



Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System

Appendix 5: Statements of Common Ground Summary and Index

Date: 17 February 2016

**Appendix 5 of the Applicant's
response to Deadline 6**

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1. SUMMARY

- 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 28 to the Applicant's response to Deadline 5 (submitted on 01 February 2016) and in response to the request for such made in the ExA's question DCO 3.3.

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 6 to Deadline 6	Anglian Water Services	Issues related to the services provided by, and the interests of, Anglian Water Services	A final SoCG between the Applicant and the Anglian Water Services has been submitted as Appendix 6 of the Applicant's response to Deadline 6, with all matters agreed.	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 try to discuss these matters with the Canal and River Trust, though notes that the Canal and River Trust have not responds to repeated requests on this matter. The Applicant draws the ExA's attention to the response to CA 3.7, which sets this</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>out in more detail.</p> <p>The Applicant intends to submit a SoCG commenting on these matters if engagement is forthcoming.</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, most recently on a call on 4 February 2016.</p> <p>The Applicant intends to submit a SoCG commenting on these matters at Deadline 7.</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	The Applicant has engaged in consultation with EDF with discussions on the matters raised in their relevant representation and a possible SoCG. The Applicant has provided a draft Good Neighbour Agreement to EDF for comment, and received comments on 1 February 2016, with a call to discuss matter scheduled for 19 February 2016. The Applicant intends to submit a SoCG	Noise Impacts on the energy yield of the turbines Construction impacts on operational wind farm Land agreements

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			commenting on these matters at Deadline 7.	
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 34 to Deadline 4	Lincolnshire Wildlife Trust	Possible effects on Lincolnshire Coastal Grazing Marshes Possible effects on Lincolnshire Coastal Country Park The adequacy of ecological surveys	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
		<p>The adequacy of the assessment of semi-natural and other habitats</p> <p>The need for, and adequacy of, biodiversity enhancements</p>		
Appendix 22 to Deadline 1	National Grid Viking Link 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.	<p>Cumulative Impact Assessment</p> <p>Interactions and separation of TKES and Viking Link Protective Provisions</p>
Appendix 31 to Deadline 5	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	The Applicant and Natural England have agreed a final SoCG (see Appendix 31 of the Applicant's response to Deadline 5), noting agreement on all matters.	<p>Site Selection and Alternatives</p> <p>Landscape and Visual</p> <p>Terrestrial Ecology</p> <p>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
		Ridge SCI		Marine Physical Processes Marine Ornithology Benthic Ecology Fish and Shellfish 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	Electromagnetic Fields

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			this letter a SoCG is not considered to be necessary.	
Appendix 25 to Deadline 1	Trinity House	The impact the development would have on navigation within Trinity House's area of jurisdiction	A final SoCG between the Applicant and Trinity House was submitted as Appendix 25 of the Applicant's response to Deadline 1 with all matters agreed.	Shipping and Navigation Draft Development Consent Order (DCO)
18 January 2016	Westminster Gravels Ltd (WGL)	Possible effects on marine aggregate licence Area 515/1 and possible mitigations of any effects	A final SoCG between the Applicant and Westminster Gravel Limited was submitted on 18 January 2016, with all matters agreed.	Effects on Marine Aggregate Licence Area 515/1

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
Others (not requested in the Rule 6 letter but proactively engaged by the Applicant)				
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, with a final SoCG submitted at Deadline 2.	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 final SoCG was submitted at Deadline 2.	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 30 to Deadline 5	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 was submitted at Deadline 1. The matters that were previously under discussion in relation to comments raised by the EA in their Relevant and Written Representations are now resolved. The Applicant and the EA submitted an updated SoCG as Appendix 30 of the Applicant's response to Deadline 5.</p> <p>There remains an outstanding matter in relation to land interests; an update to these will be provided at Deadline 7.</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 at Deadline 4 and will aim for 1st February.</p> <p>LCC provided the Applicant with its comments on the SoCG at 16.28 pm on 1st February 2016. The Applicant confirmed to LCC that it does not have</p>	

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			<p>any objection to LCC submitting this version of the SoCG to the examination at Deadline 5, as long as it is made clear that this version is the Council's mark up and the Applicant has not had the opportunity to review in detail or to comment on it.</p> <p>The Applicant has been in discussion with LCC on the SoCG in relation to areas of outstanding discussion and on which LCC officer has a mandate to approve the SoCG. The Applicant met with LCC on the 12th February to discuss the SoCG. LCC representatives for tourism, LCCP and historic environment were not available prior to Deadline 6, however progress was made on a range of topics and actions identified.</p> <p>The Applicant issued an updated (version 8) SoCG to LCC on the 16th February 2016, will continue to engage with LCC and will provide an update on</p>	

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			progress at Deadline 7.	
Appendix 32 to Deadline 5	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>A final SoCG between the Applicant and the Marine Management Organisation was submitted as Appendix 32 of the Applicant's response to Deadline 5.</p> <p>Agreement has been reached on all matters, with the exception of the Article 5, <i>Transfer of the Benefit</i>. The Applicant and the Marine Management organisation have set out their respective positions in Appendix B to Appendix 32 of the Applicant's response to Deadline 5, noting that the parties will not be able to reach agreement on this matter.</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>

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
				Draft Development Consent Order (DCO) and Draft Marine Licence (DML)
Appendix 32 to Deadline 1 (draft)	Black Sluice Internal Drainage Board	Confirmation of the agreements reached through the EIA evidence plan process.	<p>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 prepared and submitted a Joint Statement, to set out the outstanding matters and detail the discussions held at the meeting in December 2015, as Appendix 37 at Deadline 4.</p> <p>The Applicant and the IDBs have continued to discuss the outstanding matters and the Applicant submitted an</p>	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			

Deadline and Appendix Number	Interested Party	Content (as requested in Rule 6 letter where applicable)	Status	Topics covered by the SoCG
			<p>Update Statement as Appendix 33 of the submission to Deadline 5.</p> <p>The Applicant and the IDBs will submit a joint statement or updated SoCG for Deadline 7.</p>	
20 January 2016	National Grid	Protective provisions and land interests for both National Grid Electricity Transmission (NGET), National Grid Gas (NGG).	<p>NGET and NGG (together "National Grid") submitted a joint statement on 20 January 2016, and the Applicant submitted confirmation on 21 January 2016 that it is a joint Statement and made on behalf of the Applicant.</p> <p>The joint statement sets out agreement on all matters, but notes that National Grid reserve its right to submit further written representations to the Examining Authority should land documents have not been concluded by Monday 29 February 2016.</p>	<p>Land Agreements</p> <p>Protective Provisions</p>
Appendix 34 to Deadline	Marine and Coastguard Agency (MCA)	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	<p>Shipping and Navigation</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
1		Consent Order clauses.	with all matters agreed.	
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	<p>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.</p> <p>The Applicant and the LIG have submitted a joint statement at Appendix 38 of the Applicant's Response to Deadline 4.</p> <p>The Applicant has submitted agreed minutes from its meeting with the LIG on</p>	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>the 22nd December at Deadline 5.</p> <p>The Applicant and LIG met on the 4th February 2016 to discuss outstanding matters and a joint statement has been submitted at Appendix 22 of the Applicant's Response to Deadline 6.</p>	