



**RWE Renewables UK Dogger Bank
South (West) Limited**

**RWE Renewables UK Dogger Bank
South (East) Limited**

**Dogger Bank South Offshore
Wind Farms**

**Statement of Commonality of Statements of
Common Ground and Examination Progress Tracker
(Revision 3)**

Submission for Deadline 8

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Glossary

Term	Definition
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Habitats Regulations Assessment (HRA)	The process that determines whether or not a plan or project may have an adverse effect on the integrity of a European Site or European Offshore Marine Site.
Project Change Request 1	The changes to the DCO application for the Projects set out in Project Change Request 1 - Offshore & Intertidal Works [AS-141] which was accepted into Examination on 21 st January 2025.
Project Change Request 2	The changes to the DCO application for the Projects set out in Project Change Request 2 - Onshore Substation Zone [AS-152] which was accepted into Examination on 21 st January 2025.
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).

Acronyms

Term	Definition
AEP	Annual Energy Production
AoS	Area of Search
ANS	Artificial Nesting Structure
BNG	Biodiversity Net Gain
BNH	Beverley & North Holderness
CBRA	Cable Burial Risk Assessment
CTMP	Construction Traffic Management Plan
DBS	Dogger Bank South
DCO	Development Consent Order
DML	Deemed Marine License
EA	Environment Agency
EIA	Environment Impact Assessment
ERYC	East Riding of Yorkshire Council
ExA	Examining Authority
HAP	Humber Archaeology Partnership
IPMP	In Principle Monitoring Plan
ISH	Issue Specific Hearing
LIR	Local Impact Report
LoS	Line of Sight
MCA	Maritime & Coastguard Agency
MCZA	Marine Conservation Zone Assessment
MMO	Marine Management Organisation

Term	Definition
MMMP	Marine Mammal Mitigation Protocol
MOD	Ministry of Defence
MRF	Marine Recovery Fund
NAS	Noise Abatement Systems
NFFO	National Federation of Fishermen's Organisations
NGET	National Grid Electricity Transmission
NGT	National Gas Transmission
NPG	Northern Power Grid
NRIL	Network Rail
oANS	offshore Artificial Nesting Structure
OEMP	Outline Ecological Management Plan
OLMP	Outline Landscape Management Plan
PINS	The Planning Inspectorate
RCA	River Condition Assessments
RIAA	Report to Inform Appropriate Assessment
RLoS	Radar Line of Sight
RRH	Remote Radar Head
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SoCG	Statements of Common Ground
SPA	Special Protected Area

1 Introduction

1. This Statement of Commonality for the Statements of Common Ground and Examination Progress Tracker (hereafter referred to as the 'Statement of Commonality') has been prepared on behalf of RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited ('the Applicants').
2. The Applicants are developing the Dogger Bank South (DBS) East and DBS West Offshore Wind Farm projects ('the Projects') located approximately 100km and 122km offshore in the North Sea. A detailed description of the Proposed Development is provided in **Chapter 5 Project Description (Revision 4)** [REP4-033] submitted with the Development Consent Order (DCO) application in June 2024.

1.1 Purpose

3. As part of the Examining Authority's (ExA) original **Rules 4, 6, 9, 13 and 17 Letter** thereafter referred to as the **original Rule 6 Letter** [PD-002], a request was made for a Statement of Commonality to be provided at various deadlines to assist the ExA in understanding areas of commonality between stakeholders across the Statements of Common Ground (SoCGs) for the Projects. Additionally, the **Rule 6 Letter** [PD-010] requested the creation and subsequent update of an 'Examination Tracker' to track the principal issues raised by Interested Parties and progress made to address them. Section 5 of this Statement includes an Examination Tracker, as requested.
4. The Examination Timetable also sought a 'List of matters not agreed where SoCG could not be finalised'. While the Applicants have reached agreement with many stakeholders on most matters, some disagreements do remain, which are now listed in this document.
5. This Statement of Commonality is intended to act as a summary of the progress of the various SoCGs. However, the SoCGs remain the primary record of the status of discussion the various issues that they address. It should be noted that where a broad topic applies to more than one SoCG party the detailed matters discussed within that topic may not be directly comparable or related.

1.2 Structure

6. This document is structured as follows:

- Section 2 provides an introduction to the drafting of the SoCGs along with a summary of their structure;
- Section 3 provides an up to date list of the SoCGs and their status; and
- Section 4 details the commonality between the SoCGs, outlines the key issues identified by stakeholders, and progress made in addressing these comments to date
- Section 5 provides a list of matters not agreed and still under discussion
- Section 6 provides a summary of the principal / notable issues raised by Interested Parties and the status of those issues

2 Statements of Common Ground

7. The Applicants have sought SoCGs with Interested Parties in line with the ExA's **Rule 6 Letter** [PD-002 and PD-010]. The purpose of the SoCGs is to set out the position of the parties on key matters relating to the Application, including the construction and operation of the Projects. The SoCGs cover matters raised through ongoing engagement prior to and since the DCO submission, and matters identified within the relevant representations of the Interested Parties. A full list of the SoCGs and their status is provided within section 3.
8. To ensure consistency in the approach taken to documenting matters agreed, intended for further discussion post-consent or not agreed, the SoCGs generally adopt a standard format in order to provide clarity. Each SoCG is broadly structured as follows:
 - A brief introduction setting out the approach to the SoCG, purpose of the document, an explanation of the statutory role of the Interested Party and the structure of the SoCG;
 - A summary of engagement undertaken on the SoCG; and
 - A table(s) setting out the current position of the Interested Party and the Applicants – for most SoCGs this is set out by topic with areas of agreement and disagreement stated under each topic or matter. A table(s) setting out the current position of the Interested Party and the Applicants – for most SoCGs this is set out by topic with areas of agreement and disagreement stated under each topic or matter.
9. The SoCGs being sought with Statutory Undertakers are in a slightly modified form of the above accounting for their greater focus on items relating to interactions between the Projects and the Statutory Undertakers' assets rather than wider project decisions and or approach.
10. Section 2 of the SoCGs details all key meetings and correspondence with the relevant stakeholder to date on matters discussed within the SoCG.

3 Status of SoCGs at Deadline 8

11. This section provides a list and summary of the status of each SoCG at Deadline 1, Deadline 4 and Deadline 8.

Table 3-1 - List and Status of SoCGs at Deadline 1, Deadline 4 and Deadline 8

Applicants' Document Reference	Interested Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 8
9.2	East Riding of Yorkshire Council (ERYC)	The SoCG submitted at Deadline 1 was shared with ERYC on 28/01/2025 by email with nine matters outstanding.	The SoCG submitted at Deadline 4 was shared with ERYC on 24/04/2025 by email with six matters outstanding. ERYC confirmed their agreement with the SoCG by email on 24/04/2025.	The Applicants and ERYC met on 18/06/2025 to discuss the remaining 'under discussion' matters. All outstanding matters have been agreed other than two, which are detailed in the ERYC SoCG (Revision 3) [document reference 9.2] submitted at Deadline 8. The SoCG was signed by ERYC with two matters not agreed on 02/07/25.
9.3	Environment Agency	The SoCG submitted at Deadline 1 was shared with the Environment Agency on 23/01/2025 by email with nine matters outstanding. The Environment Agency's Onshore Ecology specialist confirmed receipt of the SoCG on 23/01/2025 and confirmed their agreement with the Onshore Ecology and Ornithology section.	Final offshore matters agreed with the Environment Agency via email 27/03/2025. The SoCG submitted at Deadline 4 was shared with the Environment Agency on 23/04/2025 by email with seven matters outstanding.	The Applicants and the Environment Agency met to discuss the remaining 'under discussion' matters on 12/06/2025 and 19/06/2025. Following discussions via email, the Environment Agency SoCG (Revision 3) [document reference 9.3] was signed on 01/07/25, with all matters agreed.
9.4	Historic England	The SoCG submitted at Deadline 1 was shared with Historic England on 18/12/2024 by email with nine matters outstanding. The Applicants have submitted the Statement of Common Ground with Historic England [document reference 9.4] at Deadline 1 but would like to note that the version submitted is in draft and has not yet been formally approved by Historic England. Comments were received from Historic England on 28/01/2025, were made to the version of the SoCG from September 2024 and therefore did not accurately reflect discussions and progress made between the parties. The Applicants have been and are continuing to actively engage with Historic England and will be updating the SoCG on receiving Historic England's comments on the latest version of the SoCG and taking into consideration their Written Representations, expected to be submitted at Deadline 1. The Applicants plan to submit the updated version of the SoCG with Historic England at Deadline 4.	The Applicants had a meeting with Historic England on 05/03/2025 to discuss outstanding points. The SoCG submitted at Deadline 4 was shared with Historic England on 15/04/2025 by email with eleven matters outstanding.	The Applicants and Historic England met on site at Butt Farm on 04/06/2025 to discuss enhancements and outstanding areas under discussion. After receiving comments on the versions issued 19/06/2025 and 26/06/2025, the Applicants shared a final revised version of the SoCG with Historic England on 02/07/2025 with all offshore matters agreed and three onshore matters not agreed (two material, one immaterial), detailed in the Historic England SoCG (Revision 3) [document reference 9.4]. The SoCG was signed by Historic England with six matters not agreed on 03/07/25.

Applicants' Document Reference	Interested Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 8
9.5	Hull City Council	<p>The SoCG submitted at Deadline 1 was shared with Hull City Council on 23/01/2025 by email with one matter outstanding.</p> <p>Hull City Council advised by telephone conversation (22/01/2024) that all matters were agreed with one matter outstanding.</p>	<p>The SoCG was reshared with Hull City Council on 14/03/2025, 24/04/2025, 14/04/2025, and 22/04/2025 by email with one matter outstanding.</p> <p>At the submission of the SoCG at Deadline 4, the matter remains outstanding, though the Applicants' position is that their amendments to Requirement 14 of the Draft DCO [document reference 3.1] and the Outline Construction Traffic Management Plan (CTMP) [document reference 8.13] sufficiently address Hull City Council's comments.</p>	<p>The Applicants met with Hull City Council on 06/06/25 to discuss and resolve the last outstanding matter. The SoCG (Revision 3) was signed by Hull City Council on 30/06/25, with all matters now agreed.</p>
9.6	Marine Management Organisation (MMO)	<p>The SoCG submitted at Deadline 1 was agreed with the MMO on 27/01/2025 by email with some matters still outstanding.</p>	<p>The SoCG submitted at Deadline 4 was agreed with the MMO on 17/04/2025 by email with some matters still outstanding. The MMO notes that a lot of responses were received at Deadline 3 which need to be reviewed, therefore they will be taking a full in-depth review of all submissions post Deadline 4 and will provide more details in Deadline 5.</p>	<p>The Applicants and the MMO met to discuss the remaining 'under discussion' and 'not agreed' matters on 30/06/2025. The majority of matters are agreed. Some matters remain not agreed at Deadline 8. Further work between Deadlines 8 and 9 may allow further resolution before the close of Examination, however, some matters will remain 'not agreed' and will require a Secretary of State's decision.</p>
9.7	Maritime & Coastguard Agency (MCA)	<p>The SoCG submitted at Deadline 1 was agreed with MCA on 23/01/2025 by email with two matters outstanding.</p>	<p>The SoCG submitted at Deadline 4 was agreed with MCA on 03/04/2025 by email with one matter outstanding regarding the Draft DCO. The Applicants have amended the text as requested by the MCA in the Draft DCO (Revision 7) [document reference 3.1] submitted at Deadline 4 and await their review.</p>	<p>The MCA SoCG (Revision 3) [document reference 9.7] was signed by the MCA on 02/06/2025, with all matters now agreed.</p>
9.9	National Grid Electricity Transmission (NGET)	<p>The SoCG submitted at Deadline 1 was agreed with NGET on 13/11/2024 by email with two matters outstanding.</p>	<p>The SoCG submitted at Deadline 1 was agreed with NGET on 23/04/2025 by email with two matters outstanding.</p>	<p>An updated SoCG was issued to NGET on 01/07/25 but is yet to be agreed. It was not possible to complete the signed and agreed versions of the SoCG with NGET in time for Deadline 8; this will now be submitted at Deadline 9. The Applicants strongly disagree with NGET's position that the Applicants' preferred protective provisions mean that there will be a serious detriment to NGET's undertaking and have several matters remaining 'under discussion' and 'not agreed'. The Applicants will continue engaging with NGET to seek to resolve areas of outstanding disagreement. At present, both Parties maintain their positions on Protective Provisions, Applicants in respect of those proposed at D3 and NGET in respect of those proposed at D6.</p>

