



Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

Final Statement of Common Ground with Norfolk
Wildlife Trust (Revision B)

Revision B

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Glossary of Acronyms

CIA	Cumulative Impact Assessment
CSCB	Cromer Shoal Chalk Beds
DCO	Development Consent Order
DEL	Dudgeon Extension Limited
DEP	Dudgeon Offshore Wind Farm Extension Project
DOW	Dudgeon Offshore Wind Farm
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
EPS	European Protected Species
ES	Environmental Statement
ETG	Expert Topic Group
EU	European Union
IROPI	Imperative Reasons of Overriding Public Interest
Km	Kilometre
MW	Megawatts
MCZ	Marine Conservation Zone Assessment
MEEB	Measures of Equivalent Environmental Benefit
NSIP	Nationally Significant Infrastructure Project
OOMP	Offshore Operations and Maintenance Plan
PEIR	Preliminary Environmental Information Report
SEL	Scira Extension Limited
SEP	Sheringham Offshore Wind Farm Extension Project
SoS	Secretary of State
SOW	Sheringham Shoal Offshore Wind Farm
UK	United Kingdom

Glossary of Terms

Dudgeon Offshore Wind Farm Extension Project (DEP)	The Dudgeon Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive. This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, potential Special Protection Areas, Special Protection Areas, Ramsar sites, proposed Ramsar sites and sites compensating for damage to a European site and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017, although some of the sites listed here are afforded equivalent policy protection under the National Planning Policy Framework (2021) (paragraph 176) and joint Defra/Welsh Government/Norfolk Wildlife Trust/NRW Guidance (February 2021).
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the EIA and HRA for certain topics.
Expert Topic Group (ETG)	A forum for targeted engagement with regulators and interested stakeholders through the EPP.
Horizontal directional drilling (HDD) zones	The areas within the onshore cable route which would house HDD entry or exit points.
Infield cables	Cables which link the wind turbine generators to the offshore substation platform(s) (commonly referred to as array cables).
Interlink cable corridor	This is the area which will contain the interlink cables between offshore substation platform/s and the adjacent Offshore Temporary Works Area.
Offshore cable corridors	This is the area which will contain the offshore export cables or interlink cables, including the adjacent Offshore Temporary Works Area.
Offshore export cable corridor	This is the area which will contain the offshore export cables between offshore substation platform/s and landfall, including the adjacent Offshore Temporary Works Area.
Offshore export cables	The cables which would bring electricity from the offshore substation platform(s) to the landfall. 220 – 230kV.

Offshore Temporary Works Area	An Offshore Temporary Works Area within the offshore Order Limits in which vessels are permitted to carry out activities during construction, operation and decommissioning encompassing a 200m buffer around the wind farm sites and a 750m buffer around the offshore cable corridors. No permanent infrastructure would be installed within the Offshore Temporary Works Area.
Order Limits	The area subject to the application for development consent, including all permanent and temporary works for SEP and DEP.
Sheringham Shoal Offshore Wind Farm Extension Project (SEP)	The Sheringham Shoal Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
SEP offshore site	Sheringham Shoal Offshore Wind Farm Extension consisting of the SEP wind farm site and offshore export cable corridor (up to mean high water springs).
SEP wind farm site	The offshore area of SEP within which wind turbines, infield cables and offshore substation platform/s will be located and the adjacent Offshore Temporary Works Area.
The Applicant	Equinor New Energy Limited. As the owners of SEP and DEP, Scira Extension Limited and Dudgeon Extension Limited are the named undertakers that have the benefit of the DCO. References in this document to obligations on, or commitments by, 'the Applicant' are given on behalf of SEL and DEL as the undertakers of SEP and DEP.

1 Introduction

1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by Equinor New Energy Limited (the Applicant) and Norfolk Wildlife Trust. It identifies areas of the Sheringham Shoal Offshore Wind Farm Extension Project (SEP) and Dudgeon Offshore Wind Farm Extension Project (DEP) Development Consent Order (DCO) application (the Application) where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Act 2008: Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
3. This SoCG has been structured to reflect the matters raised within the Norfolk Wildlife Trust Relevant Representation (RR) [RR-068] including Onshore Ecology and Ornithology, the Stage 1 Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) Assessment and Measures of Equivalent Environmental Benefit (MEEB). In addition, Water Resources and Flood Risk (including Water Frame Directive and Water Quality) has been included in this SoCG as an identified topic by the ExA their Rule 6 Letter. The applicable matters considered within this SoCG apply to Norfolk Wildlife Trust’s statutory remit.
4. **Table 1** Table presents the topics included in the SoCG with the Applicant and Norfolk Wildlife Trust.

Table 1: Topics included in the SoCG.

