

RWE Renewables UK Dogger Bank South (West) Limited

RWE Renewables UK Dogger Bank South (East) Limited

Dogger Bank South Offshore Wind Farms

**Other Consents and Licences
Volume 8**

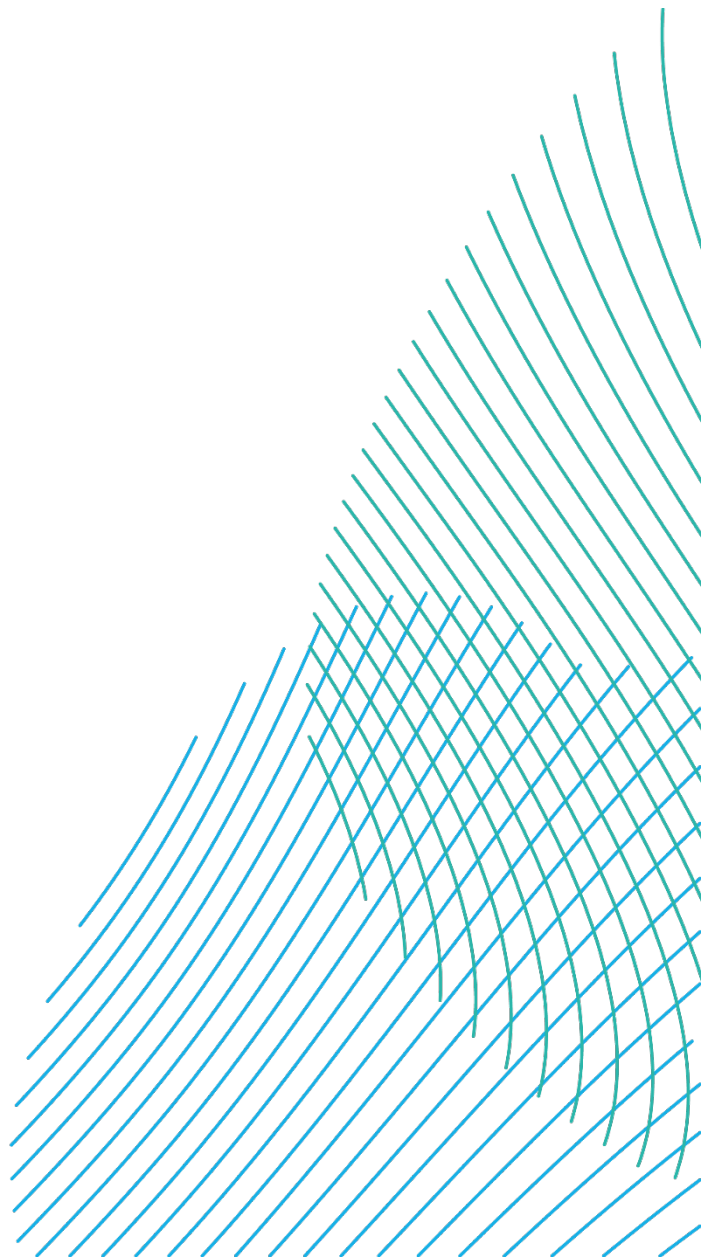
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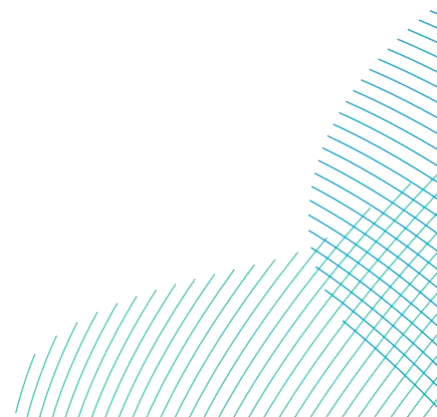
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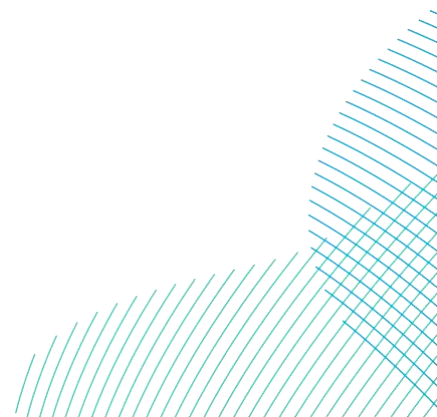
Term	Definition
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South offshore wind farms).
The Applicants	RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited as the owners of DBS West and DBS East respectively are the named undertakers that will have the benefit of the Development Consent Order. References in this document to obligations on, or commitments by, 'the Applicants' are given on behalf of RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited
Ordinary Watercourse	Rivers which are not Main Rivers are called 'Ordinary Watercourses'. Lead local flood authorities, district councils and internal drainage boards carry out flood risk management work on Ordinary Watercourses.
Main River	Usually, larger rivers and streams. The Environment Agency carries out maintenance, improvement or construction work on Main Rivers to manage flood risk.
Groundwater	Water stored below the ground in rocks or other geological strata.