Applicants' Document Reference	Interested Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 8
9.10	National Gas Transmission (NGT)	The SoCG submitted at Deadline 1 was agreed with NGT on 28/11/2024 by email with one matter outstanding.	The updated SoCG submitted at Deadline 4 was agreed with NGT on 15/04/2025 by email with one matter remaining outstanding.	The SoCG was signed by NGT on 03/07/25, with one matter outstanding relating to the agreement of Protective Provisions.
9.11	Northern Power Grid (NPG)	The SoCG submitted at Deadline 1 was agreed with NPG on 14/11/2024 by email with one matter outstanding.	The updated SoCG submitted at Deadline 4 was agreed with NPG on 16/04/2025 by email with one matter remaining outstanding.	The SoCG was signed by NPG on 01/07/25 with all matters agreed.
9.12	National Highways	The SoCG submitted at Deadline 1 was shared with National Highways on 23/01/2025 by email with one matter outstanding. National Highways confirmed on 23/01/2025 that the SoCG is an accurate reflection of the status of discussions.	The SoCG submitted at Deadline 4 was shared with National Highways on 23/04/2025 by email with one matter outstanding.	The Applicants had further email correspondence with National Highways and on 23/06/25 National Highways confirmed their agreement on the final outstanding matter. The SoCG Revision 3 was signed by National Highways on 30/06/25 with all matters now agreed.
9.13	National Federation of Fishermen's Organisation (NFFO)	The SoCG submitted at Deadline 1 was agreed with the NFFO on 28/01/2025 by email with matters outstanding.	Two meetings were held with the NFFO in April 2025 to discuss the SoCG, where some matters were agreed or the position amended to 'Not Agreed – No Material Impact'. Another meeting will be held on 01/05/25 for further discussions. The SoCG submitted at Deadline 4 was agreed with the NFFO on 23/04/2025 by email with matters outstanding.	The NFFO SoCG (Revision 3) [document reference 9.13] was signed by the NFFO on 02/07/2025, with three remaining matters not agreed. One matter is 'Not Agreed – material impact' whilst the remaining two remain as 'Under discussion – material impact'.
9.14	Network Rail (NRIL)	A draft SoCG was issued to NRIL on 08/10/2024. Initial comments were received on 05/12/2024 and further updates issued to NRIL on 11/12/2024. Based on initial comments received, there are three matters outstanding.	The SoCG submitted at Deadline 4 was agreed with Network Rail on 24/04/2025 by email with three matters outstanding.	An updated SoCG was issued to NRIL on 02/07/25. Although NRIL have confirmed that the content was fine in principle, they have been unable to provide a signature in time for Deadline 8, therefore the version submitted is considered to reflect the agreed position with NRIL.
9.15	RSPB	The SoCG submitted at Deadline 1 was agreed with the RSPB on 27/01/2025 by email with matters outstanding.	The SoCG submitted at Deadline 4 was agreed with the RSPB on 17/04/2025 by email with matters outstanding.	The RSPB have informed the ExA and the Applicants that they are unable to process the SoCG for Deadline 8, and will seek to review by Deadline 9.
9.16	The Wildlife Trusts	The SoCG submitted at Deadline 1 was agreed with The Wildlife Trusts on 23/01/2025 by email with some matters outstanding.	The SoCG submitted at Deadline 4 was agreed with The Wildlife Trusts on 22/04/2025 by email with some matters outstanding. The Applicants are looking to arrange a meeting with The Wildlife Trusts in May 2025 to discuss the outstanding matters.	The Wildlife Trusts SoCG (Revision 3) [document reference 9.16] was signed by The Wildlife Trusts on 02/07/2025. Three matters remain as 'Not Agreed – material impact' whilst two remain as 'Under discussion – material impact'.
9.17	Trinity House	The SoCG submitted at Deadline 1 was agreed with Trinity House on 28/01/2025 by email with one matter outstanding.	The SoCG submitted at Deadline 4 was agreed with Trinity House on 03/04/2025 by email with one matter outstanding. The Applicants were waiting for the MMO and Trinity House to agree on wording in the Draft DCO. This has been confirmed by the MMO on 17/04/25. The	The Trinity House SoCG (Revision 3) [document reference 9.17] was signed by Trinity House on 24/06/2025, with all matters now agreed.

Applicants' Document Reference	Interested Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 8
			Applicants have made amendments to the Draft DCO (Revision 7) [document reference 3.1] submitted at Deadline 4 and await Trinity House's review.	
9.18	UK Chamber of Shipping	The SoCG submitted at Deadline 1 was agreed with the Chamber of Shipping on 27/01/2025 by email with one matter outstanding.	The SoCG submitted at Deadline 4 was agreed with the Chamber of Shipping on 27/03/2025 by email with no matters outstanding.	The UK Chamber of Shipping SoCG (Revision 3) [document reference 9.18] was signed by the UK Chamber of Shipping on 03/06/2025, with all matters now agreed.
9.19	Lincolnshire Wildlife Trust	The SoCG submitted at Deadline 1 was agreed with Lincolnshire Wildlife Trust on 20/01/2025 by email with matters outstanding.	The SoCG submitted at Deadline 4 was agreed with Lincolnshire Wildlife Trust on 10/04/2025 by email with matters outstanding.	The Lincolnshire Wildlife Trust SoCG (Revision 3) [document reference 9.9] was signed on the 03/07/2025, with matters outstanding, as detailed in Table 5-1 .
9.20	Humber Archaeology Partnership	The SoCG submitted at Deadline 1 was agreed with Humber Archaeology Partnership on 18/10/2024 by email with two matters outstanding.	The SoCG submitted at Deadline 4 was shared with Humber Archaeology Partnership on 16/04/2025 with all matters agreed. Humber Archaeology Partnership confirmed their agreement with the SoCG on 17/03/2025 by email.	SoCG Revision 3 was signed by HAP on 24/06/2025. All matters are agreed.
9.21	The Ørsted IPs	The SoCG was issued for review on 24/01/2025. The SoCG will be submitted at Deadline 2.	The SOCG submitted at Deadline 4 was agreed with the Ørsted IPs on 24/04/2025 by email with all matters outstanding. It is unlikely that matters regarding wake effects will be agreed upon.	The SoCG will be submitted at Deadline 9. It is unlikely that matters regarding wake effects will be agreed upon.
9.22	Dogger Bank A, Dogger Bank B, Dogger Bank C (the Projcos)	The SoCG was issued for review on 24/01/2025. The SoCG will be submitted at Deadline 2.	The SOCG submitted at Deadline 4 was agreed with the Dogger Bank Projcos on 23/04/2025 by email with matters outstanding. It is unlikely that matters regarding wake effects will be agreed upon.	The Dogger Bank Offshore Wind Farm Project 1 Projco Limited, Dogger Bank Offshore Wind Farm Project 2 Projco Limited, and Dogger Bank Offshore Wind Farm Project 3 Projco Limited SoCG (Revision 3) [document reference 9.22] was signed on 03/07/2025. Six matters remain as 'Not Agreed – material impact'.
9.23	Natural England	The Examining Authority has requested that the Applicants produce a SoCG with Natural England. Natural England have advised that they will instead be producing a Principal Areas of Disagreement document which will form their view of any issues. A SoCG will be submitted at Deadline 8 between the Applicants and Natural England.	No further update.	The Applicants and Natural England met to discuss the remaining 'under discussion' and 'not agreed' matters on 01/07/2025. Due to the volume of documents submitted at Deadline 7 regarding updated Environmental Statement Chapters at the request of the ExA, and a short timeframe between Deadline 7 and Deadline 8, Natural England were unable to review all documents. However, Natural England are content that many related matters remain 'Not Agreed – no material impact' and considered closed for the purposes of the SoCG. Other matters are 'Not Agreed – material impact' whilst the remaining are still 'Under discussion – material impact'. Natural England are reviewing documents which

Applicants' Document Reference	Interested Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 8
				<p>are considered 'Under discussion – material impact' and hope to resolve these before the end of Examination. This status is also assigned to matters which will continue to be discussed post-Examination as they related to documents and management plans for submission at the post-consent stage of the Projects.</p> <p>The Applicants intend to submit a revised version of the SoCG at Deadline 9 after Natural England has reviewed the remaining documents. It is anticipated that further resolution on some matters may be achieved at this juncture.</p>

4 Commonality

12. This section provides a summary of the principal issues covered in the SoCGs and demonstrates where there is commonality in the topics or matters being discussed with the various parties.
13. **Table 4-1** presents the topics covered within the various SoCGs, and **Table 4-2** presents the Habitats Regulations Assessment topics, which have been separated out for readability. **Table 4-1** and **Table 4-2** indicate each topics relevance to an Interested Party.
14. As requested in the ExA's Rule 6 Letter [PD-010], it uses a traffic light system to summarise the status of the various matters that are covered in the Statement of Common Grounds (SoCGs) as shown in **Plate 4-1** (please note this colour-coding is not the same as in the SoCGs).

	Topic not covered in SoCG
	All matters agreed
	Some matters agreed, some matters under discussion
	All matters under discussion
	Some matters under discussion, some matters not agreed
	All matters not agreed
	Some matters agreed, some matters not agreed
	Some matters agreed, some matters under discussion, some matters not agreed

Plate 4-1 – Traffic light system indicating the status of matters covered in the SoCGs

Table 4-1 - Table of Commonality

Doc. Ref	Interested Party	DCO and DMLs	Protective Provisions	Marine Processes	Benthic/ Intertidal Ecology	Fish and Shellfish	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Offshore Archaeology and Cultural Heritage	Terrestrial Ecology and Ornithology	Geology and Land Quality	Flood Risk and Hydrology	Land Use	Onshore Archaeology and Cultural Heritage	Landscape and Visual	Traffic and Transport	Noise	Air Quality	Human Health	Socioeconomics	Project Interfaces	Other Offshore Documents
9.2	East Riding of Yorkshire Council																							
9.3	Environment Agency																							
9.4	Historic England																							
9.5	Hull City Council																							
9.6	MMO																							
9.7	Maritime & Coastguard Agency																							
9.9	National Grid Electricity Transmission																							
9.10	National Gas Transmission																							
9.11	Northern Power Grid																							
9.12	National Highways																							
9.13	National Federation of Fishermen's Organisations																							
9.14	Network Rail																							
9.15	RSPB																							
9.16	The Wildlife Trusts																							
9.17	Trinity House																							
9.18	UK Chamber of Shipping																							

Doc. Ref	Interested Party	DCO and DMLs	Protective Provisions	Marine Processes	Benthic/ Intertidal Ecology	Fish and Shellfish	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Offshore Archaeology and Cultural Heritage	Terrestrial Ecology and Ornithology	Geology and Land Quality	Flood Risk and Hydrology	Land Use	Onshore Archaeology and Cultural Heritage	Landscape and Visual	Traffic and Transport	Noise	Air Quality	Human Health	Socioeconomics	Project Interfaces	Other Offshore Documents
9.19	Lincolnshire Wildlife Trust																							
9.20	Humber Archaeology Partnership																							
9.21	The Ørsted IPs																							
9.22	Dogger Bank A, Dogger Bank B, and Dogger Bank C (The Projcos)																							
9.23	Natural England*																							

* Natural England's position at Deadline 4 is based on their Principal Areas of Disagreement document submitted at Deadline 1.

Table 4-2 - Habitats Regulations Assessment Table of Commonality

Doc. Ref	Interested Party	Introduction and Terrestrial Ecology	Offshore Habitats and Annex II Migratory Fish	Annex II Marine Mammals	Marine Ornithological Features	Dogger Bank Compensation Plan (Benthic Compensation)	Guillemot and Razorbill Compensation Plan	Kittiwake Compensation Plan
9.2	East Riding of Yorkshire Council							
9.4	Historic England							
9.6	MMO							
9.15	RSPB							
9.16	The Wildlife Trusts							
9.19	Lincolnshire Wildlife Trust							
9.23	Natural England							

5 List of Matters Not Agreed

15. At Deadline 8 most matters within SoCGs have now been agreed with stakeholders. **Table 5-1** below shows those where agreement has not been possible and there is a material impact. Matters not agreed resulting in no material impact are not included in the table. Details of the disagreement are set out in the referenced SoGC. Some matters remain under discussion as they will continue into post examination, in particular Natural England, National Grid and Network Rail. This is reflected in the SoCGs. Matters that remain under discussion are presented in **Table 5-2**.

