul style="list-style-type: none"> • Could operational speeds be reached in any testing and set up prior to operation? If so, what implications would this have for the conclusions of the ES and is any mitigation required? • Do the Defence Infrastructure Organisation and NATS En Route agree with this assessment? If not, please set out any reasons for disagreement?
Q1 CM 1.5	The Applicant DIO NATS En Route Ltd	<p>Impacts scoped out of the assessment – decommissioning</p> <p>Section 16.5.1.2 of the ES [AS1-042] explains the Applicant has scoped out impacts on PSR during decommissioning as “<i>Any mitigations will remain in place until the blades of the last WTG stop rotating</i>”</p> <p>To the Applicant:</p> <ul style="list-style-type: none"> • Provide signposting which highlights where the commitment for mitigations to remain in place until the last WTG blades stop rotating is secured? <p>To DIO and NATS En Route:</p> <ul style="list-style-type: none"> • Do you agree with this approach? If not, please set out any reasons for disagreement.
Q1 CM 1.6	The Applicant	<p>Maximum design scenario – blade tip height</p> <p>The Aviation Technical Report [APP-173] assesses a maximum blade tip height of 400m Above Mean Sea Level (AMSL). The maximum design scenario specified in Table 16.4 of Chapter 16 of the ES [AS1-042] references this height as well as 403m above Lowest Astronomical Tide (LAT). Paragraph 1.3.3.2 of the Aviation Technical Report provides an explanation of the difference in height between AMSL and LAT, however, it is not clear why the height above LAT is not assessed when this is the measurement considered in other chapters of the ES and specified in the design parameters in the dDCO [AS1-024].</p> <p>Please provide clarification on this matter.</p>

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ExQ1	Question to:	Question:
Q1 CM 1.7	The Applicant	<p>Maximum design scenario – maximum number of return helicopter trips</p> <p>Table 16.4 of Chapter 16 of the ES [AS1-042] specifies a maximum number of 384 helicopter return trips during construction and decommissioning phases and 2480 yearly return trips during operation and maintenance.</p> <ul style="list-style-type: none"> • How are these figures calculated? Please define “return trip”. • What controls are in place to ensure that the maximum design scenario for helicopter trips is not exceeded and to avoid greater effects from those assessed as the worst-case scenario ES?
Q1 CM 1.8	The Applicant DIO	<p>Wide Area Multilateral (WAM) network</p> <p>Table 16.2 of Chapter 16 of the ES [AS1-042] refers to a safeguarded microwave link between two masts which provide air traffic services in the area which crosses the onshore cable route south of the Haven, as subject to consultation in 2023. The need for consultation with the MOD on works to ensure that the link is not impeded is identified.</p> <ul style="list-style-type: none"> • Can the Applicant confirm if the onshore cable corridor, or any other element of the Proposed Development, is likely to impede the WAM network in this location or anywhere else? • If so, what mitigation measures are proposed and how are they secured? • Does the DIO agree with the Applicant’s approach? If not, please set out any reasons for disagreement?
Q1 CM 1.9	The Applicant DIO NATS En Route Ltd	<p>Aviation mitigation referencing</p> <p>Chapter 16 of the ES [AS1-042] identified numerous mitigation measures. However, it is not always clear where measures are secured. Examples include the preparation of a “<i>Lighting Management Plan</i>” (para. 87), “<i>Emergency Response and Cooperation Plan</i>” (para. 88) and a “<i>Lighting and Marking Plan</i>” (para. 170) that are not identified in the dDCO or Schedule of Mitigation [PD1-058]. Furthermore, the Schedule of Mitigation (ref. 33) refers to the provision of an “<i>Aids to Navigation Plan</i>” secured by R27 of the dDCO. However, such a document is not identified in Requirement 27 of the dDCO [AS1-024] or in Chapter 16 of the ES.</p> <ul style="list-style-type: none"> • Can the Applicant please provide clarity on the above.

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ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Should draft versions of mitigation documents be made available for scrutiny during the Examination? If not, then justify your reasoning.
Q1 CM 1.10	The Applicant Orsted Hornsea Project Four Limited Race Bank Wind Farm Limited	<p>Coordination of radar mitigation with other offshore windfarms</p> <p>Orsted Hornsea Project Four Limited’s Relevant Representation [RR-051] stated that it is “an active member ensuring the co-existence of radar and offshore wind and must be kept informed of any proposals by the Outer Dowsing Applicant in this regard.”</p> <p>How are the parties working together to address this?</p> <p>Race Bank Wind Farm Limited’s Relevant Representation [RR-054] sought clarification on whether existing radar mitigation solutions have been considered to ensure that they are not adversely affected. The Applicant provided a response on 19 September [PD1-071].</p> <ul style="list-style-type: none"> Does Race Bank Wind Farm Limited have any further comments on this matter?
Q1 CM 1.11	The Applicant Natural England	<p>Aviation and navigation lighting attracting birds</p> <p>Paragraph 2.8.240 of NPS EN-3 requires aviation lighting to be minimised or on demand to avoid attracting birds. In Chapter 16 of the ES (Table 16.1) [AS1-042], the Applicant seeks to address the policy and states that “In accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.”</p> <p>R27 (aviation lighting) of the dDCO [AS1-024] requires consultation with DIO Safeguarding and the Civil Aviation Authority.</p> <ul style="list-style-type: none"> Can the Applicant elaborate on how the need for lighting to avoid attracting birds will be addressed at the detailed design stage and through the discharging of R27? Does Natural England have any comments to make on this matter? Should it be identified as a consultee for aviation lighting under R27?
CC Climate Change		
Q1 CC 1.1	The Applicant	<p>Sulphur Hexafluoride (SF6)</p> <p>In reference to [APP-086] Chapter 31, Tables 31.4 and 31.9 of the Environmental Statement (ES), which detail the usage of Sulphur Hexafluoride (SF6) in the project materials, NPS EN-5 suggests that applicants should explore redesigning the proposed development to eliminate reliance on SF6-based assets.</p>

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ExQ1	Question to:	Question:
		Set out what alternative designs were evaluated to avoid the use of SF6, and the reasons for rejecting these alternatives? Additionally, what measures will be implemented to prevent the release of SF6 into the atmosphere during the decommissioning of substations or other assets where SF6 has been utilised?
Q1 CC 1.2	The Applicant	<p>Greenhouse Gas Emissions</p> <p>Considering the Outer Dowsing Offshore Wind Farm’s planned capacity of 1.5GW, what is the Applicant’s assessment of the potential for construction emissions to exceed the operational emissions savings if the actual generating capacity of the installed turbines falls short of 1.5GW? Additionally, should the assessment be updated to account for the uncertainties surrounding the exact generating capacity and the specific turbine technology to be used?</p>
Q1 CC 1.3	The Applicant	<p>Greenhouse Gas Emissions during Operation</p> <p>The Outline Offshore Operations and Maintenance Plan [APP-275, Table 1.1] states that it is not anticipated that large components (e.g., wind turbine blades) would frequently require replacement during the operational phase; however, the failure of these components is possible. ES Chapter 31 [APP-086, Table 31.9] lists the anticipated materials needed during operation.</p> <p>Please provide the Applicant’s assessment of the replacement of large components (e.g., wind turbine blades) during the 35-year design life, including the anticipated need and proposed program for these replacements. Additionally, explain how this will affect Greenhouse Gas Emissions during operation.</p>
Q1 CC 1.4	The Applicant	<p>Post decommissioning Onshore and Offshore Cables</p> <p>Paragraph 24.7.2.1 of Chapter 24 [APP-079], 31.6.6 of Chapter 31 [APP-086] and 7.12.3 of Chapter 7 [APP-062] indicate that the buried onshore and offshore cables would be left in place during decommissioning.</p> <p>Please explain the management strategies for these cables if they become exposed post-decommissioning due to factors such as coastal erosion. Specifically, address how potential hazards to people or the environment, as well as any unacceptable visual impacts, would be mitigated and set out how this mitigation would be secured, or provide signposting to where this mitigation is secured within the application.</p>

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ExQ1	Question to:	Question:
Q1 CC 1.5	The Applicant	<p>Onshore Substation (OnSS) Decommissioning impact on Climate Change</p> <p>In its WR, the EA [REP1-048, Paragraph 8.7], the EA requests that the Applicant either carries out an assessment of the raised platform and OnSS remaining in place beyond 2065 (using at least 75 years to form a starting point) and in particular the impact this will have on 3rd parties in relation to Climate Change. Alternatively, the DCO must include a requirement to ensure the OnSS is fully decommissioned in 2065 and the land restored to its original, pre-construction, level.</p> <p>Please provide the response to this matter?</p>
CF Commercial Fisheries and Fishing		
Q1 CF 1.1	The Applicant	<p>Assumptions regarding the continuation of fishing activities</p> <p>ES Chapter 14: Commercial Fisheries [APP-069] has considered that some commercial fishing, primarily potting activities, would be able to take place within the array area during the operational phase of the Proposed Development. Explain whether the conclusions reached in ES Chapter 14 [APP-069] would have been different if for Impact 6 it was assumed that no fishing activities whatsoever could take place within any part of the array area once operational?</p>
Q1 CF 1.2	National Federation of Fishermen's Organisations (NFFO)	<p>Assessment of effects on commercial fishing activities</p> <p>Do you have any outstanding concerns regarding either the Applicant's assessment of effects on commercial fishing activities or the mitigation measures that the Applicant has proposed?</p>
Q1 CF 1.3	The Applicant and NFFO	<p>Configuration of Wind Turbine Generators (WTGs) within the overall array area</p> <p>In terms of the potential effects on commercial fishing activities during the operational phase of the Proposed Development which of the following would be preferable:</p> <ul style="list-style-type: none"> • A smaller but more closely spaced arrangement of WTGs and other offshore infrastructure that entirely precluded fishing within it but which would take up less of the overall array area, or • An arrangement of WTGs that was more spaced out, and therefore increased the possibility of some fishing activities taking place between the offshore infrastructure elements, but would take up a greater proportion of the overall potential array area? •

ExQ1	Question to:	Question:
CA Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
Q1 CA 1.1	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The Statement of Reasons (SoR) [AS1-032], section 3, considers the source and scope of the powers set out in the dDCO [AS1-024]. Paragraph 3.3.1 explains that these powers include, but are not limited to, the diversion or temporary stopping up of public rights of way (PRoW). The dDCO [AS1-024] Schedule 3 lists five existing PRoWs that would be stopped up pursuant to that article. Please explain in further detail:</p> <ul style="list-style-type: none"> • The need to seek these powers for these existing rights of way. • What alternatives to this approach in each case have been explored?
Q1 CA 1.2	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [AS1-032], section 6.2, relates to the requirement for the Order land and paragraph 171, states that in identifying the land included in the dDCO [AS1-024], the Applicant has taken every measure to avoid taking unnecessary rights or interests and all reasonable alternatives to compulsory acquisition have been explored. To assist with the consideration of whether the extent of the land to be acquired is no more than is reasonably required for the purposes of the development to which the development consent will relate:</p> <ul style="list-style-type: none"> • For the avoidance of doubt, please set out and justify the extent of the flexibility that the submitted scheme would allow in terms of limits of deviation and parameters providing dimensions where relevant. • How would it be ensured that powers of Compulsory Acquisition (CA) would not be exercised in respect of land not ultimately required as a result of the detailed design process?
Q1 CA 1.3	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The Explanatory Memorandum (EM) [APP-304], paragraphs 7.4 and 7.5, explain that Article 22 allows for rights over land to be acquired as well as the land itself, and also for new rights to be created over land. Paragraph 7.6 explains that this includes the power to impose restrictive covenants. It provides for such rights as may be required to be acquired by the undertaker over</p>

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ExQ1	Question to:	Question:
		<p>land which it is authorised to acquire under Article 20. The public benefit of this is stated to be that it would allow the undertaker to reduce the area of outright acquisition if possible and rely on rights instead:</p> <ul style="list-style-type: none"> • Please explain further why the area of outright acquisition cannot be more precisely identified at this stage? • How can it be ensured that Article 22 would be utilised in this way and that the Article 20 powers of CA would not be exercised in respect of land that could instead be made the subject of new rights or covenants? • What type of review process and/or control could be put in place to reflect this aim?
Q1 CA 1.4	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [AS1-032], paragraph 125 explains that Article 22 allows rights over land to be acquired instead of outright acquisition. The land in which only new rights may be acquired is specified in Schedule 7 of the dDCO [AS1-024]. Please provide further details as to why it is necessary and reasonable to acquire new rights in the proposed manner over these particular plots of land?</p>
Q1 CA 1.5	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>Appendix 2 of the SoR [AS1-032] provides a description of the land which is subject to the acquisition of rights or the imposition of restrictive covenants:</p> <ul style="list-style-type: none"> • Please provide an indication of the anticipated content and/or an initial draft of any restrictive covenants intended to be imposed. • Should a requirement for consultation with relevant owners/occupiers regarding the drafting of any such restrictive covenants be imposed?
Q1 CA 1.6	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The EM [APP-304], paragraphs 7.18 and 7.19 and paragraph 151 of the SoR [AS1-032], explain that Article 26 and Article 27 respectively allow for the Applicant to choose instead of acquiring the whole of the land pursuant to Articles 20 or 22, to acquire only the subsoil underneath, or airspace over the land. Please indicate the circumstances in which this power might be used, the</p>

