

# Outer Dowsing Offshore Wind

## The Applicant's Response to the Second All Parties Consultation

### Response to the Second All Parties Consultation

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## Acronyms & Definitions

### Abbreviations / Acronyms

Abbreviation / Acronym	Description
<b>ANS</b>	Artificial Nesting Structure
<b>BTO</b>	British Trust for Ornithology
<b>DCO</b>	Development Consent Order
<b>dML</b>	Deemed Marine Licence
<b>FFC</b>	Flamborough and Filey Coast
<b>IDRBNR</b>	Inner Dowsing, Race Bank and North Ridge
<b>MMO</b>	Marine Management Organisation
<b>ODOW</b>	Outer Dowsing Offshore Wind (the Project)
<b>ORCP</b>	Offshore Reactive Compensation Platform
<b>OWF</b>	Offshore Wind Farm
<b>RFI</b>	Request for Information
<b>RRH</b>	Remote Radar Head
<b>SAC</b>	Special Area of Conservation
<b>UCL</b>	Upper Confidence Level
<b>WCS</b>	Worst Case Scenario

### Terminology

Term	Definition
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation, Total Energies and Gulf Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation (and its affiliates), TotalEnergies and GULF.
Array area	The area offshore within which the generating station (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling will be positioned, including the ORBA.
Baseline	The status of the environment at the time of assessment without the development in place.
Deemed Marine Licence	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
Development Consent Order	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Effect	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of the impact with the sensitivity of the receptor, in accordance with defined significance criteria.

Term	Definition
Impact	An impact to the receiving environment is defined as any change to its baseline condition, either adverse or beneficial.
Intertidal	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS).
Maximum Design Scenario	The project design parameters, or a combination of project design parameters that are likely to result in the greatest potential for change in relation to each impact assessed.
Mitigation	Mitigation measures are commitments made by the Project to reduce and/or eliminate the potential for significant effects to arise as a result of the Project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects.
Offshore Reactive Compensation Platform	A structure attached to the seabed by means of a foundation, with one or more decks (including bird deterrents) housing electrical reactors and switchgear for the purpose of the efficient transfer of power in the course of HVAC transmission by providing reactive compensation.
Outer Dowsing Offshore Wind	The Project.
Wind Turbine Generator	A structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation.

## Reference Documentation

Outer Dowsing Document Number	Planning Inspectorate Document Reference	Title
3.1	C1-016	draft Development Consent Order V13
3.1	n/a	draft Development Consent Order V14
6.1.3	REP5-009	Chapter 3 Project Description
7.7.2.1	C1-029	Outline Guillemot Compensation Implementation and Monitoring Plan
7.7.3.1	C1-026	Outline Razorbill Compensation Implementation and Monitoring Plan
7.7.5	C1-039	Without Prejudice Predator Control Evidence Base and Roadmap
7.7.6	C3-012	Additional Measures for Compensation of Guillemot and Razorbill
8.3	C1-072	Offshore In Principle Monitoring Plan V4 (Tracked)
8.3	C6-009	Offshore In Principle Monitoring Plan V5
8.5	C1-074	Outline Cable Specification and Installation Plan
8.5	C6-011	Outline Cable Specification and Installation Plan
8.13	C3-030	Schedule of Mitigation
8.21	C1-063	Scour Protection and Cable Protection Management Plan
8.21	C3-032	Scour Protection and Cable Protection Management Plan
8.22	C3-020	Outline Biogenic Reef Mitigation Plan
21.16	C1-054	ORCP Design Principles Statement
22.3	REP4a-115	The Applicant's Comments on Deadline 4 Submissions
22.5	REP4a-117	The Applicant's Written Summary of Oral Case Put at the Issue Specific Hearing 6 held on 13 February 2025
24.2	REP6-110	The Applicant's Comments on Deadline 5 Submissions
24.13	REP6-121	The Applicant's Closing Statements
27.2	C1-049	The Applicants Response to the Request for Information dated 12th August 2025
27.3	C1-047	Plémont Seabird Sanctuary Biodiversity Research 2017–2024
28.5	C3-028	The Applicant's Response to the Second Request for Information – Wake Effects
33.2	C6-005	Applicant's Response to the Fourth Request for Information
n/a	REP3-067	Natural England's Appendix C2 Natural England's Potential Evidence Based Approach to Defining Supporting Habitats for Sabellaria spinulosa Reef
n/a	REP4a-128	Equinor's comments on 21.9 Wake Loss Technical Note
n/a	REP6-135	The Ørsted IPs' Closing Submissions
n/a	C1-003	The Orsted IPs Responses to Secretary of State's RFI Consultation 1
n/a	REP5-162	Natural England's submissions at Deadline 5 of the Examination
n/a	C3-029	Natural England's Responses to Secretary of State Consultation 3 Part B

# 1 The Applicant's Response to the All Parties Consultation

1. The Secretary of State published a letter on 17<sup>th</sup> November 2025, inviting Interested Parties to comment on the information provided in response to the two information requests dated 10 October 2025 and 29 October 2025 respectively.
2. The Applicant has provided such comments in the below submissions, where necessary and appropriate. Where possible, the Applicant has cross-referenced to the location of its submissions which deal with the points raised.
3. The Applicant has provided a summary in Table 1-1 below to clarify which responses have been detailed in sections 1.1 and 1.2. The Applicant has provided a summary in Table 1-1 below to clarify which responses have been detailed in sections 1.1 and 1.2.

**Table 1-1 Summary of where responses are detailed within the All Parties Consultation Response Document**

Planning Inspectorate Document Reference	Interested Party	Summary Response
C2-002	South Holland Internal Drainage Board	This response is welcomed by the Applicant
C2-003	InterGen	Please see the Applicant's response below in Section 1.1
C2-004	(ESPOO) Denmark	This response is welcomed by the Applicant
C2-005	Ministry of Defence (MOD)	This response is welcomed by the Applicant
C2-006	Mills and Reeve T.H Clements and Sons Limited	This response is welcomed by the Applicant
C2-007	Lincolnshire County Council	This response is welcomed by the Applicant
C2-008	Marine Management Organisation	Please see the Applicant's response below in both Table 1-2 and Table 1-3, of Section 1.1
C2-009	Ørsted IPs'	Please see the Applicant's response below in Table 1-4, of Section 1.1
C2-010	Richard Le Sueur	Please see the Applicants response below in Table 1-5, of Section 1.1
C2-011	Eastern IFCA	This response is welcomed by the Applicant
C3-003	Defra	This response is welcomed by the Applicant
C3-029	Natural England	Please see the Applicant's response below in Table 1-6, of Section 1.21.1
C3-034	Equinor IPs	Please see the Applicant's response below in Table 1-7, of Section 1.2

## 1.1 The Applicant's comments on the information provided in response to the request for Information dated 10 October 2025

### The Applicant's Comments on InterGen's Submission (C2-003)

The Applicant and Spalding Energy Company Limited and Spalding Energy Expansion Limited (InterGen) have agreed the following joint statement:

*"The Applicant and Spalding Energy Company Limited and Spalding Energy Expansion Limited ("InterGen") have now reached agreement on the terms of protective provisions for inclusion in the order. The Applicant has included these agreed terms for protective provisions for the benefit of InterGen in the draft Development Consent Order submitted to the Secretary of State on 17 December 2025. In light of the above, InterGen now withdraw their representations in respect of the Order."*

Table 1-2 The Applicant's Comments on the Marine Management Organisation (MMO)'s Submission (C2-008) - Table 1 detailing MMO's comments on the most recent updates to the DCO/DMLs (Version 13)

DCO Reference	MMO Comment	The Applicants Comment
Schedule 1, Part 3, Requirement 32	The Applicant has amended requirement 32, as requested by the Ministry Of Defence in their Deadline 5 submission (REP5-177).  The MMO notes this change and has no comments.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 10, Part 1, Paragraph 1	The applicant has removed the definition of Centre for Environment Fisheries and Aquaculture Science (Cefas) as it has not been used.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 11, Part 1, Paragraph 1	The MMO notes this change and agrees that this definition should be removed.	
Schedule 10, Part 2, Condition 13(1)(f)	The Applicant has updated the wording of this condition following consultation with the MMO and Natural England.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 11, Part 2, Condition 13(1)(f)	The MMO welcomes this change.	
Schedule 10, Part 2, Condition 13(1)(j)	The Applicant has updated the wording of this condition following consultation with the MMO.  The MMO welcomes the inclusion of Condition 25.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 10, Part 2, Condition 13(4) and 13(5)	The Applicant has updated the wording of this condition following consultation with the MMO.  The MMO welcomes the inclusion of Condition 25.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 10, Part 2, Condition 23	The Applicant has updated this condition following comments from Natural England.	The Applicant refers to its response at Table 1-3 below. The Applicant maintains that the corresponding amendments to Condition 21 are not necessary and therefore do not meet the relevant tests.
Schedule 11, Part 2, Condition 23	The MMO notes these changes and requests that (3) is updated to three months as with (1) for submitting the close out report. Additionally, the MMO requests that the changes in red be updated to reflect the comments outlined in section 3 of this document, to the following: <i>with the exception of the deployment of cable protection <b>outside of marine protected areas</b>. (3) For any subsequent deployments of cable protection following completion of construction <b>outside of marine protected areas</b>, the undertaker must submit an updated close out report not more than <del>four</del><b>three</b> months following deployment of the cable protection.</i>	The Applicant maintains that the wording of condition 23(3) is appropriate and highlights that the Applicant updated the wording to align with that proposed by Natural England in Natural England's submissions at Deadline 5 of the Examination (REP5-162).  However, whilst the Applicant does not consider an update to the DCO to be necessary, if the SoS considers 3 months to be a more appropriate time period then ODOW would be content for the time periods in condition 23(3) only to be updated in line with the MMO's advice.



DCO Reference	MMO Comment	The Applicants Comment
Schedule 10, Part 2, Condition 25	Condition updated to include omitted cross reference.  The MMO notes this change.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedule 11, Part 2, Condition 25	The Applicant has updated the wording of this condition following consultation with the Marine Management Organisation.  The MMO welcomes this change.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.
Schedules 12 and 13, Part 2, Condition 11(e)	The Applicant has updated the wording of this condition following consultation with the MMO and Natural England.	The Applicant refers to its comments at Table 1-3 below and reiterates its previous submissions. The time periods proposed by the Applicant in the draft DCO (C1-016) are appropriate.
Schedules 14 and 15, Part 2, Condition 11(e)	The MMO considers that this should be updated to six months as stated in our closing statement (Section 4.5.2, REP6-134)	
Schedules 12 and 13, Part 2, Condition 17	The Applicant has updated this condition following consultation with the Marine Management Organisation.  The MMO welcomes this change.	This comment is noted by the Applicant and no further amendments to the draft DCO are required.

