

Thanet Extension Offshore Wind Farm

(EN010084)

Correspondence received after the
close of the Examination

No	From	Date Received
1	Charles Russell Speechlys on behalf of RAMAC Holding Limited	2 August 2019
2	The Crown Estate	28 August 2019
3	Womble Bond Dickinson on behalf of Vattenfall Wind Power Limited	10 September 2019
4	Vattenfall Wind Power Limited	27 May 2020
5	Charles Russell Speechlys on behalf of RAMAC Holding Limited	28 May 2020

Our Ref: DKH/210865/00001

For the attention of: Kate Mignano - Case Manager

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Charles Russell Speechlys LLP
One London Square
Cross Lanes Guildford Surrey
GU1 1UN UK

T: +44 (0)1483 252525
F: +44 (0)1483 252550
DX: 2436 Guildford

charlesrussellspeechlys.com

By Post



david.haines@crsblaw.com

F: +44 (0)845 3590030

1 August 2019

Dear Sirs

Application by Vattenfall Wind Power Limited for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm

We write with reference to the above and the Examining Authority will be aware we are instructed on behalf of Ramac Holdings (Trading) Limited ("Ramac"). Whilst we of course appreciate that the Examination closed at 23:59 on 11 June 2019, the content of the Applicant's Submission "Appendix 10 to Deadline 7" confirmed that the parties would update the Examining Authority at all future deadlines on the progression towards conclusion of contracts.

We regret to report that despite the parties agreeing to work jointly towards a target date for completion of contracts of 11 June 2019, our client is disappointed that there has been limited progress.

We have therefore been instructed by our client to simply notify the Examining Authority for the avoidance of any doubt, that Ramac's objections are not withdrawn.

Yours faithfully


Charles Russell Speechlys LLP

Cc Womble Bond Dickinson (Solicitors for the Applicant)

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National Infrastructure Planning
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Stuart Curry
Senior Development Manager Offshore Wind
Tel: 0207 851 5077

E-mail: stuart.curry@thecrownestate.co.uk

Your Ref.: EN010084
Our Ref.:

28 August 2019

Dear Sirs

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by Vattenfall Wind Power Limited ("the Applicant") for an Order Granting Development Consent for the Thanet Extension Offshore Wind Farm

I refer to my letter of 11 June 2019 which was in response to Action Points 18 and 19 arising from Issue Specific Hearing 8 and as an update to our previous response to these Points on 29 April 2019.

I am pleased to inform the Examining Authority that the plan level Habitats Regulations Assessment for the 2017 offshore wind extension applications has completed and therefore we will be seeking to execute the agreements for lease for the Thanet Extension offshore wind farm and the associated transmission assets as soon as practicable. For reference the announcement can be found at <https://www.thecrownestate.co.uk/en-gb/media-and-insights/news/2019-28-gw-of-offshore-wind-extension-projects-to-progress-following-completion-of-plan-level-habitats-regulations-assessment/>.

However I think that it will be unlikely that these documents will be executed by 11 September 2019 when the Examining Authority's Recommendation is sent to the Secretary of State for Business, Energy and Industrial Strategy. I will provide the Examining Authority and the Department for Business, Energy and Industrial Strategy with a further update when completion of the legal documents has occurred as soon as I am in a position to do so.

Yours faithfully



Stuart Curry
Senior Development Manager Offshore Wind



10 September 2019

FAO: Ms Kate Mignano
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Womble Bond Dickinson (UK) LLP

3 Temple Quay
Temple Back East
Bristol
BS1 6DZ

Tel: 0345 415 0000
Fax: 0345 415 6900
DX: 200561 Bristol Temple Meads

Victoria.redman@wbd-uk.com
[REDACTED]

Our ref:
VJR2/EKA/47583.37
Your ref: EN010084

Dear Sirs

**Application for a Development Consent Order for the Thanet Extension Offshore Wind Farm
(Ref: EN010084)
Post examination update**

We are writing on behalf of Vattenfall Wind Power Limited, the Applicant for the Thanet Extension Offshore Wind Farm (**TEOW**). We understand the Examining Authority is due to issue its report to the Secretary of State on the examination into the application by 11 September 2019, including its recommendation as to whether development consent should be granted. We would be grateful if you would forward this letter to the Secretary of State along with the Examining Authority's report and recommendation.

