



NORTH FALLS

Offshore Wind Farm

Draft Statement of Common Ground

Commercial Fisheries Working Group
(CFWG)

Document Reference:	10.18
Volume:	10
Date:	May 2025
Revision:	0

Project Reference: EN010119



Project	North Falls Offshore Wind Farm
Document Title	Draft Statement of Common Ground- Commercial Fisheries Working Group
Document Reference	10.18
Supplier	Royal HaskoningDHV
Supplier Document ID	PB9244-RHD-ZZ-ZZRP-ON-0318

This document and any information therein are confidential property of North Falls Offshore Wind Farm Limited and without infringement neither the whole nor any extract may be disclosed, loaned, copied or used for manufacturing, provision of services or other purposes whatsoever without prior written consent of North Falls Offshore Wind Farm Limited, and no liability is accepted for loss or damage from any cause whatsoever from the use of the document. North Falls Offshore Wind Farm Limited retains the right to alter the document at any time unless a written statement to the contrary has been appended.

Revision	Date	Status/Reason for Issue	Originator	Checked	Approved
0	May 2025	Deadline 5	BMM	NFOW	NFOW

Contents

1.	Introduction	5
1.1	Background	5
1.2	Consultation with CFWG	5
1.3	Summary of Agreed, Not Agreed and In Discussion	6
2.	Statement of Common Ground	7
3.	Signatures.....	12
4.	References	13

Tables

Table 1.1	Topics included in the SoCG	5
Table 1.2	Position status key.....	6
Table 2.1	Summary of Consultation with the CFWG	7
Table 2.2	Topics agreed, in discussion or not agreed in relation to Commercial Fisheries	9
Table 2.3	Topics agreed, in discussion or not agreed in relation to Fish and Shellfish Ecology	11

Glossary of Acronyms

CFWG	Commercial Fisheries Working Group
EIA	Environmental Impact Assessment
NFFO	National Federation of Fishermen's Organisations
NFOW	North Falls Offshore Windfarm
PEIR	Preliminary Environmental Impact Report
RR	Relevant Representations
SoCG	Statement of Common Grounds

Glossary of Terminology

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 Draft Statement of Common Ground (SoCG) has been prepared by North Falls Offshore Wind Farm Limited (NFOW) (the Applicant) to support discussions with the Commercial Fisheries Working Group (CFWG). 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. The content of this document has not yet been agreed between parties and the draft will be updated following further engagement with the CFWG.
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 CFWG.
4. Table 1.1 presents the topics included in the SoCG with the Applicant and CFWG.

Table 1.1 Topics included in the SoCG

Topic/Chapter	DCO Document Reference
<u>Commercial Fisheries</u> <ul style="list-style-type: none">• Environmental Statement (ES) Chapter 14 Commercial Fisheries• ES Chapter 14 Figures• ES Appendix 14.1 Commercial Fisheries Technical Report	<ul style="list-style-type: none">• APP-028• APP-059• APP-105
<u>Fish and Shellfish Ecology:</u> <ul style="list-style-type: none">• ES Chapter 11 Fish and Shellfish Ecology• ES Chapter 11 Figures• ES Appendix 11.1 Fish and Shellfish Ecology Technical Report	<ul style="list-style-type: none">• APP-025• APP-056• APP-095

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

1.2 Consultation with CFWG

3. The Applicant set up the CFWG to support consultation and regular engagement with fisheries stakeholders on the project during the pre-application process, both

in terms of informal non-statutory engagement and statutory consultation carried out pursuant Section 42 of the Planning Act 2008 (Statutory Consultation).