Topic/Chapter	Reference	Evidence Plan Process (EPP) (Yes/No)
Chapter 20 Onshore Ecology and Ornithology (Revision B)	REP2-024	Yes
Stage 1 CSCB MCZ Assessment	APP-077	Yes
In Principle CSCB MCZ MEEB Plan (Revision C)	REP2-020	Yes

5. Further detail of those topics included in the EPP can be found in the **Consultation Report Appendices** [APP-030].
6. Topic specific matters agreed, not agreed and matters that remain under discussion between the Applicant and Norfolk Wildlife Trust are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and Norfolk Wildlife Trust to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.
7. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicant and Norfolk Wildlife Trust. The phrase “Not Agreed” identifies any point that is not agreed between the Applicant and Norfolk Wildlife Trust.

1.2 Consultation with Norfolk Wildlife Trust / The Wildlife Trusts

8. The Applicant has engaged with Norfolk Wildlife Trust and The Wildlife Trusts on the project during the pre-Application process, both non-statutory and formal consultation carried out pursuant to Section 42 of the Planning Act 2008.

9. During Section 42 consultation, Norfolk Wildlife Trust submitted a joint response with The Wildlife Trusts which provided comments on the Preliminary Environmental Information Report (PEIR) by way of a letter dated 10th of June 2021. With respect to offshore matters, it should be noted that, despite having attended Seabed ETG meetings 1-4 and the first separately held MEEB ETG meeting and MEEB ETG 1 (see [Table 6](#)), The Wildlife Trusts informed the Applicant by way of an email dated 13th of January 2022 that they unfortunately no longer had capacity to engage with the Projects. However, the Norfolk Wildlife Trust have provided responses in relation to potential impacts on the MCZ and MEEB in their Relevant Representation [RR-068] and therefore a SoCG regarding these matters is being progressed with Norfolk Wildlife Trust.
10. Further to the Section 42 consultation, numerous meetings were held with Norfolk Wildlife Trust through the EPP to discuss onshore matters relating to onshore ecology and ornithology. These are detailed throughout the SoCG and minutes of the meetings are provided as Appendices to the [Consultation Report](#) [APP-030].

1.3 Summary of ‘Agreed’ and ‘Not Agreed’ Matters

11. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or ‘in discussion’, the colour coding system set out in [Table 2](#) has been used.
12. Details on specific topics that are ‘agreed’, ‘not agreed’ or ‘in discussion’ between the Applicant and Natural England are presented in [Table 5](#), [Table 7](#) and [Table 8](#).

Table 2: Position status key

Position Status	Position Colour Coding
Agreed The matter is considered to be agreed between the parties.	Agreed
Not Agreed – no material impact The matter is not agreed between the parties; however, the outcome of the approach taken by either the Applicant or Norfolk Wildlife Trust is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussions on these matters have concluded.	Not Agreed – no material impact
Not Agreed – material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or Norfolk Wildlife Trust is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed – material impact
In discussion The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties (e.g. where documents are yet to be shared with Natural England).	In discussion

2 Statement of Common Ground

13. A summary of the consultation undertaken to date with Norfolk Wildlife Trust (and where relevant The Wildlife Trusts) and the matters agreed or not agreed (based on discussions and information exchanged between the Applicant and Norfolk Wildlife Trust (and where relevant The Wildlife Trusts) during the pre-application and examination phases of the Application) are set out below for each of the SoCG topic areas.

2.1 Project-wide Considerations

14. **Table 3** provides areas of agreement and disagreement for Project-wide considerations.

Table 3: Project-wide considerations

ID	The Applicants position	Norfolk Wildlife Trust position	Position Summary
Site Selection			
4	As set out in APP-175, the methodology adopted for selecting and assessing the onshore substation location options, including the final option, is considered robust and appropriate. Onshore substation selection avoids sensitive habitats and designated nature conservation sites.	NWT agree with the Applicant's position.	Agreed
5	As set out in document reference APP-177, the methodology adopted for selecting and assessing the main compound location options, including the final option, is considered robust and appropriate. Main compound site selection avoids sensitive habitats and designated nature conservation sites.	NWT agree with the Applicant's position.	Agreed
6	As described in ES Chapter 3 Site Selection and Assessment of Alternatives (APP-116), the methodology adopted for selecting and assessing the cable corridor, including the final option, is considered robust and appropriate. The cable corridor site selection avoids, where possible, designated nature conservation sites. A commitment to trenchless crossing techniques (HDD) avoids possible direct impacts to any designated sites that currently fall within the cable corridor DCO order limits.	Whilst NWT has concerns regarding potential impact on bat connectivity, it agrees that the most appropriate way to resolve would be through the mitigation plans referenced in ID16 of Table 5) which will be finalised following pre-construction surveys.	Agreed

2.2 Onshore Ecology and Ornithology (including Biodiversity Net Gain)

Table 4: Summary of consultation with Norfolk Wildlife Trust regarding onshore ecology and ornithology