Table 1-3 The Applicant's Comments on the Marine Management Organisation (MMO)'s Submission (C2-008)

The MMO's Submission	Applicant Response
<b>Scour Protection and Cable Protection Management Plan (C1-063) and Outline Cable Specification and Installation Plan (C1-074)</b>	
<p>The MMO notes Natural England welcomes the following Condition 21 wording: <i>'No cable protection granted by this licence may be deployed within the IDRBNR SAC after the construction period has ended. Any cable protection to be installed outside of the IDRBNR SAC following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction, unless otherwise agreed by the MMO in writing.'</i></p> <p>However, this condition is not evident on the latest DMLs. The current wording of condition 21 is as follows: <i>'Any cable protection to be installed following completion of construction in locations where cable protection was not installed during construction must be deployed within 10 years of completion of construction unless otherwise agreed by the MMO in writing.'</i></p> <p>The MMO considers that maintenance of cable protection outside of marine protected areas can be agreed within the operations and maintenance plan. The marine environment is a highly dynamic environment which can change significantly in relatively short periods of time. As a result, it is inherently difficult to assess the impacts of a windfarm project/activity on the marine environment over very long periods of time. Because of this, the MMO's general position is that it is only appropriate for scour and cable protection which authorises those activities to take place for up to 10 years in areas which are not protected areas in respect of benthic habitats features.</p> <p>The MMO's view is that 10 years is an appropriate time period which minimises disruption to developers while allowing the impacts to the environment, human health, navigation and socio-economic concerns to be appropriately taken into account in the consenting process. New cable protection in areas where no cable protection was laid during the initial construction period can occur up to 10 years after construction if this is outside of a marine protected area. Condition 21 must be updated in-line with</p>	<p>The Applicant maintains its position that the wording of the condition set out in the draft DCO (C1-016) is appropriate. The Applicant refers to its previous submissions at pages 76 and 77 of the Applicant's Comments on Deadline 4 Submissions (REP4a-115) and on pages 89 and 90 of the Applicant's Comments on Deadline 5 Submissions (REP6-110). The Applicant also notes the MMO's acknowledgement at 2.1.24 its Deadline 4 submissions that this condition is becoming standard in DMLs.</p> <p>In summary, the Applicant is confident that it has provided a robust, detailed assessment of the full lifetime effects of the deployment of cable protection up to the footprints set out within Chapter 3 Project Description (REP5-009), and secured within the DCO (C1-016). The assessments incorporate the inherent variability of the marine environment both ecologically and physically and applies a precautionary approach to account for any uncertainties that may arise from its dynamic nature.</p> <p>Any additional cable protection required during the O&amp;M phase would not exceed that assessed in the ES and RIAA and permitted under the DCO. The impacts assessed within the ES chapter for cable protection deployment would not be different or any greater (and likely would be lessened for habitat disturbance) than as set out within the ES chapter were further cable protection (up to the maximum assessed in the ES) deployed during the O&amp;M phase. As such, the Maximum Design Scenario for the Project includes for the deployment of cable protection during the O&amp;M phase, as well as within the construction phase. Further assessment post-construction is therefore unnecessary.</p> <p>The Applicant notes that PINS Advice Note 15 confirms, at paragraphs 15.2 and 29.2, that, whilst the law and policy relating to planning conditions does not necessarily apply to deemed marine licence conditions, it is considered that similar principles should apply when drafting these. The law and policy relating to planning conditions require that conditions should be precise, enforceable, necessary, relevant to the development,</p>

The MMO's Submission	Applicant Response
<p>Natural England's expectations in point 3.1 above, if this is still their position, to make it clear that no cable protection may be deployed within the IDRBNR SAC after the construction period has ended.</p> <p>Any new cable protection in areas where no cable protection was installed is subject to a separate marine licence application if it is within a marine protected area. The MMO will expect any application for such further licences to be accompanied by detailed surveys and reports which provide, amongst other things, an accurate description of the habitat that will be effected, details of the location and volumes and nature of the materials which are already in place as well as those to be used.</p> <p>The MMO welcomes the addition of the maximum concrete mattress height of 0.35m for the nearshore area (defined as the inner depth of closure out to 7.1 metre water depth) and the reduction in the original maximum design scenario and the submission of the Nearshore Cable Protection Clarification Note (C1-045).</p>	<p>relevant to planning and reasonable in all other respects. The MMO has acknowledged that 10 years is an appropriate time period outside protected areas but has not provided an explanation as to why it considers that a distinction should be drawn between the time period for deployment of cable protection within and outside protected areas. In the absence of such a justification, the Applicant considers that such a restriction would not meet the tests of necessity and reasonableness.</p> <p>This comment is welcomed by the Applicant.</p>
<b>Outline Marine Mammal Mitigation Protocol (C1-071) and Outline In-Principle Southern North Sea Special Area of Conservation Site Integrity Plan (C1-057)</b>	
<p>The MMO wishes to reiterate that all Marine Mammal Mitigation Protocols and Site Integrity Plans should be submitted <b>six months</b> prior to commencement of works, regardless of the scale of activity, to ensure in-combination impacts can be fully assessed.</p>	<p>The Applicant maintains that the time periods for approval of the consent plans set out in the DCO are appropriate and reiterates its previous submissions set out, in particular, at pages 30, 31 and 38 of the Applicant's Comments on Deadline 5 Submissions (REP6-110).</p> <p>The Applicant highlights that the Applicant is required to submit the MMMP and SIP six months prior to commencement of piling activities for the generation and transmission assets pursuant to Conditions 13(1)(f) and 22(3), Part 2, Schedules 10 and 11 of the DCO (C1-016).</p> <p>In relation to the MMMP and SIPs required for the ANS, the Applicant considers the four month determination timescale set out in Conditions 11(1)(e) and Condition 15(3), Part 2, Schedules 12-15 of the draft DCO (C1-016) to strike an appropriate and proportionate balance between the need for speedy determination of pre-construction plans to facilitate the rapid deployment of CNP infrastructure, whilst allowing sufficient time for the MMO to give full consideration to the plan, including the in-combination elements.</p> <p>This comment is welcomed by the Applicant.</p>
<p>The MMO notes the Applicant's commitment to use NAS in the following statement <i>'The Applicant has committed to deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving'</i> which has the removal of <i>'unless otherwise agreed with the MMO'</i>, leading to a more robust commitment. The MMO welcomes this.</p>	<p>This comment is welcomed by the Applicant.</p>
<b>Volume 8, Report 8b: Outline MMMP for UXO Clearance (C1- 069)</b>	
<p>The MMO welcomes the updates to this document and notes that this is related to UXO only, which will be granted by a separate Marline Licence and the MMO has no additional comments at this time.</p>	<p>This comment is welcomed by the Applicant.</p>
<b>Offshore In Principle Monitoring Plan (C1-072)</b>	
<p>The MMO welcomes the updates to this document and defers to Natural England for the updates made in relation to Marine Protected Areas and Ornithology.</p>	<p>This comment is welcomed by the Applicant.</p>

Table 1-4 The Applicant's Comments on the Ørsted IPs' Submission (C2-009)

The Ørsted IPs' Submission	Applicant Response
<p><b>Introduction</b></p> <p>This submission is made on behalf of Hornsea 1 Limited, the collective of Breesea Limited, Soundmark Wind Limited, Sonningmay Limited and Optimus Wind Limited (together, the "<b>Hornsea 2 Companies</b>"), Orsted Hornsea Project Three (UK) Limited, Orsted Hornsea Project Four Limited, Lincs Wind Farm</p>	<p>This comment is noted by the Applicant.</p>

The Ørsted IPs' Submission	Applicant Response
<p>Limited, Westernmost Rough Limited and Race Bank Wind Farm Limited (together or in any combination, the “Ørsted IPs”).</p> <p>The Ørsted IPs note that the Secretary of State has issued two Requests for Information since the Ørsted IPs’ most recent submission [C1-003]. The first of these is dated 6 October 2025 (the “First Rfi”) and the second was dated 10 October 2025 before being corrected on 21 October 2025 (the “Second”).</p> <p>This submission comprises the Ørsted IPs’ combined response to both the First Rfi and the Second Rfi, and is therefore submitted before the deadline for responses to the First Rfi (5 November 2025). This submission responds to the First Rfi and the Second Rfi in turn; however, the Ørsted IPs maintain at the outset (for the reasons set out in the examination of the Outer Dowsing Offshore Wind Project (the “Outer Dowsing Project”), particularly as summarised in the Ørsted IPs’ Closing Submissions [REP6-135] and in the Ørsted IPs’ most recent submission [C1-003]) that the protective provisions for the benefit of the Ørsted IPs (as updated in Appendix 1 of [C1-003] and particularly for those Ørsted IPs that continue to hold objections to the Outer Dowsing Project in relation to wake loss – namely, Hornsea 1 Limited, the Hornsea 2 Companies and Race Bank Wind Farm Limited) should be included on the face of the Development Consent Order (“DCO”) for the Outer Dowsing Project in order to afford the Ørsted IPs necessary and proportionate protection. The proposed provisions represent a fair, proportionate and policy-compliant mechanism (particularly in relation to the paragraphs of the National Policy Statement for Renewable Energy Infrastructure (“NPS EN-3”) that are referenced in the Ørsted IPs’ Closing Submissions [REP6-135], including paragraph 2.8.347, which the Applicant has not complied with) to protect existing infrastructure, maintain investor confidence and uphold the integrity of the UK’s offshore-wind framework.</p>	<p>The Applicant maintains its position that the imposition of the protective provisions advocated by the Ørsted IPs would be wholly inappropriate and contrary to law, policy and precedent. The Applicant’s response to both requests for information referred to by the Ørsted IPs is contained in the Applicant’s Response to the Second Request for Information – Wake Effects (C3-028).</p>
<p><b>First Rfi</b></p> <p>The First Rfi invites all Interested Parties to comment on the information provided in response to the Secretary of State’s Rfi dated 12 August 2025.</p> <p>The Ørsted IPs note the Applicant’s response to that Rfi [C1-049] and wish to comment on the information provided by the Applicant in that document relating to paragraph 13 (across pages 17-18). The Ørsted IPs have extracted this information below, for ease of reference.</p> <p><i>“The Applicant has been negotiating a proximity agreement with the Ørsted IP’s in relation to Lincs Wind Farm, to be subsequently used in relation Race Bank Wind Farm once agreed, in respect of the Project’s proximity to Lincs Wind Farm and Race Bank Wind Farm’s boundaries. Given the level of detail involved in a proximity agreement, these are typically entered into post-consent once detailed design has been completed and a final construction methodology confirmed. The Applicant has been engaging with its engineers to consider the detail which the Ørsted IP’s have been proposing and if/how this can be incorporated at this stage of the Project’s development. The Applicant will continue to engage in constructive discussions on this with Lincs Wind Farm Limited and Race Bank Wind Farm Limited.</i></p> <p><i>At Deadline 6, in order to provide comfort to Lincs Wind Farm Limited and Race Bank Wind Farm Limited, the Applicant included a set of protective provisions for the protection of Lincs Wind Farm Limited and Race Bank Wind Farm Limited respectively in Schedule 18, Parts 13 and 14 of the draft DCO (REP6-008).”</i></p> <p><i>The protective provisions proposed by the Applicant provide Lincs Wind Farm Limited and Race Bank Wind Farm Limited with sufficient protection and assurance that coexistence can operate effectively, whether a proximity agreement is concluded or not, by way of provisions to control works within each</i></p>	<p>This comment is noted by the Applicant.</p>