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ExQ1	Question to:	Question:
		<p>anticipated locations where this power might be used and the anticipated purposes of any land so acquired?</p>
Q1 CA 1.7	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>The SoR [AS1-032], paragraphs 155 and 156, alongside EM [APP-304], paragraphs 7.24 and 7.25 indicate that the powers to use land temporarily for maintaining the scheme ensures that the land is available for maintenance works during a five-year period from the date on which the authorised project first exports electricity to the national electricity transmission network, and any period falling between the date at which temporary possession (TP) is no longer permitted under article 28 and the date on which the authorised project first exports electricity to the national electricity transmission network. The definition of this “<i>maintenance period</i>” is given in Article 29(11) of the dDCO [AS1-024]. Please explain further why this is regarded as being a reasonable period within which this power can be exercised and why a shorter period could not be inserted in Article 29(11)?</p>
Q1 CA 1.8	The Applicant	<p>The scope and purpose of the Compulsory Acquisition Powers sought</p> <p>For the avoidance of doubt, please confirm the total number of plots falling within each of Parts 1 to 4 of the Book of Reference (BoR) [PD1-029] and Appendix 2 of the SoR [AS1-032].</p>
Q1 CA 1.9	The Applicant	<p>The scope and purpose of other rights and powers</p> <p>The SoR [AS1-032] paragraph 5.5.5, explains that in addition to powers of CA, if made, the DCO would also confer other rights and powers on the Applicant that may interfere with property rights and private interests. Article 18 of the dDCO [AS1-024] would authorise the Applicant to enter onto any land within the Order Limits or which may be affected by the authorised development to undertake various survey and investigative works, including trial holes. Article 18(2) provides for a 14 day notice period to be given to the owner/occupier of the land.</p> <ul style="list-style-type: none"> • What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of CA powers in each case.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • If no such assessment has been undertaken, please explain why it is considered unnecessary to do so in this case? • What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?
Q1 CA 1.10	The Applicant	<p>Compulsory Acquisition of the land, rights and powers that are sought by the dDCO</p> <p>The SoR [AS1-032], section 3, sets out the Applicant’s case in the public interest for the proposed CA. Section 3.4 concludes that there is a need for and benefit as a result of the Proposed Development. While this conclusion sets out the benefits delivered by the Proposed Development and its objectives, there is little mention of any consideration given to private loss. Please provide further explanation in relation to the following:</p> <ul style="list-style-type: none"> • What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of CA powers in each case. • If no such assessment has been undertaken, please explain why it is considered unnecessary to do so in this case? • What is the clear evidence that the public benefit would outweigh the private loss and how has that balancing exercise between public benefit and private loss been carried out?
Q1 CA 1.11	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the dDCO</p> <p>The SoR [AS1-032], section 6.4, outlines the steps the Applicant has taken to acquire land by negotiation and the status of those negotiations is set out at Appendix 4 to the SoR. Please provide further details, with examples where available:</p> <ul style="list-style-type: none"> • Whether such engagement has helped to shape the proposals and enabled the Applicant to make changes to designs, including the extent of land-take, to minimise the private loss. • Please provide detail, where available, of any direct and indirect impacts thereby identified.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 CA 1.12	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the dDCO</p> <p>What weight has the Applicant attached to the compensation that would be available to those entitled to claim it under the relevant provisions of the national Compensation Code in its assessment of private loss?</p>
Q1 CA 1.13	The Applicant	<p>Whether there is a compelling case in the public interest for the Compulsory Acquisition of the land, rights and powers that are sought by the dDCO:</p> <p>Section 4.1.2 of the Cable and Grid Connection Statement [AS1-106] sets out the maximum onshore cable corridor (OCC) assessment assumptions. This indicates that the typical temporary construction corridor width would be 80 meters (m), within which a typical 60m wide permanent corridor would be located. The Applicant notes that the maximum extent of the cable corridor temporary footprint would be up to 220m, at the River Haven Crossing and that the width of the cable corridor could fluctuate along its route to account for specific environmental and engineering constraints. Provide:</p> <ul style="list-style-type: none"> • A list of all such locations where the width of the cable corridor could be reduced; • The justification at each location for maintaining the width of the onshore cable corridor at 80m in the application documents; and • Where this is due to uncertainties in design and / or ground conditions how this is accounted for in considering the impact on Affected Persons, their interests and the balancing exercise between public benefit and private loss.
Q1 CA 1.14	<p>The Applicant TH Clements & Son Ltd National Grid Electricity Transmission PLC St John's College Cambridge Julie Ann Mason</p>	<p>Whether all reasonable alternatives to Compulsory Acquisition have been explored</p> <p>The Planning Act 2008 guidance related to procedures for the compulsory acquisition of land (CA Guidance), paragraph 25, states that applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail.</p> <ul style="list-style-type: none"> • Has the Applicant complied with this aspect of the CA Guidance? If not, then set out your reasoning.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Has the Applicant offered full access to alternative dispute resolution techniques for those with concerns about the CA of their land or considered other means of involving those affected? <p>Any other Affected Parties not directly addressed by this question should feel free (but are not obliged) to contribute a response to this question.</p>
Q1 CA 1.15	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition have been explored</p> <p>With reference to the CA Guidance, paragraph 8:</p> <ul style="list-style-type: none"> • How can the ExA be assured that all reasonable alternatives to CA (including modifications to the scheme) have been explored? • Set out in summary form, with document references where appropriate, what assessment/comparison has been made of the alternatives to the proposed acquisition of land or interests therein in each case.
Q1 CA 1.16	The Applicant	<p>Whether all reasonable alternatives to Compulsory Acquisition have been explored</p> <p>The SoR [AS1-032], section 6.4, refers to the non-statutory consultation, between January and February 2018, and the statutory consultation in summer 2021, and the selection of the preferred route and subsequent design changes.</p> <ul style="list-style-type: none"> • Please explain what, if any, account has been taken of responses to pre-application consultation (both in relation to statutory and non-statutory consultation) in the location, route, and design of the scheme in considering whether there are reasonable alternatives to CA. • Please provide further details of the examples given in section 6.4 and the Consultation Report [APP-032], highlighting the instances of location/route changes and changes to design development options which resulted in reduced land-take within the application scheme in response to public consultation.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 CA 1.17	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>Please summarise the evidence relied upon to support the conclusion that there is a reasonable prospect that the scheme, if granted consent, would actually be taken forward and in what time period?</p>
Q1 CA 1.18	The Applicant	<p>Whether adequate funding is likely to be available</p> <p>The Funding Statement [REP1-012], indicates that the scheme has a most-likely estimate of between £5.5 and £7.5 billion to cover all costs of construction, operation, development, project management, financing and land acquisition. This estimate includes an allowance for compensation payments relating to the CA of land interests in, and rights over, land and the TP and use of land. It also takes into account potential claims under Part 1 of the Land Compensation Act 1973, Section 10 of the Compulsory Purchase Act 1965 and Section 152(3) of the Planning Act 2008.</p> <ul style="list-style-type: none"> • How can the ExA be satisfied as to the reliability of that estimated figure, and what is its degree of accuracy? • How does the Applicant account for the £2 billion range between the lower and upper cost estimates? • Whilst the Funding Statement indicates that the costs of meeting any valid blight claim will be met by the Applicant, please confirm that the resource implications of a possible acquisition resulting from a blight notice have been adequately taken account of in the overall cost estimate. • The ownership structure declared for TotalEnergies Holdings Europe in the Funding Statement is indicated as comprising of three separate ‘parent’ entities. However, the share of ownership indicated as being held by each of these entities does not account for 100% of the ownership of TotalEnergies Holdings Europe. Why is the full ownership of this company not shown in the Funding Statement and how does this apparent shortfall affect the funding available for the Proposed Development?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 CA 1.19	The Applicant	<p>Funding Statement</p> <p>Noting paragraphs 16, 23 and 24 of the Funding Statement [REP1-012], confirm whether the Applicant has been made aware since its submission of:</p> <ul style="list-style-type: none"> • Any persons who meet the statutory requirements for a Blight Notice; • Any parties intending to serve a Blight Notice; or • Any attempts to sell any of the affected land or property that have resulted in it only being able to be disposed of at a significantly lower price than it would have been expected to sell.
Q1 CA 1.20	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>What degree of importance has been attributed to the existing uses of the land proposed to be acquired in assessing whether any interference would be justified, and why?</p>
Q1 CA 1.21	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>The SoR [AS1-032], paragraph 6.7 refers to both Article 1 of the First Protocol and Article 8 of the European Convention on Human Rights in the context of the exercise powers of CA sought through the dDCO. For the avoidance of doubt:</p> <ul style="list-style-type: none"> • Please identify all those properties where it is anticipated that Article 8 rights may be a relevant consideration and indicate whether any agreement has been reached with those owners/occupiers affected in this way? • Please explain separately for each property the necessity and justification for seeking the application of CA or TP powers and how that would comply with Article 8?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 CA 1.22	The Applicant	<p>Whether the purposes of the proposed Compulsory Acquisition justify interfering with the human rights of those with an interest in the land affected</p> <p>The SoR [AS1-032], paragraph 6.2, states that the Applicant considers that the quantity of land identified for acquisition is proportionate and necessary.</p> <ul style="list-style-type: none"> • Please explain more precisely the factors which have been placed in the balance (including references to any paragraphs of the relevant NPS and Government Guidance), the weight attributed to those factors and how this exercise has actually been undertaken? • How has the proportionality test been undertaken? • Explain further the proportionate approach which has been taken in relation to each plot?
Q1 CA 1.23	The Applicant	<p>The accuracy of the Book of Reference, Land Plans and points of clarification</p> <p>Please confirm that the BoR [PD1-029] accurately sets out the various plots and interests. Please summarise any inaccuracies that have come to light since the submission of the application and the steps taken to address these inaccuracies. In addition, indicate any further updates that need to be made at this stage.</p>
Q1 CA 1.24	The Applicant	<p>The accuracy of the Book of Reference, Land Plans and points of clarification</p> <p>The SoR [AS1-032], paragraph 6.2.1, states that diligent inquiry to identify all persons with an interest in land and diligent inquiry to identify affected landowners and occupiers, those with another type of interest in land and those with a potential claim, was undertaken by the Applicant's expert land referencing supplier and an overview of this process is provided in section 6.4.</p> <ul style="list-style-type: none"> • Please comment on the reliability and accuracy of the BoR in the light of those inquiries. • Please provide further details of the process for identifying Category 3 persons.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 CA 125	The Applicant	<p>The accuracy of the Book of Reference, Land Plans and points of clarification</p> <p>What assurance and evidence can the Applicant provide of the accuracy of the land interests identified as submitted and indicate whether there are likely to be any changes to the land interests, including the identification of further owners/interests or monitoring and update of changes in interests?</p>
Q1 CA 126	The Applicant	<p>The accuracy of the Book of Reference, Land Plans and points of clarification</p> <p>The SoR [AS1-032] Section 6.5 identifies that there are a number of parcels of land in unknown ownership. Please confirm that the BoR [PD1-029] represents an up to date list of those plots of land where ownership still remains unknown and indicate whether, and if so what, further steps are intended to be carried out to ascertain the ownership of these unregistered parcels of land?</p>
Q1 CA 127	Affected Persons/relevant Interested Parties	<p>Known inaccuracies</p> <p>Are any Affected Persons or relevant Interested Parties aware of any inaccuracies in the BoR [PD1-029], SoR [AS1-032] or Land Plans [REP1-004] and [REP1-005]?</p>
Q1 CA 128	The Applicant	<p>Professional Fees</p> <p>Outline your approach to the reimbursement of Affected Person's professional fees.</p>
Q1 CA 129	The Applicant	<p>Work no.17</p> <p>The ExA notes the Applicant's response [AS-013] to its request [PD-005] for further information to justify the acquisition of rights over this area of the Proposed Development and is not satisfied that the information provided in this response sets out a compelling case in the public interest, as required by section 122(3) of the Planning Act 2008 (PA2008), for the acquisition of permanent rights over the full extent of land currently identified as being required for Work no.17 [AS1-029]. Neither is the ExA currently satisfied that the reasons given by the Applicant for the acquisition of permanent rights over the full extent of land meet the conditions of section 122(2) of PA2008.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • The Applicant is asked to demonstrate (with a drawing, or drawings, if possible) the relationship between its required cables and associated infrastructure and a notional National Grid substation. In particular, the ExA wishes to see evidence that with the Applicant's required infrastructure <u>and</u> a National Grid substation (NGSS) indicatively positioned on the site of Work No17, the Applicant would genuinely require the flexibility to route underground 400kV cables anywhere within the Connection Area. • The ExA notes that the Applicant does not intend to exercise powers of compulsory acquisition over the entire Connection Area and that once the location of the NGSS is established and the route of the 400kV cables is determined following surveys, ground investigations and engineering considerations, only the temporary and permanent powers necessary would be exercised. The Applicant is asked to signpost where it has set out and proposes to secure the appropriate controls to ensure that it would only exercise powers over the extent of land that it would require. • The ExA further notes that the Applicant believes that its approach of seeking compulsory acquisition powers over a wider area before refining the area over which powers are ultimately exercised is standard across large linear NSIP projects. The ExA requests that the Applicant provide it with specific examples of consented DCO applications where rights have been acquired compulsorily over a similar area of land for the reasons relied on by the Applicant in this case. • Provide an update on the negotiations with owners, occupiers and those with any other interests in the land affected by the Connection Area with reference to the objections raised in the WR submitted by National Grid [REP1-041] and the Applicant's observation in its responses to Relevant Representations [PD1-071, RR-065.001] that St John's College Cambridge has withdrawn from negotiations and does not wish to proceed with an Option Agreement.
DCO Draft Development Consent Order (dDCO)		
Q1DCO 1.1	The Applicant	<p>General</p> <p>Provide an up-to-date list of made Orders which the Applicant is citing/referencing in the preparation of the dDCO [AS1-024].</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1DCO 1.2	The Applicant	<p>Part 1, Article 2 Definition of “Commence” The ExA notes that the Explanatory Memorandum [APP-304], paragraph 3.4 includes examples of onshore preparatory works which may themselves have environmental effects. Confirm whether the examples given in the Explanatory Memorandum provide a complete list of the Schedule 1, Part 3 Requirements that must be discharged before the development commences. If not, please provide a complete list.</p>
Q1DCO 1.3	The Applicant	<p>Part 1(2) Interpretation For the works landward of Mean High Water Springs (MHWS) the definition of commence in the dDCO excludes “<i>onshore preparation works</i>”. In turn, the definition of “<i>onshore preparation works</i>” includes a number of operations, such as site clearance, vegetation clearance, the diversion and laying of services, erection of any temporary means of enclosure, and the creation of site accesses that could give rise to environmental effects. Justify why these operations should fall outside of a definition of commence and therefore not be subject to any of the pre-commencement Requirements that are contained in the dDCO.</p>
Q1DCO 1.4	The Applicant The Environment Agency	<p>Part 2, Article 7 The ExA notes the Principal Areas of Disagreement Summary Statement (PADSS) submitted by the Environment Agency (EA) [PD1-104] noting that agreement has yet to be reached over the wording of Protective Provisions which would allow the EA to agree to the disapplication of the Environmental Permitting Regulations 2016 in relation to flood risk activity permits.</p> <ul style="list-style-type: none"> • Provide an update on negotiations over the wording of the relevant Protective Provisions and include an anticipated target date for completion and submission of agreed Protective Provisions into the Examination
Q1DCO 1.5	The Applicant Lincolnshire County Council (LCC)	<p>Part 3, Articles 12 to 16 In its Local Impact Report (LIR), LCC [REP1-053] requests a time frame of 56 days as more reasonable if deemed consent were to be retained.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>To the Applicant:</p> <p>The ExA notes that while the Explanatory Memorandum [APP-304] cites the Hornsea 4 Order, among others, as precedent for the wording of these Articles (more specifically Articles 13 and 15), the Applicant has not adopted the 56 day timeframe set out in the made Order for that development and asks the Applicant to justify, with reasons, its proposal for a shorter timeframe in this case.</p> <p>To LCC:</p> <p>Explain, with further reasoning, why a time period of less than 56 days is not considered sufficient by the local authority.</p>
Q1 DCO 1.6	The Applicant	<p>Part 3, Article 15</p> <p>The ExA is concerned that the power in this Article, in which the Undertaker may “<i>alter the layout of any street</i>” may be too wide and onerous. The ExA considers that at the very least, it should be restricted to those streets within the Order limits. Respond and amend the dDCO [AS1-024] if necessary.</p>
Q1 DCO 1.7	The Applicant	<p>Part 5, Article 22 and 30</p> <p>Explain, with reasons, why the Applicant believes that the use of restrictive covenants on the plots set out in Schedule 7 would be appropriate. In particular, the Applicant is asked to provide clarity around the full extent of powers that such restrictive covenants would contain, to provide justification for the use of such powers and to indicate, with realistic examples, how these powers might be used.</p>
Q1 DCO 1.8	The Applicant	<p>General</p> <p>In order to avoid the potential for legislative ambiguity, the use of the words ‘shall’ and ‘should’ in legislative drafting are discouraged by guidance issued by the Planning Inspectorate in its Advice Note 15. The ExA notes that these words appear in drafting throughout the dDCO [AS1-024].</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		Please amend the dDCO so that the drafting follows the guidance, or provide specific justification to explain why deviation from the guidance is necessary as part of this application.
Q1 DCO 1.9	The Applicant	<p>Operational lifespan</p> <p>The Project Description [APP-058, paragraph 298] states that the Proposed Development's operational period will be approximately 35 years. Provide signposting which indicates where the operational period is more precisely defined and where it is secured. Alternatively explain, with reasons, why the Applicant believes it is not necessary to provide a precise definition of the operational period or for this period to be secured within the dDCO or other certified document(s).</p>
FSE Fish and Shellfish Ecology		
Q1 FSE 1.1	The Applicant	<p>Assessment of effects on herring</p> <p>Would there be any implications, for example regarding the need for additional mitigation measures, should the methodological assessment of the Marine Management Organisation (MMO) in [RR-042] be adopted, i.e. that herring be considered a high sensitive receptor and that there would be a moderate significance of effect which is significant in Environmental Impact Assessment (EIA) terms? If not, then please explain why.</p>
Q1 FSE 1.2	Cefas	<p>Response to Natural England (NE)'s concerns regarding herring and sandeel</p> <p>NE in its RR, page 13 of [RR-045], has raised concerns about herring spawning grounds and preferential habitat for sandeel. However, NE defers to the technical expertise of Cefas. Therefore, do you have any comments to make regarding the potential impacts of the Proposed Development on herring and sandeel that NE has identified? Please submit any comments you may wish to make by no later than Deadline 2.</p>
Q1 FSE 1.3	The MMO	<p>Temporal restriction on piling activities</p> <p>You have raised concerns in [RR-042], para 4.5.24, that there would be "<i>potential for significant impacts to occur to Banks herring at a population level, if suitable mitigation is not employed.</i>" You have recommended a licence condition prohibiting piling between 01 September and 16 October each year.</p> <p>Is it your view that such a restriction on piling should be enacted across the entire array area or are there any locations within the array area where such a temporal restriction may not be required?</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		Should any such seasonal restriction also apply to unexploded ordnance (UXO) detonation as well as piling activities and, if so, would it cover the same time period?
Q1 FSE 1.4	The Applicant	<p>Temporal restrictions on piling in other made DCOs</p> <p>The MMO in [RR-042] has recommended a licence condition prohibiting piling between 01 September and 16 October each year to protect the Banks herring stock during the spawning season. Other made Orders, for example in the Hornsea Four Order Schedule 12, Part 2, Condition 23 imposes a piling restriction between 21 August and 23 October for Work No. 3 in any year. Furthermore, the East Anglia TWO Order, Schedule 13, Part 2, Condition 29 and Schedule 14, Part 2, Condition 25 impose a seasonal restriction on pile driving and UXO detonations between 1 November and 31 January in any year.</p> <p>Comment on the MMO's concerns and if you do not consider a seasonal restriction on piling would be appropriate then explain the differences between the situation for the Proposed Development and the aforementioned made Orders where a temporal restriction on piling has been imposed.</p>
Q1 FSE 1.5	The Applicant	<p>Implications of a temporal restriction on piling</p> <p>Explain what the implications for construction activities and the overall construction programme would be should a seasonal restriction on piling activities (and potentially also on UXO detonation activities) be imposed as recommended by the MMO in [RR-042].</p>
Q1 FSE 1.6	The Applicant and NE	<p>Sandeel fishing ban</p> <p>A ban on sandeel fishing in the English and Scottish waters of the North Sea came into effect on 26 March 2024.</p> <p>To the Applicant:</p> <p>How has this ban been accounted for in your assessment of effects of the Proposed Development on sandeel populations?</p> <p>To the Applicant and NE:</p> <p>If it has not yet been accounted for in the Applicant's assessment, what do you consider the longer-term effects of this sandeel fishing ban on sandeel populations in the area of the Proposed Development will be?</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
DES Good Design Q1 DES 1.1	The Applicant	<p>Progress of the design process post-submission</p> <p>The Applicant’s Design Approach Document [APP-292] sets out that following the submission of the application for a Development Consent Order, the following design-based tasks would continue:</p> <ul style="list-style-type: none"> • The next Local Design Group meeting would be held in the summer of 2024; • The Applicant’s winter photography campaign would be completed; and • Substation visuals would be prepared. <p>Provide an update on the progress achieved under each of these bullet points and include any further visual material which would assist the Examination.</p>
Q1 DES 1.2	The Applicant	<p>External Design Review</p> <p>The Applicant’s Design Approach Document [APP-292] also commits to an independent External Design Review of the onshore substation from Q2 of 2024. The Applicant is invited to share the findings of and feedback from this process with the Examination.</p>
Q1 DES 1.3	The Applicant	<p>Design Principles, key aspects</p> <p>The Design Principles Statement [APP-293] establishes a series of key design aspects which in turn describe options, or design choices, to be made for:</p> <ul style="list-style-type: none"> • The design of the roof form; • cladding material(s); • cladding colour; and • finishes for external fittings including doors, rainwater goods and external ironmongery. <p>Explain in detail the factors which prevent the Applicant from developing design options for each of these aspects as part of a design process which is closely aligned to the design principles at this stage.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 DES 1.4	The Applicant	<p>Effectiveness of mitigation</p> <p>In the absence of a developed scheme design proposal for the onshore substation how can Interested Parties (IPs) and the Examining Authority (ExA) be confident that the Applicant's approach to mitigation of the adverse effects of the onshore substation in the wider landscape would be effective?</p>
Q1 DES 1.5	Lincolnshire County Council East Lindsey District Council, Boston Borough Council, South Holland District Council	<p>Effectiveness of mitigation</p> <p>Is the local authority satisfied that the Applicant's approach to mitigating the adverse effects of the onshore substation in the wider landscape would be effective. If not, what further design opportunities should the Applicant explore in order to achieve the best possible design outcome for the onshore substation?</p> <p>Other IPs are also invited to respond to this question, if they wish to contribute to this topic.</p>
Q1 DES 1.6	The Applicant	<p>The Planning Inspectorate's Advice on Good Design for Nationally Significant Infrastructure Projects (NSIPs)</p> <p>The ExA notes the recent publication of the Planning Inspectorate's guidance entitled Nationally Significant Infrastructure Projects: Advice on Good Design. While it is mindful that the publication of this advice comes some months after the Applicant's submission, the ExA would nevertheless welcome the Applicant's view on how its design processes and proposals for the Proposed Development align with this advice. In addition, the Applicant is asked to set out where its current proposals and design processes differ from those established by the Advice on Good Design for NSIPs and to set out how the Applicant can align its design proposals and processes more closely with this advice during the Examination.</p>
HOE Habitats and Onshore Ecology, including Onshore Ornithology		
Q1 HOE 1.1	The Applicant	<p>Sea Bank Clay Pits Site of Special Scientific Interest (SSSI)</p> <p>Appendix H1 of Natural England's (NE) Written Representation [REP1-062] welcomes the Water Quality Management and Mitigation Plan (WQMMP) within the Outline Code of Construction Practice (OCoCP) [PD1-039]. However, concerns are raised by NE regarding the lack of specific</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		mitigation measures. Whilst the ExA acknowledges that further details would be provided prior to construction, please provide further information regarding mitigation to demonstrate that it could be implemented.
Q1 HOE 1.2	The Applicant	<p>Species Licencing – otter and badger</p> <p>With reference to Appendix H1 of NE’s Written Representation [REP1-062], please provide further justification for the approach taken. In particular, to provide confidence that effective mitigation will be implemented, if required.</p>
Q1 HOE 1.3	Lincolnshire County Council (LCC)	<p>Greater Lincolnshire Local Nature Recovery Strategy (LNRS)</p> <ul style="list-style-type: none"> • What are the timescales for the preparation of the LRNS? Is it likely to be available during the Examination?
Q1 HOE 1.4	The Applicant	<p>Biodiversity Net Gain (BNG)</p> <ul style="list-style-type: none"> • Is the project committed to delivering BNG? If so, how is this secured? If not, why not? • Please provide an update on the identification of potential opportunities to deliver BNG. • Confirm if opportunities off-site are being sought in the event that on-site BNG cannot be delivered. Paragraph 105 of the BNG Project Principles and Approach document [APP-302] states that this would be the case but this appears to be contradicted by paragraph 52 of the Outline Landscape and Ecological Management Strategy (OLEMS) [PD1-054]. Do these documents need to be revised to ensure consistency? • If off-site BNG can be delivered, can the project commit to a specified level of BNG to be achieved? • With reference to paragraph 107 of the BNG Project Principles and Approach document [APP-302], confirm if the project would qualify for purchase of statutory credits.
Q1 HOE 1.5	The Applicant	<p>Green corridors and connecting people with the environment</p> <p>Can the Applicant please elaborate on its position on accordance with NPS EN-5 paragraph 2.5.1 [PD1-071]? Specifically, please identify the important habitats that will be reconnected with hedgerow and woodland planting. Furthermore, what opportunities have been sought to connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements?</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 HOE 1.6	Lincolnshire Wildlife Trust	<p>Onshore cable routing and grid infrastructure</p> <p>Please elaborate on concerns raised in Relevant Representation [RR-036] regarding onshore cable routing and grid infrastructure.</p>
Q1 HOE 1.7	The Applicant	<p>Outline Decommissioning Plan</p> <p>Paragraph 439 of Chapter 21 of the Environmental Statement (ES) [APP-076] refers to a decommissioning plan being prepared in accordance with the outline decommissioning plan submitted with the dDCO [AS1-024]. However, no outline plan has been submitted and R24 (onshore decommissioning) in the dDCO does not refer to an outline version that the decommissioning plan that should accord with. Applicant to confirm if an outline decommissioning plan will be made available.</p>
Q1 HOE 1.8	LCC	<p>Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund</p> <p>LCC's Local Impact Report (LIR) [REP1-053] requests the establishment of an Ecological Steering Group along with the appointment of an Environment Compliance Officer (funded via a S106 agreement) and the establishment of an Ecology Enhancement Fund.</p> <ul style="list-style-type: none"> • Please provide further comments on the role of the Environment Compliance Officer, having regard to the role of Ecological Clerk of Works as proposed by the Applicant. • Clarify if LCC proposes that the Ecology Enhancement Fund would form part of the requested S106. How would such a fund relate to BNG? • Please outline how the proposed S106 would meet the necessary legal tests.
Q1 HOE 1.9	The Applicant	<p>Environmental Management System (EnMS), Ecological Management Plan and Environmental Management Plan.</p> <p>An EnMS and an Ecological Management Plan are proposed in documents, including the Schedule of Mitigation [PD1-058].</p> <ul style="list-style-type: none"> • Please provide further details of the inter-relationship between these documents in relation to their role and function.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> It is noted that Chapter 22 of the ES [APP-077] refers to both Ecological Management Plans and Environmental Management Plans. Are they separate documents or are they intended to be the same? The Schedule of Mitigation [PD1-058] does not appear to identify the production of an Environmental Management Plan to address onshore ornithology.
Q1 HOE 1.10	The Applicant Natural England East Lindsey District Council Boston Borough Council South Holland District Council	<p>The Management of Hedgerows (England) Regulations 2024</p> <p>The Hedgerow Regulations (1997) are referenced in Chapter 21 of the ES [APP-076]. The Management of Hedgerows (England) Regulations 2024 came into force in May 2024. Do they have any implications for the project and the assessment of effects contained in the ES?</p>
Q1 HOE 1.11	The Applicant	<p>Compensatory habitat for skylark and yellow wagtail</p> <p>Chapter 22 of the ES [APP-077], paragraph 172 of the OLEMS [PD1-054] and the Schedule of Mitigation [PD1-058] refer to the need to explore opportunities to utilise severed land to provide compensatory habitat for skylark and yellow wagtail in sections of fields adjacent to, or near to the Order Limits, subject to agreements with landowners. This appears to contradict paragraph 52 of the OLEMS which states that “...avoidance, mitigation, compensation and enhancement measures (as defined in the ES and Sections 3.3 to 3.8), will be restricted to the areas within the Order Limits.”</p> <ul style="list-style-type: none"> Confirm if measures outside of the Order limits are likely to be taken forward. If so, how are they secured in the dDCO? Provide an update on any agreements with landowners. How will compensation be provided if landowner agreement is not forthcoming?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 HOE 1.12	The Applicant	<p>Boston Alternative Energy facility compensation site</p> <p>Provide an update on the delivery of the Wyberton Roads South compensation site where works were expected to be completed in the Summer of 2024 (ES Chapter 22 ES, paragraph 98) [APP-077]. Is completion still due in advance of, or during, the construction phase for the Project?</p>
Q1 HOE 1.13	The Applicant	<p>Set-backs</p> <p>Paragraph 144 of the OLEMS [PD1-054] identifies that the landfall construction area will be set back a minimum of 80m from the Anderby Marsh Lincolnshire Wildlife Trust (LWT) Reserve to minimise disturbance. Table 22.8 of Chapter 22 of the ES [APP-077] also lists this mitigation measure but also refers to the Wolla Bank Reedbed LWT Reserve in the project phase. Should the OLEMS and mitigation specified in Table 22.8 also refer to a set-back distance for Wolla Bank Reedbed LWT Reserve? If not, why not?</p>
Q1 HOE 1.14	<p>The Applicant</p> <p>LCC</p> <p>East Lindsey District Council</p> <p>Boston Borough Council</p> <p>South Holland District Council</p>	<p>Monitoring, aftercare and compliance audits</p> <p>Section 3.9 of the OLEMS [PD1-054] provides some information in relation to monitoring with a commitment to provide further detail in the Ecological Management Plan (EMP) and Landscape Management Plan (LMP).</p> <ul style="list-style-type: none"> • Do the local authorities have any specific comments to make in relation to proposals and the level of information provided in outline? <p>For the Applicant:</p> <ul style="list-style-type: none"> • Please provide further details of monitoring likely to be included in the EMP and LMP, including frequencies and Key Performance Indicators. • Provide further details on the proposals in the OLEMS (paragraph 79) to appoint an “<i>appropriate external body</i>” with the specific task of undertaking compliance audits. • Can the Applicant clarify the proposed future level of engagement with Lincolnshire County Council, the relevant Local Planning Authorities or any other stakeholders in relation to monitoring and compliance? • Should the OLEMS commit to monitoring at the OnSS for the duration of the operational period rather than for a minimum of 30 years? If not, why not?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Please provide further justification for the aftercare period for reinstated habitats of up to five years.
Q1 HOE 1.15	The Applicant	<p>Biodiversity Management Strategy</p> <p>The Policy Compliance Document [AS-012] states that the OLEMS [PD1-054] serves as the Biodiversity Management Strategy as envisaged by NPS EN-1. Please provide further clarification of how the OLEMS serves this function with particular regard to the need for it to make <i>“provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.”</i></p>
Q1 HOE 1.16	The Applicant	<p>Arable Field Margins</p> <p>Paragraph 233 of the OLEMS states that <i>“opportunities for the creation and enhancement of arable field margins will be developed in the detailed design set out in the EMP. Information regarding the type of field margins that could be sown “are available from Natural England (website)”</i>.</p> <p>Please provide further details regarding the type of field margins that could be sown and how a commitment to this is secured.</p>
HRA Habitats Regulations Assessment (HRA)		
1 HRA General Questions		
Q1 HRA 1.1	Natural England (NE)	<p>Assessment of effects of highly pathogenic avian influenza</p> <p>Further to your RR [RR-045] and your Deadline 1 (D1) submission [REP1-061] set out the assessment methodology measures you would wish the Applicant to undertake in order to give consideration to the effects of highly pathogenic avian influenza within the HRA process.</p>
Q1 HRA 1.2	The Applicant	<p>Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Projects</p> <p>The Order has been made for the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm (OWF) Projects on 17 April 2024. To what extent were these two projects accounted for in your HRA considerations and do any documents need updating to reflect the fact that the Order has now been made? Does the making of this Order affect any of the conclusions you have drawn in terms of in-combination effects for offshore and intertidal ornithology?</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 HRA 1.3	The Applicant	<p>Assessment of changes to other offshore wind farm projects to inform in-combination assessment</p> <p>In its D1 response NE [REP1-061] has replied that you have stated that you have no intention of updating your cumulative or in-combination assessments as more up to date values from other projects become available during the course of this Examination. The ExA presumes that NE has inferred this from your response F2 on page 286 of The Applicant’s Responses to Relevant Representations [PD1-071] in which it is stated that: “ ... <i>it is not in the Applicant’s gift to provide data from other projects and so the Applicant has used the best available data at the point of preparing the application documents.</i>”</p> <p>Do NE’s comments in [REP1-061] accurately reflect your position on providing updated assessments, both cumulatively and in-combination, if updated information from other ‘live’ OWF projects becomes publicly available? If this is the case, then justify your position on this.</p> <p>If not, then explain how you intend to take account of any amended data from these other ‘live’ projects, that is in the public domain, and which might affect your assessment of cumulative and in-combination effects.</p>
Q1 HRA 1.4	The Applicant	<p>Siting of the proposed offshore reactive compensation platforms (ORCP)</p> <p>In its D1 submission NE [REP1-061] has recommended that the ORCP not be sited in the Greater Wash SPA in order to avoid potential disturbance and displacement effects on the red-throated diver feature of this SPA. Comment on the technical and operational feasibility of NE’s request.</p>
Q1 HRA 1.5	NE	<p>Annex I Sandbanks Worse Case Scenario</p> <p>NE is not in agreement with the Applicant on the presented Worse Case Scenario (WCS) of lasting habitat loss/change of Annex I Sandbanks from the placement of cable protection within Inner Dowsing Race Bank and North Ridge (IDRBNR) Special Area of Conservation (SAC).</p> <ul style="list-style-type: none"> • Please explain why you deem the WCS not to have been assessed? • What does NE deem to be the WCS? • What would NE request of the Applicant to address these concerns?
Q1 HRA 1.6	NE	<p>Further analysis in relation to Sabellaria Spinulosa</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>NE [RR-045] has concerns with the sufficiency of the data in order to draw conclusions, with any confidence, as to the presence, extent and quality of Annex I biogenic reef (Sabellaria Spinulosa). The ExA notes that the Applicant has undertaken an independent re-analysis of the survey data to re-evaluate the potential for Annex I reef [PD1-095].</p> <ul style="list-style-type: none"> • Does the Applicant’s independent re-analysis satisfy NE’s concerns with the sufficiency of the data in order to draw conclusions as to the presence, extent and quality of Annex I biogenic reef? • If not, why not? Please set out the specific information that would still be required.
Q1 HRA 1.7	NE	<p>Nearshore (depth of closure) area cable protection</p> <p>Noting the Applicant’s response to NE in relation to securing the avoidance of cable protection in shallow nearshore areas, citing the conditions of the deemed marine licence [PD1-071 NE Ref NE2]:</p> <ul style="list-style-type: none"> • Are NE content with this as a measure? • If not, what would NE propose?
Q1 HRA 1.8	The Applicant	<p>Seagrass habitat creation/restoration for Annex I Sandbanks</p> <p>Please provide an update on progress on these options following NE’s advice [RR-045].</p>
<p>2 Derogation Case and Compensation Measures</p>		
Q1 HRA 2.1	The Applicant	<p>Update on the Marine Recovery Fund</p> <p>The Applicant has stated, for example in the Kittiwake Compensation Plan [APP-250] and the Without Prejudice Razorbill Compensation Plan, [APP-255] and elsewhere that Round 4 projects will be able to access the Marine Recovery Fund (MRF).</p> <p>Furthermore, in para 57 of [APP-250] it is stated that: “<i>The Applicant understands that the MRF will be in place prior to the determination of the consent for the Project and therefore will be available to rely upon for the purpose of delivering compensation if required.</i>” Provide an update on this and comment on whether your analysis of the MRF being in place within this timescale is accurate. Comment on any differences between how your proposed compensation measures would be carried out if undertaken within the context of the MRF versus being undertaken on a project-alone basis if either the MRF was not in place or you chose not to pursue that option for compensation measures.</p>

