



Hornsea Project Four: Without Prejudice Derogation Information

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1 Introduction

- 1.1.1.1 Orsted Hornsea Project Four Limited (the 'Applicant') is proposing to develop the Hornsea Project Four Offshore Wind Farm (hereafter 'Hornsea Four'). An application for a Development Consent Order (DCO) ("the Application") has been submitted alongside this Annex to the Planning Inspectorate (PINS).
- 1.1.1.2 The Applicant provided, alongside the Application, information to support a Habitats Regulations Assessment (HRA) of Hornsea Four (in the form of a Report to Inform Appropriate Assessment (RIAA) ([Volume 2, Annex 2: Report to Inform Appropriate Assessment](#))) to determine if the project could result in an Adverse Effect on Integrity ("AEOI") of a European Site. Within the RIAA, the Applicant provided evidence on matters relating to in-combination impacts on four features of the Flamborough and Filey Coast Special Protection Area (FFC SPA) concerning collision and or displacement risks: kittiwake, gannet, guillemot, and razorbill. The Applicant has determined and remains confident that no AEOI to this European site would result.
- 1.1.1.3 Notwithstanding, the Applicant has prepared and submitted with the Application a 'without prejudice derogation case'. The purpose of the derogation case is to provide, without prejudice to the Secretary of State's decision on whether there is an AEOI, information to demonstrate that the Article 6 (4) derogation tests could be met for Hornsea Four if it is necessary to resort to them to authorise the project. A standalone report on compensatory measures has been produced ([Volume 2, Chapter 6: Compensation measures for FFC SPA Overview](#)).
- 1.1.1.4 The Applicant recognises the importance of engaging the relevant stakeholders in developing any potential compensation measures, and the Applicant has therefore sought to engage openly and transparently with the key stakeholders during the consultation period.
- 1.1.1.5 Throughout the consultation period, the Applicant has requested regular meetings with key stakeholders to seek their advice and to update them on key developments. The use of online and video consultations during the COVID-19 pandemic was employed to substitute meetings in-person. Where possible, the Applicant has sought to provide copies of any relevant materials to provide an opportunity for stakeholders to comment on these during their development.
- 1.1.1.6 This is particularly evident regarding the development of the Hornsea Four compensation measures, which was an iterative process. Eight workshops were held between June 2020 and August 2021 to discuss HRA derogation matters. Three of these workshops were held on a joint Hornsea Three and Hornsea Four basis to reflect the overlapping development of a compensation case for kittiwake. These workshops were attended by (in various combinations as appropriate to the agenda) Natural England, the Marine Management Organisation (MMO), the Joint Nature Conservation Committee (JNCC), The Department for Environment, Food and Rural Affairs (DEFRA), the Royal Society for the Protection of Birds (RSPB), The Wildlife Trusts, PINS, East Riding of Yorkshire Council, The Crown Estate (TCE) and the National Federation of Fisherman's Organisations (NFFO).

- 1.1.1.7 The workshops encouraged participants to speak openly about the potential measures tabled on a 'without prejudice' basis. A short list of measures was identified by the parties to help focus the discussion and all parties had the opportunity to consider/debate the appropriateness and feasibility of the different measures on a without prejudice basis.

2 Consultation

- 2.1.1.1 **Table 2-1** demonstrates the scope of the Applicant's engagement, summarising the workshop dates, which stakeholders attended and the major topic areas discussed. It should be noted that this note only describes consultation that was held specifically to discuss matters of compensation associated with the Habitats Regulations (2017)¹. Consultation has also been undertaken by the Applicant on wider Environmental Impact Assessment process and HRA matters which are described elsewhere in the DCO application documents. The process for the latter is described in the Environmental Statement (**Volume 1, Chapter 6: Consultation**).

2.2 Consultation with Natural England

- 2.2.1.1 Between August 2020 and August 2021, eight workshops which were attended by Natural England have taken place to discuss potential compensation measures. The workshops sought to reach alignment as far as possible between the parties on the general principles of compensation and provided an opportunity to discuss the tabled measures.
- 2.2.1.2 Later workshops in May and August 2021, attended by Natural England and other stakeholders, sought advice and comment on the approaches adopted prior to Hornsea Four's DCO submission. The workshops discussed the evidence for the compensation measures and Hornsea Four received confirmation from Natural England that there were no further suitable measures that should be explored.

