



NORTH FALLS

Offshore Wind Farm

Statement of Common Ground

Port of London Authority (Tracked)

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Glossary of Acronyms

| | |
|-------|--|
| ALARP | As Low As Reasonably Practicable |
| DCO | Development Consent Order |
| dML | deemed Marine Licence |
| EIA | Environmental Impact Assessment |
| DWR | Deep Water Route |
| MGN | Marine Guidance Note |
| NFOW | North Falls Offshore Wind Farm Limited |
| NIP | Navigation and Installation Plan |
| NRA | Navigational Risk Assessment |
| PEIR | Preliminary Environmental Information Report |
| SoCG | Statement of Common Ground |

Glossary of Terminology

| | |
|------------------------------------|--|
| Navigational Risk Assessment (NRA) | A document which assesses the hazards to shipping and navigation of a proposed Offshore Renewable Energy Installation (OREI) based upon the FSA. |
| Offshore cable corridor | The corridor of seabed from array area to the landfall within which the offshore export cables will be located. |
| Offshore export cables | The cables which bring electricity from the offshore substation platform(s) to the landfall, as well as auxiliary cables. |
| The Applicant | North Falls Offshore Wind Farm Limited (NFOW). |
| The Project or 'North Falls' | North Falls Offshore Wind Farm, including all onshore and offshore infrastructure. |

1. Introduction

1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by North Falls Offshore Wind Farm Limited (NFOW) (the Applicant) and the Port of London Authority (PLA). It identifies areas of North Falls Offshore Wind Farm (hereafter 'the Project' or 'North Falls') where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Inspectorate (2024) guidance regarding Statements of Common/Uncommon Ground for Hearings and Inquiries when compiling the SoCG.
3. This SoCG has been structured to reflect topics of the application which are of interest to the PLA. The applicable matters considered within the SoCG apply to the PLA's statutory and non-statutory remit.
4. ~~Table 1.1~~ [Table 1.4](#) presents the topics included in the SoCG with the Applicant and the PLA.

Table 1.1 Topics and Relevant Documents included in the SoCG

| Topic/Chapter | DCO Document Reference |
|---|---|
| Environmental Statement (ES) Chapter 15 Shipping and Navigation | APP-029 |
| ES Chapter 15 Shipping and Navigation Figures | APP-060 |
| ES Appendix 15.1 Navigation Risk Assessment Parts 1 - 3 | APP-106; APP-107; APP-108 |
| Draft Development Consent Order (DCO) | REP6-005 REP7-007/-008 |
| Outline Navigation and Installation Plan | REP6-039/ -040 |
| Outline Cable Specification and Installation Plan | REP6-051 REP7-039/-040 |
| Outline Sediment Disposal Management Plan | REP6-049/ -050 |
| Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan | REP6-055 |
| Technical Note on the interaction of North Falls with the PLA onshore communication links | REP6-067 |

5. Topic specific matters agreed, not agreed, and matters that remain under discussion between the Applicant and the PLA are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and the PLA to reach agreement on each matter whatever possible or refine the extent of disagreement between parties.

1.2 Consultation with Port of London Authority

6. The Applicant has engaged with the PLA on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant Section 42 of the Planning Act 2008.
7. During formal consultation, the PLA provided comments on the Preliminary Environmental Information Report (PEIR) by way of letter dated 14th July 2023.
8. Further to the statutory consultation, meetings were held with the PLA through the pre-application process and during Examination (~~Table 1.2 Summary of Consultation with the PLA regarding Shipping and Navigation~~~~Table 1.2 Summary of Consultation with the PLA regarding Shipping and Navigation~~). These are detailed throughout the SoCG, Consultation Report (Document reference: APP-215) and minutes of the meetings.