ExQ1: Wednesday 6 November

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ExQ1	Question to:	Question:
Q1HRA22	The Applicant and NE	<p>DEFRA Best Practice Guidance on developing compensatory measures for Marine Protected Areas</p> <p>Paragraph 3 of the Without Prejudice Guillemot Compensation Strategy [APP-252] has made reference to DEFRA guidance on developing compensatory measures in relation to Marine Protected Areas. In Footnote 1 the Applicant notes that whilst it is aware of this guidance, it is out for consultation and the project delivery programme did not allow for full inclusion of the recommendations.</p> <ul style="list-style-type: none"> • Has the final version of this guidance now been published and, if so, has it altered from the consultation version? Please provide a copy of any final, published Guidance into the Examination. • If a final version has not yet been published, do any of the recommendations in the draft Guidance have implications for the Proposed Development that have not already been considered?
Q1HRA23	The Applicant, NE and RSPB	<p>Level of information on compensation measures</p> <p>The RSPB in its D1 submission [REP1-047] has raised a number of overarching concerns about the Applicant’s approach to the formulation of its proposed compensation measures and the amount of information that has been provided for kittiwake, guillemot and razorbill regarding, but not limited to, detailed design, timescales, lead-in times and connectivity to the UK National Site Network for guillemot and razorbill. In its latest Risk and Issues Log [REP1-064] NE has also maintained its view that the information provided by the Applicant on the proposed compensation measures, particularly for razorbill and guillemot, is either lacking or not fully explained for a number of issues. In fact, despite the Applicant’s response in [PD1-071], there has been no change in the updated Risk and Issues log [REP1-064] from any of NE’s previous positions on the offshore ornithological compensation measures.</p> <p>To the Applicant:</p> <p>The ExA is aware that you have responded to both NE’s and the RSPB’s Relevant Representations in [PD1-071]. Is it your intention to provide any further responses regarding the detailed additional information on ornithological compensation measures requested by either NE</p>

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ExQ1	Question to:	Question:
		<p>in [REP1-064] or the RSPB in [REP1-047]. If so, then please state when this information is likely to be submitted. If not, then justify your position on this matter.</p> <p>To NE and RSPB:</p> <p>Recent Orders have been made (for example for Hornsea Four and the Sheringham Shoal and Dudgeon Extension Projects) for offshore wind farm projects that contained proposed ornithological compensation measures. Comment on the level of information regarding compensation measures that was submitted to accompany these other projects, and which has been found to be acceptable by the Secretary of State, in comparison with that which has been submitted by the Applicant for this Proposed Development.</p>
Q1HRA24	The Applicant, NE and RSPB	<p>Non-material change to the Hornsea Four Order</p> <p>On 17 July 2024 the Secretary of State accepted a non-material change request to the Hornsea Four Offshore Wind Farm Development Consent Order (SI 2023/800). This change sought to amend the Order to reduce the length of time the proposed artificial nesting structure for kittiwake needs to be in place before operation of the project from four full breeding seasons to two full breeding seasons.</p> <p>Comment on the implications of this recent decision in regard to the lead-in times for the Proposed Development.</p>
Q1HRA25	The Applicant	<p>Establishment of the Plémont Seabird Reserve</p> <p>The Applicant has submitted as Document Reference 7.7.5,.1 'Plémont Seabird Reserve Feasibility Study Report for a Predator-Exclusion Fence' [APP-258]. This is a draft report dated February 2021. The RR from Birds On The Edge [RR-009] states that: “ <i>BOTE would like to establish a reserve comprising a one kilometre mile stretch of coast between the Plémont and Creux Gabourel Headlands in northern Jersey in order to provide long-term benefits for auk species, and their habitats (the Plémont Seabird Reserve).</i>”</p> <p>Provide an update on both the establishment of the Plémont Seabird Reserve and the installation of the predator exclusion fence. If neither has yet occurred then comment on when this is likely to happen and what obstacles to establishment remain.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>How confident can the ExA be that this reserve will be established and the predator exclusion fence will be in place before either: a) the close of this Examination or b) the commencement of construction operations should the Order be made?</p>
Q1 HRA2.6	The Applicant and NE	<p>Use of the Plémont Seabird Reserve by other projects for compensation</p> <p>Are any of the other 'live' offshore wind farm applications such as Five Estuaries, North Falls or Dogger Bank South proposing predator control at the Plémont Seabird Reserve East as a potential compensation measure for their impacts on auk species? If so, then how can the required quantum and effectiveness of the proposed compensation be allocated and assessed between more than one project?</p>
Q1 HRA2.7	The Applicant	<p>Applicability of predator control measures at Plémont Seabird Reserve for Guillemot</p> <p>In paragraph 33 of the Without Prejudice Predator Control Evidence Base and Road Map [APP-257] you note that: <i>“There is currently no guillemot breeding population at the Reserve, although annually individual birds are noted in the area, potentially searching for suitable breeding habitat and birds are seen annually below the cliffs at Grosnez point, just west of the site, in the breeding season, with birds noted flying up to the cliffs on occasion. With this behaviour noted, and the regularity of occurrence here and off the reserve in the breeding season, it is possible that breeding is occurring undetected.”</i></p> <p>Given that there is currently no firm evidence of a breeding population of guillemot, justify your selection of predator control at Plémont Seabird Reserve as a suitable without prejudice compensation measure for guillemot that could provide the capacity for 200 breeding pairs as identified in Table 2.3 of [APP-252].</p>
Q1 HRA2.8	The Applicant	<p>Timescale for provision of further information</p> <p>On page 287 of The Applicant’s Responses to Relevant Representations [PD1-071] it is stated in relation to predator control for guillemot and razorbill of the FFC SPA that: <i>“Details of the ongoing monitoring and adaptive management of the measure will be provided when they have been finalised.”</i></p> <p>The ExA notes that examples of potential adaptive management measures have been given in paragraph 13.1.4 of the Crown Estate Strategic Kittiwake Compensation Plan [APP-261]. Consequently, please explain why details of potential adaptive management techniques cannot</p>