2.3 Consultation with the MMO

- 2.3.1.1 As the regulatory authority for implementing requirements of the Maritime and Coastal Access Act 2009 (MCAA) and enforcing conditions contained within the Deemed Marine Licences (dMLs), the MMO has been central to the Applicant's engagement on Article 6(4). The MMO was party to most workshops undertaken by the Applicant with Natural England and had access to written materials.
- 2.3.1.2 The MMO was present at the first online workshop in June 2020 where the Applicant provided the stakeholders with a draft long-list of compensation measures, without prejudice, to encourage wider discussion. The MMO, as one of the key stakeholders identified by the Secretary of State, had an opportunity to review the long-list and consider any initial thoughts, including whether any potential measures were missing.
- 2.3.1.3 A further workshop with Natural England and the MMO was held in August 2020. In addition to Natural England, the MMO and PINS, the workshop was attended by representatives of JNCC, DEFRA and The Crown Estate and the RSPB, as well as consultant ornithologists. This

¹ As transposed by the Conservation of Habitats and species Amendment (EU Exit) Regulations 2019 ("EU Exit Regulations").

workshop sought to reach alignment (as far as possible) between the parties on the general principles of compensation and provided an opportunity for the parties to discuss the tabled measures in more detail. The MMO was

- 2.3.1.4 Later workshops in May and August 2021, attended by the MMO and other stakeholders, sought advice and comment on the approaches adopted prior to the DCO submission.

2.4 Consultation with DEFRA

- 2.4.1.1 DEFRA have attended the majority of compensation workshops and have therefore been involved in developing the principles of compensation measures and how Hornsea Four should seek to identify and deliver compensation. DEFRA also attended the joint Hornsea Three and Hornsea Four workshops with discussions focused on just artificial nesting and the feasibility of increasing prey availability, focussed on kittiwake. Feedback on Hornsea Four's approach to the compensation long-list has been considered through the selection process and subsequent development of preferred compensation options. Defra also attended a workshop in November 2020 on the long-list of measures and the final workshop in August 2021 prior to the DCO submission.

2.5 Consultation with the RSPB

- 2.5.1.1 The RSPB attended seven of the eight workshops and have been a key expert adviser providing information on the latest ornithology research to all compensation measures, challenges over the delivery of compensation (i.e., additionality, legal securing).

2.6 Consultation with other parties

- 2.6.1.1 The Applicant also consulted with PINS during four online workshops, the JNCC attended four online workshops, The Crown Estate three workshops and The Wildlife Trusts one online workshop. The National Federation of Fishermen's Organisations (NFFO) was also present at three online workshops, and East Riding of Yorkshire Council at two online workshops.

2.7 Consultation on development of specific compensation measures

- 2.7.1.1 In addition to the consultation described above (and in [Table 2-1](#) and [Table 2-2](#)), the Applicant has also undertaken consultation with relevant parties during the detailed development of the compensation measures. This is described in the paragraphs below.
- 2.7.1.2 To support the potential predator eradication project which will in turn provide benefits to guillemot and razorbill, the Applicant has undertaken engagement with numerous stakeholders. This process has included the RSPB (including members of the Island Restoration Team), Natural England, JNCC, relevant Wildlife Trusts (i.e., Alderney and the Isles of Scilly) and government bodies (such as the States of Guernsey) since June 2020. Consultations with these organisations supported the development of an evidence base for predator eradication for guillemot and razorbill which in turn provided a robust foundation to support the measure for both species. The engagement process also allowed the Applicant to further explore potential locations suitable for predator eradication while also

supporting a diligent approach to understanding approaches to implementation and relevant monitoring opportunities. This process this has led to collaboration with stakeholders on potential predator eradication projects.

