

**RWE Renewables UK Dogger Bank  
South (West) Limited**

**RWE Renewables UK Dogger Bank  
South (East) Limited**

**Dogger Bank South Offshore  
Wind Farms**

**Royal Society for the Protection of Birds  
Statement of Common Ground**

**Submission for Deadline 1**

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## Glossary

Term	Definition
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Impact Assessment (EIA)	A statutory process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the EIA Directive and EIA Regulations, including the publication of an Environmental Statement (ES).
Environmental Statement (ES)	A document reporting the findings of the EIA and produced in accordance with the EIA Directive as transposed into UK law by the EIA Regulations.
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA) for certain topics.
Expert Topic Group (ETG)	A forum for targeted engagement with regulators and interested stakeholders through the EPP.
Habitats Regulation Assessment (HRA)	The process that determines whether or not a plan or project may have an adverse effect on the integrity of a European Site or European Offshore Marine Site.
National Significant Infrastructure Project (NSIP)	Large scale development including power generating stations which requires development consent under the Planning Act 2008. An offshore wind farm project with a capacity of more than 100 MW constitutes an NSIP
Preliminary Environmental Information Report (PEIR)	Defined in the EIA Regulations as information referred to in part 1, Schedule 4 (information for inclusion in Environmental Statements) which has been compiled by the Applicants and is reasonably required to assess the environmental effects of the development
Project Change Request 1	The proposed changes to the DCO application for the Projects set out in <b>Project Change Request 1 - Offshore &amp; Intertidal Works</b> [document reference 10.49].

Term	Definition
Receptor	A distinct part of the environment on which effects could occur and can be the subject of specific assessments. Examples of Receptors include species (or groups) of animals, plants, people (often categorised further such as 'residential' or those using areas for amenity or recreation), watercourses etc.
Section 42 Consultee	Organisations and individuals that are required to be consulted by the Applicants under Section 42 of the Planning Act 2008. Non-prescribed Section 42 consultees may be included by Applicants if identified as being of significance.
Special Protection Area (SPA)	Strictly protected sites designated pursuant to Article 4 of the Birds Directive (via the Habitats Regulations) for species listed on Annex I of the Directive and for regularly occurring migratory species.
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).

## Acronyms

Acronym	Definition
AEoI	Adverse Effects on Site integrity
CEA	Cumulative Effects Assessment
CRM	Collision Risk Modelling
DBS	Dogger Bank South
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
ES	Environmental Statement
ETG	Expert Topic Group
HPAI	Highly Pathogenic Avian Influenza
HRA	Habitat Regulation Assessment
ExA	Examining Authority
MCZA	Marine Conservation Zone Assessment
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
RSPB	Royal Society for the Protection of Birds
SoCG	Statement of Common Ground
SPA	Special Protection Area

# 1 Introduction

## 1.1 Background

1. The Application is for development consent for the Applicants to construct and operate the proposed Projects under the Planning Act 2008. Further description of the Projects is available in **Chapter 5 Project Description** [APP-071].
2. This Statement of Common Ground (SoCG) has been prepared between RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd, ('the Applicants') and the Royal Society for the Protection of Birds (RSPB) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Dogger Bank South ('DBS') West Offshore Wind Farm and DBS East Offshore Wind Farm, collectively known as DBS Offshore Wind Farms (herein 'the Projects').
3. In drafting this SoCG, the Applicants have had regard to the Planning Act 2008 Guidance: Examination stage for Nationally Significant Infrastructure Projects (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, 2024).
4. The need for a SoCG between the Applicants and the RSPB has been set out within the **Rule 6** letter [PD-002] issued by the Planning Inspectorate post-application of the Projects DCO.
5. This SoCG is intended to provide the Examining Authority (ExA) with a clear summary of discussions between the parties and has been structured to reflect topics which are of interest to the RSPB, and which have been raised within the **RSPB's Relevant Representation** [RR-049] to the Dogger Bank South Offshore Wind Farms DCO that has been submitted to the Planning Inspectorate pursuant to the Planning Act 2008.
6. It is the intention that this document will facilitate further discussions between the Applicants and the RSPB and will provide the ExA with a clear overview of the level of common ground between both parties. This document will be updated throughout the Examination process.
7. It should be noted that some topics included in this SoCG that remain under discussion are primarily related to differences in methodological approach between the RSPB and Natural England. The Applicants and RSPB have agreed this aspect will be expanded upon in future revisions of this SoCG to ensure these points are characterised as accurately as possible.
8. The following application documents have informed the discussions with the RSPB and address the elements of the Projects that may affect the interests of the RSPB (**Table 1-1**):



