

Lesser Black-Backed Gull Steering Group Agreement Log

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Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
1	31/05/2023	GoBe Consultants	Rachael Devine	Ian Mackay
2	04/07/2023	GoBe Consultants	Rachael Devine	Marta Menchi

Description of Revisions			
Rev	Page	Section	Description
1			New Document
2	8,12,13	2	LBBIMP review section added. Spelling of 'DESNZ' corrected.

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ABBREVIATIONS

DCO	Development Consent Order
ESC	East Suffolk Council
ITT	Invitation to Tender
LBBG	Lesser Black-backed Gull
LBBCSG	LBBG Compensation Steering Groups
LBBIMP	Lesser Black-backed Gull Implementation and Monitoring Plan
MMO	Marine Management Organisation
NE	Natural England
RSPB	Royal Society for the Protection of Birds
SSSI	Site of Special Scientific Interest

1. INTRODUCTION

1.1. Overview

ScottishPower Renewables and Vattenfall have been working collaboratively on the delivery of the lesser black-backed gull (LBBG) compensation requirements for East Anglia ONE North and TWO (hereafter referred to as the 'East Anglia Projects') and Norfolk Boreas and Norfolk Vanguard (hereafter referred to as the 'Norfolk Projects'). Further details of the collaborative approach are provided in Section 1.2 and 1.3 of the LBBG Implementation and Monitoring Plan (LBBIMP).

Under the Norfolk Projects and East Anglia Projects' consents, there are requirements to set up LBBG Compensation Steering Groups (LBBCSG) to discuss and agree the delivery of LBBG compensation. The Norfolk Projects, due to their requirement to deliver a greater level of compensation, set up the LBBGSCG and took a secretarial role. Representatives of the East Anglia Projects were in attendance for the third and fourth LBBCSG Meetings (12th August 2022 and 5th October 2022, respectively).

This predator control LBBIMP has been prepared pursuant to Paragraph 3 of Schedule 18, Part 2 of the East Anglia ONE North DCO and Paragraph 3 of Schedule 18, Part 2 of the East Anglia TWO DCO; both hereafter referred to as the "compensation schedules".

During the third Norfolk Project's LBBCSG it was agreed that any discussions and subsequent agreements on compensation that were made at the Norfolk Projects-led meetings are applicable for the East Anglia Projects and therefore have been carried through into the East Anglia ONE North and TWO LBBIMP.

On the basis of this agreement, ScottishPower Renewables has prepared this Agreement Log utilising agreements made between the Norfolk Projects and members of the LBBCSG. The Agreement Log has been updated to reflect specific comments and positions for the East Anglia Projects. ScottishPower Renewables has sought to confirm agreement on these matters with the LBBCSG.

A consultation report has been produced by the Norfolk Projects¹. This reports on consultation which has occurred to date in order to develop the LBBG compensation for the Norfolk Projects and the East Anglia Projects, collectively.

1.2. The LBBG Compensation Steering Group Members

The members of the LBBCSG include;

- East Anglia ONE North and TWO;
- The Norfolk Projects;
- East Suffolk Council (ESC),
- Marine Management Organisation (MMO),
- Natural England (NE), and
- Royal Society for the Protection of Birds (RSPB).

The independent chairperson appointed to oversee the LBBCSG was Jim McKie.

The Steering Group aims to:

- Deliver the LBBG compensation in an effective and timely manner,
- Establish an appropriate monitoring plan to ensure continued success of the LBBG compensation, and
- Develop appropriate adaptive management measures to ensure LBBG compensation is effective.

The agreement log has been structured to reflect the topics of discussion between the members of the LBBCSG. The agreement log outlines all topic specific matters agreed, not agreed and any actions to resolve

¹ [EN010079-004562-The Norfolk Projects LBBGIMP Annex 1 Consultation report .pdf](https://planninginspectorate.gov.uk/EN010079-004562-The%20Norfolk%20Projects%20LBBGIMP%20Annex%201%20Consultation%20report.pdf) (planninginspectorate.gov.uk)

Projects: East Anglia ONE North and East Anglia TWO Offshore Windfarms

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the areas of disagreement. Matters that are not agreed will be the subject of ongoing discussion wherever possible to resolve or refine the extent of disagreement between the parties.