Table 1.2 Summary of Consultation with the PLA regarding Shipping and Navigation

| Date | Contact Type | Topic |
|---------------------------------|----------------------|---|
| Pre-Application | | |
| 22 nd February 2021 | Email correspondence | Consultation on export cable site selection. |
| 7 th July 2022 | Meeting | Update provided to the Sunk Users Group. |
| 14 th July 2023 | PEIR response | Section 42 responses provided by Port of London Authority. |
| 27 th September 2023 | Meeting | Meeting to discuss updates to the Project following PEIR responses. |
| 12 th October 2023 | Hazard Workshop | Meeting to review the Navigation Risk Assessment (NRA). |
| 17 th January 2024 | Meeting | Update provided to the Sunk Users Group. |
| 14 th June 2024 | Workshop | North Falls in attendance at a workshop to discuss methods for cable installation with local ports (with Five Estuaries). |
| 15 th January 2025 | Meeting | Update provided to the Sunk Users Group. |
| 19 th March 2025 | Meeting | Pre D4 catch up |
| 30 th April 2025 | Meeting | Post D4 catch up |
| 2 nd June 2025 | Meeting | Post D5 catch up |
| 11 th July 2025 | Meeting | Pre D7 catch up |

1.3 Summary of Agreed, Not Agreed and In Discussion

9. In order to easily identify whether a matter is 'agreed', 'not agreed', or 'in discussion' the position status colour coding system set out in Table 1.3 is used in the SoCG.

10. Details of specific topics that are ‘agreed’, ‘not agreed’, or ‘in discussion’ between the Applicant and Port of London Authority are presented [Table 2.1](#).

Table 1.3 Position status key

| Position Status | Position Colour Coding |
|--|---------------------------------------|
| Agreed. The matter is considered to be agreed between the parties. | Agreed |
| Not Agreed- no material impact The matter is not yet agreed between the parties however the outcome of the approach taken by either the Applicant and Port of London Authority is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussion on these matters have concluded. | Not Agreed- no material impact |
| Not Agreed- material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant and Port of London Authority is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded. | Not Agreed- material impact |
| In discussion The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties (e.g. where the documents are yet to be shared with Port of London Authority). | In discussion |

2. Statement of Common Ground

11. A summary of the consultation undertaken to date with the PLA and the matters agreed or not agreed between the Applicant and the PLA based on discussions and information exchanged between the Applicant and the PLA are set out below for each of the SoCG topic areas.

2.1 Shipping and Navigation

Table 2.1 Topics agreed, in discussion or not agreed in relation to Shipping and Navigation

