



# Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

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## Appendix 33: Statements of Common Ground Summary and Index

Date: 5<sup>th</sup> January 2016

Appendix 33 of the Applicant's  
response to Deadline 4

Triton Knoll Offshore Wind Farm Limited

## Triton Knoll Electrical System

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Summary and Index

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Deadline 4

Date: 5<sup>th</sup> January 2016

Triton Knoll  
Offshore Wind Farm Limited  
4<sup>th</sup> Floor One Kingdom Street  
Paddington Central  
London  
W2 6BD

T: 0845 026 0562  
Email: [info@tritonknoll.co.uk](mailto:info@tritonknoll.co.uk)

[www.rweinnogy.com/tritonknoll](http://www.rweinnogy.com/tritonknoll)

Drafted By:	TKOWFL
Approved By:	Kim Gauld-Clark
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## 1. SUMMARY

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- 1.1 On 30 July 2015, the Examining Authority (ExA) for the Triton Knoll Electrical System application issued a letter in accordance with Rule 6 of the Infrastructure Planning (Examination Procedure) Rules 2010.
- 1.2 Annex G (5) of the Rule 6 letter requested Triton Knoll Offshore Wind Farm Ltd. (the Applicant) prepare Statements of Common Ground (SoCGs) with certain Interested Parties.
- 1.3 The ExA later issued a Rule 17 letter on 13 October 2015 requesting that the Applicant also prepare a SoCG with the Land Interest Group.
- 1.4 The aim of the SoCGs is to identify areas of agreement and disagreement between the parties at an early stage of the examination process, and to provide a focus on the matters that need further discussion.
- 1.5 The Applicant has sought to progress engagement on SoCGs (or, where applicable, a letter of agreement) with the Interested Parties requested in the Rule 6 letter.
- 1.6 In addition, the Applicant has sought SoCGs with other Interested Parties that it felt would be useful for the purpose of identifying agreements and disagreements early in the examination.
- 1.7 This document provides the ExA with an update to the SoCGs Summary and Index provided as Appendix 13 to the Applicant's response to Deadline 3 (submitted on 30 November 2015).

## 2. INDEX

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Requested in the Rule 6 letter				
Appendix 15 to Deadline 2	Anglian Water Services	Issues related to the services provided by, and the interests of, Anglian Water Services	<p>The Applicant has engaged in consultation with Anglian Water with discussions on the matters raised in their relevant representation and a possible SoCG.</p> <p>The Applicant and Anglian Water have made significant progress and submitted a SoCG as Appendix 15 to Deadline 2. The Applicant and Anglian water have agreed Protective Provisions and aim to submit an updated SoCG at Deadline 5.</p>	Water and Waste water requirements for the TKES Protective Provisions
n/a	The Canal and River Trust	Possible effects on the River Witham	<p>The Applicant has engaged in consultation with the Canal and River Trust with discussions on the matters raised in their relevant representation and a possible SoCG.</p> <p>The Applicant will continue to discuss</p>	Protective Provisions Land Agreements

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			<p>these matters with the Canal and River Trust.</p> <p>The Applicant intends to submit a SoCG commenting on these matters once agreed for the appropriate deadline.</p>	
n/a	ConocoPhillips (UK) Ltd.	Possible effects on the safety and integrity of 'COPUK Lines' and infrastructure	<p>The Applicant has engaged in consultation with COPUK with discussions on the matters raised in their relevant representation and a possible SoCG.</p> <p>The Applicant noted the submission from ConocoPhillips (UK) Ltd to the ExA of the 25 November 2015 and can confirm that the parties are engaged in ongoing technical discussions in order to progress a SoCG.</p> <p>The Applicant intends to submit a SoCG commenting on these matters once agreed for the appropriate deadline.</p>	Crossing agreements and other issues raised

