

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

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**Dogger Bank South Offshore
Wind Farms**

**The Applicants' Response to NatureScot's DESNZ
letter**

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01	December 2025	Request for Information 1	Haskoning	RWE	RWE

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).
Dogger Bank South (DBS) Offshore Wind Farms	The collective name for the two Projects, DBS East and DBS West.
European Site	Sites designated for nature conservation under the Habitats Directive and Birds Directive. This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017.
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.
Special Protection Area (SPA)	Strictly protected sites designated pursuant to Article 4 of the Birds Directive (via the Habitats Regulations) for species listed on Annex I of the Directive and for regularly occurring migratory species
Statutory Nature Conservation Bodies (SNCBs)	Comprised of JNCC, Natural Resources Wales, Department of Agriculture, Environment and Rural Affairs/Northern Ireland Environment Agency, Natural England and Scottish Natural Heritage, these agencies provide advice in relation to nature conservation to government
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
DCO	Development Consent Order
DEFRA	Department for Environment, Food & Rural Affairs
DESNZ	Department for Energy Security and Net Zero
GCSG	Guillemot Compensation Steering Group
MRF	Marine Recovery Fund
RFI	Request for Information
rUK	Remainder of the UK
SNCB	Statutory Nature Conservation Body
SPA	Special Protection Area

1.1 The Applicants' Response to NatureScot's DESNZ letter

Table 1-1 The Applicants' Response to NatureScot's DESNZ letter

I.D.	Request for Information	Applicants' Response
1	<p>Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd ("the Applicants") for an Order granting Development Consent for the proposed Dogger Bank South Offshore Wind Farms ("the Proposed Development")</p> <p>We understand the Planning Inspectorate's Examining Authority has considered the proposed Dogger Bank South Offshore Windfarm and produced a recommendation to inform your own determination process.</p> <p>The proposal includes a derogation case, and a package of compensation measures, aimed at addressing impacts to guillemot and razorbill populations from Flamborough and Filey Coast Special Protection Area (SPA) and Farne Island SPA, both located in England. The proposed compensation measures are to be delivered in Scotland, on the basis that the applicant has failed to secure compensation measures in England, Wales and Northern Ireland. We understand that current DESNZ guidance prevents the applicant from participating in strategic compensation schemes, such as the Isles of Scilly Strategic scheme.</p> <p>Due to an ongoing and increasing high caseload of marine energy projects in Scottish waters NatureScot has a limited capacity to engage with casework elsewhere in the UK. However, we offer the following comments for your consideration of the proposed compensation measures.</p>	<p>The Isles of Scilly was identified as the only suitable location from the initial shortlisted sites outside Scotland, however this can only be progressed via a collaborative / strategic route, which the current guidance prevents the Applicants' from relying solely upon.</p> <p>Having considered and ruled out all potential project-led sites on the initial shortlist which focused on sites in England, Wales and Northern Ireland, the Applicants are now progressing potential sites in Scotland, with two schemes, one in the Outer Hebrides and one in Shetland, being progressed for further assessment.</p> <p>The Applicants highlight that the National Site Network is UK-wide and targets for climate change and Net Zero are likewise UK-wide. The Sheringham and Dudgeon Extensions and recently consented the Morecambe Offshore Windfarms have both been consented on the basis of compensation measures within Scotland.</p>
2	<p>NatureScot comments on the proposed Dogger Bank South compensation measures located in Scotland</p> <p>We are aware of, and have had, some preliminary discussions with the applicants in respect of guillemot and razorbill compensation on a without prejudice basis, focussed on predator eradication which is the only measure set out for auk species in DEFRA's Library of Compensation Measures.</p> <p>The detail of the compensation measures is under development and the applicant has carried out initial survey work as well as identifying relevant landowners. The measures currently being proposed have a geographical focus in Scotland with a particular emphasis on the Outer Hebrides, plus a single site in Shetland.</p>	<p>The Applicants have provided a detailed update on the project-led locations for predator eradication within the Guillemot and Razorbill Compensation Update (document reference 22.8) submitted in response to this Request for Information (RFI). NatureScot were provided with an extract of this document, relevant to the progress on the Scottish sites and were offered an opportunity to discuss. The Applicants appreciate the resourcing limitations particularly for projects outside of Scotland.</p>
	<p>While we welcome the detailed habitat identification and suitability assessment work that has been carried out, this proposal raises significant issues.</p> <p>Currently there is no strategic consideration being given to the delivery of compensation measures and how this might affect existing conservation management to fit in with the UK site network management vision. Neither is strategic consideration being given to delivery of compensation measures as part of the Sectoral Marine Plan for Offshore Wind in Scottish Waters.</p> <p>We are not aware that Scottish Government have been consulted on any proposals from rUK windfarms looking to deliver compensation measures in Scotland and we consider this is an aspect that must be urgently addressed. Whilst NatureScot can advise on the ecological aspect of compensation measures, the overarching responsibility for the UK site network rests with Government(s) as does the emerging process under the Energy Act 2023 for changes to the Habitats Regulations Appraisal process. Given the differing jurisdictions we consider it important for Scottish Government to be involved in discussions around proposals such as these.</p>	<p>The Applicants thank NatureScot for acknowledging the detailed habitat identification and suitability assessment work that the Applicants have carried out</p> <p>The Applicants cannot comment on wider issues of engagement and cooperation with regard to strategic compensation between jurisdictions. However, note that recent Department for Environment, Food & Rural Affairs (Defra) consultation on the Marine Recovery Fund (MRF) and the environmental compensatory measures reforms highlights that UK and devolved governments are working towards a consistent approach to compensation.</p> <p>With regard to the Applicants' proposals, the Applicants' site selection process specifically avoided locations that were within or adjacent to designated sites to avoid any conflict with existing or potential management of those sites. The sites presented in the Guillemot and Razorbill Compensation Update (document reference 22.8) are in private ownership and therefore the Applicants do not consider that there is any requirement for the involvement of Scottish Government other than for information purposes.</p>

