



## Meeting note

<b>Project name</b>	Hornsea Project Four
<b>File reference</b>	EN010098
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	10 December 2020
<b>Meeting with</b>	Ørsted (the Applicant)
<b>Venue</b>	Telecon
<b>Meeting objectives</b>	Project update
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### *Derogation case preparation*

The Applicant advised that it was still considering the Habitats Regulations Assessment (HRA) and potential adverse effects on integrity. It advised that there was a potential for no agreement with Natural England (NE) on adverse effects for most species at the point of application submission. Compensation cases were being prepared however for all species on this basis. Agreement had been reached for gannet, but there was uncertainty regarding kittiwakes, guillemot, razorbill and in-combination effects. A response from Natural England was expected by 16 December 2020, which would allow the Applicant to focus on remaining key issues.

The Applicant's consultation strategy on Derogation was planned to follow the draft Report to Inform Appropriate Assessment (RIAA). Agreement on a short list of compensation cases was anticipated in January 2021. The Applicant was establishing what HRA consultation could be carried out prior to acceptance and described its proposed approach. This composed of identification of relevant parties and continued consultation while the derogation case is developed. It was considering consultation on a suite of proposed compensation measures during pre-examination stage. The Applicant queried if this was acceptable to the Inspectorate, who advised it was not unusual for continued technical consultation after the point of acceptance. The Inspectorate advised they would look for evidence that a good level of detail has been released to stakeholders, with adequate time for stakeholders to consider, respond and influence proposals. A clear picture of points agreed/not yet agreed and evidence of expert advice on the development of the compensation case would also be recommended.

The Applicant described its intention to follow a similar approach to that taken during Hornsea Three (in terms of the level of information required to give confidence that



derogation compensation could be secured and delivered) particularly regarding how landowner rights could be assumed to address matters of artificial nesting. The Inspectorate advised this would be reviewed, but it was for the Applicant, with assistance from consultees, to determine the level of detail provided. It would also be useful to highlight where information would be forthcoming at a later stage, as opposed to not available. The Inspectorate confirmed discussions with consultees could take place alongside Examination. However, the Examining Authority should be informed of these and when matters were expected to be resolved/clarified. The Applicant was advised to discuss statutory bodies preferences for evidencing these discussions and decisions (for example iterations of the Statement of Common Ground or monitoring and management plans).

Both parties agreed a focused meeting on progress in this area would be usual before the application was submitted. The Applicant agreed to review the best setting for this (either a project update meeting or a component of a scheduled steering group meeting). Areas for consideration would be the Hornsea 3 decision plus new guidance expected from the Marine Management Organisation (MMO) and Defra in January 2021.

The Applicant confirmed a baseline ornithology verbal agreement on baseline characterisation was in place with NE and RSPB, as a starting point for development of the compensation case.

### ***Status regarding previous meeting minutes***

The Applicant advised of ongoing discussion with parties regarding the Endurance Carbon Capture Storage project. A watching brief on cumulative effects assessments was maintained. Discussions regarding potential overlap with Net Zero Teeside were progressing. These included potential co-existence, how to approach the cumulative assessments in light of different timelines, and the ability to supply additional information during Examination upon request. The derogation approach was evolving through ongoing monitoring of key issues with the Applicant's appointed consultants.

### ***Hornsea Project Four update***

The Applicant presented the development polygon of the Endurance project site, in relation to the Hornsea Four site, within which the Endurance project infrastructure, including injection wells, brine release wells and marine components for connections to Net Zero Teeside and Net Zero Humber. It acknowledged these concept ideas indicated significant overlap with those projects.

The Applicant advised of the intention to submit the application late in Quarter 1 2021 to allow additional time to address ornithology matters, the RIAA and the ongoing Derogation case. Their continued intention was to engineer out consenting risks, where possible. Non-material changes were being considered for Hornsea 1 and 2 to reduce in-combination effects. The Applicant completed its first compensation workshop with RSPB and also a deep dive co-existence workshop with relevant parties regarding the endurance carbon capture storage. The Applicant advised on-shore environmental statement (ES) and associated documents were approximately 95% complete, and the offshore equivalents 90% complete. The transmission asset agreement for lease was nearing completion. Minimum data set justification was ongoing prior to examination.



Responses to the draft Preliminary Environmental information Report (PEIR) had been received, and the Applicant had circulated revised ES with track changes to show parties how they were addressing those comments. The Applicant is in ongoing discussion with Historic England regarding justification for the approach to EIA, predominantly discussing offshore matters. The permanent and temporary access to the onshore substation site had been moved to reduce in-combination effects on the local area, on request of statutory parties. This would be implemented at the point of application.

### ***Development Consent Order (DCO) Application***

The Applicant advised that the internal review of the draft DCO and final onshore chapters was complete, and it was preparing for completion of the offshore element. Activities were on course to support application sign off in Spring 2021 and submission to the Inspectorate soon after.

### ***Examination Approach***

The Applicant advised of pre-tender contact with audio-visual (AV) companies for support during virtual, blended or traditional hearings. The Inspectorate advised they were aware of capacity issues of some AV companies. The Inspectorate advised they are drafting advice on the Inspectorate and Applicant's roles and responsibilities for virtual events. Blended events had not yet been tested at a DCO examination.

The Applicant enquired whether it should seek information from Interested Parties about their ability to participate in the process in a virtual way. The Inspectorate advised of a questionnaire that PINS send to Interested Parties in advance of the rule 6 letter, requesting information about parties' ability to engage with virtual hearings. Given the GDPR issues that collecting this type of information may present for the Applicant, it should consider collecting personal information of that nature very carefully. It is unlikely they would be able to share that information with the Inspectorate. The Inspectorate advised of the need to identify potential physical venues, to be used as required later next year. The examination venue and arrangements should be considered with the potential to allow people to join a physical event virtually (a blended event).

### ***AOB***

The Applicant advised of ongoing discussions with BP, National Grid Ventures and partners regarding the endurance reservoir. This was to progress agreements of a co-existence position with related projects.

### ***Specific decisions/ follow-up required***

The following actions were agreed:

- Applicant to review steering group meeting schedule and confirm whether derogation case should be added to agenda, or a separate meeting to be arranged.
- Next project update meeting to be arranged for end of January.