Date	Contact Type	Topic
Pre-Application		
28/01/2020	Expert Topic Group (ETG) Meeting 1 ¹	<p>The following topics were discussed during the ETG meeting 1:</p> <ul style="list-style-type: none"> • Scope of ecological survey work. • Approach to Extended Phase 1 Habitat Survey. • Approach to over-wintering bird survey and the selected target species.
10/12/2020	ETG Meeting 2	<p>The following topics were discussed during the ETG meeting 2:</p> <ul style="list-style-type: none"> • Approach and methodology to over-wintering bird surveys. • Use of available over-wintering bird survey data from other projects. • Approach and methodology to breeding bird surveys. • Approach and methodology to great crested newt surveys. • Approach and methodology to bat surveys. • Preliminary findings from the Extended Phase 1 habitat Survey. • Biodiversity Net Gain opportunities. • Approach to data gaps.
10/06/2021	Section 42 Consultation	Norfolk Wildlife Trust's response to Section 42 consultation on the PEIR. Appendix 4 of the Consultation Report (APP-033)
01/07/2021	ETG Meeting 3	<p>The following topics were discussed during the ETG meeting 3:</p> <ul style="list-style-type: none"> • Update on survey results obtained to date and since last ETG meeting. • The use of bat survey data form other projects. • The use and deployment of static bat detectors. • Requirements for Letter(s) of No Impediment (LoNI). • Opportunities for habitat improvements and biodiversity net gain. • The use of bat boxes. • Approach to the Cumulative Impact Assessment (CIA). • Approach to white clawed crayfish surveys. • Fish surveys. • Inclusion of protected species within the water crossing method statement. • Approach to and requirement of outline management plans. • Approach to data gaps. • eDNA surveys. • Monitoring and replanting.

¹ Norfolk Wildlife Trust were absent from the meeting.

Date	Contact Type	Topic
30/06/2022	ETG Meeting 4 ²	The following topics were discussed during the ETG Meeting 4: <ul style="list-style-type: none"> • The approach taken for the initial BNG assessment. • The approach taken for the initial BNG enhancement options.
Post-Application		
08/02/2023	Meeting	Meeting to discuss the initial drafting of the SoCG and the Applicant's responses to NWT's relevant representation [RR-068]
12/05/2023	Meeting	Meeting to discuss the SoCG

² Norfolk Wildlife Trust were absent from the meeting. The meeting was held with Natural England.

Table 5: Topics agreed, in discussion or not agreed in relation to onshore ecology and ornithology

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
EIA – Baseline Environment			
1	<p>The ES adequately characterises the baseline environment in terms of Onshore Ecology and Ornithology as detailed in Section 20.5 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025].</p> <p>NB South Norfolk Council have advised the Applicant of a recent county wildlife designation, Common Fields Farm Barford CWS 2328 which is intersected by the Order Limits. The site was designated post submission.</p>	<p>Whilst NWT has concerns regarding potential impact on bat connectivity, it agrees that the most appropriate way to resolve would be through the mitigation plans referenced in ID16 which will be finalised following pre-construction surveys.</p>	Agreed
2	<p>Survey methodologies for Phase 1 Habitat Surveys and Phase 2 surveys are appropriate and sufficient to inform the assessment. Onshore ecology surveys were undertaken in accordance with industry accepted guidance.</p>	<p>Discussed and agreed in ETG meeting 1 (acknowledging that NWT were absent), 28/01/2020 that:</p> <ul style="list-style-type: none"> • hedgerows and trees surveys would be undertaken in accordance with the Hedgerow Regulations and associated methodology. • that static bat detectors are used rather than transect surveys. • eDNA surveys will be used for great crested newt surveys presence/absence. Some population assessments may be progressed depending on the findings. • wintering bird surveys are extended throughout October (pink-footed geese will be arriving, and their presence could influence timing of works). <p>NWT highlighted in ETG 3, 01/07/21 that the Western Link project overlaps with the survey efforts of the Barbastelle survey group.</p>	Agreed