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|--|---|------------------|
| 1 | NRA The NRA (APP -APP-106, APP-107, and APP-108) and the Shipping and Navigation Chapter (APP-029) adequately identify, address and mitigate impacts associated with vessels navigating within PLA waters or in proximity or approach to them including pilot operations. | The PLA is satisfied with the general approach taken by the Applicant to assessing impacts on shipping and navigation in the NRA and the Shipping and Navigation Chapter of the ES. | Agreed |
| 2 | Future Scenario The NRA (APP -APP-106, APP-107, and APP-108) and ES Chapter (APP-029) have adequately identified and assessed a worst-case future scenario, and through mitigations associated with cable installation, cable burial, and cable protection has ensured all impacts are As Low As Reasonably Practicable (ALARP). | The PLA is satisfied with the general approach taken by the Applicant to assessing a worst case future scenario. | Agreed |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|---|--|
| 3 | <p>Cable Burial Depth</p> <p>The Applicant recognises the importance of maintaining vessel access to key local ports via the DW routes in the area, together with appropriate cable burial and consideration of the potential for increases in vessel draught in the future. Technical discussions are currently ongoing internally to understand what is technically achievable in terms of burial depth over and in proximity to the DW routes, noting the ports position that burial should be such that a dredged channel depth of 22m is achievable in the future. An offshore seabed site investigation is expected to be in August, with the results feeding additional technical assessments.</p> <p>The Applicant has submitted an outline Cable Specification and Installation Plan (oCSIP) [REP6-051] which sets out the Applicant's proposals on cable burial depth over the DW routes to ensure they could be</p> | <p>Cable installation and maintenance depths at the Sunk and Trinity DWRs are critical and must safeguard future depths of 22m below Chart Datum.</p> <p>The PLA and the Applicant have agreed the extent of the areas required for deeper cable burial and this is reflected in 9.57 Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan (Rev 1) [REP6-055]</p> <p>The DCO now includes a design requirement linked to a certified plan showing the spatial extents to which the requirement applies.</p> <p>Cable installation and maintenance depths must also make allowance for an over-dredge tolerance attributable to standard dredging methodology</p> <p>Protective Provisions for the PLA must include for remediation so that if following installation of the cables or following inspection it is identified that the requirements regarding cable burial are not being achieved then the undertaker must carry out remediation</p> | <p>In Discussion<u>Agreed</u></p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|--|---|------------------|
| | dredged to 22m in the future. These areas of deeper burial are secured on the face of the Order under Schedule 1, Part 3, 2., (3). | works to ensure the requirements are achieved. | |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|--|--|
| 4 | <p>Cable Burial – CSIP The Applicant has submitted an outline CSIP [REP6-051] setting out the cable burial requirements including in relation to the DWR's. <u>Regarding the 'replication' of the design requirement 2(3) for Schedule 9, see item 12 below.</u></p> <p><u>In respect of 'remediation' the Applicant's position is that, as Requirement 2(3) of the dDCO requires that the cable is buried at depth so as to not impede or preclude dredging in the future dates to agreed levels in the DW areas and sunk pilotage area (the 'Areas of Interest').</u></p> <p><u>A failure to adhere to such would require remediation of the cable works to not be in breach of the licence or the DCO committing a criminal offence. This means remediation works are inherent to the DCO/DML.</u></p> <p><u>Communication with IPs is covered in the oNIP, to ensure</u></p> | <p>Various updates have been made <u>The DCO now includes a design requirement linked to a certified plan showing the oCSIP during examination and subjects spatial extents to some final amendments which are required in the main as a result of the deadline</u> <u>6 version of the Deep Water Route Plan introducing the Sunk Pilot Diamond Area, the PLA is confident that the technical content of the document can be agreed</u></p> <p>The final CSIP must be in strict accordance with the oCSIP</p> <p><u>requirement applies. The PLA considers that due to the importance of this document for vessels entering and existing the UK's largest Port, that the PLA should have approval of this document through protective provisions should also be replicated in Schedule 9 as per the ExA's Suggested Change</u></p> <p><u>Protective Provisions for the PLA must include for remediation so that if following installation of the cables or following inspection it is identified that</u></p> | <p>In Discussion <u>Not Agreed</u></p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----------|---|--|----------------------|
| | <p><u>all parties are aligned with when the remediation is to be undertaken. Moreover, in the event cable remedial burial is required, PLA must be consulted on the operations and maintenance plan in respect of such activities in the Areas of Interest, under condition 13 of Schedule 9.</u></p> | <p><u>the requirements regarding cable burial are not being achieved then the undertaker must carry out remediation works to ensure the requirements are achieved.</u></p> | |
| <u>4</u> | <p><u>Cable Burial - oCSIP</u> <u>The Applicant has submitted an outline oCSIP [REP6-051] setting out the cable burial requirements including in relation to the DWR's.</u></p> | <p><u>The PLA welcomes the various updates that have been made to the oCSIP during examination and has no outstanding comments on the technical content of the document.</u></p> | <p><u>Agreed</u></p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|---|---|