Table 5-1 - List of Matters Not Agreed

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Onshore				
Onshore Archaeology and Cultural Heritage	Assessment conclusions relating to Catfoss Hall and Cobble Hall	98	ERYC	9.2
Onshore Archaeology and Cultural Heritage	Setting Assessment approach to the AA Battery at Butt Farm	100	ERYC	9.2
Onshore Archaeology and Cultural Heritage	Planning and Policy (specifically that elements of NPS EN-1 dealing with public benefit)	19	Historic England	9.4
Onshore Archaeology and Cultural Heritage	EIA - Assessment Conclusions (specifically the 'harm' to Butt Farm Heavy Anti-Aircraft gunsite)	32	Historic England	9.4
Onshore Archaeology and Cultural Heritage	Section 9 of the Outline Onshore WSI, Public Outreach / Community Engagement (specifically the desire to improve the Outreach and Engagement proposal)	39	Historic England	9.4
Onshore Archaeology and Cultural Heritage	Mitigation of Effects on the Heavy anti-aircraft gunsite 350m west of Butt Farm (specifically mitigation planting)	47	Historic England	9.4
Protective Provisions	Drafting of protective provisions	3	National Gas Transmission	9.10

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
DCO and Deemed Marine Licenses (DMLs)	Compulsory acquisition and land rights	2	Network Rail	9.14
Offshore				
General	EIA – Site Selection and Assessment of Alternatives (specifically location on the Dogger Bank)	3	Lincolnshire Wildlife Trust	9.19
General	EIA – Assessment Methodology (specifically a ‘secondary halo’ of effects outside the study area)	6	Lincolnshire Wildlife Trust	9.19
Marine Physical Environment	EIA – Assessment Methodology (specifically in relation to potential changes to sandbank and characteristic communities of the Dogger Bank Special Area of Conservation (SAC))	7	Lincolnshire Wildlife Trust	9.19
Benthic and Intertidal Ecology	Compensation (specifically sufficiency to address the adverse impact on site integrity)	10	Lincolnshire Wildlife Trust	9.19
Benthic and Intertidal Ecology	Compensation (specifically sufficiency to address the adverse impact on site integrity)	11	Lincolnshire Wildlife Trust	9.19
Fish and Shellfish Ecology	EIA – Baseline Environment (specifically methods used to estimate sandeel spawning grounds)	13	Lincolnshire Wildlife Trust	9.19
Fish and Shellfish Ecology	EIA - Assessment Conclusions (specifically methods used to estimate spawning ground for sandeel)	14	Lincolnshire Wildlife Trust	9.19
Marine Mammals	Report to Inform Appropriate Assessment (RIAA) (specifically commitment to noise mitigation measures)	2	The Wildlife Trust	9.16

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Benthic and Intertidal Ecology	RIAA (specifically the impact on Dogger Bank SAC)	3	The Wildlife Trust	9.16
Offshore Ornithology	RIAA (specifically predator eradication measures)	6	The Wildlife Trust	9.16
Compensation Measures	Strategic Benthic Compensation (specifically in relation to the fishing industry)	6	NFFO	9.13
Commercial Fisheries	Draft DCO (specifically in relation to the Cable Burial Risk Assessment (CBRA) and minimum target depth)	33	NFFO	9.13
Development Consent Order	Draft DCO (specifically limiting the deployment of cable protection)	A15	Natural England	9.23
Development Consent Order	Draft DCO (specifically the operational lifetime of the Projects)	A15.1	Natural England	9.23
Development Consent Order	Other documents (specifically in relation to cable protection and scour prevention and the appropriate marine licence)	A21	Natural England	9.23
Marine Physical Environment	Commitment to infrastructure decommissioning	B7	Natural England	9.23
Marine Physical Environment	Use of a fall pipe for depositing dredged sediment and updrift of the sandwave	B17	Natural England	9.23
Marine Physical Environment	Adverse effect on integrity for the Humber Estuary SAC and uncertainty regarding potential impacts to adjacent coastline	B23	Natural England	9.23
Marine Physical Environment	Commitment to decommissioning	B24	Natural England	9.23
Marine Physical Environment	The value of Dogger Bank and Smithic Bank	B25	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Marine Physical Environment	Magnitude of impact on seabed morphology	B26	Natural England	9.23
Marine Physical Environment	The value of Dogger Bank and Smithic Bank	B27	Natural England	9.23
Marine Physical Environment	Request for a pre-consent outline decommissioning plan	B30	Natural England	9.23
Marine Physical Environment	The inclusion of Dogger Bank D Offshore Wind Farm in the in-combination assessment for impacts to the Humber Estuary SAC	B33	Natural England	9.23
Marine Physical Environment	Marine Conservation Zone Assessment (MCZA) (specifically impacts from cable installation and operation relevant within the MCZA)	B34	Natural England	9.23
Marine Physical Environment	MCZA (specifically the impact pathway to the MCZ features and utilising conservation objectives, conservation advice and advice on operations)	B35	Natural England	9.23
Marine Physical Environment	MCZA (specifically sandwave levelling along the export cable corridor and the commitment to depositing sediment updrift of dredging locations)	B36	Natural England	9.23
Marine Physical Environment	MCZA (specifically commitments to not anchoring or using jack up vessels in the MCZ are not necessarily mitigating for scour protection impacts, further consideration is required of mitigation measures that will reduce impacts to the MCZ)	B37	Natural England	9.23
Marine Physical Environment	The inclusion of Dogger Bank D Offshore Wind Farm in the in-combination assessment for impacts to the Humber Estuary SAC	B39	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Marine Physical Environment	MCZA (specifically evidence to demonstrate that impacts will be temporary)	B38	Natural England	9.23
Marine Physical Environment	MCZA (specifically mitigation and potential impacts to sediment transport on the MCZ)	B40	Natural England	9.23
Marine Physical Environment	MCZA (specifically hindrance of the conservation objectives of the Holderness Inshore MCZ)	B41	Natural England	9.23
Marine Physical Environment	Disposal of material arising from construction activities (specifically depositing sediment updrift of dredging locations)	B44	Natural England	9.23
Marine Physical Environment	Disposal of material arising from construction activities (specifically depositing sediment updrift of dredging locations)	B45	Natural England	9.23
Marine Physical Environment	Scour Prevention (specifically consideration of the removability of scour protection)	B48	Natural England	9.23
Benthic and Intertidal Ecology	Commitment to specific cable/scour protection measures	C12	Natural England	9.23
Benthic and Intertidal Ecology	Assessment of likely impacts upon designated ornithological and marine mammal features.	C18	Natural England	9.23
Benthic and Intertidal Ecology	Commitment to remove all on and above seabed infrastructure (including cable and scour protection) at the time of decommissioning	C27	Natural England	9.23
Benthic Compensation	Outcome of the Impact Assessment and evidence used to support conclusions on scale and significance of potential impacts from cable installation activities and cable protection installation from DBS	D2	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Fish and Shellfish	Additional cable protection mitigation to reduce impacts to herring and sandeel spawning habitat	E14	Natural England	9.23
Fish and Shellfish	A full commitment to remove all on and above seabed infrastructure upon decommissioning	E15	Natural England	9.23
Offshore Ornithology	Mitigation measures to reduce impacts on seabird features	G18	Natural England	9.23
Offshore Ornithology	Adverse Effect on Integrity to ornithology Special Protected Areas (SPAs) features as a result of impacts on prey species	G52	Natural England	9.23
Offshore Ornithology Compensation	Mitigation measures to reduce impacts on seabird features	H5	Natural England	9.23
Offshore Ornithology	EIA – Baseline Environment (specifically digital aerial surveys)	6	RSPB	9.15
Offshore Ornithology	EIA – Assessment Methodology (specifically approach to assessing impacts)	10	RSPB	9.15
Offshore Ornithology	EIA – Assessment Methodology (specifically the use of a 70% macro-avoidance rate for gannet)	12 13	RSPB	9.15
Offshore Ornithology	EIA - Assessment Conclusions (specifically the consideration of Highly Pathogenic Avian Influenza)	17 18	RSPB	9.15
Offshore Ornithology	EIA – Cumulative Effects Assessment (CEA) Conclusions (specifically the consideration of Highly Pathogenic Avian Influenza)	18 19	RSPB	9.15
Offshore Ornithology	EIA – Draft DCO / Outline Management Plans / Mitigation and Monitoring (specifically Kittiwake and Guillemot / Razorbill compensation measures)	19 20	RSPB	9.15

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically the consideration of Highly Pathogenic Avian Influenza)	23	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically kittiwake from the Flamborough and Filey Coast SPA)	23 25	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically Guillemot population of the Flamborough and Filey Coast SPA)	24 26	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically mortality for Guillemot at the Farne Islands SPA)	25 27	RSPB	9.15
Offshore Ornithology	EIA – RIAA/ Compensation Strategy (specifically adverse effect on site integrity on the features of the Flamborough and Filey Coast SPA and the significance of the impacts on the Gannet)	27 29	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically adverse effect on site integrity due to the impact of displacement mortality on the Guillemot population of the Farne Islands SPA)	31 33	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically the impact of displacement mortality on the Razorbill population)	32 34	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically in combination assessment and Gannet collision risk calculation)	33 35	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically in combination impacts to SPAs)	34 36	RSPB	9.15

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically timeline for installation of oANS)	35 38	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically timeline for installation of offshore Artificial Nesting Structure (oANS))	36 39	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically credible project-led compensation measures in respect of guillemot and razorbill)	37 40	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically predator eradication sites)	38 41	RSPB	9.15
Offshore Ornithology	EIA – RIAA / Compensation Strategy (specifically long-term ecological success of a predator eradication measure)	39 42	RSPB	9.15
Deemed Marine Licences	Draft DCO (specifically in relation to: <ul style="list-style-type: none"> The DMLs Article 5; Determination dates and condition 16 (2); Seasonal restrictions; Piling restrictions; Offshore Export Cable Corridor restrictions; and Force Majeure.) 	14 15 22 24 25 27	MMO	9.6

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Fish and Shellfish	Chapter 10 Fish and Shellfish (specifically in relation to: <ul style="list-style-type: none"> Additional information; Appendix 10-3 Back-calculation of the Peak Atlantic Herring Spawning Period; and The 'without prejudice' seasonal piling restriction.) 	64 65 68 69 71 72 73 74 75 76	MMO	9.6
Project Interfaces	<ul style="list-style-type: none"> Post-application consultation; Wake effects; The draft NPS; Wake assessments; Mitigation 	2 3 4 6 7	Dogger Bank A, Dogger Bank B, and Dogger Bank C (The Projcos)	9.22
Protective Provisions	Protective provisions in relation to wake loss	8	Dogger Bank A, Dogger Bank B, and Dogger Bank C (The Projcos)	9.22
Project Interfaces	<ul style="list-style-type: none"> Engagement; Wake effects; The draft NPS; Mitigation and financial compensation 	1 3 4 7 8	The Ørsted IPs	9.21
Protective Provisions	Protective provisions in relation to wake loss	9	The Ørsted IPs	9.21