Acronyms

Term	Definition
BAPA	Basic Asset Protection Agreement
DBS	Dogger Bank South
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
DLL	District Level Licence
EA	Environment Agency
EPS	European Protected Species
ERYC	East Riding of Yorkshire Council
ESDAL	Electronic Service Delivery of Abnormal Loads
HCC	Hull City Council
HRA	Habitat Regulations Assessment
HSC	Hazardous Substances Consent
IDB	Beverley and North Holderness Internal Drainage Board
LONI	Letter of No Impediment
MCA	Marine Conservation Area
MCZ	Marine Conservation Zone
MCZA	Marine Conservation Zone Assessment
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
NE	Natural England

Term	Definition
OfGem	Office of Gas and Electricity Markets
ML	Marine Licences
SoCG	Statement of Common Ground
SoS	Secretary of State
TTRO	Temporary Traffic Regulation Orders
UXO	Unexploded Ordnance

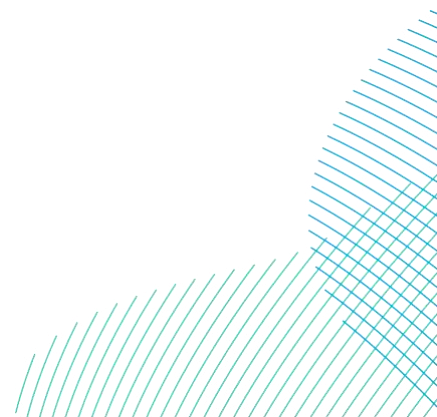


1 Introduction

1.1 Introduction

1. This document provides details of all the offshore and onshore consents, licences and permits that the Applicants may need to obtain to enable the construction, operation, maintenance and decommissioning of the Dogger Bank South (DBS) offshore wind farms (hereafter referred to as the 'Projects') that are not contained within the draft Development Consent Order (DCO).
2. In accordance with Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'), this document is not a document required to accompany an application for Development Consent, however details of other consents, licences and permits are required to be detailed in the standard Application Form. This document is provided to assist in the examination of the Projects' application.
3. The principal consent for the Projects will be the DCO. The DCO process provides development consent for the works, under section 120(5) of the 2008 Act an order granting development consent may:
 - Apply, modify or exclude a statutory provision which relates to any matter for which provision may be made in the order; and
 - Make such amendments, repeals or revocations of statutory provisions of local application as appear to the decision-maker to be necessary or expedient in consequence of a provision of the order or in connection with the order.
4. Under section 150(1) of the 2008 Act, an order granting development consent may include provisions to remove a requirement for a prescribed consent, licence, permit or authorisation only if the relevant body has consented to the inclusion of the provision. These consents, licences, permits and authorisations are listed in column 2 of the table in Part 1 of Schedule 2 of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015.
5. The requirement to provide this information is additionally referred to within Paragraph 45 of the Department for Communities and Local Government Application Form Guidance (Department for Communities and Local Government, 2013).
6. This document may be updated and resubmitted during the examination to demonstrate progress made on obtaining any other necessary consents, licences or permits.

