

Preliminary Environmental Information Report

Volume 1 Chapter 7 Consultation

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| Prepared By: Royal HaskoningDHV                  |            | Prepared For: <b>Dogger Bank D Offshore Wind Farm</b> |        |            |             |
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# Glossary

| Term                                     | Definition   |
|--|--|
| Development<br>Consent Order (DCO)       | A consent required under Section 37 of the Planning Act 2008 to authorise the development of a Nationally Significant Infrastructure Project, which is granted by the relevant Secretary of State following an application to the Planning Inspectorate.   |
| Environmental Impact<br>Assessment (EIA) | A 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 and includes the publication of an Environmental Statement.  |
| Environmental<br>Statement (ES)          | A document reporting the findings of the EIA which describes the measures proposed to mitigate any likely significant effects.   |
| European Economic<br>Area (EEA)          | A European single market that includes the 27 European Union (EU) member states and the three European Free Trade Association countries of Iceland, Liechtenstein, and Norway.   |
| Evidence Plan<br>Process (EPP)           | A voluntary consultation process with technical stakeholders which includes a Steering Group and Expert Topic Group (ETG) meetings to encourage upfront agreement on the nature, volume and range of supporting evidence required to inform the EIA and HRA process.   |
| Expert Topic Group<br>(ETG)              | A forum for targeted technical engagement with relevant stakeholders through the EPP.  |
|  | The Conservation of Habitats and Species Regulations 2017 (as amended), and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) (for plans and projects beyond UK territorial waters (12 nautical miles).   |
| Habitats Regulations                     | Such regulations set out the requirement for Competent Authorities to consider whether a development will have a likely significant effect (LSE) on a European site (now known as part of the National Site Network). Where LSE are likely and a project is not directly connected with or necessary to the management of that site(s), an appropriate assessment (AA) is required of the implications of the plan or project for that site(s) in view of its conservation objectives. |
| Scoping Opinion                          | A written opinion issued by the Planning Inspectorate on behalf of the Secretary of State regarding the scope and level of detail of the information to be provided in the Applicant's Environmental Statement.  |
|  | The Scoping Opinion for the Project was adopted by the Secretary of State on 02 August 2024.   |
| Scoping Report                           | A request by the Applicant made to the Planning Inspectorate for a Scoping Opinion on behalf of the Secretary of State.  |
| Cooping Nopoli                           | The Scoping Report for the Project was submitted to the Secretary of State on 24 June 2024.  |

| Term          | Definition  |  |
|---------------|---|--|
| The Applicant | SSE Renewables and Equinor acting through 'Doggerbank Offshore Wind Farm Project 4 Projco Limited'. |  |
| The Project   | Dogger Bank D Offshore Wind Farm Project, also referred to as DBD in this PEIR.                     |  |

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## 7 Consultation

#### 7.1 Introduction

- 1. This chapter of the Preliminary Environmental Information Report (PEIR) outlines the requirement for, and approach to, the consultation undertaken to date to inform the Preliminary Environmental Information Report (PEIR) and ongoing Environmental Impact Assessment (EIA) for the proposed Dogger Bank D Offshore Wind Farm (hereafter 'the Project' or 'DBD').
- 2. Consultation with statutory and non-statutory consultees prior to the submission of the Development Consent Order (DCO) application is an inherent part of the DCO process, as prescribed by the Planning Act 2008 (HM Government, 2008). Stakeholder engagement and consultation have been ongoing since February 2023 and since the Project has consulted with both statutory and non-statutory bodies on the technical aspects of the impact assessment (EIA and Habitats Regulations Assessment (HRA)). The aim of this technical consultation is to inform and refine the approaches to the impact assessments, taking on board stakeholder input where relevant. In addition, the Applicant has consulted more widely with groups of stakeholders including local communities and landowners (see Section 7.5).
- 3. Consultation feedback which has informed site selection or project design is outlined in Volume 2, Appendix 4.1 Consultation Responses for Project Description and Volume 2, Appendix 5.1 Consultation Responses for Site Selection and Assessment of Alternatives. In addition, a summary of topic-specific technical consultation responses and their consideration by the Project are provided in an appendix for each technical chapter of the PEIR (Chapters 8 Marine Physical Processes to Chapter 31 Climate Change where relevant).
- 4. In April 2023, the Applicant submitted a Scoping Report to the Planning Inspectorate and a Scoping Opinion was received on 1<sup>st</sup> June 2023.
- 5. In March 2024, National Grid Electricity System Operator (ESO) confirmed that the Project will connect to a new substation near Birkhill Wood in the East Riding of Yorkshire (National Grid ESO, 2024a). This announcement resulted in a change in the design and location of the Project's transmission infrastructure. The Applicant submitted a revised EIA Scoping Report to the Planning Inspectorate, on 24<sup>th</sup> June 2024. A Scoping Opinion was received on 2<sup>nd</sup> August 2024 (The Planning Inspectorate, 2024) and has informed the EIA process and technical assessments presented within this PEIR. It is noted that the offshore Array Area did not change between submission of the 2023 Scoping Report and the 2024 Scoping Report and therefore where relevant the Applicant has considered feedback from the earlier Scoping Opinion.