Table 5-2 - List of Matters Under Discussion

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Benthic and Intertidal Ecology	Dogger Bank Compensation Plan (specifically site extension)	5	The Wildlife Trust	9.26
Offshore Ornithology	RIAA (specifically strategic level schemes)	7	The Wildlife Trust	9.26
General	Cable Statement (Including Preliminary CBRA)	3	NFFO	9.13
General	Other documents (Outline Offshore Operations and Maintenance Plan, specifically related to cable protection replenishment within the Dogger Bank SAC)	6	MMO	9.6
Deemed Marine Licences	Draft DCO (specifically in relation to a condition for ornithological monitoring)	23	MMO	9.6
Marine Physical Environment	Chapter 8 Marine Physical Environment (specifically in relation to a further interpretative step with the physical environment modelling.)	29 33 34 40 43	MMO	9.6
Marine Physical Environment	Chapter 8 Marine Physical Environment (specifically in relation to embedded mitigation)	42	MMO	9.6
Development Consent Order	Draft DCO (specifically additional or replenishment cable protection)	A7	Natural England	9.23
Development Consent Order	Draft DCO (specifically that the Site Integrity Plan for piling must be submitted no later than 6 months prior and no sooner than 9 months prior to piling)	A10	Natural England	9.23
Development Consent Order	Draft DCO (specifically the inclusion of ornithological monitoring)	A12	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Marine Physical Environment	Rationale behind remedial cable protection along 10% of the cable route within Dogger Bank SAC and Worst Case Scenario (WCS) evidence	B3	Natural England	9.23
Marine Physical Environment	WCS for remedial cable protection – rationale and supporting evidence	B4	Natural England	9.23
Marine Physical Environment	Request for a detailed pre-consent CBRA	B8	Natural England	9.23
Marine Physical Environment	Material used to backfill trenches for landfall cable installation activities and sediment storage	B16	Natural England	9.23
Marine Physical Environment	Conclusions of the EIA and cumulative effects assessments for the Flamborough Front during Operation and Maintenance	B22	Natural England	9.23
Marine Physical Environment	Potential impact of nearshore cable crossings / protection to Smithic Bank	B28	Natural England	9.23
Marine Physical Environment	Disposal of material arising from construction activities (specifically conclusions on the level of impacts)	B43	Natural England	9.23
Marine Physical Environment	Disposal of material arising from construction activities (specifically detail on exceedance of sediment accumulation and post construction monitoring within the In Principle Monitoring Plan (IPMP))	B46.1	Natural England	9.23
Marine Physical Environment	Scour Prevention (specifically risk and implications of secondary scour occurring, seabed mobility, bedform formation and migration and scour potential)	B47	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Marine Physical Environment	Cable Statement (specifically conclusions and the need for the document to be updated)	B49	Natural England	9.23
Marine Physical Environment	Cable Statement (specifically clarification on the MDS dredge volume values for the Export Cable Route)	B50	Natural England	9.23
Benthic and Intertidal Ecology	Information and rationale for the WCS for cable protection within and outside of Dogger Bank SAC	C3	Natural England	9.23
Benthic and Intertidal Ecology	Additional and replenishment of cable / scour protection	C4	Natural England	9.23
Benthic and Intertidal Ecology	Additional and replenishment of cable / scour protection)	C5	Natural England	9.23
Benthic and Intertidal Ecology	Significance of any potential 'ecological halo effect'	C8	Natural England	9.23
Benthic and Intertidal Ecology	Cable Statement / Cable Burial risk assessment and effectiveness of mitigation	C14	Natural England	9.23
Benthic and Intertidal Ecology	WCS for sandwave levelling/seabed clearance and mitigation and monitoring proposals	C21	Natural England	9.23
Benthic and Intertidal Ecology	Worst case calculation of area of loss due to change to another seabed / sediment type for Dogger Bank SAC and the significance of any potential 'ecological halo effect'	C23	Natural England	9.23
Benthic and Intertidal Ecology	Placement of drill arisings adjacent to turbines and further habitat loss/change	C25	Natural England	9.23
Benthic and Intertidal Ecology	Use of gravity based foundations, Environmental Statement chapters to be updated to reflect their removal	C26	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Benthic and Intertidal Ecology	Updates to the Cable Statement and CBRA	C28b	Natural England	9.23
Benthic and Intertidal Ecology	Disposal of material arising from construction activities (specifically conclusions on levels of impacts)	C32	Natural England	9.23
Benthic and Intertidal Ecology	Disposal of material arising from construction activities (specifically disposal options)	C33	Natural England	9.23
Benthic and Intertidal Ecology	Disposal of material arising from construction activities (specifically mitigation and monitoring proposals)	C34	Natural England	9.23
Benthic and Intertidal Ecology	Scour Prevention (specifically risk and implications of secondary scouring and choice of scour prevention / cable protection)	C36	Natural England	9.23
Benthic and Intertidal Ecology	Cable Statement (specifically requested pre-consent updates and disagreement with conclusions)	C38	Natural England	9.23
Fish and Shellfish	Assessment of the worst-case position at the most south-westerly point of the DBS array.	E2	Natural England	9.23
Fish and Shellfish	Assessment of monopiling when assessing impacts of DBS West and East together.	E3	Natural England	9.23
Fish and Shellfish	Assessment of localised heating if sediment to demonstrate that there would be no Likely Significant Effect to both sandeel and herring.	E8	Natural England	9.23
Fish and Shellfish	135dB behavioural threshold for high and very high spawning habitat potential sites when piling in the array areas.	E16	Natural England	9.23

Topic	Matter	SoCG ID	Stakeholder	SoCG Doc Ref.
Fish and Shellfish	The estimate for worst case area of loss being included in the cumulative assessment for Dogger Bank SAC.	E20	Natural England	9.23
Fish and Shellfish	EIA assessment conclusions for potential fish prey species.	E21	Natural England	9.23
Fish and Shellfish	Longer-term sandeel monitoring	E22	Natural England	9.23
Marine Mammals	The inclusion of Permanent Threshold Shift in the Cumulative Effects Assessment screening.	F4	Natural England	9.23
Marine Mammals	Commencement of piling in poor visibility or hours of darkness where Marine Mammal Observers cannot be used.	F10	Natural England	9.23
Protective Provisions	Future Infrastructure	4	National Grid Electricity Transmission	9.9
Protective Provisions	Drafting of protective provisions	5	National Grid Electricity Transmission	9.9
Protective Provisions	Drafting of protective provisions	3	Network Rail	9.14
DCO and DML	Transfer of Benefit	5	Network Rail	9.14

6 Examination Tracker

16. The Examination Progress Tracker has been prepared by the Applicants further to the request outlined in the ExA's original Rule 6 Letter [PD-002]. For ease of reference, it has been presented in table form and focuses on principle and notable matters which have been raised by Interested Parties in their Relevant Representations and/or through subsequent engagement with stakeholders.
17. The tracker provides the status of those issues and is based on a Red, Amber, Green ('RAG') rating as follows:

	Currently subject to disagreement
	Subject to further/ on-going discussion
	Agree

Plate 5-1 - RAG system indicating the status of matters within the Examination Tracker

18. The RAG status provided is the Applicants' consideration of progress on the issue in question and has not been discussed directly with stakeholders albeit the majority of the issues below formulate discussion elements of SoCG.

Topic	Sub-topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
Aviation and Radar	Objection by Ministry of Defence due to DBS West being within Radar Line of Sight (RLoS) of Remote Radar Head (RRH) Staxton Wold	Ministry of Defence	Assessment concludes that the DBS West array area lies within the Line of Sight (LoS) of RRH Staxton Wold. The Interested Party raised objection in September 2024 which will remain until suitable mitigation is agreed.	<p>The Applicants expected the objection received by the Ministry of Defence (MOD). Nominally the Applicants would seek to work towards an agreed Requirement with the MOD restricting generation or turbine movement until a sufficient mitigation has been agreed and installed, as has been done by previous projects.</p> <p>However, the new UK Government has brought forward a new policy on funding and delivery of air defence radar mitigation. The Clean Power 2030 Action Plan (released December 2024), details the MOD's Programme Njord (in collaboration with DESNZ, The Crown Estate, Crown Estate Scotland, the devolved governments and the Offshore Wind Industry Council). Programme Njord's objectives are to identify, procure and implement a mitigation to resolve military radar issues. The action plan discloses that:</p> <p><i>"The full costs of the long-term radar mitigation solutions identified by Programme Njord will be funded via an alternative route, delivered by government, and the funding requirement is therefore removed from offshore wind developers."</i></p> <p>This chain of events has occurred within the last couple of months, notably post MOD's submission of their objection. It is expected Programme Njord will deliver Government's enduring air defence radar mitigation solution.</p> <p>The Applicants contacted the MOD in January 2025 to discuss altering Requirement 31 of the Draft DCO (Revision 5) [document reference 3.1] to account for this change in situation and discuss any requirements for mitigation that may still be required for DBS West.</p> <p>The Applicants had an initial meeting with the MOD on 6th March 2025 where the Applicants presented draft requirement wording for any impacts caused by DBS West and sought clarification on the extent to which Programme Njord will resolve mitigation required for the impacts of DBS West on Staxton Wold and whether further mitigation discussions need to be held in relation to interim mitigation arrangements in the event that the MOD's long-term radar mitigation solution is not delivered prior to first generation at DBS West.</p> <p>The MOD submitted a position update into Examination on 7th April 2025. Within the update, the MOD have provided requirement wording that the MOD deem sufficient to provide a route through which appropriate mitigation could be secured. The Applicants have considered the requirement wording, noting that it is not specific to DBS West and are still awaiting further engagement from the MOD regarding the long term air defence radar mitigation solution that will be delivered through Programme Njord and potential interim mitigation solutions of Staxton Wold.</p> <p>The Applicants and MOD have agreed requirement wording at Deadline 8.</p>	
Commercial Fisheries	The commercial fisheries baseline	National Federation of Fisheries Organisation (NFFO)	Concerns about the lack of contemporary and site-specific data presented in the fish and shellfish ecology assessments, and a lack of focus on key commercial species that have a range that overlaps with the	<p>The Applicants provided response to Relevant Representations made in this regard by NFFO in The Applicants' Response to Relevant Representations [PDA-013] in line RR034:3.</p> <p>The NFFO confirmed this matter was agreed with the Applicants in an email dated 27/01/2025. All matters relating to fish and shellfish ecology assessments are marked either 'Agreed' or 'Not Agreed – No Material Impact' in the SoCG.</p>	

Topic	Sub-topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
			development area, specifically shellfish.		
Commercial Fisheries	Cumulative assessment of in-combination effects with other projects on fisheries receptors.	National Federation of Fisheries Organisation (NFFO)	Concerns regarding the assumption that that mobile gear vessels can move from the area is an oversimplification and does not evidence how fisheries in the region have been squeezed into smaller and smaller marine space over progressive offshore wind developments, marine legislation and offshore cabling	<p>The Applicants provided response to Relevant Representations made in this regard by NFFO in The Applicants' Response to Relevant Representations [PDA-013] in line RR034:4.</p> <p>Since submission of this document, the Applicants have engaged with the NFFO on the 1st October. No further agreement regarding potential effects on Commercial Fisheries was agreed. The current progression of Statements of Common Ground with NFFO is being provided at the same time as this document at Deadline 1 on the 29th January [document reference 9.13].</p> <p>In addition, the Applicants have subsequent to this Relevant Representation being received submitted Project Change Request 1 - Offshore and Intertidal Works [AS-141] and had this change accepted into examination by the Examining Authority on the 21st January 2025. The acceptance of Project Change Request 1 into examination removes elements of scope of the offshore works to be undertaken by the project, with nominal reductions in impacts on commercial fisheries receptors compared to the submitted application.</p> <p>At the NFFO SoCG meeting held on 1st April 2025, the NFFO agreed that this could be amended to 'Not Agreed – no material impacts' as per SoCG ID 26.</p>	
Draft DCO	Comment received requesting updates to various Draft DCO Requirements and Deemed Marine License (DML) Conditions	MMO Natural England ERYC Environment Agency Hull City Council National Highways Trinity House MCA RSPB	Concerns raised by stakeholders regarding the adequacy of the wording of Draft DCO Requirements, a limited number of suggested amendments to Protective Provisions and Articles, Deemed Marine License Conditions and the timing outlined at which these conditions need to be discharged.	<p>The Applicants have submitted a revised Draft DCO (Revision 11) at Deadline 8. A summary of the Applicants responses to the ExA's proposed DCO changes is included in section 6.2 of the Closing Statements [document reference 18.2], submitted at Deadline 8 and in The Applicants' Comments on the ExA's Proposed Schedule of Changes to the dDCO [REP7-130], submitted at Deadline 7.</p> <p>Through meetings and correspondence with MMO a number of matters pertaining to the drafting of the DCO and DMLs have been agreed. However, a number of matters, such as those relating to force majeure and the transfer of benefit remain unagreed and will require a decision by Secretary of State.</p>	
Ecology and Nature Conservation (Onshore)	Appropriateness of the Biodiversity Net Gain (BNG) Strategy	Environment Agency Natural England ERYC	Concerns raised regarding the lack of River Condition Assessments (RCA) undertaken to inform the assessment of the baseline environment for which Biodiversity Net Gain will be calculated against and minor comments about the inclusion of individual trees identified in the arboricultural assessment and interpretation of the guidance and use of the BNG metric.	<p>As outlined in The Applicants' Responses to Relevant Representations [PDA-013] the Applicants met with the Environment Agency to discuss this issue in October 2024.</p> <p>The Applicants completed the RCAs, in May 2025. The Applicants updated Appendix 18-10 - Biodiversity Net Gain Strategy [APP-157] at Deadline 5, to address minor comments from the EA and ERYC, incorporate the Project Change Request 2 [AS-152] and include the results of the RCA surveys. All matters relating to the BNG Strategy have been agreed in the Environment Agency SoCG [document reference 9.3]</p> <p>No further comments have been received from the Environment Agency on Ecology and Nature Conservation (Onshore) and there are no outstanding issues on Ecology and</p>	