7. This document has been prepared in accordance with the guidance above to provide the outlined information.



2 Onshore Consents

8. Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the onshore part of the Projects are set out in **Table 2-1**.

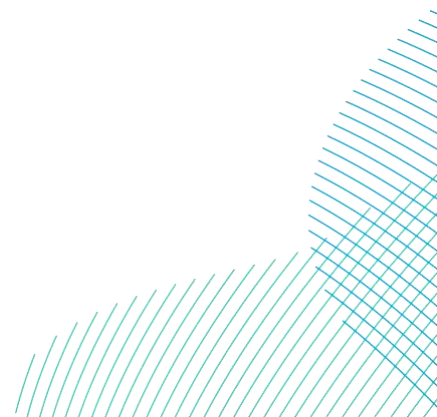
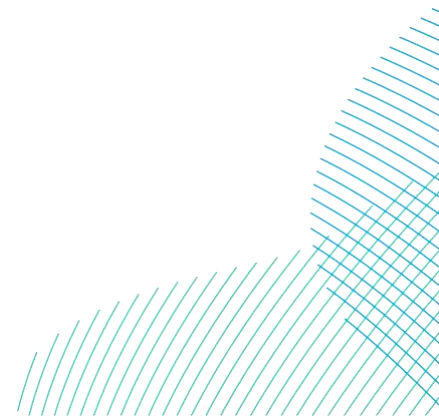


Table 2-1 Onshore Consents

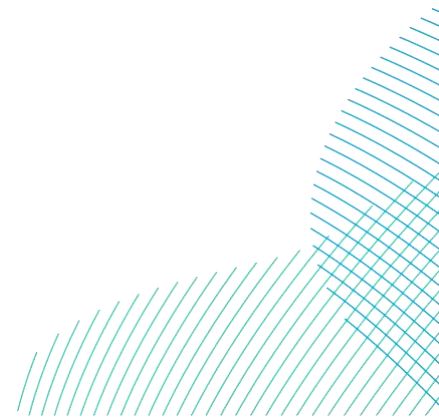
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Water Environment				
Environmental Permit for water discharge or waste operations / registration of exempt waste operations and water discharges (as necessary)	Environmental Permitting (England and Wales) Regulations 2016	Environment Agency (EA)	Post grant of DCO	The Environmental Permitting (England and Wales) Regulations 2016, which came into force on 1 January 2017, consolidate the Environmental Permitting (England and Wales) Regulations 2010 and subsequent amendments. They require most waste management activities and discharges to surface or groundwater to have a permit. However, there are some exceptions to this, being activities that do not need a permit but the exemptions generally require to be registered with the EA. If required, this permit(s) would be applied for by the Contractor for the construction works.
Water Abstraction Licence (if required)	Water Resources Act 1991	EA	Post grant of DCO	A Water Abstraction Licence may be required pursuant to the Water Resources Act 1991 from the Environment Agency. If required, this licence would be applied for by the Contractor the abstraction of water for the construction works.



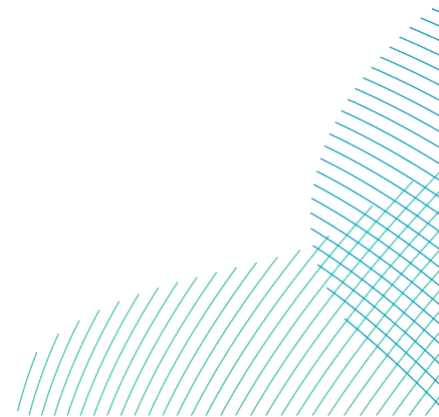
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Traffic				
Temporary Traffic Regulation Order (if construction phase requires temporary revisions to traffic regulations and temporary closure (with diversion) of a Public Right of Way)	Road Traffic Regulation Act 1984	ERYC	Post grant of DCO	The Applicants have the power under the DCO to temporarily stop up, alter or divert any scheduled street for the purposes of carrying the authorised Projects, subject to certain restrictions and limitations. However Temporary Traffic Regulation Orders (TTRO) will need to be sought where construction requires closure of any public highway. Therefore if construction requires traffic restrictions (e.g. closures, speed limits, parking) of any public highway a TTROs will be discussed with the highway authority and applied for after the DCO is granted and before works commence.
Notice of Street Works	Traffic Management Act 2004	ERYC	Post grant of DCO	Permit schemes under the Traffic Management Act 2004 provide that the Projects would need to book time (known as road space) on the highway through a permit issued by ERYC.