2. AGREEMENT LOG

See below the Agreement log. The LBBCSG positions presented in the log are as per the final iteration of the Agreement Log as submitted alongside the Norfolk Project's LBBIMP². Should there be any East Anglia Projects specific queries from the LBBCSG members following review of the East Anglia Projects' LBBIMP then these positions will be updated.

² [Section 4.6.2 of the Lesser Black-Backed Gull Compensation Plan \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/section-4.6.2-of-the-lesser-black-backed-gull-compensation-plan/)

Topic	Norfolk Projects	Natural England	Marine Management Organisation	East Suffolk Council	RSPB	East Anglia Projects	Outstanding Actions
ScottishPower Renewables Steering Group Meeting Attendance							
Any agreements reached on technical matters during the Norfolk Projects' Steering Group Meetings are also applicable to East Anglia ONE North and TWO.	Norfolk Projects agree with this position	Agreed	Agreed	Agreed	Agreed	The East Anglia Projects' LBBIMPs reflect all agreements made to date during the Norfolk Projects' LBBCSG meetings	
Agreement that from a stakeholder resource point of view, there is no need for ScottishPower Renewables to conduct a separate round of Steering Group Meetings	Norfolk Projects agree that there is no need for a separate round of Steering Group Meetings	Agreed	Agreed	Agreed	Agreed	The East Anglia Projects' specific LBBIMP documentation has been circulated for review and agreement via email.	
Plan of Work							
Agreement on the Plan of Work, (Schedule 18, Part 2, Paragraph 2 (a to d) of the East Anglia ONE North and TWO DCOs).	Drafted and updated to address comments from all LBBCSG members and received email approval from all members to proceed under the terms detailed within. Submitted the documents.	Agreed. Draft sent in advance of submission to DESNZ, no comments received.	Agreed. Draft sent in advance of submission to DESNZ, no comments received.	Agreed. Draft sent in advance of submission to DESNZ, no comments received.	Agreed. Draft sent in advance of submission to DESNZ, no comments received.	The East Anglia ONE North and TWO PoW has been submitted and approved by DESNZ (11/05/2023).	
Proposed Compensation							
Location, (Schedule 18 Part 2, paragraph 3 (a) of the East Anglia ONE North and TWO DCOs).	Two proposed locations on the Cobra Mist land were initially presented at LBBCSG meeting 1. A preferred option in the south and a backup option in the North. However, following further discussions with the landowner and agreement from the LBBCSG, the backup northern one has been removed from consideration.	Email received 12/05/2022 stating "I can confirm that subject to the outcome of the structure survey and provision of further details on the plans Natural England sees no obvious constraints which could restrict/prohibit the use of the 6ha to the East of Cobra Mist buildings as compensation for LBBG for the Norfolk projects and possibly EA1N and EA2. However, it should be noted that this intervention will not resolve the wider issues in relation to the SSSI site management, either within	When site was presented during LBBCSG meeting 1 no objections were raised to either site. MMO did not attend the second meeting. No objections raised in relation to amended site boundary (12/08/2022).	When site was presented during LBBCSG meeting 1 no objections were raised to either site. No objections raised in relation to amended site boundary (12/08/2022).	In Principle Agreement at meeting 2 subject to seeing the final site suitability survey report. No objections raised in relation to amended site boundary (12/08/2022).	The East Anglia Projects will deliver compensation collaboratively with the Norfolk Projects at Lowestoft as agreed. Details are presented in the LBBIMP. Agreement for Lease awarded for the site (29/07/2022).	