Topic	Sub-topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				Nature Conservation (Onshore) with the ERYC, as detailed in ERYC SoCG (Revision 3) [document reference 9.2].	
Ecology and Nature Conservation (Onshore)	Impacts on Ancient Woodland	The Forestry Commission The Woodland Trust Dr Mounce ERYC	Concerns raised regarding the depth of a trenchless crossing beneath Bentley Moor Wood and buffer zones for construction works in the vicinity of ancient woodland and Burton Bushes SSSI	Concerns were raised by the Forestry Commission, Woodland Trust and Dr Mounce, at Deadlines 1, 4, 5, 6, and 7, comments were also raised by the ExA at ISH6 on ancient woodland. The Applicants have added further wording to the Outline Code of Construction Practice (OCoCP) (Revision 5) [REP7-105] and Outline Ecological Management Plan (OEMP) (Revision 6) [REP7-107], at Deadline 7 to confirm that no trenchless crossing will take place at less than 5m depth below Bentley Moor Wood unless agreed with a suitably qualified arboriculturist and the ERYC. In addition, that the design of the crossing, the outcomes of the hydrogeological risk assessment and the root protection zone will be considered at the detailed design stage when agreeing any depth less than 5m with the ERYC, in consultation with Natural England. Wording has also been added to the OEMP (Revision 6) [REP7-107], to confirm that a buffer zone based on the root protection zone will be calculated at the detailed design stage and would be a minimum of 15m. The Applicants consider this matter has now been suitably addressed with the control measures in place and updated in the OEMP (Revision 6) [REP7-107], at Deadline 7. The Woodland Trust have confirmed they are now in agreement at in their response at Deadline 7 [REP7-160].	
Habitats Regulations Assessment	Auk Compensation	Natural England The Wildlife Trust RSPB	Concerns by stakeholders in Relevant representations regarding sufficient progress in further development of the Guillemot [and Razorbill] Compensation Plan	<p>The Applicants provided updated versions of the Guillemot [and Razorbill] Compensation Plan [APP-056] on the 29th October [PDB-004] and the 25th November 2024 [AS-089]. These updates demonstrate substantial progress in the development of compensation measures for Guillemot and Razorbill (collectively “auks”). The Applicants have also provided Guillemot and Razorbill Compensation Site Shortlist Refinement Report (Revision 01) [PDB-008] to the ExA to demonstrate progress since DCO submission in the identification of a site for predator eradication.</p> <p>Further discussions with Natural England regarding an update on auk compensation proposals were held on 20/11/24. Whilst Natural England are not actively engaging in the SoCG process as they utilise their Principal Areas of Disagreement to demonstrate progress, the Applicants consider conversations where auk compensation updates have been shared have been received positively.</p> <p>The Applicants provided a brief update on the progress on compensation measures including guillemot [and razorbill], at ISH1 on 15th January, and a more detailed version is provided in the written summary [document reference 11.4] at Deadline 1.</p> <p>A brief update on the progress of compensation measures was given by the Applicants at ISH5, on 10th April 2025.</p> <p>The Applicants provided an update on compensation progress to Natural England in a meeting on 2nd April 2025, following additional surveys at two locations in January and February 2025. These surveys were also reported in the Guillemot and Razorbill Compensation Site Shortlist Refinement Report (Revision 02) [REP3-019].</p> <p>Further updates are provided by the Applicants in the Guillemot [and Razorbill] Compensation Plan (Revision 4) [REP4-025] highlighted the significant progress that has been made by the Applicants with regards to a project-led compensation measure.</p>	

Topic	Sub-topic	Interested Party(ies)	Description of Issue	Progress Made (if Any)	RAG Rating
				<p>The Guillemot [and Razorbill] Compensation Plan (Revision 4) [REP4-025] also presents the current situation with regards to a strategic auk compensation measure at the Isles of Scilly and the statements and guidance provided by Defra and OWIC which give confidence that a strategic measure will be available to the Applicants. The Applicants have also submitted the Isles of Scilly Guillemot and Razorbill Survey and Habitat Assessment [document reference 14.12] into the Examination to enable interested parties to review, in full, the information collected by the Applicants for this location.</p> <p>The Guillemot [and Razorbill] Compensation Plan (Revision 5) [REP5-012] was updated 23rd May 2025 after the potential for project-led options for auk compensation scheme at Worms Head fell away, and to provide information on next steps regarding strategic compensation and project-led options.</p> <p>The last update of the Guillemot [and Razorbill] Compensation Plan (Revision 6) [REP6-012] was submitted on 13th June 2025 to correct a minor error and provide an update from discussions with DESNZ on their position relating to the Strategic Scheme at the Isles of Scilly. This revision also included a without prejudice case for guillemot from the Farne Islands SPA.</p>	
Habitats Regulations Assessment	Kittiwake Compensation	Natural England RSPB	Concerns by stakeholders in Relevant Representations regarding sufficient progress of the Project Level kittiwake Compensation Plan	<p>The Applicants provided updated versions of the Project-Level Kittiwake Compensation Plan [APP-052] on the 29th October [PDB-002] and the 25th November 2024 [AS-088]. These updates demonstrate substantial progress in the development of compensation measures for kittiwake. The Applicants have also provided Project-Level Kittiwake ANS Site Selection Report [PDB-007] to the ExA to demonstrate progress since DCO submission in the development of a site for a project led oANS for kittiwake.</p> <p>Further discussions with Natural England regarding an update on ANS Areas of Search (AoS) and site selection work were held on 30/09/24 and 5/12/24, with feedback provided by email on 9/12/24. Whilst Natural England are not actively engaging in the SoCG process as they utilise their Principal Areas of Disagreement to demonstrate progress, the Applicants consider conversations where kittiwake compensation updates have been shared have been received positively.</p> <p>The Applicants provided a brief update on the progress on compensation measures including kittiwake, at ISH1 on 15th January, and a more detailed version is provided in the written summary [document reference 11.4] at Deadline 1.</p> <p>In summary, through stakeholder engagement and a thorough constraints assessment, the Applicants have shortlisted three candidate sites for the placement of an offshore ANS. Each of these sites is considered ecologically suitable for kittiwake and as such, further investigations are focussing on the validity of ground conditions and location from an engineering, logistical and health and safety perspective. Geophysical site investigation surveys are underway, and geotechnical surveys are due to commence imminently to assess ground conditions. Once these have been conducted, a preferred candidate site will be selected and marine licence application submitted to the MMO. The Applicants anticipate that a final site for the offshore ANS will be selected, and the marine licence will be submitted within the examination period. The Applicants are continuing to engage with key stakeholders including the NFFO, the MMO and Natural England regarding ANS delivery.</p>	

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				<p>Engineering design work will progress from concept to detailed design phase following the acquisition of ground condition data. Following the completion of the foundation and topside detailed design phase, a procurement process will identify a preferred contractor and fabrication of both the foundation and topside structures will commence ahead of an anticipated installation date in Q4 2027. Further details on the offshore ANS delivery programme are provided in Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 5) [REP4-020], submitted at Deadline 4.</p> <p>The design basis of the ANS was presented to the Kittiwake Compensation Steering Group on 31st March 2025, from which feedback has been received and incorporated into the concept design. This was reported in an updated Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 6) [REP6-011] submitted on 13th June 2025. This update also included details of the preferred candidate site presented for ANS location and next steps outlined. The exact location of the ANS marine licence area will be provided at Deadline 6, 3rd July 2025, in the form of an updated Project-Level Kittiwake ANS Site Selection Report [document reference 10.19].</p> <p>A final Appendix 1 - Project Level Kittiwake Compensation Plan (Revision 7) [document reference 6.2.1] will be submitted before the end of Examination confirming a marine licence has been submitted for the ANS.</p>	
Historic Environment (onshore)	Effects on Heavy Anti-aircraft gunsite scheduled monument at Butt Farm	Historic England ERYC	Concerns outlined in Relevant Representations and in the Local Impact Report regarding impacts on the setting of the Heavy Anti-aircraft gunsite scheduled monument at Butt Farm	<p>The Applicants have continued discussions with ERYC and Historic England (HE) regarding impacts on the setting of the Heavy Anti-aircraft gunsite at Butt Farm since Deadline 4.</p> <p>ERYC originally raised comments within the Local Impact Report [PDC-007], and ERYC's Response to Examining Authority's First Written Questions (ExQ1) [REP3-037] with regard to assessment conclusions, and in particular the Onshore Infrastructure settings assessment. At a meeting held on 28/03/2025 ERYC confirmed their concerns were as follows:</p> <ul style="list-style-type: none"> Setting Assessment approach to the AA Battery at Butt Farm - ERYC have expressed concern over the onsite experience of the monument and the use of vegetation as screening, and their impacts on longer views from the asset. The Applicants have provided further information including OS maps showing historical woodland in the area; however ERYC have responded to say their concerns remain regarding how the proposals alter the land in which the monument is appreciated. Assessment conclusions relating to the AA Battery at Butt Farm. Whilst both parties are now in agreement that the level of harm in the absence of mitigation is 'less than substantial' ERYC conclude that the level of impact would be greater than concluded by the Applicant. It remains the Applicants position that this harm is limited and could readily be mitigated by the proposed landscape design. Assessment conclusions relating to Catfoss Hall and Cobble Hall - ERYC have stated there is a variation in the assessment of effects on Catfoss Hall and Cobble Hall (with ERYC considering there would be a small effect on the assets for a short period of time during construction) however it would not make a significant difference to the weighting. 	

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				<p>At the SoCG meeting of 18/06/2025, ERYC confirmed that the Council's assessment of the effectiveness of the proposed landscaping as mitigation of effects on the Butt Farm gun site remained unchanged, so these matters remain 'not agreed' at Deadline 8.</p> <p>Since Deadline 4, new matters of discussion have arisen with regard to potential impacts at Butt Farm. The Examining Authority raised a query in The Examining Authorities Second Written Questions (ExA2) [PD-021] HE12 regarding the proposed hedgerow along the permanent access track to the Onshore Converter Station, and whether this increased the sense of enclosure around the gun site. ERYC confirmed (following correspondence with the Applicants and Historic England) in their Response to Second Written Questions [REP5-073] that they were content with the treatment of the proposed access road landscaping and the use of the process set out in the Desing and Access Statement (Revision 3) [REP7-103] to secure the most appropriate landscape treatments of the Onshore Converter Station site. The Applicants have also provided a Nighttime Lighting Visualisation Technical Note [REP6-054] in response to concerns about potential nighttime lighting for operational and maintenance visits. ERYC confirmed in their Response to Rule 17e 17 request for further information [REP7-142] that "<i>The lighting in isolation therefore does not meaningfully increase the harm caused by the wider development to the significance of the heritage asset, which would remain less than substantial</i>". This matter is therefore considered resolved.</p> <p>The Applicants have worked throughout the Examination to address concerns raised by Historic England in their Relevant Representation [RR-022] , Written Representation [REP1-059] and Response to Examining Authority's First Written Questions [REP3-043] on impacts on the setting of the Heavy Anti-aircraft gunsite 350m west of Butt Farm (Scheduled Monument). At the close of Examination the matters not agreed area as follows:</p> <ul style="list-style-type: none"> Assessment conclusions with relation to impacts on the setting of the Heavy Anti-aircraft gunsite 350m west of Butt Farm. As set out in the SoCG with Historic England, Historic England confirmed in their RR (16/09/2024) that the Onshore Converter Stations represent 'less than substantial harm' to the significance of the Scheduled Monument of 'Heavy Anti-aircraft gunsite, 350m west of Butt Farm' but at the higher end of this scale, which is greater than assessed in the Environmental Statement. Mitigation of effects on the Heavy Anti-Aircraft gunsite 350m west of Butt Farm. Historic England stated in their Relevant Representation [RR-022] that "<i>the mitigation planting proposed is not an effective or lasting mitigation measure in this instance</i>" however noted in the ExA's first written questions that they were in general agreement with Requirements 9 and 10 of the Draft DCO which secure landscape mitigation and the appearance/materials of the Onshore Converter Station. The Applicants have agreed with Historic England that Historic England will be engaged with the detailed design of the Onshore Converter Stations via review of the Design Panel Review Report, as set out in the Design and Access Statement (Revision 3) [REP7-103]. Development of public outreach, community engagement and public benefit proposals for the scheme. The Applicants have addressed Historic England's concerns as far as possible, by developing their proposals for public outreach, 	