- In addition to the feedback received through the Scoping Opinions, the Applicant has undertaken technical consultation through the Evidence Plan Process (EPP) (as described in **Section 7.4.2**) which has also been considered in the preparation of the technical chapters.
- 7. Consultation activities to date have included the following:
  - Scoping Opinions received from the Planning Inspectorate on 1<sup>st</sup> June 2023 and 2<sup>nd</sup>
     August 2024 in response to the EIA Scoping Report;
  - Ongoing EPP and other technical consultation with key consultees;
  - Non-statutory consultation undertaken from 'from 26<sup>th</sup> September to 7<sup>th</sup> November 2023 and 10<sup>th</sup> September to 22<sup>nd</sup> October 2024 with local communities; and
  - Ongoing direct discussions with landowners and asset owners, parish and town councils and interest groups.

# 7.2 Statutory Consultation Requirements

- 8. As described in **Chapter 3 Policy and Legislative Context**, the Project is defined under Part 3, Section 15(3) of the Planning Act 2008 as a Nationally Significant Infrastructure Project (NSIP).
- 9. A particular emphasis of the Planning Act 2008 regime is pre-application consultation with all potentially affected stakeholders and interested parties, including local communities. The Applicant is required to undertake consultation with the following:
  - Prescribed bodies, and stakeholders (under Section 42 of the Planning Act 2008).
  - Landowners and those with an interest in land (under Section 44); and
  - Local communities (under Section 47) and more widely with the public through the publication of a proposed application (under Section 48).
- 10. The Applicant has developed a Statement of Community Consultation (SoCC) in consultation with East Riding of Yorkshire Council and Hull City Council (as prescribed in Section 43 of the Planning Act 2008).
- 11. The SoCC sets out how the Applicant proposes to consult with the local community, as prescribed in Section 47 of the Planning Act 2008. It also describes the scope of the proposals the statutory consultation will cover, and states that preliminary environmental information is provided to enable stakeholders to develop an informed view of the potential impacts the Project may have on the local environment.

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- 12. The SoCC shows how community views will be considered and where appropriate incorporated into the development or design of the Project. The Applicant has made the SoCC available for public inspection, advertised where the SoCC may be inspected and will carry out consultation in accordance with it as part of the statutory consultation process.
- 13. In accordance with Section 46 of the Planning Act 2008, the Applicant has notified the Secretary of State prior to consulting under Section 42 of a proposed DCO application.
- 14. The Applicant will prepare a Consultation Report to accompany the DCO application as required under Section 37 of the Planning Act 2008. This will provide details of both the non-statutory consultation and statutory consultation carried out in compliance with Sections 42, 47 and 48 of the Planning Act 2008, record the views of all stakeholders and set out how feedback has been taken into account in the development of the DCO application and the Project design.
- 15. This PEIR is presented and consulted on as part of the statutory consultation. It provides an evaluation of the environmental information available for the Project, including descriptions of the likely impacts of development and construction, and proposed measures to reduce or avoid anticipated adverse effects. The PEIR is intended to allow those being consulted to understand the nature, scale, location and likely significant environmental effects of the Project, so that they can make an informed contribution to further development of the Project and to the EIA process.
- 16. The final siting and design of the Project will continue to consider relevant feedback received through consultation and information gathered through engagement with stakeholders alongside further environmental and technical assessments.

