

# FIVE ESTUARIES OFFSHORE WIND FARM STATEMENT OF COMMON GROUND HARWICH HAVEN AUTHORITY

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In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for the purpose.

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## **DEFINITION OF ACRONYMS**

Term	Definition
CD	Chart Datum
DCO	Development Consent Order
dML	Deemed Marine Licence
ННА	Harwich Haven Authority
ECC	Export Cable Corridor
ES	Environmental Statement
ETG	Expert Topic Group
km	Kilometres
MW	Megawatts
NIP	Navigation Installation Plan
nm	Nautical Mile
NRA	Navigational Risk Assessment
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
SoCG	Statement of Common Ground
VEOWF	Five Estuaries Offshore Wind Farm



#### 1 INTRODUCTION

#### 1.1 BACKGROUND

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Five Estuaries Offshore Wind Farm Limited (hereafter referred to as 'the Applicant') and Harwich Haven Authority (HHA) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Five Estuaries Offshore Wind Farm (hereafter referred to as "VE").
- 1.1.2 Following detailed discussions undertaken between the parties, the Applicant and HHA have sought to progress a SoCG. It is the intention that this document provides the Planning Inspectorate with a clear overview of the level of common ground between both parties. This document will be updated if any additional points are identified or any positions change during the Examination.

#### 1.2 APPROACH TO SOCG

- 1.2.1 This SoCG sets out the topic, a brief summary of the issue or matter subject to disagreement or agreement, the position of the Applicant and that of HHA, and a colour coding to illustrate the level of agreement and/or materiality.
- 1.2.2 A full description of the approach adopted is set out in 9.33 Approach to Statements of Common Ground [APP-266] submitted as part of the DCO application.

#### 1.3 THE PROPOSED DEVELOPMENT

- 1.3.1 VEOWF is the proposed extension to the operational Galloper Offshore Wind Farm. The project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres (km) (20 nautical miles (nm)) off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure near to the existing Lawford Substation to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation, which would be located nearby.
- 1.3.2 All onshore connection infrastructure would be located in the administrative area of Tendring District Council, within Essex County Council. VEOWF will have an overall capacity of greater than 100 Megawatts (MW) and therefore constitutes a Nationally Significant Infrastructure Project (NSIP) under the Section 15 (3) of the Planning Act 2008.
- 1.3.3 A full Project description is included in the Environmental Statement (ES), in particular 6.2.1 Offshore Project Description [APP-069] and 6.3.1 Onshore Project Description [APP-083].



#### 2 HHA'S REMIT

#### 2.1 INTRODUCTION

- 2.1.1 HHA are a Statutory Harbour Authority and Trust Port, with a core remit to provide safety of navigation to vessels using the waters within their 150 square mile jurisdiction area. Their jurisdiction covers a 12-mile approach to Harwich Harbour, the River Stour, and parts of the River Orwell. They are responsible for the conservancy of the main navigation channel into the Haven, which requires an ongoing maintenance dredging programme to maintain the depth required to accommodate the very largest and deepest container vessels in operation. They operate a 24/7, 365 day a year to provide pilotage services to five port operators in theHaven: Port of Felixstowe, Navyard, Harwich International Port, Port of Mistley and the Port of Ipswich.
- 2.1.2 The following application documents have informed the discussions with HHA and address the elements of VEOWF that may affect the interests of the interested party:
  - > 6.2.9 Shipping and Navigation [APP-078]
  - > 9.9 Outline Cable Burial Risk Assessment [APP-239]
  - > 9.10 Navigational Risk Assessment [APP-240]
  - > 9.12 Outline Cable Specification and Installation Plan [APP-242]
  - > 9.20 Outline Navigation Installation Plan [REP1-039]
- 2.1.3 The main areas of interest raised by HHA were the approach to maintaining navigational safety, use of the pilot boarding station and access to Harwich Haven.
- 2.1.4 HHA and the Applicant have been working together to minimise possible impacts of the project on HHA's operations.

#### 2.2 CONSULTATION SUMMARY

2.2.1 Since 2019, the project has been engaging with relevant stakeholders through different levels of activity. The project has undertaken the necessary consultations before submitting the application and has held Expert Topic Groups (ETGs) on a number of specific topics, as well as bilateral meetings with key stakeholders. The comments received and the meetings between the project and the interested party have informed the basis for this SoCG and are presented in Table 2.1.

Table 2.1 HHA Consultation Overview

Date	Consultation Type	Consultation
27 April 2021	Virtual meeting	Inform relevant ports of the proposed offshore Export Cable Corridor (ECC).



