

Dated 6 March 2026

**APPLICATION BY RWE RENEWABLES UK DOGGER BANK SOUTH (WEST) LIMITED AND RWE
RENEWABLES UK DOGGER BANK SOUTH (EAST) LIMITED FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE DOGGER BANK SOUTH OFFSHORE WIND FARM
SCHEME**

PLANNING INSPECTORATE REFERENCE NUMBER: EN010125

REGISTRATION IDENTIFICATION NUMBER: 20050123

**RESPONSE TO LETTER FROM SECRETARY OF STATE
submitted on behalf of National Grid Electricity
Transmission plc**

1 Introduction

- 1.1 This submission is made on behalf of National Grid Electricity Transmission plc (**NGET**) in connection with the application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (**Applicant**) for the Dogger Bank South Offshore Wind Farms Development Consent Order (**Order**) to enable the construction of the Dogger Bank South Offshore Wind Farm (**Dogger Bank South Project**).
- 1.2 On 5 February, the Secretary of State issued a letter inviting all interested parties to comment on the post-examination documents submitted by the Applicant. These documents included the Applicants' Response to the Secretary of State's Second Request for Information; at Table 2.5 the Applicant responds to the Secretary of State's request for further information on agreement of protective provisions with NGET (**Applicant's Response**).
- 1.3 This submission responds to the Applicant's Response and provides an update as to the status of the engagement between NGET and the Applicant as referred to in NGET's submissions to the Examination, being:
- (a) Written representation dated 29 January 2025 [**REP1-080**];
 - (b) Written Representation dated 24 April 2025 in response to Rule 17 Letter dated 15 April 2025 [**REP4-111**];
 - (c) Written representation dated 23 May 2025 [**REP5-064**];
 - (d) Written representation dated 13 June 2025 (including response to Rule 17 Letter dated 9 June 2025) [**REP6-067**] (**NGET's D6 Submission**);
 - (e) Written representation dated 25 June 2025 [**REP7-150**];
 - (f) Closing statement dated 3 July 2025 [**REP8-050**];
 - (g) Written representation dated 10 July 2025 [**REP9-027**];
 - (h) Post-Examination submission statement dated 10 October 2025; and
 - (i) Position statement dated 5 December 2025
- (together the **NGET Submissions**).

2 NGET Response to Applicant's Response

- 2.1 The Applicant's Response notes the following:

In their closing submissions [REP8-042] the Applicants noted a number of matters that had not yet been resolved at the close of Examination and were subject to ongoing discussions between the Applicants and the relevant stakeholders (paragraph 7 and section 4 of the Executive Summary).

Since the close of the Examination, the Applicants have held limited engagement with both NGT and NGET without any substantive progress being made. The Applicants would be very much open to further discussions if concessions could be made on both sides to reach agreement.

Given the position between the Parties, it is likely that no separate agreement is to be entered into with either NGT or NGET, and so the Secretary of State will need to determine the appropriate form of protective provisions for the benefit of NGT and NGET.

- 2.2 Following the Secretary of State's decision to extend the determination date for the Order, NGET made contact with the Applicant on 14 January 2026 to recommence negotiation of the protective provisions. Negotiations had stalled following failure to reach an agreed position prior to the original determination date a despite the Applicant's suggestion in the Applicant's Response that further discussions were welcome.
- 2.3 NGET made suggested compromises to the Applicant based on further crystallising of the Birkhill Wood and Wanlass Beck projects and the North Humber to High Marnham project to be recorded in a confidential side agreement.¹ NGET maintained the need to include coverage for both 'acceptable insurance' and 'acceptable security' within its protective provisions in the Order (and the arguments justifying this are set out in NGET's Submissions).
- 2.4 On 5 March 2026, the Applicant confirmed to NGET that it would not engage further in negotiations if NGET was unwilling to agree to remove reference to 'acceptable security' in the protective provisions. This position has been adopted by the Applicant throughout the course of the Examination despite overwhelming precedent for inclusion of both 'acceptable security' and 'acceptable insurance' in multiple recently granted development consent orders and NGET's clear justification as to why both are required.
- 2.5 NGET is disappointed that it has not been possible to reach an agreed position with the Applicant but maintains that it is critical that NGET's existing and future infrastructure is protective via the protective provisions that NGET is proposing be included in the final form of the Order (being those at Appendix 1 of NGET's D6 Submission) (**NGET Protective Provisions**), particularly in the absence of agreement with the Applicant.

3 Conclusion

As an agreed position has not been reached with the Applicant, NGET must continue to maintain the position set out in NGET's Submissions and respectfully requests that the NGET Protective Provisions be included in the Order accordingly.

Addleshaw Goddard LLP on behalf of NGET

6 March 2026

¹ A compulsory purchase order for the Birkhill Wood project is currently awaiting determination by the Secretary of State and this is anticipated imminently and a development consent order for the North Humber to High Marnham Project is to be submitted in September 2026).