The Ørsted IPs' Submission	Applicant Response
<p><i>Interested Party's "control area", being an area within a distance of 250 metres extending outwards from the boundary for the relevant wind farm as shown coloured green on the Lincs Protective Provisions Plan (REP6-117) and the Race Bank Protective Provisions Plan (REP6-118) respectively. The approval mechanism set out in the protective provisions provides sufficient control for Lincs Wind Farm Limited and Race Bank Wind Farm Limited in each case in the absence of a proximity agreement being completed as the relevant works cannot commence until such time as the protected party has confirmed that they are content with the specifications of those works.</i></p> <p><i>The Secretary of State can therefore be satisfied that the assets of Lincs Wind Farm Limited and Race Bank Wind Farm Limited are sufficiently protected such that any effects on third party infrastructure are negated or reduced to a level sufficient to enable the Secretary of State to grant consent in accordance with paragraph 2.8.348 of NPS EN-3, if engaged."</i></p>	
<p>The Ørsted IPs agree with the Applicant that negotiations are ongoing in relation to the proximity agreement for Lincs Wind Farm, to be subsequently used in relation Race Bank Wind Farm once agreed.</p>	<p>The Applicant confirms that negotiations are ongoing in relation to the proximity agreement for Lincs Wind Farm, to be subsequently used in relation to Race Bank Wind Farm once agreed. The Applicant maintains that the protective provisions set out in Parts 13 and 14 of Schedule 18 of the draft DCO (document 3.1) provide sufficient protection and assurance that coexistence can operate effectively.</p>
<p>The Ørsted IPs also agree that the Applicant included protective provisions for the protection of Lincs Wind Farm Limited and Race Bank Wind Farm Limited respectively in Schedule 18, Parts 13 and 14 of the draft DCO. However, as set out in the Ørsted IPs' Closing Submissions [REP6- 135], the Ørsted IPs noted that these protective provisions only related to proximity impacts and the Ørsted IPs clarified that "the Ørsted IPs provided comments back to the Applicant on these protective provisions <b>without prejudice to the position that the fuller set of protective provisions is required</b>" (emphasis added in bold).</p> <p>The protective provisions provided by the Applicant relate only to proximity control areas and do not address the quantification or mitigation of wake-related financial loss. The Ørsted IPs have explained throughout the examination of the Outer Dowsing Project, particularly as summarised in the Ørsted IPs' Closing Submissions [REP6-135] and in the Ørsted IPs' most recent submission [C1-003], that the fuller set of protective provisions (as updated in Appendix 1 of [C1-003]) should be included on the face of the DCO for the Outer Dowsing Project in order to afford the Ørsted IPs' assets necessary and proportionate protection, both for the Ørsted IPs that hold objections relating to proximity (Lincs Wind Farm Limited and Race Bank Wind Farm Limited) and for those that hold objections relating to wake loss (Hornsea 1 Limited, the Hornsea 2 Companies and Race Bank Wind Farm Limited). The Ørsted IPs expand on this reasoning in their response to the Second RfI below, but note that it is therefore completely incorrect for the Applicant to state that their protective provisions "provide Lincs Wind Farm Limited and Race Bank Wind Farm Limited with sufficient protection" and to invite the Secretary of State to "be satisfied that the assets of Lincs Wind Farm Limited and Race Bank Wind Farm Limited are sufficiently protected" – whilst Lincs Wind Farm Limited's sole proximity-based objection is addressed by these protective provisions (though the Ørsted IPs still prefer the wording provided in their fuller set of protective provisions in relation to this), Race Bank Wind Farm Limited continues to seek protection in relation to wake loss, which the protective provisions proposed by the Applicant do not provide.</p>	<p>The Applicant disagrees that the fuller set of protective provisions relating to wake loss proposed by the Ørsted IPs is necessary, proportionate or justified. The Applicant maintains its position that the imposition of the protective provisions advocated by the Ørsted IPs would be wholly inappropriate and contrary to law, policy and precedent, as set out in the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>
<p><b>Second RfI</b></p> <p>The Second RfI states the following:</p> <p><i>"The Secretary of State notes that following the first information request, the Ørsted and Equinor IPs provided their preferred protective provisions as part of their response. The Ørsted and Equinor IPs and</i></p>	<p>The Applicant refers to its response to this comment at paragraph 30 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>



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<p><i>the Applicant are therefore invited to provide an update on whether any further engagement has been had on this matter and if any agreement has been reached on the most recent protective provisions."</i></p> <p>As was the case throughout the examination of the Outer Dowsing Project, the Ørsted IPs continue to receive no engagement from the Applicant regarding the fuller set of protective provisions (as updated in Appendix 1 of [C1-003]). The Ørsted IPs would welcome such engagement from the Applicant.</p>	
<p>The Ørsted IPs maintain that protective provisions are the most appropriate solution for wake loss impacts on the face of the DCO for the Outer Dowsing Project (i.e. ahead of a DCO requirement). They provide a proportionate and practical mechanism for addressing wake loss impacts through technical assessment and agreed mitigation. The Ørsted IPs do not propose to repeat their previously-established rationale for the inclusion of these protective provisions in the DCO, which was set out throughout the examination of the Outer Dowsing Project, particularly as summarised in the Ørsted IPs' Closing Submissions [REP6-135] and in the Ørsted IPs' most recent submission [C1-003]. However, the Ørsted IPs note that paragraph 2.8.262 of NPS EN-3 states the following in relation to the mitigation of effects on other offshore infrastructure: "in some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed". The protective provisions proposed by the Ørsted IPs align favourably with this policy, as they provide for the appointment and use of a jointly-appointed independent third party expert and, should that mechanism fail, they provide a direct reference to any differences being determined by arbitration.</p>	<p>As set out in section 2 (and, in particular, paragraphs 35 and 36) of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028), the Ørsted IPs have provided no justification for their position that protective provisions are the most appropriate solution to address the matter of wake effects, ahead of a DCO requirement.</p> <p>Whilst the Applicant maintains its position that the evidence before the SoS does not lead to a conclusion that there are adverse wake impacts from the Project that require to be addressed, the Applicant highlights that the wording of paragraph 2.8.262 is far from a direction to the SoS that he must provide for dispute resolution by way of arbitration where there are adverse impacts on commercial activities (emphasis added): <i>"In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed."</i></p> <p>Where the SoS has considered it necessary to address the matter of wake effects by imposing a restriction on the DCO for the relevant project, which the Applicant maintains is not justified in this case, he has considered appropriate to do so by way of requirement. In each case, the SoS is the determining authority, rather than expert determination and arbitration, as provided for in the protective provisions. The ExA for the Mona Offshore Wind Farm specifically considered arbitration as a dispute resolution procedure in the context of wake effects and concluded at paragraph 5.3.81: <i>"The ExA is not convinced that arbitration would be an appropriate mechanism for the resolution of this issue, given the absence of guidance on the subject."</i></p> <p>The Applicant maintains that the dispute resolution procedure in the protective provisions proposed by the Ørsted IPs is not appropriate as set out in paragraphs 26-28 and 35-36 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>
<p>The Ørsted IPs also wish to note the significant challenges and inefficiencies that will be introduced if an appropriate solution to wake loss impacts is not found. It cannot be the case that new developers are permitted to impose uncompensated wake losses on existing assets (that are already operational and are currently benefitting the UK) without adequate mitigation and/or compensation, as this risks undermining investor confidence and system-wide efficiency within the UK's offshore wind portfolio, alongside being contrary to the government's renewable energy policies and targets in relation to offshore wind. This would set a precedent of failing to deter new projects from significantly impacting the most valuable (from a sustainability perspective) aspect of existing projects (i.e. the operational tail-end). The protective provisions proposed by the Ørsted IPs prevent the setting of this dangerous precedent.</p> <p>Wake effects are an inevitable feature impacting both existing and planned offshore wind farms across the majority of the UK's Exclusive Economic Zone ("EEZ") (as well as across other EEZs where available sea-space is limited). In order to appropriately minimise UK wake loss impacts at the system-wide level, the wake loss impacts that will be created through new leasing rounds should be properly weighted (amongst the many other siting constraints), both by The Crown Estate (when prospective lease areas are selected) and by prospective lessees (as they value and seek to secure the varying lease sites on</p>	<p>The Applicant highlights the nature of the Ørsted IPs' submissions on this matter, which relate to the matter of wake effects in general, rather than the specific wake effects from the Project on the Ørsted IP assets.</p> <p>As highlighted in the Applicant's Response to the Second Request for Information – Wake Effects (C3-028), in order to impose any restriction (either by way of requirement or protective provisions) on the DCO for the Project must be necessary in the context of this specific development. The Ørsted IPs have not demonstrated that such provisions are necessary. It cannot be the case that financial compensation provisions should be imposed on all DCOs for offshore wind farms as a matter of course without any consideration of the scale of the relevant impact as appears to be advocated by the Ørsted IPs. That is supported by neither the extant NPS EN-3 nor the recently published NPS EN-3, which confirms at paragraph 2.8.233 that: <i>"there is no expectation that wake effects can be wholly removed between developments, or that inter-project compensation arrangements are a necessary means to mitigate the impact of wake effects, although developers may opt to take such approaches outside of the planning process."</i></p> <p>The draft supplementary guidance on the wake effects policy in NPS EN-3 solidifies this position: <i>"Disputes around compensation for wake effects are regarded to be a commercial matter to be managed between disputing developers. The planning system will not adjudicate on matters of compensation for wake loss."</i></p>