- 2.7.1.3 To support the compensation measure of onshore nesting, the Applicant will build on the engagement ongoing for Hornsea Three, in addition to the Ecological Evidence and Roadmaps in support of Hornsea Four's onshore nesting compensation measures.
- 2.7.1.4 To support the compensation measures of offshore nesting, extensive engagement with the Oil and Gas industry has been undertaken to build an evidence base regarding the presence or absence of nesting seabirds on existing oil and gas installations in the Southern North Sea. This included the distribution of a questionnaire to operators in March 2021 to ascertain which, if any, of their assets had nesting birds presently or historically, as well as a number of individual meetings with operators.
- 2.7.1.5 To support the bycatch reduction measures there has been extensive consultation with specialists and academics in the field of marine bycatch reduction. Additionally, questionnaires have been shared with members of the UK static fishery to assess their levels of bird bycatch and willingness to engage in future bycatch reduction measures.
- 2.7.1.6 To support the resilience compensation measures of fish habitat enhancement, engagement with Natural England and organisations such as Project Seagrass, Ocean Conservation Trust and the Yorkshire Wildlife Trust has been undertaken since November 2020. Consultations with these organisations supported the development of an evidence base for seagrass restoration, provided an opportunity to explore future research prospects to build upon the evidence associated with restoration, feasibility and trials, approach to implementation and explore consents and licensing requirements. This included meetings with organisations individually to discuss their ongoing restoration work with the UK including the Humber estuary, Plymouth Sound and the Solent, to determine feasibility and opportunities for future collaborations in order to successfully contribute to the resilience compensatory measure. Following from this has led to collaboration with the Yorkshire Wildlife Trust on seagrass restoration.

Table 2-1 Summary of key meeting and workshop dates to engage with stakeholders on issues of impact, mitigation and compensatory measures

Date	Consultees	Purpose of meeting	Key matters discussed
24 June 2020	PINS MMO RSPB Natural England	<p>To introduce intention to produce 'without prejudice' derogation case.</p> <p>To obtain feedback on Hornsea Four's approach to compiling the long-list of compensation options.</p> <p>To discuss the draft compensation options presented.</p>	<ul style="list-style-type: none"> • Hornsea Four's programme • Hornsea Four's intention to produce 'without-prejudice' derogation case for kittiwake, gannet, guillemot, and razorbill • Proposed derogation engagement outlined. • Compensation elements of the derogation case • Hornsea Four's approach to identifying compensation options & long-term implementation • Draft long-list of potential compensation measures presented • Timescales and relevant consultees, non-targeted measures and additionality.
11 August 2020	Natural England PINS MMO RSPB DEFRA The Crown Estate	<p>Note: Joint Hornsea Three and Four agenda.</p> <p>To present and discuss work completed to date on feasible compensation measures, namely artificial nest provision and prey availability research, for Hornsea Projects Three and Four.</p> <p>To gauge stakeholder's responses to these measures.</p>	<ul style="list-style-type: none"> • Presentation of ornithology compensation options for Hornsea Three (and informing Hornsea Four's case) through two workshop sessions on artificial nesting and prey availability • Productivity improvement through artificial nesting structures • Potential management measures for increasing prey availability • How to approach measures optimally, legally, politically. • Feasibility of compensation delivery within necessary timeframe.
25 August 2020	Natural England RSPB MMO, DEFRA DEFRA	<p>Note: Joint Hornsea Three and Four agenda.</p> <p>To discuss artificial nesting as compensation option for kittiwake in more depth.</p>	<ul style="list-style-type: none"> • Kittiwake compensation strategy(focussed on Hornsea Three but informing Hornsea Four's case) • Presentation of calculations to determine number of nest sites required • Discussion on suitable locations, securing sites, adaptive management and roadmap to delivery of the measure.

Date	Consultees	Purpose of meeting	Key matters discussed
8 September 2020	JNCC Natural England DEFRA	<p>Note: Joint Hornsea Three and Four agenda</p> <p>To obtain advice in relation to offshore fisheries management and the effectiveness of the proposed prey-related compensation.</p>	<ul style="list-style-type: none"> • Kittiwake compensation strategy (focussed on Hornsea Three but informing Hornsea Four's case) • Offshore fisheries management, with Hornsea Four's position that it is legally inappropriate to pursue in the DCO and by a developer, needs to be Government led • Effectiveness of prey-related compensation • Stakeholders reiterated their support for inclusion of prey availability.
25 November 2020	Natural England RSPB DEFRA	<p>To secure feedback from consultees on the feasibility and preference for the measures presented, and introduce workstreams pursued for kittiwake, guillemot, razorbill and gannet.</p>	<ul style="list-style-type: none"> • Use of EC Guidance (2018) criteria to identify feasible compensation measures for Hornsea Four • In-depth consideration of potential compensation measures for each of the four species • Presentation on the PVA modelling • Feasibility and preferences for measures presented.
22 January 2021	RSPB Natural England NFFO DEFRA East Riding of Yorkshire Council JNCC Natural Resources Wales PINS	<p>To discuss the proposed compensation measures for Hornsea Four and establish whether stakeholders think compensation measures are feasible (either alone or as part of a suite of measures).</p> <p>To identify if any additional evidence is necessary to give stakeholders further confidence in the feasibility of each measure.</p> <p>To identify whether stakeholders are aware of any additional information that they are able to share with Orsted's Project Seabird Team in order to further the workstreams.</p> <p>To provide an evidence review of benefits to guillemot and razorbill from predator eradication</p>	<ul style="list-style-type: none"> • Presentation and discussion on offshore nesting evidence base • Update and discussion on prey availability evidence • Guillemot and Razorbill Fisheries Bycatch - evidence base and next steps • Prey availability and seagrass restoration - evidence base and next steps • DMP/ British Trust for Ornithology (BTO) modelling progress to date • The Wildlife Trusts were absent, but sent a copy of the minutes.

