

Dogger Bank South Examining Authority  
National Infrastructure Planning  
Temple Quay House  
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Bristol, BS1 6PN

Our reference 005405079-01  
Your reference EN010125  
Contact Colin McAllister  
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04 November 2024

Dear Ms Dowling,

**Dogger Bank South Offshore Wind Farms Project**

**PINS Reference: EN010125**

**Response to Rule 17 letter 24 October 2024**

This letter is provided in response to the Examining Authority's ("ExA") **Rule 17 letter** [PD-006] dated 24 October 2024.

**Approach to Pre-examination Period**

A number of points of detail have been raised on the application documents by the ExA and Interested Parties. In order to assist the ExA, the Applicants have provided answers below to the points of clarifications raised. Where detailed requests for information cannot be provided at this point in time the Applicants have indicated when such information can be supplied. It is the Applicants' view that the information that cannot be provided at this time should not result in a delay to the start of the Examination.

The Applicants have also proceeded to update documents and produce additional information that was previously required or proposed to be submitted at Deadlines 1 and 2 (8 and 22 November 2024 respectively) of the draft Examination timetable set out in the ExA's **Rule 6 letter** [PD-002]. That documentation will be ready for submission in line with those previous milestones, with some minor amendments as outlined in Appendix B to this letter. Therefore, if it would assist the ExA and the progression of the Examination more generally, the Applicants are able to provide this material in accordance with the timescales set out. The Applicants would welcome the ExA's views on this approach and the proposed timescales.

### **Statements of Common Ground (SoCG)**

The Applicants do not propose to submit the draft SoCG prior to the start of the Examination, until a revised timetable has been issued, however they will continue to progress discussions and seek to reach agreements with stakeholders.

### **Information sought in Rule 17 letter 24 October 2024**

The Applicants have tabulated the ExA's requests and provided responses to those requests in Appendix A to this letter. The Applicants are pleased to confirm that much of the requested information is being included as part of this submission. A summary of those requests that are not able to be responded to in full in this submission, are included below.

The question of whether wake effect assessments should be carried out and/or submitted into the Examination process is being debated in ongoing offshore wind farm examinations. Discussions are also ongoing between developers and DESNZ and The Crown Estate. Prior to the Awel y Mor application wake effects were not considered to be a consenting matter for offshore wind DCO decision making. Given the circumstances (which are commented on further in Appendix A to this letter), the Applicants are not currently proposing to submit the wake effects assessment into the DCO process.

Responses relating to the Historic Environment are being progressed and will be submitted on 22 November 2024 (previously Draft Deadline 2).

The Applicants note that the ExA has requested new visualisations of the Projects in addition to those previously agreed with local stakeholders. The winter views sought by the ExA are generally understood to show trees without leaves. The

Applicants are happy to provide the requested visualisations but would note that the baseline photographs can only be taken once leaves have dropped, which is not expected for another month. Consequently, the requested visualisations are only likely to be available at the end of the year. As the LVIA assessment was previously scoped and agreed with relevant stakeholders, and due to the seasonal constraints with producing winter views, the Applicants consider that it would be appropriate for the provision of these additional winter viewpoints to be provided during the course of the Examination rather than in the pre-examination period.

Queries relating to Environmental Stewardship schemes require the Applicants to obtain information from third party land interests who are the beneficiaries of such schemes. Consequently, the Applicants cannot commit to a deadline for this response, as it depends on the willingness of the land interests to share this data with the Examination, as it may be commercially sensitive. However, where such information is provided by third parties, it will be submitted as soon as possible. The Applicants will provide an update to the ExA at the proposed submission on 22 November 2024 on progress of this matter.

### **Action Points from Preliminary Meeting**

The ExA's **Action Points from Preliminary Meeting** [EV2-002] includes a request for updated documents (Actions 2 and 3) and a statement on the use of Artificial Intelligence (Action 4) by what was known at the time to be the Draft Deadline 1 (8 November 2024). This information is available now, if sought by the ExA, and the Applicants propose to provide it on 8 November 2024 (previous Draft Deadline 1), subject to confirmation by the ExA that they are content to receive additional material on this date.

