



Planning Inspectorate

Application by RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (Ref: EN010125)

Action points arising from Issue Specific Hearing 1 at 10:00 on 15 January 2025

Action No.	Directed to	Action
1	The Applicants	Submit a copy of the script read out by under agenda item 3 which provided a brief overview of the draft Development Consent Order (DCO).
2	The Applicants	In relation to Article 7(1), provide clarification as to why the Applicants are seeking exemptions from prosecution for under classes (d), (fb) and (ga) nuisances defined in the Environmental Protection Act 1990.
3	The Applicants	Review Article 10(6) and potentially amend wording to include 'as if it were a dispute' to align with the drafting of recent made DCOs.
4	East Riding of Yorkshire Council (ERYC), Environment Agency (EA) and Lead Local Flood Authority (LLFA)	In relation to Article 11, provide a response as to whether 28 days would be a sufficient timeframe to deal with requests to discharge Requirements. If 28 days is not considered sufficient explain what time frame would be and why.
5	The Applicants	Provide additional evidence as to why Article 19 would be required for this application considering the Secretary of State has removed such Articles in favour of protection through the Written Scheme of Investigation on other Offshore Windfarm schemes made DCOs.
6	ERYC and any other Interested Parties (IP's)	Clarify whether any other Articles are currently missing and should be included in the draft DCO. If so, provide drafting and an explanation as to why they need to be included.
7	The Applicants	Provide further detail as to why proposed capacity and output is not included within the works description. In addition, provide examples/ precedents of made DCOs where this has not been included.

8	The Applicants	In relation to the preamble to Schedule 1, review and potentially amended pre-able to provide a more specific location of the Proposed Development relative to the recognisable shoreline locations.
9	The Applicants	In relation to Schedule 1, Works No 29A - Provide clarification whether haul roads/ temporary construction areas would be allowed within ancient woodland. If required, update wording to ensure that the ancient woodland would not be adversely affected by the proposed works.
10	The Applicants	In relation to Schedule 1, further associated development (I) work for the benefit or protection of land affected by authorised project, provide details/ precedents why this is necessary and what controls are in place to restrict this.
11	The Applicants	In relation to Requirement 1, provide further explanation why a time limit of 7 years would be acceptable given the critical national need for low carbon infrastructure identified in the Overarching National Policy Statement for Energy (NPS EN-1).
12	The Applicants	In relation to Requirement 9, review whether sub-paragraphs 6 and 7 should be provided as separate/ stand-alone Requirement.
13	The Applicants	In relation to Requirement 11, confirm that the proposed Landscape Management Plan includes long term maintenance for the screening of the proposed convertor stations and set out how this would be secured by the Requirement as drafted and/ or review whether drafting of the Requirement needs to be revised to set this out clearly.
14	ERYC, LLFA, EA, Beverley and North Holderness Internal Drainage Board (B&NHIDB)	In relation to Requirement 19, confirm whether reinstatement works should be approved by regulatory body. Provide update on discussions at Deadline 1.
15	The Applicants	In relation to Requirement 19 - Provide update on discussions and response to the Deadline 1 submission requested in Action Point 14 at Deadline 2.
16	The Applicants	In relation to Requirement 22, provide explanation whether the Requirement would limit or control any maximum parameters regarding lighting required for the converter station.
17	The Applicants	In relation to Requirement 30, provide background information, explanation and precedents why this Requirement would be required for this application.
18	The Applicants	In relation to Requirement 30, if it is required, review whether 'construction' should be removed from 'Port Construction Traffic Management Plan'.
19	The Applicants	In relation to Requirement 31, submit a copy of the script relating to the update on alternative funding of military radar mitigation.

20	The Applicants	Provide response whether potential Requirement or Article is required to not allow proposed development to commence until ERYC has received confirmation of grid connection from National Grid (NG) and if it is required provide suggested drafting.
21	ERYC	Provide update and expected timescales on proposed NG sub-station application.
22	The Applicants	In relation to Deemed Marine Licence 10, condition 7(2), provide update on how to ensure no materially new or materially different environmental effect from wind turbine components would be possible. Review whether cross-reference to paragraph 8 should be included in condition 7(2). If amendments are required, then amend the same condition in Deemed Marine Licences 11 to 14.
23	The Applicants and B&NHIDB	Provide update on discussions in relation to proposed Protective Provision for the benefit of the B&NHIDB.
24	EA	Provide update and progress of providing comments on the proposed wording of the Protective Provision provided by the Applicants to the EA.
25	Statutory Undertakers who have sought a bespoke Protective Provision	At Deadline 7 where Protective Provisions have not been agreed/ included in the draft DCO submit preferred drafting with a detailed explanation as to why the preferred drafting should be included in the recommended DCO.
26	The Applicants	At Deadline 8 review and comment on the preferred drafting of any Protective Provisions provided at Deadline 7 and provide a section 127/ 138 case setting out how the draft DCO as drafted would ensure that the Statutory Undertakers would be adequately protected.
27	The Applicants	In relation to Schedule 19, review formatting of Schedule to enhance readability. Applicants directed to look at Schedule 15 of the DCO for Hornsea 4 as a possible example of how to set it out.
28	The Applicants	Contact Case Team to resolve issues with the Statutory Instrument template used for the draft DCO.

The responses to these action points should be provided by **Deadline 1, 29 January 2025**, unless stated otherwise.