# 7.2.1 Environmental Impact Assessment Regulations

- 17. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations) set out a methodology and requirement for prescribed stakeholders to be notified of a Project's intention to submit an Environmental Statement (ES). It provides a mechanism for stakeholders to enter into consultation with the promoter of an EIA development (i.e. 'the Applicant') and to provide relevant environmental information to inform the preparation of the ES. In addition, the EIA Regulations require local communities to be informed and consulted about the Project.
- 18. EIA Regulations relating to pre-application consultation are:
  - Regulation 8(1)(b) Notify the Secretary of State in writing that the applicant proposes to provide an ES in respect of the development;
  - Regulation 10 Application for a Scoping Opinion;
  - Regulation 11- Procedure to facilitate the preparation of ES;

- Regulation 12 Consultation statement requirements;
- Regulation 13 Pre-application publicity under section 48 (duty to publicise); and
- Regulation 32 Development with significant transboundary effects.

#### 7.2.2 Habitats Regulations

- 19. Alongside the EIA process, a Habitats Regulations Assessment (HRA) is undertaken as part of the DCO consenting process. This considers the potential effects of an NSIP on the National Site Network sites (alternatively and formerly known as "European Sites") pursuant to the Conservation of Habitats and Species Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017. It is a requirement that relevant statutory and any relevant non-statutory nature conservation bodies are consulted as part of the HRA process, in order to gather evidence to support the HRA
- 20. The consultation for both EIA and to support an HRA is often undertaken together for the relevant topics as the two assessments are closely linked through data, surveys and modelling.
- 21. A common way of consulting to obtain information for both EIA and HRA is through an EPP. Defra published guidance in 2012 which provides an overview of the process and roles of the parties, facilitating compliance with the Habitats Regulations and the corresponding Planning Inspectorate Advice Note (HRA relevant to NSIP) (The Planning Inspectorate, 2024c).
- 22. Since first conception and use in the DCO process for previously consented wind farms in the UK, the EPP has expanded to include all topics (not just for HRA) which may require additional consultation with stakeholders. This approach is being followed for the Project, with the EPP being initiated in July 2023. See **Section 7.4.2** for further details.

### 7.2.3 National Policy Statements

- 23. Consultation has been undertaken with reference to the relevant National Policy Statements (NPS) which sets out government policy on NSIP, how applications will be assessed and the way in which impacts and mitigations will be judged. See **Chapter 3 Policy and Legislative Context** for further details.
- 24. The NPS of relevance to the Project are:
  - EN-1 for Overarching Energy (Department for Energy, Security and Net Zero (DESNZ), 2023a);
  - EN-3 for Renewable Energy Infrastructure (DESNZ, 2023b); and

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EN-5 for Electricity Networks Infrastructure (DESNZ, 2023c).

#### 7.2.4 Planning Inspectorate Advice Notes

- 25. The EIA process for the Project will also take account of non-statutory National Infrastructure Planning Advice Notes produced by the Planning Inspectorate. These notes are published to provide advice and information on a range of process matters in relation to the Planning Act 2008. Advice Notes of particular relevance to the Project and consultation are:
  - Nationally Significant Infrastructure Projects: Advice on the Consultation Report (The Planning Inspectorate, 2024d);
  - Nationally Significant Infrastructure Projects: Advice on working with public bodies in the infrastructure planning process (The Planning Inspectorate, 2024e); and
  - Nationally Significant Infrastructure Projects: Advice on EIA Notification and Consultation (The Planning Inspectorate, 2024f).
- 26. See Chapter 3 Policy and Legislative Context for further details.
- 27. In addition to the guidance above, the Project's approach to consultation has been informed by additional discussions with relevant local authorities, statutory consultees and by a review of best practice on recent applications of a similar nature, location and scale.

# 7.3 Approach to Stakeholder Engagement

- 28. The Applicant recognises that continuous and targeted engagement with stakeholders, regulators, and communities is key to developing the Project and will seek to ensure meaningful stakeholder engagement is maintained throughout the pre-application phase.
- 29. The aims of the Project's stakeholder engagement are to:
  - Identify and actively engage with prescribed bodies, statutory consultees, local authorities, statutory undertakers (utilities), landowners and those with an interest in the land, local communities, elected representatives, national and international organisations and special interest groups.
  - Develop and carry out a consultation, communications and engagement strategy in accordance with the requirements for pre-application consultation under the Planning Act 2008.
  - Communicate effectively with a range of different stakeholders and groups to further their understanding of the Project and develop relationships with those from whom input will be sought.