### **Information sought in Rule 17 letter 10 October 2024**

In the Applicants' letter of 14 October 2024 [AS-006], responding to the ExA's **Rule 17 letter** [PD-003], the Applicants noted their intention to notify the ExA of a potential change to the Onshore Substation Zone. This notification letter is now provided to the ExA as **10.22 Notification of Intention to Submit a Change Request related to works in the Onshore Substation Zone (Change Request 2)**.

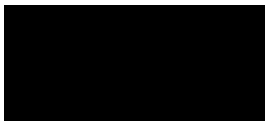
It has been possible to bring forward the production of documentation for this proposed change, and the Applicants therefore propose to align the

consultations for both the offshore (Change 1) and onshore (Change 2) proposals in order to streamline the process for stakeholders and to assist with the introduction of the changes into the Examination. Consultation on both changes is intended to run from 15 November to 16 December 2024, subject to any comments the ExA may have on the proposed timetable. Further details of the proposed consultation are included in the **10.22 Notification of Intention to Submit a Change Request related to works in the Onshore Substation Zone (Change Request 2)**.

The Applicants note that Natural England in their letter of 29 October 2024 [PDB-011] have given their support to the proposed Change 1 and are of the view that it should, once formally submitted, be accepted into the Examination, with updated documents to reflect the change to be submitted thereafter. They are of the view that this process does not need to happen prior to the Examination re-starting. The Applicants welcome Natural England's support for the proposed change and their comments with regard to re-start of the Examination.

I trust the above information is useful to inform further decisions regarding the programme for DCO Examination. Please do contact me on the contact details below or other known members of the Applicants' team should you have any questions.

Yours sincerely,



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## Appendix A – Responses to requests for information

Query	Response	Date to be provided
Proposed Development		
<p>Confirm if the Proposed Development would include battery energy storage systems (BESS) – the <b>Project Description</b> [APP-071, paragraph 101] suggests that the collector platforms/offshore converter platforms would have BESS, but this is not included in the works set out in Schedule 1 of the <b>Draft Development Consent Order (DCO)</b> [APP-027]. Please amend the documentation as necessary.</p>	<p>The proposed development does not include battery energy storage systems to facilitate the supply of electricity to the National Grid.</p> <p>The references to energy storage systems in the <b>Project Description</b> [APP-071] refer to battery banks used when the platforms are running on “Battery Mode”, i.e. when the generators and HVDC link all fail to supply power to the offshore converter platform. This system provides a fail-safe designed to prevent blackouts from occurring on the platforms (limited to 3 hours operation).</p> <p>Having provided this clarification, the Applicants do not propose to update the submitted documents.</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>
Site Selection		
<p>Table 4-21 of <b>Chapter 4 Site Selection &amp; Assessment of Alternatives</b> [APP-067] summarises the selection of temporary construction compounds. Within the table, it does not confirm which option (07 A or 07 B) was taken forwards in final decision – please can the table be updated to confirm this information.</p>	<p>Option 07A was taken forward. <b>Chapter 4 Site Selection &amp; Assessment of Alternatives</b> [APP-067] will be updated accordingly.</p>	<p>08 November 2024 (previous Draft Deadline 1)</p>
<p>Provide a map of the constraints/ criteria listed in paragraph 64 of</p>	<p>The requested map is provided as <b>10.24 Onshore Substation Refined Area of Search and</b></p>	<p>Submission in response to the Rule 17 letter</p>