Date	Consultation Type	Consultation
20 October 2022	In person hazard workshop	Discuss the potential hazards of VEOWF, as well as mitigation measures to be applied.
09 June 2023	Section 42 response	Feedback following the VEOWF Navigational Risk Assessment (NRA) at the Preliminary Environmental Information Report (PEIR) stage.
31 July 2023	Virtual meeting	Discussion of cumulative concerns of both VEOWF and North Falls Offshore Wind Farm Ltd ('North Falls') on HHA.
29 August 2023	In person meeting	Discussion of the offshore ECC and associated activities In-person meeting (North Falls also in attendance).
22 September 2023	In person meeting	To provide an update on the offshore ECC for both developments, and to discuss offshore activities for VEOWF (North Falls also in attendance).
23 January 2024	Virtual meeting	Discussion of the Navigation Installation Plan (NIP).
25 January 2024	Hazard Workshop Virtual Follow-up Meeting	Review of potential hazards and mitigation measures for VEOWF following project updates and refinements.
28 March 2024	In person meeting	Discussion of the NIP.
14 June 2024	In person NIP workshop	Meeting with relevant interested parties to discuss finalisation of the NIP.
26 July 2024	Virtual meeting	Discussion on relevant representation, DCO conditions and kick off SoCG discussions.
23 August 2024	Email correspondence	Feedback provided on the NIP for consideration in updated version.



#### 3 AGREEMENTS LOG

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and HHA for the relevant areas of interest identified in paragraph 2.1.3. The tables below detail the positions of the Applicant alongside those of HHA and whether the matter is agreed or not agreed.
- 3.1.2 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion, the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 3.1 below. Colours were chosen to ensure inclusivity for the visibility of data.

Table 3.1 Position Status Key

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties.	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties.	Not agreed



**Table 3.2 Status of Discussions** 

Reference Number	Issue	Proposed Resolution	HHA's Position	Position Status
HHA1	Consultation	HHA has been adequately consulted regarding shipping and navigation to date.	Happy with consultation to date. Outcomes are ongoing, ongoing engagement will be required.	Agreed
ННА2	NRA	The NRA [APP-240] and the Shipping and Navigation Chapter [APP-078] adequately address and mitigate impacts associated with vessels navigating within HHA waters or in proximity to them including boarding and landing pilots. This includes assessing realistic worst-case parameters and providing mitigations based on a precautionary principle in terms of managing concurrent activities.	General status is ok.	Agreed
ННА3	Future scenario	HHA is satisfied that the NRA [APP-240] and ES [APP-078] has adequately assessed a worst-case future scenario and through mitigations related to cable installation, cable burial, cable protection and cable jointing has ensured all impacts are As Low As Reasonably Practicable (ALARP).	20m draught vessels are an appropriate future case for assessment.	Agreed
HHA4	Cable burial depth	A cable burial depth of 22m below Chart Datum (CD) over existing deep water routes to account for future 20m vessel draught plus 10% under keel clearance is considered sufficient for accessing local ports.  The Applicant has not committed to 22m CD installation over the whole of the 'Pilot Concurrent Working Area' (as identified in Figure 2.1 of the NIP, principally due to the presence of the Margate and Long Sands SAC. Discussions are ongoing with HHA on this.	Yes, if installed at this level.	Ongoing point of discussion
HHA5	NIP	The outline NIP [REP1-039] is an appropriate mechanism for minimising the significance of effect associated with relevant shipping and navigation impacts associated with cable installation, operation and maintenance in the area of interest including managing the potential for concurrent working. It is recognised that compliance with the NIP is secured within the DCO (deemed Marine Licence (dML)).  The Applicant is considering HHAs request for non-concurrent working being secured in the DCO.	Yes. But we would request and require the piece regarding and limiting concurrent operations with Sunk area is included within the scope of the functional DCO, rather than associated documentation.	Ongoing point of discussion
ННА6	Work licence	The Applicant will require a work licence from HHA where cables are to be installed within HHA harbour limits. On the basis of information available today there should be no impediment to HHA providing a work licence, subject to assessment of the details of any such application at the time.	Yes, although this is very much an ongoing process. (we can use our checklist)	Agreed – noting that a work licence will be applied for at the time.
ННА7	HHA powers and statutory responsibilities	The Applicant will work with HHA to ensure works are in line with HHA powers and will comply with the statutory responsibilities and duties of the port.	Must comply with (not must support) our statutory duties.	Agreed



Reference Number	Issue	Proposed Resolution	HHA's Position	Position Status
ННА8	Protective provisions	The Applicant is reviewing the request from HHA for PPs.	Protective provisions are requested to ensure the statutory powers and functions of HHA are maintained where the export cable corridor overlaps with harbour limits.	Ongoing point of discussion



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