

**NOTICE OF COMPULSORY ACQUISITION UNDER SECTION 134(7) OF THE
PLANNING ACT 2008**

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020

NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION

The above Order, made under the Planning Act 2008 by the Secretary of State for Business, Energy and Industrial Strategy and published on 31 December 2020 includes provision authorising the compulsory acquisition of land, of existing rights over land, and of rights over land by creating new rights over it, as described in Schedule 1 and more particularly described in the Book of Reference accompanying the Order.

The Order includes provision authorising the acquisition for the purpose of the construction, operation, maintenance and decommissioning of the Hornsea Project Three offshore wind farm together with associated offshore and onshore infrastructure and all associated development (Hornsea Three), on land within the former Hornsea Zone in the North Sea approximately 121 kilometres to the northeast of the north Norfolk coast and approximately 10 kilometres west of the median line between UK and Netherland waters covering an area of approximately 696 square kilometres.

Hornsea Three comprises the following elements:

Up to 231 wind turbines; up to three offshore accommodation platforms; up to twelve offshore transformer substations; up to six subsea offshore High Voltage Alternating Current (“HVAC”) booster stations; up to four surface offshore HVAC booster stations; subsea inter-array electrical circuits; a marine connection to shore; a foreshore connection and an onshore connection (comprising up to six export cable circuits and other associated infrastructure) to an onshore substation (which could also include an onshore HVAC booster station sited along the route); and the connection from there to National Grid’s existing Norwich Main substation.

Hornsea Three may use HVAC or High Voltage Direct Current (“HVDC”) transmission, or could use a combination of both technologies in separate electrical systems.

A copy of the Order as made by the Secretary of State for Business, Energy and Industrial Strategy, together with copies of the Secretary of State's decision letter and the Examining Authority's report of its recommendations are available to view online through the Planning Inspectorate’s website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=overview>

And also on the Hornsea Three website:

<https://hornseaproject3.co.uk/hornsea-three-decision-documents>

Hard copies of the Order, the Secretary of State's decision letter and the Examining Authority's report of its recommendations are available on request using the following details:

By Email: HornseaProjectThree@orsted.co.uk

By Phone: 07881943166

A person aggrieved by the Order may challenge the Order only in accordance with section 118 of the Planning Act 2008, which stipulates that any proceeding must be brought by filing a claim form for

judicial review before the end of the period of 6 weeks beginning with the day after the day on which the Order was published (or, if later, the day on which the statement of reasons for making the Order is published).

Once the provision in the Order authorising compulsory acquisition comes into force, Orsted Hornsea Project Three (UK) Limited may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give Orsted Hornsea Project Three (UK) Limited at 5 Howick Place, London, England, SW1P 1WG information about the person's name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3.

SCHEDULE 1

DESCRIPTION OF THE LAND, EXISTING RIGHTS AND THE NEW RIGHTS

The Order land (as defined in Article 2 of the Order) is shown on the land plans (as defined in Article 2 of the Order) and described in the book of reference (as defined in Article 2 of the Order). This notice relates to so much of the Order land as is shown edged red and shaded pink (freehold to be compulsorily acquired and in relation to which it is proposed to extinguish easements, servitudes and other private rights) and edged red and shaded blue, green and brown (rights (including restrictions) to be compulsorily acquired and new rights to be created (including to be imposed) and in relation to which it is proposed to suspend or extinguish easements, servitudes and other private rights) (the land subject to powers of compulsory acquisition).

A summary description of the Order land is set out below:

The Hornsea Three export cables will make landfall on the beach to the west of Weybourne, using either horizontal directional drilling ('HDD') or open-cut installation methods. Here the offshore cables will be jointed to the onshore cables in up to six transition joint bays. The onshore cable route continues generally southwards towards Little Barningham where an onshore HVAC booster station may be required nearby, depending upon the final system design. From the onshore HVAC booster station site, the cables travel on southwards to Swardeston where they will connect to the new, proposed onshore HVDC converter/HVAC substation. Up to four 400 kV circuits will then connect to the existing National Grid owned Norwich Main 400 kV substation nearby.