Table 1-1 - Application Documents of interest to the RSPB

ES Chapter/ Application Document	Planning Inspectorate (PINS) Reference
Draft Development Consent Order	APP-027 (superseded by Revision 4 - AS-130 and AS-131)
Chapter 4 Site Selection and Assessment Alternatives	APP-067 (superseded by Revision 2 - AS-017 and AS-018)
Chapter 12 Offshore Ornithology	APP-103 (superseded by Revision 2 - AS-057 and AS-058)
Chapter 12 Offshore Ornithology - Figure 12-1	AS-059
Appendix 12-1 Offshore Ornithology Consultation Responses	APP-104
Appendix 12-2 Technical Appendix	APP-105
Appendix 12-3a-c Monthly Abundance - All, Sitting, Flying	APP-106 (superseded by Revision 2 – AS-060 and AS-061)
Appendix 12-4a-c Monthly Densities - All, Sitting, Flying	APP-107 (superseded by Revision 2 – AS-062 and AS-063)
Appendix 12-5a-c Seasonal Peak Abundance - All, Sitting, Flying	APP-108 (superseded by Revision 2 - AS-064 and AS-065)
Appendix 12-6a-c Seasonal Peak Density - All, Sitting, Flying	APP-109 (superseded by Revision 2 – AS-066 and AS-067)
Appendix 12-7a-c Survey Abundances - All, Sitting, Flying	APP-110 (superseded by Revision 2 – AS-068 and AS-069)
Appendix 12-8a-c Survey Densities - All, Sitting, Flying	APP-111 (superseded by Revision 2 - AS-070 and AS-071)
Appendix 12-9 Collision Risk Modelling Outputs	APP-112
Appendix 12-10 Species Distribution Figures	APP-113
Appendix 12-11 Review of Turbines Lighting - Furness 2018	APP-114
Appendix 12-12 Seasonal Displacement Matrices Upper Lower C.I. Abundance	APP-115

ES Chapter/ Application Document	Planning Inspectorate (PINS) Reference
Appendix 12-13 Population Viability Analyses	APP-116
Report to Inform Appropriate Assessment Habitats Regulations Assessment  Part 4 of 4	APP-048 (superseded by Revision 3 - AS-085 and AS-086)
Habitats Regulations Derogation: Provision of Evidence	APP-051
Appendix 1 - Project Level Kittiwake Compensation Plan	APP-052 (superseded by Revision 3 - AS-087 and AS-088)
Outline Kittiwake Compensation Implementation and Monitoring Plan	APP-054
Collaborative Delivery of Kittiwake Compensation: Letter of Intent	APP-055
Appendix 2 - Guillemot [and Razorbill] Compensation Plan	APP-056 (superseded by Revision 3 - AS-089 and AS-090)
Annex A - Outline Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan	APP-057
Annex B - Guillemot [and Razorbill] Compensation Predator Eradication / Control Site Longlist	APP-058
The Applicants' Responses to Relevant Representations	PDA-013

9. The RSPB and the Applicants have been working together to minimise possible impacts of the Projects on the RSPB's operations, and so the RSPB may influence and enhance the design of the Projects where appropriate.

## 1.2 Approach to SoCG

10. This SoCG has been developed during the pre-examination and examination phases of the Projects. In accordance with discussions between the Applicants and the RSPB, this SoCG is focused on matters of material interest and relevance to the RSPB, namely matters covered in the Application Documents outlined in **Table 1-1** and related topics.
11. The structure of this SoCG is as follows:
  - **Introduction:** background to the development of the SoCG.
  - **Consultation:** a summary of consultation and engagement to date.
  - **Agreement Log:** a record of the Applicants' position alongside the RSPB's position in **Table 3-2 - Table 3-3** sets out those areas agreed in relation to the application documents set out in **Table 1-1**. Where a matter is 'not agreed' or 'under discussion' this is described in further detail in **Table 3-4**.
12. It is agreed that this SoCG is an accurate description of the areas agreed and under discussion between the parties, and that this SoCG accurately records key meetings and consultation with the RSPB.
13. As referenced in **Table 2-1**, the Applicants consulted the RSPB on Project Change Request 1 between 15<sup>th</sup> November and 16<sup>th</sup> December 2024. The RSPB did not provide any consultation comments on the Project Change Request.

