



NORTH FALLS

Offshore Wind Farm

HABITATS REGULATIONS ASSESSMENT

Appendix 6 Outline Benthic Compensation Implementation and Monitoring Plan

Document Reference:	9.109
Volume:	9
Date:	July 2025
Revision:	0

Project Reference: EN010119



Project	North Falls Offshore Wind Farm
Document Title	Appendix 6 Outline Benthic Compensation Implementation and Monitoring Plan
Document Reference	9.109
Supplier	Royal HaskoningDHV
Supplier Document ID	PB9244-RHD-ZZ-OF-RP-OF-0393

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	July 2024	Deadline 7	RHDHV	NFOW	NFOW

Contents

1	Introduction	5
1.1	Background.....	5
1.2	Potential compensatory measures.....	5
1.2.1	Project-led measures	5
1.2.2	Strategic Compensation.....	6
1.3	Purpose of this document	8
1.4	Consultation.....	8
2	MPA Designation / Extension.....	9
2.1	Implementation and Delivery Roadmap	9
2.2	Scale and Location	9
2.2.1	Quantification of Effect	9
2.2.2	Delivery Mechanism.....	10
2.3	Monitoring and Adaptive Management	10
2.4	Objectives and Success criteria	10
2.5	Reporting	10
2.6	Approval of the Benthic CIMP	10
3	Summary.....	10
4	References.....	11

Glossary of Acronyms

AEoL	Adverse Effect on Integrity
CIMP	Compensation Implementation and Monitoring Plan
COWSC	Collaboration on Offshore Wind Strategic Compensation
cSAC	Classified As A Candidate Special Area of Conservation
Defra	Department for the Environment and Rural Affairs
DESNZ	Department for Energy Security and Net Zero
GGOW	Greater Gabbard Offshore Wind Farm
KKE	Kentish Knock East
LoSCM	Library Of Strategic Compensation Measures
MCZ	Marine Conservation Zone
MEEB	Measure of Equivalent Environmental Benefit
MLS	Margate and Long Sands
MPAs	Marine Protected Areas
MRF	Marine Recovery Fund
MRFO	Marine Recovery Fund Operator
NFOW	North Falls Offshore Wind Farm Ltd
OWEIP	Offshore Wind Environmental Improvement Package
PEIR	Preliminary Environmental Information Report
RIAA	Report to Inform Appropriate Assessment
RIES	Report on Implications of European Sites
RWE	RWE Renewables UK Swindon Limited
SAC	Special Area of Conservation
SNCB	Statutory Nature Conservation Body
SoS	Secretary of State
SSER	SSE Renewables Offshore Windfarm Holdings Limited
UK	United Kingdom
WMS	Written Ministerial Statement

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. The North Falls Offshore Wind Farm (hereafter 'North Falls' or 'the Project') is an extension to the existing Greater Gabbard Offshore Wind Farm (GGOW), located over 40km off the East Anglian coast in England. When operational, North Falls would have the potential to generate renewable power for approximately 400,000 United Kingdom (UK) homes from up to 57 wind turbines.
2. The Applicant, North Falls Offshore Wind Farm Ltd (NFOW), is a joint venture between SSE Renewables Offshore Windfarm Holdings Limited (SSER) and RWE Renewables UK Swindon Limited (RWE).
3. The Applicant's Report to Inform Appropriate Assessment (RIAA) Part 2 Benthic Ecology, Annex I Habitat in SACs and SPA Supporting Habitat (**Document Reference 7.1.2, Rev 1**) concludes that there will be no adverse effect on integrity (AEol) of the Annex I Sandbank feature of the Margate and Long Sands (MLS) Special Area of Conservation (SAC).
4. In accordance with the following question from the Report on Implications of European Sites (RIES), and without prejudice of the Applicant's position outlined above, a derogation case is provided for the MLS SAC:
 - *"Based on submissions to date, whilst NE advises it should be possible to exclude AEol, at Deadline 6 it is still not in a position to do so. Noting the limited time remaining in the examination, the ExA is concerned that it may not be possible for the competent authority to exclude AEol beyond reasonable scientific doubt on MLS SAC. As such, and in line with the relevant NPS EN-1, the ExA requests confirmation from NE and the applicant at Deadline 7 that they have reached agreement that AEol on MLS SAC can be excluded. If the applicant is unable to reach agreement with NE by Deadline 7, the ExA considers that a derogations case is required and should be provided by the applicant for Deadline 7. This can be provided on a without prejudice basis. This is to enable the ExA to examine information during the examination and make a recommendation to the SoS, and so that the SoS has all information available to them at the point of decision."*
5. In the event that the Secretary of State (SoS) concludes an AEol for the SAC, the Applicant has proposed a compensatory measure that could be applied to fully compensate for the predicted effects for the MLS SAC.