The purpose of this letter is to provide the Secretary of State with an update in relation to post examination events, including any progress which has been made on matters that remained outstanding at the close of the examination.

Navigation Simulation

During the examination, a number of Interested Parties (**IPs**) requested that the Applicant undertake an additional navigation simulation in order to test the feasibility of larger vessel transit and explore a wider range of scenarios.

Whilst the Examining Authority did not request that an additional navigation simulation be undertaken, following the close of the examination the Applicant considered whether any unresolved concerns relating to shipping and navigation matters could be further progressed in order to assist the Secretary of State's determination of the application.

As you will be aware, the first navigation simulation was undertaken in September 2017, prior to finalisation of the offshore Order limits and submission of the application. In addition, during the examination of the application, the Applicant proposed an offshore Structures Exclusion Zone (**SEZ**) in response to concerns raised by IPs. The Applicant considers that the first navigation simulation was a robust exercise, undertaken on a worst case basis with IP involvement. However, mindful of the reduction in the developable offshore area as well as the IPs' requests during examination, the Applicant has proposed to undertake an additional navigation simulation. Whilst the Applicant has provided a significant body of evidence supporting the conclusion that impacts on shipping and navigation are

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acceptable, it is hoped that this will provide greater clarity on the potential impacts that may arise, taking into account the changes since the first navigation simulation was undertaken.

The Applicant has been consulting with relevant IPs in relation to the additional navigation simulation proposed. All relevant IPs were invited to comment on the specification for the simulation as well as to attend and participate in the simulation. At the request of the Port of London Authority (PLA), the simulation has also been delayed to take place at the beginning of September 2019, rather than in August 2019 as originally proposed.

The Applicant will be submitting a report to the Secretary of State on the outcome of the simulation, which will also summarise the consultation undertaken by the Applicant with relevant IPs in connection with the additional navigation simulation. The Applicant expects to be in a position to submit this to the Secretary of State by 4 October 2019.

Commercial negotiations with shipping IPs

In the Statements of Common Ground with both the PLA and Estuary Services Limited (ESL), the Applicant committed to provide an update to the Secretary of State at the start of the determination period on the status of the commercial discussions being held with the PLA and ESL.

The Applicant, PLA and ESL attended an introductory teleconference call on 5 July before meeting in person at the PLA's offices in Gravesend on 25 July. Although some initial discussion took place at the meeting on 25 July, the PLA and ESL proposed to hold an internal workshop in order to consider further the basis on which any commercial discussions should be progressed. It was proposed that once this internal workshop had taken place, the parties would reconvene to progress detailed discussions. The Applicant is currently waiting to hear from the PLA and ESL that the workshop has been held, before arranging a further meeting to progress any detailed discussions.

The Applicant remains willing to continue to engage with the PLA and ESL to discuss opportunities for joint working which provide long term benefits in line with the Applicant's own long-term strategy, the PLA's Thames Vision development framework and the Government's Offshore Wind Sector Deal.

Negotiations with RAMAC

The Applicant has continued negotiations and discussions with RAMAC on the documentation for the onshore substation and associated cabling and works. These are nearing their end and the Applicant hopes that an option agreement will be completed shortly. This option will be conditional on reaching agreement with the Ministry of Justice on the relocation of the current Ministry of Justice facility at the substation site, for which negotiations are also well progressed with the Ministry of Justice.

Negotiations with the National Trust

Vattenfall is engaging with the National Trust in relation to a number of separate offshore wind projects and, as a result, has developed a wider, positive working relationship with the National Trust. A template set of documentation for land rights has been agreed for all of these offshore wind projects, including the TEOW project.

In relation to the TEOW project specifically, the Applicant is pleased to confirm that heads of terms for an option agreement in respect of the National Trust's land interest in the Order limits have been agreed with the National Trust. It is therefore hoped that negotiations for the option agreement, based on the template set of documentation referred to above, will be concluded shortly.