## 2 Consultation and Engagement

### 2.1 Introduction to Consultation

14. The RSPB have been consulted on the proposed development throughout the pre-application stage, having engaged in Site Selection and Assessment Alternatives, and Offshore Ornithology Expert Topic Group (ETG) Meetings under the Evidence Plan Process (EPP), as well as via non-statutory and statutory consultation under Section 42 of the Planning Act 2008.

### 2.2 Consultation Summary

15. **Table 2-1** summarises the consultation and engagement that the Applicants have undertaken with the RSPB both as part of statutory and non-statutory consultation processes during the pre-application and post-application phases.

**Table 2-1 - Summary of pre-application and post-application consultation with the RSPB**

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
<b>Pre – Application</b>			
14/09/2021	ETG Meeting	Onshore Ecology and Ornithology Pre-scoping	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• DBS update;</li> <li>• EPP;</li> <li>• Scoping report and Approach to EIA; and</li> <li>• Site Selection Methodology.</li> </ul>
13/10/2021	ETG Meeting	Offshore Ornithology Pre-Scoping	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project Update;</li> <li>• Evidence Plan Process;</li> <li>• Scoping report and Approach to EIA;</li> <li>• Approach to HRA; and</li> <li>• Site Selection Methodology.</li> </ul>
25/02/2022	Email	Onshore Ecology	RHDHV issues the Ecology Survey Method Statement.
04/05/2022	ETG Meeting	Site Selection	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project Update; and</li> <li>• Review the Site Selection work for Creyke Beck.</li> </ul>

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
08/06/2022	Email	Onshore Ecology	RHDHV issued an update to the ecology method statement.
07/02/2023	ETG Meeting	Offshore Ornithology	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project Update; and</li> <li>• Summary of the baseline environment for offshore ornithology – following site-specific surveys.</li> </ul>
09/05/2023	ETG Meeting	Offshore Ornithology Non-Kittiwake compensation	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Compensation measures for non-kittiwake species.</li> </ul>
06/06/2023	Email	General Scoping for PEIR.	Provided stakeholders link to HRA Screening and Marine Conservation Zone Assessment (MCZA) Screening reports.
12/09/2023	Email	Export cable corridor and site selection report.	Issued a report on Offshore Export Cable Corridor & Landfall Site Selection, (Requesting comments by 10/10/23).
20/09/2023	Email	DBS Offshore Export Cable Corridor and Landfall Site Selection Report	Issued GIS Shapefiles for Offshore export cable corridor and landfall location. Informing of amended date for return of comments to 17th October 2023.
25/01/2024	Email	Offshore Ornithology	CC issued a summary report detailing the collision and displacement numbers of key species that were used to inform the Offshore Ornithology ES chapter.
06/02/2024	ETG Meeting	Offshore Ornithology	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project update;</li> <li>• PEIR comments;</li> <li>• Preliminary ES results; and</li> <li>• Preliminary HRA results (project alone key SPAs).</li> </ul>
01/02/2024	Email	Offshore Ornithology	CC issued draft versions of appendices 12.9, 12.13 and other early modelling results following NE query on materials sent previously.