Topic	Norfolk Projects	Natural England	Marine Management Organisation	East Suffolk Council	RSPB	East Anglia Projects	Outstanding Actions
		<p>the 6ha or the wider SSSI unit"</p> <p>No objections raised in relation to amended site boundary (12/08/2022).</p>					
Predator Proof Fencing Design (Schedule 18 Part 2, paragraph 3 (b) of the East Anglia ONE North and TWO DCOs).	The design parameters were presented at LBBCSG meeting 2 and the Invitation to Tender (ITT) have been issued to contractors using this as the design basis.	Following circulation of the specifications provided with the ITT, NE provided advice in email sent: 05/07/2022 at 15:45. The advice provided aligned with the Specifications provided to fence suppliers. Therefore, in principle agreement has now been reached pending comments from site manager (12/08/2022).	No Comment	ESC defers to NE and RSPB for technical expertise regarding design.	Following circulation of the specifications provided with the ITT, RSPB provided advice in email sent: 18/07/2022 at 09:17, specifically advice on mesh size and recommends larger than the 20mm mentioned by NE. Therefore, agreement has now been reached (12/08/2022).	The East Anglia Projects will deliver compensation collaboratively with the Norfolk Projects utilising the agreed design structure. Details are presented in the LBBIMP (construction of the fence has now been installed and completed in February 2023).	
Programme							
Programme (Schedule 18 Part 2, paragraph 3 (c) of the East Anglia ONE North and TWO DCOs).	The programme is driven by the need for the compensation to be in place four full breeding seasons prior to operation of any turbine generator. In order to achieve government and project targets that required the fence to be operational prior to the 2023 breeding season. The proposed programme to achieve this was presented at LBBCSG meeting 1 and a recap during meeting 2.	It is agreed that the programme is suitable to deliver the compensation package in time to be in place four full breeding seasons prior to turbines becoming operational (subject to all permissions being in place).	It is agreed that the programme is suitable to deliver the compensation package in time to be in place four full breeding seasons prior to turbines becoming operational (subject to all permissions being in place).	It is agreed that the programme is suitable to deliver the compensation package in time to be in place four full breeding seasons prior to turbines becoming operational (subject to all permissions being in place).	It is agreed that the programme is suitable to deliver the compensation package in time to be in place four full breeding seasons prior to turbines becoming operational (subject to all permissions being in place).	The programme is driven by the need for the compensation to be in place four full breeding seasons prior to operation of any turbine generators. Construction of the wall completed in February 2023, prior to the 2023 breeding season. Further details of programme are presented in the LBBIMP.	
Landowner Engagement							
Note, this is a requirement specified in the Norfolk Projects' compensation schedules; equivalent detail is not provided in the East Anglia ONE North and TWO compensation schedules but has been presented here for completeness.	Confirmation that a lease has been signed with the landowner.	No comment	No comment	Agreed	No comment. The RSPB has advised that the National Trust, a neighbouring landowner, is consulted/invited to attend the LBBCSG.	Landowner agreements have been granted. (29/07/2022).	The National Trust will be consulted and invited to attend future LBBCSG meetings where relevant.
Compensation Management and Maintenance							
Management	The plan for proposed management was presented at LBBCSG meeting 2.	Agreed in principle subject to final site suitability report.	No comment	Agreed in principle, ESC defer to expertise of NE and	Agreed in principle subject to final site suitability report.	Details of management and maintenance of fence, predator monitoring and	