| 5 | <p>NIP oNIP</p> <p>The outline NIP (latest version [REP6-039]) is considered an appropriate mechanism for managing relevant shipping and navigation impacts associated with cable installation, and operation and maintenance in the area of interest (as defined in the NIP) including the potential for concurrent working. Project compliance with the NIP is secured within the DCO (deemed Marine Licence (dML)).</p> <p><u>The deadline 8 submission has been updated figure 2-1 to address the PLA's comments at deadline 7.</u></p> | <p>The outline NIP (oNIP) and NIP could be an appropriate mechanism for minimising shipping and navigation impacts during cable installation and maintenance, including in relation to the Sunk Pilot Diamond and the DWR's. The PLA are in discussion with the Applicant regarding the contents of the oNIP <u>with an update awaited to figure 2.1, on this basis it is not possible to mark this item as agreed but the PLA believes the matter will be addressed to its satisfaction at deadline 8.</u></p> <p>Due to the importance of this document for vessels entering and exiting the UK's largest Port, the PLA should have approval of this document through protective provisions.</p> | <p>In Discussion<u>Not Agreed – No Material Impact</u></p> |
| 6 | <p>Temporary impacts on the PLA's onshore navigational equipment</p> <p>The Applicant agrees with the PLA statement in their relevant representation that the likelihood of any impact is “very low”, but acknowledges the concern. This will be discussed</p> | <p>The PLA are content following the submission of a technical note [REP6-067] that there is no impact on the PLA's radio link</p> | <p>Agreed</p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|---|--|
| | <p>with PLA as examination progresses to confirm whether any additional action is required.</p> <p>This was discussed with the PLA at a meeting held on the 19th March 2025, and the PLA subsequently provided additional information including the precise locations of the relevant sites. The Applicant is continuing to engage with the PLA.</p> | | |
| 7 | <p>Protective Provisions</p> <p>As outlined in the Applicant's Response to the Ports' Request for Protective Provisions submitted at Deadline 4 [REP4-044], the Applicant does not consider that Protective Provisions are necessary.</p> | To date no discussions have been had with the PLA regarding protective provisions. The PLA has set out in its deadline 2 response its preferred protective provisions for Five Estuaries which can be used as the basis of protective provisions for North Falls. | Not Agreed – Material Impact |
| 8 | <p>Pre-construction activities</p> <p>Activities associated with preparation for cable installation will fall under the Navigation and Installation</p> | <p>Revision 2 of the The oNIP and revision 1 of the oCSIP submitted at deadline 5 now secure commitments relating to pre-construction activities including boulder relocation, archaeological find</p> | <p>In-Discussion Not Agreed – Material Impact</p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|--|--|---|
| | <p>Plan. Pre-construction activities will be subject to their own marine licensing process.</p> <p><u>PLA had concerns with the definition of ‘commence’, whereby PLA held the definition did not capture pre-construction monitoring and surveys, which they wanted consulted on [REP2-056].</u></p> <p><u>The Applicant has now included new condition 37 of Schedule 9, proposed by the PLA at Deadline 6, into the dDCO at Deadline 7 [REP7-007]. This condition requires consultation with the PLA (as one of the local harbour authorities) on the programme for monitoring and surveying, during all phases and UXO clearance. This addressed the PLA’s concerns.</u></p> | <p>relocation, and UXO clearance.</p> <p><u>Surveys</u></p> <p><u>Schedule 9 condition 37 in dDCO (REP7-008) is acceptable.</u></p> <p><u>The definition of commence carves out pre-construction surveys and monitoring remain outstanding and consultation should could be further secured through protective construed to mean that surveys would not amount to commencement.</u></p> <p><u>The DML covers licensed marine activities. The ExA has Proposed Changes to Schedule 14 to include Protective Provisions for the PLA. The Applicant has pushed back on these. Protective provisions are required on this matter to ensure the PLA is consulted on all survey and monitoring</u></p> | |
| 9 | <p>Cable Crossings / Cable Protection</p> <p>The number of, and the proposed location of cable crossing locations have been identified in the Export Cable Crossing Zone Plan [REP6-</p> | <p>Whilst the PLA would prefer a clear statement in the oCSIP, Five Estuaries and Sealink’s red line boundaries do not overlap with North Falls at the deep water route or the pilot station buffer.</p> | <p>In discussion <u>Not Agreed – Material Impact</u></p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|---|------------------|