Date	Consultees	Purpose of meeting	Key matters discussed
28 May 2021	JNCC Natural England MMO RSPB NFFO	<p>To discuss the progress of the Hornsea Four evidence workstreams for compensation measures.</p> <p>To provide an update relating to compensation evidence including project timelines.</p> <p>To allow Hornsea Four to collate comments on the draft Evidence Reports for incorporation into the DCO submission.</p> <p>To seek advice and comments on the work undertaken so far on the proposed compensation measures and supporting evidence</p> <p>To identify any remaining evidence gaps and how to fill them prior to submission.</p>	<ul style="list-style-type: none"> • Updates on the kittiwake nesting census survey work of oil and gas platforms provided • Presentation provided on the kittiwake prey distribution work being undertaken • Location and colonisation period of potential new or repurposed offshore nesting structures discussed. Decommissioning of oil and gas structures discussed • Results of work undertaken on bycatch reduction to date presented (including estimates of guillemot and razorbill bycatch and bycatch risk zones). Aspects of linkages to the FFC SPA, collaboration and additionality discussed. • Proposals for bycatch reduction trials discussed. • Results of work undertaken on predator eradication presented: results of shortlisting process and potential of the Channel Islands and Isles of Scilly. • Work presented to date on seagrass restoration as a compensation measure. Monitoring plans for summer 2021 presented and plans for filling evidence gaps. The uncertainty over linkages between the target species and seagrass restoration were discussed. • An overview of the seabird prey resource research was presented • The concept of putting forward a “package of compensation measures” was discussed.

<p>3 August 2021</p>	<p>JNCC Natural England MMO DEFRA RSPB NFFO The Wildlife Trusts PINS (partial attendance) East Riding of Yorkshire Council</p>	<p>To discuss the progress of the Hornsea Four (HOW04) evidence workstreams for compensation measures</p> <p>To confirm that the compensation measures proposed for kittiwake, gannet, guillemot and razorbill have merit.</p> <p>To agree that the consultation and evidence process that Hornsea Four has been through to consider compensation measures, including the previous compensation workshops, has been appropriate.</p> <p>To agree that there are no feasible compensation measures which are 'missing' from our consultation process.</p> <p>To seek advice at this final workshop prior to application submission on what minor changes are possible to achieve.</p>	<ul style="list-style-type: none"> • Presentation given on predicted impacts • The following documents were submitted to attendees in advance of the workshop and comments requested on them: <ul style="list-style-type: none"> ○ Kittiwake and Gannet Compensation Plan ○ Offshore Kittiwake Compensation Ecological Evidence ○ Compensation measures for FFC Bycatch Reduction Ecological Evidence ○ Compensation measures for the FFC Predator Eradication Ecological Evidence ○ FFC SPA Razorbill, Guillemot and Gannet Compensation Plan ○ Offshore Nesting Structure Site Selection Memo for Compensation Evidence Workshop 4 ○ Compensation measures for FFC SPA Onshore Artificial Nesting Ecological Evidence ○ Population modelling of black-legged kittiwake on the English east coast to identify the population of first time breeders available to recruit to new colonies ○ Compensation measures for FFC SPA Fisher Habitat Enhancement Ecological Evidence • The outline structure of the Roadmaps was presented. • An update was provided on the kittiwake nesting census work undertaken on oil and gas structures. • Presentation given on the population modelling of kittiwake on the English east coast to identify the population of first-time breeders available to recruit to new colonies • Presentation given on the site selection work undertaken to date for offshore nesting structures and early-stage designs. • An anonymous poll was undertaken to obtain consultees views on (amongst other matters) the merit of the compensation measures, level of detail to be provided in the application, site selection criteria for artificial nesting, and duration of colonisation for repurposed structures and new structures.
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Date	Consultees	Purpose of meeting	Key matters discussed
			<ul style="list-style-type: none"> • Update presented in the bycatch reduction proposals and results of fisheries consultation. Details of proposed pilot study was also presented. • Update provided on the predator eradication work undertaken to date including proposed locations for inclusion. • Seagrass restoration proposals were discussed. • Presentation given on the commitments as part of the HOW03 submission and HOW04 potential extension to the research regarding seabird prey resource.
10 th September 2021	The Crown Estate	Discussion on offshore artificial nesting structure proposals.	<ul style="list-style-type: none"> • Presentation of the “heatmapping process” and initial results for site selection.
17 th September 2021	The Crown Estate	Discussion on offshore artificial nesting structure proposals.	<ul style="list-style-type: none"> • Further discussion on site selection process and proposals for potential construction of and offshore artificial nesting structure.