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
3	Survey data, as presented in ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] and its associated appendices, are suitable for the assessment.	Discussed and agreed in ETG meeting 2 and 3, 10/12/2020 and 01/07/21.	Agreed
4	The suite of ecological surveys undertaken and presented in ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] and its associated appendices is relevant and suitable for the assessment.	NWT agree with the Applicant's position.	Agreed
5	<p>The use of existing data sets which cover the SEP DEP order limits, including NBIS, is appropriate to inform the desk-based assessment and to fill data gaps.</p> <p>NB South Norfolk Council have advised the Applicant of a recent county wildlife designation, Common Fields Farm Barford CWS 2328 which is intersected by the Order Limits. The site was designated post submission.</p>	This was agreed in ETG 2 meeting 10/12/2020.	Agreed
6	Sufficient survey data has been collected to inform the assessment as presented within ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025]. Extrapolation methodologies and approaches to data gaps have been agreed where relevant.	<p>This was discussed and agreed during the following ETG meetings.</p> <ul style="list-style-type: none"> Extended P1 Habitat Survey, Wintering Bird Surveys covered in ETG 1 (see ID 1.2 and 1.3). Over-wintering birds, breeding birds, Great Crested Newts (GCN) and bats covered in ETG 2 (see ID 2.2, 2.3, 2.4 and 2.5). White clawed crawfish covered in ETG 3 (see ID 3.8). Agreement that no fish data required reached during ETG 3 (see ID 3.9). 	Agreed
EIA – Assessment Methodology			
7	The study areas identified in Section 20.3 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] is appropriate for the assessment.	NWT agree with the Applicant's position.	Agreed

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
8	<p>The impact assessment methodologies used for the EIA, as presented in Section 20.4 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025], provide an appropriate approach to assessing potential impacts of the Projects.</p>	<p>A summary of NWT RR [RR-068] comments relating to bats is below:</p> <ul style="list-style-type: none"> whilst Impact 12 correctly identifies the impacts on bat commuting routes from the need to maintain easements at points where the terrestrial cable route crosses hedgerows or similar linear habitats, we strongly disagree with the characterisation and estimation of the impact scales in paragraphs 306-307 of this. Where text refers to 'more than one active season' this should actually refer to the long term impacts that would occur over the multiple decades of the operational phase. Supporting information on the likely impacts on maternity colonies and other roost sites outside of the DCO limit but functionally linked and dependent on the commuting routes impacted within the DCO limit appears to be absent. Paragraph 308 states that the impact is only of 'localised disturbance and/or loss of habitat, that does not threaten the long-term viability or function of the receptor' but no supporting information on the presence or absence of receptor maternity colonies or similar in functionally linked areas outside the DCO limit has been provided, and therefore we seek clarification regarding the evaluation of the impact as minor as we believe this to be incorrect. <p>NWT agree that the above concerns will be resolved through the Outline Ecological Management Plan (which will be finalised following pre-construction surveys) referenced in ID16</p>	Agreed
9	<p>The assessment of impacts presented in Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B)</p>	<p>Whilst NWT has some outstanding concerns regarding impacts on bats (see ID8 above), it agrees that the most</p>	Agreed

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
	[REP2-025] are consistent with the agreed assessment methodologies.	appropriate route for resolving is via the Outline Ecological Management Plan (which will be finalised following pre-construction surveys) referenced in ID16.	
10	Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] represents a comprehensive list of the potential impacts. NB South Norfolk Council have advised the Applicant of a recent county wildlife designation, Common Fields Farm Barford CWS 2328 which is intersected by the Order Limits. The site was designated post submission.	Whilst NWT has some outstanding concerns regarding impacts on bats (see ID8 above), it agrees that the most appropriate route for resolving is via the Outline Ecological Management Plan (which will be finalised following pre-construction surveys) referenced in ID16.	Agreed
11	The realistic worst-case assumptions presented in the assessment for the development scenarios, as outlined in Table 20-2 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] are appropriate.	Whilst NWT has some outstanding concerns regarding impacts on bats (see ID8 above), it agrees that the most appropriate route for resolving is via the Outline Ecological Management Plan (which will be finalised following pre-construction surveys) referenced in ID16.	Agreed
12	The assessment of cumulative impacts, as detailed in Section 20.7 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] is consistent with the agreed methodologies.	NWT agree with the Applicant's position.	Agreed
EIA – Project-Along Assessment Conclusions			
13	The conclusions of the impact assessment as details in Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] are appropriate and are considered not significant in EIA terms.	Whilst NWT has some outstanding concerns regarding impacts on bats (see ID8 above), it agrees that the most appropriate route for resolving is via the Outline Ecological Management Plan (which will be finalised following pre-construction surveys) referenced in ID16.	Agreed
EIA – Cumulative Impact Assessment (CIA) Conclusions			
14	The conclusions of the CIA as details in Section 20.7 of ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] are appropriate and are considered not significant in EIA terms.	NWT agree with the Applicant's position.	Agreed
Draft DCO / Outline Management Plans / Mitigation and Monitoring			