| | <p>055]. As shown these all occur in the Sunk Outer Precautionary Area and therefore clear of the DWRs.</p> <p><u>Cable crossings are clearly set out in the oCSIP (Document Reference 9.54, Rev 4), which is a certified document under the DCO, and is secured in the DML under Condition 22 of Schedule 9. The Applicant notes also that PLA will be consulted on the CSIP by the MMO, and so will have visibility and can input on details of cable crossings.</u></p> | <p>Cable protection would be subject to Requirement (2)(3) due to the ExA's Schedule of Proposed Changes meaning that the Requirement applies to any part of the authorised development located within the areas shown on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan so even if cable protection was placed within the DWR's or Sunk Pilot Diamond Buffer it could not be placed at a level that would preclude or impede dredging to the relevant depths as set out in the Requirement.</p> <p><u>Further commitments on The ExA Schedule of Proposed Changes Schedule 9 – Part 2, Condition 22(1)(a)(iii) would have the undertaker informing the PLA of cable crossings as part of the design but the Applicant has pushed back on this, noting the cable crossings are covered in the oCSIP, which is secured in the DMLs. It is not appropriate to leave this element of design just to the CSIP.</u></p> <p><u>Commitments to</u> no wet storage of cables within the DWRs should be</p> | |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|---|---|------------------|
| | | <u>made in the oCSIP but Applicant has pushed back on ExA Schedule of proposed to changes to add requirement 2(4) and Schedule 9 Part 2 Condition 10(5).</u> | |
| 10 | Offshore Cable Corridor The Applicant considers it is most likely that the export cables will be within the southernmost section of the cable corridor between KP28 and KP42. The PLA have provided details over where they would seek areas of deeper burial in the northern part of the corridor in this area and the Applicant is considering the input. | The PLA is supportive of the cable being routed within the southern half of the cable corridor between KP28 and KP42 and welcomes the wording at paragraph 31 of the oCSIP [REP6-052] which commits to cables crossing the Trinity, Sunk A and Sunk B deep water routes being routed as far south within the red line boundary as far away from the Sunk Pilot Diamond as is reasonably practicable. It also commits to the cable between the DWR's being routed as far south as possible within the red line boundary as is reasonably practicable | Agreed |
| 11 | Sediment Disposal - DWR The Applicant has committed to not disposing of dredged material in the Sunk or Trinity DW Buffers as shown in the outline Sediment Disposal Management Plan [REP6-049]. | The PLA is content that the oSDMP [REP6-050] now protects both the deep water routes and Sunk Pilotage Area | Agreed |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|--|---|---|
| | <p>Sediment Disposal – Sunk Pilot Boarding Area</p> <p>The Applicant has outlined its current proposals on sediment disposal in the outline Sediment Disposal Management Plan [REP6-049].</p> | | Agreed |
| 12 | <p>DCO/Deemed Marine Licence</p> <p>The PLA will be consulted prior to the approval of the NIP, CSIP and SDMP and this has been included in the relevant condition of the dML (Schedule 9) at Deadline 5.</p> <p>The design requirement included in Schedule 1, Part 3, 2(3) of the dDCO at Deadline 4, requires that Work No. 3 (export cables) are installed and maintained at depths that will not preclude future dredging to 19m or 22m chart datum respectively as requested by the PLA.</p> <p><u>In respect of sub-paragraph (4), it is not necessary to include as</u></p> | <p>The PLA welcomes the ExA's inclusion of Schedule 2 Requirement 2(3) in the dML at Schedule 9, condition (10) sub paras (4) and (5). Minor amendments will be needed to the drafting to reflect the deadline 6 Deep Water Route Cable Installation Area (Future Dredging Depths) Plan</p> <p><u>Applicant has pushed back on the inclusion in the dML of the ExA's Schedule of proposed changes relating to Schedule 9 – Part 2, Condition 10 (4) and (5)</u></p> | <p>In discussion <u>Not Agreed – Material Impact</u></p> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|-----------|--|--|-------------------------------------|
| | <p><u>a condition of the DMLs what is already a Requirement in the DCO.</u></p> <p><u>For sub-paragraph (5), the Applicant may not carry out wet storage or relocate boulders or archaeological finds to or within these areas as a result of the oCSIP (REP7-039), which is secured by Condition 22(1)(h) of the DML in Schedule 9. It is not necessary to duplicate the same measure of control in two places.</u></p> | | |
| <u>13</u> | <p><u>Approval of documents</u></p> <p><u>The Applicant has conditioned that the PLA must be consulted with by the MMO on the CSIP and the NIP, under condition 22(1) of Schedule 9.</u></p> <p><u>It should be the MMO as the regulator of marine activities that approve the CSIP and NIP as they form part of the control mechanisms ensuring the works carried out are within the</u></p> | <p><u>The final version of documents such as the CSIP and NIP must be in strict accordance with the oCSIP and NIP. The Applicant has not made the ExA's Suggested Change to Schedule 9 – Part 2, Condition 22 (1) (n)</u></p> <p><u>Due to the importance of the plans including the CSIP and the NIP for vessels entering and exiting the UK's largest Port, the PLA should have approval of these documents through protective provisions.</u></p> | <u>Not Agreed – Material Impact</u> |

| ID | The Applicant Position | Port of London Authority Position | Position Summary |
|----|--|-----------------------------------|------------------|
| | <u>scope of said licensed marine activities.</u> | | |

3. Signatures

12. The above SoCG is agreed between the Applicant and Port of London Authority on the day specified below.

Signed: _____

Print Name: _____

Job Title: Deputy Director of Planning and Development _____

Date: _____

Duly authorised for and on behalf of the Port of London Authority

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of North Falls Offshore Wind Farm Ltd

4. References

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NORTH FALLS

Offshore Wind Farm



HARNESSING THE POWER OF NORTH SEA WIND

North Falls Offshore Wind Farm Limited

A joint venture company owned equally by SSE Renewables and RWE.

To contact please email contact@northfallsoffshore.com

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