Table 2-2 Detailed record of discussions with stakeholders on issues of impact, mitigation and compensatory measures

Date	Format	Participants	Summary of meeting and meeting outcomes
24 June 2020	Online Hornsea Three and Four Compensation Workshop	Orsted & supporting consultants PINS MMO RSPB Natural England	<p>Consultees present were appraised of the Hornsea Four application program and notified of the decision to postpone the DCO submission date to account for delays to the Hornsea Three and Norfolk Vanguard decisions. These delays would enable Hornsea Four to incorporate updates to the offshore assessment as a result of the commitment to include a Shipping Exclusion Zone (SEZ) within the application.</p> <p>Attendees were notified of the Applicant's intention to prepare an 'in-principle' derogation case alongside the development of the HRA. Engagement was focused on the compensation elements of the derogation case and a long-list of potential compensation options drafted for Hornsea Four.</p> <p>Derogation engagement, including the proposal to continue with a workshop format for consultation, was outlined.</p> <p>A draft Hornsea Four compensation long-list was presented and input from attendees was welcomed. Hornsea Four outlined its approach to the criteria for selection of preferred compensation measures and to identifying preferred compensation options and long-term implementation. Attendees discussed the suitability of various in-draft compensation options. The discussion addressed issues such as how measures are to be secured, consideration of timescales and relevant consultees, non-targeted measures and additionality.</p> <p>The group determined to reconvene in August 2020.</p>
11 August 2020	Online Hornsea Three and Four Compensation Workshop	Orsted & supporting consultants PINS Natural England RSPB JNCC DEFRA The Crown Estate	<p>The objective of this workshop was to present and discuss work completed to date on feasible compensation measures for Hornsea Projects Three and Four and to establish stakeholder's acceptability of these measures. The session consisted of presentations followed by a round table discussion for all participants.</p> <p>Orsted presented compensation options for Hornsea Project Three (also with applicability to Hornsea Four) and delivered a presentation discussing onshore artificial nesting and the feasibility of increasing prey availability as compensation measures for kittiwake.</p> <p>Discussions with statutory advisory bodies were opened to explore compensation measures. Attendees discussed feasibility of the compensation measures within the given timeframe and how to approach measures optimally, legally and politically.</p> <p>It was determined that measures relating to offshore fisheries management would be impossible for a developer to deliver and legally inappropriate to attempt to secure this as part of the compensation schedule in the Hornsea Three DCO.</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
			<p>Hornsea Three introduced its intention to submit a Kittiwake Compensation Plan to the Secretary of State for BEIS comprising artificial nesting. Natural England noted a preference for prey availability measures but agreed that onshore artificial nesting has merit for Hornsea Three.</p>
25 August 2020	Online workshop Compensation measures	Orsted & supporting consultants Natural England DEFRA RSPB	<p>Workshop to discuss artificial nesting as compensation option and site selection criteria for onshore nesting. NIRAS presented calculations on determining the number of nest sites required. Stakeholders discussed the evidence presented.</p>
25 November 2020	Online workshop Compensation measures	Orsted & supporting consultants Natural England RSPB DEFRA	<p>Orsted delivered a presentation concerning the use of the EC Guidance (2018) criteria to identify feasible compensation measures for Hornsea Four. It was confirmed that Hornsea Four were initially considering four priority species for compensation which included kittiwake, guillemot, razorbill and gannet. The species under consideration could change pending the development of the HRA and further information from Natural England on their position regarding AEOI.</p> <p>A number of potential compensation measures for each of the four species being explored by Hornsea Four were presented. The measures being considered at this stage by Hornsea Four included offshore artificial nesting (kittiwake); predation eradication and/or control (guillemot and razorbill); bycatch reduction (guillemot and razorbill); habitat creation (kittiwake, guillemot and razorbill); and plastic reduction (gannet).</p> <p>A presentation on the PVA modelling initiated in response to Natural England was given to demonstrate which of the pool of available kittiwakes they consider key to the success of any artificial nesting measures. As prey availability measures for kittiwake benefit had been discussed extensively through previous meetings the subject was not covered in this meeting. Hornsea Four has commissioned work to look at potential prey availability measures for herring and sprat within nearshore fisheries as a result of the comments raised in the meeting.</p> <p>Feedback from consultees was requested on the feasibility and preference for the measures presented.</p> <p>Natural England noted a preference for compensation measures to be targeted at the impacted colony (FFC SPA), and to only explore options further afield if these were not available. In relation to kittiwake, it was noted by Natural England that other prey measures should be explored, but apart from this, the options presented were considered comprehensive.</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