- Provide accessible channels of communication with the Project to facilitate comment on proposals and where appropriate, use responses to help shape and finalise the Project.
- 30. Engagement with communities and stakeholders will continue throughout the EIA process to ensure that those interested in the Project are kept informed of progress, that participation in consultation and engagement activities is maximised and that consultees have adequate time and opportunity to inform design development.
- The Applicant is continuing to keep the Planning Inspectorate and other stakeholders up to date with how the Project is progressing. This is in addition to the technical consultation described in **Section 7.4**.
- 32. National Infrastructure Planning Guidance 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects' and 'Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus' requires the production and publication of a Programme Document setting out the timetable and activities undertaken during pre-application on a DCO project. This has been produced by the applicant; it is a live document and is available via the Applicant's website.

#### 7.4 Technical Consultation

33. Consultation with technical consultees is crucial to the development of impact assessments. Detailed methodologies for gathering baseline data and undertaking the impact assessments have been, or will be agreed with, the relevant stakeholders.

## 7.4.1 Overview of Key Consultation to Date

- 34. On 21<sup>st</sup> April 2023, the Applicant submitted a Scoping Report to the Planning Inspectorate and a Scoping Opinion was issued on 1<sup>st</sup> June 2023. These documents are relevant to a previous iteration of the current Project (see **Paragraph 37**).
- 35. The Applicant commenced non-statutory technical consultation via the EPP in July 2023.
- 36. Since early 2023, the Applicant has continued a process of technical consultation for all topics, including via the EPP with the support of environmental consultants.
- 37. Due to key changes to the Project, the Applicant submitted a new Scoping Report to the Planning Inspectorate on 24<sup>th</sup> June 2024. The Secretary of State then issued a Scoping Opinion for the Project on 2<sup>nd</sup> August 2024. Unless otherwise indicated, the terms 'Scoping Report' and 'Scoping Opinion' relate to the 2024 versions.

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- 38. The Applicant issued a HRA Screening Report for comment on 19<sup>th</sup> December 2023 to Natural England, Joint Nature Conservation Committee (JNCC), Centre for Environment, Fisheries and Aquaculture (Cefas) and the Royal Society for the Protection of Birds (RSPB). Sites screened in for further assessment are detailed in the HRA Screening Report. A 'Screening Opinion' was then received detailing responses on the HRA Screening Report from relevant stakeholders who wished to provide comment.
- 39. The Applicant issued a subsequent HRA Addendum for comment on 21<sup>st</sup> August 2024 to Natural England and the MMO. This superseded the HRA Screening Report and provided an update on sites / features screened into the HRA, in response to key Project changes, feedback from the HRA Screening Opinion and consultation through the EPP.
- 40. The Applicant issued a Marine Conservation Zone Assessment Screening Report for consultation in conjunction with the Project's Scoping Report issued on 27<sup>th</sup> June 2024.
- 41. East Riding of Yorkshire Council and Hull City Council were consulted on the draft SoCC in accordance with Section 47 of the Planning Act. The draft SoCC was issued on 10<sup>th</sup> March 2025 and a deadline to respond of 11<sup>th</sup> April 2025 was given. The final SoCC was made available for public viewing on the Project website at <a href="https://www.doggerbankd.com">www.doggerbankd.com</a> and at deposit locations around East Riding of Yorkshire. Statutory notices were also publicised, as required under Section 47(3) of the Planning Act, to inform the public about the final SoCC.