1.2 Potential compensatory measures

1.2.1 Project-led measures

6. At the time of the Preliminary Environmental Information Report (PEIR) in May 2023, the southern array area of North Falls overlapped with 8km² of the Kentish Knock East Marine Conservation Zone (MCZ). Given that there would have been direct effects upon the MCZ, the Applicant considered potential options for MEEB, and these were included within the section 42 consultation (Appendix 3:

In Principle Measures of Equivalent Environmental Benefit (MEEB) Review (NFOR, 2023)).

7. The Applicant subsequently avoided the MCZ and therefore MEEB is no longer required, however the options considered could be applied to HRA compensation, if required.
8. NFOR (2023) presented a screening exercise for potential measures and the following options were screened in:
 - Removal of marine litter/debris within the affected site or another site
 - Site extension
 - Designation of feature in different location
 - Fisheries management measures
 - Enhanced biodiversity - Planting of biogenic features within the site or elsewhere
9. As there are no direct impacts upon the Margate and Long Sands SAC and the Applicant purposely routed the offshore export cables outside the site boundary in accordance with advice from Natural England and thereby reduced indirect effects, no AEOI was concluded and no proposals were presented for compensation at PEIR stage. However, as discussed above, the options presented for MEEB would be applicable to HRA compensation and are in line with compensatory measures proposed for other projects.
10. The Applicant's primary measure is strategic compensation, through the Marine Recovery Fund as discussed in Section 1.2.2, however, the Applicant would also consider project-led options for a compensatory measure, in consultation with the Statutory Nature Conservation Body (SNCB) and based on the screening outlined above. This could also be delivered in collaboration with other project(s), where appropriate.

1.2.2 Strategic Compensation

11. The Energy Act 2023 enables the use of strategic compensation measures and empowers the SoS to make regulations related to the establishment, operation and management of one or more MRF for the development of offshore wind and associated infrastructure. In addition, the 'British Energy Security Strategy' (BESS) (HM Government, 2022) committed to the implementation of an Offshore Wind Environmental Improvement Package (OWEIP) designed to accelerate and de-risk the consenting of offshore wind, whilst ensuring environmental protections are maintained. The OWEIP therefore included measures to:
 - Revise the HRA process for offshore wind to facilitate the delivery of compensation measures whilst maintaining valued protection for wildlife.
 - Facilitate the delivery of strategic environmental compensation measures, including the development of a library of strategic compensation measures (LoSCM), through the Collaboration on Offshore Wind Strategic Compensation (COWSC).
 - Implement an industry-funded MRF to which developers can choose to contribute, to meet their environmental compensation obligations; and