Query	Response	Date to be provided
<p><b>Chapter 4 Site Selection &amp; Assessment of Alternatives</b> [APP-067] to evidence the refined search area.</p>	<p><b>Onshore Substation Zones Long List.</b> This plan includes the constraints considered in identifying the Onshore Substation Zone and includes the long list of Substation Zone options. <b>Figure 4-13</b> [APP-068] Onshore Substation Zone Long List shows the residential constraints.</p>	<p>04 November 2024</p>
<p>Funding Statement</p>		
<p>The <b>Funding Statement</b> [APP-033, paragraph 36] states that the current cost estimate for the Projects would be approximately £7 billion. Pleaser provide further information detailing how this figure was calculated and details of the difference in costs for each of the possible build out options e.g. only building one of the arrays, building the arrays sequentially or building the arrays concurrently</p>	<p>A cost estimate breakdown is provided in <b>Chapter 28 Socio-economics</b> [APP-217] Table 28-18. The derivation of these figures is explained in the preceding text from 28.6.1.1. This also describes the costs for building the arrays in isolation or together. For clarity it should be noted that the cost breakdown in <b>Chapter 28 Socio-economics</b> [APP-217] Table 28-18 is based on 2019 prices. The Applicants would estimate that costs based on 2024 prices would be c.60% higher due to supply chain price increases and inflation.</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>
<p>Infrastructure and Other Uses</p>		
<p><b>Chapter 16 Infrastructure and Other Users</b> [APP-130, paragraph 70] confirms that a wake loss assessment and potential annual energy production loss for Dogger Bank A has been modelled - please provide a copy of this assessment.</p>	<p>The Applicants wish to highlight that the question of wake effects has been raised on a number of current examinations, including Mona, Morgan, Outer Dowsing and Five Estuaries. The question of whether assessments should be carried out and/or submitted into the Examination process is being debated in those other examinations, though the facts of each case are different. This has led to discussions between</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>

Query	Response	Date to be provided
	<p>developers and DESNZ and The Crown Estate as to the over-arching issue. As the ExA may be aware, prior to the Awel y Mor application wake effects were not considered to be a consenting matter for offshore wind DCO decision making i.e. this is still a new issue for offshore wind examinations. Until the Awel y Mor application it was generally accepted that if a project had respected the set off distance from other offshore wind projects laid down by The Crown Estate in the relevant leasing round, then wake effects were not an issue of concern in the consenting process. The Projects do respect the relevant set off distance for the Round 4 seabed leasing round.</p> <p>In the circumstances, the Applicants are not currently proposing to submit the wake effects assessment into the DCO process as they wish to see what emerges from the discussions with DESNZ and The Crown Estate. In any event the assessment is not in a form which could be submitted and understood by a non-specialist and it would require significant work to allow it to be explained and presented in an intelligible form.</p>	
<p>Please provide a copy of the recent study referenced in your response to Relevant Representations [PDA-013, Table 6.3.1, Point 8]</p>	<p>This report is publicly available, and has been provided to accompany this letter, as document <b>10.23 Array Layout Yield Study</b>.</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>



Query	Response	Date to be provided
<p>commissioned by The Crown Estate (Fraser Nash Consultancy Ltd, 2023) on wake loss effects.</p>		
<p><b>Chapter 16 Infrastructure and Other Users</b> [APP-130] Table 16-1 confirms that vessel movements for construction combines the estimates for peaks of separate tasks, but that it would be possible that each of the packages to use their maximum quantity of vessels. On the basis that the draft DCO and supporting documents do not limit the vessel movements, and that it would be possible that a higher number of vessel movements could occur during construction, please update the ES to include an assessment of the worst-case possible scenario, i.e. the maximum quantity of vessels.</p>	<p>The Applicants can confirm that the maximum numbers of vessels on site simultaneously presented in Table 16-1 of <b>Chapter 16 Infrastructure and Other Users</b> [APP-130] is the absolute worst-case for vessel movements during the construction phase. The combination of estimated peaks represents the absolute maximum quantity of vessels across each individual task (e.g. foundation installation, cable laying etc.). As such the worst-case scenario has been assessed in the existing <b>Chapter 16 Infrastructure and Other Users</b> [APP-130].</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>
<p><b>Chapter 16 Infrastructure and Other Users</b> [APP-130, paragraph 37] states that the only offshore wind farm in planning is ‘Dogger Bank D’, however this is not shown on Figure 16-2 of [APP131]. Furthermore, Figure 16-</p>	<p>The Dogger Bank D Scoping Report was submitted on 21 April 2024, after the drawing was prepared for DCO Submission. Hornsea Project Four was consented at the time of submission as noted in the text for Chapter 16. The colour coding on the Figure 16-2 showing Hornsea 4 as “In Planning” was incorrect.</p>	<p>Submission in response to the Rule 17 letter 04 November 2024</p>