#### 7.4.2 Evidence Plan Process

- 42. An EPP has been established and followed during the ongoing EIA and HRA process to streamline technical consultation where there are multiple interested or responsible stakeholders. The EPP is a voluntary mechanism designed to encourage upfront agreement on the nature, volume and range of supporting evidence required by the Planning Inspectorate to make an informed decision with respect to the DCO application. The EPP also helps incorporate feedback from relevant stakeholders into the EIA and HRA process and ensures compliance with the requirements of the EIA Regulations and Habitats Regulations.
- 43. As the Project evolves and additional information becomes available, including the specific nature of mitigation measures, further impacts may be scoped out. If so, this would continue to be discussed with relevant stakeholders and documented through the EPP and set out in agreement logs which will form the basis for the Statement(s) of Common Ground (SoCG).
- 44. The EPP includes a Steering Group and a number of Expert Topic Groups (ETGs). ETG meetings provide the opportunity to bring technical stakeholders together to discuss defined topics (e.g. marine ecology), establishing a basis for dialogue and presentation of views and evidence in advance of the DCO application. The aim of ETGs is to agree key aspects, such as baseline data, impact assessment methods and mitigation.

45. The topics and member bodies currently included within the EPP, alongside the EPP meetings to date for the Project are presented in **Table 7-1**. The topics and member bodies may be refined to align with changes to the project scope or geographical boundary and depending on additional consultation requirements identified during the EIA and HRA process.

Table 7-1 Evidence Plan Process Groups and Meetings to Date for the Project

| Group    |   | Members  | Date(s) of Meeting  |
|----------|---|--|---|
| Steering | Group   | Planning Inspectorate Environment Agency Historic England MMO Natural England East Riding of Yorkshire Council Hull City Council | First Meeting: 12 <sup>th</sup> July 2023<br>Second Meeting: 29 <sup>th</sup> April 2024  |
| ETG1     | Marine Physical<br>Processes, Benthic<br>Ecology, and Fish Ecology<br>(EIA and HRA) | Natural England  MMO  Cefas  North Eastern Inshore Fisheries and Conservation Authority (NEIFCA)  The Wildlife Trusts            | First Meeting: 13 <sup>th</sup> September<br>2023<br>Second Meeting (MPP Only): 22 <sup>nd</sup><br>July 2024<br>Third Meeting: 30 <sup>th</sup> October 2024 |
| ETG2     | Offshore Ornithology (EIA and HRA)  | Natural England<br>MMO<br>RSPB   | First Meeting: 25 <sup>th</sup> October 2023<br>Second Meeting: 23 <sup>rd</sup> May 2024<br>Third Meeting: 21 <sup>st</sup> October 2024                     |
| ETG3     | Marine Mammal Ecology<br>and Underwater Noise (EIA<br>and HRA)                      | Natural England  MMO Cefas The Wildlife Trusts Whale and Dolphin Conservation (written consultation only)                        | First Meeting: 21 <sup>st</sup> November<br>2023<br>Second Meeting: 17 <sup>th</sup> October<br>2024  |

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| Group |  | Members   | Date(s) of Meeting  |  |
|-------|--|---|---|--|
| ETG4  | Offshore Ornithology<br>Compensation (HRA)   | Natural England  MMO  RSPB  Supported by specific meetings held with other stakeholders as appropriate  | First Meeting: 28 <sup>th</sup> May 2024<br>Second Meeting: 6 <sup>th</sup> November<br>2024  |  |
| ETG5  | Seabed Compensation<br>(HRA) and Measures of<br>Equivalent Environmental<br>Benefit (MEEB) | Natural England  MMO Cefas JNCC Supported by specific meetings held with other stakeholders as appropriate  | First Meeting: 16 <sup>th</sup> October 2023<br>Second Meeting: 2 <sup>nd</sup> May 2024<br>Third Meeting: 28 <sup>th</sup> November<br>2024  |  |
| ETG6  | Onshore Ecology,<br>Ornithology, and Land Use  | Environment Agency Natural England Yorkshire Wildlife Trust East Riding of Yorkshire Council RSPB   | First Meeting: 14 <sup>th</sup> September<br>2023<br>Second Meeting: 2 <sup>nd</sup> October<br>2024  |  |
| ETG7  | Onshore and Offshore<br>Archaeology  | Historic England Humber Archaeology Partnership (East Riding of Yorkshire Council and Hull City Council) MMO (written consultation for offshore archaeology only) | First Meeting: 18 <sup>th</sup> September 2023 Second Meeting (Offshore): 16 <sup>th</sup> May 2024 Second Meeting (Onshore): 28 <sup>th</sup> August 2024 Third Meeting (Onshore): 10 <sup>th</sup> March 2025 |  |
| ETG8  | Traffic and Transport  | National Highways  East Riding of Yorkshire Council  Hull City Council  | First Meeting: 7 <sup>th</sup> November 2023<br>Second Meeting: 30 <sup>th</sup> September<br>2024  |  |
| ETG9  | Landscape and Visual<br>Assessment   | Historic England  East Riding of Yorkshire Council  Hull City Council   | (No ETG9 meeting held during the<br>2023 EPP consultation)<br>First Meeting: 10 <sup>th</sup> September<br>2024   |  |

