

# Outer Dowsing Offshore Wind

## The Applicant's Response to the Rule 17 Letter dated 31 July 2024

Procedural Deadline 19 September

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# 1 Rule 17 Letter

## 1.1 Introduction

1. This document has been prepared to respond to the requests set out within the Examining Authority's ("ExA's") Rule 17 Letter dated 31 July 2024 (the "Rule 17 Letter") and to provide some further information about the documents submitted at the pre-Examination Procedural Deadline (19 September 2024) ("this deadline") which GT R4 Limited, trading as Outer Dowsing Offshore Wind ("the Applicant") considers may assist the ExA.
2. Headings 1.2 – 1.6 align with the headings set out within the Rule 17 Letter. Heading 1.7 relates to documents provided in response to actions previously identified by the Applicant to be delivered by 19 September.

## 1.2 Deadline for the Submission of Comments and Summaries on Relevant Representations (RRs)

3. The ExA requested that responses to and summaries of RRs be submitted by this deadline.
4. The Applicant has provided responses to RRs in Document 15.3 ("The Applicant's Response to Relevant Representations").

### 1.2.1 Transboundary comments

5. In addition to RRs, the Applicant also received responses from European Economic Area ("EEA") Member State requesting to participate in the Examination process on the basis of possible transboundary impacts. Responses to the comments which accompanied these requests are included in The Applicant's Response to Transboundary Consultation Responses (Document 15.19) In one instance, where such a request was made by way of both RR (RR-019) and response to Transboundary consultation, the Applicant's response to the comments have been provided in the same terms in both Document 15.3 and Document 15.19.

### 1.2.2 Documents provided or updated in response to RRs

6. The Applicant highlights the following documents which have been provided or updated in response to relevant representations:

Table 1.1 Documents provided or updated in response to relevant representations

Applicant Document Reference	Document Title
8.1*	Outline Code of Construction Practice
8.1.3*	Outline Soil Management Plan
8.5*	Outline Cable Specification and Installation Plan
8.6.2*	Outline Marine Mammal Mitigation Protocol (UXO)
8.9*	Outline Onshore Archaeological Written Scheme of Investigation

Applicant Document Reference	Document Title
8.10*	Outline Landscape and Ecological Management Strategy (“OLEMS”)
8.14*	Outline Fisheries Liaison and Co-existence Plan
8.20*	Outline Vessel Management Plan
8.22*	Outline Biogenic Reef Mitigation Plan
8.13*	Schedule of Mitigation
6.3.24.2*	Chapter 24 Appendix 2 Flood Risk Assessment Onshore ECC & 400kV Cable Corridor
15.6	Erratum to Site Selection Report
15.14	Addendum to RIAA: Onshore Ornithology
15.11	Additional clarifications relating to Natural England’s Relevant Representations (Appendix I Onshore Ornithology)
*indicates that clean and tracked versions have been provided	

### 1.3 Statements of Common Ground (SoCGs)

7. The ExA has requested confirmation of whether the Applicant intends to enter into SoCGs with the parties specified on page 2 and Annex 1 of its Rule 17 Letter.
8. Table 1.2 below sets out the Applicant’s position in relation to each such party.

Table 1.2 Confirmation of SoCGs to be signed with specified parties

Party	SoCG will be progressed with the party
Lincolnshire County Council;	The Applicant has requested a SoCG with Lincolnshire County Council who have confirmed that they will enter into one and drafts will be circulated between parties ahead of Examination.
East Lindsey District Council;	The Applicant has requested a SoCG with the local planning authorities. The local planning authorities have confirmed that one SoCG will be submitted on behalf of all the local planning authorities and drafts will be circulated between parties ahead of Examination.
South Holland District Council;	
Boston Borough Council;	
The Environment Agency;	The Applicant has engaged with the Environment Agency in respect of a draft SoCG which is currently being reviewed by the parties.
Natural England;	Not confirmed. The Applicant continues to engage with Natural England who have advised a SoCG may be progressed later in the process if requested by the ExA.

Party	SoCG will be progressed with the party
Royal Society for the Protection of Birds;	The Applicant has requested a SoCG with RSPB who have acknowledged the request and drafts will be circulated between parties ahead of Examination.
Historic England;	The Applicant has requested a SoCG with Historic England who have confirmed that they will enter into one and drafts will be circulated between parties ahead of Examination.
National Trust;	The Applicant is not planning to submit a SoCG with National Trust on the basis that National Trust has confirmed that it does not have substantive issues with the project.
The Forestry Commission;	The Applicant is not planning to submit a SoCG with the Forestry Commission on the basis that Forestry Commission has confirmed that it does not have substantive issues with the project.
National Highways;	The Applicant is not planning to submit a SoCG with National Highways on the basis that National Highways has confirmed that it does not have substantive issues with the project.
The Maritime and Coastguard Agency;	The Applicant has requested a SoCG with the MCA who have acknowledged the request and drafts will be circulated between parties ahead of Examination.
The Marine Management Organisation;	The Applicant has requested a SoCG with the MMO who have confirmed that they will enter into one and drafts will be circulated between parties ahead of Examination.
Trinity House;	The Applicant has requested a SoCG with Trinity House who have acknowledged the request and drafts will be circulated between parties ahead of Examination.
National Grid Electricity Transmission;	The Applicant has engaged with NGET in respect of a draft SoCG which is currently being reviewed by the parties.
Chamber of Shipping;	The Applicant has requested a SoCG with Chamber of Shipping who have acknowledged the request and drafts will be circulated between parties ahead of Examination.
NATS (En Route) plc;	The Applicant has requested a SoCG with NATS who have acknowledged the request and drafts will be circulated between parties ahead of Examination.
Defence Infrastructure Organisation (Ministry of Defence)	The Applicant intends to enter into a SoCG with the MOD and is awaiting confirmation that the MOD plans to engage in respect of this.