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					RSPB regarding habitat management.		
Maintenance (Schedule 18 Part 2, paragraph 3 (e) of the East Anglia ONE North and TWO DCOs). - Fence	The plan for proposed maintenance was presented at LBBCSG meeting 2.	Agreed in principle but need to have discussions with site manager on timing of maintenance. Inspection of skirt to be included in maintenance remit.	No comment	Maintenance of the fence will be linked into the planning application. ESC expects to see details as part of the submission.	Agreed in principle subject further internal discussions. Inspections to commence prior to the breeding season in March (12/08/2022).	removal is presented in the LBBIMP and follows agreements made to date.	The provision for maintenance, has been built into the LBBIMP and this will be overseen by ongoing engagement with the LBBCSG.
Maintenance (Schedule 18 Part 2, paragraph 3 (d) and (e) of the East Anglia ONE North and TWO DCOs). – Proposals for maintaining the compensation as predator free	Presented the proposed plan for identifying predators/mammals within the enclosure (Section 8 of the LBBIMP). Presented principles at LBBCSG meeting 2 and committed to establishing protocols that will take account of all possible species.	Agreed in principle Agreed in principle subject to specific management principles for the species encountered.	No comment No comment	Agreed in principle Agreed in principle subject to specific management principles for the species encountered. This comment should not be restricted to poison bait only and should not only cover predators but any animals which become trapped within the fence enclosure.	Agreed in principle Agreed in principle subject to further information being provided on the suitability of poison bait for smaller mammals, given concerns about effects on predators including birds, plus agreement on relevant protocols for each species, which are to be discussed at LBBCSG meeting 5. Important to be clear on “trapping” & release of invasive species (i.e., invasive species are not allowed to be released under The Invasive Alien Species (Enforcement and Permitting Order 2019).		
Success Criteria & Adaptive Management							
Monitoring (Schedule 18 Part 2, paragraph 3 (d) of the East Anglia ONE North and TWO DCOs).	The proposed monitoring programme was presented at LBBCSG meeting 2.	Agreed in principle but need to coordinate with other monitoring studies to make best use of time and effort. This should be possible through the wider LBBG monitoring group that the Norfolk Projects will be invited to.	No comment	Agreed in principle, however further work needed on protocols for drone use. Agree with NE and RSPB on need to coordinate monitoring studies.	Agreed in principle but need to coordinate with other monitoring studies to make best use of time and effort. As discussed at LBBCSG meeting 2 and in comments on draft LBBIMP, we recommend a meeting of relevant specialists to work through monitoring requirements.	The East Anglia Projects will deliver compensation collaboratively with the Norfolk Projects utilising the agreed approach to monitoring. The LBBIMP notes the option for future discussions on proportionate monitoring for the East Anglia Projects should the collaborative approach not succeed.	Norfolk projects to attend the wider LBBG monitoring group and look into the use of drones for surveys.

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Adaptive management principles	The proposed adaptive management principles were presented at LBBCSG meeting 4.	Agreed to principles as set out in LBBIMP.	Agreed to principles as set out in LBBIMP.	Agreed to principles as set out in LBBIMP.	Agreed to principles as set out in LBBIMP.	The East Anglia Projects will deliver compensation collaboratively with the Norfolk Projects utilising the agreed approach to monitoring. The LBBIMP notes the option for future discussions on proportionate monitoring for the East Anglia Projects should the collaborative approach not succeed.	
Minutes							
<p>Minutes approved</p> <p>(Note, this is a requirement specified in the Norfolk Projects compensation schedules; equivalent detail is not provided in the East Anglia ONE North and TWO compensation schedules but has been presented here for completeness).</p>	<p>Agree and issued final minutes for each steering group meeting.</p> <p>Final minutes circulated to LBBCSG for:</p> <p>LBBCSG meeting 1</p> <p>LBBCSG meeting 2</p> <p>LBBCSG meeting 3</p> <p>LBBCSG meeting 4</p> <p>LBBCSG meeting 5</p>	<p>Meeting 1 minutes approved at LBBCSG meeting 2.</p> <p>Meeting 2 minutes approved at LBBCSG meeting 3.</p> <p>Meeting 3 minutes approved at LBBCSG meeting 4 with minor amendment to Page 6 "add trial after vegetation management".</p> <p>Meeting 4 minutes approved via email confirmation (25.10.2022) with minor amendment to clarify that the LBBIMP has been developed to provide compensation that meets the objectives set in the Habitats Regulations Assessments and agreed to differentiate between what compensation the LBBIMP will provide and NE's view that more compensation is required. NE's view is that the compensation needs to be scaled in order to deliver sufficient compensation for the national site network.</p> <p>No changes to meeting 5 minutes identified and therefore approved.</p>	<p>Meeting 1 minutes approved at LBBCSG meeting 2.</p> <p>Meeting 2 minutes approved at LBBCSG meeting 3.</p> <p>Meeting 3 minutes approved at LBBCSG meeting 4.</p> <p>No changes to meeting 4 minutes identified and therefore approved.</p> <p>No changes to meeting 5 minutes identified and therefore approved.</p>	<p>Meeting 1 minutes approved at LBBCSG meeting 2.</p> <p>Meeting 2 minutes approved at LBBCSG meeting 3.</p> <p>Meeting 3 minutes approved at LBBCSG meeting 4.</p> <p>No changes to meeting 4 minutes identified and therefore approved.</p> <p>No changes to meeting 5 minutes identified and therefore approved.</p>	<p>Meeting 1 minutes approved at LBBCSG meeting 2.</p> <p>Meeting 2 minutes approved at LBBCSG meeting 3.</p> <p>Meeting 3 minutes approved at LBBCSG meeting 4.</p> <p>No changes to meeting 4 minutes identified and therefore approved.</p> <p>No changes to meeting 5 minutes identified and therefore approved.</p>	<p>ScottishPower Renewables has circulated the East Anglia Projects LBBIMP for review. Should a Project specific LBBCSG meeting be required, the meeting minutes Will be circulated for review and approval.</p>	