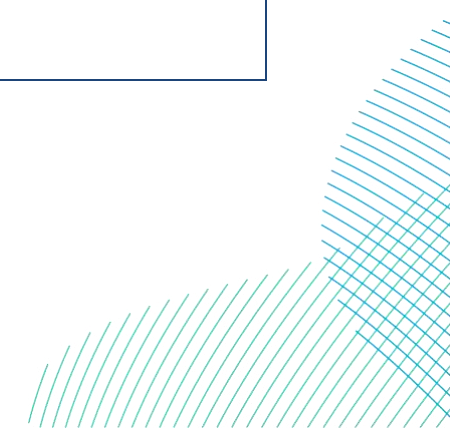
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Permit for transport of abnormal loads (if necessary)	Road Vehicles (Authorisation of Special Types) (General) Order 2003 Road Traffic Act 1988	National Highways and the Local Highway Authorities (ERYC and Hull City Council [HCC]), as applicable	Post grant of DCO	The Construction and Use Regulations are the primary legislation for the construction and maximum dimensions for all vehicles. The Road Vehicles (Authorisation of Special Type) General Order 2003 permits the use of vehicles and/or loads, which cannot comply with the maximum permitted weight, either gross or axle weight, for the class of vehicle being used for transporting a load. It also contains the regulations for loads, which exceed the maximum width permitted by the Construction and Use Regulations, agricultural vehicles and many other miscellaneous vehicles. The legislation is in the most part permissive in that (with some exceptions) providing the haulier complies with the requirements of notification procedures (known as the Electronic Service Delivery of Abnormal Loads (ESDAL), an abnormal load can be moved without the need for any permit or authorisation.



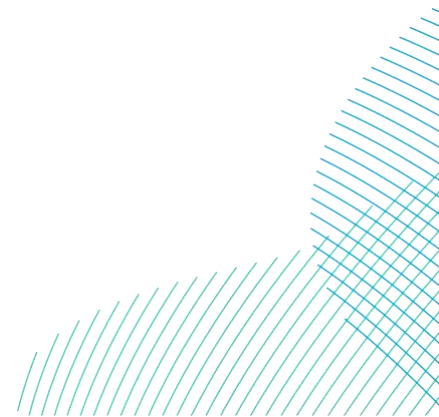
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Consent to alter the highway	Section 278 of the Highways Act 1980	ERYC	Post Grant of the DCO	<p>The DCO will provide the Applicants with powers to undertake works to the public highway within the Order Limits, e.g. formation of new points of access or creation of passing places. However, the DCO requires the Applicants to agree these works with the highway authority prior to the commencement.</p> <p>This agreement would typically be secured via a Section 278 (Highways Act) Agreement (S278). A S278 discharges the highway authorities' powers to alter the highway authority to a third party and therefore legally permits a developer (the Applicants) to alter the highway. The S278 also provides a legal mechanism for, payment of highway authorities costs, securing a warranty, indemnifying the highway authority, providing a commuted sum, providing a surety payment, etc.</p>