- Implement a strategic monitoring programme to improve understanding of the environmental impacts of offshore wind projects.
12. In 2024, the Secretary of State for the Department for the Environment and Rural Affairs (Defra) approved the designation and/or extension of Marine Protected Areas (MPAs) to compensate for effects on benthic habitats. This measure is included in LoSCM (Defra, 2024).
 13. Interim guidance was published by Department for Energy Security and Net Zero (DESNZ) in January 2025 (DESNZ, 2025) which:
 - Explains how developers can refer to the strategic compensation measures in the LoSCM ahead of the MRF being operational.
 - Confirms that projects that received a seabed lease from The Crown Estate under the 2017 extensions round are eligible to participate in strategic compensation.
 14. Guidance was accompanied by a Written Ministerial Statement (WMS) from Defra (Defra, 2025a) confirming consultation on reforms to the environmental compensation requirements for offshore wind projects, with legislation planned in Autumn 2025. The guidance also confirms that the MRF will be in place in late 2025 to provide an optional mechanism for developers to fund strategic compensation measures. Defra has committed via the WMS to the delivery of sufficient MPA designations and/or extensions to provide strategic compensation for likely benthic environmental impacts resulting from offshore wind developments.
 15. The Applicant will be required to pay into the MRF to access MPA designations / extensions as a compensation measure. The guidance sets out that the final DCO should require post-consent evidence that the agreed contribution has been paid, and that a high-level Implementation and Monitoring Plan (IMP) will be provided to the Project by Defra prior to operation. To provide clarity and security surrounding ongoing management and monitoring of any new MPA, Defra will submit an IMP to the DESNZ Secretary of State via the Applicant. This will contain the following details:
 - High level explanation as to how designation of an MPA will compensate for effects on each relevant habitat and, where possible, ratios used.
 - Implementation timetable and an explanation of the MPA designation process.
 - Information on current monitoring, long term management and reporting of MPAs, and any differences for MPAs designated for compensation purposes.
 - Information on how the effectiveness of the MPA designation would be maintained in terms of enforcement and adaptive management.
 - Commitment to providing an updated IMP as the designation process continues and detail is resolved.
 16. Alternatively, if an IMP on MPA designations / extensions is published separately by Defra, DESNZ Secretary of State may consider this to be sufficient and provide approval to commence works which give rise to the adverse effect on this basis.

17. Strategic compensation in the form of protected site designation or extension will be implemented and delivered by Defra. The approach and timescales for delivery of protected site designation or extension are currently unknown. The Applicant will continue to engage with Defra, the COWSC group and relevant industry forums post-consent on progress with respect to the implementation of these strategic compensatory measures, if required.
18. In April 2025 Defra launched a consultation for the establishment of the MRF (Defra, 2025b). The consultation document confirms that Defra will be the MRF operator (MRFO), with the ability to delegate or subcontract certain responsibilities.
19. The Applicant's DCO requirements pertaining to the reserved measure will be satisfied once DESNZ has received proof of the agreement of payment with the MRFO and evidence that the full payment, or the first of a series of instalments, has been made to the MRF. At this point, the MRFO will take on responsibility for the delivery of the agreed compensation as set out in the MRF IMP, including responsibility for monitoring and adaptive management. In instances with annualised or repeat scheduled payment plans the contractual agreement between the MRF and the developer will stipulate obligations imposed on the developer for the fulfilment of payment conditions.

1.3 Purpose of this document

20. Given the intention to use strategic measures for any benthic compensation, it is unclear whether a Project-specific Benthic CIMP, in addition to the IMP produced by Defra, will be required. If there is a requirement, the Applicant considers that this should be a brief signposting document to highlight how the strategic measure meets the requirements of the Project.
21. Should a Project-specific Benthic CIMP be required, this will be produced by the Applicant and approved by the SoS prior to the start of construction.
22. It is expected that the Benthic CIMP will include details of the:
 - Delivery programme;
 - Scale and location;
 - Arrangements for monitoring, maintenance and adaptive management;
 - Reporting requirements; and
 - How the Benthic CIMP can be approved.
23. The purpose of this document is to set out the outline of the Benthic CIMP, which will in due course be developed in consultation with stakeholders and later submitted to the SoS for approval.

1.4 Consultation

24. This section will provide a summary of the consultation that has taken place during the creation of the Benthic CIMP, which will include:
 - Key decisions;
 - Agreements; and

- Outstanding issues that remain under discussion.
25. In particular this will highlight any consultation between the Applicant and Defra on how the Project requirements are met by the strategic measure.

2 MPA Designation / Extension

2.1 Implementation and Delivery Roadmap

26. Implementation and delivery will be the responsibility of Defra, therefore this section will refer to the programme for the strategic measure.

2.2 Scale and Location

27. This section will identify the scale of compensation proposed to be provided and how this relates to the consent decision made by the Secretary of State. This section will then also detail the specific location(s) at which the compensation will be delivered. The Applicant understands that Defra intends to only deliver new protected site designation / extension once. When designated, such a site should account for benthic impacts resulting from multiple offshore wind farm developments.
28. It is the Applicant's understanding that it is Defra's responsibility to calculate the combined impact for multiple projects and determine the area for which strategic compensatory measures will be delivered. This will, in turn, determine what contribution to the MRF is required of the Project and this information will be used to populate this section of the Benthic IMP.