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<p>offer). Notwithstanding these efforts to minimise system-wide wake impacts through the efficient siting of new offshore wind farms, residual wake impacts will inevitably need to be managed. This can be achieved in two ways in a DCO – protective provisions or a requirement. As set out above and in previous submissions, the Ørsted IPs consider that protective provisions are the more appropriate solution. When developers compete for newly offered lease areas, they quantify the wake effects that will be imposed upon each lease area by surrounding offshore wind farms; this is one of several factors that determines the overall attractiveness, or value, of the lease sites on offer. However, in order to support the efficient development of the UK's EEZ, a precedent is required (through the DCO process) that will ensure that developers factor-in the full wake effect associated with a given lease area, i.e. both: (1) the wake effect that will be imposed upon that new project; and (2) the wake effect that will be imposed by that new project.</p> <p>A number of existing offshore wind farm projects (established through earlier lease rounds pre-dating Lease Round 4) will be impacted as a result of the wakes introduced by Lease Round 4 projects (including the Outer Dowsing Project). The Ørsted IPs are of the view that full mitigation for the wake effect introduced by the Outer Dowsing Project, and by other Lease Round 4 projects, should be properly secured by including the protective provisions proposed in the Ørsted IPs' most recent submission (Appendix 1 of [C1-003]) within the DCO. Full mitigation for Lease Round 4 offshore wind farm projects, against the wake impacts introduced by future projects that will be leased through future leasing rounds, can likewise be secured by including similar protective provisions in future DCOs, and/or by The Crown Estate including appropriate clauses within future Agreements for Lease.</p>	<p>The points made by the Ørsted IPs advocate for a change in approach by the SoS in relation to the consideration of the matter of wake effects, i.e. matters that ought to be contained in the policy wording of NPS EN-3 or matters that form part of The Crown Estate's approach to managing the allocation of leases for the development of offshore wind projects, rather than the specific impacts of the Project on the Ørsted IP assets.</p> <p>The Applicant notes the references to "adequate mitigation" and to "full mitigation". Other than the payment of financial compensation (which, as set out at paragraph 77 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028), ought not to be considered interchangeably with "mitigation"), the Ørsted IPs have not identified mitigation measures they would consider to be "adequate" or "full". This is consistent with the terms of the protective provisions now proposed by the Ørsted IPs, which remove any duty to consider further mitigation and any objective test for ascertaining whether or not such mitigation is adequate, only to secure mitigation measures that are proposed by the Applicant and the payment of financial compensation. The lack of evidence as to the availability of any mitigation that avoids an overall net reduction in electricity generation is clear from both the evidence before the SoS in this case and in others, notably:</p> <ul style="list-style-type: none"> <li>■ In relation to the Five Estuaries Offshore Wind Farm, the applicant in that case set out at paragraph 2.3.20 to 2.3.31 of the applicant's Comments on East Anglia TWO Limited's Deadline 6 Submission (REP7-087 of the Five Estuaries Examination)<sup>1</sup> the various mitigation options that could be, in theory, explored, to mitigate external wake effects (the creation of an additional buffer, the removal of turbines or the use of WTG control systems). The effect of the implementation of an 8km buffer is also specifically considered in section 5 of the Response to East Anglia Two's Deadline 7 submissions and the ExA's Rule 17 Request to the applicant (REP8-038 of the Five Estuaries Examination)<sup>2</sup>. In each case, the implementation of the mitigation measure results in a reduction of electricity generation overall.</li> <li>■ In relation to the Dogger Bank South Offshore Wind Farm, the applicant in that case provided an analysis of the potential mitigation options at section 7 of Wake Effects - Response to ISH3 Action Points (Revision 2) (Clean)<sup>3</sup>. Again, in that case, the applicant's overall conclusion was that there is no current technology or approach that can be applied to mitigate the wakes of one wind farm on another which does not result in a significant overall loss of generation.</li> <li>■ In their Recommendation Report for the Mona Offshore Wind Farm, the ExA considered (at paragraph 5.3.80) that: "whilst some of the suggested additional measures could theoretically have the potential to achieve modest reductions in wake effects, the evidence does not point to a simple solution that would not significantly compromise either the generating capacity of the Proposed Development or other secured mitigation, for example in respect of navigational safety. Overall, the ExA has not been presented with substantive evidence that modifications to the site design or layout, or operational controls on the turbine array would represent proportionate and effective mitigation of the adverse effects alleged by the Ørsted IPs. It appears to the ExA that considerable</li> </ul>

<sup>1</sup> <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010115-001628-Five%20Estuaries%20Offshore%20Wind%20Farm%20Ltd%20-%20Comments%20on%20any%20submissions%20received%20at%20Deadlines%206%20and%206A%202.pdf>

<sup>2</sup> <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010115-001701-10.64.1%20Response%20to%20East%20Anglia%20Two%E2%80%99s%20Deadline%207%20submissions%20and%20the%20ExA's%20Rule%2017%20Request%20to%20the%20Applicant.PDF>

<sup>3</sup> [https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010125-002069-14.14%20Wake%20Effects%20-%20Response%20to%20ISH3%20Action%20Points%20\(Revision%202\)%20\(Clean\).pdf](https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010125-002069-14.14%20Wake%20Effects%20-%20Response%20to%20ISH3%20Action%20Points%20(Revision%202)%20(Clean).pdf)

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	<p>concessions would need to be made by the Proposed Development in order to achieve relatively modest reductions in wake effects for the Ørsted IPs." This position was accepted by the SoS (see paragraph 4.86 of the Secretary of State's Decision Letter in respect of the Mona Offshore Wind Farm). It therefore follows that, if the SoS takes the view that the matter of mitigation requires to be explored further in this case (which the Applicant maintains is not necessary), then the proper course is to impose a requirement in the form of the without prejudice requirement proposed by the Applicant in the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p> <p>The Applicant maintains and reiterates its submissions in section 2 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>
<p>In contrast, Requirement 29 of Schedule 2 of the Mona Offshore Wind Farm Order 2025 merely obliges the undertaker to take reasonable steps to minimise wake effects. This approach is problematic, as it lacks the mitigation certainty required to maintain investor confidence and avoid inefficiencies across the wider system. By comparison, the protective provisions proposed by the Ørsted IPs provide a more robust and controllable framework, enabling both the Applicant and the Ørsted IPs to manage the process directly, either by entering into a Wake Loss Agreement or, alternatively, by agreeing to, or jointly appointing independent experts to determine, a Wake Loss Mitigation Scheme. This reflects established industry practice, whereby technical assessments and agreements are managed between the owners of offshore infrastructure and their experts rather than deferred to the Secretary of State.</p>	<p>The Applicant has set out its position on the Requirement 29 of the Mona Offshore Wind Farm Order at section 3 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p> <p>The Applicant maintains its position that the imposition of the protective provisions advocated by the Ørsted IPs would be wholly inappropriate and contrary to law, policy and precedent, as set out in section 2 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>
<p>The Ørsted IPs' proposed protective provisions therefore offer a balanced and proportionate mechanism for compliance with national policy, ensuring fairness between operational generators and new entrants while reducing the administrative burden on the Secretary of State. By guaranteeing mitigation through these provisions, the Secretary of State would set a clear precedent, protecting existing offshore wind assets as well as newly leased projects, including the Outer Dowsing Project, from future wake losses that will arise as The Crown Estate progresses future offshore wind leasing rounds as the UK advances towards the installation of approximately 100 GW of offshore wind capacity across UK waters by 2050.</p> <p>The Ørsted IPs maintain that establishing a precedent of securing wake compensation through protective provisions is the responsible course of action for the Secretary of State to take as a solution to wake loss impacts, as it will ensure significant system-wide benefits. Accordingly, the Ørsted IPs invite the Secretary of State to include the full set of protective provisions proposed by the Ørsted IPs (as set out in Appendix 1 of [C1-003]) within the DCO for the Outer Dowsing Project. This approach represents a fair, proportionate, and policy-compliant solution to inter-project wake loss impacts.</p>	<p>The Applicant maintains its position that the imposition of the protective provisions advocated by the Ørsted IPs would be wholly inappropriate and contrary to law, policy and precedent, as set out in section 2 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p> <p>In addition, the Applicant highlights that the question of the administrative burden on the SoS is not a relevant matter for decision-making: either the SoS considers that this is a matter that is required to be dealt with by requirement having satisfied the relevant tests or he does not. The removal of an administrative burden from the SoS is not a legitimate reason for imposing the proposed restrictions in protective provisions. The Applicant highlights its submissions in paragraph 36 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028) in this regard.</p> <p>In any event, the approach advocated by the Ørsted IPs would not achieve its intended, system-wide aim, absent an amendment to the policy set out in NPS EN-3. The need for the SoS to consider the specific impacts of each individual project means that, properly applied, there would be no guarantee of similar protective provisions being imposed on future development consent orders or in leases with TCE.</p>

Table 1-5 The Applicant's Comments on Richard Le Sueur's Submission (C2-010)

Richard Le Sueur's Submission	Applicant Response
<p>I write again in connection with the Predator Eradication in Jersey (Plémont Seabird Sanctuary) as Compensation for Guillemot and Razorbill, which appears as item 10 on page 3, and item 13 and 14 on page 4 of the Secretary of State (SoS) information request letter of 21 October 2025 to Natural England and others.</p>	<p>The Applicant maintains that the Plémont Seabird Sanctuary offers robust and evidence based compensation for auks as part of a suite of measures, which can be delivered within the timeframes set out in the DCO. The Applicant highlights the support for the Applicant's proposed compensation measures by Natural England, as stated in Natural England's Responses to Secretary of State Consultation 3 Part B (C3-029) where Natural England confirm that:</p>



Richard Le Sueur's Submission	Applicant Response
<p>The planning permit needed to create this so-called sanctuary, although approved by the Minister for the Environment in Jersey in draft back on 8 May 2025, needed an agreed Planning Obligation Agreement (POA) to turn it into a valid permit. A POA was agreed and the permit eventually validated and issued on 23 October 2025, this being the decision date.</p> <p>However in accordance with Article 19(8) of the Planning and Building (Jersey) Law 2002, planning permits in Jersey do not come into effect for 28 days immediately after the decision date if representations have been made. In this case many representations were made, both for and against the Predator Exclusion Fence.</p> <p>Then under Article 108 a third party is permitted to appeal, under certain circumstances and with payment of a fee, as set out under Article 112. If such an appeal is accepted as valid within 28 days then the permit is stayed until such time as a hearing takes place with a Planning Inspector making a recommendation to the Minister for the Environment to make a new decision. The new decision can be to allow the appeal and quash the permit, or can be vary the decision, or can be to let the permit stand. This process from validation of a third party appeal to the Minister's decision I note from the gov.je website is expected to take 16 weeks, however we have known it take 36 weeks.</p> <p>I have to inform you that a third party appeal has been made today against the granting of this permit. It has been accepted by the States of Jersey Judicial Greffe who oversee this procedure, and is only awaiting the banking of a cheque to turn it into a valid appeal.</p> <p>I will let you know as soon as I hear the appeal has been validated and the permit is stayed (for four to nine months). This alone puts the programme for compensation out of kilter with what has been proposed by the applicant. Furthermore I believe the appeal has an excellent chance of success, which would take the compensation at Plémont, Jersey, out of the equation completely.</p> <p>While writing, some further comments on the appearance of Plémont on pages 3 and 4: Item 10. 'predator control likely to be effective at Plémont'?? This statement has been disproved by my late submission paper sent in 09/06/2025. I note Natural England (NE) take up many of the same issues - against which ODOW via their Jersey partners have just resent earlier non-peer reviewed speculative jottings.</p> <p>Item 13. NE 'are invited to specifically comment on whether the Applicant's commitment of extending the extent of predator control measures to the 14ha of public land and National Trust Jersey land to the south and west of the fenced area is satisfactory to resolve their concerns surrounding the scale of the measure, and the ability for the measure to avoid predator reinvasion.' Please pass on my observations to NE and the SoS - there has been no publicity regarding the possibility of trapping on public land and publicly accessible open NTJ land adjacent. I very much doubt this would be acceptable to the public, and in any case would only lead to a minimal and temporary reduction in rat and ferret numbers. In any case I don't believe it is within the powers of the applicant to offer this 'commitment' and suspect this is just wishful thinking.</p> <p>Item 14. NE 'are requested to provide any commentary on the "Plémont Seabird Sanctuary Biodiversity Research 2017-2024"'</p>	<p><i>'Natural England are comfortable that the proposed package of measures for guillemot and razorbill has the potential to deliver the required level of compensation'.</i></p> <p>Regarding the Plémont Seabird Sanctuary Biodiversity Research 2017–2024 (C1-047), the Applicant maintains the position stated in point 19 of 27.2 The Applicants Response to the Request for Information dated 12th August 2025 (C1-049), that there is evidence-based ecological merit for this measure. Additionally, the Applicant highlights that a suite of documents including 7.7.5 Without Prejudice Predator Control Evidence Base and Roadmap (C1-039), 7.7.2.1 Outline Guillemot Compensation Implementation and Monitoring Plan ("CIMP") (C1-029) and 7.7.3.1 Outline Razorbill CIMP (C1-026) provide further detail on the evidence base and the proposed monitoring of this compensation measure.</p> <p>Within document 7.7.5 Without Prejudice Predator Control Evidence Base and Roadmap (C1-039), a feasibility study is provided which was undertaken by Birds On The Edge in Partnership with the National Trust Jersey, Durrell Wildlife Conservation Trust and Government of Jersey Natural Environment Department. This study provides robust data on seabird populations, and a thorough assessment of the presence, relative abundance and distribution of predators from a variety of industry standard ecological surveys between 2018 to December 2020, along side the examination of historical records. This ensures that the best available scientific evidence on bird populations, and predator abundance and distribution has been presented. The study used data from a range of studies/surveys including:</p> <ul style="list-style-type: none"> <li>▪ bait and footprint tunnel trails;</li> <li>▪ puffin watches;</li> <li>▪ seabird population and productivity monitoring;</li> <li>▪ coordinated census;</li> <li>▪ playback survey;</li> <li>▪ bird ringing;</li> <li>▪ automated acoustic recording;</li> <li>▪ breeding bird survey;</li> <li>▪ dusk surveys with thermal imager;</li> <li>▪ motion activated cameras;</li> <li>▪ live capture and mark/ recapture;</li> <li>▪ radio-tracking; and</li> <li>▪ refugia monitoring.</li> </ul> <p>The Applicant considers that at this stage sufficient information has been provided, and robust methodology for monitoring will be agreed within the Guillemot and/or Razorbill Compensation Implementation and Monitoring Plans (CIMPs) as per point 23 in 27.2 The Applicants Response to the Request for Information dated 12th August 2025 (C1-049).</p> <p>With regard to items 13 and 14 in Mr Le Sueur's submission, the Applicant makes no further comment but refers to Natural England's response to the Secretary of State's Requests for Further Information (RFI) dated 06 October and 10 October 2025.</p> <p>In response to the observations raised in Mr Le Sueur's submission, the Applicant notes the following:</p>