ExQ1: Wednesday 6 November

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ExQ1	Question to:	Question:
		<p>be provided now. If they are to be provided at a later time, will this be within the course of this Examination? If not, then explain what confidence the ExA can have that adequate adaptive management measures would be provided post-Examination?</p>
Q1 HRA2.9	The Applicant	<p>Additional measures in the Without Prejudice Guillemot Compensation Strategy</p> <p>Table 2.3 of the Without Prejudice Guillemot Compensation Strategy [APP-252] identifies that “<i>Additional measures</i>” have the potential to compensate for 1,040 guillemot breeding pairs. The ExA notes that in paragraph 153 of the Without Prejudice Additional Measures for Compensation of Guillemot and Razorbill [APP-259] it is considered that “<i>Across the six sites, restoring populations to previous maxima through the implementation of a measure or suites of measures described here, would increase guillemot numbers by 2,081birds and razorbill by 269.</i>”</p> <p>However, it is unclear exactly how you have arrived at the figure cited in paragraph 153 of [APP-259] and Table 2.3 of [APP-252]. Consequently, please either signpost to where in your submitted documentation these figures have been derived or explain, in more detail, the data behind this predicted number.</p> <p>You go on to state in paragraph 152 of [APP-259] that “<i>the overall scale of compensation that can be delivered by this suite of additional measures will be defined by which sites are taken forward.</i>” Given this statement, how confident can you be at this stage in your aforementioned predicted figures?</p>
Q1 HRA2.10	The Applicant	<p>Additional measures in the Without Prejudice Razorbill Compensation Plan</p> <p>Table 2.3 of the Without Prejudice Razorbill Compensation Plan [APP-255] identifies that “<i>Additional measures</i>” have the potential to compensate for 134 razorbill breeding pairs. The ExA notes that in paragraph 153 of the Without Prejudice Additional Measures for Compensation of Guillemot and Razorbill [APP-259] you consider that “<i>Across the six sites, restoring populations to previous maxima through the implementation of a measure or suites of measures described here, would increase guillemot numbers by 2,081birds and razorbill by 269.</i>”</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>However, it is unclear exactly how you have arrived at the figure cited in paragraph 153 of [APP-259] and Table 2.3 of [APP-255]. Consequently, please either signpost to where in your submitted documents you have derived these figures from or explain in more detail how you have arrived at this predicted number.</p> <p>You go on to state in paragraph 152 of [APP-259] that <i>“the overall scale of compensation that can be delivered by this suite of additional measures will be defined by which sites are taken forward.”</i> Given this statement, how confident can you be at this stage in your aforementioned predicted figures?</p>
Q1 HRA2.11	The Applicant	<p>Calculations on compensation requirements for kittiwake</p> <p>Table 2.1 of the Kittiwake Compensation Plan [APP-250] provides figures for the compensation requirement for kittiwake in terms of breeding pairs using either the ‘Hornsea 4’ or the ‘Hornsea 3, part 2’ calculation methods. Either explain the differences between these two calculation methods or signpost to where you have provided such an explanation, and justify your choice of the ‘Hornsea 4’ calculation method.</p>
Q1 HRA2.12	The Applicant	<p>Offshore Artificial Nesting Structures (ANS) Evidence Base and Road Map</p> <p>The intention of [APP-256] is to act as a ‘Road Map’ and as such does not contain the full details of the proposed compensation measure of ANSs for both kittiwake and potentially also for razorbill and guillemot.</p> <ul style="list-style-type: none"> • what is the envisaged timescale for reaching a final decision on the design, number and exact location(s) of the proposed ANSs; • how will that be taken forward into the construction programme; • what will be the assessment and consultation process used to arrive at that decision; • how will this be monitored; and • what will be the dispute resolution process should agreement not be reached between yourself and other parties regarding any issue?
Q1 HRA2.13	The Applicant	<p>Potential for conflict on ANS</p> <p>Para 54 of the Offshore Artificial Nesting Structures Evidence Base and Road Map [APP-256] states that: <i>“Although highly territorial when defending their breeding site, it appears guillemot</i></p>

ExQ1: Wednesday 6 November

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ExQ1	Question to:	Question:
		<p><i>breeding success is correlated with the presence of nearby neighbours (Olsthoorn & Nelson, 1990).</i>” Please clarify this statement and comment on the evidence available to demonstrate whether or not there would be any potential for conflict to exist between kittiwake, razorbill and guillemot should ANS be required for all three species within the same overall structure.</p>
Q1 HRA2.14	NE The Applicant	<p>‘Without Prejudice’ Benthic Compensation</p> <p>NE states that it cannot support the proposed ‘Without Prejudice’ Compensation Measures Alternative measures for Annex I sandbanks and Reef Creation of Annex I reef as compensation for Annex I Sandbank Habitat Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign [PD1-071 NE Ref NE6].</p> <ul style="list-style-type: none"> • What would NE want to see from the Applicant to be confident that the measure could offset the impacts on Annex I sandbanks and reef creation of Annex I reef? • How has the Applicant progressed the development of other various ‘without prejudice’ compensation measures? The ExA requests that the Applicant set out progress on each measure in a tabulated form which is subsequently updated at each deadline.
HE Historic Environment		
Q1 HE.1.1	The Applicant	<p>Archaeological Surveys</p> <p>In [PD1-071], Section RR-004.012, it is stated that further archaeological investigations have begun, including trial trenching. Provide an update on progress and any implications for the assessment outcomes presented in the Environmental Statement (ES).</p>
Q1 HE.1.2	The Applicant	<p>Basis for ES Conclusions</p> <p>Historic England (HE) Written Representation (WR) [REP1-042 paragraphs 4.22 to 4.24] raises concerns with a number of the ES conclusions due to the partial completion of the survey work and the <i>‘magnitude of evaluation and assessment still required post consent.’</i></p> <ul style="list-style-type: none"> • Provide a response to these concerns and describe the limitations inherent in the pre-evaluation assessment presented in the ES conclusions. • Explain how the Examining Authority (ExA) can be confident that a robust assessment of the effects on archaeological remains has been carried out when only limited trial trenching has taken place to date.

ExQ1: Wednesday 6 November

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ExQ1	Question to:	Question:
Q1HE1.3	Lincolnshire County Council (LCC)	LCC in its WR [REP1-043] considers archaeology of more than a local/regional significance could be damaged or disturbed. <ul style="list-style-type: none"> • Explain why you consider this to be the case?
Q1HE1.4	LCC HE	Further Archaeological Surveys/Works Further to the comments from LCC [RR-004] relating to the lack of evaluation at all levels (including aerial photographs, geophysical survey and trial trenching), can LCC and HE comment on: <ul style="list-style-type: none"> • the Applicant’s response to Relevant Representations – including details of geoarchaeological works [PD1-071, Section RR-027.006]; • the Onshore Archaeological Geophysical Report [PD1-080]; and • updated Requirement 17 of the draft Development Consent Order (dDCO) [AS1-024]
Q1HE1.5	LCC HE	Updated Onshore Outline Written Scheme of Investigation (OWSI) for Archaeological Works Are you satisfied that the updated OWSI [PD1-052] provides sufficient detail on: <ul style="list-style-type: none"> • preservation in situ and enforceable measures? • determining the significance of archaeology which may be affected? • contributing to knowledge and understanding, public benefit and public dissemination of information? Are you satisfied that it provides sufficient protection for unknown heritage/archaeological assets with appropriate mitigation in place to preserve such assets?
Q1HE1.6	LCC HE	Middlecott Almshouses In light of [RR-084] Anthony Kindred and [RR-085] Lisa Kindred and the Applicant’s response to Relevant Representations [PD1-071], clarify, with reasons, whether you consider the Applicant’s conclusions in relation to the impact of vibration, noise and dust upon Middlecott Almshouses to be satisfactory.
Q1HE1.7	LCC	Aerial Photographs Please explain the additional information that could be gained using aerial photographs and set out how this might assist the Examination.

ExQ1: Wednesday 6 November

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ExQ1	Question to:	Question:
Q1HE1.8	LCC	<p>Emerging Regional Policy</p> <p>LCC Relevant Representation [RR-004] mentions forthcoming archaeology regional policy in relation to trenching of impact zones. Please provide details of such policy and the current status of any documents.</p>
HH Human Health		
Q1HH1.1	The Applicant	<p>Electric and Magnetic Fields</p> <p>Government policy is that exposure of the public should comply with the International Commission for Non-Ionizing Radiation Protection (ICNIRP) 1998 guidelines. Please show evidence of compliance with these guidelines, particularly in relation to concerns raised by Julie Ann Mason [REP1-051] in relation to the two fishing lakes, freshwater borehole and proposed caravan park.</p>
LU Land Use, Geology and Ground Conditions		
Q1LU1.1	<p>Natural England (NE)</p> <p>East Lindsey District Council</p> <p>Boston Borough Council</p> <p>South Holland District Council</p>	<p>Written Ministerial Statement (WMS) - Solar and protecting our Food Security and Best and Most Versatile (BMV) Land</p> <p>Lincolnshire County Council's (LCC) Local Impact Report (LIR) [REP1-053] and Written Representation [REP1-043] state that the WMS made on 15 May 2024 (UIN HCWS466) is a relevant policy consideration for the Proposed Development. The Applicant's response to the same point in LCC's Relevant Representation [RR-004] is that the WMS "<i>is in reference to the impact that solar developments have upon BMV land, rather than renewable energy developments in general</i>" [PD1-071].</p> <ul style="list-style-type: none"> • Is the WMS a relevant consideration for the Proposed Development? • If so, explain why and what implications does it have?
Q1LU1.2	The Applicant	<p>Onshore Export Cable Corridor (ECC) alternatives - Agricultural Land Classification (ALC)</p> <p>Table 1 of the Erratum to Site Selection and Consideration of Alternatives [PD1-074] provides updated information to compare the provisional ALC for ECC options 1, 2 and 3 with cross reference to Figure 4.20 [APP-090]. However, the ExA notes that from the Applicant's response to the Relevant Representation [PD1-071] from TH Clements & Sons Ltd that "<i>...the route options presented in Figure 4.20 are a set of initial routes, which have been subject to further refinement.</i>"</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p><i>The key outcome of this consultation was the diversion of Option 1 to the north and west of the A52 (away from the very top-quality silty soils situated to the east of the A52 public highway, as suggested by TH Clements & Sons), which resulted in a significant reduction in the areas of Grade 1 ALC land being crossed by the final route.</i></p> <ul style="list-style-type: none"> • Please provide a clear plan that identifies the final onshore ECC route alongside all alternatives considered. • For each route identified on the plan, provide a table that clearly identifies the amount of provisional ALC by grade, in Hectares for each option.
Q1LU13	The Applicant	<p>Onshore Substation (OnSS) search area and use of BMV agricultural land</p> <p>Please elaborate on the implications of increasing the distance of the area of search around the National Grid T-Junction that would be necessary to avoid Grade 1 agricultural land.</p>
Q1LU14	The Applicant	<p>ECC “working width” during construction</p> <p>The Applicant’s response to a Relevant Representation (RR) from TH Clements & Son provides further detail to explain the need for an 80m working width [PD1-071]. The Applicant explains that is required <i>“to allow the installation of the onshore export cables and all the associated works (including storage areas for topsoil and subsoil, drainage and a haul road to deliver equipment to the installation site from construction compounds) to be undertaken, enabling temporary and permanent work.”</i> However, paragraph 49 of the Cable Statement [PD1-068] states that an 80m width is needed <i>“to provide sufficient design flexibility to allow for micro-siting…”</i> which suggests that not all of the components identified in its response to TH Clement & Sons Ltd will be needed. Paragraph 49 goes on to refer to details being agreed with <i>“affected third parties”</i>.</p> <ul style="list-style-type: none"> • Is the 80m working width needed to provide design flexibility and allow micro-siting or will it be occupied by all of the components listed on pages 400 to 402 of PD1-071, or will this vary along the corridor? • If design flexibility and micro-siting is to be applied, to what extent will landowners and agricultural tenants have the opportunity to influence detailed design with a view to minimising adverse impacts on agriculture as far as possible?
Q1LU15	The Applicant	<p>Severance of agricultural land during construction</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>Severance has been identified as a concern by TH Clements & Sons Ltd and Woodlands Farm (Kirton) Ltd [RR-067, RR-075 and REP1-050]. The Applicant’s response [PD1-071] to TH Clements & Son Ltd states that its land agents have reviewed areas of land which may be severed as a result of construction activities. The response to Woodland Farm (Kirton) Ltd appears to suggest that Horizontal Directional Drilling (HDD) is proposed, in part, to address severance. The ExA notes that paragraph 277 of Chapter 25 of the Environmental Statement (ES) [AS1-050] states that severance impacts on operations can still be assessed and mitigated without full details of occupying tenants. The outline Code of Construction Practice (OCoCP) [PD1-038] refers to the preparation of a management plan for severed land to be agreed with land-owners and tenants but it is not identified in the Schedule of Mitigation [PD1-058] or Requirement (R)18 of the draft Development Consent Order (dDCO) [AS1-024].</p> <ul style="list-style-type: none"> • Can the Applicant confirm if it has sought to engage with all relevant landowners and tenants to determine the amount of land that would be severed? If so, please provide details of the amount of land and implications for the conclusions in the ES. • Please elaborate on the proposal for a management plan for severed land. Will this be a single plan or separate plans for individual owners or tenants? How is the commitment for these plans secured? Should it be specifically identified in the Schedule of Mitigation and dDCO?
Q1LU1.6	The Applicant	<p>Trenchless techniques</p> <p>The RR from Woodlands Farm (Kirton) Ltd [RR-075] identifies a preference for the use of HDD under farmland. The Applicant has confirmed that HDD is to be used in the northern field known as “Ying Yangs” [PD1-071].</p> <ul style="list-style-type: none"> • Can the Applicant explain why HDD is to be applied in the northern field? Is this due to the need to avoid impacts on organic soil or to avoid severance? If not, why not. • Is HDD proposed in other locations to avoid impacts on agriculture including severance or soil? If not, why not?
Q1LU1.7	The Applicant NE	<p>ALC and soil surveys</p> <p>NE Written Representation [REP1-063] maintains its position that the Applicant should present ‘site specific’, both detailed and semi detailed ALC surveys to inform the decision maker in their application of National Policy Statement (NPS) EN-3. The Applicant deems this to be</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
	<p>Lincolnshire County Council (LCC)</p> <p>East Lindsey District Council</p> <p>Boston Borough Council</p> <p>South Holland District Council</p>	<p>unnecessary at it considers that it has assessed the worst-case scenario in the Environmental Statement (ES) by classifying all Grade 3 land as Grade 3a, therefore falling under the definition of BMV land.</p> <ul style="list-style-type: none"> • Explain with reasoning whether it is possible, in the Applicant’s view, that land assumed to be Grade 2, 3 or 4 in the ES could be graded higher, when subject to survey? If not, why not? • Have any ALC surveys been carried out in the vicinity that could be used to consider the accuracy of NE’s Provisional ALC mapping? If so, provide further details and outline any implications. • Can the Applicant point to any examples of similar Nationally Significant Infrastructure Projects being approved by the Secretary of State (SoS) in the absence of ALC surveys? If so, please outline the approach taken and the policy context at the time of approval. • Can LCC and the Local Planning Authorities confirm if they consider it necessary for ALC and soil surveys to be carried out prior to the application being decided? Please provide reasoning with reference to policy and any parallels with other projects that the local authorities are aware of.
Q1LU1.8	NE	<p>ALC assessment at a national scale</p> <p>Is Natural England aware of any other projects that have provided an assessment of cumulative impacts in terms of ALC at a national scale as its RR [RR-045] requests?</p>
Q1LU1.9	<p>The Applicant</p> <p>NE</p>	<p>Peat identification and management</p> <p>NE highlight a need for the Applicant to identify deep peat and peaty soils and to produce a Peat Management Plan with a strong recommendation that it should remain in situ [RR-045] and [REP1-063]. It states that, according to its data, there are records of deep peat within the area. The Applicant’s response is that a review of publicly available data confirmed that no peat was present within the Order limits as shown on Figure 23.2 [AS1-058]. However, the ExA notes that Chapter 23 of the ES makes reference to “peat” or “peaty surface” in the description of the existing environment in ECC segments 1, 6 and 7 [APP-078].</p> <p>To NE :</p> <ul style="list-style-type: none"> • Please provide any available records of peat in the area