2.2.1 Quantification of Effect

29. The Applicant notes that for other offshore wind farms requiring compensation for benthic ecology, this relates to direct effects on the designated habitat. In consultation with Natural England, North Falls has avoided any direct overlap of the MLS SAC, therefore only indirect effects are relevant and the Applicant's contribution to the MRF (if required) should therefore be significantly less than other projects. Furthermore, there is no precedent or guidance on how to quantify an indirect effect on seabed habitats for this purpose.
30. In the absence of precedent or guidance, the Applicant presents the following summary of the effects:
- Sediment deposition of c. 5-15cm, could overlap up to 0.24km² of the Annex I Sandbank feature of the SAC, informed by sediment dispersion modelling.
 - The modelling is based on highly conservative worst case scenarios.
 - The sediment deposited in the SAC is comparable to that of the designation, and the habitat and associated community can be expected to recover rapidly, therefore the effect will be localised and temporary.
 - There will be no discernible effect in the MLS SAC from cable protection.

2.2.2 Delivery Mechanism

31. The designation of a new or extended site will follow the typical process required for designation, including stakeholder and public consultation. This designation process will be led by Defra with support from Natural England and JNCC.
32. It is understood that Defra is presently considering SAC designations or extensions as a form of delivery, though the Applicant acknowledges that an MCZ designation could also deliver compensation effectively.
33. Once an area is classified as a candidate SAC (cSAC), it is treated as if it is formally designated. As such, it can be considered that from this point, the site is protected.

2.3 Monitoring and Adaptive Management

34. This section will identify any monitoring and adaptive management principles and processes that have been agreed through the IMP produced by Defra, including the scenarios under which adaptive management measures are required.

2.4 Objectives and Success criteria

35. The process for measuring the success of a new site designation or the extension of an existing site will be determined by Defra. Monitoring requirements are likely to be the responsibility of Natural England or JNCC as part of statutory condition assessment obligations.
36. The MRF consultation (Defra, 2025b) makes it clear Defra (as MRFO) will be responsible for delivery of the compensation specified in the Applicant's contract with Defra (as MRFO). If monitoring data shows that a Strategic Compensation Measure (SCM) is not functioning as expected, Defra (as MRFO) will be responsible for delivering adaptive management.
37. There is no further obligation on the Applicant following full payment to the MRF.

2.5 Reporting

38. This section will set out the necessary reporting points in connection with the monitoring and adaptive management. This will therefore set out the objectives and timescales for the reporting.
39. Reporting will be the responsibility of Defra (as MRFO); therefore this section will be aligned to reporting for the strategic measure.

2.6 Approval of the Benthic CIMP

40. This section will detail how the SoS can approve the Benthic CIMP, to which the delivery of all agreed compensatory measures must be compliant.

3 Summary

41. This section will provide a summary of the delivery proposals detailed above for the agreed compensatory measures.

4 References

Defra (2024) Letter to the Offshore Wind Industry Council. Approval of strategic compensation measures for offshore wind developments. 2 pp
Defra (2025a) Marine Environment Statement made on 29 January 2025 https://questions-statements.parliament.uk/written-statements/detail/2025-01-29/hcws394
Defra (2025b) Consultation for the establishment of the Marine Recovery Fund (MRF). April 2025 https://consult.defra.gov.uk/marine-recovery-fund/consultation-for-the-establishment-of-the-mrf/supporting_documents/MRF%20Consultation.pdf
DESNZ (2025). Guidance Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance Published 29 January 2025. Available at: https://www.gov.uk/government/publications/strategic-compensation-measures-for-offshore-wind-activities-marine-recovery-fund-interim-guidance/strategic-compensation-measures-for-offshore-wind-activities-marine-recovery-fund-interim-guidance#use-of-offshore-artificial-nesting-structures-and-for-kittiwake-ahead-of-the-mrf
HM Government (2022). British Energy Security Strategy (BESS) policy paper. Available at: https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-securitystrategy . [Accessed 11/07/2025]
NFOW (2023). MARINE CONSERVATION ZONE ASSESSMENT Appendix 3: In Principle Measures of Equivalent Environmental Benefit Review. Available at: https://www.northfallsoffshore.com/wp-content/uploads/2023/05/004284887-06_North-Falls-MCZA-MEEB.pdf



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