4. The CFWG includes representatives of the following associations:
 - Felixstowe Ferry Fishermen's Association;
 - Harwich Harbour Fishermen's Association;
 - Kent and Essex Inshore Fisheries and Conservation Authority (KEIFCA);
 - Orford and District Fishermen's Association;
 - Southwold Fishermen's Association;
 - Fishermen from Lowestoft;
 - Thanet Fishermen's Association; and
 - West Mersea Fishermen's Association.
5. The CFWG associations represent approximately fifty fishing vessels. Most vessels are under 10m length and a large portion use multiple fishing methods.
6. The Applicant notes that the CFWG has not raised any specific concerns during Statutory Consultation or submitted any Relevant Representations during the examination phase. However, during Statutory Consultation, the Harwich Harbour Fishermen's Association (HHFA) which is a member of the wider CFWG, did provide comments on the Preliminary Environmental Information Report (PEIR) and issued Relevant Representations. As noted in the Procedural Decisions letter dated 28 November 2024, the North Falls ExA considered it appropriate to develop a SoCG with the HHFA to address their concerns. This was discussed during a CFWG meeting on 26 February 2025, where the CFGW attendees decided that rather than progressing a SoCG only with the HHFA, it would be beneficial to develop it on behalf of the wider CFWG.
7. The SoCG has therefore been drafted to cover the key topics mentioned during Statutory Consultation with the HHFA, HHFA's Relevant Representations and to include the additional concerns of the CFWG.
8. A separate SoCG has been developed with the National Federation of Fishermen's Organisations (NFFO).

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 1.2 is used in the draft SoCG.
10. Details of specific topics that are 'agreed', 'not agreed', or 'in discussion' between the Applicant and CFWG are presented in Table 2.2.

Table 1.2 Position status key

Position Status	Position Colour Coding
Agreed.	Agreed

Position Status	Position Colour Coding
The matter is considered to be agreed between the parties.	
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 CFWG 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 CFWG 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 CFWG).	In discussion

2. Statement of Common Ground

11. A summary of the consultation undertaken to date with the CFWG and the matters agreed or not agreed between the Applicant and the CFWG, are set out below for each of the SoCG topic areas, based on discussions and information exchanged between the Applicant and the CFWG during the pre-application phase of the Application and continued engagement following the submission of the application.

Table 2.1 Summary of Consultation with the CFWG

Date	Contact Type	Topic
Pre-Application		
9 th March 2021	CFWG	Meeting to introduce the Project to CFWG members
11 th October 2022	Letter	Letter to the HHFA and wider CFWG members request information for the Commercial Fisheries Baseline
19 th October 2022	CFWG	Meeting to discuss updates on the Project and EIA methodology
23 rd April 2024	CFWG	Meeting to discuss updates on Project after hiatus in meetings due to no material updates
Post-application		
26 th February 2025	CFWG	Standard CFWG meeting

Date	Contact Type	Topic
28 th February 2025	Email	Email communication to organise meeting between the Applicant and CFWG
14 th March 2025	Email	Email communication to organise meeting between the Applicant and CFWG
27 March 2025	Meeting	Meeting with CFWG members to discuss the SoCG.

Table 2.2 Topics agreed, in discussion or not agreed in relation to Commercial Fisheries

ID	The Applicant Position	CFWG Position	Position Summary
Commercial Fisheries Baseline			
1	Sufficient data has been collated to appropriately characterise the commercial fisheries baseline environment for the purposes of informing the EIA (Chapter 14 Commercial Fisheries [APP-028].	The CFWG are not content that data used to inform the EIA appropriately reflects their fishing activity.	Not agreed
Commercial Fisheries Impact Assessment Methodology			
2	The impact assessment methodology used in Chapter 14 Commercial Fisheries [APP-028] is appropriate.	The CFWG are not content with the assessment methodology used to inform Chapter 14 Commercial Fisheries [APP-028].	Not agreed
Project-alone Commercial Fisheries Assessment			
3	The conclusions of the assessment of impacts for construction, operation and decommissioning of the Project are considered appropriate. (see Section 14.6.1 to 14.6.3 of Chapter 14 Commercial Fisheries [APP-028])	The CFWG does not believe the EIA represents the type of vessel, and indeed business, represented by the Group. Therefore, at present mutual agreement on the impact conclusions on the CFWG vessels is not possible.	Not agreed
4	The realistic worst-case scenarios presented in Table 14.3 of Chapter 14 Commercial Fisheries [APP-028] are suitable for the assessment of impacts on commercial fishing.	[CFWG to comment/provide specific input]	[To be discussed if agreed]
Cumulative Commercial Fisheries Assessment			
5	The methodology used for assessment of cumulative of impacts on commercial fisheries is considered appropriate. This is in line with that used for assessment of Project-Alone impacts.	The CFWG are not content with the methodology used for the Project Alone and therefore are also not content with the methodology that underpins the cumulative impact assessment.	Not agreed
6	The conclusions of the cumulative impact assessment presented in section 14.7.3 of Chapter 14 Commercial Fisheries [APP-028] are appropriate. Given the location and characteristics of the Project, it is the Applicant's view that it will not result in a significant contribution to cumulative impacts to commercial fisheries in the region.	The CFWG are not content with the methodology taken to the Cumulative Impact Assessment and therefore are not content with the conclusions assessed.	Not agreed