ExQ1	Question to:	Question:
		<p>To the Applicant:</p> <ul style="list-style-type: none"> • Provide further detail to clarify the position that there is no peat present given the references in the Chapter 23 of the ES? • Provide further details of how peat would be managed, if identified in future surveys? Please identify amendments to the outline Soil Management Plan (SMP) [PD1-040] as appropriate having regard to Natural England’s advice that peat should remain in situ
Q1LU1.10	<p>The Applicant</p> <p>Interested Parties</p>	<p>Dust contamination</p> <p>Concerns regarding the risk of dust contamination of crops during construction are raised by a number of landowners and agricultural businesses in their RRs. The Local Impact Report submitted by East Lindsey District Council, Boston Borough Council and South Holland District Council [REP1-052] also identifies the need for the effective management of dust and communication with landowners. The ExA notes that the local authorities deem the mitigation measures listed in Table 2.1 of the outline Air Quality Management Plan (AQMP) [APP-270] to be robust. The Applicant’s response to RRs [PD1-071] identifies mitigation specified in the outline Construction Traffic Management Plan [APP-289], outline SMP [PD1-040] and the outline CoCP [PD1-038]. The latter refers to the implementation of a “<i>Dust Management Plan</i>” but this document is not identified in the Schedule of Mitigation [PD1-058] or in R18 of the dDCO [AS1-024].</p> <ul style="list-style-type: none"> • Does the Applicant intend to produce a “Dust Management Plan”? If so, how would this plan be secured? Should it be identified in the Schedule of Mitigation and R18 of the dDCO? Will an outline Dust Management Plan be submitted into the Examination? If not, why not? • The ExA notes that the Applicant met with the Land Interest Group (LIG) on 4 September to discuss concerns and the outline CoCP. Can Interested Parties please comment on the mitigation proposed by the Applicant and specify any additional measures that they consider to be necessary. • Is the Applicant committed to implementing all of the measures identified in Table 2.1 of the outline AQMP which are identified as “highly recommended”? If so, should this be made clearer in the outline AQMP?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Can the Applicant provide feedback on the approach and conclusions of the Technical Report: Dust Deposition Modelling submitted by TH Clements & Son Ltd with its Written Representation [REP1-050]? Does this report have any implications beyond the study area of the ES or for other plots not included in the TH Clements & Son Ltd assessment?
Q1LU1.11	The Applicant Interested Parties	<p>Stone contamination</p> <p>The ExA notes the concerns raised by multiple Interested Parties regarding the potential for stone contamination of Grade 1 soils and associated implications for agriculture. The Applicant responds [PD1-071] by referring to a commitment in the outline SMP to conduct post-construction soil surveys. If stones are present on land previously stone free, <i>“an aftercare programme (as outlined in section 5.11 of the oSMP) will be agreed upon, and remediation works will be undertaken.”</i> However, the outline SMP [PD1-040] does not appear to include a commitment to ensure that stone free land remains so after construction.</p> <ul style="list-style-type: none"> Should the outline SMP include a specific commitment to ensure that land identified as stone free in pre-construction surveys is returned this condition post-construction? Can the Applicant elaborate on the reasons why it cannot commit to aluminium trackway being the primary method for haul roads? The Written Representation from TH Clements & Son Ltd [REP1-050] identifies issues apparent following the completion of other projects in the area, including Triton Knoll and Viking Link. Can the Applicant comment on the effectiveness of mitigation to avoid residual stone contamination on these projects and whether any lessons can be learned from them?
Q1LU1.12	The Applicant	<p>Soil restoration</p> <p>NE [RR-045] welcomes the commitment to produce a Decommissioning Plan in R24 of the dDCO [AS1-024] but request a commitment to restore land to its original condition and ALC grade. The Applicant’s response [PD1-071] appears to be contradictory in stating that the Decommissioning Plan will <i>“confirm the detail of restoration required which will include the restoration of land to its original ALC Grade”</i> whilst going on to state that this would not be possible as it would <i>“...require the methodology for ALC assessment to remain the same (currently MAFF 1988 guidance), with no updates to climate data sets.”</i> The ExA notes that there does not appear to be any confirmation in R24 of the dDCO, the outline SMP [PD1-040] or the Schedule of Mitigation [PD1-058] that the Decommissioning Plan will provide any detail regarding soil restoration.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Should the outline SMP provide a specific commitment to restore agricultural land, to the same ALC grade (or equivalent future grade) to that identified in pre-construction surveys? If not, why not? • Confirm if any such commitment would apply to the 26.38ha “permanent” land take, including the OnSS, as identified in Chapter 25 of the ES following decommissioning as well as the onshore ECC and 400kV cable corridor during operation? • Should R24, outline SMP and the Schedule of Mitigation confirm the commitment for the Decommissioning Plan to restore soil?
Q1LU1.13	The Applicant	<p>Soil aftercare and monitoring</p> <p>Section 5.11 of the outline SMP [PD1-040] states that “<i>It will be responsibility of the Soil Clerk of Works (SCoW) (or similar appointed person) to determine when the reinstatement standard has been met.</i>” Table 2 provides outline details of proposed monitoring but the frequency is not given.</p> <ul style="list-style-type: none"> • Will stakeholders, including landowners, be consulted to confirm that the reinstatement standard has been met? If so, how is this secured? If not, why not? • Please provide further details of the frequency of proposed monitoring.
Q1LU1.14	The Applicant NE	<p>Soil handling</p> <ul style="list-style-type: none"> • Should the outline SMP [PD1-040] include explicit reference to the need to follow the Institute of Quarrying’s Good Practice for Handling Soils in Mineral Working in relation to soil handling? If not, why not? • What are Natural England’s comments on the Applicant’s suggestion in its response to its Relevant Representation [PD1-071] that the winter working agreement (as per table 22.7 of Chapter 22 Onshore Ornithology [APP-077]) would be beneficial to soil handling? Should this be identified in the outline SMP?
Q1LU1.15	The Applicant LCC	<p>Level of detail in the outline SMP</p> <p>Interested Parties including NE and agricultural businesses have expressed concern regarding the level of detail provided in the outline SMP. The ExA notes that LCC’s LIR [REP1-053] considers the outline SMP to be acceptable but goes on to state that in populating the document, it will be necessary to identify the individual areas of land and the route for soil stripping,</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
	<p>East Lindsey District Council</p> <p>Boston Borough Council</p> <p>South Holland District Council</p>	<p>trenching, restoration as well as addressing soil challenges such as running sands and drainage in detail.</p> <ul style="list-style-type: none"> Does the outline SMP provide sufficient detail at this stage? If not, please elaborate on specific additions that are necessary.
Q1LU1.16	The Applicant	<p>Soil heating</p> <p>TH Clements & Son Ltd [RR-067 and REP1-050] has identified concerns regarding the potential for soil heating from underground cables to result in crops growing at different rates with consequential impacts on harvesting.</p> <ul style="list-style-type: none"> Please comment on the scientific studies quoted by TH Clements & Son Ltd as well as the photographic evidence of soil heating at Triton Knoll. What measures are in place along the Triton Knoll cable route to prevent soil heating? Do they differ from those identified for the Proposed Development?
Q1LU1.17	<p>The Applicant</p> <p>LCC</p> <p>East Lindsey District Council</p> <p>Boston Borough Council</p> <p>South Holland District Council</p>	<p>Cable burial depth and potential implications</p> <p>Table 8.5 of the Project Description [APP-058] states that the minimum trench depth to cable protection tile is 1.2m. However, the ExA notes that the Applicant refers to a minimum burial depth of 1.25m in its response to Relevant Representations [PD1-071]. “Recently completed extensive ground investigations” of the onshore ECC and 400kV cable corridor, including Fenland silts are also referenced by the Applicant. Nevertheless, the ExA notes that the results are intended to inform the detailed design stage.</p> <ul style="list-style-type: none"> What is the proposed minimum burial depth of the onshore ECC and 400kV Cable? Can the details of the ground investigations be provided now? Do the results have any implications for cable depth? <p>The Written Representation from TH Clement & Sons Ltd [REP1-050] provides further details and photographic evidence of potential issues that may arise from the proposed cable depth, including for drainage and the risk of farm machinery coming into contact with cabling after getting bogged down. Similar concerns are echoed in multiple other Relevant Representations, including,</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>Brown & Co [RR-012], Hub Rural Ltd on behalf of The Holmes 1987 Pension Fund [RR-029], The Lincolnshire Association of Agricultural Valuers Land Interest Group [RR-035] and William Barker [RR-077]</p> <ul style="list-style-type: none"> • Can the Applicant comment on the additional evidence provided and identify any implications for its current approach? Should long term monitoring be undertaken as a precaution? • Are LCC and the LPAs aware of any examples in the area where cable depth has presented similar issues raised by Interested Parties? • Do Interested Parties have any evidence of cabling rising and moving from its intended position due to the nature of local soils?
Q1LU1.18	The Applicant	<p>Agricultural drainage and irrigation</p> <p>Section 5.14 of the outline CoCP [PD1-038] states that the project has contracted a local drainage consultant to collate land drainage plans and design pre and post construction drainage schemes which will allow drainage to be maintained during construction. R18 of the dDCO specifies that the CoCP must be approved by the relevant LPAs in consultation with bodies including the Environment Agency. However, the ExA notes that in responding to Relevant Representations [PD1-071], the Applicant also states that <i>“Once post construction drainage plans are drafted they will be shared with the landowners and their comment sought. The Applicant will have regard to the comments provided and, where necessary, revised plans”</i>.</p> <ul style="list-style-type: none"> • How is the commitment to consult with landowners secured? <p>The Applicant’s responses to RRs also acknowledge that there may be instances where existing drainage schemes cannot be reinstated post construction, and it may be necessary for part or whole fields to be re-drained. The outline CoCP does not appear to address this scenario.</p> <ul style="list-style-type: none"> • Please provide further details of how this scenario would be managed and how the necessary measures are secured.
Q1LU1.19	The Applicant	<p>Organic farming</p> <p>The RR submitted by Woodlands Farm (Kirton) Limited [RR-075] identifies numerous issues relating to the potential implications of the Proposed Development for the organic farm. The</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
	Woodlands Farm (Kirton) Limited	<p>Applicant's subsequent [PD1-071] response provides some clarification but further information is sought by the ExA.</p> <ul style="list-style-type: none"> • When will the Organic Land Protocol be made available for consideration in the Examination? • Will the Organic Land Protocol include mitigation measures suggested by the Applicant in response to Woodlands Farm (Kirton) Limited's RR that are not referenced in the current outline SMP [PD1-040] or outline CoCP [PD1-038] e.g. the use of buffer zones to avoid contamination? • Please confirm which other organic farms might be impacted by the Proposed Development? • Are all relevant landowners or tenants currently involved in the drafting of the Organic Land Protocol? • Should Section 3.2.9 of the outline Construction Traffic Management Plan [APP-289] cross refer to the forthcoming Organic Land Protocol? Please suggest amendments as appropriate. • What is the Applicant's proposed soil recovery period which it considers to be "minimal", with mitigation? • Provide further details of the "<i>strategy for cropping post-construction works</i>" upon which agreement is sought with the landowner. What role will this play? How is the strategy secured? Is similar consideration of cropping being given to other farms? If not, why not?
Q1LU120	The Applicant	<p>Identification of open space</p> <p>"OS Open greenspace" is mapped in Figure 25.3 of the ES [AS1-060]. Paragraph 45 of Chapter 25 of the ES refers to examples of "greenspace" but playing fields are not listed and individual sites identified in Figure 25.3 are not always labelled.</p> <ul style="list-style-type: none"> • Clarify how Figure 25.3 and Chapter 25 of the ES relate to open space as envisaged by NPS EN-1 section 5.11. • Does Figure 25.3 identify the Fosdyke Playing Field [RR-022]?
Q1LU121	The Applicant	Outdoor recreational land

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		Chapter 25 of the ES [AS1-050] identifies negligible adverse effects for outdoor recreational land. Paragraph 305 identifies medium sensitivity on a site with planning permission for up to 62 static caravans. Having regard to the Written Representation submitted by Julie Ann Mason [REP1-051] , please provide comments on any implications that may arise for the conclusions in the ES.
Q1LU1.22	The Applicant	<p>“Frack-out” management</p> <p>The ExA notes Natural England’s request [RR-045] for the outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) [APP-272] to refer to Sea Bank Clay Pits Site of Special Scientific Interest (SSSI) to ensure its features are included as sensitive ecological receptors in the final PPEIRP risk assessment for the use of drilling fluid. The Applicant’s position is that such details are the responsibility of the contractor responsible for the preparation of the final PPEIRP.</p> <ul style="list-style-type: none"> • Having regard to relevant policy, including NPS EN-1 paragraph 5.4.50, can the Applicant explain how the ExA or SoS can have confidence that the risk assessment will consider the SSSI or that any necessary mitigation is secured?
Q1LU1.23	NE	<p>Scoping and pollution management</p> <p>Can NE comment on the Applicant’s response to its Relevant Representations [PD1-071] regarding the scoping of Chapter 23 of the ES (NE reference H19) and pollution management (NE reference H22)?</p>
Q1LU1.24	The Applicant	<p>Ground investigation at landfall</p> <ul style="list-style-type: none"> • Provide further details of the lessons learned from Triton Knoll in relation to construction at landfall as identified in response to NE’s RR [RR-045]. • Provide further details of the pre-construction ground investigations undertaken in July 2024 “to avoid unforeseen direct or indirect impacts on Chapel Point to Wolla Bank SSSI” • Clarify whether any revisions are required to the outline CoCP [PD1-038] to reflect any findings and to ensure that necessary measures are implemented?
Q1LU1.25	The Applicant	<p>Construction Environmental Management Plan</p> <p>Paragraph 345 of Chapter 23 of the ES [APP-078] refers to a Construction Environmental Management Plan (CEMP) to set out procedures to address contamination. This is not referenced anywhere else other than the abbreviations table. Should paragraph 345 refer to the</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		Contaminated Land and Groundwater Management Plan or outline CoCP [PD1-038] instead? If not, provide signposting which sets out how the CEMP would be secured in the dDCO.
Q1LU 1.26	The Applicant	<p>Mitigation relating to geology and ground conditions</p> <ul style="list-style-type: none"> • Should the list of mitigation measures listed in paragraph 58 of the outline CoCP [PD1-038] more closely reflect Table 23.19 in the ES [APP-078]? If not, why not? • What is the basis of the 25m buffer distance cited in Table 23.19 for micro-siting of cabling?
Q1LU 1.27	The Applicant	<p>Geodiversity Management Strategy</p> <p>Please confirm which, if any, documents are intended to function as Geodiversity Management Strategy as specified in NPS EN-1. If no such strategy is to be provided, please provide justification.</p>
LV Landscape and Visual Effects		
Q1LV 1.1	The Applicant Local Planning Authorities (LPA)	<p>Landscape mitigation during the construction phase</p> <p>Environmental Statement (ES) Chapter 28 [APP-083] Table 7.1] identifies significant effects on residents on Croft Bank, Bleak House Farm and Fosdyke Bridge during the construction phase and significant effects for road users, walkers and horse riders.</p> <p>It would appear from the ES [APP-083] Section 5.4] that construction phase mitigation is limited and relies upon sensitive siting and that there are no specific intentions to provide landscape mitigation, including for Temporary Construction Compounds (TCC) and Cable Installation Compounds (CIC).</p> <ul style="list-style-type: none"> • is this interpretation correct or, if not, signpost where specific mitigation would take place to reduce the visual impression of the compounds within the landscape? • if the interpretation is correct, provide reasoning which justifies why it would be appropriate to have such significant construction features in the landscape without dedicated visual mitigation, given that they could well be in place for 48 months (4 years)? <p>LPA may also respond.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1LV12	Lincolnshire County Council (LCC) The Applicant	<p>Construction traffic</p> <p>LCC state that <i>'the assessment of effects on the existing landscape fabric of the study area, has been under considered given the small local road network and the scale of the construction traffic for the Onshore Substation (OnSS)'</i> [REP1-053]</p> <ul style="list-style-type: none"> LCC is requested to expand on this concern to provide further specific detail and what it considers the assessment of effects should be? <p>The Applicant may also respond.</p>
Q1LV13	LPA The Applicant	<p>Residential Receptors</p> <p>A Residential Visual Amenity Assessment (RVAA) has not been undertaken.</p> <ul style="list-style-type: none"> LPA, is this a reasonable approach? LPA, what weight should be given to private views from residential properties in the Examination, in the ExA's considerations and in the Secretary of States (SoS) decision? <p>The Applicant may also respond.</p>
Q1LV14	The Applicant	<p>Removal of Existing Trees and Hedgerows, Replanting and Management</p> <ul style="list-style-type: none"> Explain the processes for agreeing tree and hedgerow removal, replanting, aftercare, management and maintenance. Refer to the involvement of LPA, Natural England (NE) and landowners. Explain your approach to reducing the loss of hedgerows, trees and woodland along the cable route. How is the choice made between the use of trenchless techniques or to remove hedgerows, trees and woodland? How is the requirement for the use of Horizontal Directional Drilling (HDD) assessed and secured? What is the Applicant's proposed ratio for tree and hedgerow replacement? Provide an outline Arboricultural Management Strategy (AMS) or signposting to documents in the Examination which provide the information that would otherwise be contained within an outline AMS. Alternatively, explain with reasons why this information should not be submitted to the Examination.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> Set out how the removal of existing trees and hedgerows and the extent of any replanting are adequately controlled and secured within the draft DCO (dDCO).
Q1LV1.5	The Applicant	<p>Replacement planting of damaged/diseased trees or shrubs</p> <p>Requirement 11 of the dDCO [AS1-024] requires that trees or shrubs that die or are seriously damaged or diseased within 5 years after planting must be replaced.</p> <ul style="list-style-type: none"> Explain why 5 years is considered sufficient in the light of other made DCOs including Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm, which have more onerous requirements for the implementation and maintenance of landscaping? Please comment on LCC’s Local Impact Report (LIR) [REP1-053] request for an establishment and management strategy for planting and their proposed timescales for monitoring and management.
Q1LV1.6	The Applicant	<p>Changes to onshore works plans – reduction in landscaping width</p> <p>At Procedural Deadline 19 September 2024 in the Schedule of Changes for Plans [PD1-003], the Applicant describes changes to the Works Plan Onshore including:</p> <p>Works areas refined around the access bellmouth at the OnSS to account for a third-party planning application. The change includes a reduction in landscaping (Work No. 23) and replacement with drainage works (Work No. 24). These changes are on sheet 47; and West of the A16, works areas refined to reduce landscaping width from 10m to 6m (Work No. 23). The remaining 4m width is now presented as areas for drainage works (Work No. 24). This change has been made to allow access to the ditch for maintenance and jetting of land drains. These changes are on sheet 46.</p> <ul style="list-style-type: none"> Please set out the effect on landscape and visual impact of reducing the landscaping width from 10m to 6m in these locations.
MM Marine Mammals		
Q1MM1.1	The Applicant	<p>Definition and use of clearance event</p> <p>Table 11.7 of Chapter 11: Marine Mammals [APP-066] sets out the maximum design scenario for marine mammals for the project alone. In terms of Unexploded Ordnance (UXO) clearance this would entail two clearance events within 24 hours. Does the term “<i>clearance event</i>” need to be further defined and how is this restriction to be secured in the dDCO and the Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance [APP-280]?</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1MM1.2	The Applicant	<p>Maximum hammer energy</p> <p>The proposed maximum hammer energy of 6,600kJ is substantially greater than that which has been proposed for recently-consented OWF projects such as Hornsea Project Four which imposed a 5,000kJ max hammer energy limit for monopile foundations (as per Schedule 11, Part 2, Condition 13(4)) and East Anglia TWO which had a 4,000kJ restriction for monopile foundations (Schedule 13, Part 2, Condition 17(2)).</p> <p>Having regard to these other made Orders, justify why you are seeking a maximum hammer energy of 6,600kJ for monopile foundations for both Wind Turbine Generators (WTGs) and for Offshore Platforms (OP).</p>
Q1MM1.3	The Applicant	<p>European Protected Species and/or wildlife licence</p> <p>NE in its Relevant Representation (RR) [RR-045] page 13, has made reference to the fact that an application for a European Protected Species and/or wildlife licence may be required for a number of species including harbour porpoise, harbour seal and grey seal. What is the current situation with this, including whether it is likely that a Letter of No Impediment will be issued before the close of this Examination? The ExA requests that you provide an update on this at each Deadline.</p>
Q1MM1.4	The Applicant	<p>Definition of piling event and number of events</p> <p>In Table 2.1 of the Outline Marine Mammal Mitigation Protocol for Piling Activities [APP-279] as updated by [PD1-044] it is stated that for the maximum design scenario for monopiles there would be a maximum number of 2 “<i>piling events per day</i>” and also a maximum number of 2 “<i>simultaneous piling events</i>”.</p> <p>What is your definition of a “<i>piling event</i>” and in terms of simultaneous piling events what does 2 per day mean in practice – ie is that simultaneous piling events for the Proposed Development alone, or would it also include piling events from any other projects that were being constructed at the same time? If it could include the latter then explain how this would be agreed, regulated and monitored between projects? Does the term ‘piling event’ need to be defined in the dDCO?</p> <p>The ExA also notes that in Table 2.2 of [APP-279] the maximum design scenario would be for up to 8 piling events per day for pin-piles for the WTG and OP, whereas in Table 2.2 of [PD1-004]</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>this has maximum number of piling events per day has been increased to 12 for pin-piles. Does this increased number of potential piling events affect your assessment of effects? Furthermore, OP does not appear to be specifically defined in the draft DCO or other submitted documents. Please clarify what offshore platforms this term would include.</p>
Q1MM1.5	NE and the MMO	<p>Interim Population Consequences of Disturbance Modelling Report</p> <p>As part of its 19 September 2024 submissions the Applicant submitted an Interim Population Consequences of Disturbance Modelling Report [PD1-094]. The modelling does not assume density dependence and the Applicant contends that the results are considered to be highly conservative. Do you agree with the Applicant’s analysis and, if not, please provide a justification for your response?</p>
Q1MM1.6	The Applicant	<p>Use of Noise Abatement Systems</p> <p>In its D1 response [REP1-060] NE has reiterated its view that a commitment should be made to the use of noise abatement systems (NAS) as a mitigation measure and expressed the view that: “ ... the majority of piling from 2025 onwards will not be able to go ahead without noise abatement in place.”</p> <p>The ExA is aware of the Applicant’s response on this matter in [PD1-071] and notes that the In Principle Southern North Sea SAC Site Integrity Plan, [APP-281] as updated by [PD1-048], references the potential use of NAS as a secondary mitigation option but does not make a firm commitment to its use. However, in light of NE’s comments explain your reluctance to either commit to the use of NAS at this stage as a secondary mitigation measure, or to set out the criteria that would trigger the implementation of NAS.</p>
NV Noise and Vibration		
Q1NV1.1	<p>Lincolnshire County Council (LCC)</p> <p>Barry Cooper</p>	<p>Noise and Vibration effects on Property</p> <p>The Relevant Representation (RR) submitted by Barry Cooper [RR-080] raises concerns over the potential effects due to noise and vibration.</p> <p>In the Applicant’s response to RR [PD1-071], the Applicant notes that no significant noise and vibration effects were identified with the implementation of mitigation measures and the implementation of the Outline Noise and Vibration Management Plan [APP-269]. The Applicant’s response also emphasizes the summaries of the effects from the Noise and Vibration in the ES</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<p>Chapter 26 on Noise and Vibration [APP-081] and states that the effects of Noise and Vibration on the Mr Copper's property are 'Minor Adverse Level of Effect', which are not considered significant in terms of the EIA regulations.</p> <p>Considering the Applicant's response to RRs [PD1-071], are the Applicant's conclusions in relation to the impact of noise and vibration on the property mentioned in [RR-080] satisfactory? If not, explain your position with evidence to support your view.</p>
Q1NV12	The Applicant	<p>Monitoring Noise Pollution</p> <p>In its RR [RR-045], NE notes that the Noise and Vibration Management Plan [APP-269] does not include the monitoring of noise impacts at sensitive ecological receptor sites. Natural England (NE) recommends ensuring monitoring during construction and decommissioning phases at these sensitive ecological receptor sites, with appropriate mitigation implemented to manage noise impacts on these receptors.</p> <p>Provide proposals for additional monitoring, as requested by NE, or provide signposting to indicate where in the application documents this is allowed for. If the Applicant has assessed that no additional monitoring would be necessary, provide reasoning which justifies this position. Also set out how appropriate noise monitoring at sensitive receptor sites and the provision of any associated mitigation measures would be secured.</p>
Q1NV13	The Environment Agency (EA)	<p>Noise Bund Assessment</p> <p>Could the EA clarify its position on the Noise Bund Assessment, as mentioned in Paragraph 7.8 of the Written Representation [REP1-048]?</p>
Q1NV14	EA	<p>Noise Bund Hydraulic Modelling Report</p> <p>With reference to Table 5, EA14 of the Draft Statement of Common Ground (SoCG) between the Applicant and the Environment Agency [REP1-026], could the EA provide their stance on the Noise Bund Hydraulic Modelling Report [PD1-075] to [PD1-079]?</p>
Q1NV15	LCC Nicola Ann Pearson	<p>Vibration effects</p> <p>The RR submitted by Nicola Ann Pearson [RR-091], raised concerns about structural damage to the cottage due to vibrations from heavy vehicles in close proximity.</p>