Richard Le Sueur's Submission	Applicant Response
<p>My observations are:  This is not a peer-reviewed paper.  Permission was not obtained from many of the landowners where trapping took place.  Brown rats have been resident in Jersey for over three hundred years and are hardly non-native.  The drop in numbers of breeding seabirds appears greatest between the wars, with minimal numbers breeding since the 1960s.  No correlation has been shown to link predators with this decline. Note: the study area was for a fence three times the length of the present scheme, have the proposed benefits been scaled back accordingly?  Precedent eradication success stories are not accepted as relevant. In Lundy the rats had nothing much else to eat - at Plémont they have a large potato dump nearby.  Rats are seen on the beaches and around the base of the cliffs, and given the 12 metre rise and fall in tide (far greater than in the precedent locations) it will be easy for them to invade via the ends of the fence.  The ferrets feast on the rats and rabbits - there is no need for them to chase a puffin down a cliff face.  There are no observations of ferrets or rats adjacent to seabirds, nor is there any DNA analysis of droppings.  For many of the reasons given above I do not consider this a valid research document and cannot see how it can assuage any of NE concerns raised.</p> <p>I am copying this email to Natural England and would be happy to speak with them in connection with any of the above.</p> <p>I'll keep you informed of the progress and validation of the third party appeal here in Jersey but 'fear' that with the long delay and potential (I think probable) refusal of the fence that the entire Plémont Jersey compensation must be discounted.</p>	<p>Non-native species are those that are intentionally or unintentionally introduced outside its range by human actions. The Convention on Biological Diversity describes non-native species as 'alien species' and the OSPAR commission describes non-native species as 'non-indigenous species'. The Convention on Biological Diversity and OSPAR make no mention of a period of time beyond which an introduced species may be considered as native. As such, with a native range in east Asia and an arrival in Jersey likely within the 18<sup>th</sup> century, the brown rat cannot be considered as native to Jersey (Puckett and Munshi-South, 2019).</p> <p>The available data (as presented in 7.5.1 Plémont SeaBird Reserve Feasibility Study Report (C1-047)) do suggest that the drop in numbers of breeding seabirds is greatest between the wars. However, data on seabird abundance in Jersey are not available from earlier than the 1920's. As such, it is quite possible that the presence of rats has been limiting seabird breeding success, numbers and distribution since long before records of seabird breeding were kept. As such, any trends suggested by the available data on Jerseys breeding seabirds should not be considered supportive of the position that rats have not driven the decline in breeding, as these data present an incomplete picture limited to the recent history of seabirds breeding on Jersey.</p> <p>The proposed benefits have not been scaled back as a result of the reduction in the area to be fenced. This is because the benefits that the scheme can bring are based upon historic population maxima of guillemot and razorbill (although noting as per the point above that these maxima are simply the known maxima; the area may well be able to host a larger breeding population than was historically known). The historic population were supported by habitat that lies within the area to be protected by the reduced fenced area (REP4a-117 The Applicant's Written Summary of Oral Case Put at the Issue Specific Hearing 6 held on 13 February 2025). As such, the protected area and therefore the Applicant's measure could support at least the historic maxima, and there is no reduction to the proposed benefits for guillemot and razorbill. . Natural England are in agreement that even with the reduction to the fenced area, the historical population maxima remain the most appropriate means by which to define the compensation potential of the measure, due to the locations (within the reduced fenced area) of the historic breeding populations (Natural England's response to the Secretary of State's Requests for Further Information (RFI) dated 06 October and 10 October 2025).</p> <p>The Applicant considers that predator eradication success stories ('precedent locations') are relevant to this measure. The Applicant is looking to implement predator management of a kind for which existing success can be demonstrated., As such, examples that demonstrate the potential effectiveness of a measure that controls the same non-native predator (rats among others), protecting the same species (guillemot and razorbill) and within the same region are highly relevant, and thus the presentation of the successful Lundy rat eradication as an example is appropriate. The Applicant notes that the submission provides no evidence to support claims that rats are exclusively feeding on dumped potatoes at Plémont, or, that rats had no alternative food sources on Lundy and fed exclusively on birds. The Applicant notes that alternative food sources must have been available to rats on Lundy given that seabird eggs and chicks are only available during the breeding season. As such, the presence of a potential alternative food source such as a potato dump should not be considered appropriate evidence that rats are not feeding on seabirds and therefore this is not detrimental to the Applicant's measure.</p> <p>The Applicant is aware of the risks of re-invasion through the intertidal zone, and will be maintaining a trapping and monitoring programme within the fenced area beyond the designated 'eradication period'. This, along with the adaptive management programme (the exact details of which will be agreed post</p>

consent) will ensure that any re-invasion that occurs via the intertidal zone will be detected and effectively eliminated. The Applicant also notes, as outlined in the Without Prejudice Predator Control Evidence Base and Roadmap and the examples provided therein (C1-039), that the fence ends will be designed and located specifically to deter rats from attempting to re-enter the fenced area by climbing down the cliff towards the intertidal area. Fence ends will also extend to as close as possible to the high water mark and will be placed on a rocky substrate, rather than one with a covering of vegetation and in areas where the incline is as steep as possible.. Fence ends that are open towards the sea such as these have been successfully deployed on other eradication projects such as at the Fairy prion colony at St Clair, Dunedin, New Zealand (see Without Prejudice Predator Control Evidence Base (C1-039)) and others such as Ka’ena Point National Reserve Area, (Oahu, Hawaii), Kilaueua Point National Wildlife Refuge (Kauai, Hawaii), Wharariki Ecosanctuary, (Cape Farewell, NZ) and Tawharanui Open Sanctuary, Regional Park, (Auckland, NZ).

As such, the Applicant is confident that re-invasion, should it occur, can be managed . Both Natural England and experts in predator eradication from Wildlife Management International also consider that this is a suitable site for a predator eradication measure to be implemented if appropriate monitoring and biosecurity measures are in place (Natural England’s response to the Secretary of State’s Requests for Further Information (RFI) dated 06 October and 10 October 2025, WMI Site Visit to Jersey June 2022).

Direct observations of rats or ferrets adjacent to breeding seabirds at Plémont are not available. This is to be expected given that seabird numbers are extremely low on the cliffs in the Plémont area, and the birds are breeding on inaccessible sections of cliff. In addition, both rats and ferrets are largely nocturnal. As such, the scope for capturing any data on interactions between these predators and the breeding seabirds is limited. However, the Applicant considers that substantial information has been presented within the Plemont SeaBird Reserve Feasibility Study Report (Document Reference 7.7.5.1) that indicates the presence of rats and other predators adjacent to the seabirds, with trapping and monitoring results from the Plémont area indicating the presence of rats and ferrets in close proximity to the reserve , and Natural England consider that ‘the area proposed for predator control overlaps with several of the areas identified as experiencing high predator densities during the feasibility study (Natural England’s response to the Secretary of State’s Requests for Further Information (RFI) dated 06 October and 10 October 2025)

Monitoring of DNA to determine the diet of predators has many limitations. Foremost, collection of suitable samples would present a clear health and safety risk. In addition, this method has the following weaknesses. DNA degrades within faeces, and DNA from soft foods (such as eggs) degrades faster than DNA from hard foods, so DNA analyses may present a biased account of what food has been eaten. DNA analysis can also only provide information on what has been eaten, but does not provide data on the relative quantities, again potentially biasing any outputs from such an approach. Contamination from environmental DNA also needs to be considered. Droppings collected from areas with breeding seabirds are likely to have been left on ground that already carries seabird DNA, so the scope for contamination of samples from this, and from other predators scent-marking is large (Ando *et al.*, 2020).

In addition, the Applicant notes that no evidence is presented regarding the diet of ferrets in the Plémont area. Therefore, the degree to which ferret diet is supported by rats and rabbits as opposed to (or in addition to) seabirds is not known. However, eggs and young birds would be particularly vulnerable to such predators and there are proven links between seabird declines and the presence of ferrets, for example on Rathlin Island (Rathin Life Raft Project, 2025), where one adult ferret killed 27 adult puffins in ‘just a few days’ (BBC

Richard Le Sueur's Submission	Applicant Response
	News, 2025). Therefore, it is considered likely that ferrets present a predation risk to seabird populations at Plémont'.

