

Norfolk Boreas Offshore Wind Farm Habitats Regulations Derogation, Provision of Evidence Appendix 4 Consultation

Applicant: Norfolk Boreas Limited
Document Reference: ExA.Dero.D7.V1. App4
Deadline 7

Date: March 2020
Revision: Version 1
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Photo: Ormonde Offshore Wind Farm

Date	Issue No.	Remarks / Reason for Issue	Author	Checked	Approved
25/03/2020	01D	Draft for internal review	GK/DT	VR/JT	JL
30/03/2020	01F	Version for Deadline 7 submission	GK/DT	VR/JT	JL



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Glossary of Acronyms

DCO	Development Consent Order
DEFRA	Department for Environment, Food & Rural Affairs
EIFCA	Eastern Inshore Fisheries and Conservation Authority
HHW	Haisborough, Hammond and Winterton
HRA	Habitats Regulations Assessment
LBBG	Lesser Black Backed Gull
MMO	Marine Management Organisation
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SPA	Special Protection Area

1 Introduction

1. Throughout the development of Norfolk Boreas ('the Project'), the Applicant has undertaken extensive consultation with a range of stakeholders with the aim of open collaboration to maximise the benefits of the Project.
2. Norfolk Boreas is being developed alongside the Norfolk Vanguard project. If both projects are constructed, they would, because of their location, have similar impacts as a result of their strategic development and shared cable corridor. Accordingly, the Applicant, jointly with Norfolk Vanguard, has undertaken consultation with Natural England and the MMO in relation to potential in-principle compensation measures to support a Habitats Regulations derogation case.
3. This consultation was undertaken primarily in response to a request for information for the Norfolk Vanguard project from the Department for Business, Energy and Industrial Strategy (BEIS) dated 6 December 2019. However, that consultation is directly relevant to and has informed the Applicant's response to the Examining Authority's further written questions, which have requested information on derogation including possible compensation measures. Consultation with other relevant stakeholders e.g. Eastern Inshore Fisheries and Conservation Authority (EIFCA), The National Trust and the Royal Society for the Protection of Birds (RSPB) also took place as part of the Norfolk Vanguard led consultation and has informed the Norfolk Boreas response in a similar way.
4. The principle of consultation has been to engage actively and openly, sharing information on a without prejudice basis, to provide parties with the opportunity to consider and contribute towards the development of in-principle compensation measures as part of a derogation case. Written feedback received from the parties has been taken into account in the in-principle compensation measures proposed.
5. Consultation was undertaken with offshore stakeholders, in particular Natural England and the Marine Management Organisation (MMO) regarding matters relating to Habitats Regulations Assessment (HRA) and possible compensation, covering the following topics, as explained further in Section 2 of this document:
 - Ornithology
 - Kittiwake of Flamborough and Filey Coast Special Protection Area (SPA), possible mitigation and compensation;
 - Lesser black backed gull (LBBG) of Alde-Ore Estuary SPA, possible mitigation and compensation
 - Haisborough, Hammond and Winterton Special Area of Conservation (SAC)
 - Site Integrity Plan
 - Mitigation; and
 - Possible compensation

2 Consultation with Stakeholders

6. The consultation with Natural England and the MMO included a series of conference calls, a face to face meeting and a large number of submissions regarding additional mitigation proposals and in-principle compensatory measures.
7. Due to the timescales for the two projects Norfolk Vanguard Limited lead on the derogation consultation with the Norfolk Boreas team in attendance at the majority of meetings and calls. Although Norfolk Vanguard led the consultation, all entries listed in Table 1 are directly relevant to Norfolk Boreas and have been considered when developing this in principle derogation case.
8. In addition to the stakeholder consultation outlined below, the Applicant engaged with the supply chain, including turbine manufacturers, construction vessels, decommissioning specialists and cable protection manufacturers in order to refine the design envelope and propose new mitigation commitments based on the latest industry developments.

Table 1 Summary of consultation with stakeholders regarding HRA matters

Stakeholder	Date	Type	Topic
Natural England	07 January 2020	Submission by Norfolk Vanguard Limited	Outline Terms of Engagement issued for review
Natural England	08 January 2020	Conference call	Discussion of Outline Terms of Engagement
Hornsea Project Three	9 January 2020	Conference call	Project updates
Natural England	10 January 2020	Submission by Norfolk Vanguard Limited	<ul style="list-style-type: none"> • Norfolk Vanguard HHW SAC Position Statement • Norfolk Vanguard updated CRM for 11.55MW turbines issued by the Applicant for review (Boreas equivalent was submitted for Deadline 5 of the Norfolk Boreas Examination [REP5-059]).
Natural England	16 January 2020	Conference call	Discussion of initial feedback on Norfolk Vanguard HHW SAC Position Statement and Updated CRM
MMO	16 January 2020	Conference call	Discussion regarding BEIS letter issued to Norfolk Vanguard
Natural England and MMO	17 January 2020	Submission by Norfolk Vanguard Limited	<ul style="list-style-type: none"> • Draft HHW indicative compensation proposals issued for review • Draft kittiwake and LBBG indicative compensation proposals issued for review)
Natural England, MMO	23 January 2020	Meeting	Workshop to discuss in principle compensation measures
Natural England and MMO	27 January 2020	Submission by Norfolk Vanguard Limited	Updated benthic assessment to consider additional mitigation for review (the

Stakeholder	Date	Type	Topic
			Norfolk Boreas version was submitted as Appendix 1 of the Applicant's Haisborough Hammond and Winterton Special Area of Conservation Position Paper [REP5-057] at Deadline 5.
Natural England	31 January 2020	Conference call	Progress update
Natural England and MMO	3 February 2020	Submission by Norfolk Vanguard Limited	<ul style="list-style-type: none"> Updated draft kittiwake and LBBG indicative compensation proposals for review. Norfolk Vanguard Headroom Position Statement for review
Innogy	3 February 2020	Conference call	Alde-Ore Estuary SPA
Natural England	5 February 2020	Conference call	Workshop follow up call
EIFCA	7 February	Conference call	HHW SAC compensatory measures
MMO	10 February 2020	Conference call	Progress update
Natural England	11 February 2020	Conference call	Alde-Ore Estuary SPA with Site Responsible Officer
Natural England and MMO	12 February 2020	Submission by the Applicant	Updated Norfolk Vanguard ornithology mitigation for review
Natural England, MMO	17 February 2020	Conference call	Workshop follow up call
RSPB	19 February 2020	Conference call	Alde-Ore Estuary SPA
MMO	20 February 2020	Conference call	DCO conditions for in-principle compensation
Natural England, MMO	24 February 2020	Conference call	Workshop follow up call
National Trust	25 February 2020	Conference call	Alde-Ore Estuary SPA
DEFRA	25 February 2020	Email exchange	Regarding HHW SAC extension compensatory measure
Natural England	24 March 2020	Conference call	To discuss the approach to be taken by Norfolk Boreas in the derogation case and how Norfolk Vanguard will be considered within the Norfolk Boreas in-principle compensation proposals.

3 Conclusion

9. The extensive engagement as detailed above has facilitated the development of, and commitment to a range of additional mitigation measures and in-principle compensatory measures described in Appendices 1, 2 and 3 of the Habitats Regulations Derogation Provision of Evidence (document reference ExA.Dero.D7.V1.App1, document 8.24 and document 8.25).