

Rampion 2 Wind Farm

Category 5: Reports

Alternative Schedule 17

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Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	02/01/2024	Final for DCO Application Addendum	Eversheds	RED	RED

Additional article:

Compensation measures

58. - Schedule 17 (Compensation to protect the coherence of the National Site Network) has effect.

SCHEDULE 17

Article 58

COMPENSATION TO PROTECT THE COHERENCE OF THE NATIONAL SITE NETWORK

1. In this Schedule—

“the FFC SPA” means the site designated as the Flamborough and Filey Coast Special Protection Area;

“Outline Kittiwake Implementation and Monitoring Plan” means the document certified as the Outline Kittiwake Implementation and Monitoring Plan by the Secretary of State for the purpose of this Order under article 50 (certification of plans and documents etc);

“KIMP” means the kittiwake implementation and monitoring plan for the delivery of measures to compensate for the predicted loss of adult kittiwakes from the FFC SPA as a result of the authorised development which shall accord with the principles identified in the Outline Kittiwake Implementation and Monitoring Plan;

“the Marine Recovery Fund” means the fund to be established and operated by Defra pursuant to the Offshore Wind Environmental Improvement Package of the British Energy Security Strategy (April 2022) for the implementation of strategic compensation or any equivalent fund established by a Government body for that purpose; and

“the onshore compensation measure” means measures which improve kittiwake habitat within or outside the FFC SPA onshore, or improve breeding success through reducing avian predation or supplementary feeding.

2. Work Nos. 1 to 6 together with any associated development offshore may not be operated until the KIMP has been submitted to and approved by the Secretary of State in consultation with the relevant statutory nature conservation body, and with the relevant local planning authority for an onshore compensation measure (if required). The KIMP must be based on the strategy for kittiwake compensation set out in the Outline Kittiwake Implementation and Monitoring Plan and include

- a) the selected compensation measure to be delivered;
- b) where the KIMP identifies payment of a contribution to the Marine Recovery Fund, the sum of the contribution
- c) where the KIMP identifies delivery of an onshore compensation measure details of the location where the compensation measures will be delivered and the suitability of that location (including why the location is appropriate ecologically and likely to support successful compensation), and (where the landowner is not the statutory nature conservation body) details of any landowner agreement(s) required
- d) an implementation timetable for delivery including any arrangements made with a third party for implementation of the measures;
- e) any contribution to be made to a third party to ongoing maintenance of the compensation measures delivered in collaboration with a third party;
- f) unless the KIMP proposes payment of a financial contribution to the Marine Recovery Fund, details for the ongoing monitoring and reporting of the effectiveness of the compensation measures identified in the KIMP including
 - i. survey methods;
 - ii. survey programmes;
 - iii. success criteria; and
 - iv. timescales for the monitoring reports to be delivered

- g) details of any adaptive management measures, with details of the factors used to trigger any alternative and/or adaptive management measures;

3. Where the KIMP identifies the provision of artificial nesting structures in collaboration with one or more other offshore wind farm projects the details submitted pursuant to paragraph 2(e) and paragraph 2(f) shall identify how the effectiveness of the compensation measures and any requirement for adaptive management measures are to be attributed to the authorised development

4. The undertaker must implement the measures set out in the KIMP approved by the Secretary of State, unless otherwise agreed by the Secretary of State in consultation with the relevant statutory nature conservation body, MMO and the relevant local planning authority. No operation of any wind turbine generator forming part of the authorised development may begin until the KIMP has been implemented

5. In the event that monitoring reports submitted to the Secretary of State in accordance with the approved KIMP include findings that the compensation measures delivered have been ineffective then proposals for any alternative and/or adaptive management measures shall be provided. Any proposals to address effectiveness must thereafter be implemented by the undertaker as approved in writing by the Secretary of State in consultation with the relevant statutory nature conservation body

6. The KIMP approved under this Schedule includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved KIMP must be in accordance with the principles set out in the Outline Kittiwake Implementation and Management Plan and may only be approved where it has been demonstrated to the satisfaction of the Secretary of State that it is unlikely to give rise to any materially new or materially different environmental effects from those considered in the Outline Kittiwake Implementation and Monitoring Plan.

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