Party	SoCG will be progressed with the party
Annex A list of Local Authorities	
West Lindsey District Council	The Applicant has consulted with all the local authorities listed in Annex A throughout the pre-application consultation process. The identified councils have not registered to become parties within the Examination and the Applicant does not intend to enter into a SoCG with these parties.
Cambridgeshire County Council	
Fenland District Council	
North Kesteven District Council	
South Kesteven District Council	
Nottinghamshire County Council	
North East Lincolnshire Council	
North Lincolnshire Council	
Rutland County Council	

#### 1.4 Principal Areas of Disagreement Statements (PADS)

9. The ExA requested PADS from each party in the bulleted list on page 2 of the Rule 17 Letter.
10. The Applicant has contacted each of the parties in the bulleted list on page 2 of the Rule 17 Letter and provided information below on whether, to its knowledge, the relevant parties will be providing PADS.
11. The following parties have advised they do not intend to submit PADS as they do not have substantive issues with the project:
  - National Highways
  - Chamber of Shipping
  - National Trust
  - Forestry Commission
  - East Lindsey District Council
  - Boston Borough Council
  - South Holland District Council
  - The Maritime and Coastguard Agency
  - Trinity House
12. Natural England and the MMO have advised they are not planning to update the PADS attached to their Relevant Reps (RR-045 and RR-042) as there have been no substantive changes since these were previously submitted.
13. The following parties advise they intend to submit PADS as outlined in the table below

Table 1.3 Parties which intend to submit PADS

Party	Applicant's engagement with the PADS
Lincolnshire County Council	The Applicant received the PADS on 4 September 2024 and returned comments and clarifications on 11 September 2024
Environment Agency	The Applicant received the PADS on 10 September 2024, The Applicant agrees with the Environment Agency that resolution is

Party	Applicant's engagement with the PADS
	likely in respect of the issues set out within the PADS and will continue to engage in discussions.
National Grid Electricity Transmission	The Applicant received the PADS on 9 September 2024 and returned comments and clarifications on 12 September 2024.
RSPB	The Applicant has been advised that the RSPB will provide the Applicant with the opportunity to review and comment on their PADS after the 19 September 2024.
Historic England	The Applicant received the PADS on 22 August 2024 and returned comments and clarifications on 6 September 2024 and have subsequently engaged in further discussion around these.

## 1.5 Compulsory Acquisition (CA) and Land Rights Tracker

14. The ExA has requested that a CA Tracker be submitted by the Applicant. It has further requested that the scope of the tracker is extended to include additional information on land rights.

15. The Applicant has submitted its Compulsory Acquisition and Land Tracker (Document 15.4).

## 1.6 Pre-Examination Progress Tracker

16. The ExA set out in its Rule 17 letter that it was considering whether to request a Pre-Examination Progress Tracker. In its Rule 6 letter dated 4 September 2024 (PD-009) it formally requested this be provided at this deadline.

17. The Applicant has submitted its Pre-Examination Principal Issues Progress Tracker (Document 15.5).

## 1.7 Actions identified by the Applicant to be delivered by 19 September

18. A number of actions were identified by the Applicant in a previous Rule 17 Response (AS-013) in response to the ExA's Rule 17 Letter dated 3 July (PD-005). The Applicant committed to providing these by this Procedural Deadline.

19. The documents provided in response to each of these actions are as follows.

Table 1.4 Documents provided or updated in response to ExA's Rule 17 Request of 3 July 2024

Actions identified by the Applicant to be delivered by 19 September summarised in Table 1.2 of AS-013	Applicant Document Reference	Document responding to actions
Clarification on methodology used for the interpretation of the DDV data within the reefiness assessment.	15.3; 15.13	The Applicant has set out its clarification on the methodology used within its response to Natural England's Relevant Representation (at C16 to C27, Appendix C) and in the Envision <i>Sabellaria Spinulosa</i> Reanalysis and Report
Identification of any additional analysis required following consideration of Natural		Envision <i>Sabellaria spinulosa</i> Reanalysis and Report



Actions identified by the Applicant to be delivered by 19 September summarised in Table 1.2 of AS-013	Applicant Document Reference	Document responding to actions
England comments on methodology for reefiness assessments.		
Confirmation of the date by which the results of iPCoD modelling will be available for submission into Examination.	15.12	iPCoD Interim Population Consequences of Disturbance Modelling Report
Provision of re-calculated values for Natural England's position for ornithological impacts, including lower and upper confidence intervals.	15.9; 15.9A-H; 15.10; 15.10A	Environmental Report for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor and appendices  Habitats Regulations Assessment for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor and appendix