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				<p>community engagement and enhancement, (as requested by Historic England). The Applicants met Historic England, the tenant farmer, and an individual who runs historical tours of the gun site on site (04/06/25) to discuss the scope and feasibility of physical enhancements to the gunsite, and have developed a range of other enhancement options to increase public outreach and engagement in the gun site as outlined in Appendix 3 in the Outline Onshore WSI (Revision 2) [REP4-048] submitted at Deadline 4. Whilst this is still 'not agreed' at Deadline 8, Historic England have noted in the SoCG submitted at Deadline 8 that <i>"considerable advances have been made on this matter"</i> and that <i>"All that remains is to establish the mechanism by which enhancements are to be finalised and delivered."</i> The Applicant has proposed that the final public outreach, community and public benefit / enhancement proposal will be detailed in the final Onshore WSI to be submitted under DCO Requirement 18.</p> <ul style="list-style-type: none"> The need for collaboration between offshore wind farm schemes on landscaping. The Applicants have expressed their willingness to engage in this initiative and attended an initial meeting to discuss the scope and terms of the Cross-Project Forum on 22nd May. However, despite these efforts the Applicants have not been able to reach agreement with Historic England on this matter. <p>As described above for ERYC, additional matters have arisen since Deadline 4 which have been discussed and agreed with Historic England. On the topic of the treatment of the permanent access track to the Onshore Converter Stations (raised in The Examining Authorities Second Written Questions (ExA2) [PD-021] HE12, Historic England stated in their response [REP5-046] that they considered that the access road and its landscaping would increase the sense of enclosure generated by the Onshore Converter Stations south of the scheduled gunsite. As outlined in the Response to June 2025 Hearing Action Points, [REP6-056] HE confirmed that they do not feel this constitutes a greater degree of harm to significance than is already evident (by the presence of the Onshore Converter Station). HE's concerns about the access road leading to gradual accumulation of roadside clutter have been addressed by the Applicants' update to the Design and Access Statement (Revision 3) [REP7-103].</p> <p>HE's concerns about nighttime lighting of the Onshore Converter Stations have been addressed through the provision of the Nighttime Lighting Visualisation Technical Note [REP6-054] to which Historic England responded in their Response to Rule 17 letter [REP7-147] to state that they have no further concerns on heritage grounds on this matter.</p>	
Hydrology, hydrogeology and Flooding	Hydrological impacts associated with the construction of the Cable Corridor	Beverley & North Holderness Internal Drainage Board Environment Agency ERYC	Protective Provisions relating to the disapplication of the Land Drainage Act 1991 in the DCO Impacts of crossing (EA) Main Rivers with a trenchless technique Impacts of crossings of ordinary water courses with non-trenchless methods	Concerns were raised by the Environment Agency in the Relevant Representation [RR-039] about how Main Rivers would be temporarily crossed by the haul road during construction. The Applicants provided a response to the Relevant Representations [PDA-013] and made a number of updates to the OCoCP (Revision 2) [AS-094] and Appendix 5-2 - Obstacle Crossing Register (Revision 2) [AS-053] to commit to clear span bridges in November 2024. However, this was not possible at one location and a culvert crossing will be required. The Applicants met with the Environment Agency on the 22 nd April 2025. Following a further meeting on the 19 th June the Environment Agency confirmed that a temporary culvert crossing can be constructed for the Meaux and Routh East Drain (WX-	

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			<p>How Main Rivers and ordinary water courses will be crossed with the temporary haul road</p> <p>Discharge Rates</p>	<p>030) Main River. This issue is now agreed in the Environment Agency SoCG (Revision 3) [document reference 9.3] The mitigation measures added to the OCoCP (Revision 5) [REP7-105 and how crossing method statements are secured by Requirement 19 and the protective provisions in the Draft DCO (Revision 11) [document reference 3.1] have also been agreed with the Environment Agency.</p> <p>The Environment Agency also raised a number of issues around how the crossing of Main Rivers using a trenchless technique will be undertaken e.g. depth of ducts. These issues are now all agreed to be included in the crossing method statements at the detailed design stage. The Applicants have now updated the protective provisions in the Draft DCO (Revision 11) [document reference 3.1], at Deadline 8 with the Environment Agency's preferred wording following a meeting on the 12th June 2025. The Protective Provisions are now agreed in the Environment Agency SoCG (Revision 3) [document reference 9.3].</p> <p>The Beverley & North Holderness Internal Drainage Board (BNH IDB) and ERYC, in their Local Impact Report raised an issue with the use of the 'open cut' method to cross ordinary water courses (drains). The Applicants met with the Beverley & North Holderness Internal Drainage Board on the 8th April and agreed that a number ordinary watercourse crossings maintained by BNH IDB would be committed to a trenchless crossing unless an agreement could be reached at the detailed design stage through agreement of a crossing method statement. Agreement was reached that the open cut method could be agreed for other ordinary water course crossing if a suitable design was proposed in the crossing method statements and the minimum depth below bed level was 1.5m. Minor queries on the protective provisions and discharge rates were discussed and agreed at the meeting on the 8th April. The option to upgrade existing ordinary water crossings to permanent culverts have been removed to address the BNH IDB concerns about future maintenance. The Applicants have provided a detailed response to comments received at Deadline 3 as set out in the The Applicants' Comments on the Responses to ExQ1 [document reference 14.3] and made a number of amendments to the Outline Code of Construction Practice (Revision 4) [document reference 8.9], submitted at Deadline 4 in response to the BNH IDB comments. These measures would also apply to ordinary watercourses in the areas managed by the LLFA, ERYC. Following these updates at Deadline 4 the Applicants have received no further comments from the BNH IDB and consider these matters agreed.</p> <p>There are no outstanding issues on Hydrology, hydrogeology and Flooding with the ERYC, as detailed in SoCG ERYC (Revision 3) [Document ref: 9.2].</p>	
Landscape and Visual (Onshore)	Visual impacts of construction and operation from works in the Onshore Substation Zone	<p>ERYC</p> <p>Rowley Parish Council [RR-048]</p> <p>Public Relevant Reps: RR-060, RR-050, RR-063</p>	<p>Request for additional photomontages of the Substation Zone Temporary Construction Compounds, construction lighting plan details and views from the south of the Substation Zone where vegetation has been removed by the Jocks Lodge Development along the A164</p>	<p>A photomontage showing the outline of the Substation Zone temporary construction compounds from View Point (VP) 3 including a fence, 2.4m in height was issued to ERYC at Deadline 1. Chapter 5 Project Description [APP-071] was updated to at Deadline 1 to provide further description of the key equipment and temporary offices (portacabins) that could be located within the Substation Zone Temporary compounds and a photo of an indicative construction compound layout has been included in Appendix C of The Applicants' Responses to January 2025 Action Points (Revision 2) [As-155]. It has been agreed with the ERYC that a construction lighting plan cannot be provided by the Applicants prior to detailed design. The Applicants have added further detail to the OCoCP (Revision 2) [As-094] to explain what would be included in a construction lighting</p>	

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			<p>Queries on the LVIA construction assessment methodology</p> <p>Objection to the Projects based on visual impact from Rowley Parish Council</p>	<p>plan at the detailed design stage. This is in addition to the mitigation measures already included both the OCoCP (Revision 2) [As-094] and OEMP (Revision 3) [AS-114] to control the impacts of construction lighting. Additional photomontages were submitted by the Applicants from the A164 to consider changes in vegetation as a result of the Jock's Lodge Development at Deadline 2, taking account of Project Change Request 2 [AS-152].</p> <p>ERYC have also provided comments on the construction assessment methodology in Chapter 23 Landscape and Visual Impact Assessment [APP-192]. The Applicants have clarified that significant construction effects have been identified for those visual receptors located closest to the Substation Zone and at the Landfall Zone and that construction mitigation relates to the reinstatement of the temporary construction compounds. Following this, the construction effects would be superseded by those identified for the operational phase. Chapter 23 Landscape and Visual Impact Assessment (Revision 2) [REP7-090] was updated at Deadline 7, to remove the reinstatement of the TCC's and the OLMP (Revision 4) [REP4-044] as mitigation and present the construction effects more clearly. Although there would be significant adverse effects at the Landfall Zone during construction they will be reduced to minor adverse and non-significant following reinstatement. Viewpoints within 1km of the construction works at the Substation Zone will experience significance effects until the mitigation planting matures. Construction effects at the Substation Zone will be superseded by the operational effects, which are significant at year 1 for VP's 1-3 and at year 10 for VP 1 and 3 (moderate adverse residual effect). The ERYC were issued a copy of Chapter 23 Landscape and Visual Impact Assessment (Revision 2) [REP7-090] ahead of Deadline 7 and they confirmed there are no further points of disagreement with the ERYC on the LVIA, in the ERYC SoCG (Revision 3) [document reference 9.2] at Deadline 8 and email on the 1st July 2025.</p> <p>The Applicants have provided a response to Rowley Parish Council and the Public Relevant Reps received in the Applicants Response to Relevant Representations [PDA-013] in November, providing further detail on the LVIA undertaken and the proposed mitigation. No further comments have been received since Deadline 4 and the Applicants consider these matters addressed.</p>	
Landscape and Visual (Onshore)	Development of Landscape mitigation post consent	ERYC	<p>SuD's design</p> <p>Adequacy of landscape planting to the North of the Substation Zone</p>	<p>The ERYC have now agreed the SuDs Design based on the updates provided in the Design and Access Statement (Revision 2) [REP2-027], at Deadline 2 and there were no outstanding issues related to SuDS in the ERYC SoCG (Revision 2) [document reference 9.2]. No further comments on SuDs have been received from the ERYC since Deadline 4.</p> <p>Comments have also been raised on the screening plating to the North of the Substation Zone and that this is not providing an adequate level of screening in the VP3 photomontage. This was discussed further at ISH4 . The Applicants agreed on the 27th January to review again. Although the Applicants have also stated any additional planting would not provide additional benefit due to the topography of the land between VP3 and the Substation Zone. At a meeting with Graham Varley and Bill Blackledge (landscape advisor) at the ERYC on the 03/04/2025 the Applicants agreed to seek to provide additional planting wherever possible in this location at the detailed design stage, when the Contractor is appointed. The Applicants added wording to the OLMP [REP2-031] at Deadline 4, to respond to the ISH4 Action point 20. This additional wording was agreed by</p>	

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				email with the ERYC landscape officer on the 1 st July. There are no further points of disagreement with the ERYC on the LVIA, as agreed in the ERYC SoCG (Revision 2) [document reference 9.2] at Deadline 8.	
Landscape and Visual (onshore)	Design and Access Statement	ERYC Rowley Parish Council	Request for consultation of the detailed design and outputs of the Design Panel	<p>The ERYC requested that both themselves and Ward Councillors are consulted on the outputs of the Design Panel Review and this was included in the Design and Access Statement (Revision 2) [REP2-027], at Deadline 2. In addition, it was raised at ISH4 if English Heritage could also be consulted, the Applicants have provided a response to Action point 24 on this in The Applicants' Responses to April 2025 Hearing Action Points [REP4-096] and are awaiting confirmation from Historic England.</p> <p>The ERYC also raised on the 8th April 2025 and at ISH4 that they several points on the design review process:</p> <ul style="list-style-type: none"> Need for the design champion and panel to be independent Request that ERYC are included in drawing up of the terms of reference for the review (or have membership in the panel) <p>In addition to these points, at ISH4 the ERYC said they would require more than 28 days to provide comments on the Design Review Panel report. The Applicants have provided a detailed response to Action point 24 on these points in The Applicants' Responses to April 2025 Hearing Action Points [REP4-096]. Based on relevant guidance the Applicants consider that the Design Champion needs to be appointed from within their organisation, at board level. The Applicants have also not proposed the Design Review Panel is entirely independent as it is intended that at least one suitably qualified professional who has worked on other Offshore Wind Farm projects within the Applicants organisation, would form part of the Design Review Panel. However, a commitment has been made to an independent architect to also be appointed to the Design Review Panel, in addition to the independent landscape architect already committed to. It is crucial that the design panel has a member(s) with '<i>suitable experience in the design and build of electrical infrastructure</i>' so they can provide constructive feedback on Projects of this scale and type. The Applicants have also agreed to consult the ERYC on the terms of reference guide. Following a meeting on the 18th June, the Applicants confirmed that the ERYC would be consulted on the Terms of Reference documents for the design review process, including a programme and that the 28 day review period for any design review panel outputs would start following a meeting to present the outcomes to all stakeholders. The Applicants updated the Design and Access Statement (Revision 3) (Revision 3) [REP7-103] at Deadline 7 to add this additional detail and the ERYC have agreed the wording in the DAS as detailed in the ERYC SoCG (Revision 3) [document reference 9.2].</p>	
Landscape and Visual (onshore)	Viewpoints from Butt Farm Caravan and Campsite	Butt Farm Caravan and Campsite ERYC.	Seeking an additional view point from Butt Farm Caravan and Campsite Winter leaf cover on VP1	At Deadline 4 The Applicants received a request for an additional viewpoint and photomontage from Butt Farm Caravan and Campsite. This was discussed further with the tenant and the Applicants agreed to be submitted at Deadline 7. This was not included in the LVIA as Viewpoint 1 is already included and is publicly accessible, representative and has been agreed with the ERYC. It was added to Chapter 29 – Tourism and Recreation (Revision 2) REP6-033] in the Chapter 29 - Tourism and Recreation Figure 29-1 to Figure 29-2 (Revision 2) [REP6-035], at Deadline 6, to support the conclusions of the impact assessment on Butt Farm Caravan and Campsite as a tourism receptor. Chapter 29 – Tourism and Recreation (Revision 2) REP6-033] was also updated at	