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
15	Schedule 2, Part 1, Requirements 13 of the draft DCO (Revision G) [document reference 3.1] is sufficient to secure that an Ecological Management Plan is submitted and approved by the relevant planning authority in consultation with Natural England prior to the commencement of onshore works including pre-commencement site clearance.	NWT agree with the Applicant's position.	Agreed
16	The Outline Ecological Management Plan (Revision C) [REP3-069] includes all relevant mitigation measures specified in ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] and is appropriate for managing post construction impacts from Projects on landscape receptors.	A summary of NWT RR [RR-068] comments relating to mitigation and compensation is below: NWT has raised concerns regarding impact Hall Hills/ Ringland Covert County Wildlife Site. The Applicant has confirmed that both CWS' will be avoided through use of HDD and NWT agrees that impacts are avoided.	Agreed
17	The Outline Code of Construction Practice (Revision C) [REP3-065] includes all relevant mitigation measures specified in ES Chapter 20 Onshore Ecology and Ornithology (Revision B) [REP2-025] and is appropriate for managing construction and post construction impacts from Projects on ecological receptors.	NWT agree with the Applicant's position.	Agreed
18	The Applicant is committed to replacement planting of hedgerow and hedgerow trees and has committed to 10-year monitoring and maintenance period as per the Outline Landscape Management Plan (Revision C) [REP3-066] and Outline Ecological Management Plan [APP-304]. This is secured by Requirements 11 'Provision of Landscaping', 12 'Implementation and Maintenance of Landscaping' and 13 'Outline Ecological Plan' of the draft DCO (AS-009) within Schedule 2 Part 1. This aligns with the commitments of other similar projects.	NWT agree with the Applicant's position.	Agreed
19	As detailed in the Outline Ecological Management Plan (Revision C) [REP3-069], pre-construction badger surveys would be undertaken to confirm the location and status of badger setts within and up to 30m from the DCO order limits. The findings from the pre-construction surveys will inform precise mitigation requirements,	NWT agree with the Applicant's position.	Agreed

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
	including any necessary badger licences to close any active setts which could be damaged or disturbed by proposed works.		
Other Matters as Required			
20	<p>The approach to Biodiversity Net Gain, as presented in the Outline Biodiversity Net Gain Strategy [APP-306; section 1.3.2], provides an appropriate first step and overall approach n to consideration of net gain within the Projects.</p> <p>The Biodiversity Net Gain Strategy will develop further and evolve following DCO award and the Applicant will involve the NWT as it matures. Of note, with reference to comments raised by the NWT, the Outline Landscape Management Plan (Revision C) [REP3-066] includes an objective to use native planting and species particularly with reference to replacement tree planting and hedgerows.</p>	<p>NWT in ETG3 01/07/21 advised that: <i>... lead in times for the habitat restoration and improvement opportunities are important. Preference for genuine local provenance seeds and plants. Norfolk Wildlife Trust advised that they have capacity and experience of delivering habitat restoration schemes locally and therefore are happy to share this with the Applicant.</i></p> <p><i>NWT supports the commitment made in section 1.3.2 of the Outline Biodiversity Net Gain Strategy [APP-306] to deliver a positive BNG when delivering the project, even where prior to BNG being made mandatory for NSIPs in 2025. We would like to see a figure provided here for the BNG value, rather than just 'positive', and recommend that at least 10% is committed to, and ideally 20%, a figure which NWT recommends wherever possible in other planning advocacy, recognising the significant pressures that Norfolk's wildlife already faces.</i></p> <p>NWT support the preparation of a BNG strategy and would like to remain involved in its preparation.</p>	Agreed
21	The assessment methodologies used for the Biodiversity Net Gain Assessment, as presented in the Initial Biodiversity Net Gain Assessment [APP-219], provide an appropriate approach to assessing potential impacts of the Projects.	NWT agree with the Applicant's position.	Agreed
22	The Letter of No Impediment containing the draft mitigation licenses for bat roosts, as detailed in the draft European Protected Species (EPS) License, Appendix 9.1.1 - Details of Other Consents and Licenses [APP-286] is appropriate. This has been obtained in parallel to the DCO application.	NWT agree with the Applicant's position.	Agreed