Topic	Norfolk Projects	Natural England	Marine Management Organisation	East Suffolk Council	RSPB	East Anglia Projects	Outstanding Actions
Monitoring of the colony							
The LBBGIMP contains a commitment to agree the detailed monitoring requirements for the colony post submission of the IMP but prior to beginning of the 2023 breeding season	The Norfolk Projects presented its proposal for what would be monitored during LBBGSG meetings 3 and 4 and these were agreed and included in the LBBGIMP. How this monitoring is to be conducted was discussed and agreed during LBBGSG meeting 5.	The methodologies for monitoring were agreed at meeting 5.	The methodologies for monitoring were agreed at meeting 5.	The methodologies for monitoring were agreed at meeting 5.	The methodologies for monitoring were agreed at meeting 5.		
The LBBGIMP Contains a commitment to produce and agree mammal removal protocols	The Norfolk Projects circulated draft protocols prior to LBBGSG meeting 5 and these were discussed and agreed at the meeting. Members then provided written comments during the meeting all of which were addressed in the final version circulated on the 13 December 2022	All comments were addressed in the final version of the Mammal removal protocols and therefore the protocols are agreed .	All comments were addressed in the final version of the Mammal removal protocols and therefore the protocols are agreed.	All comments were addressed in the final version of the Mammal removal protocols and therefore the protocols are agreed.	All comments were addressed in the final version of the Mammal removal protocols and therefore the protocols are agreed.		
LBBIMP Review							
Issued revision of the LBBIMP for LBBCSG on 07/06/2023	No comments received	Natural England have no further comments on the Lesser Black-Backed Gull Steering Group Agreement Log. Natural England provide the following advice regarding the below comment from the LBBIMP: 3. BY-CATCH RESEARCH PROJECT East Anglia ONE North and TWO will be developing an updated Plan of Work, including Terms of Reference, and a standalone LBBIMP in respect of ornithological by-catch research project, in consultation with the by-catch Steering Group, to be submitted to the SoS in due course. Natural England recommends having a single Plan for bycatch rather than a 'stand-alone LBBIMP' covering the bycatch, given the bycatch research project is mentioned in the HRA and DCO/dML for both lesser	No comments received	We have reviewed the LBBG Implementation and Monitoring Plan (LBBIMP) for East Anglia ONE North and East Anglia TWO as well as the Agreement Log and we have no comments to add at this time. (received 20/06/2023)	No comments received	East Anglia ONE North and TWOI provided a response to Natural England via email addressing the advice to have a single bycatch document. We reassured NE that a single by-catch research project plan will be developed to cover both the Red-throated Diver and LBBG. (Replied 04/07/2023)	

Topic	Norfolk Projects	Natural England	Marine Management Organisation	East Suffolk Council	RSPB	East Anglia Projects	Outstanding Actions
		black-backed gull and red throated diver. Having two LBBIMPs, and potentially two bycatch plans (for a single programme of work), has the potential to cause confusion as well as duplication of effort for EA1N/EA2 and for stakeholders. (received 23/06/2023)					