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				<p>Deadline 6 to include an additional significant adverse effect on noise at night. However, it was noted in that chapter that night works would be limited and must be agreed with the ERYC in advance. The campsite operator would also be regularly updated with the construction programme and commercially compensated, where required through separate commercial agreement. Although this was not relied upon as additional mitigation.</p> <p>The leaf coverage within Figure 23-7e (Viewpoint 1: Butt Farm) [document reference 7.23.1] was reduced to be more representative of winter tree cover following comments from Butt Farm Caravan and Campsite at ISH4 and the ERYC at Deadline 3. An updated visualisation was submitted at Deadline 4. At the meeting on the 18th June 2025, the ERYC commented that this photomontage may still underestimate the screening provided by the landscaping for the Projects, however it was agreed with the Applicants that the photomontages were indicative and it was better to be more conservative in this matter. There are no further points of disagreement with the ERYC on the LVIA, as agreed in the ERYC SoCG (Revision 2) [document reference 9.2] at Deadline 8.</p>	
Land Use (onshore)	Minimum cable burial depth below agricultural land	East Yorkshire Concrete Products Limited and Mr Alexander Douglas Robinson	Seeking a commitment to a minimum burial depth and maintained at the as built depth for the operational life of the projects	<p>The minimum depth, below agricultural land would be 1.1m between the restored surface and the uppermost part of the proposed cable duct and 0.9m between the restored surface and the protective tile to align with the wording in the Deed of Grant. The Applicants have updated the OCoCP (Revision 5) [REP7-105], Chapter 5 Project Description (Revision 4) [REP7-032] and the DAS (Revision 3) [REP7-103] at Deadline 7 to confirm that the cables would be installed a design depth of 1.2m below the subsoil level. This allows for variation in the thickness of topsoil, which ranges from 0 to 400mm. The minimum depths included in the Deed of Grant have also been added to these documents, to secure them through Requirement 19 in the Draft DCO (Revision 11) [document reference 3.1].</p> <p>Wording has been added to the OCoCP (Revision 5) [REP7-105] to confirm that Land interests will be provided with as built drawings of the Project(s) final design once all construction works are complete to accompany the Deed of Grant. Wording has also been added on the operation and management of the cable in the OCoCP (Revision 5) [REP7-105] and the Outline Drainage Strategy (Revision 3) [REP7-109] to confirm the OFTO would be responsible for the repair of the cable ducts or drainage should it be reported by a landowner or identified in routine inspection and attributable to the Projects.</p> <p>The Applicants consider with these updates to the documents above and all matters relating to cable depth have been addressed. However, East Yorkshire Concrete have not agreed this matter.</p>	
Land Use (onshore)	Temporary Construction Impacts (agricultural land use)	East Yorkshire Concrete Products Limited and Mr Alexander Douglas Robinson	<p>Length of Occupation of the Onshore Export Cable Corridor/Easement Corridor and Management of Corridor during occupation and works;</p> <p>Damage to Soil Quality/Health and Poor Reinstatement of Land to former agricultural condition; and</p>	<p>Comments were received in written representations from East Yorkshire Concrete Products Limited and Mr Alexander Douglas Robinson. The Applicants responded at Deadline 2 and discussed the points raised by Mr.Stones (the land agent representing East Yorkshire Concrete Products Limited) at ISH4. Further clarification has been provided in section 4 of the The Applicants' Responses to April 2025 Hearing Action Points [document reference: 14.11]., at Deadline 4.</p> <p>The Applicants have confirmed that land between Jointing Bays will be reinstated within two years and that where that is not possible i.e for the Jointing Bays and approximately</p>	

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			Impact of the Project on the businesses of the Interested Parties.	50% of the TCC's and haul road, land will not be occupied if it is no longer needed and will be reinstated at the end of construction period. This would be 4-6 years in a worst-case sequential scenario, as per Requite 25 of the draft DCO (Revision 11) [document reference: 3.1]. The Applicants have also cited in all responses to East Yorkshire Concrete Products at Deadline 5, 6 and 7 that the soil will be reinstated in accordance with the Outline Soil Management Plan in Appendix A of the Outline Code of Construction Practice (Revision 5) [REP7-105], which is secured through Requirement 19 of the Draft DCO (Revision 11) [document reference 3.1] and the schedule of condition, subject to landowner agreement following reinstatement. The Applicants consider all matters relating to length of occupation and reinstatement have been addressed. However, East Yorkshire Concrete have not agreed this matter.	
Land Use (onshore)	Temporary Construction Impacts (agricultural land use)	Albanwise Limited Albanwise Synergy Limited	Efficient use of the land; and Impact on farming operations	Comments were received in written representations and at Deadline 4 and 6 from Albanwise Limited an Albanwise Synergy Limited, to which the Applicants have responded. In addition, Chapter 21 Land Use (Revision 3) [REP5-022] has been updated, at Deadline 6 to increase the significance of effect on the temporary loss of agricultural land during construction to major adverse. This is to reflect that the amount of land potentially unavailable for 4-6 years is greater than 20ha. Where land is permanently occupied at the Substation Zone and in places severed due to the access road Chapter 21 already identified a major adverse effect, at submission. The landowner will be financially compensated through a separate commercial agreement with Albanwise, which is still being negotiated and may not be resolved prior to the end of examination. Therefore, although the Applicants consider this issue has been addressed, it is unagreed at Deadline 8.	
Geology and Ground Conditions (onshore)	Mineral Safeguarding	East Yorkshire Concrete Products Limited, Mr AD Robinson, Mr M W Mewburn and Mr J Mewburn	Mineral Safeguarding and future planning applications for extraction in the vicinity of the Projects	Mr Oliver Stones raised the issue of Mineral Safeguarding and potential future planning applications for extraction at ISH4. The Applicants accept that the land owned by Mr Stones client may have some mineral potential and that the Projects may sterilise its extraction. The Applicants have proposed a Mines and Minerals Clause to be included in the legally binding Option and Deed of Grant, allowing for the loss in mineral value to be recovered once planning consent has been granted for mineral extraction in the future and a reasonable prospect of intent to excavate established. However, as detailed in the East Yorkshire Concrete Products Limited, Mr AD Robinson, Mr M W Mewburn and Mr J Mewburn response at Deadline 7 [REP7-145] this remains not agreed at Deadline 8.	
Infrastructure and Other Users	Potential for wake effects upon existing offshore wind farms	The Projects (Dogger Bank A, Dogger Bank B, Dogger Bank C) Hornsea 3 Limited Hornsea 4 Limited	Interested Parties have raised the potential for Wake Effects to arise from the operation of the Dogger Bank South Projects and have requested wake effects assessments to be undertaken to understand the impacts of the Projects to their Annual Energy Production (AEP)	The Applicants provided response to Relevant Representations made in this regard by The Projects, Hornsea 3 Limited, and Hornsea 4 Limited in The Applicants' Response to Relevant Representations [PDA-013]. The Applicants provided an updated position at ISH2 on 15 th January as they consider that neither NPS nor the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require an assessment of wake effects. A more detailed version is provided in the written summary (Applicants' Written Summaries of Oral Submissions made at CAH1, ISH1 and ISH2 [REP1-049]) at Deadline 1.	

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				<p>During ISH3, the Applicants maintained the position that neither NPS nor the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require an assessment of wake effects and that wake effects are not a matter that should be dealt with in the planning system. The Applicants were requested to provide further information by the Examining Authority during ISH3 in respect of the Applicants' withdrawn wake assessment conclusion previously referred to in Chapter 16 in relation to Dogger Bank A. At the strong indication of the risk of further delay to the Examination by the ExA, the Applicants provided a response to the questions raised by the ExA at ISH3 in respect of the Applicants' withdrawn wake assessment at Deadline 4 in Wake Effects - Response to Issue Specific Hearing 3 (ISH3) Action Points [REP4-099]. This was done on a "without prejudice" basis. The Applicants' proposed submission refers to the results of the withdrawn wake assessment for DBA and responses to ExA's questions taking into account the commercially confidential nature of the assessment.</p> <p>The Applicants submitted a wake assessment for DBB, DBC, and Hornsea Projects 1 to 4 prior to ISH6 [AS-179]. The Projcos submitted values of AEP loss at Deadline 4 [REP4-117] and a wake assessment at Deadline 5 [REP5-070]. Both parties met in June 2025 to discuss the differences in the results of their wake assessments but the AEP loss has not been agreed.</p> <p>The Ørsted IPs did not submit a wake assessment and have accepted the figures presented the Applicants in [AS-179]. The Ørsted IPs withdrew their wake loss objections for Race Bank, Lincs, and Westernmost Rough at At ISH6 and in REP6-085 upon review of the Applicants' wake assessment. The Ørsted IPs also withdrew their wake objection for Hornsea 4 further to the announcement from Ørsted that the Hornsea Four Offshore Wind Farm was to be discontinued in its current form.</p> <p>The Applicants have also submitted two documents [REP4-095 and REP5-034] into examination that provide an assessment of the impacts of the Projects on GHG emissions when including potential wake effects on other projects. These assessments have now been incorporated into the update of Chapter 30 – Climate Change [REP6-036] submitted at Deadline 6. The assessments concluded that the impact of wake loss on other existing or emerging projects would still be marginal in the context of total energy generation and emissions displacement and that the Projects will make a significant contribution to reducing UK GHG emissions.</p> <p>The Applicants consider the resolution to this issue is for the Interested Parties to accept that the question of wake effects was resolved through TCE's Round 4 leasing process and the 7.5km buffer which was fixed. This approach has been generally accepted by the offshore wind sector, until the wholly unexpected outcome of the Awel y Mor decision. New projects should continue to be designed to achieve the maximum AEP, if they have respected TCE's buffer.</p> <p>It is the Applicants' position that a requirement would be unnecessary to make the development acceptable in planning terms, and wholly unreasonable. The Applicants do not consider there are any acceptable design solutions which would resolve the concerns regarding wake loss or mitigate for any potential impacts. Any theoretical mitigation options would reduce the overall AEP in aggregate, therefore any mitigation imposed would have a significantly more detrimental impact on the energy generation from the</p>	

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				<p>Projects than any benefit that may be accrued by the Projcos, leading to an overall net reduction in AEP.</p> <p>The Applicants' position is that the draft NPS concludes that financial compensation is not appropriate in the circumstances of offshore wind farm projects and wake effects, and that future applicants need only consider design mitigation matters which the Applicants have considered in AS-179. The Applicants do not consider financial compensation is justified or appropriate nor do they agree with the quantum of impact presented by the Ørsted IPs or the Projcos.</p> <p>Whilst the Projcos and Ørsted IPs have submitted Protective Provisions, the Applicants do not consider it necessary that wake effects be managed post consent via P. Financial compensation is not justified or appropriate. The Applicants are therefore not providing draft PPs. The PPs proposed by the Projcos and the Ørsted IPs are completely unreasonable and unworkable. If imposed by the SoS they would be unlawful as failing the <i>Wednesbury</i> test.</p>	
Marine Ecology	Effects on benthic habitats at Dogger Bank SAC	Natural England	Concerns raised that assessment of construction effects in the RIAA concludes disturbance as a temporary effect.	<p>While the Applicants RIAA [AS-051] concludes no adverse effects on integrity (AEOI) for disturbance impacts due to the temporary nature of such effects on the Dogger Bank SAC, impact figures for this pressure are provided on a without-prejudice basis in Appendix 3 - Project Level Dogger Bank Compensation Plan (Revision 3) [REP4-028]. The compensatory measure being progressed by the Applicants is strategic designation or extension of a new or existing MPA, to be delivered via the Marine Recovery Fund (MRF). The Applicants have responded to a call for information in relation to this strategic measure, and provided impacts related to both habitat loss and disturbance. While the Applicants do not agree with the conclusions of the Round 4 Plan Level RIAA, they are confident that this compensatory measure can sufficiently offset the impacts as decided by the Secretary of State where necessary.</p> <p>The Applicants have submitted a document entitled Review of Evidence on Recovery of Sandbank Habitat Following Habitat Damage [AS-025] which addresses several comments raised by Natural England in their Relevant Representations [RR-039] by providing site specific evidence of habitat recovery within Dogger Bank SAC and provides evidence towards DBS proposals for compensation quantum currently outlined in the Project Level Dogger Bank Compensation Plan [APP-059]. This document has been updated and was re-submitted at Deadline 3 [REP3-021]. Further discussions have been undertaken through correspondence and in meetings, however, disagreement ultimately remains in terms of a number of issues relating to impacts on the Dogger Bank SAC and its potential for recovery, including the issue of halo effects and the potential recoverability of the SAC.</p> <p>Appendix 3 - Project Level Dogger Bank Compensation Plan (Revision 4) [REP7-020] was updated on 26th June 2025 to include a without prejudice cases for inclusion of the halo effect and other unagreed impacts.</p> <p>Further matters, including, but not limited to the use and location of remedial cable protection and the future licensing there-of, disturbance of the SAC and the need for compensation and the disposal of dredged material within and out with the SAC remain unagreed and, in some area, for further discussion post-consent.</p>	