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 16 to Deadline 2	Eastern Inshore Fisheries and Conservation Authority (EIFCA)	Potential impacts on nature conservation features, benthic ecology, fish and shellfish receptors, and inshore fishing activities	A final SoCG between the Applicant and the EIFCA was submitted as Appendix 16 of the Applicant's response to Deadline 2 with all matters agreed.	Subtidal and Intertidal Ecology Fish and Shellfish Ecology Offshore Nature Conservation Commercial Fisheries Draft Development Consent Order (DCO) and Draft Marine Licence (DML)
n/a	EDF Energy Renewables	Possible effects on the operation of the Bicker Fen Windfarm	<p>The Applicant has engaged in consultation with EDF with discussions on the matters raised in their relevant representation and a possible SoCG.</p> <p>The Applicant has provided a draft Good Neighbour Agreement to EDF for comment and continue discussions.</p> <p>The Applicant intends to submit a SoCG commenting on these matters once agreed for the appropriate deadline.</p>	<p>Noise</p> <p>Impacts on the energy yield of the turbines</p> <p>Construction impacts on operational wind farm</p> <p>Land agreements</p>

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 20 to Deadline 1	Historic Buildings and Monuments Commission for England (Historic England)	On-shore historic environment issues	A final SoCG between the Applicant and the Historic England was submitted as Appendix 20 of the Applicant's response to Deadline 1 with all matters agreed.	Historic Environment (onshore) Marine and Coastal Archaeology Draft Development Consent Order (DCO)
Appendix 17 to Deadline 2	Lincolnshire Wildlife Trust	Possible effects on Lincolnshire Coastal Grazing Marshes Possible effects on Lincolnshire Coastal Country Park The adequacy of ecological surveys The adequacy of the assessment of semi-natural and other habitats The need for, and adequacy of,	A final SoCG between the Applicant and the Lincolnshire Wildlife Trust is submitted as Appendix 34 of the Applicant's response to Deadline 4.	Site Selection and Alternatives Terrestrial Ecology Draft Development Consent Order (DCO)



Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
		biodiversity enhancements		
Appendix 22 to Deadline 1	National Grid Viking Limited (NGVLL)	Possible effects on, and resulting from, the Viking Link Interconnector	A final SoCG between the Applicant and NGVLL presenting an agreed position was submitted as Appendix 22 of the Applicant's response to Deadline 1.	Cumulative Impact Assessment Interactions and separation of TKES and Viking Link Protective Provisions
Appendix 18 to Deadline 2	Natural England	The concerns of Natural England including concerns over the marine physical environment and possible effects on the Inner Dowsing, Race Bank and North Ridge SCI	<p>The Applicant has engaged in further consultation with Natural England with discussions on the matters in section 5 of the SoCG submitted for Deadline 2.</p> <p>Discussions are ongoing with regards to outstanding matters, which now relate to a single issue on sediment transport and the potential need for monitoring to be agreed.</p> <p>The Applicant intends to submit a SoCG commenting on these matters once agreed for the appropriate deadline.</p>	Site Selection and Alternatives Landscape and Visual Terrestrial Ecology Land Use, Agriculture and Soils Marine Physical Processes Marine Ornithology Benthic Ecology Fish and Shellfish

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
				Marine Mammals Offshore Conservation Habitats Regulations Assessment Draft Development Consent Order (DCO)
Appendix 24 to Deadline 1	Public Health England	The need for and, if required, the programme for the undertaking of an on-shore electromagnetic field (EMF) assessment	The Applicant has engaged in consultation with PHE in relation to the matters raised in their Relevant Representation. PHE confirmed in a letter dated 2 October that they have reviewed the information in relation to EMFs in the Application and have no further concerns regarding EMFs. The letter is at Appendix 24 of the Applicant's response to Deadline 1. On the basis of this letter a SoCG is not considered to be necessary.	Electromagnetic Fields
Appendix 25 to Deadline	Trinity House	The impact the development would have on navigation	A final SoCG between the Applicant and Trinity House was submitted as	Shipping and Navigation Draft Development Consent Order (DCO)

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
1		within Trinity House's area of jurisdiction	Appendix 25 of the Applicant's response to Deadline 1 with all matters agreed.	
Appendix 26 to Deadline 1	Westminster Gravels Ltd (WGL)	Possible effects on marine aggregate licence Area 515/1 and possible mitigations of any effects	<p>The Applicant has engaged in consultation with WGL with discussions on the matters raised in their relevant representation and can confirm that the parties are close to final agreement on terms.</p> <p>The SoCG submitted for Deadline 1 will be updated for the appropriate deadline when further agreements are reached.</p>	Effects on Marine Aggregate Licence Area 515/1
Others (not requested in the Rule 6 letter but proactively engaged by the Applicant)				