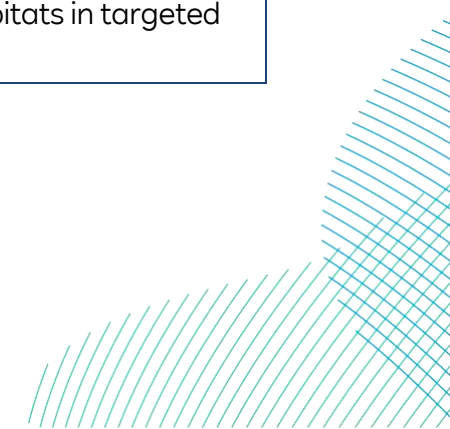
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Consent to drill under the highway	Highways Act 1980	ERYC	Post Grant of the DCO	The DCO will provide the Applicants with powers to drill and install apparatus under the public highway within the Order Limits. However, the Applicants will need to agree the design and monitoring of these works with the highway authority prior to commencement. The Design Manual for Roads and Bridges CD622 – Managing Geotechnical Risks outlines the processes that must be followed and agreed with the relevant highway authorities.
Consent to drill under a railway	Railways Act 1993	Network Rail	Post Grant of the DCO	The DCO will provide the Applicants with powers to drill and install apparatus under railway lines within the Order Limits. However, the Applicants will need to agree the design and monitoring of these works with Network Rail prior to commencement. The Applicants will also be required to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail.



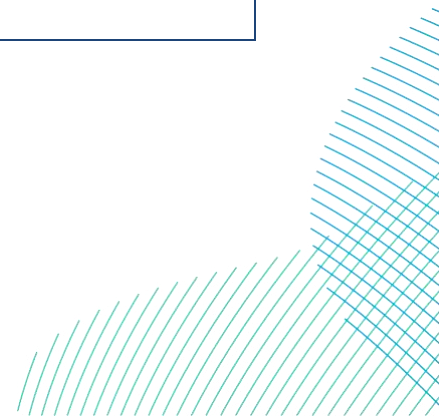
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Ecology and Nature Conservation				
Section 16 Wildlife and Countryside Act License	Wildlife and Countryside Act 1981	Licence Secretary of State, Marine Management Organisation (MMO) or Natural England (NE)	Post grant of DCO, if required	A licence may be required if construction activities are to interfere with designated species.



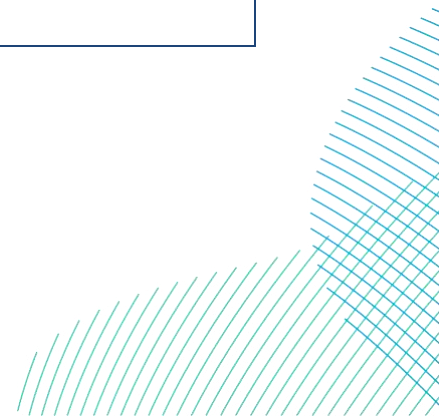
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
European Protected Species (EPS) Licence	The Conservation of Habitats and Species Regulations 2017	NE	Post grant of DCO	<p>It is an offence to deliberately kill, capture or disturb European protected species, and to damage or destroy their breeding sites or resting places. EPS Licences can be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence.</p> <p>When the design of the Projects is being finalised, discussions of the final Projects' details and specific EPS licence requirements will be undertaken with NE.</p>
District Level Licence (DLL) for Great Crested Newts	Wildlife and Countryside Act, 1981 Conservation of Habitats and Species Regulations 2017	NE	Post grant of DCO	<p>It is an offence to deliberately kill, capture or disturb European protected species, and to damage or destroy their breeding sites or resting places. A DLL will be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence and without having to apply for an EPS licence. DLL is an alternative approach to EPS mitigation licensing for developments which could affect great crested newts. DLL aims to increase the number of great crested newts by providing new or better habitats in targeted areas to benefit their wider population.</p>



Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Licence for work affecting badgers	Section 10 of the Protection of Badgers Act 1992	NE	Post grant of DCO	<p>Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to kill, injure or take badgers or to interfere with a badger sett.</p> <p>Pre-construction walkover surveys will allow any newly excavated setts to be identified.</p> <p>Licences allowing works to proceed close to active badger setts, as works that would cause disturbance as defined by NE will be acquired where necessary.</p>



Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Waste and Materials				
Application for a 'Part B' permit for crushing and screening	Local Authority Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2016	ERYC	Post grant of DCO	If required, a Part B permit will be sought from ERYC to operate mobile plant crushing and screening.



Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Applicants' Position
Noise and Vibration				
Section 61	Control of Pollution Act 1974	ERYC	Post grant of DCO	If required, a Section 61 gives consent for works in relation to construction noise and vibration. This protects against a section 60 notice, which could stop works on the grounds of noise and vibration. Requirement for this consent to be agreed with ERYC Environmental Health Officer with prior approval sought in advance of works.
Other				
Building Regulation approval (if necessary)	Building Regulations 2010	East Riding of Yorkshire Council (ERYC)	Post grant of DCO	Operational buildings may require Building Regulations approval if they are manned and therefore not covered by the exemption set out in the Building Regulations 2010, Regulation 9 and Schedule 2 'Exempt Buildings and Work' - "Part CLASSa" - 'Buildings not frequented by people'. This would be sought by the contractor.



3 Offshore Consents

9. Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore part of the Proposed Development is set out in **Table 3-1**.

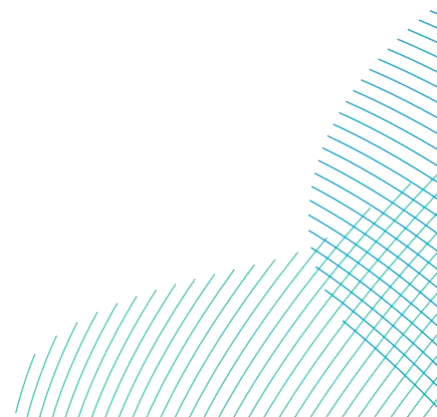
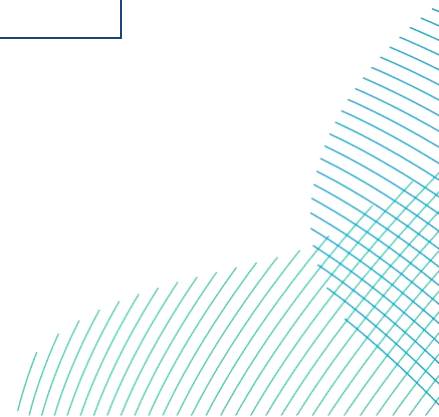
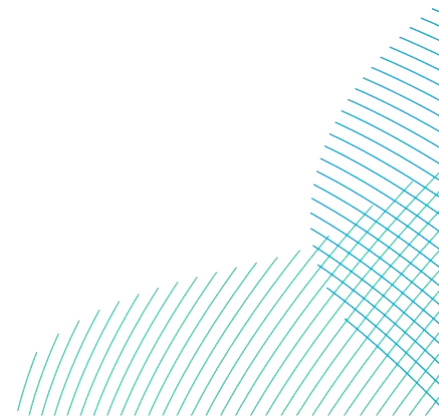


Table 3-1 Offshore Consents

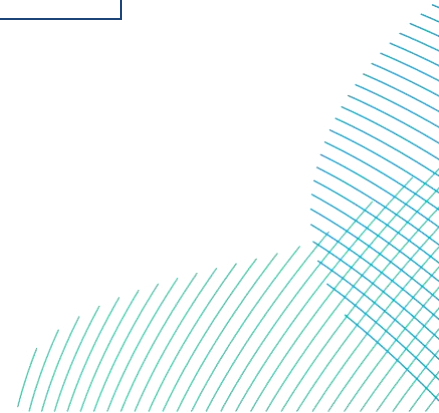
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
Ecology and Nature Conservation				
Appropriate Assessment and Habitat Regulations Assessment (HRA)	The Conservation of Habitats and Species Regulations 2017	Secretary of State for Energy Security and Net Zero and MMO (for the Marine Licences [ML]s)	Part of DCO and ML process - parallel with DCO	The relevant Secretary of State is the competent authority for the purposes of the Habitats Directive and the 2017 Habitats Regulations. The Applicants have submitted a HRA report with the Application.