Query	Response	Date to be provided
<p>2 of [APP-131] shows ‘Hornsea Project Four’ as “in planning” which would appear to be incorrect as it is consented. Please review these documents and update and amend as necessary.</p>	<p>The document <b>Figure 16-2</b> [APP-131] has been revised to reflect the above.</p>	
<p>Onshore Historic Environment</p>		
<p>Update <b>Chapter 22 Onshore Archaeology and Cultural Heritage</b> [APP-172] to provide an assessment of lighting effects on heritage assets and their settings as a result of the Proposed Development during construction and operation.</p>	<p>The requested assessment is being progressed and will be provided on 22 November 2024.</p>	<p>22 November 2024 (previous Draft Deadline 2)</p>
<p>Update <b>Chapter 22 Onshore Archaeology and Cultural Heritage</b> [APP-172] to provide an assessment of the effects on heritage assets on an individual asset basis, rather than as grouped assets.</p>	<p>The requested assessment is being progressed and will be provided on 22 November 2024.</p>	<p>22 November 2024 (previous Draft Deadline 2)</p>
<p>Update the ES and set out whether there would be substantial, or less than substantial harm to heritage assets and their significance as a result of the Proposed Development. This should be for each heritage asset on an individual basis and should confirm</p>	<p>The requested assessment is being progressed and will be provided on 22 November 2024.</p>	<p>22 November 2024 (previous Draft Deadline 2)</p>

Query	Response	Date to be provided
whether any harm would be because of construction or operation.		
Please identify whether any hedgerows within the Order limits would be defined as historically important? If so, please identify them on a plan.	The <b>Tree Preservation Order and Hedgerow Plan</b> [APP-024] will be updated to show this information and will be submitted on 08 November 2024.	08 November 2024 (previous Draft Deadline 1)
<b>Chapter 22 Onshore Archaeology and Cultural Heritage</b> [APP-172, paragraph 7] does not confirm which matters were scoped out of the assessment under section 22.3.1. Please can the ES be updated to confirm what matters were scoped out.	The ES Chapter will be updated to show this and will be submitted on 22 November 2024.	22 November 2024 (previous Draft Deadline 2)
Please confirm who forms the Humber Archaeology Partnership referenced in <b>Chapter 22 Onshore Archaeology and Cultural Heritage</b> [APP-172].	<p>The Humber Archaeology Partnership (HAP) is a joint archaeology service for East Riding of Yorkshire Council (ERYC) and Hull City Council (HCC) and is based in Hull City Council. HAP advises these authorities on archaeology within the planning system and maintains the Humber Historic Environment Record (HER).</p> <p>HAP have been a key consultee through the development of the DCO application and the EIA process, and have been regularly consulted on the scope, methods, process and findings of the assessment of effects on archaeological remains, particularly the approach to</p>	Submission in response to the Rule 17 letter 04 November 2024

Query	Response	Date to be provided
	archaeological survey.	
Seascape, Landscape and Visual		
Provide a plan showing the extent of the candidate Yorkshire Wolds National Landscape in relation to the Proposed Development.	The requested plan is provided as <b>10.25 Proposed Yorkshire Wold National Landscape</b> .	Submission in response to the Rule 17 letter 04 November 2024
Provide winter viewpoints with visualisations of the Proposed Development at Year 1 and Year 10 for VP1, VP2, VP3, VP4, VP6 (if not already provided) [APP-193].	These visualisations were not sought by consultees, and consequently baseline photography is not available. It is not possible to get these photographs until trees shed their leaves. A survey is planned for the end of November 2024 and following the survey the visualisations will be updated as quickly as possible.	January 2025
Provide baseline winter photography for VP1, VP2, VP3, VP4, VP6 (if not already provided) [APP-193].		
Provide a visualisation of the Proposed Development from Dunflat Road, Risby, Beverley.	These visualisations were not sought by consultees prior to submission of the application, and consequently baseline photography is not available. This visualisation can be provided once photographs are taken and the revised viewpoints are agreed with the East Riding of Yorkshire Council, who have also requested an additional viewpoint from a similar location as part of the SoCG discussions. The Applicants also propose to issue the additional visualisation when the winter baseline photography is available, to address the ExA's previous query.	January 2025
Provide details how have	<b>Chapter 23 Landscape and</b>	Submission in