2.3 Stage 1 CSCB MCZA and In-Principle CSCB MCZ MEEB Plan

15. The offshore export cable corridor passes through the CSCB MCZ. It is therefore possible that Project activities could be capable of significantly affecting the protected features of the MCZ. Therefore, a **Stage 1 CSCB MCZ Assessment** [APP-077] was undertaken which concludes that the conservation objective of maintaining the protected features of the CSCB MCZ in a favourable condition or restoring them to a favourable condition will not be hindered by the construction, operation and decommissioning phases of SEP and DEP alone or cumulatively with any other plan, project or activity. However, in light of consultation from stakeholders, the Applicant has provided a Stage 2 assessment (see the **MCAA Derogation Provision of Evidence** [APP-082] and the **In-Principle CSCB MCZ MEEB Plan (Revision C)** [REP2-020]), on a precautionary and without prejudice basis to enable consultation on Stage 2 to be undertaken pre-application and during DCO Examination, should it be required in the consent determination process.
16. A summary of the consultation relating to Stage 1 MCZ Assessment and MEEB is provided in **Table 6**. Consultation was initially undertaken through the Seabed ETG prior to a dedicated MEEB ETG (consisting of the same members) being formed in October 2021. Annex B of the **In-Principle CSCB MCZ MEEB Plan (Revision C)** [REP2-020] provides a detailed record of the consultation undertaken with regard to MEEB.
17. If MEEB is deemed to be required by the Secretary of State, the planting of a native oyster bed within the CSCB MCZ would be progressed as the preferred measure. Table 7.1 of the **In-Principle CSCB MCZ MEEB Plan (Revision C)** [REP2-020] provides a review of potential MEEB indicating measures which would be reviewed, if required, as alternatives to the preferred measure. Individual SoCG tables for each alternative measure have not been provided. Details of consultation which led to the selection of native oyster bed planting as the preferred measure are provided in **Table 6** below and Annex B of the **In-Principle CSCB MCZ MEEB Plan (Revision C)** [REP2-020].
18. Additionally, in light of the emerging Offshore Wind Environmental Improvement Package (OWEIP) and Marine Recovery Fund (MRF), the Applicant recognises that a viable strategic compensation / MEEB funding mechanism may become available within the necessary timescales for SEP and DEP and therefore could be relied upon to discharge its derogation requirements. To ensure this option is available to SEP and DEP, the Applicant has included wording within the **Without Prejudice DCO Drafting (Revision B)** [REP2-011] for a contribution to be made to a Strategic Compensation Fund wholly or partly in place of the Applicant's proposed MEEB or as an adaptive management measure.
19. The term 'Strategic Compensation Fund' refers to any fund established by Defra or a Government body for the purpose of implementing strategic compensation measures. This, therefore, includes the MRF but also seeks to capture any other strategic compensation funding mechanism that might also become available within the timeframe that compensation measures would be delivered for SEP and DEP.

A detailed explanation of the draft DCO wording covering strategic delivery of compensation via a fund is provided in Section 4.4 of the **Strategic and Collaborative Approaches to Compensation and MEEB** [APP-084] document.

Table 6: Summary of consultation with regarding Stage 1 CSCB MCZ Assessment and MEEB (noting attendance at these was by The Wildlife Trusts, as described in Section 1.2)

Date	Contact Type	Topic
Pre-Application		
02/06/2020	Meeting	Seabed ETG 2: MCZ assessment screening results were presented and discussed (see Appendix 1 - Screening Report [APP-078] of the Stage 1 CSCB MCZ Assessment [APP-077]).
July 2020	Report	Consultation on ES Appendix 6.3 Sedimentary Processes in the Cromer Shoal Chalk Beds MCZ [APP-182] was undertaken to inform the approach to assessment within the MCZ. This appendix, alongside ES Appendix 6.4 Sheringham Shoal Nearshore Cable Route – British Geological Survey Shallow Geological Assessment [APP-183], provides a detailed analysis of the geology and transport processes in the CSCB MCZ which fed into ES Chapter 6 MGOPP [APP-092] and the Stage 1 CSCB MCZ Assessment [APP-077].
March 2021	Report	Draft Outline In-Principle MEEB Plan: The Applicant shared for consultation this outline document which set out the legislative and policy context for MEEB and provided an initial review of potential MEEB.
10/06/2021	Written submission	The Wildlife Trusts / Norfolk Wildlife Trust response to Section 42 consultation on PEIR. Appendix 4 of the Consultation Report [APP-033].
16/08/2021	Meeting	Seabed ETG 4: Discussions focussed on stakeholder comments received on the Stage 1 CSCB MCZ assessment submitted at PEIR with a view to agreeing a way to address them where relevant.
08/06/2021	Meeting	Separate stakeholder meetings to discuss MEEB were held due to an inability to align the diaries of ETG members in summer 2021. This meeting with The Wildlife Trusts enabled discussions on the MEEB options review process and the perceived merit of each of the potential options.
September 2021	Report	Draft In-Principle MEEB Plan version 1: Based on stakeholder feedback on the above, further refinement of the MEEB measures proposed was undertaken with additional detail included for measures deemed by stakeholders to be most suitable.
01/10/2021	Meeting	MEEB ETG 1: Discussed comments on the Draft In-Principle MEEB Plan version 1, including the perceived merit in the suite of proposed measures with a steer towards those which should be taken forward as preferred measures pending further feasibility studies.
December 2021	Report	Draft In-Principle MEEB Plan version 2: Based on stakeholder feedback on version 1 and at MEEB ETG 1, further refinement of the MEEB measures proposed was undertaken with additional detail included for measures deemed by stakeholders to be most suitable.
Post-submission		

Date	Contact Type	Topic
08/02/2023	Meeting	Meeting to discuss the initial drafting of the SoCG and the Applicant's responses to NWT's relevant representation [RR-068]
12/05/2023	Meeting	Meeting to discuss the SoCG