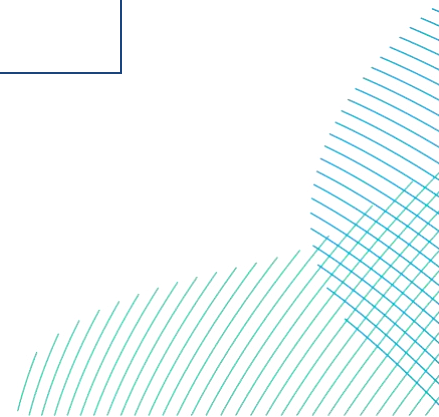
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
EPS Licence	The Conservation of Offshore Marine Habitats and Species Regulations 2017	MMO	Post grant of DCO	<p>It is an offence to deliberately kill, capture or disturb EPS, and to damage or destroy their breeding sites or resting places. EPS Licences can be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence.</p> <p>When the design of the wind farm is being finalised, discussions of the final Projects' details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a Licence will be made.</p> <p>Similar considerations will be made in relation to the need for an EPS Licence for Unexploded Ordnance (UXO) detonation. A licence application will be developed and a Licence obtained should this be deemed necessary.</p>



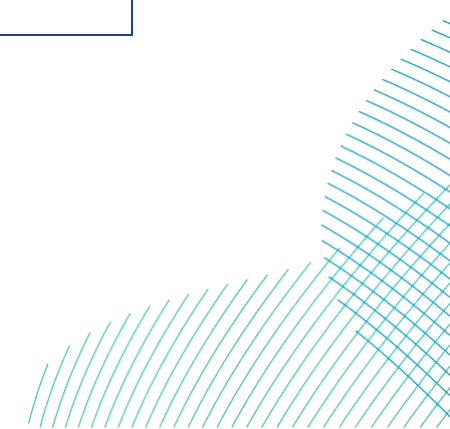
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
<p>Stage 1 Marine Conservation Zone Assessment (MCZA)</p>	<p>Marine and Coastal Access Act 2009</p>	<p>Secretary of State for Energy Security and Net Zero and MMO (for the MLs)</p>	<p>Part of DCO process –parallel with DCO</p>	<p>An MCZA is a requirement of Section 126 of the Marine and Coastal Access Act (2009), which places specific duties on the regulating authority (i.e., the MMO for Marine Licence applications and the Secretary of State (SoS) for DCO applications) relating to the consideration of MCZs when determining consent applications. As a result, the Projects have prepared an MCZA for MMO and SoS to inform decision making processes. This assessment relates to any MCZ which has the potential to be impacted by any Marine Licensable activities required to be undertaken by the Projects.</p>



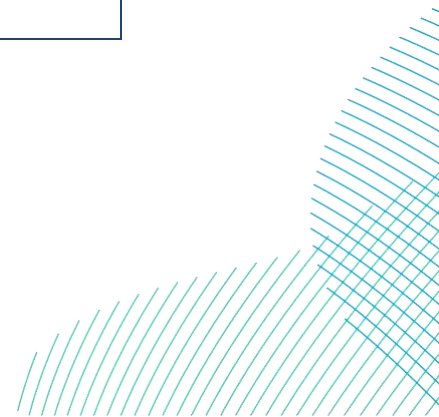
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
Other				
Marine Licence for UXO Clearance	Marine and Coastal Access Act 2009	MMO	Post grant of DCO (if post-consent investigation surveys identify UXOs requiring clearance)	Clearance of UXO (if required) will be subject to a separate Marine Licence application to MMO. The contents of that application, including the specific methodological details and relevant mitigation methods required (such as a UXO-specific Marine Mammal Mitigation Protocol [MMMP]), would be subject to agreement with MMO and consultation with their relevant advisors.