Query	Response	Date to be provided
<p>you defined important hedgerows for the purposes of the landscape and visual assessment, or signpost where in the Application this information can be found.</p>	<p><b>Visual Impact Assessment</b> [APP-192] considers the effects of vegetation loss, including hedgerows and trees. The chapter considers the mitigation of hedgerow and tree loss of all hedgerows, including those that are specifically defined as ‘important’. As detailed in the <b>Chapter 18 Terrestrial Ecology and Ornithology</b> [APP- 140], para 260. <i>‘A total of 16,750m of hedgerow are present within the Onshore Development Area. There is a total of 4,305m of hedgerows that qualify as “important” under the Hedgerow Regulations 1997 across the areas that have been surveyed to date’</i>. The Applicants can confirm that ‘important’ hedgerows were identified during the habitat surveys considering the criteria set out in Schedule 1, Part II, Wildlife and Landscape Criteria of the Hedgerow Regulations 1997. <b>Appendix 18-2 Habitat Survey Report</b> [App-143], provides further clarification on how important hedgerows were identified in Section 2.2: <i>‘Hedgerows qualify as Important when certain features are present within or in association with the hedgerow, such as sufficient woody species within the canopy, presence of adjacent walls, banks, standard trees, parallel hedgerows and connecting hedgerows.’</i></p>	<p>response to the Rule 17 letter 04 November 2024</p>
<p>Confirm which stakeholders were part of the Landscape Visual</p>	<p>The Expert Topic Group (ETG) comprised: The East Riding of Yorkshire Council, Hull City Council</p>	<p>Submission in response to the Rule 17 letter</p>

Query	Response	Date to be provided
Impact Assessment expert topic group or signpost where in the Application this information can be found.	and Natural England, as detailed in Table 3-3 of the <b>Consultation Report</b> [APP-034]. Historic England and the Humber Archaeological Partnership (HAP) were also consulted as part of both the early Seascope, Landscape and Visual Impact (SLVIA) and for post EIA Scoping ETG's the Historic Environment ETG.	04 November 2024
<b>Land Use and Ground Conditions</b>		
Provide details of the Environmental Stewardship Schemes which would be affected by the Proposed Development. This should include the Stewardship scheme type, objectives, duration and progress.	This information is only available from landowners, not public source. It will be requested and if provided, made available. A total of three Environmental Stewardship schemes have been identified on Figure 21-3b and 21-3c. The Applicants will provide an update to the ExA at the pre-examination submission on 22 November 2024 on progress of this matter.	22 November 2024 (previous Draft Deadline 2)
Provide an assessment of the effect on any of the Environmental Stewardship Schemes that would be affected of the worst-case scenario during the construction phase.	Construction Impact 4 - Impact to Environmental Stewardship Schemes (ESS) will be updated in <b>Chapter 21 Land Use</b> [APP-169] to provide further detail on the sensitivity, magnitude and significance of effect when considering a worst case for temporary construction effects on ESS and any proposed embedded and additional mitigation. No significant residual effects are anticipated on ESS with the mitigation measures set out in paragraph 134 and 135 of <b>Chapter 21 Land Use</b> [APP-169]. In addition, the <b>Outline Ecological Management Plan</b> [APP-235] has	22 November 2024 (previous Draft Deadline 2)

Query	Response	Date to be provided
	also committed to reinstating habitats following construction and within 2 years between Jointing Bays (see Table 1-1 and Sections 1.7 and 1.8). The updated document will be submitted on 22 November 2024.	
Traffic and Transport		
Provide a plan showing the approved Jock's Lodge Junction improvement works on the <b>Onshore Works Plans</b> [PDA-003].	The requested plan is provided as <b>10.26 Location of Jocks Lodge proposals compared to DBS Onshore Works.</b>	Submission in response to the Rule 17 letter 04 November 2024
Obstacle Crossing Register		
Identify the locations where temporary crossings may be required to facilitate haul road access where direct access is not readily available from both sides of an obstacle.	If a crossing is identified as 'Trenchless' or 'either Option available' (therefore, could be trenchless), in the 5 <sup>th</sup> column of <b>Appendix 5-2 Obstacle Crossing Register</b> [APP-074] but, a temporary haul road crossing of that obstacle to facilitate the continuity of the Haul Road along the Onshore Cable Corridor for construction would be required during construction it will be marked as 'Yes' in the 6 <sup>th</sup> column 'Haul Road Crossing Required'. We consider all proposed crossings are necessary to provide flexibility to complete the construction works.	Submission in response to the rule 17 letter 04 November 2024

## Appendix B – proposed document timetable

Documents provided with this submission in response to the Rule 17 letter on 04 November 2024.