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Fish and Shellfish Ecology	Data used to inform assessment	Marine Management Organisation Natural England	Concerns that data used to inform the assessment of the impact of the development on sandeel and herring was not the most appropriate dataset to use for assessment.	<p>The Heat Mapping Report: Atlantic Herring and Sandeel [AS-105] was submitted on the 28th November which included an update from the Latto <i>et al.</i> (2013) methodology to the Reach <i>et al.</i> (2024) methodology for sandeel; and the Reach <i>et al.</i> (2013) methodology to the Kyle-Henney <i>et al.</i> (2024) methodology for Atlantic herring as requested. This report was prepared in response to relevant representations received from MMO and Natural England. Feedback was received from Natural England at Deadline 3 welcoming this document and deferring to Cefas for their comments on the technical adequacy of the document. Feedback has been received from MMO (Cefas).</p> <p>Since this time, the Applicants have undertaken a great deal of further work relating to fish and shellfish during the course of Examination and have provided detailed response to the representations of interested parties as well as a number of document updates, including updates to the Environmental Statement chapter. A condition has been included in the Draft DCO to restrict certain works along the Offshore Export Cable Corridor during the spawning season of the Banks herring population. However, despite the efforts of the Applicants a number of issues raised by MMO and Natural England remain unresolved and / or subject to further discussion. Updates to Interested Parties' positions at Deadline 9 could resolve a number of these matters, but it is unlikely that all issues will be resolved at the close of Examination.</p>	
Fish and Shellfish Ecology and Marine Mammals	Potential effects on marine ecology from underwater noise during construction	Marine Management Organisation Lincolnshire Wildlife Trust Natural England The Wildlife Trusts	<p>Concern raised by stakeholders regarding potential noise impacts on Herring spawning grounds near Flamborough Head and requests for additional seasonal restrictions upon certain construction activities.</p> <p>Concerns raised by stakeholders regarding potential impacts on marine mammals from underwater noise during piling. Stakeholders advise that noise abatement systems are committed to as a mitigation measure at this stage to minimise the impacts from piling.</p>	<p>Project Change Request 1 [As-141] greatly reduced the geographical footprint of impacts as a result of the removal of the platform from the Export Cable Corridor. The impacts of noise on herring have been assessed as minor adverse and not significant in Environmental Impact Assessment terms. Thus, no further mitigation is proposed. However, the Applicants acknowledge the concerns of Interested Parties in relation to this matter and have brought for a seasonal piling restriction on a without prejudice basis which has been included in the Draft DCO. The wording of this restriction has been agreed with MMO and Natural England. The Applicants await sight of formal comments on their without prejudice proposals at Deadline 8. The issued continues to be further discussed, but given the potentially grave consequences of the restriction for the Projects and the limited evidence base for the requirement of a restriction, this is a matter that is likely to be left for resolution by the Secretary of State's decision.</p> <p>The Applicants have amended the condition wording regarding the Marine Mammal Mitigation Protocol at Deadline 7 to include details of noise reduction methods through project design (primary measures) and/or deployment of noise mitigation systems or noise abatement systems (secondary measures) that will be utilised to manage sounds from piling activities in order to prevent injury to marine mammals. The wording was agreed with Natural England and MMO and has resolved all matters not agreed that were material related to marine mammals.</p>	
Offshore Ornithology	Assessment methodology for offshore ornithology receptors	Natural England RSPB	Concerns from stakeholders that the assessment of offshore ornithology in the Environmental Statement and Report to Inform Appropriate Assessment (RIAA) at application stage did not capture the latest NE Guidance	In response to a request from Natural England in Relevant Representations [RR-039] the ornithological assessment was updated in line with revised guidance from Natural England (March 2024) on impact calculations. As a result a - RIAA HRA Part 4 of 4 – Marine Ornithological Features (Revision 3) [As-o85] and Chapter 12 Offshore Ornithology (Revision 2) [AS-058] were provided to the Planning Inspectorate (PINS) on 25/11/24 and 22/11/24 respectively. Kittiwake, guillemot and razorbill compensation quantum figures were updated and provided to PINS in the Project Level Kittiwake	

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			(March 2024), or other methodology requests.	<p>Compensation Plan (Revision 3) [AS-088] and Guillemot [and Razorbill] Compensation Plan [AS-089], on 25 November 2024. Both these documents [reference 6.2.1 and 6.2.2 respectively] have been updated at deadline 4 to provide the compensation figures at the ratios specifically requested by Natural England for both species.</p> <p>Natural England welcomed the significant efforts made by the Applicants to address concerns raised by Natural England in their Relevant Representation, with a large proportion of issues now resolved. The Applicants submitted an updated RIAA HRA Part 4 of 4 – Marine Ornithological Features (Revision 4) [document reference: 6.1] and Chapter 12 Offshore Ornithology (Revision 3) [document reference: 7.12] at Deadline 4 and Deadline 6 as well as updated PVAs [REP6-018] to address outstanding concerns from Natural England.</p> <p>It should be noted that Natural England and RSPB approaches to methodology are not fully aligned, and where there is discrepancy, the Applicants have deferred to the Natural England guidance as the statutory nature conservation body. Despite this, the RSPB's letter of 16/12/24 [AS-128] stated that for the offshore ornithology impact predictions: 'based on the information provided to date, we consider it is probable that sufficient information to assess the effects of the Dogger Bank South offshore wind farm proposal will be available within the 6-month examination period'.</p>	
Traffic and Transport	Outline Construction Traffic Management Plan	Hull City Council ERYC	<p>Hull City Council have expressed concerns regarding the wording of DCO Requirement 14 (Construction Traffic Management Plan) and that it leaves room for interpretation as to which matters within the CTMP Hull City Council should be consulted upon.</p> <p>ERYC raised concerns in their response to ExAQ2 regarding the wording with regards to Travel Plan measures within the OCTMP.</p>	<p>In order to address Hull City Council's outstanding concerns the Applicants amended the Outline CTMP (Revision 3) [REP4-046] at Deadline 4 to include Table 1-2 which clearly sets out which elements of the final CTMP Hull City Council Highways will be consulted upon. The Applicants continued to engage with Hull City Council since Deadline 4 and agreed mutually acceptable revised wording for Requirement 14, which is included in the Draft DCO (Revision 9) submitted into the Examination at Deadline 6 [REP6-003]. Hull City Council have now confirmed that all matters relating to Traffic and Transport are now agreed, as reflected in the SoCG (Revision 3) [document ref 9.5] between the Applicants and Hull City Council, as submitted at Deadline 8.</p> <p>The ExA raised a query to ERYC in The Examining Authority's Second Written Questions (PD-021) regarding the sufficiency of Travel Planning measures in the Applicants' Outline CTMP [REP4-046] TT2.4. Subsequent to this question, and ERYC's response [REP5-045] the Applicants and ERYC have discussed and agreed strengthened wording relating to Travel Plan measures within the Outline CTMP (Revision 4) [REP6-042] submitted at Deadline 6. ERYC's confirmation of agreement on this matter is provided in the SoCG (Revision 3) [document reference 9.2] between the Applicants and ERYC, as submitted at Deadline 8.</p> <p>All matters relating to Traffic and Transport are now agreed with stakeholders at Deadline 8.</p>	
Protective Provisions		National Grid Electricity Transmission	The Applicants strongly disagree with NGET's position that the Applicants' preferred protective provisions mean that there will be a serious detriment to NGET's undertaking or future assets	<p>The Applicants have sought to resolve concerns raised by NGET through ongoing discussions on the form of protective provisions and side agreement to be agreed. The Applicants have considered the points raised during negotiation and through representations and consider that the protective provisions included in favour of NGET in the Draft DCO (Revision 11) [document reference 3.1] are comprehensive and ensure that NGET's existing interests are adequately protected given the extent of the</p>	

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				<p>interaction between the Projects and NGET assets but the Applicants feel that NGET's preferred protective provisions go too far in seeking protection for future assets that NGET are yet to consent or hold land rights for.</p> <p>Frequent meetings have been held with NGET that have identified potential project interfaces and the Applicants on 30 July 2025 offered a solution as to how it considers these could be satisfactorily managed for both parties. The intention in doing so is that once agreed, the mechanism for resolution can be recorded in a suitable agreement with the intended purpose of providing assurance to both parties as to how any interfaces and potential conflicts arising out of those interfaces will be resolved, unless otherwise agreed between the parties, including the new infrastructure project teams for the proposed North Humber to High Marnham overhead line, Birkhill Wood Substation and Wanlass Beck Substation extension, to discuss project interactions and coordination.</p> <p>The Applicants do not accept that there is any serious detriment to NGET's undertaking if these protective provisions are included in the final DCO and this is further set out within the Applicants' case under section 127 and 138 submission at Deadline 8.</p>	
Protective Provisions		Network Rail	Network Rail objects to the compulsory acquisition of rights across its property.	<p>In order to resolve concerns relating to compulsory powers, the Applicants have been in negotiations with Network Rail since 2023, with Heads of Terms agreed in August 2024 for an Option Agreement and Deed of Easement ('the Property Agreements'). Despite constructive negotiations, and whilst the majority of matters are agreed, there remain key points of disagreement relating to clauses within the Property Agreements as set out in the Applicants' responses to Deadline 6 Documents (document reference 17.4), principally relating to Network Rail having the ability to terminate the Option Agreement and an obligation on the Applicants to cease supply from the wind farm if Network Rail are undertaking works to the railway. The outstanding points of disagreement in relation to protective provisions are set out within the Applicants' Section 127 and 138 case – Statutory Undertakers [document reference 18.4] submission at Deadline 8.</p> <p>In the absence of agreement the Applicants must seek the authorisation of compulsory acquisition powers. No substantive case has been mounted by Network Rail that the proposed acquisition of rights would cause serious detriment to Network Rail's undertaking for the purposes of Section 127 of the Planning Act 2008, moreover Network Rail's asset protection team has confirmed that they do not foresee any emergency or maintenance requirements for future Network Rail works going deeper than 5m below ground and the Applicants submit that its proposed form of Protective Provisions provides the appropriate protection for Network Rail's undertaking such that there will not be any serious detriment caused by the proposed acquisition of land and rights from Network Rail.</p>	
Protective Provisions		National Gas	National Gas Transmission objects to omission of 'acceptable security' provisions, the use of compulsory powers across land in which it holds an interest without its approval, timescales for approval, the amendment of the definition of	<p>The Applicants have sought to resolve concerns raised by NGT through ongoing discussions on the form of protective provisions to be agreed.</p> <p>The Applicants have considered their points raised during negotiation and through representations and consider that the protective provisions included in favour of NGT in the Draft DCO (Revision 11) [document reference 3.1] are comprehensive and ensure that NGT's interests are adequately protected given the extent of the interaction between the Projects and NGT assets and land interests.</p>	

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			authorised works to exclude maintenance, indemnity, expenses and arbitration drafting.	The land rights sought by the Applicants can co-exist without detriment to National Gas, with the authorised works being undertaken by trenchless installation and in accordance with approvals mechanisms contained within the protective provisions included in favour of NGT. The Applicants do not accept that there is any serious detriment to NGT's undertaking if these protective provisions are included in the final DCO and this is further set out within the Applicants' Section 127 and 138 case – Statutory Undertakers [document reference 18.4] submission at Deadline 8.	
Protective Provisions		Northern Powergrid	NPG raised concerns about the form of protective provisions included within the dDCO in relation to the protection of their undertaking	The Applicants have considered NPG's representations and discussed the form or protective provisions. Agreement has now been reached on the form of protective provisions and the Applicants are finalising this agreement to enable NPG to withdraw its representation in the near future.	

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