



Meeting note

File reference	EN010115
Status	Final
Author	The Planning Inspectorate
Date	17 May 2021
Meeting with	Five Estuaries Offshore Wind Farm Ltd
Venue	Microsoft Teams Meeting
Meeting objectives	Project Update
Circulation	All Attendees

Summary of key points discussed and advice given:

Introduction

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. The Inspectorate introduced changes to the case team.

Project Update

The Applicant confirmed the project was one of four potential extension sites it was involved in and had been identified during the 2018 extension leasing round. Development progressed on the basis of a 2019 grid connection offer in the Friston area. This since changed to a new East Anglia Coast substation, the exact location was to be determined. The project was delayed while revisions to its programme were identified to accommodate this. The Applicant was engaging with National Grid (NG) regarding its site selection process for the substation site around the Clacton on Sea area. An information sharing agreement was in place with North Falls Offshore Wind Farm, to discuss key topics and assist with the evaluation of project coordination and EIA. Site selection work continued based on current information however this could be subject to change. Environmental constraints and engineering feasibility were being assessed in a number of areas both on and offshore. Site visits, constraints analysis and stakeholder feedback options would be used to refine into a short list of options aimed for the end of May 2021. Preliminary survey work would then be completed for multiple routes to inform the Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) and allow for maintenance of the programme. NG were expected to confirm the substation location in early 2022. The Applicant would then adapt and select its routes, aiming to enter into alternative consultation in Q1 2022

before finalising siting options. Various potential landfalls had been identified, refined to three main areas following site visits, NG feedback and feasibility analysis. Cable routes had been developed on the basis of the NG substation area of search. Further work was being undertaken to identify preferred landfall and onshore cable routes. The Applicant noted that these options were still subject to change particularly due to ongoing discussions with NG.

Potential offshore cable routes had been identified, reflecting the multiple landfall options. The Applicant was continuing to engage with numerous stakeholders regarding the offshore site selection work undertaken to date, including Natural England and shipping and navigation stakeholders. Concerns had been raised including deep water shipping routes, pilot stations, traffic separation schemes and water depth. The Applicant was seeking to develop an offshore cable route which was mindful of these identified constraints and other non-shipping constraints. Anatec had been commissioned to analyse AIS traffic data to further inform offshore route development. These would be finalised at the end of May 2021 with a preferred route being identified to the landfall option/s in advance of offshore geophysical surveys.

An indicative programme was presented, including:

- Offshore and onshore surveys of multiple routes/sites: commencing June/July 2021.
- Scoping consultation and submission of scoping report to PINS: Q3/Q4 2021.
- NG confirm sub-station location: Q1 2022.
- Alternatives consultation and public consultation: currently proposed for Q1 2022.

The remainder of 2022 would focus on surveys, preparation of the draft EIA (Preliminary Environmental Information Report (PEIR)) and the HRA. The Applicant was engaged with Suffolk County Council, Essex County Council and Tendring Council and was considering their feedback about preferences for consultation. It was looking at other developers approaches to virtual consultation. The Applicant had begun to draft the Statement of Community Consultation (SoCC). The SoCC was expected to reflect both virtual and physical consultation methods. The Inspectorate advised to build in flexibility to the SoCC to allow for adjustments according to circumstances.

Stakeholder engagement

The Applicant updated stakeholders throughout 2020 regarding programme delays. Since 2021 it met individually with the main stakeholders to reintroduce the project, present the areas of search and seek feedback. During April 2021 it was also introducing them to the initial constraints analysis, options for landfall/onshore routing and seeking feedback on these matters. During May 2021 it would be completing introductory meetings with the remaining stakeholders and begin to re-commence the Evidence Plan process.

Evidence Plan (EP) process

The Applicant was re-commencing an EP process in association with the EIA and HRA. It was a formal means of understanding key issues and seeking agreement with parties about evidence submitted with the DCO application, including data collection and analysis. Terms of reference would be agreed with all parties. The EP would produce documentary evidence of the decision-making process with the aim of reducing disputes over evidence and analysis during Examination. It would also feed

into the first drafts of Statements of Common Ground (SoCG). Discussions on adequacy of surveys had begun. Two years of ornithological site-specific data was obtained through offshore aerial digital surveys. The Inspectorate highlighted the benefits of getting agreement on baseline data for the HRA.