ExQ1	Question to:	Question:
		<p>In the Applicant's response to the RR [PD-071] The Applicant specifies the Peak Particle Velocity (PPV) levels for both daytime and nighttime during construction and operations committed for the Proposed Development, with reference to British Standard 7385-2:1993, Evaluation and Measurement for Vibration in Buildings — Part 2: Guide to Damage Levels from Groundborne Vibration.</p> <p>With reference to the Applicant's response to these RRs [PD1-071], do you find the Applicant's conclusions regarding noise and vibration on the Cottage during construction satisfactory? If it is not satisfactory, explain your position with evidence to support your view.</p>
OR Offshore and Intertidal Ornithology		
Q1 OR 1.1	The Applicant	<p>Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Projects</p> <p>The Order has been made for the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Projects on 17 April 2024. To what extent were these two projects accounted for in your Environmental Statement (ES) considerations and do any documents need updating to reflect the fact that the Order has now been made? Does the making of this Order affect any of the conclusions you have drawn in terms of cumulative effects for offshore and intertidal ornithology?</p>
Q1 OR 1.2	Natural England (NE) and RSPB	<p>Outstanding areas of disagreement</p> <p>Table 1.1 of Response to the Rule 17 Letter dated 3 July 2024, Doc Ref 14.2 [AS-013] and The Applicant's Responses to Relevant Representations, Doc Ref 15.3 [PD1-071] present a breakdown of what the Applicant considers to be the key areas of disagreement on assessment methodology for offshore and intertidal ornithology. Do you consider that the Applicant has adequately captured in these documents all the outstanding issues and outstanding areas of disagreement over methodology or are there any other assessment methodology matters that have been omitted in these two documents?</p>
Q1 OR 1.3	The Applicant	<p>Definition of MHWS and MLWS</p> <p>In the Abbreviations/Acronyms table at the start of ES Chapter 12: Offshore and Intertidal Ornithology [AS1-040] MHWS and MLWS are defined respectively as "<i>Marine High-Water Springs</i>" and "<i>Marine Low-Water Springs</i>". On other NSIPS MHWS/MHLS have been Mean High (or Low) Water Springs, rather than 'Marine'. Is there a difference between these terms or is this an error? If there is a difference, then explain what the implications of this would be for assessing minimum draught heights for wind turbine generator (WTG) blades.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 OR 1.4	The Applicant, NE and the RSPB	<p>Closure of the English and Scottish North Sea waters for sandeel fishing</p> <p>Paragraph 43 of the Kittiwake Compensation Plan [APP-250] refers to the permanent closure of the sandeel fishing industry in English and Scottish waters from 1st April 2024. What impact is this likely to have on sandeel populations and consequentially prey availability for seabird species? When will the first monitoring results of sandeel populations become publicly available? Has this ban on sandeel fishing been factored into any of the Applicant’s assessment methodology?</p>
Q1 OR 1.5	The Applicant	<p>Methodology for calculating the proportion of adults</p> <p>In its Deadline 1 submission [REP1-061] NE has set out its preferred method for calculating the proportion of adults from DAS data. This gives the following adult proportions: gannet - 0.90; kittiwake – 0.91; lesser black-backed gull - 0.66. Please provide an updated assessment utilising these adult proportions.</p>
OG Oil, Gas and Other Offshore Infrastructure		
Q1 OG 1.1	The Applicant	<p>Written Ministerial Statement (WMS)</p> <p>Does the WMS made by the Secretary of State for Energy Security and Net Zero (SoS DESNZ) on 24 May 2024 entitled “<i>Oil and Gas Overlaps with Offshore Wind Projects</i>” (UIN HCWS504) have any implications for the project in relation to the assessment of marine infrastructure and other users?</p>
Q1 OG 1.2	<p>The Applicant</p> <p>Breesea Limited, Soundmark Wind Limited, Sonningmay Limited, Optimus Wind Limited</p> <p>Hornsea 1 Limited</p>	<p>Wake and energy yield</p> <p>The Examining Authority (ExA) notes the Applicant’s responses to multiple Relevant Representations (RR) [PD1-071] regarding energy yield concerns. Reference is made by the Applicant to the respective distances from the project’s array area to the other Offshore Wind Farms (OWFs), compliance with The Crown Estate’s requirements for Offshore Wind Leasing Round 4 that projects may not be located within 7.5km of an existing OWF unless the owner of the OWF has given their written consent and the findings of the Offshore Wind Leasing Programme Array Layout Yield Study published by the Crown Estate in 2023. Furthermore, the ExA also notes the provisions of National Policy Statement (NPS) EN-3, including paragraphs 2.8.197, 2.8.198, 2.8.345, 2.8.347, Requirement (R)25 of The Awel y Mor Offshore Wind Farm Order 2023 and the conclusions of SoS for DESNZ on this project that a wake assessment was required.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
	<p>Lincs Wind Farm Limited</p> <p>Orsted Hornsea Project Four Limited</p> <p>Orsted Hornsea Project Three (UK) Limited</p> <p>Race Bank Wind Farm Limited</p> <p>The Crown Estate</p>	<ul style="list-style-type: none"> • For the Applicant, please submit a wake assessment to identify any effects on the energy yield of other OWFs. If such an assessment is not to be provided, please provide justification. • Please provide comments on the implications of the Awel y Mor decision and interpretation of the relevant policy with NPS EN-3 • The other OWFs operators are invited to submit evidence in support of their position. • The Applicant is invited to submit a copy of the Offshore Wind Leasing Programme Array Layout Yield Study for inclusion in the Examination Library • The other OWF operators are invited to provide specific comments on Offshore Wind Leasing Programme Array Layout Yield Study, including any implications for the project. • Can the Crown Estate clarify if the minimum 7.5km distance requirement between Leasing Round 4 projects takes the potential for wake effects into account? • The Crown Estate is invited to comment on the purpose of the Offshore Wind Leasing Programme Array Layout Yield Study and any implications for the project?
Q1 OG 1.3	<p>The Applicant</p> <p>Diamond Transmission Partners RB Limited</p> <p>Lincs Wind Farm Limited</p> <p>Race Bank Wind Farm Limited</p> <p>TC Lincs OFTO Ltd</p>	<p>Impacts on other offshore infrastructure arising from the potential extension of Special Areas of Conservation (SACs)</p> <p>Concerns have been raised by Diamond Transmission Partners RB Limited [RR-017], Lincs Wind Farm Limited [RR-037], Race Bank Wind Farm Limited [RR-054] and TC Lincs OFTO Ltd [RR-066] regarding the possibility of impacts on the operation of other offshore infrastructure arising from the potential extension of the Inner Dowsing Race Bank and North Ridge SAC and/or the Haisborough, Hammond and Winterton SAC. The Applicant provided a response to these Relevant Representations on 19 September [PD1-071] noting that any proposals would be subject to consultation at a later date.</p> <p>The Applicant's Without Prejudice Benthic Compensation Evidence Base and Roadmap document [APP-248] provides outline details. Figures 3.5 and 3.6 identify the SAC extensions and other seabed users.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Can the Applicant confirm what the “<i>Subsea power cable (active)</i>” as identified in paragraph 80 and on Figure 3.6 of the benthic compensation document connects to and the body that is responsible for it? Figure 3.6 also appears to show a second active power cable that is not listed in paragraph 80. Please confirm the status of this cable, what it connects to and the body responsible for it. • Interested Parties, please elaborate on concerns raised in Relevant Representations and outline what action would be necessary to address them by the Applicant.
Q1 OG 1.4	<p>Breesea Limited, Soundmark Wind Limited, Sonningmay Limited, Optimus Wind Limited</p> <p>Hornsea 1 Limited</p> <p>Lincs Wind Farm Limited</p>	<p>Potential monitoring implications of cumulative ecological and ornithological effects</p> <p>Concerns have been in raised in Relevant Representations Breesea Limited, Soundmark Wind Limited, Sonningmay Limited, Optimus Wind Limited [RR-011], Hornsea 1 Limited [RR-028] and Lincs Wind Farm Limited [RR-037] regarding the potential impact of cumulative ecological effects on post construction monitoring of other OWFs. The Applicant has responded [PD1-071] with a conclusion that post construction monitoring will not be impacted.</p> <ul style="list-style-type: none"> • Please elaborate on concerns identified in that post construction monitoring might be impacted. • Provide comments on the Applicant’s conclusions and reasoning.
Q1 OG 1.5	<p>The Applicant</p> <p>Breesea Limited, Soundmark Wind Limited, Sonningmay Limited, Optimus Wind Limited</p> <p>Hornsea 1 Limited</p> <p>IOG North Sea Limited</p>	<p>Vessel access and displacement</p> <p>RRs s from a significant number of operators of other offshore infrastructure highlight issues relating to potential vessel access and displacement and the need for co-ordination. The Applicant has provided responses to these RRs [PD1-071].</p> <ul style="list-style-type: none"> • Do the Interested Parties have any comments in response to the Applicant’s position on the respective RRs? • Please provide updates on any negotiations to agree and secure any necessary mitigation.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
	<p>Lincs Wind Farm Limited</p> <p>Orsted Hornsea Project Four Limited</p> <p>Orsted Hornsea Project Three (UK) Limited</p> <p>Perenco UK Limited</p> <p>Race Bank Wind Farm Limited</p> <p>Shell U.K. Limited</p>	
Q1OG1.6	The Applicant	<p>Helicopter Access Report – assumed turbine height</p> <p>Paragraph 34 of the Helicopter Access Report [APP-175] states that it is assumed that turbines will be “<i>greater than 1,000ft high</i>”. This equates to greater than 304.8m. Table 18.11 specifies the maximum design scenario for Chapter 18 [APP-073] but does not identify the maximum height of Wind Turbine Generators (WTGs). Elsewhere in the Environmental Statement (ES) and the dDCO, a maximum blade tip height of 403m is specified.</p> <p>Can the Applicant clarify why the assumptions in the Helicopter Access Report differ from those applied in the ES? Should a greater height be assumed?</p>
Q1OG1.7	Maritime & Coastguard Agency (MCA)	<p>ES Chapter 18 and the Helicopter Access Report</p> <p>The ExA notes that the Written Representation [REP1-044] submitted by the MCA which addresses details in Chapter 15 of the ES – Shipping and Navigation [APP-070] and the Navigational Risk Assessment [APP-171]. Chapter 18 of the ES - Marine Infrastructure and Other Users [APP-073] and the Helicopter Access Report [APP-175] also provide commentary and conclusions in relation to Search & Rescue helicopters.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Please can the MCA confirm if it has any concerns regarding Chapter 18 of the ES - Marine Infrastructure and Other Users or the Helicopter Access Report? If so, outline what they are and how they should be addressed.?
Q1 OG 1.8	The Applicant	<p>Structures exclusion zones</p> <p>Paragraph 108 of Chapter 18 refers to structures exclusion zones of 1nm that “<i>will be in place around Malory platform, Barque PB platform and the Galahad Tee pipeline joint in order to allow for helicopter access for maintenance activities on these assets...</i>”. The structures exclusion zones do not appear to be listed as embedded mitigation in Table 18.2 or in the Schedule of Mitigation [PD1-058]. The distance of 1nm has been informed by the Helicopter Access Report [APP-175].</p> <ul style="list-style-type: none"> • How are the 1nm exclusion zones secured? • Do relevant Interested Parties have any specific comments to make on the exclusion zones?
Q1 OG 1.9	The Applicant	<p>Helicopter access agreements and Protective Provisions</p> <p>Please provide clarification of the likely timing of the outcome of discussions with Perenco Gas (UK) Limited, Perenco North Sea Limited, Everard Energy Limited, Ithaca MA Limited, and RockRose (UKCS2) Limited and Shell U.K. Limited as outlined in the planning obligations and side agreements tracker [REP1-023].</p>
Q1 OG 1.10	The Applicant	<p>Cumulative Interference to Helicopter Access to Oil and Gas Infrastructure</p> <p>Paragraph 147 of Chapter 18 of the ES [APP-073] identifies cumulative effects with the Dudgeon Extension Project OWF in relation to the Excalibur platform with cross reference to further the Helicopter Access Report [APP-175]. A conclusion of minor adverse effects is subsequently reached regarding Impact 10 Cumulative Interference to Helicopter Access to Oil and Gas Infrastructure. Paragraph 108 of the Helicopter Access Report also appears to identify cumulative effects with the Lancelot platform.</p> <ul style="list-style-type: none"> • Do the conclusions for Impact 10 in Section 18.8.1.2 reflect all cumulative interferences identified in the Helicopter Access Report?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1OG1.11	The Applicant	<ul style="list-style-type: none"> • If not, what are the implications for the conclusion in the ES? <p>Oil and gas operators not identified in the Applicant’s planning obligations and side agreements tracker.</p> <p>The Applicant’s response to the Relevant Representation from IOG North Sea Limited [RR-031] indicates that engagement is continuing between the parties. However, details of any potential agreements with IOG North Sea Limited do not appear to be included in the Applicant’s planning obligations and side agreements tracker [REP1-023]. Table 18.5 of the ES [APP-073] also lists Ineos Industries, Harbour Energy PLC and Spirit Energy as operators but they are not included in the tracker.</p> <ul style="list-style-type: none"> • Is agreement being sought with these operators? If not, why not? • Please provide details of timing and scope of any agreement that are being sought.
Q1OG1.12	<p>The Applicant</p> <p>Perenco UK Limited</p> <p>IOG North Sea Limited</p>	<p>Line of Sight microwave (LOS) communications</p> <p>Paragraph 110 of Chapter 18 of the ES [APP-073] acknowledges that project infrastructure may affect the following links: West Sole A to Malory, West Sole A to Lancelot, West Sole A to Excalibur and Malory to Excalibur. Perenco UK Limited [RR-053] identify concerns for LOS communications at the Waveney platform which do not appear to have been addressed in the ES. IOG North Sea Limited [RR-031] also seeks confirmation that LOS communication between fixed installations and its chosen onshore gas terminal would not be obstructed by any individual wind turbines.</p> <ul style="list-style-type: none"> • Can the Applicant provide comments on impacts on the Waveney platform and implications for the conclusions in the ES? • Can the Applicant provide feedback on the likelihood that LOS communications for IOG North Sea Limited’s might be impacted by the Proposed Development? • Can the Applicant provide an update on mitigation, including details of measures required, progress an agreement between parties and how measures would be secured.