Table 7: Topics agreed, in discussion or not agreed in relation to the Stage 1 CSCB MCZ Assessment

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
Baseline Environment			
1	Existing and Project specific survey data collected is sufficient to inform the assessment.	This was discussed during the Evidence Plan Process as described in Table 6 which agreed the approach to survey data collection.	Agreed
Assessment Methodology			
2	The impact assessment methodologies used provide an appropriate approach to assessing potential impacts of the Projects.	This was discussed during the Evidence Plan Process as described in Table 6 which agreed the approach to assessment methodologies.	Agreed
3	<p>The worst-case scenario presented in the assessment is appropriate.</p> <p>The assessment of permanent habitat loss impacts from the installation of up to 1,800m² of external cable protection has been assessed for the SEP and DEP lifetimes. However, the Outline Offshore Operations and Maintenance Plan OOMP (Revision C) [REP3-058] secures the potential requirement for further consents and licences to be obtained to install additional external cable protection within the MCZ if a period of one year has elapsed since completion of construction.</p>	<p>Comments received from The Wildlife Trusts / Norfolk Wildlife Trust in their Section 42 response on the approach to defining and presenting the worst-case scenario were addressed for the DCO application submission.</p> <p>Within our Relevant Representation [RR-068], The Norfolk Wildlife Trust have sought clarification regarding the 1,800m² worst-case scenario for installation of external cable protection within the MCZ and whether it includes operational requirements or just installation as we believe that operations-phase requirements must be included in the application to assess the long-term impacts on the MCZ. We note that the position set out on pp417/418 of REP1-034 is no longer valid because the Applicant has updated the Outline OOMP (Revision C) [REP3-058] with reduced timescales (following completion of construction) after which a new marine licence would be required to install additional cable protection within the MCZ, which we understand to be 1 year as described within the Outline OOMP (Revision C) [REP3-058]. NWT understand that, as secured through the Outline OOMP (Revision C) [REP3-058], from one year after the completion of construction, the installation of external cable protection in the MCZ would be subject to a separate marine licence, at which point a cumulative assessment of</p>	Agreed

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
		the impacts (in addition to the original consent baseline) would be able to be carried out.	
Project-Alone Assessment Conclusions			
4	The conclusions of the assessments of temporary habitat loss / physical disturbance from export cable installation and increased SSCs during construction are agreed.	We support Natural England's assessment as set out in their Statement of Common Ground with the applicant that further information is required in the MCZ assessment.	Not Agreed – material impact
5	The conclusions of the assessments of temporary habitat loss / physical disturbance, increased SSCs, effects on bedload sediment transport and invasive species during operation are agreed.	Agreed	Agreed
6	The conclusions of the assessment of long-term habitat loss during operation are agreed.	Agreed	Agreed
Cumulative Effects Conclusions			
7	The conclusions of the assessment of cumulative temporary habitat loss / physical disturbance and increased SSCs impacts are agreed	Within our Relevant Representation [RR-068], The Norfolk Wildlife Trust has raised concerns in relation to the potential cumulative impacts of habitat loss when considered alongside existing long-term and permanent losses within the MCZ from other energy and similar infrastructure. We agree with the concerns raised by Natural England regarding the project-alone conclusions, which are logically applicable also to the cumulative assessment. Therefore NWT do not agree that there will be no significant risk of the activity hindering the achievement of the conservation objectives for Cromer Shoal MCZ.	Not Agreed – material impact
8	The conclusions of the assessment of cumulative long term habitat loss impacts during operation are agreed.	Within our Relevant Representation [RR-068], The Norfolk Wildlife Trust has raised concerns in relation to the potential cumulative impacts of habitat loss when considered alongside existing losses within the MCZ from other energy and similar infrastructure. As per our previous comments on the cumulative temporary impacts, we are unable to agree	Not Agreed – material impact

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
		that there will be no significant risk of the activity hindering the achievement of the conservation objectives for Cromer Shoal MCZ.	
Mitigation and Monitoring			
9	Given the impacts of the Projects, the proposed mitigation described in Table 5-3 of the Stage 1 CSCB MCZ Assessment [APP-077] is appropriate.	Agreed save for NWT's outstanding concerns regarding the cumulative impacts of cable protection (i.e. rock armour) alongside existing losses within the MCZ from other infrastructure installations.	Agreed
Draft DCO			
10	<p>The wording of the following requirements and conditions pertaining to the Stage 1 CSCB MCZ Assessment [APP-077] are appropriate and adequate:</p> <ul style="list-style-type: none"> • Condition 13(1)(c) of Schedule 10, Condition 13(1)(c) of Schedule 11, Condition 12(1)(c) of Schedule 12 and Condition 12(1)(c) of Schedule 13 with reference to development of a Construction Method Statement • Condition 13(1)(b) of Schedule 10, Condition 13(1)(b) of Schedule 11, Condition 12(1)(b) of Schedule 12 and Condition 12(1)(b) of Schedule 13 with reference to development of a construction programme. • Condition 19 of Schedule 10, Condition 19 of Schedule 11, Condition 18 of Schedule 12 and Condition 18 of Schedule 13 with reference to the development of a construction monitoring plan • Condition 12(1)(e) of Schedule 12 and Condition 12(1)(e) of Schedule 13 with reference to development of a CSCB MCZ CSIMP 	Norfolk Wildlife Trust wishes to defer to the Marine Management Organisation and Natural England on this point.	N/A