Date	Form of Consultation	Meeting Title/ Topic	Summary of Consultation
29/02/2024	ETG Meeting	Offshore Ornithology Auk Compensation	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project updates; and</li> <li>• Long-list of Auk compensation measures.</li> </ul>
10/04/2024	ETG Meeting	Offshore Ornithology Auk Compensation	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project Updates;</li> <li>• Predator eradication/reduction; and</li> <li>• Bycatch and ANS.</li> </ul>
25/04/2024	ETG Meeting	Offshore Ornithology Kittiwake Compensation	The following topics were discussed during the ETG meeting: <ul style="list-style-type: none"> <li>• Project updates;</li> <li>• Conclusions for FFC SPA Kittiwake;</li> <li>• Overview of the approach to compensation; and</li> <li>• Offshore ANS proposal.</li> </ul>
21/05/2024	Email	General	CC confirmed DBS DCO submission date had been revised to the 10 <sup>th</sup> June 2024.
29/05/2024	Email	Offshore Ornithology	CC queried if RSPB could provide a copy of the Filey Bay: Safe Seas for Seabirds RSPB report.
04/06/2024	Email	Offshore Ornithology	AD issued copy of Filey Bay: Safe Seas for Seabirds to RHDHV.
13/06/2024	Email	Offshore Ornithology	CC confirmed DCO submitted 12/06/24, queried if stakeholders would wish for meetings later in summer to discuss application docs.
20/06/2024	Email	Auk compensation	JL emailed AD to inform about boat based survey of St Bees Head.
22/07/2024	Email	Auk compensation	AD provided information on lack of suitability of St Bees Head as location for an auk predator eradication scheme for compensation.

Post – Application

Date	Form of Consultation	Meeting Title/Topic	Summary of Consultation
16/09/2024	Email	Relevant Representation	Received RSPB's Relevant Representation via the Planning Inspectorate.
30/09/2024	Meeting	Offshore Ornithology	ETG meeting where DBS presented a summary of the site selection work undertaken since submission for both Kittiwake and auk compensation.
04/10/2024	Email	Draft SoCG	Issued draft SoCG for RSPB to review prior to meeting on the 14 <sup>th</sup> October 2024.
08/10/2024	Email	Relevant Representation	The Applicants issued their responses to the RSPBs Relevant Representation via the Planning Inspectorate.
14/10/2024	Meeting	Draft SoCG	Meeting to discuss the draft SoCG issued to RSPB on the 4 <sup>th</sup> October 2024.
18/10/2024	Email	Draft SoCG	Updated draft SoCG following meeting on the 14 <sup>th</sup> October 2024 issued to RSPB for comment.
24/10/2024	Email	Draft SoCG	RSPB returned draft SoCG with comments and amendments.
15/11/2024	Email	Project Change Request 1	<b>Project Change Request 1 - Environmental Assessment Update</b> [document reference: C1.1] issued to RSPB for comment.
18/12/2024	Email	Draft SoCG	Revised draft SoCG issued to RSPB for comment.
17/01/2024	Email	Draft SoCG	RSPB returned draft SoCG with comments and amendments.
22/01/2025	Email	Draft SoCG	Revised draft SoCG issued to RSPB for comment.
27/01/2025	Email	Draft SoCG	RSPB confirmed agreement with SoCG for submission to confirmed agreement of the Draft SoCG for submission into Examination at Deadline 1.

## 3 Agreement Log

### 3.1 Overview

16. The following sections of this SoCG summarise the level of agreement between the parties for each relevant offshore topic.
17. To easily identify whether a matter is 'agreed', 'not agreed' or 'under discussion', a colour coding system red, amber, green is used respectively within the 'position status colour' column as set out in **Table 3-1**.
18. Where a matter is 'not agreed' or 'under discussion' further detail is provided in section 3.4.

**Table 3-1 Agreement logs position status key**

Position Status	Position Status Colour
The matter is considered to be agreed between the parties.	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Under discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or the RSPB is not considered to result in a material impact to the assessment conclusions. Discussions have concluded.	Not agreed – No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or the RSPB is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact



## 3.2 General

Table 3-2 General Topics agreed, in discussion or not agreed with the RSPB

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
<b>EIA – Consultation</b>			
1	The Applicants have adequately consulted with the RSPB throughout all stages of the Projects to date and the summary of Consultation (section 2.2 of this SoCG) is a fair and accurate record of pre-application consultation.	RSPB to review section 2.2 and provide any updates if necessary.	
<b>EIA – Site Selection and Assessment of Alternatives</b>			
2	The site selection and route refinement outlined in <b>Chapter 4 Site Selection and Assessment of Alternatives</b> (Revision 2) [AS-017 and AS-018] has properly considered the alternatives for the relevant elements of the Projects (Landfall, Offshore Export Cable Corridor and Array Areas).	RSPB to review this topic and provide an update in the next revision of this SoCG.	