## 1.2 The Applicant's comments on the information provided in response to the request for Information dated 29 October 2025

Table 1-6 The Applicant's Comments on Natural England's Submission (C3-029)

Natural England's Submission	Applicant Response
Annex 2 – Natural England's Advice Regarding Marine Processes and Benthic Ecology	
<p><b>Response to Part A, 4</b></p> <p>Natural England provided a response to this request to the SoS on 24 October 2025. Natural England understands from the SoS RFI dated 29 October 2025, that following Natural England's advice to clearly set out benthic mitigation measures within and outside the Inner Dowsing, Race Bank and North Ridge (IDRBNR) Special Area of Conservation (SAC) within the Outline Benthic Mitigation Plan and the Outline Cable Specification and Installation Plan, the Applicant is requested to update these documents along with the Schedule of Mitigation and other document controls and submit these at the forthcoming deadline on the 07 November 2025. Natural England welcomes this request and we understand it is the Applicant's intention to do so. Providing the appropriate documents are updated then Natural England's concerns are addressed in relation to consistency of application of benthic mitigation measures.</p>	<p>In accordance with the advice provided, the Applicant has updated the Outline Biogenic Reef Mitigation Plan (C3-020), the Outline Cable Specification and Installation Plan (C6-011) and Outline Scour Protection and Cable Protection Management Plan (C3-032) to clearly set out benthic mitigation measures within and outside the IDRBNR SAC. Additionally, the Schedule of Mitigation (C3-030) and associated document controls have been revised to reflect these updates.</p> <p>These documents have been prepared in compliance with the requirements outlined and were submitted on the 07 November 2025.</p>
<p><b>Response to Part B, 5</b></p> <p>Natural England notes that no project-specific geotechnical data along the export cable route within IDRBNR SAC has been presented by the Applicant, nor has the Cable Burial Risk Assessment (CBRA) [APP-0142] been updated from an ecological perspective to consider 'seabed features' rather than maintenance of cable integrity; both of which were advised in our Relevant/Written Representation [RR-045] Appendix C point 15, (Risk and Issues Log point 5). We draw the Secretary of State's attention to the information provided by Hornsea Project Three and Norfolk Vanguard and Boreas, which enabled a realistic worst-case scenario to be provided at the time of consent.</p> <p>The purpose of our advice provided at Deadline 6 [REP6-147] was to highlight projects where we were aware that the developer had experienced challenges in installing cables, and/or identified the types of sediment where this had occurred, with the aim being for the Applicant to further investigate risks of cables being sub-optimally buried along the ODOW cable route and present a stronger evidence base for any conclusions in relation to the need for cable protection. However, even with this contextual information from the other projects, without further project specific geotechnical data for Outer Dowsing Export Cable Corridor (ECC) and details on the tool to be used, it is only possible for Natural England to advise on the potential risks that seabed features could pose to cable burial depth and the need for further cable protection.</p> <p>Our advice is based on the knowledge and understanding that variation/marine licence requests for new locations and/or quantities of cable protection have been sought for Triton Knoll and Viking Link; the monitoring results of cable installation at Race Bank cable route and Lincs cable route demonstrating lasting trenches/scarring with limited backfill in areas of mixed sediment, which may require external protection (Race Bank 2017, Lincs 2013); and evidence and advice presented in the Hornsea Project Three Examination in regards to that project's CBRA [2019]. All of these projects are located within the</p>	<p>The Applicant is confident in the engineering work underpinning the value for cable protection, and in the unlikely event that the actual requirement surpasses this figure, as noted by Natural England, the Applicant would be required to submit a new marine licence application for any further cable protection during the project lifetime. The Applicant maintains that the amount of cable protection is suitable for the requirements of the Project.</p>

Natural England's Submission	Applicant Response
<p>wider Wash area, where both sub-cropping chalk layers and mixed sediments are known to be widespread.</p> <p>As discussed with the Applicant at a meeting held on 23 October 2025 we are aware that the MMO hold information on location of additional cable protection requests for Triton Knoll and Viking Link, which from that, extrapolations could be made for this project. For example; it is our understanding that cable burial was particularly challenging for Triton Knoll where chalk was located 0.5m below the seabed. If available this information could be used to refine the ODOW ECC CBRA. However, we do recognise that if additional cable protection is required for ODOW it will be subject to a variation request and/or separate marine licence with an updated Habitats Regulations Assessment (HRA).</p>	
<p><b>Response to Part B, 8</b></p> <p>Natural England is content with the Applicant's updates to the Maximum Design Scenario (MDS) for nearshore cable protection within the Outline Scour Protection and Cable Protection Management Plan (Document 8.21), the Outline Cable Specification and Installation Plan (Document 8.5) in addition to the Schedule of Mitigation Rev 8.0 (Document 8.13).</p> <p>As advised in our 09 September 2025 RFI response, Natural England welcomes the Applicant's commitment to the Offshore Reactive Compensation Platform (ORCP) Restriction Area providing a 500m buffer to the IDRBNR SAC, and therefore a minimum distance of over 1000m from the nearest Annex I Sandbank feature, as proposed in the Applicant's ORCP Physical Process Assessment Clarification Notes (Document Reference: 27.7) and 21.16 Design Principles Statement. While we acknowledge this has been added to the Applicant's Schedule of Mitigation, Rev 8.0, to be adequately secured, Natural England advises this commitment must be clearly set out within the DCO.</p> <p>Natural England has reviewed the Applicant's updates submitted as part of their RFI response on 09 September 2025 to the In Principle Monitoring Plan (IPMP) Rev4, with respect to marine physical processes monitoring for the nearshore and the ORCP. Natural England advises that providing our concerns as set out below with the monitoring proposal within the IPMP are sufficiently addressed by the Applicant, then we can agree that the above named commitments are sufficient to rule out an Adverse Effect on the Integrity of the IDRBNR SAC and The Wash and North Norfolk Coast SAC due to changes in physical processes.</p>	<p>This is welcomed by the Applicant.</p> <p>The Applicant confirms that the commitment referred to by Natural England is fully secured within the draft DCO. Condition 13(1)(a)(ii), Part 2, Schedule 11 of the dDCO (C1-016) requires the undertaker to submit a design plan, which includes details of the design of the ORCPs in accordance with the ORCP Design Principles Statement, for approval by the MMO. Condition 14(5) requires the licensed activities to be carried out in accordance with the approved plans. Paragraph 17 of the ORCP Design Principles Statement (C1-054) provides a 500m buffer distance between the IDRBNR SAC and the area within which the ORCP can be sited.</p>
<b>Natural England's advice to the Offshore In-Principle Monitoring Plan Rev 4.0 (Document 8.03)</b>	
<p>Section 3. Monitoring Proposals - 3.1.3 Hypotheses:</p> <p>Natural England advises the threshold for change used to assess H0 and H1 in Hypotheses 1-4 needs to be carefully considered with regards to what constitutes:</p> <ul style="list-style-type: none"> <li>▪ Hypothesis 1 - "significant, long-term change to the distribution and extent of bedforms"</li> <li>▪ Hypothesis 2 - "significant change to the seabed level"</li> <li>▪ Hypothesis 3 - "significant interaction between the sandbank and the ORCP structures"</li> <li>▪ Hypothesis 4 - "significant, long-term change in longshore sediment transport".</li> </ul>	<p>As detailed within the row 8 of Table 1-1 of Applicant's Response to the Fourth Request for Information (C6-005), the Applicant updated all relevant 'Hypotheses' sections of the Offshore In-Principle Monitoring Plan (C6-009) to state that "Details of relevant consultation will be provided within the individual monitoring plans to be developed post-consent. The thresholds of significance/change relevant to hypotheses and the thresholds/triggers for adaptive management will be discussed and agreed with the MMO and following consultation with their advisors which will include Natural England."</p>
<p>Page 15. Natural England notes that in the 4th Column - Headline Reason for Monitoring, the 3rd Bullet Point includes monitoring of sandwaves and sandbanks. However, in the 5th Column, it is stated that the survey data will be used to establish a baseline of the presence and characteristics of sandwaves only. We advise that sandbanks should be included here in line with the headline reason for monitoring in the 4th Column.</p>	<p>As detailed within row 10 of Table 1-1 of the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) with a revised Table 3-1 to include sandbanks.</p>



Natural England's Submission	Applicant Response
<p>Page 16. Post-construction. Monitoring Proposal. This includes a full sea floor coverage swath-bathymetry survey and side scan sonar, of the area(s) within the Order Limits to assess any changes in bedform topography. Natural England advises that consideration should be given to the possibility that this may need to be extended beyond the Order Limits where bedforms (e.g. sandwave fields or sandbanks) may be affected by installation of Project Infrastructure/indirect effects.</p>	<p>As detailed within row 10 of Table 1-1 of the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) with a revised Table 3.1 to include post-construction monitoring to 'establish the change to/recovery of a representative sample (to be agreed with Natural England and the MMO) of bedforms following sandwaves clearance and cable installation activity'.</p>
<p>Page 17. 1st Bullet. It is stated that data from the survey will be used to establish the change to/recovery of a representative sample of bedforms following sandwave clearance and cable installation activity. However, it is unclear how this representative sample will be selected. Therefore, Natural England advises that careful consideration will need to be given to different rates of seabed mobility/recovery potential, on- and off-sandbank sites, and designated sites. It will also be important to establish what "full recovery" of bedforms looks like. Seabed difference maps, cross-sectional profile analysis, and, if possible, volumetric analysis should be considered. It may also be necessary to consider changes in sediment composition, particularly for areas of affected bedforms in designated sites.</p>	<p>As detailed within row 10 of Table 1-1 of the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) with a revised Table 3.1 to include post-construction monitoring to 'establish the change to/recovery of a representative sample (to be agreed with Natural England and the MMO) of bedforms following sandwaves clearance and cable installation activity'. The Applicant has included within Table 3.1 of the updated Offshore In-Principle Monitoring Plan (C6-009) that this analysis may include seabed difference maps, cross-sectional profile analysis, and volumetric analysis (if possible).</p>
<p>Page 18. Natural England also notes that survey data will be used to establish change to/recovery of the nearshore bedload transport regime and nearshore seabed morphology following installation of concrete mattresses. Natural England queries what threshold will be used to establish this?</p>	<p>As detailed within row 10 of Table 1-1 of the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) with a revised Table 3.1 to include that post construction will be undertaken to 'establish the change to/recovery of the nearshore bedload transport regime and nearshore seabed morphology (against thresholds to be agreed with Natural England and the MMO) following the installation of concrete mattresses in the nearshore area (if required).'</p>
Further Advice on the In-Principle Monitoring Plan Rev 4.0 (Document 8.03) – Benthic	
<p>Section 3.3 Benthic and Intertidal Ecology On reviewing IPMP Rev4 Natural England notes that on Page 21 a new section has been added for monitoring 'Effects on supporting habitat for Annex I S. spinulosa reef'. Whilst this is welcomed, we note that only grab samples are proposed to understand particle size, which does not fully consider essential parameters to determine supporting habitats including tidal flows/wave action and sediment character, of which particle size is only part. It is also not clear that the grab surveys will also help with the 'optional' parameters as set out in our Appendix C2 submitted at Deadline 3 [REP3-067]. Therefore, we do not believe that the proposed monitoring is fit for purpose to understand potential impacts to supporting habitat for Annex I Sabellaria spinulosa reef and recovery.</p>	<p>As detailed within row 13 of Table 1-1 of the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) and revised Table 3.2 to include additional monitoring and analyses (faunal analysis of grab samples) with the aim of understanding of changes in the extent and quality of, as well as the recovery of, supporting habitat for Annex I S. spinulosa reef.</p> <p>Within the Applicant's Response to the Fourth Request for Information (C6-005), a summary is provided of the proposed monitoring approach, indicating where monitoring is currently being undertaken, where additional monitoring and/or analysis is being provided in response to this request, and where further monitoring is not considered necessary.</p>
Annex 3 – Natural England's Advice Regarding Offshore Ornithology and Offshore Ornithology Compensation	
<p><b>Response to Part B, 12</b></p> <p>Natural England's advice to the current set of OWF Examinations has been to consider the need for an additional step factoring philopatry into the compensation quantum calculations on a case-by-case basis. Rather than a single compensation measure relating to recreational disturbance in South West England as proposed by Five Estuaries and North Falls, ODOW are proposing a package of compensatory measures. As well as being part of the emerging collaborative initiative regarding recreational disturbance in South West England, they are also proposing a project specific disturbance management scheme at Berry Head in Devon, predator management at Plémont in Jersey and the incorporation of auk-friendly nesting habitats on their offshore Artificial Nesting Structure in the North Sea. Each of these elements of ODOW's package of measures has some scope for adaptive management to help increase the chances of sufficient benefit arising. In the light of this multi-stranded approach targeting different colonies and/or geographic areas, on balance Natural England considers it would be disproportionate to seek an additional step factoring philopatry into the Applicant's auk calculations.</p>	<p>This is welcomed by the Applicant.</p>