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 OG 1.13	The Applicant	<p>Impacts scoped out of the assessment – Effects on oil and gas assets subject to decommissioning</p> <p>Table 18.2 of the ES [APP-073] states that effects on assets subject to decommissioning have been scoped out the ES on the basis that the Applicant has been advised by asset owners that they are “<i>anticipated to be fully removed prior to construction activities in the array area.</i>”</p> <p>Are there any changes to the timescales for assets that are due to be decommissioned? If so, please confirm any implications.</p>
Q1 OG 1.14	The Applicant Race Bank Wind Farm Limited	<p>Impacts scoped out of the assessment – marine disposal areas</p> <p>Paragraph 46 of Chapter 18 [APP-073] of the ES states that “<i>The only open disposal area in the Direct Study Area is the Race Bank OWF (HU126), used for the construction of the Race Bank OWF. As this windfarm is currently operational, this site is assumed to be no longer in use, and therefore disposal operations to this area will not be impacted by Project activities. Marine disposal areas have therefore been scoped out of further assessment.</i>”</p> <ul style="list-style-type: none"> • Please provide confirmation of whether the disposal area is no longer in use. • If the disposal area is still in use, please outline the implications.
Q1 OG 1.15	The Applicant	<p>Maximum design scenario – vessel trips</p> <p>The number of return vessel trips specified in Table 18.11 of the ES [APP-073].</p> <ul style="list-style-type: none"> • How are these figures calculated? • Are the number of trips quoted during the construction phase given per year or do they represent the total number during the construction phase? • What controls are in place to ensure that maximum trip numbers are not exceeded?
Q1 OG 1.16	The Applicant	<p>Existing environment and study area – offshore windfarms</p> <p>Paragraph 17 of Chapter 18 [APP-073] of the ES acknowledges that the 1km buffer zone around the project’s offshore Export Cable Corridor (ECC) includes the Triton Knoll export cable route. The Race Bank and Lincs OWF array areas are also identified as overlapping with the project ECC buffer zone. However, Figure 18.2 also indicates that indicates that the Triton Knoll cable route falls within the Direct Study area for Biogenic Reef Restoration Areas and the Offshore Reactive Compensation Platform Area. Buffer zones around Biogenic Reef Restoration Areas also include parts of the Race Bank and Lincs OWF array areas.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> • Please confirm if the implications of Biogenic Reef Restoration Areas and the Offshore Reactive Compensation Platform Area are considered in the assessment. <p>Figure 18.2 also shows a windfarm cable agreement that falls within the direct study area buffer of the eastern Artificial Nesting Structure (ANS) area.</p> <ul style="list-style-type: none"> • Which windfarm does this cable route connect to? • Has this cable route and its effect on connecting infrastructure been assessed? Table 18.4 is not clear in this regard.
Q1 OG 1.17	The Applicant	<p>Existing environment and study area – oil and gas licenced blocks</p> <p>Table 18.5 of the ES [APP-073] identifies licenced blocks within the direct study area and specifies licence end dates. However, “Extant, no end date listed” is stated for several licences.</p> <ul style="list-style-type: none"> • What is the end date for these licences? • Could there be any implications arising from the potential decommissioning of facilities in these licence blocks? Could such works coincide with construction, maintenance, re-powering or decommissioning of the Proposed Development?
Q1 OG 1.18	The Applicant	<p>Existing environment– hydrocarbon fields</p> <p>Paragraph 24 of the ES [APP-073] states “<i>There are 1615 hydrocarbon fields which overlap with the Direct Study Area...</i>”</p> <p>Please confirm if the figure of 1615 should read as 15 as listed in Table 18.6?</p>
Q1 OG 1.19	The Applicant	<p>Existing environment – surface structures</p> <p>Paragraph 28 of Chapter 18 of the ES [APP-073] states that “<i>there are 1312 platforms are located within the Direct Study Area...</i>”</p> <ul style="list-style-type: none"> • Should the figure of 1312 read as 12? <p>Paragraph 28 also states that “There are a total of 626 permanent structures within the Helicopter Access Study Area”</p> <ul style="list-style-type: none"> • Should 626 read as 26 as listed in Table 18.7? <p>Table 18.7 identifies the status of the Amethyst B1D platform as “<i>not in use</i>”. However, Figure 18.5 shows the platform as being “<i>active</i>”.</p> <ul style="list-style-type: none"> • Is the platform active or not in use?

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
Q1 OG 1.20	The Applicant National Grid Electricity Transmission plc	<p>Existing environment - subsea cables</p> <p>Paragraph 44 of Chapter 18 of the ES [APP-073] states that the Offshore Transmission Network Review (OTNR) process has identified possible cables that may pass through the study area but details are not yet known. <i>“In addition, National Grid are proposing two ‘bootstrap’ subsea transmission cables from Scotland which are also expected to make landfall in Lincolnshire. At the time of writing, the status and details of these additional subsea cable developments are not available in the public domain, and therefore have not been considered further”</i></p> <p>Can the Applicant and National Grid provide an update on these projects?. Please detail any related implications for the project in relation to subsea cables?</p>
Q1 OG 1.21	The Applicant Interested Parties	<p>Proximity agreements</p> <p>The Applicant’s planning obligations and side agreements tracker [REP1-023] states that it is preparing template proximity agreements for discussion in the interim with final agreements to follow, post-consent. Agreements for five OWFs are listed.</p> <ul style="list-style-type: none"> • When will draft agreements be available for consideration? • In the absence of any agreement, what degree of confidence can the SoS have that outstanding matters can be resolved? • Are any proximity or commercial agreements being sought with other relevant marine users, for instance, aggregate operators, as suggested in paragraph 81 of Chapter 18 of the ES [APP-073]? If not, why not?
Q1 OG 1.22	The Applicant	<p>Crossing agreements</p> <p>Chapter 18 of the ES [APP-073] makes multiple references to crossing agreements with other operators. The Applicant’s planning obligations and side agreements tracker [REP1-023] does not refer to any such agreements as being under discussion.</p> <p>Please confirm if the necessary crossing agreements are being discussed with other operators.</p>
Q1 OG 1.23	The Applicant	<p>Future baseline</p> <p>Section 18.4.3.11 of the ES [APP-073] outlines proposed infrastructure or licensed activities with lower levels of certainty or information available which has meant that <i>“effects on these developments cannot be fully determined”</i>. Listed proposed activities include Aggregate Area 1805 where it is understood that a marine licence application for this area will be submitted with a</p>

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ExQ1	Question to:	Question:
		<p>view to production. The ExA notes from the Applicant's Procedural Deadline submission on 19 September 2024 [PD1-081] that a Marine Licence Application (MLA/2024/00227) has now been made to permit extraction for 15 years. The implications of this update for the ES are considered by the Applicant [PD1-081].</p> <ul style="list-style-type: none"> • Please confirm if any further updates are available to the future baseline and confirm any implications for the ES.
Q1OG1.24	The Applicant	<p>Embedded mitigation - Outline Cable Specification and Installation Plan (CSIP) and subsea cable depth</p> <p>Table 18.12 of the ES [APP-108] states that subsea cables will be installed to a minimum target burial depth of 1m. Reference 34 in the Schedule of Mitigation [PD1-058] states that this depth is implemented via dDCO Schedule 10, Part 2 - Condition 13(1)(d)(ii) and DCO Schedule 11, Part 2 - Condition 13 (1)(d)(ii) with the Outline CSIP. However, neither Schedule refers to a minimum of 1m minimum depth.</p> <ul style="list-style-type: none"> • Clarify if a minimum 1m subsea depth is intended to be secured as mitigation.
OC Onshore Construction Effects		
Q1OC1.1	The Applicant	<p>Working Hours for Construction</p> <p>In reference to Paragraph 40 of the Outline Code of Construction Practice [PD1-038]:</p> <p><i>3. With the exception of activities undertaken in accordance with sub paragraph (2)(f) and as provided in paragraph (5) all construction works which are to be undertaken outside the hours specified in paragraph (1) must be agreed in advance with the relevant planning authority</i></p> <p>Please identify the location of paragraph (5) within the Outline Code of Construction Practice [PD1-038]?</p>
Q1OC1.2	The Applicant	<p>Outline Code of Construction Practice - Bank Holiday</p> <p>In reference to Paragraph 39 of the Outline Code of Construction Practice [PD1-038]:</p>

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		<p><i>Onshore construction activities will normally be carried out between 07.00 hours and 19.00 hours, Monday through Saturday with no Sunday or bank holiday working unless otherwise agreed with the local authority.</i></p> <p>Can the Applicant confirm that here 'Bank Holiday' means a day that is a Bank Holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971?</p>
Q1OC1.3	<p>National Grid Electricity Transmission Plc (NGET)</p> <p>The Applicant</p>	<p>Cumulative impacts - Construction</p> <p>NGET's Relevant Representation [RR-048] raises the concern about cumulative impacts of construction due to the following projects:</p> <ul style="list-style-type: none"> • the Eastern Greenlink 3 Project (EGL3) • the Eastern Greenlink 4 Project (EGL4) • Grimsby to Walpole Project <p>To NGET:</p> <p>How does the Applicant's response to Relevant Representations [PD1-071] address the concerns raised? Explain your reasoning and provide your recommendations to address them.</p> <p>To the Applicant:</p> <p>Provide an update to the ExA regarding the discussions with NGET on NGET3 and NGET9 as mentioned in Table 5 of draft Statement of Common Ground (SoCG) between the Applicant and NGET [REP1-032]?</p>
Q1OC1.4	Local Planning Authorities (LPAs)	<p>Development Plans and Policies</p> <p>Confirm if you agree with the Applicant's analysis of the policies relevant to the Onshore Construction Effects of the Proposed Development.</p> <p>Inform the ExA and relevant Interested Parties of any alterations to the Development Plan in your areas since the Application for the Proposed Development was submitted.</p> <p>State whether any further changes are expected before the close of this Examination.</p>

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ExQ1	Question to:	Question:
Q1 OC 1.5	The Applicant	<p>Construction Phasing</p> <p>The LIR of LCC [REP1-053, Paragraph 11.9] mentions the need for a strong commitment to a phased construction programme, secured within the Development Consent Order (DCO) application. Can the Applicant confirm this commitment with justification and explain how it will be secured?</p>
SV Seascape and Visual		
Q1 SV 1.1	The Applicant Natural England (NE) Local Authorities	<p>Duty to further the purposes of National Landscapes</p> <p>Paragraph 5.10.7 of National Policy Statement (NPS) EN-1 states that <i>“For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.”</i> Paragraph 5.10.8 of NPS EN-1 goes on to clarify that the <i>“duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them.”</i></p> <ul style="list-style-type: none"> • Can the Applicant explain how it has considered this duty? • Do NE and the Local Authorities have any comments to make in relation to the duty and the Proposed Development? Is the duty applicable? If so, has it been met?
Q1 SV 1.2	The Applicant NE Local Authorities	<p>Proposed Lincolnshire Heritage Coast</p> <p>Table 17.2 of Environmental Statement (ES) Chapter 17 [AS1-044] identifies that <i>“Natural England and the local planning authority have ambitions for a Lincolnshire Heritage Coast”</i>. However, as the proposal was considered at the time to be at an early stage with little detail available, it is not assessed in the ES.</p> <ul style="list-style-type: none"> • What is the current status of the proposed Heritage Coast? If available, what are timescales for its designation? • Is any further consideration of the proposed Heritage Coast required in relation to the Proposed Development?

ExQ1	Question to:	Question:
Q1SV1.3	The Applicant	<p>Assessment of Offshore Reactive Compensation Platform effects (ORCPs) during construction</p> <p>Paragraph 103 of Chapter 17 of the ES [AS1-044] acknowledges the potential for adverse effects arising from construction activities <i>“including the presence of jack-up vessels and/or dynamic positioning heavy lift vessels for the installation of foundations, substructures and the ORCPs itself, windfarm service vessels and accommodation vessels.”</i>. Paragraph 104 goes on to state that <i>“The size/scale of the changes during this phase would be no greater than the operational phase, and the geographic extent of the change would also be no greater than the operational phase.”</i>.</p> <p>The Examining Authority (ExA) also notes that the maximum design scenario assessed (Table 17.8) does not specify the number or size of jack-up vessels and/or dynamic positioning heavy lift vessels for the installation of foundations or other vessels that may be used during construction.</p> <ul style="list-style-type: none"> • What is the size and number of vessels that may be used during construction and how has this been considered in the assessment? • Clarify how the size and scale of changes during construction would be no greater than during operation when construction vessels would be visible alongside ORCPs, particularly during the latter phase of construction when the scale of the ORCPs would be similar to that during operation.
Q1SV1.4	The Applicant	<p>Seascape, Landscape and Visual Impact Assessment (SLVIA) methodology divergence from Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA3)</p> <p>Paragraphs 39 and 40 of Appendix 17.1 of the ES [APP-174] identify a divergence in the SLVIA methodology from that suggested in GLVIA3 in relation to the scales of magnitude of change. This is justified on the basis that <i>“These are not new diversions and follow practice established on other NSIPs...”</i></p> <ul style="list-style-type: none"> • Clarify why variation from GLVIA3 guidance is necessary specifically in relation to this project.
Q1SV1.5	The Applicant	<p>Maximum design scenario for ORCPs – masts, radar and antennae</p> <p>Table 17.8 of Chapter 17 of the ES [AS1-044] identifies the maximum design scenario assessed in the ES during construction, operation and maintenance and decommissioning. A maximum height of <i>“up to 90m above LAT inclusive of ancillary elements but excluding masts and</i></p>

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ExQ1	Question to:	Question:
		<p><i>antennae</i>” is specified in the ES and replicated in Requirement 3 of the draft Development Consent Order (dDCO).</p> <ul style="list-style-type: none"> • Why have masts and antennae been excluded from the maximum design scenario? • How tall could masts and antennae be in addition to the 90m assessed? • How has the height of masts and antennae been assessed in relation to visual effects? • Is the height of masts, radar and antennae controlled? If not, why not?
Q1 SV 1.6	The Applicant	<p>Maximum design scenario for ORCPs – scale and siting</p> <ul style="list-style-type: none"> • Clarify why the minimum distance of the ORCPs areas from the coastline is not greater than 12km. • Has any consideration been given to reducing the scale of the maximum design scenario for the ORCPs from the 90m x 90m x 90m specified? If not, why not?
Q1 SV 1.7	The Applicant	<p>Maximum design scenario for ORCPs – lighting</p> <p>For the operation and maintenance phase, Table 17.8 of Chapter 17 of the ES [AS1-044] states that <i>“the ORCPs would not have any personnel working on them at night and therefore no operational lighting is expected to be required”</i> beyond that associated with aviation and navigation. The subsequent assessment in Section 17.7 of the ES clarifies that such lighting may be required during emergency maintenance.</p> <ul style="list-style-type: none"> • Provide further details of the likely visual effects of the operational lighting when in use at night and the length of time that they may be experienced. • Does the dDCO provide certainty that the operational lighting on the ORCPs could only be used during “emergency maintenance”? • In the context of the above, please comment specifically on the policy requirements in NPS EN-1 (para. 5.10.21) to assess light pollution effects, including on dark skies and local amenity in relation to the project.
Q1 SV 1.8	The Applicant	<p>Embedded mitigation – lighting and marking</p> <p>Table 17.9 of the ES [AS1-044] identifies lighting and marking in agreement with Trinity House, the Maritime and Coastguard Agency (MCA), and Civil Aviation Authority (CAA), and in</p>

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ExQ1	Question to:	Question:
		<p>compliance with International Association of Marine Aids to Navigation and Lighthouse Authorities as embedded mitigation for seascape and visual effects.</p> <ul style="list-style-type: none"> Clarify what these measures would consist of and how they would mitigate seascape and visual effects, in particular.
Q1 SV 1.9	The Applicant NE Local Authorities	<p>Offshore design considerations</p> <p>A Design Approach Document [APP-292] and Design Principles Statement [APP-293] are provided by the Applicant to inform the project at the detailed design stage. However, the documents focus on design matters at the proposed onshore substation.</p> <ul style="list-style-type: none"> The Applicant is invited to explain why offshore elements of the project, including the ORCPs, are not considered in the Design Approach Document and Design Principles Statement. Can the Applicant, Natural England and the Local Authorities provide comments on whether there would be any merit in the consideration of offshore infrastructure, particularly the ORCPs, in these documents to facilitate good design?
Q1 SV 1.10	NE Local Authorities	<p>Seascape viewpoints</p> <p>Table 17.2 of Chapter 17 of the ES [AS1-044] states that NE suggested Gibraltar Point as a suggested additional viewpoint. The Applicant responds by stating that this was considered but “discounted due to the distance to the elements of the Project and the range of other viewpoints included in the SLVIA”.</p> <ul style="list-style-type: none"> Is Natural England satisfied with the Applicant’s response? If not, why not? Do Natural England and the Local Authorities have any comments to make on the selection of viewpoints as identified in Table 17.6 of the ES?
Q1 SV 1.11	The Applicant	<p>Sheringham Hall Registered Park and Garden</p> <p>Sheringham Hall Registered Park and Garden is listed as a landscape designation of relevance in Table 17.5 of the ES [AS1-044]. However, it is not identified on Figure 17.11 [AS1-056]. Please provide an update to Figure 17.11 that identifies the site.</p>
Q1 SV 1.12	The Applicant	<p>Visibility Range</p> <p>Figure 17.13 of the ES [APP-106] illustrates the visibility range of the array area. Table 17.7 [AS1-044] also provides information based upon Met Office data to aid understanding about the</p>

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ExQ1	Question to:	Question:
		<p>amount of time when visibility is experienced at the distances required to see Wind Turbine Generators (WTGs) within the array area.</p> <ul style="list-style-type: none"> • Please provide corresponding information for the ORCPs and confirm if it has any implications for the conclusions in the ES.
Q1 SV 1.13	The Applicant	<p>Consideration of Landscape Character Areas (LCA) J1 and I1</p> <p>Paragraph 131 of Chapter 17 of the ES [AS1-044] states that the landscape character analysis concentrates on LCA K1 and G2 due to <i>“the intervening distance between the coastline and the array area, and to a lesser degree the ORCPs, and the limited intervisibility of the North Sea inland from the coastal edge”</i> However, Figure 17.10 also identifies extensive areas of intervisibility, with LCA J1 and I1, albeit of fewer blade tips.</p> <ul style="list-style-type: none"> • Can the Applicant provide further justification for concentrating on LCA K1 and G2 and provide updated commentary that also considers LCA J1 and I1, if deemed appropriate.
Q1 SV 1.14	The Applicant	<p>Susceptibility of LCA K1</p> <p>Paragraph 136 of Chapter 17 of the ES [AS1-044] considers the susceptibility of LCA K1 to be “medium”. The susceptibility in relation to effects from WTGs is said to be moderated due to the distance and presence of other wind farms and limited visibility due to weather conditions. The paragraph goes on to state that medium susceptibility also takes account of the ORCPs although the description may imply that a greater than “medium” level of susceptibility should be applied. The ORCPs are described as <i>“conspicuous structures in the baseline context, comprising static platforms with a larger mass”</i> The paragraph also states that the ORCPs would be positioned approximately 7.4km from the coast which is closer than the 12km distance quoted in the maximum design scenario in Table 17.8.</p> <ul style="list-style-type: none"> • Provide further justification for the conclusion of medium susceptibility for LCA K1 in the context of the ORCP commentary. • Confirm if the minimum distance of the ORCPs is 12km rather than 7.4km and outline any implications for the conclusions made.
SN Shipping and Navigation		
Q1 SN 1.1	The Applicant	Offshore In-Principle Monitoring Plan - Shipping and Navigation