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3	<p>In terms of monitoring success, there are several aspects around this we wish to raise:</p> <ul style="list-style-type: none"> Monitoring of implementing agreed measures i.e. are the actions carried out as agreed within any final derogation plan; Monitoring of efficacy and success – this is different to the above and relates to the proposition that the measures will increase productivity of guillemot and razorbill during breeding; and Monitoring of impacts on nearby SPAs – in our view the possibility of negative impacts to nearby SPAs has not adequately been considered. By implementing measures for guillemot and razorbill outside of the European site network - it is possible that unintended shifts in distribution, or population decline, of birds within SPAs may occur. <p>For each of the above aspects monitoring should be carried out based on agreement with both ourselves and Natural England for the period from consent to decommissioning of the windfarm, if consented. Also, the UK National site network and individual sites designated with guillemot and razorbill as a feature are not monitored annually, but on a more cyclical basis, we advise that monitoring of efficacy and success will need to be tied into the cycle of site condition monitoring.</p>	<p>Monitoring and adaptive management proposals are included in The Outline Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan (Revision 4) [document reference 6.2.2.1] and Guillemot [and Razorbill] Compensation Plan (Revision 8) [document reference 6.2.2] which have been updated in line with the Guillemot and Razorbill Compensation Update (document reference 22.8). Schedule 18 of the Draft Development Consent Order (DCO) (Revision 13) [document reference 3.1] also secures approval of the final Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan post-consent, which must include "details of the proposed ongoing monitoring and reporting on the effectiveness of the measures, including: survey methods; success criteria; adaptive management measures; timescales for the monitoring and monitoring reports to be delivered; details of the maintenance schedule for the measures (if any) and details of the mechanism to determine the need for any alternative compensation measures and/or adaptive management measure." Site specific considerations for monitoring and success are covered in Table 2 of the Guillemot and Razorbill Compensation Update (document reference 22.8).</p> <p>Figure 3 of the Guillemot and Razorbill Compensation Update (document reference 22.8) shows the roadmap for development of a project-led scheme and shows that monitoring and adaptive management will be developed as part of the Eradication Planning phase. As stated in the Outline Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan (Revision 4) [document reference 6.2.2.1], post-consent a Guillemot Compensation Steering Group (GCSG), consisting of relevant stakeholders, will be formed in accordance with the DCO. The detailed implementation and monitoring of the compensatory measures will be agreed with the Steering Group. The Draft DCO (Revision 13) [document reference 3.1] secures that the steering group must have within its membership the relevant statutory nature conservation body and so if the project-led measures were being delivered in Scotland, this would include NatureScot.</p>
4	<p>At this stage we consider there is still significant detail to be provided on a derogation case with a plan of compensation measures for guillemot and razorbill, (if it is ascertained there is an adverse effect on guillemot and razorbill from the above mentioned SPAs from this offshore wind proposal), including site selection, predator management actions, monitoring arrangements and any adaptive management measures. We also provide some more fundamental thoughts around cross border compensation considerations below.</p>	<p>It is standard that compensation measures will be in development at the time of consent, although the Applicants would highlight that considerable progress has already been made on the matters highlighted, including identification of site(s), establishment of a roadmap setting out predator management actions and proposals have been made for monitoring and adaptive management. It is worth noting that offshore wind farm projects in Scottish waters, such as Berwick Bank and West of Orkney, have recently been consented with reliance being placed on suspensive conditions to secure a compensation scheme, where the details of that scheme have not been fully known at the point of consent. This allows further data gathering and discussion and agreement of such things as monitoring requirements which NatureScot typically request, post consent. The Applicants' have proposed a suspensive condition in the Draft DCO (Revision 13) [document reference 3.1], which would allow this further data gathering and dialogue to be progressed post consent. This is further expended upon in The Applicants' Position on Compliance with Legal and Policy Requirements for Compensatory Measures (document reference 22.3) provided at this deadline.</p>
5	<p>Finally, we highlight the restrictions introduced by the DEFRA Guidance which is appearing to lead to delays in the commencement of compensation delivery schemes such as the Isles of Scilly Scheme and the availability for developers currently going through the planning process to contribute to such schemes.</p>	<p>The Applicants highlight that they have played an active part in helping to facilitate strategic compensation and have undertaken considerable work in support of the Isle of Scilly option (see Guillemot [and Razorbill] Compensation Plan (Revision 8) [document reference 6.2.2])</p>
6	<p>Wider comments on cross-border compensation measures</p> <p>This case and others where there are proposals for cross border compensation measures – raise some fundamental questions, which NatureScot advise require further consideration by UK competent authorities as well as the SNCBs. These include:</p>	<p>The Applicants have considered NatureScot's comments and addressed them below.</p>