Natural England's Submission	Applicant Response
<p><b>Response to Part B, 13</b></p> <p>The Applicant's commitment to implementing predator control measures in areas of public land and land owned by National Trust for Jersey has the potential to allay our concerns around the risk of predator reinvasion as outlined within REP6-151, although the implementation of predator control measures are not always straightforward and therefore would need to be developed carefully. We note that the area proposed for predator control overlaps with several of the areas identified as experiencing high predator densities during the feasibility study (Annex 1 in 7.7.5) as well as abutting a number of the access gates, indicating these would be relevant areas for predator management. Needless to say though, we do not consider that implementing predator control measures in these areas would fully eliminate the risk of re-invasion. And therefore continue to highlight the need for a robust monitoring and biosecurity protocol throughout the lifespan of the measure.</p> <p>Regarding the scale of the measure, Natural England remain of the opinion that reduction in the area enclosed by the proposed predator-proof fence route from 32.3 ha to 3.34ha inevitably limits the potential benefits that could arise from this measure for guillemot and razorbill, by limiting the potential habitat that will be freed up by the exclusion (as opposed to management) of predators. Nonetheless, Natural England recognise that this reduction in area is driven by factors out of the Applicant's control, and note the evidence submitted indicating that the area to be protected is where records show the highest number of guillemots and razorbills nesting historically - and is therefore likely to be the optimum location for the fenced area.</p> <p>We advise that should the compensation at Plémont be mandated by SoS, the Applicant should continue to consider all potential routes to ensuring the area has the highest chance of supporting breeding razorbill and guillemot, including through consideration of additional interventions such as habitat management and disturbance reduction should they be appropriate.</p>	<p>Natural England's acknowledgement that the implementation of predator control in areas outside the fenced area, wherein the Applicant's power to do so, has the potential to allay concerns around risk of re-invasion is welcomed by the Applicant. The Applicant notes Natural England's concerns that this additional predator control alone will not eliminate the risk of re-invasion, and highlights that this additional control will take place alongside the robust monitoring and biosecurity that the Applicant will implement, along with the adaptive management options should these be required. As such the Applicant is confident that the additional predator control outside of the fenced area will contribute towards a robust approach to predator eradication within the fenced area.</p> <p>The Applicant welcomes Natural England's acknowledgement that the reduction in size of the fenced area is beyond the Applicant's control and that in spite of this reduction, the remaining area to be fenced encompasses the key historic breeding areas of both guillemot and razorbill. Therefore, the measure has the capacity to deliver the stated level of compensation of 200 breeding pairs of each species.</p> <p>The Applicant notes Natural England's advice regarding the consideration of all potential routes to ensuring the area has the highest chance of supporting breeding guillemot and razorbill. Additional actions beyond predator control will be considered and where appropriate, implemented, either prior to full implementation of the predator control (for example the implementation of social attraction measures to encourage birds to colonise) or after, through an adaptive management framework.</p>
<p><b>Response to Part B, 14</b></p> <p>The 'Plémont Seabird Sanctuary Biodiversity Research 2017-2024' (document reference 27.3) is referenced within '7.7.5 Without Prejudice Predator Control Evidence Base and Roadmap V5 Annex 3 – Plémont Seabird Sanctuary: Management Plan' (document reference 7.7.5, referred to there as the 'Biodiversity Report') in relation to the methodology used for the surveys that comprise the long-term ecological monitoring programme at Plémont to date. The aims of which are to "establish a baseline of biodiversity and habitat data in order to monitor changes prompted by the creation of the ecosanctuary and in line with the project targets" (Section 1.6). The methods for seabird census and productivity monitoring outlined within the 'Biodiversity Report' are brief, stating that they follow the 'Seabird Monitoring Handbook of Britain and Ireland' (no reference provided, but assumed to refer to Walsh et al. 1995) and that "the site is visited throughout the breeding season, and potential nests are mapped on high-detail photographs... checking each nest at set intervals, dependent on the species...". Therefore, not enough detail in the Biodiversity Report is provided for guillemot and razorbill to determine whether the methodology used to date is sufficiently robust to provide a baseline against which changes in abundance and productivity can be measured.</p> <p>Natural England advise that a robust methodology for monitoring will need to be agreed within the Guillemot and/or Razorbill Compensation Implementation and Monitoring Plans (CIMPs). The Applicant has already provided an indication of what this will look like within their response to the Request for Information (document reference 27.2) which looks broadly appropriate and provides some confidence that suitable monitoring methods will be deployed.</p>	<p>This is welcomed by the Applicant.</p> <p>With regard to existing monitoring and baselines at Plémont, the Applicant notes that the monitoring methods used (i.e. those outlined in the Seabird Monitoring Handbook (Walsh <i>et al.</i>, 1995)) are the 'gold standard' monitoring methods for breeding seabirds, providing the baselines and data informing national trends in breeding seabirds as generated by the Seabird Monitoring Programme. These are the survey methods that determine the population sizes used in impact assessment and apportioning of impacts across the UK, and the productivity rates that feed into population viability analyses to determine impacts from offshore wind to colony growth. As such, these survey methods are the most robust methods that can be used. The specific methods used for razorbill (and those to be adopted when guillemot colonise) are summarised below:</p> <p>For razorbill, colony monitoring is carried out using the razorbill specific 'population-monitoring method' as described in Walsh et al., (1995). To monitor productivity, 'productivity-monitoring method 1' as described in Walsh et al., (1995), is used.</p> <p>For guillemot, no specific monitoring method has been deployed to date as birds are not currently breeding at the site. Once colonised, guillemot populations and productivity will be monitored using the guillemot specific population monitoring and productivity monitoring methods outlined in Walsh et al., (1995).</p>

Natural England's Submission	Applicant Response
<p>With regards to the document in general, much of the information provided within the “Plémont Seabird Sanctuary Biodiversity Research 2017-2024” (document reference 27.3) has already been presented within Annexes 2 and 3 of 7.7.5 Without Prejudice Predator Control Evidence Base and Roadmap, and Natural England have no further comments on this document in relation to the concerns outlined within REP6-151.</p>	
<p><b>Response to Part B, 15</b></p> <p>Natural England has been working with the Applicant to apply the British Trust of Ornithology (BTO) method outlined in Rhoades et al. 2025 to their calculations for kittiwake compensation. Specifically, Natural England provided ODOW with an updated set of code provided by the BTO, to use in place of that outlined within Rhoades et al. 2025 (this code has since been published as part of an update to Rhoades et al. 2025 and is now available on the BTO website) and following this, met with ODOW to discuss the outputs. Natural England can confirm that the outputs already submitted by the Applicant in their response to this RFI dated 29 October 2025 reflect these discussions, and that the BTO methodology has been applied correctly to their predicted impacts.</p>	<p>The Applicant welcomes Natural England's confirmation that the BTO methodology has been applied correctly to predicted impacts.</p>
<p><b>Comments on documents submitted by the Applicant on 09 September and other matters 8.03 Offshore</b></p> <p>The Applicant has updated section 3.6 of this document to include reference to ‘Coordination with Sector Initiatives’. Natural England maintain, as outlined within REP6-156, that post-consent monitoring (PCM) should seek to address one or more of the areas of uncertainty in the assessment of potential impacts to offshore ornithology receptors. Whilst we agree in principle that monitoring undertaken strategically and/or collaborative between Projects and industry partners is likely to be of greater value than project-led monitoring occurring in silos, there is currently no mechanism in place for this to be delivered, and it remains unclear how a commitment to this could be secured within the DCO.</p> <p>Furthermore, we highlight that many ongoing strategic projects such as ‘Improving understanding of distributional change for relevant seabird species’ (ImpUDis), run by the Offshore Renewables Joint Industry Programme (ORJIP) ultimately rely on baseline and PCM data collected by individual projects. Thus, data collected at the project level can be used strategically, and this should be borne in mind when considering the value and potential utilisation of such data. We reiterate our position that monitoring requirements in the form of hypotheses to be tested/met should be secured in the IPMP at the time of consent, to reduce the risk of challenge and/or ambiguity around the purpose of the PCM at a later date.</p> <p>Natural England recommend that the Applicant consider working with Dogger Bank South OWF, who have undertaken a review of current and planned monitoring across projects and proposed a number of potential areas of monitoring within their IPMP [REP7-116]. This might provide a mechanism to explore how a collaborative approach to PCM in the region could enable testing of some of the assumptions made in the impact assessments carried out to date by these projects.</p>	<p><b>In-Principle Monitoring Plan (IPMP) - Ornithology</b></p> <p>As detailed within row 16 of Table 1-1 the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) that includes the commitment to undertaking monitoring to address at least one of the focal areas listed (should these options be deemed appropriate) after post-consent consultation with Natural England (and any other relevant stakeholders).</p> <p>As detailed within row 18 of Table 1-1 the Applicant's Response to the Fourth Request for Information (C6-005), the Applicant submitted an updated Offshore In-Principle Monitoring Plan (C6-009) which detailed a commitment to explore these options with Dogger Bank South Offshore Windfarms and the following joint statement: ‘An MoU is in place between the Applicant and Dogger Bank South in order to facilitate collaboration between the parties. At the appropriate post-consent stage, the Applicant and Dogger Bank South will explore options to work collaboratively to deliver post-consent ornithology monitoring.’</p>
<p><b>Success criteria for the additional measures in the South West</b></p> <p>In the Applicant's submission to the (1st) RFI dated 12th August 2025, in response to the question in paragraph 24 from the SoS regarding monitoring at the South West sites, the Applicant states “as agreed with Natural England at the meeting on June 9, and as outlined in the advice summarised above and included at Appendix C [NE believe this should be Appendix J], the success of this measure should be established through monitoring of disturbance levels rather than through any changes in colony size or productivity...” and “As such, in terms of baseline setting and success monitoring, methods outlined by Walsh et al., (1995) are not relevant.” Natural England consider this to be an over-simplification of the advice provided to Exeter University outlined in Appendix J and to not accurately reflect our position on</p>	<p>The Applicant welcomes this comment from Natural England and the clarity it provides with regard to their position on success monitoring. The Applicant will develop monitoring approaches for compensation measures post consent, in consultation with key stakeholders that will include Natural England.</p> <p>In addition to the statements provided by Natural England in their response, the OIPMP also states monitoring across measures will “assess the effectiveness of these measures as they are implemented, providing evidence of the benefits delivered and informing any necessary adaptive management to ensure that the overall coherence of the National Site Network is maintained”. As such, in providing evidence of the</p>

