

Rampion 2 Wind Farm
Category 8:
Examination Documents
Schedule 18 - Measures of Equivalent
Environmental Benefit (on a without
prejudice basis) (tracked)
Date: August 2024
Revision B

Document Reference: 8.80
Pursuant to: APFP Regulation 5 (2) (g)
Ecodoc number: 005224277-02



Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	03/06/2024	Deadline 4	Eversheds	RED	RED
B	01/08/2024	Final for end of examination	Eversheds	RED	RED

60. Schedule 18 (Compensation and Measures of Equivalent Benefit) has effect.

Addition to Schedule 16—

8.74	REP6-XX	Without prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone (MCZ) In-principle MEEB plan	BA	June-August 2024
-----------------	--------------------	--	---------------	-----------------------------

SCHEDULE 18

Ref

COMPENSATION AND MEASURES OF EQUIVALENT BENEFIT

1. In this Schedule 18—

“Defra” means the Department for Environment, Food and Rural Affairs;

“the Kingmere MCZ” means the Marine Conservation Zone designated by the Secretary of State under the Kingmere Marine Conservation Zone Designation Order 2013;

~~“In-principle MEEB plan” means the document certified as the in-principle MEEB plan by the Secretary of State for the purposes of this Order under article 51 (certification of plans and documents etc);~~

“Kingmere MCZ Engagement Group” or “KMEG” means the steering group who will shape and inform the scope and delivery of the MEEB Plan;

“MEEB implementation and monitoring pPlan” means the MEEB implementation and monitoring Pplan to be submitted to and approved by the Secretary of State in accordance with this Schedule 18;

“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 for the purpose of implementing strategic compensation measures;

“Marine Recovery Fund Payment” means a contribution to the Marine Recovery Fund to compensate for the predicted impact on black seabream as a protected feature of the Kingmere MCZ as a result of the authorised development the sum of which shall be calculated in accordance with any guidance issued by Defra or otherwise to be agreed with the Secretary of State; and

“MEEB” means measures of equivalent environmental benefit, as that term is used in section 126(7)(c) of the 2009 Act;

~~“Without prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone” means the document certified as the without prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone by the Secretary of State for the purposes of this Order under article 51 (certification of plans and documents etc);~~

2. No offshore works are to commence until the undertaker has confirmed in writing to the Secretary of State whether it will carry out any offshore piling works in the period 1 March to 31 July in any year, being the breeding season for black seabream as a protected feature of the Kingmere MCZ, and if so it will either—

(a) make a Marine Recovery Fund Payment, or

(b) submit a MEEB implementation and monitoring plan MEEB Plan to the Secretary of State for approval.

3. Where the undertaker elects to submit a MEEB implementation and monitoring plan MEEB Plan no offshore works are to commence until a plan for the work of the KMEG has been submitted to and approved by the Secretary of State, such plan to include—

- (a) the identity of, or the arrangements for establishment of, the KMEG;
- (b) its terms of reference;
- (c) its membership;
- (d) details of the proposed schedule of meetings, reporting and review periods; and
- (e) the dispute resolution mechanism and confidentiality provisions.

4. Following consultation with KMEG, the MEEB implementation and monitoring plan MEEB Plan must be submitted to and approved by the Secretary of State.

5. The MEEB implementation and monitoring plan MEEB Plan (if required) must be based on the strategy for provision of measures of equivalent environmental benefit set out in the without prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone in principle MEEB Plan and include—

- (a) the location where the MEEB will be delivered and the suitability of that location (including why the location is appropriate ecologically and likely to support successful MEEB);
- (b) an implementation timetable for delivery of the MEEB including any arrangements made with a third party for implementation of the measures;
- (c) details of any contribution to be made to a third party in relation to any MEEB delivered in collaboration with a third party;
- (d) details of any marine licences which may be required for the implementation of the MEEB Plan; and
- (e) details for the ongoing monitoring and reporting of the effectiveness of the MEEB identified in the MEEB Plan including—
 - (i) survey methods;
 - (ii) survey programmes;
 - (iii) success criteria; and
 - (iv) timescales for the monitoring reports to be delivered.

6. The undertaker must implement the measures set out in the MEEB implementation and monitoring plan MEEB Plan approved by the Secretary of State for the duration set out therein, unless otherwise agreed by the Secretary of State following consultation with the relevant statutory nature conservation body. No piling works to install the wind turbines comprising Work No. 1 or the offshore substations comprising Work No, 3(a) of the authorised development in the period 1 March to 31 July may begin until the MEEB implementation and monitoring plan MEEB Plan has been implemented.

7. Where the undertaker has confirmed that it shall make a payment to the Marine Recovery Fund there shall be no piling operations during the period 1 March to 31 July unless and until such payment has been made and following such payment the undertaker shall not be required to implement any MEEB pursuant to this Schedule 18.

8. The MEEB implementation and monitoring plan MEEB Plan approved under this Schedule 18 includes any amendments that may subsequently be approved in writing by the Secretary of State. Any amendments to or variations of the approved MEEB Plan must be in accordance with the principles set out in without prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone the in principle MEEB 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 new or materially different environmental effects from those considered in the without

prejudice measures of equivalent environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone in principle MEEB Plan.