		The Inner and Outer Thames Region has undergone, and continues to face, extensive spatial restrictions and there are specific concerns that the region has reached an over-saturated state, and this is having an ever, increasing effect on the regional and wider fishing industry.	
Embedded Mitigation			
8	It is the Applicant's position that the embedded mitigation measures outlined in Section 14.3.3 of Chapter 14 Commercial Fisheries [APP-028] and in Table 4.1 of the Outline FLCP (2023) [APP-244] will reduce impacts on commercial fishing and have been accounted for when identifying impact significance.	[CFWG to comment/provide specific input]	To be discussed
	It is the Applicant's position that in instances where the relocation of static fishing gear may be necessary, measures and procedures set out in the FLCP, in line with FLOWW guidance, will be adhered to.	All the vessels represented by the CFWG are multi-method, using both static and mobile fishing gears, and with limited operational ranges and will be impacted by survey and cable installation works, regardless of their predominant gear type.	Not agreed
Fisheries Liaison and Coexistence Plan – Alternative Measures			
9	<p>It is the Applicant's position that the following alternative measures are potential measures which could be appropriate to the CFWG:</p> <ul style="list-style-type: none"> •Addressing uncertainty through science projects and monitoring, which could involve supporting monitoring of the status of commercially targeted fish and shellfish stocks or of commercial fishing activity across phases of North Falls development; <p>The Applicant is committed to exploring further alternative measures with the CFWG, the final FLCP will confirm commitment to any additional measures in the pre - construction phase if demonstrated to be appropriate to the CFWG and the Applicant.</p>	[CFWG to comment/provide specific input]	To be discussed
10	<p>In order to minimise disruption to vessels actively engaged in fishing, survey vessels engaged in North Falls activities will adhere to seafarers' etiquette to avoid being in the path of mobile fishers.</p> <p>Whilst vessels would seek to give way to mobile fishers operating in the area, it would not be possible for vessels engaged in activities such as operating a borehole, to move off.</p>	The CFWG believe that during survey and construction works, fishing vessels actively engaged in fishing should be given priority over survey vessels using towed survey equipment, unless COLREGs need to be applied for safety reasons.	Agreed

Table 2.3 Topics agreed, in discussion or not agreed in relation to Fish and Shellfish Ecology

ID	The Applicant Position	CFWG Position	Position Summary
Project-alone Fish and Shellfish Ecology Assessment			
1	The likely significant effects of the operation and maintenance phase of the Project on fish and shellfish species, including those of commercial importance in the commercial fisheries study area are assessed in ES Chapter 11 Fish and Shellfish Ecology [APP-025], no significant effects on fish and shellfish species were identified. It is therefore the Applicants position that there will be no significant impacts to commercial fisheries as a result of impacts on commercially exploited fish and shellfish species during operation (Section 14.6.2.7 Chapter 14 Commercial Fisheries [APP-028].	The CFWG have stated that they consider that the presence of windfarm infrastructure prevents commercially exploited fish species from entering an area.	Not agreed

3. Signatures

13. The above SoCG is agreed between the Applicant and CFWG on the day specified below.

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

Duly authorised for and on behalf of the CFWG by Trevor Armstrong-Honorary Secretary of the Harwich Harbour Fisherman's Association

Signed: _____

Print Name: _____

Job Title: _____

Date: _____

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

4. References

Planning Inspectorate (2024) Statements of Common/Uncommon Ground for Hearings and Inquiries. Available at: Statements of Common/Uncommon Ground for Hearings and Inquiries - GOV.UK



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

© 2024 All Rights Reserved

North Falls Offshore Wind Farm Limited Registered Address: Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, SN5 6PB, United Kingdom
Registered in England and Wales Company Number: 12435947