Table 8: Topics agreed, in discussion or not agreed in relation to MEEB – planting of native oyster bed in the CSCB MCZ

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
Efficacy of MEEB			
1	<p>The MEEB has merit.</p> <p>The Applicant has demonstrated that the MEEB has merit through the In-Principle CSCB MCZ MEEB Plan (Revision C) [REP2-020].</p>	<p>Defra best practice guidance (Defra, Best practice for developing compensatory measures in relation to Marine Protected Areas, 2021) states that MEEB should address the specific damage caused by the permitted activity and focus on providing the same ecological function or where this is not technically possible, provide functions and properties that are comparable to those that originally justified designation. We maintain the position previously expressed by The Wildlife Trusts that the preferred MEEB would not provide either the same ecological function as subtidal coarse sediment, subtidal mixed sediments and subtidal sand or provide functions and properties that are comparable to those that originally justified designation.</p>	<p>Not Agreed – material impact</p>
2	<p>If it is required, and successfully delivered, the proposed MEEB will compensate for the long term loss of habitat from the installation of external cable protection across an up to 1,800m² area of subtidal sediments.</p> <p>Successful implementation of a self-sustaining oyster bed would provide enhanced ecological function to the areas of subtidal coarse, sand or mixed sediments that may be lost by installation of external cable protection.</p> <p>The Defra guidance acknowledges that it will not always be possible to deliver compensatory measures on a like-for-like basis and it is noted that the Energy Security Bill Policy Statement (BEIS, 2023) on the Offshore Wind Environmental Improvement Package Measures includes detail about changes proposed to compensation requirements to remove the need for ‘like-for-like’ compensation and also the powers that are proposed to be given to the Secretary of State to create regulations for the establishment and management of the marine recovery fund.</p> <p>Appendix 4 Assessment of Potential Impacts on Cromer Shoal Chalk Beds Marine Conservation Zone Features from Planting of Native Oyster Beds (Revision B) [REP1-009] of the Stage 1 CSCB MCZA [APP-077] provides an assessment of the potential risk of planting of native oyster beds hindering the conservation objectives of the existing features of the CSCB MCZ and concludes that it would not.</p>	<p>Therefore, it is difficult to see how this could be determined to be MEEB as per the Defra guidance.</p>	

ID	The Applicant Position	Norfolk Wildlife Trust Position	Position Summary
3	If it is required, and successfully delivered, the proposed MEEB will partially restore a historic feature (i.e. native oyster) of the CSCB MCZ and wider region.	Whilst native oyster beds may be a historic feature of the area, it is not a designated feature of the MCZ. The MCZ network (and the suite of designated features across the network) are necessary to deliver the ecologically coherent network and comply with the requirements of the Marine & Coastal Access Act. The loss of part of the MCZ would mean that the MCZ network is diminished. We welcome the recreation of habitats such as native oyster beds, but not at the expense of part of the MCZ network.	Not Agreed – material impact
DCO wording			
4	The Draft DCO wording provided in Without Prejudice DCO Drafting (Revision B) [REP2-011] is appropriate and adequate.	Norfolk Wildlife Trust wishes to defer to the Marine Management Organisation and Natural England on this point.	N/A

3 Signatures

20. The above Statement of Common Ground is agreed between Equinor New Energy Limited and Norfolk Wildlife Trust on the day specified below.

Signed: M Jones

Print Name: Mike Jones

Job Title: Planning & Advocacy Manager

Date: 17/07/2023

Duly authorised for and on behalf of **Norfolk Wildlife Trust**

Signed: 

Print Name: ___ Kari Hege Mørk _____

Job Title: ___ Project Director _____

Date: ___ 17/07/2023 _____

Duly authorised for and on behalf of **Equinor New Energy Limited**

References

BEIS (2023). Energy Security Bill Policy Statement. Offshore Wind Environmental Improvement Package Measures. Policy Statement Offshore Wind Environmental Improvement Package Measures (publishing.service.gov.uk)

Department for Communities and Local Government (2015) Planning Act 2008: Guidance for the examination of applications for development consent. [online]

Defra (2021). Best practice for developing compensatory measures in relation to Marine Protected Areas.