7.16.1	Environmental Statement Figure 16-2 - Infrastructure and Other Users (Revision 3)
10.21	Cover letter
10.22	Dogger Bank South Offshore Wind Farms Project – Notification of Intention to Submit a Change Request related to works in the Onshore Substation Zone (Change Request 2)
10.23	Array Layout Yield Study
10.24	Onshore Substation Refined Area of Search and Onshore Substation Zones Long List
10.25	Proposed Yorkshire Wolds National Landscape
10.26	Location of Jocks Lodge proposals compared to DBS Onshore Works

Documents which will be available to be provided on 8 November 2024 (previous Draft Deadline 1)

1.4	Guide to application
2.18	Tree Preservation Order and Hedgerow Plan
4.2	Book of Reference
7.4	ES Chapter 4
7.24.24.2	Environmental Statement Appendix 24-2 – Transport Assessment (Revision 2)
8.13	Outline Construction Traffic Management Plan (Clean and Tracked) (Revision 2)*
8.24	Offshore Operations and Maintenance Plan (OOMP)*
10.4	Land Rights Tracker
10.12	DBS Phase 2 2024 Archaeological Trial Trenching Technical Note (Revision 2)
10.13	Arboricultural Survey Report, Preliminary Arboricultural Impact Assessment and Outline Arboricultural Method Statement (Revision 2)
10.27	Archaeological Trial Trenching Phase 2 (Interim Report) Section 5
10.28	Archaeological Trial Trenching Phase 2 (Interim Report) Section 6
10.29	Cover Letter
10.30	Response to Natural England's Relevant Representations (including Appendices A - F, and I)
10.31	Hearing responses to supplementary agenda items ISH1
10.32	Hearing responses to supplementary agenda items CAH1
10.35	Geophysical Assessment Report (Final) [9 parts]



10.36	Review of evidence on recovery of sandbank habitat following habitat damage
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\* Denotes that the documents will be submitted with only minor updates following stakeholder feedback.

Documents which will be available to be provided on 22 November 2024  
(previous Draft Deadline 2)

1.4	Guide to application
3.1	Draft DCO*
3.2	Explanatory Memorandum*
4.1	Statement of Reasons
6.2.1	Project level Kittiwake Compensation Plan (Revision 3)
6.2.2	Guillemot [and Razorbill] Compensation Plan (Revision 3)
7.11.11.6	ES Appendix 11-6 - Unexploded Ordnance Clearance Information and Assessment (Revision 2)
7.18	Chapter 18 Terrestrial Ecology and Ornithology*
7.5.5.2	Appendix 5-2 Obstacle Crossing Register [APP-074]*
7.20.20.3	Water Environment Regulations Compliance Assessment*
7.21	ES Chapter 21 - Land Use (Revision 2)
7.22	ES Chapter 22 - Onshore Archaeology and Cultural Heritage (Revision 2)
8.9	Outline Code of Construction Practice*
8.9	- Appendix A - Outline Soil Management Plan*
8.9	- Appendix C - Outline PRow Management Plan*
8.10	Outline Ecological Management Plan (OEMP)*
8.11	Outline Landscape Management Plan*
8.12	Outline Drainage Strategy*
8.20.	Cable Statement*
8.25	Marine Mammal Mitigation Protocol (Revision 2)*
8.26	In Principle Site Integrity Plan (SIP) for the Southern North Sea (SNS) Special Area of Conservation (SAC) (Revision 2)*
8.27	Outline Scour Protection Plan*
8.28	Outline Fisheries Liaison and Co-existence Plan*
10.37	Coastal Erosion Rate Technical Note
10.38	Deadline Cover Letter
10.39	Transboundary response
10.40	Offshore Ornithology EIA Update
10.41	Offshore Ornithology RIAA HRA Update
10.42	Ornithological Mitigation Option Report
10.43	Heat Mapping Report: Atlantic Herring and Sandeel



10.44	Sandbank Habitat Recovery Technical Note
10.45	Schedule of Changes to Draft DCO

\* Denotes that the documents will be submitted with only minor updates following stakeholder feedback.