22 January 2021	Online workshop Compensation measures	Orsted & supporting consultants RSPB Natural England NFFO DEFRA PINS East Riding of Yorkshire Council JNCC Natural Resources Wales	<p>The objective of the workshop was to discuss the proposed compensation measures for Hornsea Four and establish whether stakeholders thought compensation measures are feasible either alone or as part of a suite of measures. Further, to identify if any additional evidence was required to give stakeholders confidence in the feasibility and implementation of each measure. Prior to the workshop, offshore nesting (kittiwakes), bycatch reduction (razorbill & guillemot) and predator eradication (guillemot and razorbill) compensation workstream evidence reports were circulated to all attendees who were asked to review in advance.</p> <p>With regard to the offshore nesting workstream, Natural England indicated that while overall the measure has merit in pursuing, the evidence gaps at the time of writing meant that they had limited confidence. Natural England queried how many years it would take for colonisation to reach the numbers needed to compensate losses. In relation to monitoring, Natural England suggested that remote monitoring and citizen science type projects could be used. Natural England further queried whether sufficient prey would be available should be nesting structures become occupied. Oil and gas industry outreach was also discussed, to understand current offshore populations, and whether Hornsea Four had been with contact in BEIS. At the time of meeting, this workstream had not started but was due to commence in the last week of January. Consensus across attendees was that while the measure is challenging, it has merit in exploring.</p> <p>For predator eradication, the feedback indicated that the compensation pathway was complex and a number of site specific details would be needed to boost confidence. In particular, scale should be considered when talking about compensation away from the affected site. It was agreed that further information would be sought through contact with site managers in potential sites.</p> <p>Hornsea Four presented on the link between prey availability and seagrass restoration, the evidence base and next steps, and then developments on population modelling to support kittiwake population available to recruit, as carried out by its statistical consultants. Discussions that followed these presentations are reported in the detailed minutes taken for the meeting.</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
28 May 2021	Online workshop Compensation measures	Orsted & supporting consultants JNCC MMO Natural England NFFO RSPB	<p>The timeline for Hornsea Four was set out with updates including submission of evidence reports 7 May 2021 and future milestones including the final (August) compensation workshop, production of roadmaps and implementation plans and then DCO submission in September 2021. Hornsea Four's array area reduction was also discussed as part of the Developable Area Approach Part 3 (DAA#3); the developable area had been reduced to 468km² to minimise impacts.</p> <p>The kittiwake artificial nesting compensation programme was updated, and stakeholders were presented with processed survey data to inform the identification of potential sites from repurposing existing oil and gas platforms or implementing new nesting structures. JNCC noted that awareness of platform nesting by kittiwakes is new (within the last 1-2 years) and that the oil and gas asset nesting survey would benefit from showing the proportion of platforms sampled in the gridded output. NE noted the need to demonstrate existing unoccupied nest areas on platforms are unsuitable in order to validate the programme, also concurred by JNCC. NIRAS confirmed photos will be taken to help map existing nest sites (empty and occupied) to inform current capacity for nests, with recognition may not be able to survey all of a platform. Feedback was given by JNCC on their preference for three productivity surveys throughout the breeding season; however, this will be constrained to two surveys due to vessel logistics and other challenges of surveying offshore platforms with varying ownership (NIRAS).</p> <p>Platform selection needs to consider foraging range and FFC SPA, may need to use a weighted scale for selection criteria, e.g. outside core foraging yet close enough for new recruits (NE) or as currently planned, the mean max range of 100km (Orsted).</p> <p>An in-depth discussion took place around decommissioning of platforms, including timing on breeding seasons, lead time for colonisation and wider climate change timescales and impacts on suitability over time (NE); also loss of nest opportunities as more become decommissioned; and need for licenses to remove nest etc. (JNCC). Orsted confirmed the oil and gas sectoral strategy is to prevent nesting on platforms (which avoids need for license if decommission in breeding season) or decommission outside of breeding season. JNCC also noted the future population challenge of birds losing nesting habitat in the future from decommissioning, which could be addressed through this compensation proposal.</p> <p>A site suitability analysis process was outlined with considerations of proximity data and preferences. A discussion was held on what buffers should be placed on the map of other infrastructure to influence site selection. Collision risk and displacement were noted as being considerations, in relation to existing but also potential future infrastructure. Relationship to foraging grounds, commuting routes and areas of prey availability were also noted.</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
