



Dogger Bank South Case Team
Planning Inspectorate
DoggerBankSouth@planninginspectorate.gov.uk
(Email only)

MMO Reference: DCO/2022/00007
Planning Inspectorate Reference: EN010125
Identification Number: 20050160

04 October 2024

Dear Rammiel Burnie,

Planning Act 2008, RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewable UK Dogger Bank South (East) Ltd, Proposed Dogger Bank South Offshore Wind Farms Order.

Response to Examining Authority's Rule 6 Letter

On the 22 July 2024 the MMO received notice under Section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd (the Applicant) for a DCO Application (MMO ref: DCO/2022/00007; PINS ref: EN010125).

The DCO Application includes a draft development consent order (the DCO) and an Environmental Statement (the ES). The draft DCO includes, Deemed Marine Licence 1 (Schedule 10), Deemed Marine Licence 2 (Schedule 11), Deemed Marine Licence 3 (Schedule 12), Deemed Marine Licence 4 (Schedule 13) and Deemed Marine Licence 5 (Schedule 14) which are draft Deemed Consents under Part 4 (Marine Licensing) of MCAA 2009 (DML).

The DCO Application seeks authorisation for the construction, operation and maintenance of Dogger Bank South (DBS) Offshore Wind Farm (OWF), comprising of up to 100 wind turbine generators in DBS East and up to 100 wind turbine generators in DBS West together with associated onshore and offshore infrastructure and all associated development (the Project).

As marine licences have been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations.

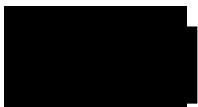


The MMO received a Rule 6 letter on 24 September 2024. Please find the MMO comments below on the following topics:

1. Preliminary Meeting Attendance
2. Comments on Examination Timetable including Issue Specific Hearing (ISH) Attendance
3. Anything further required from Examination Authority
4. Responses to Relevant Representations

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours sincerely



Zoe Trott

Marine Licensing Case Manager

D +44 ([REDACTED])

E [REDACTED]@marinemanagement.org.uk

1. Preliminary Meeting Attendance

- The MMO will not be attending the Preliminary Meeting on 22 October 2024. The MMO has reviewed the draft timetable for the examination of the application and has highlighted concerns on the timetable in section 2 for consideration by the Examining Authority (ExA).

2. Comments on Examination Timetable including Issue Specific Hearing (ISH) Attendance

- With regard to the draft examination timetable, the MMO notes that the first issue specific hearing (ISH1) is the day after the preliminary hearing. The MMO questions the practicality of having these hearings consecutively. The MMO requests that the ExA considers rearranging these hearings to allow all participants to fully attend when there is a change in position or further discussion is required.
- The MMO notes that the Examination is principally a written process. The MMO understands that some issues need to be discussed in person to ensure understanding by the ExA. At this stage, the MMO is not planning on attending any ISH, however, will keep a watching brief and respond to any questions posed by the



ExA on completion of the ISH. This is to ensure resource is spent on providing detailed written responses and resolving any issues with the Applicant.

- If the ExA requests MMO attendance for an ISH, the MMO would ask that hearings are organised to minimise the need for the MMO to be in attendance for all hearings, (e.g., discussing both offshore matters and onshore matters). In addition to this, the MMO would welcome any discussions on the DML or offshore DCO sections to be discussed at the earliest opportunity within the agenda. For example, in East Anglia One North and East Anglian Two, the agenda was rearranged to enable MMO involvement at the start of the hearing. This would enable better time utilisation, allowing for a more efficient and effective examination.
- The MMO note, the draft examination timetable states in point 8 that the ExA will publicise Further Written Questions (ExQ1) on 9 December 2024. A deadline of 6 January 2025 is then suggested in point 9 to provide responses to ExQ1, further comments on other submissions, and further information requested by the ExA under Rule 17. The MMO notes that both the deadlines suggested in Points 8 and 9 are around the Christmas period which could potentially cause difficulties in meeting those deadlines due to resourcing constraints. The MMO request that these deadlines are revised to allow sufficient time to review ExQ1 and provide responses to the points set out in deadline 3.
- In addition, the draft examination timetable states in point 15 that the Exa will issue the preferred draft DCO, proposed schedule of changes or commentary on the draft DCO (if required) on the 27 March 2025. The deadline to respond to the draft DCO is 9 April 2025 (point 16 of the examination timetable). The examination timetable then states in point 17 that the response to deadline 7 must be submitted a week later (midday 16 April 2024) with any comments on any information received by Deadline 6. The MMO notes that both the deadlines suggested in Points 16 and 17 are around the Easter holiday period which could potentially cause difficulties in meeting those deadlines due to resourcing constraints. The MMO request that these deadlines are revised to allow sufficient time to review the draft DCO (including the deemed marine licences) and provide responses to the points set out in deadline 6 and deadline 7.
- The MMO request that deadline 7 is moved to midnight and not midday to allow additional time for representations to be submitted.
- The MMO request where possible the deadlines are not set on a Monday.

3. Further requests from Examination Authority

- The MMO notes that the ExA has requested Summaries of Relevant Representations that exceed 1500 words at Pre-examination Procedural Deadline. Due to resourcing issues the MMO will provide a summary of Relevant Representation at Deadline 1.

4. Responses to Relevant Representations

- 4.1. Due to resourcing issues the MMO will provide responses to the Relevant Representations at Deadline 1.

Yours sincerely





Zoe Trott

Marine Licensing Case Manager

D +44 [redacted]

E [redacted]@marinemanagement.org.uk

