



**Written Submission**  
**for the**  
**Royal Society for the Protection of Birds**  
**Response to Secretary of State's consultation dated 20 March 2023**

**Submitted 17 April 2023**

**Planning Act 2008 (as amended)**

**In the matter of:**

**Application by Hornsea Project Four Limited for an Order  
Granting Development Consent for the Hornsea Project Four Offshore Wind  
Farm**

**Planning Inspectorate Ref: EN010098**

**RSPB Registration Identification Ref: 20029909**

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## 1. Introduction

- 1.1. The RSPB thanks the Secretary of State for his invitation to comment on the further information provided by the Applicant in its response on 8 March 2023: specifically, the provision of each of the Memorandum of Understanding (MoU) it has agreed with:
  - States of Guernsey (dated 10 June 2022)(Appendix A to 8 March 2023 response); and
  - Alderney Wildlife Trust Limited (signed by various parties in December 2022 and January 2023)(Appendix B to 8 March 2023 response).
- 1.2. Below we set out our brief comments on those MoUs in relation to the predator eradication compensation proposed by the Applicant in respect of guillemots and razorbills. These comments should be read in conjunction with:
  - The RSPB's submission to the Secretary of State dated 9 March 2023; and
  - The RSPB's various submissions to the Examination on relevant matters.
- 1.3. Where helpful, we have cross-referred to relevant RSPB written submissions.
- 1.4. We have also referred to Natural England's submission to the Secretary of State dated 9 March 2023 where it refers to related matters, in particular the scale of compensation to be met.

## 2. RSPB comments on the MoUs between the Applicant and (i) the States of Guernsey and (ii) Alderney Wildlife Trust Limited

### The MoUs

- 2.1. The RSPB has carefully reviewed the two MoUs provided by the Applicant at Appendices A and B of its 8 March 2023 submission to the Secretary of State. As the two MoUs are similar in structure and content, we will comment on both at the same time.
- 2.2. The stated purpose of the MoUs is “*to consider the implementation of a predator eradication programme*” at selected sites. They set out a series of workstreams to inform that purpose.
- 2.3. Having reviewed the content of the workstreams proposed, the RSPB welcomes the proposed work as some of that required to inform detailed consideration of whether the proposed measures are feasible, can be fully implemented and will fulfil the compensation requirements.
- 2.4. We note that much of this work was presented in documents already submitted by the Applicant to the examination and subject to detailed review by both the RSPB and Natural England during the examination, particularly in respect of Guernsey.
- 2.5. However, it does not present any new or substantive information beyond that already considered at the examination.
- 2.6. Therefore, the RSPB’s position on the proposed predator eradication compensation measure remains as set out during the examination and in our 9 March 2023 submission. It is substantively incomplete in terms of allowing Interested Parties and the Secretary of State to assess the viability of this compensation proposal.
- 2.7. We therefore refer the Secretary of State to section 5 of the RSPB’s REP6-069 to the examination for a fuller critique. This includes Tables 1 and 3 which we replicated in Annex B of our 9 March 2023 submission. We repeat our request that the Applicant be asked to provide, in full, the information we describe so that Interested Parties and the Secretary of State are able to assess properly the predator eradication proposal as a possible compensation measure.
- 2.8. In the absence of that information, we consider the proposal cannot be considered feasible as a compensation measure.

### The magnitude of impact to be compensated for

- 2.9. We have noted Natural England’s comments in its 9 March 2023 submission that the compensation measures for guillemots and razorbills should be judged against their ability to compensate for 1,131 guillemots and 114 razorbill adult mortalities per annum. This is based on what Natural England has described as a “more likely” mortality rate of 5% with 70% displacement (see page 10, Natural England REP7-102) within the ranges produced using their advised methodology.
- 2.10. The Secretary of State will be aware that the RSPB explored the issue of the range of predicted mortalities and the Counterfactual of Population Size on the different seabird species on pages

15-19 of our REP6-068 to the examination, including our criticisms of the Applicant's approach on this matter. The RSPB identified what it considered a "probable" annual mortality range. We updated these figures in Annex A to our 9 March 2023 submission, calculated from the values presented by the Applicant in the tables in appendices D and E of the Applicant's January 2023 Response.

2.11. The key point to note is that, while the RSPB's "probably" and Natural England's "more likely" figures differ, they:

- Represent a significant level of predicted annual mortality from the Hornsea Four project alone of breeding adult guillemots and razorbills from the Flamborough and Filey Coast SPA that would need to be compensated for;
- Highlight the considerable uncertainty in the estimates of mortality arising from distributional change due to the presence of the development (displacement and barrier effects). This uncertainty of impact compounds the uncertainty in the efficacy of the compensation measures described above and in our other submissions;
- The Applicant has failed to demonstrate that its proposed compensation measures are deliverable, nor how they would be capable of delivering the population levels capable of producing the number of breeding adults into:
  - The general biogeographical population and, more critically
  - The UK SPA population capable of addressing the annual mortality levels described by the RSPB and Natural England.

2.12. Therefore, the RSPB considers the Secretary of State cannot, based on the information available, have confidence that the Applicant's compensation measures can address the predicted impacts of its scheme in respect of guillemots and razorbills and thereby protect the overall coherence of the SPA National Site Network for these species.