Under the powers granted in the Order, Orsted Hornsea Project Three (UK) Limited may acquire compulsorily:

- (a) so much of the Order land as is specified by Article 18 (compulsory acquisition of land) of the Order for the authorised project (as defined in Article 2 of the Order), or to facilitate it, or as is incidental to it; and
- (b) such rights over the Order land, by creating them as well as by acquiring rights already in existence, and impose restrictions affecting part of the Order land, as is authorised by Article 20 (compulsory acquisition of rights) of the Order.

The new rights to be created and restrictions to be imposed relate to:

- 1) Rights required for the construction, operation and maintenance of the onshore connection works and ancillary apparatus;
- 2) Rights of access and rights to construct and improve new and existing accesses;
- 3) Rights required for the construction, operation and maintenance of services and drains;
- 4) Rights to install and maintain landscaping and ecological measures;
- 5) Rights to install and maintain security infrastructure;
- 6) Rights to ground and lay anchors for vessels; and
- 7) Imposition of restrictions as is necessary in order to prevent the obstruction, interruption or interference of the exercise of the rights.

Orsted Hornsea Project Three (UK) Limited may suspend any existing right or restriction that is inconsistent with the exercise of the powers under Article 18 of the Order or the exercise of any new right or compliance with the restrictions pursuant to Article 21 of the Order.

Orsted Hornsea Project Three (UK) Limited may temporarily use the Order land to carry out the authorised project (as defined in Article 2 of the Order) pursuant to Article 26 of the Order and may temporarily use the Order land to maintain the authorised project pursuant to Article 27 of the Order.

SCHEDULE 2

STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Power to execute a general vesting declaration

1. Once the provision in the Hornsea Three Offshore Wind Farm Order 2020 which authorises compulsory acquisition comes into force, Orsted Hornsea Project Three (UK) Limited may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (the Act). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in Orsted Hornsea Project Three (UK) Limited at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after Orsted Hornsea Project Three (UK) Limited executes a general vesting declaration, it must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives it information relating to the land in pursuance of the invitation contained in the notice of the authorisation of the compulsory acquisition. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will,

subject to what is said in paragraphs 3 and 5, vest in Orsted Hornsea Project Three (UK) Limited together with the right to enter on the land and take possession of it. Every person on whom Orsted Hornsea Project Three (UK) Limited could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

3. The “vesting date” for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

Modifications with respect to certain tenancies

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a “minor tenancy”, i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or “a long tenancy which is about to expire”. The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him/her to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

5. The modifications are that Orsted Hornsea Project Three (UK) Limited may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless it first serves notice to treat in respect of the tenancy and then serves every occupier of the land with a notice of its intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3

FORM FOR GIVING INFORMATION

THE HORNSEA THREE OFFSHORE WIND FARM ORDER 2020

To: Orsted Hornsea Project Three (UK) Limited

Reference [plot number(s) and address of land/property]

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to section 134(7)(c) of the Planning Act 2008.

1. Name and address of informant(s) (see explanatory note (i) below)

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2. Land in which an interest is held by informant(s) (see explanatory note (ii) below)

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3. Nature of interest (see explanatory note (iii) below)

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Signed.....

[on behalf of]

Date.....

(i) In the case of a joint interest insert the names and addresses of all the informants.

(ii) The land should be described concisely.

(iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

For and on behalf of Orsted Hornsea Project Three (UK) Limited

Date: 4 January 2021

Orsted Hornsea Project Three (UK) Limited, its subsidiaries and service providers will process your personal information for the purpose of implementing The Hornsea Three Offshore Wind Farm Order 2020, including its compulsory acquisition powers, and to comply with related government guidelines. Your personal information will be properly safeguarded and processed in accordance with the requirements of privacy and data and protection legislation.

To find out more about how Orsted Hornsea Project Three (UK) Limited handles personal data please visit: <https://hornseaproject3.co.uk/privacy-notice> and for more information on how WSP (appointed as Orsted Hornsea Project Three (UK) Limited's consultant in relation to The Hornsea Three Offshore Wind Farm Order 2020) handles personal data, including its privacy policy, please visit: <https://www.wsp.com/en-GB/legal/privacy-policy>.