### 3.3 Offshore Ornithology

Table 3-3 Topics agreed, in discussion or not agreed in relation to Offshore Ornithology

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
<b>EIA – Baseline Environment</b>			
3	The ES adequately characterises the baseline environment as detailed in section 12.5 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058].	RSPB to review this topic and provide an update in the next revision of this SoCG.	
4	Sufficient survey data has been collected to inform the assessment as presented within section 12.5 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] and <b>Appendix 12-3 to 12-8</b> (Revision 2) [AS-060 – AS-071].	The RSPB considers that insufficient methodological detail for the digital aerial surveys conducted for the Projects has been provided within the application.	
<b>EIA – Assessment Methodology</b>			
5	The study area identified in section 12.3.1 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] is appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
6	The realistic worst case scenario presented in the assessment for the development scenarios, as outlined in Table 12-2 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] is appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
7	The embedded mitigation measures in Table 12-4 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
8	The impact assessment methodologies used for the EIA, as presented in section 12.4 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058], provide an appropriate approach to assessing potential impacts on the Projects.	<p>The RSPB has noted the following concerns regarding the impact assessment methodology:</p> <ul style="list-style-type: none"> <li>• The application of a macro avoidance correction to Gannet collision risk modelling.</li> <li>• Approach to the apportioning of Gannets to the Forth Islands SPA.</li> <li>• Digital Aerial Survey.</li> <li>• An inadequate consideration of impacts compounded by Highly Pathogenic Avian Influenza.</li> <li>• In-combination: treatment of consented projects required to provide compensation.</li> <li>• Approach to non-measurable "de minimis" impacts.</li> </ul>	
9	The collision risk modelling (CRM) undertaken for the Projects (as detailed in <b>Appendix 12-9 - Collision Risk Modelling Outputs</b> [APP-112]) has been undertaken using appropriate input parameters and avoidance rates for key species (Arctic skua, Arctic tern, commic tern, common gull, common tern, fulmar, great black-backed gull, great skua, herring gull, kittiwake, lesser black-backed gull).	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
10	The CRM undertaken for the Projects (as detailed in <b>Appendix 12-9 - Collision Risk Modelling Outputs</b> [APP-112]) has been undertaken using appropriate input parameters and avoidance rates for gannet.	In the RSPB SoCG meeting held on 15/10/24, the RSPB noted that they disagreed with the CRM input parameters used in relation to gannet which are recommended by Natural England.	
11	The significance of effects presented in section 12.7 to 12.9 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] is consistent with the agreed assessment methodologies.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
12	Section 12.7 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] represents a comprehensive list of the potential effects during construction.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
13	Section 12.8 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] represents a comprehensive list of the potential effects during operation.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
14	The assessment of cumulative effects, as detailed in section 12.10 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] is consistent with the agreed methodologies.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
<b>EIA - Assessment Conclusions</b>			
15	The conclusions of the assessment of significance as detailed in in sections 12.7, 12.8, and 12.9 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] are appropriate and are considered not significant in EIA terms.	The RSPB does not consider that concerns regarding Highly Pathogenic Avian Influenza (HPAI)	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
		have been adequately considered in the assessment.	
<b>EIA – Cumulative Effects Assessment (CEA) Conclusions</b>			
16	The conclusions of the CEA as detailed in section 12.10 of <b>Chapter 12 Offshore Ornithology</b> (Revision 2) [AS-057 and AS-058] are appropriate and are considered not significant in EIA terms.	The RSPB does not consider that concerns regarding HPAI have been adequately considered in the assessment.	
<b>Draft DCO / Outline Management Plans / Mitigation and Monitoring</b>			
17	The Kittiwake Compensation Measures and Guillemot [and Razorbill] Compensation Measures outlined in Schedule 18, Part 2 and Part 3 of the Draft Development Consent Order provide sufficient detail to allow for these compensation measures to be implemented should the Projects receive consent.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
<b>Report to Inform Appropriate Assessment / Compensation Strategy</b>			
18	The sites screened in for assessment within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086] are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
19	The potential adverse effects on site integrity (AEoI) screened in for assessment within the <b>Report to Inform Appropriate Assessment Habitats</b>	The RSPB does not consider that concerns regarding HPAI have been adequately considered in the assessment.	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
	<p><b>Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] are appropriate.</p>		
20	<p>The worst case scenario for ornithological features detailed in Table 9-12 of the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] sufficiently details the Projects activities that may affect ornithological features assessed in the report.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	
21	<p>The conclusions reached in Assessment of potential effects of the Projects alone within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for kittiwake from the Flamborough and Filey Coast SPA are appropriate.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	
22	<p>The conclusions reached in Assessment of potential effects of the Projects alone within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for guillemot are appropriate.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	
23	<p>The conclusions reached in Assessment of potential effects of the Projects alone within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for razorbill are appropriate.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
24	The conclusions reached in Assessment of potential effects of the Projects alone within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086] for gannet are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
25	The conclusions reached in the assessment of potential effects of the Projects alone within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086] for all other bird species assessed (red-throated diver, common scoter and puffin) are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
26	The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086] for kittiwake are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
27	The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086] for guillemot are appropriate.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
28	The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 –</b>	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
	<p><b>Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for razorbill are appropriate.</p>		
29	<p>The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for gannet are appropriate.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	
30	<p>The conclusions reached in Assessment of potential effects of the Projects in combination with other plans and projects within the <b>Report to Inform Appropriate Assessment Habitats Regulations Assessment - Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 &amp; AS-086] for all other bird species for all other bird species assessed (red-throated diver, common scoter and puffin) assessed are appropriate.</p>	<p>RSPB to review this topic and provide an update in the next revision of this SoCG.</p>	
31	<p>The Project-level compensation measures detailed in <b>Appendix 1 - Project-Level Kittiwake Compensation Plan</b> (Revision 3) [AS-087 &amp; AS-088] are sufficient to compensate for any potential impacts to kittiwake that may occur as a result of the operation of the Projects. Revision 3 of the <b>Appendix 1 - Project-Level Kittiwake Compensation Plan</b> (Revision 3) [AS-087 &amp; AS-088] was issued to the Planning Inspectorate on 25<sup>th</sup> November 2024 which provides further updates to the Applicants plans regarding kittiwake compensation.</p>	<p>The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed kittiwake compensation measures.</p>	
32	<p>The <b>Outline Kittiwake Compensation Implementation and Monitoring Plan</b> [APP-054] provides a sufficient plan for the development of future</p>	<p>The RSPB have requested additional information from the Applicants in their relevant representation</p>	



SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
	<p>implementation and monitoring of any agreed compensation measures, should consent for the Projects be granted and compensation for the kittiwake be required. The Applicants provided an update on the Implementation and Monitoring Plan within the <b>Appendix 1 - Project-Level Kittiwake Compensation Plan</b> (Revision 3) [AS-087 &amp; AS-088] submitted on 25<sup>th</sup> November 2024.</p>	<p>to provide further clarification on the proposed kittiwake compensation measures.</p>	
33	<p>The proposed compensation measures for guillemot and (if required) razorbill detailed in <b>Appendix 2 - Guillemot [and Razorbill] Compensation Plan</b> (Revision 3) [AS-089 &amp; AS-090] are sufficient to compensate for any potential impacts to guillemot (and razorbill) that may occur as a result of the operation of the Projects. Revision 3 of the <b>Appendix 2 - Guillemot [and Razorbill] Compensation Plan</b> (Revision 3) [AS-089 &amp; AS-090] was issued to the Planning Inspectorate on 25<sup>th</sup> November 2024 which provides further updates to the Applicants plans regarding auk compensation.</p>	<p>The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed guillemot (and razorbill) compensation measures.</p>	
34	<p>The shortlist of potential predator eradication sites detailed in Table 5-2 of <b>Appendix 2 - Guillemot [and Razorbill] Compensation Plan</b> (Revision 3) [AS-089 &amp; AS-090] presents a suitable range of potential sites for the primary guillemot (and razorbill) compensation measure (predator eradication) to be explored further. An updated shortlist was provided in <b>Guillemot and Razorbill Compensation Site Refinement Report (Redacted)</b> [PDB-008].</p>	<p>The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed guillemot (and razorbill) compensation measures.</p>	

SoCG ID	The Applicants' Position	The RSPB's Position	Position Status
35	<p><b>Annex A - Outline Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan</b> [APP-057] provides a sufficient plan for the development of future implementation and monitoring of any agreed compensation measures, should consent for the Projects be granted and compensation for the guillemot (and razorbill) be required. The Applicants provided an update on the Implementation and Monitoring Plan within the <b>Appendix 2 - Guillemot [and Razorbill] Compensation Plan (Revision 3)</b> [AS-089 &amp; AS-090] submitted on 25<sup>th</sup> November 2024.</p>	<p>The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed guillemot (and razorbill) compensation measures.</p>	