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7	<ul style="list-style-type: none"> Removal of compensation and/ or mitigation opportunities for projects within the receiving jurisdiction, including for other industries etc. 	<p>Having considered and ruled out all potential project-led sites on the initial shortlist which focused on sites in England, Wales and Northern Ireland, the Applicants are now progressing potential sites in Scotland.</p> <p>For the Scottish sites, the Applicants have avoided areas where any publicly-known compensation schemes are planned and have avoided designated sites as these could be subject to management intervention that may be proposed by current Scottish initiatives (including Scottish Government's Portfolio of Compensatory Measures for Seabirds Project). In this way, the Applicants have minimised as far as possible any potential conflicts with Scottish requirements, but highlight that the National Site Network is UK-wide and targets for climate change and Net Zero are likewise UK-wide. The Sheringham and Dudgeon Extensions and the Morecambe Offshore Windfarms have both been consented on the basis of compensation measures within Scotland.</p>
8	<ul style="list-style-type: none"> Unintended consequences of implementing compensation measures at a distance from where predicted impacts could occur at an offshore windfarm – these could include impacts to: <ul style="list-style-type: none"> Receiving communities Increased resource demand on the receiving SNCB, including input to the planning process, provision of advice, review of monitoring and analysis and any adaptive management requirements, as well as impacts on the existing European site network and the impacted feature(s) Nearby European sites. 	<p>The Applicants have considered these points</p> <p>Initial engagement with the receiving local communities and landowners in particular has been positive and in favour of an eradication programme. Further detail is provided in Guillemot and Razorbill Compensation Update [document reference 22.8] and Guillemot [and Razorbill] Compensation Plan (Revision 8) [document reference 6.2.2])</p> <ul style="list-style-type: none"> As stated above, the Applicants have selected sites outwith designations which should minimise the requirements for the statutory nature conservation body (SNCB) to engage with the planning process. In terms of ongoing input (e.g. through monitoring or management) it is acknowledged that there are resource implications, but these are a matter for government to resolve between jurisdictions relevant to the National Site Network. It is unclear how the proposals could affect nearby European sites. Measures would only occur within the compensation sites; eradication of predators and any subsequent changes (to birds or habitat) would be localised. It is the aim of the measures to lead to increases in guillemot [and razorbill] numbers which would then be available to contribute to wider populations and the NSN, so any impact would be intentional and positive.
9	<p>How do compensation measures fit into any requirement for community benefit from offshore windfarms? Whilst it is accepted there may be ecological benefits there may consequences for communities.</p> <ul style="list-style-type: none"> Consideration of how receiving community representatives can interact and contribute to the planning process and consideration in real time and not after the event. 	<p>The majority of the islands under consideration in Scotland are uninhabited (with the exception of Out Skerries) although some have grazing or crofting rights.</p> <p>Initial engagement with the receiving local communities and landowners in particular has been positive and in favour of an eradication programme. Further detail is provided in Guillemot and Razorbill Compensation Update [document reference 22.8] and Guillemot [and Razorbill] Compensation Plan (Revision 8) [document reference 6.2.2]. Any opportunities for direct involvement (or employment) of local communities in the measures will be explored</p> <p>Structured stakeholder engagement is likely to include in-person community events and meetings with landowners and tenants, and would be undertaken as part of the eradication planning to be undertaken throughout 2026/2027.</p>

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