			<p>The bycatch mitigation desk based evidence presentation included methods and results for estimating razorbill and guillemot bycatch and bycatch risk zone, as well as ongoing work to compile a mitigation review, supported by consultation with fishermen (UK / Europe). NE queried connectivity from FFC SPA to bycatch hotspots.</p> <p>The shortlisting process was presented for the predator eradication programme to benefit guillemot and razorbill, with local contacts provided by RSPB. However, RSPB commented these species are rarely target species (as more vulnerable species are present) for eradication programmes so they have some questions on quantifying a benefit. NE commented that predator work would benefit more northern North Sea populations as well, though Orsted confirmed Scotland was not currently being pursued due to the views of Scottish Government bodies. RSPB noted there was potential legal complexity in enforcing measures in the Channel Islands, as they are not within the UK, so there is a need for an implementation roadmap which considers security. Orsted confirmed engagement has already begun and noted the international reach of the company. NE further queried whether the Channel Islands were part of the network, and that Isles of Scilly programmes may offer evidence. The RSPB commented on the need to better understand seabird population impacts of local eradication impacts against wider regional patterns.</p> <p>Seagrass monitoring planned for summer 2021 was presented, with some focus on auks due to continued evidence gathering for other species. RSPB noted that evidence for connection between seagrass restoration and target species is currently less explored, but Orsted reported this may be alleviated by considering the measure as part of a package, not specific numbers of auks and consideration of further research. NE reiterated this would not be a primary compensation measure due to uncertainty of links and quantification issue but proposed it could be applied in conjunction with another measure, e.g. building resilience in predator eradication.</p> <p>An overview of proposed seabird prey resource research was presented with the acknowledgement that any management would need to be government led. Cefas commented that further work is required on how sand eel stocks are managed, whilst JNCC and NE are having further discussion in house or with other government bodies. NFFO queried modelling with regards to Dogger Bank and if this included displacement of effort in other sand eel grounds (tbc).</p> <p>Stakeholders commended Hornsea Four's approach to evidence gathering across the overall package of compensation measures. NE noted more specificity and evidence in the work will help them to provide more detailed advice, and this was supported by the RSPB. NE agreed a bycatch mitigation survey would be useful but NFFO responded (and concurred by RSPB) that the focus at time of this meeting was on monitoring not trials.</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
3 August 2011	Online workshop Compensation measures	Orsted & supporting consultants DEFRA JNCC MMO Natural England NFFO RSPB PINS East Riding of Yorkshire Council The Wildlife Trusts	<p>A project update was given with this workshop being the last opportunity to feedback on the compensation workstreams with Hornsea Four's projected application being 30 September 2021.</p> <p>Species compensation plans for kittiwake, gannet and guillemot and razorbill were discussed with general feedback on the need to review new recommendations and avoidance rates (RSPB) which will be done before or after submission depending on time scales.</p> <p>A roadmap structure was presented to describe the evidence and implementation process timelines and process; and an update on the artificial nesting (kittiwake) surveys, modelling, site selection and 2021 planned work. A series of polls were conducted to obtain consultees views on a variety of matters. The Wildlife Trusts did not support constructing a new platforms or extending the life of an existing platform for conservation purposes in any MPA. Natural England noted a structured analysis considering types of platform which kittiwake are currently occupying and the use of deterrents by operators would be useful, although Orsted noted that this type of information is extremely challenging to obtain.</p> <p>The poll of stakeholders reported a desire for developments to the compensation proposals, mainly around need for greater level of detail, e.g. locations and therefore certainty (NE, MMO, RSPB); license containing location and how it will be licensed (MMO); query over pool of kittiwakes come from and population stability at site (RSPB). The site selection poll gave a majority need for further criteria (e.g. gradient approach and weighting oceanographic features), though some of these had already been taken into account; also NE expressed lack of comfort on advising on repurposing platforms in benthic SACs and clarity needed on design criteria. The poll on the suitable period between the structure being in place and the impact starting to occur gave mixed responses, depending on colony size, setting parameters to measures size, level of uncertainty, whether breeding and impacts on other marine users.</p> <p>An update on the bycatch mitigation was given including consultation and planned work, followed by comments that mitigation needs to not pose an increased safety risk to fishers (NFFO). Comments were received on sensitivity on wording and use of outlier data from questionnaire (NFFO) but such risks will be mitigated in data handling, also potential issue with leading questions (RSPB) and consideration of future trials of different methods.</p> <p>An update was provided on predator eradication sites, consultation and 2021 planned work. Importance of community involvement on eradication and long term biosecurity was raised (RSPB) which can take 10 years and was agreed this is a key concern, especially when communities are distant from site and noting not just community on or near site.</p> <p>The seagrass evidence workstream was presented with an update on consultation and a poll. Comments were provided that measures would be preferable within an existing fisheries regulation area (NFFO); also queries over</p>