## 3.4 Status of Discussions for Matters ‘Not Agreed’ or ‘Under Discussion’

### 3.4.1 Offshore Ornithology

Table 3-4 Status of discussions relating to Offshore Ornithology

SoCG ID	Discussion Point	Applicants’ Position	RSPB’s Position	Position Status
1	Consultation	Applicants awaiting the RSPB’s updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
2	Site Selection and Assessment of Alternatives	Applicants awaiting the RSPB’s updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
3	Baseline Environment	The Applicants provided an update on this matter within <b>Chapter 12 – Offshore Ornithology</b> (Revision 2) [AS-057 & AS-058] issued to PINS on 22/11/2024 and are awaiting the RSPB’s updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
4	Survey data	The Applicants provided an update on this matter within <b>The Applicants’ Responses to Relevant Representations</b> [PDA-013] and await RSPB’s response on the topic. and will continue discussions with RSPB through the examination process.	The RSPB considers that insufficient methodological detail for the digital aerial surveys conducted for the Projects has been provided within the application.	
5	Study Area	Applicants awaiting the RSPB’s updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
6	Worst case scenario	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
7	Embedded Mitigation	The Applicants provided an update on this matter within <b>Chapter 12 – Offshore Ornithology</b> (Revision 2) [AS-057 & AS-058] issued to PINS on 22/11/2024 and are awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
8	Impact assessment methodology	The Applicants provided an update on this matter within <b>The Applicants' Responses to Relevant Representations</b> [PDA-013] and will continue discussions with RSPB through the examination process.	The RSPB has noted several disagreements regarding the impact assessment methodology.	
9	CRM modelling (all birds except gannet)	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
10	CRM modelling (gannet only)	The Applicants provided an update on this matter within <b>The Applicants' Responses to Relevant Representations</b> [PDA-013], noting that the Applicants have undertaken the gannet collision risk modelling in accordance with Natural England advice, and also (as noted by the RSPB) provided results obtained following the RSPB's preferred method, as agreed during the Expert Topic Group	In the RSPB SoCG meeting held on 15 <sup>th</sup> October 2024, the RSPB noted that they have differences in methodological approach regarding the CRM input parameters used in relation to gannet which are recommended by Natural England.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
		process. The Applicants await RSPB's feedback on the Relevant Representation responses and will continue discussions with RSPB through the examination process.		
11	Projects-alone Assessment consistency with methodology	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
12	List of construction impacts assessed	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
13	List of operational impacts assessed	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
14	CEA consistency with methodology	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
15	ES Assessment Conclusions	The Applicants provided an update on this matter within <b>The Applicants' Responses to Relevant Representations</b> [PDA-013] and await RSPB's response on the topic. The Applicants also issued an updated assessment following Relevant Representations and the latest Natural England guidance in <b>Chapter 12 – Offshore Ornithology</b> (Revision 2) [AS-057 & AS-058] to PINS on 22 <sup>nd</sup>	The RSPB does not consider that concerns regarding HPAI have been adequately considered in the assessment.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
		November 2024, which included further information regarding effects of HPAI on seabird populations. The Applicants will continue discussions with RSPB through the examination process.		
16	CEA Assessment Conclusions	The Applicants provided an update on this matter within <b>The Applicants' Responses to Relevant Representations</b> [PDA-013] and await RSPB's response on the topic. The Applicants also issued an updated assessment following Relevant Representations and the latest Natural England guidance in <b>Chapter 12 – Offshore Ornithology</b> (Revision 2) [AS-057 & AS-058] to PINS on 22 <sup>nd</sup> November 2024, which included further information regarding effects of HPAI on seabird populations. The Applicants will continue discussions with RSPB through the examination process.	The RSPB does not consider that concerns regarding HPAI have been adequately considered in the assessment.	
17	DCO/DMLs and compensation plans	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
18	RIAA sites screened in	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
19	Potential AEoI screened in for assessment	The Applicants provided an update on this matter within <b>The Applicants' Responses to Relevant Representations</b> [PDA-013] and await RSPB's response on the topic. The Applicants also issued an updated assessment following Relevant Representations and the latest Natural England guidance in <b>Chapter 12 – Offshore Ornithology</b> (Revision 2) [AS-057 & AS-058] to PINS on 22 <sup>nd</sup> November 2024, which included further information regarding effects of HPAI on seabird populations. The Applicants will continue discussions with RSPB through the examination process.	The RSPB does not consider that concerns regarding HPAI have been adequately considered in the assessment.	
20	Worst-case parameters	Applicants awaiting the RSPB's updated position on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
21	Project alone kittiwake assessment	An updated project-alone kittiwake assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
22	Project alone guillemot assessment	An updated project-alone guillemot assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-o85 & AS-o86], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
23	Project alone razorbill assessment	An updated project-alone razorbill assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-o85 & AS-o86], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
24	Project alone gannet assessment	An updated project-alone gannet assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-o85 & AS-o86], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	



SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
25	Project alone assessment – all other species	An updated project-alone assessment for all other species was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
26	RIAA in-combination kittiwake assessment	An updated in-combination kittiwake assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
27	RIAA in-combination guillemot assessment	An updated in-combination guillemot assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
28	RIAA in-combination razorbill assessment	An updated in-combination razorbill assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
29	RIAA in-combination gannet assessment	An updated in-combination gannet assessment was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	
30	RIAA in-combination assessment – all other species	An updated in-combination assessment for all other species was presented in <b>RIAA HRA Part 4 of 4 – Marine Ornithological Features</b> (Revision 3) [AS-085 & AS-086], issued to PINS on 25 <sup>th</sup> November 2024. The Applicants await RSPB feedback on this update and will continue discussions with RSPB through the examination process on this topic.	RSPB to review this topic and provide an update in the next revision of this SoCG.	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
31	Project-Level Kittiwake Compensation Plan	The Applicants issued an updated version of the <b>Project level Kittiwake Compensation Plan</b> (Revision 3) [AS-087 & AS-088] to PINS on 25 <sup>th</sup> November 2024 and will continue discussions with RSPB through the examination process on this topic.	The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed kittiwake compensation measures.	
32	Outline Kittiwake Compensation Implementation and Monitoring Plan	The Applicants issued an update to the Kittiwake Compensation Implementation and Monitoring Plan within the <b>Project level Kittiwake Compensation Plan</b> (Revision 3) [AS-087 & AS-088] to PINS on 25 <sup>th</sup> November 2024 and will continue discussions with RSPB through the examination process on this topic.	The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed kittiwake compensation measures.	
33	Guillemot [and Razorbill] Compensation Plan	The Applicants issued an updated version of the <b>Guillemot [and Razorbill] Compensation Plan</b> (Revision 3) [AS-089 & AS-090] to PINS on 25 <sup>th</sup> November 2024 and will continue discussions with RSPB through the examination process on this topic.	The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed guillemot (and razorbill) compensation measures.	
34	Guillemot [and Razorbill] Compensation Plan Site Shortlist	The Applicants issued <b>Guillemot [and Razorbill] Compensation Site Shortlist Refinement Report</b> [PDB-008] to PINS on 29/10/24 and will continue	The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on	

SoCG ID	Discussion Point	Applicants' Position	RSPB's Position	Position Status
		discussions with RSPB through the examination process on this topic.	the proposed guillemot (and razorbill) compensation measures.	
35	Outline Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan	The Applicants issued an update to the Guillemot [and Razorbill] Compensation Implementation and Monitoring Plan within the <b>Guillemot [and Razorbill] Compensation Plan</b> (Revision 3) [AS-089 & AS-090], issued to PINS on 25 <sup>th</sup> November 2024 and will continue discussions with RSPB through the examination process on this topic.	The RSPB have requested additional information from the Applicants in their relevant representation to provide further clarification on the proposed guillemot (and razorbill) compensation measures.	

## 4 Summary

19. This SoCG has outlined the consultation that has taken place between the Applicants and RSPB during the pre-application and Examination phases. This SoCG will be updated as discussions progress and made available to PINS as requested through the DCO examination phase.

## 5 References

Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (2024). Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects. Available at: <https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects>. [Accessed August 2024].

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