| Group |   | Members   | Date(s) of Meeting   |
|-------|---|---|--|
| ETG10 | Water Resources and<br>Flood Risk, Geology and<br>Ground Conditions                 | Environment Agency East Riding of Yorkshire Council Beverley and North Holderness Internal Drainage Board (IDB) | First Meeting: 26 <sup>th</sup> October 2023<br>Second Meeting: 24 <sup>th</sup> September<br>2024 |
| ETG11 | Air Quality, Noise and<br>Vibration, Socio-<br>Economics, Tourism and<br>Recreation | East Riding of Yorkshire Council<br>Hull City Council   | First Meeting: 6 <sup>th</sup> November 2023<br>Second Meeting: 27 <sup>th</sup> August 2024       |

- 46. The EPP allows a written audit trail of consultation carried out during the EIA and HRA process to be obtained. This is collected via meeting minutes, agreement logs and response letters, which are considered by the Applicant and form the basis of Project decisions.
- 47. Due to Project refinement following the amended grid connection location and design from ESO, where relevant feedback received from stakeholders in the first round of onshore ETG meetings (based on the 2023 Scoping Report) will not be considered by the Applicant and will be superseded by feedback on the second set of meetings (based on the 2024 Scoping Report).
- 48. Further details of consultation on a topic-by-topic basis are presented in the individual topic chapters (**Chapter 8 Marine Physical Processes** to **Chapter 31 Climate Change** where relevant). Further consultation under the EPP is planned following the PEIR publication and statutory consultation. These future meetings will be scheduled to occur during key milestones in the Project's consenting process, to enable discussion at the most suitable time.

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#### 7.4.3 Other Technical Consultation

- 49. Consultation with technical stakeholders may also occur outside of the EPP framework and will occur on a topic-specific and targeted basis depending on need. Specific meetings will be held with a range of stakeholders as required, particularly for the following Chapters:
  - Chapter 14 Commercial Fisheries;
  - Chapter 15 Shipping and Navigation;
  - Chapter 16 Aviation and Radar;
  - Chapter 18 Other Marine Users;
  - Chapter 29 Human Health; and
  - Chapter 30 Socio-economics, Tourism and Recreation.

## 7.5 Community Consultation

- 50. The local community and local interest groups are important stakeholders who can provide insight and local knowledge for the Project. The Applicant is committed to carrying out its duty to consult with the local community under Section 47 of the Planning Act 2008 and recognises the benefits of open, transparent and accessible consultation and engagement.
- 51. A non-statutory public consultation on the initial proposals for the Project was held between 26<sup>th</sup> September 2023 and 7<sup>th</sup> November 2023. Further non-statutory public consultation was held between 10<sup>th</sup> September and 22<sup>nd</sup> October 2024 for the updated Project, with information provided via the Project's website <a href="www.doggerbankd.com">www.doggerbankd.com</a> and at a series of public events within East Riding of Yorkshire.
- 52. Statutory consultation will be held between 10<sup>th</sup> June and 5<sup>th</sup> August 2025. Details of community and landowner consultation will be presented in the Consultation Report which will be submitted as part of the DCO application.

# 7.6 Transboundary Consultation

As further detailed in **Chapter 3 Policy and Legalisation**, the Espoo Convention was adopted in 1991 and entered into force in 1997 (United Nations, 2014). The Convention requires parties to assess the environmental impacts of activities at an early stage of planning. For major projects which may result in transboundary effects, States are required to notify other potentially affected States and engage in consultation with them. The aim of the Convention is to "take appropriate and effective measures to prevent, reduce and control significant adverse transboundary environmental impact from proposed activities".