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 19 to Deadline 2	Boston Borough Council	Confirmation of the agreements reached through the EIA evidence plan process and to address matters raised in the Relevant Representation and through discussion with the interested party.	The Applicant and Boston Borough Council have engaged in consultation on the matters raised in their Written Representation and a SoCG has been submitted at Deadline 2. There are no changes to this SoCG at Deadline 4.	Site Selection and Alternatives Landscape and Visual Socio-economics Tourism and Recreation Terrestrial Ecology Historic Environment Traffic and Access Air Quality Noise and Vibration Draft Development Consent Order (DCO)

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 20 to Deadline 2	East Lindsey District Council	Confirmation of the agreements reached through the EIA evidence plan process and to address matters raised in the Relevant Representation and through discussion with the interested party.	The Applicant and East Lindsey District Council have engaged in consultation on the matters raised in their Written Representation and a SoCG was submitted at Deadline 2. There are no changes to this SoCG at Deadline 4.	Site Selection and Alternatives Landscape and Visual Socio-economics Tourism and Recreation Terrestrial Ecology Historic Environment Traffic and Access Air Quality Noise and Vibration Draft Development Consent Order (DCO)

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 29 to Deadline 1	Environment Agency	Confirmation of the agreements reached through the EIA evidence plan process and to address matters raised in the Relevant Representation and through discussion with the interested party.	<p>The Applicant and the EA have agreed a SoCG, which has been submitted to Deadline 1. There were matters still under discussion in relation to comments raised by the EA in their Relevant and Written Representations. The Applicant and the EA have made progress on some of these matters and will continue to discuss the outstanding issues.</p> <p>The SoCG submitted for Deadline 1 will be updated for the appropriate deadline when discussions on these matters are concluded.</p>	<p>Hydrology and Flood Risk Geology, Hydrogeology and Ground Conditions Marine Physical Environment Subtidal and Intertidal Ecology Approach in DCO (disapplication to legislative provisions; protective provisions; and land interests)</p>
Appendix 30 to Deadline 1	Lincolnshire County Council	Confirmation of the agreements reached through the EIA evidence plan process and to address matters raised in the Relevant Representation and through discussion with the interested	<p>A SoCG agreed by the Applicant and Lincolnshire County Council (LCC) was submitted as Appendix 30 to the Applicant's response to Deadline 1.</p> <p>Page 4 of the SoCG and the following insert page with emailed confirmation of agreement set out that the SoCG was agreed by both the Applicant and LCC and included both matters that were</p>	<p>Site Selection and Alternatives Landscape and Visual Socio-economics, Tourism and Recreation Land Use, Agriculture and Soils</p>

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
		party.	<p>agreed (sections 1-4), matters under discussion (section 5) and matters that were not agreed (section 6). Since submitting its response to Deadline 1, the Applicant has continued to discuss the matters included within sections 5 and 6 of the agreed SoCG with LCC in an attempt to reach further agreement.</p> <p>On 26 October 2015 the Applicant was informed by LCC that it had notified the Planning Inspectorate that the agreed SoCG should be marked as draft on the basis that this would accord with the SoCGs with both local planning authorities (Boston Borough Council and East Lindsay District Council) that had been submitted at Deadline 1. LCC did not contact the Applicant or seek to discuss this prior to requesting the change to the document.</p> <p>In order to clarify the position, at Deadline 1 it had not been possible to complete SoCGs with either Boston Borough Council or East Lindsay District</p>	<p>Geology, Hydrogeology and Ground Conditions</p> <p>Hydrology and Flood Risk</p> <p>Historic Environment</p> <p>Traffic and Access</p> <p>Draft Development Consent Order (DCO)</p>

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			<p>Council and as a result these were submitted as drafts with the agreement of the local planning authorities. Conversely, agreement had been reached with LCC on the SoCG (including on the matters not agreed) and the completed SoCG with that authority was submitted at Deadline 1.</p> <p>As the SoCG with LCC had been agreed prior to Deadline 1, the Applicant has both referred to and relied upon its content in the detail of its Deadline 1 and Deadline 2 responses.</p> <p>The Applicant provided an updated SoCG to LCC on the 9 December 2015. LCC informed the Applicant on the 5 January 2016 that they have decided not update the SoCG and will aim for 1st February.</p> <p>The Applicant is continuing to engage with LCC and will provide an update on progress at Deadline 5.</p>	



Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 31 to Deadline 1	Marine Management Organisation (MMO)	Confirmation of the agreements reached through the EIA evidence plan process and to address matters raised in the Relevant Representation and through discussion with the interested party.	<p>The applicant and the MMO have engaged in regular communication and agreement has been reached in the majority of cases, as shown in the draft SoCG submitted for Deadline 4, provided to the MMO for comment.</p> <p>The draft SoCG submitted at Deadline 4 reflects the Applicant’s understanding of matters agreed based on discussions with the MMO both pre and post submission of the application.</p> <p>The MMO have informed the Applicant that they will provide comments on the draft SoCG by 19 January 2016, and both parties will; work towards an updated joint SoCG for Deadline 5.</p>	<p>Marine Physical Environment</p> <p>Marine and Intertidal Ornithology</p> <p>Subtidal and Intertidal Ecology</p> <p>Fish and Shellfish Ecology</p> <p>Marine Mammals</p> <p>Offshore Nature Conservation</p> <p>Commercial Fisheries</p> <p>Shipping and Navigation</p> <p>Other Marine Users</p> <p>Marine Historic Environment</p> <p>Draft Development Consent Order (DCO) and Draft Marine Licence (DML)</p>

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Appendix 32 to Deadline 1	Black Sluice Internal Drainage Board	Confirmation of the agreements reached through the EIA evidence plan process.	The Applicant and IDBs had agreed to prepare a joint SoCG. Initial progress was made between the Applicant and the IDBs, with a draft SoCG submitted at Deadline 1. Subsequent discussions identified issues that required resolution before the SoCG could be further progressed. As indicated at the hearings in November 2015, the parties agreed to meet on the 3 December 2015 to discuss outstanding matters. The parties have prepared and submitted a Joint Statement to set out the outstanding matters and detail the discussions held at the meeting in December 2015. The Applicant and the IDBs will continue to discuss progress the matters and will update the ExA at the appropriate Deadline.	Hydrology and Flood Risk Approach in DCO (disapplication to legislative provisions; protective provisions; and land interests)
	Lindsey Marsh Drainage Board			
	Witham Fourth District Internal Drainage Board			
n/a	National Grid	Protective provisions and land interests for both National Grid Electricity	The Applicant, NGET and NGG (together "National Grid") are continuing to have productive discussions regarding the matters raised in their relevant and	Land Agreements Protective Provisions

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
		Transmission (NGET), National Grid Gas (NGG).	written representations. The parties expect to agree protective provisions and other relevant documentation to provide adequate protection for National Grid's rights and interests in existing operational assets and to address the provision of land rights and access, including those necessary for the Applicant's connection to Bicker Fen substation, in lieu of the exercise of compulsory purchase rights. The Applicant has provided further detail on the progress made and discussions with National Grid in their response to question CA 2.21 of the Examining Authority's Second Written Questions. The Applicant and National Grid are targeting to have reached at least in principle agreement on all substantive matters before hearings commence on 19 January 2016.	
Appendix 34 to Deadline	Marine and Coastguard	Shipping and Navigation and relevant Development	A final SoCG between the Applicant and the MCA was submitted as Appendix 34 of the Applicant's response to Deadline 1	Shipping and Navigation Draft Development

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
1	Agency (MCA)	Consent Order clauses.	with all matters agreed.	Consent Order (DCO)
Appendix 37 to Deadline 1	National Trust	Agreements reached which address matters raised in the Relevant Representation and through discussion with the interested party.	A final SoCG between the Applicant and the National Trust presenting an agreed position was submitted as Appendix 37 of the Applicant's response to Deadline 1.	Working hours Biodiversity enhancement Migrating birds Communications Traffic and Access Historic environment
n/a	Land Interest Group	Land interests, restrictive covenants, form of rights sought, drainage	The Applicant and the Land Interest Group have agreed to pursue a SoCG as requested by the ExA and met on the 3 and 22 December 2015 to discuss outstanding matters in relation to the proposed development.  The Applicant and the LIG have submitted a joint statement at Appendix 38 of the Applicant's Response to Deadline 4.  The Applicant and the LIG will continue to engage with a view to agreeing a	Land Use, Agriculture and Soils  Land Agreements

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			<p>SoCG.</p> <p>The Applicant will provide a further update at Deadline 5.</p>	