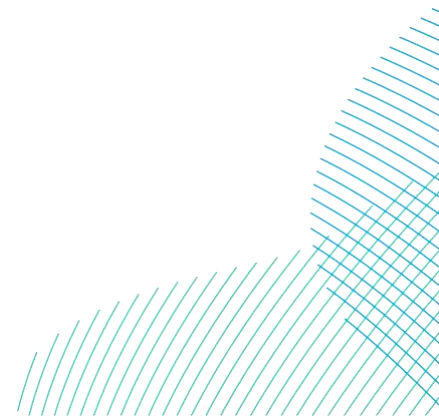
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
Coast Station Radio Licence	Wireless Telegraphy Act 2006	Radio communications Agency	Post grant of DCO	The principal legislation governing the use of radio in the UK is the Wireless Telegraphy Act 1949. This Act requires the possession of a licence to install or use wireless telegraphy (radio) apparatus unless the equipment has been exempted from this requirement. Coastal Station Radio licences are designed to allow coast (base) stations on shore to communicate with vessels. The Applicants do not anticipate any issues with obtaining such a licence, as it is a matter of requesting a channel from the Radiocommunications Agency and paying the appropriate fee.
Decommissioning Scheme	Energy Act 2004	Department for Energy Security and Net Zero (DESNZ)	Post grant of DCO	The Secretary of State will require a decommissioning programme to be submitted prior to commencement of authorised development pursuant to section 105(6) of the Energy Act 2004.



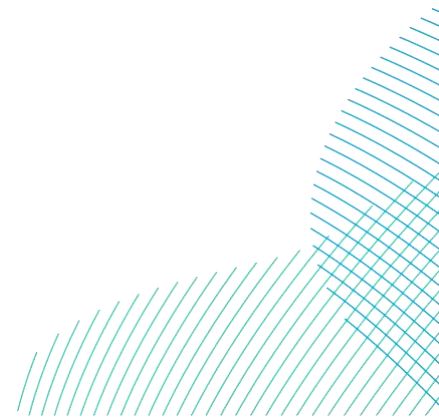
Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
F10 – Notification of Construction Projects	Construction (Design and Management) Regulations 2015	Health and Safety Executive	Post grant of DCO	The Construction (Design and Management) Regulations 2015 require particulars of the Projects to be notified to the Health and Safety Executive in advance of construction. This would be sought by the appointed contractor.



Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
Safety Zones	Energy Act 2004	DESNZ	Post grant of DCO	<p>Where a safety zone relates to a Nationally Significant Infrastructure Project (NSIP), the appropriate decision maker for safety zones is the Secretary of State, who has delegated that function to DESNZ. As set out in the Safety Zone Statement (Volume 8, application ref: 8.19) the safety zone application will therefore be made to DESNZ, which may, if it is considered appropriate to do so, issue a notice declaring that such areas as are specified or described in the notice are to be safety zones. Consultation with DESNZ will commence once the safety zone application has been submitted and DESNZ will then provide comments on the proposed safety zones at this time and following the notice period. The application will be subject to consultation with the Marine Conservation Area (MCA) along with any relevant shipping interests.</p>



Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Content of Consent / Licence
Energy Generation Licence	Electricity Act 1989	Office of Gas and Electricity Markets (OfGem)	To be finalised post grant of consent	The Applicants have secured generation licences pursuant to section 6(1)(a) of the Electricity Act 1989 for EBS East and DBS West which authorise the Applicants to generate electricity.

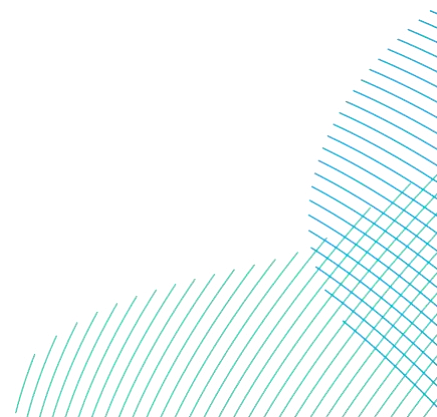


References

Department of Energy and Climate Change (2011a) Overarching National Policy Statement for Energy (EN-1). Presented to Parliament pursuant to Section 5(9) of the Planning Act 2008. The Stationary Office, London.

Department of Energy and Climate Change (2011b) National Policy Statement for Renewable Energy Infrastructure (EN-3). Presented to Parliament pursuant to Section 5(9) of the Planning Act 2008. The Stationary Office, London.

Department of Energy and Climate Change (2011c) National Policy Statement for Electricity Networks Infrastructure (EN-5). Presented to Parliament pursuant to Section 5(9) of the Planning Act 2008. The Stationary Office, London.



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