Natural England's Submission	Applicant Response
<p>the success criteria that should be applied to the compensation measure in the South West, nor the need for monitoring of abundance and productivity.</p> <p>As outlined in Appendix J, Natural England suggested three 'success measures', the third being increases in productivity rates/breeding success rates, stating "whilst success measure #3 should be open to some interpretation and expert opinion, and not a hostage to fortune of a specific threshold of improvement, we do still require some justification that the intervention is having a positive effect for the birds concerned. For example, this could be through (albeit modest) increases in productivity / abundance / new nesting areas used / etc. At some point there would need to be a discussion based on the success measures that considered any need for changing tack / adaptive management / etc. This would naturally need to be informed by some judgment of the apparent benefits we could ascribe to the bird populations."</p>	<p>benefits delivered, the Applicant fully expects monitoring to include the collection of data on demographic parameters such as colony size and productivity, which will be used to report on benefits of the measures at a colony level.</p> <p>The Applicant welcomes Natural England's clarification that the use of colony level demographic parameters as a measure of success should be open to interpretation and that the Project should not be penalised where results of demographic monitoring do not meet expectations due to factors beyond the control of the Project. The Applicant maintains that the success of the measures in the SW of England (and therefore the trigger for adaptive management) should be established through monitoring of disturbance levels rather than through any changes in colony size or productivity.</p>
<p>Therefore, Natural England do not agree with this statement that the methods outlined by Walsh et al. (1995) are 'not relevant' to the setting of a baseline or the measurement of success against it and advise that monitoring of guillemot and razorbill abundance and productivity should align with the methods in Walsh et al. wherever practicable. Notwithstanding this, the Applicant has stated within 7.7.6 Without Prejudice Additional Measures for Compensation of Guillemot and Razorbill V7 that monitoring will include collecting data on "populations, productivity, and the nature, frequency and impact of disturbance or predation events" and that "plans to monitor size and productivity at key colonies are being developed...with additional disturbance monitoring at each site". This provides some assurance that a scientifically robust monitoring programme will be in place at the South West colonies subject to the compensation measures, both prior and following introduction of the measures.</p>	<p>The Applicant considers that changes in colony size or productivity need to be determined through the application of a consistent approach to pre and post consent monitoring. As such, although monitoring methods presented within Walsh <i>et al.</i>, (1995) are acknowledged to be the 'gold standard' approaches to monitoring, post consent discussion will be required to determine whether data collected via these methods would produce information on colony size and productivity that can be compared to pre-consent results in a meaningful manner. The Applicant accepts that a more useful statement would have read 'As such, in terms of baseline setting and success monitoring, methods outlined by Walsh et al., (1995) may not necessarily be relevant.'</p> <p>The Applicant welcomes Natural England's acknowledgement that assurance has been provided that a scientifically robust monitoring programme will be implemented.</p>
Calculation of potential compensation for auks across the package of measures	
<p>Following a review of the documents above, submitted in response to the first RFI, and following discussions with the Applicant via DAS on the 23rd October, Natural England hereafter set out our position regarding the potential for the Applicant's three proposed compensation measures for guillemot and razorbill: predator control in Jersey, additional measures at South West colonies (including a project-alone measure at Berry Head), and offshore artificial nesting structures (ANS) to deliver the necessary compensation requirement.</p> <p>In reference to predator control in Jersey, Natural England are comfortable with the Applicant's estimate of the number of breeding pairs for both guillemot and razorbill that could be delivered by this measure. The estimate of 200 pairs is based on records of historical peak populations and as such appears to represent the best available evidence on which to set a target for an increase in number of breeding pairs following predator exclusion from the proposed fenced area.</p> <p>With regards to the additional measures at South West colonies, Natural England have previously outlined our concerns [REP6-151] with the methodology outlined in previous versions of Additional Measures for Compensation of Guillemot and Razorbill (document reference 7.7.6). The methodology proposed was to calculate the potential number of additional breeding pairs based on 'current' productivity rate (using the 2024 survey data) and an expected future productivity rate (where a range was considered, the highest being the regional average from Horswill &amp; Robinson, 2015).</p> <p>Following a DAS meeting with the Applicant on 23rd October, the Applicant agreed to revise these estimates to also present an estimate based only on colony growth to the historic maxima without an assumed increase in productivity for the existing breeding population. The Applicant has presented this within V7 of 7.7.6 (submitted in response to RFI 2), whereby the number of extra breeding pairs is calculated from the historic maxima minus the current population, then the number of fledglings they</p>	<p>The Applicant welcomes Natural England's comments and confirmation of their position that Natural England are comfortable that the proposed package of measures for guillemot and razorbill has the potential to deliver the required level of compensation.</p>



Natural England's Submission	Applicant Response
will produce is calculated using the regional productivity rates from Horswill & Robinson (2015) - 0.82 for guillemot and 0.64 for razorbill. Lastly, the number of breeding pairs is then calculated by applying the national productivity rate.	
As outlined in REP6-151, these regional productivity rates are derived from much larger, generally stable, colonies, and the likelihood of the colonies in the South West achieving these rates could be argued to be low. Therefore, and whilst welcoming the additional material provided, Natural England takes the view that a more measured prediction of the potential of these sites would be based purely on an increase in the number of breeding pairs (historic maxima – current population). This is in line with the approach taken by the Applicant for their predator reduction measure at Plémont, and other approaches taken by previous projects such as Hornsea Project Four. Based on the current and historic populations taken from the Seabird Monitoring Programme (SMP) database, and the results of the Applicant's 2024 and 2025 surveys as set out by the Applicant within 7.7.6 V6 and 27.5 South West England Auk Monitoring, this appears to provide between 1,473 to 2,137 breeding pairs of guillemot and 78 to 94 breeding pairs of razorbill across four sites (The Moulds, Cow and Calf, North Cliffs and Berry Head) where current populations appear lower than historic maxima.	
Finally, with regards to the offshore ANS we note that the Applicant has estimated that approximately 2,300 breeding pairs of guillemot and 804 breeding pairs of razorbill could be accommodated, but note that the design of the ANS could be scaled such that redundancy or capacity increase could be configured according to the final requirement for each species. This gives an estimated combined potential of the three measures as they currently stand of 3,973 to 4,637 breeding pairs of guillemot and 1,082 to 1,098 breeding pairs of razorbill.	
The 'compensation requirement' calculated by the Applicant according to Natural England's approach, using the 95% Upper Confidence Limit at a 1:1 ratio, is 1,670 breeding pairs of guillemot (for FFC and the Farne Islands) and 419.6 breeding pairs of razorbill (FFC only). Recognising both the inevitable uncertainty around the likely response of seabirds to these initiatives but also the reassurance that progressing multiple initiatives gives, Natural England consider that the proposed compensation package has the potential to meet these compensation requirements. When considering the 'design requirement', we note that the proposals are scaled to provide potential benefits at a ratio of up to 2.8:1 for guillemot and 2.6:1 for razorbill.	
Therefore, and provided the requirement for adaptive management measures is sufficiently secured so that there is a clear pathway for their implementation in the event of the compensation package not delivering adequately, Natural England are comfortable that the proposed package of measures for guillemot and razorbill has the potential to deliver the required level of compensation.	

Table 1-7 The Applicant's Comments on the Equinor IPs' Submission (C3-034)

The Equinor IPs' Submission	Applicant Response
The Equinor IPs operate the Sheringham Shoal (SHS) and Dudgeon (DOW) offshore wind farms and are developing the Sheringham Shoal Extension Project (SEP) and Dudgeon Extension Project (DEP), all off the coast of north Norfolk and located to the south of the Project.	This comment is noted by the Applicant.
The Equinor IPs have made submissions in relation to the issue of wake effects and the potential impacts on the energy yields of their offshore windfarm assets and consented projects in submissions at Deadline 4a [REP4a-128], Deadline 5 [REP5-157], in their additional submission accepted at the discretion of the examining authority on 27 March 2025, at Deadline 6 [REP6-123, REP6-142, REP6-143], and in their letter to the Secretary of State dated 9 September 2025.	<p>The Applicant has responded to each of the submissions made by the Equinor IPs throughout the Examination and during the determination and, in particular, refers to the Applicant's responses in the following documents:</p> <ul style="list-style-type: none"> <li>▪ The Applicant's Comments on Deadline 4a Submissions (REP5-150);</li> </ul>

The Equinor IPs' Submission	Applicant Response
	<ul style="list-style-type: none"> <li>▪ The Applicant's Submissions on Wake Loss Matters (REP6-120); and</li> <li>▪ The Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</li> </ul>
<p>This submission is made by the Equinor IPs in response to the Secretary of State's Request for Information letter dated 21st October 2025 ("the RFI"). The Equinor IPs are requested to provide a response to paragraph 9 of the RFI in relation to Offshore infrastructure – Wake effects. The full text of paragraph 9 of the RFI is quoted below.</p> <p>"9. The Secretary of State notes that following the first information request, the Ørsted and Equinor IPs provided their preferred protective provisions as part of their response. The Ørsted and Equinor IPs and the Applicant are therefore invited to provide an update on whether any further engagement has been had on this matter and if any agreement has been reached on the most recent protective provisions."</p>	<p>The Applicant's response to paragraph 9 of the RFI dated 21st October 2025 is contained in the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>
Wake Effects – Protective Provisions	
<p>Following the close of examination, the Equinor IPs have approached the Applicant to offer further discussions with respect to the form of protective provisions sought by the Equinor IPs in relation to wake effects. The Equinor IPs remain open to further discussions with the Applicant on this topic and will update the Secretary of State further should any such discussions result in a change to the Equinor IPs' position prior to the revised date set by the Secretary of State for the determination of the application</p>	<p>The Applicant refers to its submissions at paragraphs 29 and 30 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028). The Applicant continues to engage with the Equinor IPs.</p>
<p>The Equinor IPs' position remains, as set out in its Deadline 6 submission [REP6- 143] and its letter to the Secretary of State dated 9 September 2025, that their preferred form of protective provisions (as submitted at Appendix 1 to the letter to the Secretary of State dated 9 September 2025) provide sufficient protection for their assets and consented projects, avoid through the appointment of independent joint technical experts the need for the Secretary of State to become arbiter on matters of technical detail, allow the conclusion to be reached that the Applicant's proposals have been brought forward with a view to avoiding economic loss, and thus enable the policy goal of successful co-existence to be achieved.</p>	<p>The Applicant maintains its position that the imposition of the protective provisions advocated by the Equinor IPs would be wholly inappropriate and contrary to law, policy and precedent. The Applicant refers to its detailed submissions on the form of protective provisions proposed by the Equinor IPs at section 2 of the Applicant's Response to the Second Request for Information – Wake Effects (C3-028).</p>

## 2 References

Ando H, Mukai H, Komura T, Dewi T, Ando M, Isagi Y. (2020) 'Methodological Trends and Perspectives of Animal Dietary Studies by Noninvasive Fecal DNA Metabarcoding', *Environmental DNA*, 2, pp. 391–406. <https://doi.org/10.1002/edn3.117>

BBC News (2025). *Conservationists Hopeful Over Rathlin Ferret Removal*. [Online] Available at: <https://www.bbc.co.uk/news/articles/ce3ql7vw979o> (Accessed 15 December 2025).

Rathlin Development and Community Association (2025). *Rathlin Life Raft Project*. [Online] Available at: [www.rathlin360.com/life-raft/](http://www.rathlin360.com/life-raft/) (Accessed 16 December 2025).

Walsh, P.M., Halley, D.J., Harris, M.P., del Nevo, A., Sim, I.M.W. and Tasker, M.L. (1995) *Seabird monitoring handbook for Britain and Ireland: a compilation of methods for survey and monitoring of breeding seabirds*. Peterborough: Joint Nature Conservation Committee (JNCC), Royal Society for the Protection of Birds (RSPB), Institute of Terrestrial Ecology (ITE), and the Seabird Group.