Crown Consent

The Applicant has agreed the terms of a letter under section 135 of the Planning Act 2008 with the Home Office and the Ministry of Justice, which contains the Crown's consent to the inclusion of provisions in the draft Order authorising the compulsory acquisition of interests in the Crown land affected by the proposed development. The Applicant expects that this letter will be signed within the next week.

The Crown Estate Plan Habitats Regulations Assessment

The Crown Estate's plan level Habitats Regulations Assessment for the 2017 offshore wind extension applications has recently completed and confirms the project may now progress to the award of rights. Therefore, the Applicant anticipates that the agreements for lease for TEOW and the associated transmission assets will be completed in the near future.

We trust the information above is of assistance, but should you require anything further please do not hesitate to contact us.

Yours faithfully



Womble Bond Dickinson (UK) LLP

Vattenfall Wind Power Ltd
1st Floor
1 Tudor Street
London
EC4Y 0AH

Thanet Extension Project Team
Secretary of State for Business, Energy and
Industrial Strategy
c/o the Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Date: 27/05/2020

Contact: Daniel Bates (Consents Manager)
E-mail: daniel.bates@vattenfall.com

Application for a Development Consent Order for the Thanet Extension Offshore Wind Farm (EN010084).

Dear Mr Leigh,

I write in relation to the Thanet Extension Offshore Wind Farm application and recent progress on matters relating to compulsory acquisition, on which the Secretary of State asked a specific question in their letter of 21 November 2019.

The Applicant is pleased to confirm that a voluntary agreement has been reached with RAMAC Holdings (Trading) Ltd, and as such Ramac will be writing to the Secretary of State shortly confirming the withdrawal of their objection to the application.

The Applicant has continually sought agreement and compromise with all interested parties where feasible and reasonable to so. The progress made with Ramac is in addition to agreement having been reached on the following matters raised in the Secretary of State's letter of 21 November 2019, as previously set out in the Applicant's response dated 13 December 2019:

- **Agreement for Lease** – the Applicant has now entered into an Agreement for Lease with The Crown Estate for both the offshore array area and the export cable;
- **National Trust** – a voluntary agreement has been entered into and the National Trust have removed their objection to the application;
- **National Grid** – National Grid have confirmed removal of their objection to the application;
- **Fish spawning** – the Applicant and MMO have reached agreement on timing restrictions to be included in the DCO;
- **Saltmarsh mitigation** – the Applicant and Natural England reached agreement on the approach to secure this mitigation in the DCO.

We trust that this information is of assistance to the Secretary of State.

Yours sincerely



Daniel Bates
Consents Manager – Thanet Extension Offshore Wind Farm
Vattenfall Wind Power Ltd

Our Ref: IJS/BVN/210865/00002



Secretary of State for Business, Energy and Industrial Strategy
The Thanet Extension Project Team
The Planning Inspectorate
Kite Wing 3/K
Temple Quay House
Temple Quay
Bristol
BS1 6PN

and

1 Victoria Street
London
SW1H 0ET

Charles Russell Speechlys LLP
One London Square
Cross Lanes Guildford Surrey
GU1 1UN UK

T: +44 (0)1483 252525
F: +44 (0)1483 252550
DX: 2436 Guildford

charlesrussellspeechlys.com

ingrid.saffin@crsblaw.com

F: +44 (0)1483 252557

By Post and Email

thanetextension@planninginspectorate.gov.uk; beiseip@beis.gov.uk

28 May 2020

Dear Sirs

**Application by Vattenfall Wind Power Limited for and Order granting Development Consent for the Proposed Thanet Extension Off Shore Wind Farm off the Coast of Kent
Request for Information and Comments on the Application: EN010084
Our Client: Ramac Holdings (Trading) Limited**

We reconfirm we are instructed on behalf of Ramac Holdings (Trading) Limited and write to notify that, following an agreement having been concluded with the Applicant on 27 May 2020, our client now formally withdraws its objection to the aforementioned DCO.

Yours faithfully



Charles Russell Speechlys LLP

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