Date	Format	Participants	Summary of meeting and meeting outcomes
			<p>requirement for marine license for restoration cases (which may be method dependent) and consultation requiring discussion with MMO. The poll had a majority requirement for changes in compensation measures, on similar areas to previous poll but also an issue that evidence is not yet clear and some other trials have been unsuccessful, though there was recognition that a lot of investigation has been undertaken in the current programme (NE). Following method development (if a suitable method was found which could quantify benefits) it was agreed that bycatch mitigation would have an immediate impact. For predator eradication there was a mixed response regarding the time period for population benefit following compensation, as site specific advice context would be needed.</p> <p>An update on the seabird prey resources consultation was given with little comment other than recognition it is a difficult task (NE).</p> <p>The final poll on the package of compensation measures was as follows:</p> <ul style="list-style-type: none"> • Kittiwake – NE noted that they would like clarity across which onshore / offshore and new/repurposed locations were being taken forward. NE noted that there is little potential for onshore structures for Hornsea Four (due to other developers in similar areas). NE identified a repurposed offshore structure as their preferred option. • Guillemot and razorbill – Attendees requested clarity on the extent to which each of the measures would be pursued (predator eradication and/or control and bycatch mitigation), and how these would be combined as a package. • Gannet – Attendees were asked about the scope of potential measures for delivery of gannet compensation. It was acknowledged that there was some uncertainty on the benefit of providing artificial nest sites and more evidence to support this would be welcomed. • Measures being secured through letters of comfort with delivery partners and specific roadmaps was considered suitable, although attendees noted that they would prefer to see the content of the roadmaps before confirming. • Ongoing consultation before Examination was welcomed by all parties, although due to resource constraints engagement will likely occur on a bilateral basis with relevant organisations rather than continuing the workshop format.

Date	Format	Participants	Summary of meeting and meeting outcomes
10 th September 2021	Online meeting	The Crown Estate	Meeting to present the approach and results of the "heatmapping process" used in the site selection of the offshore artificial nesting structure.

Date	Format	Participants	Summary of meeting and meeting outcomes
17 th September 2021	Online meeting	The Crown Estate	<p>Proposals for the potential construction of an offshore artificial nesting structure (including site selection process) were discussed and evaluated based on the site selection results. A follow-up letter was sent to the Applicant to confirm The Crown Estate (TCE) would have the power to grant rights outside 12 nautical miles within the REZ as well as within 12 nautical miles using their powers under the Crown Estate Act for any new artificial nesting platform. In the letter TCE requested that Hornsea Four provide them with further details in relation to proposed locations and demonstrate to whether and how any potential adverse impacts on these areas and current and proposed uses can be managed to acceptable levels, as refinement of site selection progresses and specific locations are considered.</p>