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ExQ1	Question to:	Question:
		<p>Table 3.4 of the Offshore In-Principle Monitoring Plan [APP-276] outlines the Applicant’s monitoring proposals concerning potential shipping and navigation effects. Provide a tabular summary identifying the methods for securing each monitoring proposals? Additionally, ensure updates are provided to the ExA whenever the Applicant updates the monitoring proposals in the Offshore In-Principle Monitoring Plan during the Examination.</p> <p>Additionally, if construction or post-construction monitoring reveals that the impacts on vessel routeing and safety are greater than those predicted in the Navigational Risk Assessment (NRA), what mechanisms are in place for adaptive management to address these greater-than-predicted effects?</p>
Q1SN1.2	<p>The Applicant</p> <p>Breesea Limited, Soundmark Wind Limited, Sonningmay Limited, Optimus Wind Limited</p> <p>Hornsea 1 Limited</p> <p>IOG North Sea Limited</p> <p>Lincs Wind Farm Limited</p> <p>Orsted Hornsea Project Four Limited</p> <p>Orsted Hornsea Project Three (UK) Limited</p>	<p>Cumulative Routeing and Navigational Risks</p> <p>Numerous operators of other offshore infrastructure have raised concerns in their Relevant Representations about the cumulative routeing, vessel access, and navigational risks, emphasizing the need for coordination.</p> <p>How does the Applicant’s response to Relevant Representations [PD1-071] address these concerns? Explain your position, highlight any unaddressed concerns, and provide your recommendations to address them.</p> <p>Provide an update on the progress of any negotiations aimed at finalizing and implementing the required mitigation strategies?</p>

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ExQ1	Question to:	Question:
	Race Bank Wind Farm Limited	
Q1 SN 1.3	Maritime and Coastguard Agency (MCA) Trinity House UK Chamber of Shipping (CoS) and any other relevant IP	<p>NRA methodology</p> <p>Do you find the methodology used to assess the Proposed Development’s shipping and navigational risks in the submitted NRA (Chapter 3 in [APP-171]) satisfactory? If not, what specific concerns do you have, and how might these be addressed?</p>
Q1 SN 1.4	MCA Trinity House CoS and any other relevant IP	<p>NRA data sources</p> <p>Are you satisfied that the NRA has utilized the appropriate data sources (Chapter 5 in [APP-171])? If not, what additional data do you believe should be considered to accurately assess the navigational and shipping risks associated with the Proposed Development?</p>
Q1 SN 1.5	The Applicant MCA Trinity House	<p>Statement of Common Ground (SoCG)</p> <p>Draft SoCG with MCA [REP1-030].</p> <p>To the Applicant: Please provide an update on progress on discussions for Ref MCA7 to Ref MCA13 as mentioned in Table 4?</p> <p>To the MCA and Trinity House: Do you concur that all areas of agreement or areas under discussions have been covered in their respective draft SoCGs with the Applicant [REP1-030] and [REP1-037]?</p>
Q1 SN 1.6	The Applicant CoS	<p>Offshore Cables after decommissioning</p> <p>In draft SoCG between the Applicant and the CoS [REP1-033] Table 4, CoS13 states that the Chamber strongly advocates for the full removal of all infrastructure and cabling. Paragraph 197 under 7.12.3 of Chapter 7 [APP-062] indicates cables will be retained in situ.</p>

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ExQ1	Question to:	Question:
		<p>To ensure clarity: Can the Applicant confirm if offshore cables will remain in situ after decommissioning? If necessary, update the draft SoCG between the Applicant and the CoS accordingly.</p> <p>To the CoS: The ExA notes that the CoS advocates for the complete removal of all infrastructure and cabling. Please expand on this position with further information and reasoning, considering Chapter 7 of the Marine Physical Processes [APP-062], which indicates that cables will be retained in situ.</p>
Q1 SN 1.7	The Applicant	<p>Layout Design</p> <p>The Written Representation from the MCA [REP1-044], states that <i>Mitigations in table 15.7 of Chapter 15 and Table 18.1 of the NRA, confirms the intention to continue discussions with the MCA and Trinity House. Further advice will be provided once the layout discussions have started.</i></p> <p>Provide an update on progress of layout design discussions with the MCA and Trinity House with expected timeline to finalise those?</p>
SE Socio-economic Effects		
Q1 SE 1.1	Lincolnshire County Council (LCC)	Please identify the main locations of concern in relation to tourism impacts and evidence how they consider that construction activities could impact upon these locations?
Q1 SE 1.2	The Applicant	<p>Securing socio-economic benefits</p> <p>Environmental Statement (ES) Chapter 29 [APP-084 Paragraph 107] lists a number of measures that the project will consider.</p> <ul style="list-style-type: none"> • What commitment does the Applicant have to the delivery of these measures? • How will these measures be secured?
Q1 SE 1.3	The Applicant	<p>Employment and skills plan and Procurement Strategy</p> <p>Table 29.1 [APP-084] notes that the Applicant will develop a procurement strategy that will consider the role of local suppliers and contribution to skills development.</p> <p>Section 29.6 embedded mitigation provides details on proactively engaging with local economic development stakeholders.</p>

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ExQ1	Question to:	Question:
		<p>Requirement 30 details a <i>‘skills, supply chain and employment plan’</i> which the Applicant states must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore transmission works and the means for publicising such opportunities.</p> <ul style="list-style-type: none"> • Is the skills, supply chain and employment plan in Requirement 30 the same as the procurement strategy detailed in Table 29.1? If the procurement strategy is to be a separate document, provide detail of how this will be secured. • How do these documents relate to the list set out in Paragraph 107? [APP-084]
Q1 SE 1.4	The Applicant	<p>Workforce assumptions and the impact upon the availability of temporary accommodation</p> <ul style="list-style-type: none"> • What is the justification for the assumption in the ES [APP-084] Paragraph 217] that 25% of the workforce that would be employed during the peak activity (equating to a peak population increase of 170 people) would be new to the area? Can this be considered a worst-case scenario? • What impact would this figure have on the availability of temporary accommodation in the area?
Q1 SE 1.5	The Applicant	<p>Servicing of Wind Farm</p> <p>In relation to potential economic benefits highlighted in [AS-022] and [AS-023] can the Applicant confirm where the wind farm would be serviced from? In particular, if this would be from the Port of Grimsby?</p>
TT Transportation and Traffic		
Q1 TT 1.1	Lincolnshire County Council (LCC)	<p>Transport Assessment</p> <p>The Local Impact Report (LIR) submitted by LCC [REP1-053], Paragraphs 10.11 to 10.16], suggests that additional roads with reasonable levels of traffic, such as Ingoldmells Road, Sloothby High Lane, South Ings Road, and Marsh Lane, should also be crossed using trenchless techniques. LCC highlights the absence of flow data in Figures 27.1.7, 27.1.8, and 27.1.9 of [APP-118], the need for drawing corrections in AC-15, Sheet 5 of the Construction Access General Arrangements [APP-221], and the requirement for a Section 278 Minor Works permit for the proposed passing places. LCC expects that the necessary technical approvals should be obtained from LCC for works in the highway.</p>

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ExQ1	Question to:	Question:
		<p>With reference to paragraphs 10.11 to 10.16 of the LIR of LCC [REP1-053] and LCC's Relevant Representation (RR) [RR-004], how does the Applicant's response to RRs [PD1-071, RR-004.004 to RR-004.009] address the concerns raised? If the concerns are not resolved, can you explain your position for each concern and provide your recommendations to address each unresolved concern?</p>
Q1TT12	<p>LCC The Applicant</p>	<p>Conflict between non-motorised users and construction traffic</p> <p>LCC has highlighted that <i>'the use of rural roads, which have no dedicated provisions for pedestrians, cyclists, or equestrians, may result in the increased potential for conflict between these user groups and construction traffic'</i> [REP1-053 paragraph 10.9].</p> <p>LCC is requested to further explain the specific mitigation required to restrict vehicular activity on these roads and how this would form part of phase specific construction management plans, secured through the DCO?</p> <p>The Applicant may respond.</p>
Q1TT13	<p>LCC Fosdyke Playing Field</p>	<p>Traffic problems near Fosdyke Playing Field</p> <p>With reference to Fosdyke Playing Field's Relevant Representation [RR-022], which raises concerns about roads and traffic problems during construction and the Applicant's response to Relevant Representation [PD1-071]</p> <p>Are you content with the Applicant's response in relation to onshore traffic during construction? If not, provide your justification with evidence to support.</p>
Q1TT14	<p>LCC Nicholas Alexander Sermon</p>	<p>Construction Traffic Effects</p> <p>In [RR-093], Nicholas Alexander Sermon has raised concerns about a construction compound within 100 meters of the property and the effects of construction traffic on the property. In the Applicant's response to Relevant Representations RR-093.001 of [PD1-071], the Applicant states the basis for selecting Construction Access Point 40 and the maximum number of construction Heavy Goods Vehicles (HGVs) to Construction Access Points 40 and 41 [AS1-012]. Do you find the Applicant's conclusions in RR-093.001 [PD1-071] satisfactory? If not, please provide your reasoning.</p>

ExQ1	Question to:	Question:
Q1TT1.5	<p>LCC</p> <p>Barry Cooper</p>	<p>Access to Property</p> <p>The RR submitted by Barry Cooper [RR-080] raises concerns over the potential effects on access to property due to the proposed routes of HGVs during construction period. In the Applicant’s response to Relevant Representations [PD1-071], the Applicant states <i>a scheme of passing places has been proposed on the local construction vehicle access route between the A52 and the onshore cable corridor on Low Road / Yawling Gate Road / Howgarth Lane to mitigate the impact of construction traffic and allow two HGVs to pass should they meet along the route, as shown in Chapter 27 Appendix 1 Transport Assessment Annex N Passing Place Proposals [document 6.3.27.1, APP-229].</i> The Applicant’s response also emphasizes the Outline Construction Traffic Management Plan (CTMP) [APP-289].</p> <p>Considering the Applicant’s response to Relevant Representations [PD1-071], are the Applicant’s conclusions in relation to the access to property mentioned in [RR-080] satisfactory? If not, explain your position with evidence to support your view.</p>
Q1TT1.6	LCC	<p>Cumulative Transport Assessment during construction</p> <p>Paragraph 10.10 of the LIR [REP1-053] and the Relevant Representation of LCC [RR-004] raised concerns about the cumulative traffic impact on the existing A16 and A158 routes due to two other potential NSIPs (National Grid schemes and Ossian Off-Shore Wind and Cable route) combining with the Proposed Development, if they occur simultaneously. The ExA has made a Procedural Decision to request the Applicant to provide a ‘Report on the inter-relationship with other infrastructure projects’ as mentioned in the ExA’s Rule 8 letter [PD-011, Annex B Paragraph 6], recognizing the importance of considering cumulative and in-combination effects with other infrastructure projects.</p> <p>How does RR-004.003 of the Applicant’s response to RRs [PD1-071] address the concerns raised? If the concerns are not resolved, provide your recommendations to address them, considering that the Applicant will submit the initial version of a ‘Report on the inter-relationship with other infrastructure projects’ by D2 [PD-011, Annex B Paragraph 6].</p>

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ExQ1	Question to:	Question:
Q1TT1.7	The Applicant LCC	<p>Public Rights of Way (PRoW)</p> <p>In the LIR of LCC [REP1-053], it is noted that the landfall point and surrounding areas impacted by the cable route may disrupt lawful users' access to the coast. The LIR also emphasizes the importance of the local PRoW network for accessing the County's Coastal Country Park. Provide signposting which sets out where the Applicant has addressed these concerns.</p> <p>To LCC:</p> <p>Please share your concerns regarding this matter, considering the Outline Public Access Management Plan [PD1-062] and provide recommendations on how they should be addressed.</p>
WE Water Environment		
Q1WE1.1	The Applicant	<p>Post decommissioning Onshore Substation</p> <p>Paragraph 24.7.2.2 of Chapter 24 of the Environmental Statement (ES) [APP-079] discusses the decommissioning of the Onshore Substation (OnSS), including the removal of certain infrastructure and the restoration of the area.</p> <ul style="list-style-type: none"> Specify which infrastructure elements are expected to remain post-decommissioning? Additionally, please detail the measures that will be implemented to mitigate any potential impacts of the remaining infrastructure on flood risk and water quality.
Q1WE1.2	The Applicant	<p>Groundwater Risk Assessment</p> <p>Referring to Paragraph 6.2 of the Written Representation of the Environment Agency (EA) [REP1-048] and EA18 of the draft Statement of Common Ground (SoCG) between the Applicant and the EA [REP1-026], provide a response regarding the method to secure the Groundwater Risk Assessment?</p>
Q1WE1.3	The Applicant Witham Fourth District Internal Drainage Board Lindsey Marsh Drainage Board	<p>Side Agreement with the Internal Drainage Boards (IDBs)</p> <p>The Applicant's planning obligations and side agreements tracker [REP1-023] indicates that side agreements have been drafted with the following listed Internal Drainage Boards and are currently under discussion.</p> <ul style="list-style-type: none"> Witham Fourth District Internal Drainage Board

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ExQ1	Question to:	Question:
	Black Sluice Internal Drainage Board South Holland Internal Drainage Board Welland and Deepings Internal Drainage Board	<ul style="list-style-type: none"> • Lindsey Marsh Drainage Board • Black Sluice Internal Drainage Board • South Holland Internal Drainage Board • Welland and Deepings Internal Drainage Board <p>Please provide an estimated timeline for when these draft side agreements will be available for consideration by the ExA?</p>
Q1WE 1.4	Witham Fourth District Internal Drainage Board Lindsey Marsh Drainage Board Black Sluice Internal Drainage Board South Holland Internal Drainage Board Welland and Deepings Internal Drainage Board	<p>Change Request about pipeline crossings</p> <p>With reference to the Applicant’s Additional Submission [AS-025] and the ExA’s advice related to these possible changes in its Rule 8 letter [PD-011], the Applicant advised the ExA of further changes that it had not yet submitted to the ExA. These were described by the Applicant as follows:</p> <ul style="list-style-type: none"> • Changes to documents to account for additional utilities crossings; and • Changes to documents to account for additional drain crossings. <p>The ExA has made a Procedural Decision [PD-012] that these changes do not need to be submitted as part of a formal change request.</p> <p>Please respond with any concerns you may have regarding the changes and provide recommendations to address them.</p>
Q1WE 1.5	Lincolnshire County Council (LCC) The Environment Agency Anthony Kindred Lisa Kindred	<p>Flood Risk in the Fosdyke Area</p> <p>In the Relevant Representation (RR) submitted by Anthony Kindred [RR-084], a concern was raised about the Fosdyke Flooding, and the RR submitted by Lisa Kindred [RR-085] raised a concern about flooding due to damage to existing drainage dykes. The Applicant emphasises that the Flood Risk Assessment [APP-211] confirms that the Proposed Development is not expected to have any impact on the Flood Risk of the Fosdyke Area during construction and operation. The Applicant also highlights that the high-level parameters for the crossing of drains are included in the Outline Code of Construction Practice and will be secured through the DCO.</p>

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024

ExQ1	Question to:	Question:
		With reference to the RR, as well as the Applicant's response to Relevant Representations in RR-084.004 and RR-085.006 of [PD1-071] , do you find the Applicant's conclusions regarding the Flood Risk of the Fosdyke area to be satisfactory? If not, please explain your view with evidence to support it.

ExQ1: Wednesday 6 November**Responses due by Deadline 2: Wednesday 27 November 2024**

Abbreviations Used	
AQMP	Air Quality Management Plan
AMS	Arboricultural Management Strategy
AMSL	Above Mean Sea Level
ANS	Artificial Nesting Structure
Art	Article
ALC	Agricultural Land Classification
BNG	Biodiversity Net Gain
BoR	Book of Reference
BMV	Best and Most Versatile
CA	Compulsory Acquisition
CAA	Civil Aviation Authority
CEMP	Construction Environmental Management Plan
CIC	Cable Installation Compound
CNP	Critical National Priority
CoCP	Code of Construction Practice
CoS	UK Chamber of Shipping
DCO	Development Consent Order
dDCO	Draft Development Consent Order
DML	Deemed Marine Licence
DIO	Defence Infrastructure Organisation
EA	Environment Agency
ECC	Export Cable Corridor

ExQ1: Wednesday 6 November**Responses due by Deadline 2: Wednesday 27 November 2024**

EMP	Ecological Management Plan
EIA	Environmental Impact Assessment
EL	Examination Library
ES	Environmental Statement
ExA	Examining Authority
EM	Explanatory Memorandum
GLIVIA	Guidelines for Landscape and Visual Impact Assessment
GW	Gigawatt
HGV	Heavy Goods Vehicle
HDD	Horizontal Directional Drilling
HRA	Habitats Regulations Assessment
ICNIRP	International Commission for Non-Ionizing Radiation Protection
IDB	Internal Drainage Board
IDRBNR	Inner Dowsing Race Bank North Ridge
IP	Interested Parties
JNCC	Joint Nature Conservation Committee
LAT	Lowest Astronomical Tide
LCA	Landscape Character Areas
LCC	Lincolnshire County Council
LMP	Landscape Management Plan
LWT	Lincolnshire Wildlife Trust
LIR	Local Impact Report
LNRS	Local Nature Recovery Strategy

ExQ1: Wednesday 6 November**Responses due by Deadline 2: Wednesday 27 November 2024**

LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
MOD	Ministry of Defence
MRF	Marine Recovery Fund
NAS	Noise Abatement Systems
NE	Natural England
NGET	National Grid Electricity Transmission Plc
NGSS	National Grid Substation
NPS	National Policy Statement
NRA	Navigational Risk Assessment
NSIP	Nationally Significant Infrastructure Project
OCC	Onshore Cable Corridor
OLEMS	Outline Landscape and Ecological Management Strategy
OnSS	Onshore Substation
OP	Offshore Platforms
ORCP	Offshore Reactive Compensation Platform
OTNR	Offshore Transmission Network Review
OWF	Offshore Wind Farm
PADSS	Principal Areas of Disagreement Summary Statement
PPEIRP	Pollution Prevention and Emergency Incident Response Plan
PRoW	Public Rights of Way
PSR	Primary Surveillance Radar

ExQ1: Wednesday 6 November**Responses due by Deadline 2: Wednesday 27 November 2024**

R	Requirement
RR	Relevant Representation
RVAA	Residential Visual Amenity Assessment
SAC	Special Areas of Conservation
SLVIA	Seascape, Landscape and Visual Impact Assessment
SoCG	Statement of Common Ground
SoR	Statement of Reasons
SoS	Secretary of State
SoS DESNZ	Secretary of State for Energy Security and Net Zero
SMP	Soil Management Plan
SSSI	Site of Special Scientific Interest
TCC	Temporary Construction Compound
TP	Temporary Possession
UXO	Unexploded Ordnance
WAM	Wide Area Multilateral
WCS	Worst Case Scenario
WQMMP	Water Quality Management and Mitigation Plan
WMS	Written Ministerial Statement
WTG	Wind Turbine Generator

ExQ1: Wednesday 6 November

Responses due by Deadline 2: Wednesday 27 November 2024