The Applicant gave an overview of the EP structure, including the steering group and Expert Topic Groups (ETGs), which would cover the majority of topics in EIA and HRA. Exceptions would be commercial fisheries, aviation and military due to their established consultation and engagement processes. The Applicant sought to include a shipping and navigation ETG to agree baseline data, methodologies for the navigational risk assessment, complete hazard workshops and other related work. ETGs would review robustness of evidence for the HRA and EIA. ETGs would seek to scope in/out issues, taking the Scoping Opinion into account. The steering group would oversee the delivery of the plan, update the terms of reference and discuss/resolve any disagreements. The Applicant queried whether the Inspectorate's could chair the steering group meetings. The Inspectorate could not commit to permanent chairing but offered to chair meetings where particularly contentious issues were to be discussed. It also agreed to check if it could regularly participate in the meetings. The Applicant queried the Inspectorate's position on endorsing the EP. The EP process was set up by Defra to focus on HRA, however it could be beneficial to widen the remit to include EIA topics. The Inspectorate advised it wouldn't endorse the EP, however Annex H to Advice Note 11 makes reference to the EP process and could give assurance to stakeholders of the value in participating in it.

Approach to scoping

The Applicant aimed to submit its request for a Scoping Opinion in Q3 or Q4 2021. It would then refine the EIA, agree significant effects and key issues to take forward into a proportionate PEIR. It aimed to agree key data sources and methods for assessment of significance of impact. It had already started discussions with stakeholders on ornithological data and planned further discussions on topics such as marine mammals, coastal processes and other Seascape and Landscape Visual Assessments. It was engaging with stakeholders to agree baseline surveys, including methodology and volumes. Benthic surveys were planned from mid-2021 into Q3/4 2021. The Applicant had engaged with the Marine Management Organisation (MMO), Centre for Environment, Fisheries and Aquaculture Science (CEFAS) and Natural England (NE) regarding the benthic surveys. The applicant aimed to undertake a full round of ETGs prior to submission of the Scoping Report, and the approach to EIA scoping would be discussed in these forums. Any impacts or receptors being scoped out would be justified in the Scoping Report. The Inspectorate advised it would be more likely to agree with the justification to scope out if more evidence was provided to support the decision.

The Inspectorate queried the impact of the NG substation decision on the timing for scoping. The Applicant advised onshore survey work started in 2021 on the basis of the short list of onshore routes, so scoping would take into account information on a range of short-listed routes. There could be a risk of consulting with local parish councils that are not affected once the final substation site is selected. The Inspectorate highlighted the option to rescope if there were significant changes to the project. The Applicant was meeting with NG and it would reduce site selection options on the basis of any new information received. The Scoping Report would aim to present a realistic worst case of the project design envelope to inform the likelihood of significant effects in the impact assessment and identification of receptors. Technical chapters would be structured in receptor grouping; physical, biological and human.

Study areas would be included using publicly available or site-specific data. The benthic survey would be nearing completion but the data were unlikely to be available to inform the scoping. The Applicant was drawing together publicly available ecology data, with the aim of agreeing onshore survey protocols over the summer. It would look to agree the approach for EIA for each receptor topic and would set out in the Scoping Report any areas where further information was required. It intended to present any embedding mitigation which would reduce any risk of significant impacts on identified receptors.

HRA screening would be undertaken in parallel with the scoping process. The HRA screening report would review connectivity with designated sites, and this would be submitted with the Scoping Report. The Inspectorate advised it would only comment on the Scoping Report but may review the HRA screening report when it looks at transboundary assessment. Tourism was also anticipated to be included in scoping and EIA.

Next steps

The Applicant would be progressing site selection work ahead of surveys and continue to engage with stakeholders. It planned to issue an updated schedule to help parties with resource management. The next phase of stakeholder meetings would be arranged. The Applicant was contacting landowners for access to complete surveys planned for 2021 and was looking to gain voluntary agreements or complete surveys using public rights of way.

Summary of actions/follow-up

The following actions were agreed:

- The Applicant would review the information on the Inspectorate's project page and confirm any amendments required.
- The Applicant would confirm when the next project update meeting should be arranged for.
- The Applicant was asked to inform the Inspectorate of any issues arising that may affect the project timeline.
- The Inspectorate would advise if it can attend steering group meetings.