- As a signatory to the Convention, the UK has an obligation to engage with other States where there may be transboundary impacts. Where relevant, the EIA Regulations state that the ES should include a description of likely significant effects that are of a transboundary nature.
- 55. As set out in the Planning Inspectorate Advice note: Transboundary Impacts and Processes (The Planning Inspectorate, 2024g), where there may be significant transboundary effects, the Inspectorate must provide a description of the development and further available information to the European Economic Area (EEA) State. Should an EEA State participate, the Inspectorate will forward the relevant information detailed in the regulations, including a copy of the application and the ES, and consult with the EEA State regarding the potential significant effects and mitigation measures.
- 56. Consideration of the potential for transboundary effects was made at the scoping stage, based on the information that was available at that time (The Planning Inspectorate, 2024h). Following this, the Planning Inspectorate provided a transboundary issues notification under Regulation 32 which identified Denmark, Belgium, Sweden, France, The Netherlands, Norway, Germany and Iceland as states requiring notification due to potential impacts on commercial fisheries, offshore ornithology, benthic and intertidal ecology, marine mammals, aviation and radar and existing infrastructure. A first screening was issued by the Planning Inspectorate on 19<sup>th</sup> January 2024. A second screening was undertaken on 9<sup>th</sup> October 2024 following the Applicant's request for a new Scoping Opinion.
- 57. Where applicable, details of transboundary consultation undertaken is provided in specific technical chapters of the PEIR together with an assessment of the potential effects. On publication, the PEIR will be shared with relevant transboundary consultees and any assessments presented in the ES will identify the potential for significant transboundary effects, noting which EEA states may be affected.

# 7.7 Principal Areas of Disagreement Summary Statement and Statements of Common Ground

58. Upon submission of the DCO application, the Applicant will aim to agree on SoCGs with relevant consultees to assist the Planning Inspectorate in understanding any issues which have been agreed upon and which remain unresolved at the time of the DCO submission. Where consultees have participated in the EPP, the SoCGs will draw upon the Agreement Logs which have documented the consultation process to date. Where possible, draft SoCGs will be submitted as part of the DCO application.

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59. Pre-application Principal Areas of Disagreement Summary Statements (PADSS) will be provided to the Planning Inspectorate as a mechanism for consultees to present evidence to the pre-application process. These are owned and updated by the relevant consultees and will contribute towards agreed SoCGs. PADSS are designed to supplement and not replace the SoCG.

#### 7.8 Conclusions

- The Applicant has undertaken, and will continue to undertake, ongoing comprehensive pre-application consultation for the EIA and HRA process. Stakeholders have been engaged in the development process from an early stage with regular provision of project-specific key updates. The Applicant acknowledges stakeholder involvement and corresponding influence on the design of the Project (as outlined in **Chapter 5 Site Selection and Assessment of Alternatives**) and the EIA.
- 61. Consultation responses have been documented and considered in the ongoing EIA process. Responses which are considered relevant to this PEIR, and the Applicant's responses (where applicable), are included in each technical chapter of the PEIR within a consultation appendix.

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#### References

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# List of Tables

# List of Acronyms

| Acronym | Definition   |
|---------|--|
| Cefas   | Centre for Environment, Fisheries and Aquaculture          |
| DAS     | Discretionary Advice Service                               |
| DCO     | Development Consent Order                                  |
| DESNZ   | Department for Energy Security and Net Zero                |
| EEA     | European Economic Area                                     |
| EIA     | Environmental Impact Assessment                            |
| EPP     | Evidence Plan Process                                      |
| ES      | Environmental Statement                                    |
| ESO     | Electricity System Operator                                |
| ETG     | Expert Topic Group   |
| HRA     | Habitats Regulations Assessment                            |
| IDB     | Internal Drainage Board                                    |
| JNCC    | Joint Nature Conservation Committee                        |
| ММО     | Marine Management Organisation                             |
| NEIFCA  | North Eastern Inshore Fisheries and Conservation Authority |
| NPS     | National Policy Statement                                  |
| NSIP    | Nationally Significant Infrastructure Project              |
| PADSS   | Principal Areas of Disagreement Summary Statement          |
| PEIR    | Preliminary Environmental Information Report               |
| PINS    | Planning Inspectorate                                      |

| RSPB | Royal Society for the Protection of Birds |
|------|---|
| SoCC | Statement of Community Consultation       |
| SoCG | Statement of Common Ground                |

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