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Ms Elly Kristine Bjerknes  
Project Manager  
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Your ref: SCCA00056  
Our ref: 01.08.10.04/417C

7 December 2009

Dear Ms Bjerknes

## **ENERGY ACT 2004**

### **PROPOSED OFFSHORE WIND ELECTRICITY GENERATING STATION OFF THE COAST OF NORFOLK – SHERINGHAM SHOAL OFFSHORE WIND FARM**

#### **SAFETY ZONE APPLICATION**

##### 1. The Application

1.1 I am directed by the Secretary of State for Energy and Climate Change (“the Secretary of State”) to refer to the application submitted on 15 June 2009 (“the Application”) by Scira Offshore Energy Ltd (“the Company”) for a notice to be issued by the Secretary of State under section 95(2) of the Energy Act 2004 (“the Act”) declaring that the areas specified in the Application be safety zones for the purpose of securing the safety of the Sheringham Shoal offshore wind farm during the period of construction.

1.2 The Company has requested the declaration of a 500 metre standard safety zone around wind turbines under construction, within the meaning of that term in regulation 2 of the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007/1948 (“the 2007 Regulations”); and a 50 metre safety zone around each wind turbine, waiting to be commissioned as part of the Sheringham Shoal offshore wind farm, whether finalised or incomplete.

1.3 Notice of the Application was published and served by the Company in accordance with the requirements of the Energy Act 2004 and regulations 4 and 5 of the 2007 Regulations.

##### 2. Objections

2.1 The Wells and District Fishermans Association (WDFa) objected to both declarations sought in the Application and the Royal Yachting Association (RYA) objected only to the declaration of a 50 metres safety zone. The WDFa's objection is primarily on the grounds that a

construction safety zone is not justified due to the low level of vessel traffic recorded in the area. The WDFA believe all that is required to ensure navigation safety is agreement between the Company and the fishermen on a work area and establishment of a temporary 500 metres avoidance area for fishermen. The RYA objected to the 50 metre safety zone on the grounds that this was unnecessary for navigation safety purposes where no work was physically in progress because the wind turbines did not represent any greater risk to navigation safety than a jetty or other marine structures that do not have safety zones in place.

### 3. The decision of the Secretary of State

3.1 The Secretary of State having considered the objections made by the WDFA and the RYA, and all other material considerations, is of the view that it is appropriate to issue a notice declaring as safety zones the areas around wind turbines in the terms specified in the notice of Application, and does not consider it appropriate for a public inquiry to be held with respect to the Application.

3.2 The Secretary of State considers that:

- the declaration of safety zones of the dimensions applied for is necessary for the purpose of securing the safety of installations comprising the Sheringham Shoal offshore wind farm and individuals working thereon because they will help to reduce the inherent navigational risk of interference or collision by vessels. The Secretary of State considers intrusion from nearby vessels during construction is a risk to individuals and vessels carrying out installation activities;
- whilst a regular dialogue and agreement with fishermen, on a work area, is highly desirable, the operation of the safety zones applied for would provide clarity for other mariners in the area;
- the 50 metre safety zone around complete or uncompleted installations waiting to be commissioned will not cause an unreasonable restriction to passing vessels because of the minimum distance of 725 metres between each installation, and is necessary to secure the safety of individuals and vessels in the vicinity;
- the Maritime and Coastguard Agency supports the need for safety zones of the dimensions and type applied for; and
- the safety zones will be marked on Admiralty charts, and the Company have stated that marine crews on installation vessels will monitor vessels and activities within the wind farm area and issue notices to mariners on the planned wind farm construction works schedule.

### 4. The Declaration

4.1 The Secretary of State hereby issues this notice declaring safety zones in the following terms:

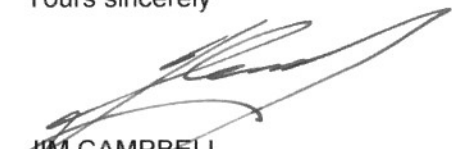
#### During Construction

- 500 metres radius around wind turbine foundation structures and the offshore sub-station platforms within the construction zone while construction activities are ongoing;
- 50 metres radius around wind turbines, offshore sub-station platforms and associated foundations structures installed, complete or incomplete but waiting to be commissioned as part of the Sheringham Shoal offshore wind farm.

4.2 This notice comes into force from the date of this letter.

4.3 For the purpose of this notice, the Sheringham Shoal offshore wind farm comprises the offshore wind turbines and offshore sub-stations for which the company received consent from the Secretary of State under section 36 of the Electricity Act 1989 on 7 August 2008.

Yours sincerely



JIM CAMPBELL  
Director, Energy Development Unit