

ID	Topic area	Agreement	Comments	JNCC	NE	DEFRA	BEIS/ DESNEZ	RWE	TCE	Decisions/ response by TCE
1	Site Designation / Extension	The group is in agreement with the recommendation of the plan to propose strategic site designation/extension as the most ecologically beneficial compensation measure.		Agreed but needs to recognise that there are differences between the different types of site designation (KR 27/03/24)	Agreed recognising that it is a sandbank site that should be designated, starting from that which most closely matches the habitat being lost at Doger Bank (AF 10/4/24)	Agreed, noting and agreeing with SNCB comments (SV 11/4/24)	Agreed RW 22/03/24	Agree 21/3/24	Agreed - BL 06/03/2024	N/A
2	Restriction of future activities - Fishing bye-laws	It is agreed that fishing bye-laws will be included in the plan as a measure - as a high level concept, further details are to be refined if the measure is required at plan level. Fishing restrictions are already in place at Dogger Bank SAC so, if taken forward, this measure would need to be delivered elsewhere to protect an area of Annex I Sandbank (either inside an alternative Marine Protected Area, or an area of Annex 1 sandbank outside a Marine Protected Area) where there are currently no restrictions.		Agreed recognising that any restrictions need to be in addition to those already in place or planned through standard processes (KR 24/4/24)	Agreed recognising that any restrictions need to be in addition to those already in place or planned through standard processes (AF 24/4/24)	Agreed recognising that there are risks and uncertainties around this measure and Defra SoS agreement will be needed before it can be delivered. Any restrictions will need to be in addition to those already in place or planned through standard processes (SV 24/4/24)	Agreed RW 22/03/24 noting and agreeing with Defra comments.	Agree 21/3/24	Agreed - BL 06/03/2024	N/A
3	Strategic compensation measures	It is agreed that new site designation or extension, and restriction of future activities can and should benefit multiple projects. Therefore, as compensation measures, new site designation or extension and restriction of future activities should only be undertaken strategically.		Agreed for designation and extension. Ideally restriction of future activities should be undertaken strategically (even at a site level) but this requires all regulators to be on board with the process (KR 27/03/24)	Agreed for site designation or extension. Not agreed for restriction of future activities as there may be opportunities to do this strategically or at a site level and it requires regulators to be involved. (AF 10/4/24)	Agreed for new site designation or extension. Not agreed for restriction of future activities as it might depend on individual cases (SV 11/4/24)	Agreed RW 22/03/24	Agree 21/3/24	Agreed - BL 06/03/2024	N/A
4	Seagrass restoration	It is agreed by the group that seagrass restoration is considered as a viable option for Round 4 compensation as a small part of a package, with other measures only.		Agreed as only a very small part of a package and only for subtidal seagrass (KR 18/04/24)	Agreed as a small part of a package and only for subtidal seagrass (AF 10/4/24)	Agreed as a small part of a package (if necessary) (SV 11/4/24)	Agreed RW 22/03/24	This was included only as contingency if designation failed to deliver sufficient compensation	Agreed - BL 06/03/2024	N/A
5	Oyster reef restoration	The group agree to remove oyster reef restoration from the plan as the measure does not provide suitable compensation for Sandbank.		Agreed (KR 27/03/24)	Agreed (AF 10/4/24)	Agreed (SV 11/4/24)	Agreed RW 22/03/24	Agree 21/3/24	Agreed - BL 06/03/2024	N/A
6	Habitat damage	It is agreed that habitat loss and habitat damage should be viewed differently with respect to the area of compensation required. Loss implies the permanent removal of habitat and the provision of similar compensation measures should seek to replicate the area lost on a direct basis (subject to the further inclusion of any additional compensation ratio). Damage, is agreed to represent a partial and differential alteration of the character of a habitat. Whereas the HRA assumed, simply, that habitat damage occurred uniformly and completely across a buffer zone around seabed works, in practice it is considered that the alteration arising from these works would be observed as a gradient of change from 100% close to the works and reducing to 0% at the extremity of the assumed buffer. Furthermore this change would not be permanent, with some recovery occurring over time.	as discussed in SGDM10 and 12	Agree that these are different things but there is still a need to consider the same things in terms calculating the amount of compensation required as for loss e.g. recoverability, delivery timeframes etc which will determine the amount, as opposed to setting arbitrary amounts or ratios. (KR 27/03/24)	Agreed but further discussion and evidence is needed to understand the impact of damage on Dogger Bank SAC and potential for recovery to inform any reduction in area. The precautionary principle should assume 100% unless otherwise agreed. (AF 10/4/24)	Defer to SNCB advice on this point (SV 11/4/24)	Agreed RW 22/03/24	RWE do not agree that damage should contribute to the AEOL conclusion. SNCBs have not provided evidence of recovery taking 10+ years, RWE believe available evidence (including from the Dogger Bank) indicates effects are short-term. Notwithstanding the above RWE agree that if damage were included, recovery would be along a gradient both spatially and temporally and compensation should reflect this. 18/4/24	Agreed - BL 06/03/2024	The Crown Estate note RWE's position that damage should not contribute to AEOL conclusion. However, The Crown Estate's HRA and Derogation are final and include the consideration of damage to farm part of the AEOL.
7	Habitat damage	It is agreed, however, that, at the present time there is a lack of empirical evidence to appropriately quantify these areal and temporal characteristics of habitat damage in the context of the relic sandbank that forms the Annex I Sandbank feature of Dogger Bank SAC and for the purposes of this Strategic Compensation Plan habitat damage should be treated the same as habitat loss, until more evidence is available to do otherwise.	as discussed in SGDM10 and 12	Agreed (KR 27/03/24)	Agreed (AF 10/4/24)	Defer to SNCB advice on this point (SV 11/4/24)	Agreed RW 22/03/24 DESNZ will defer to SNCB comments, but also note comments from DBS on the consultation log concerning their results on habitat damage and recovery. All evidence must be used in coming to the conclusion on AEOL and amount of compensation required in terms of habitat damage.	RWE do not agree that damage should be treated the same, we believe the conclusion was that the impact would be <100% of habitat loss with no agreement on the quantum	Agreed - BL 06/03/2024	N/A
8	Compensation level	It was agreed that simple area based comparisons between sandbank and dissimilar habitats, such as seagrass, may not be optimal. An alternative approach which sought to use ecosystem function metrics such as production was investigated: whilst this may have merit there was insufficient time to develop this adequately. Should a package be required which includes seagrass restoration, this work should be revisited.	as discussed in SGDM11	Agreed (KR 27/03/24)	Agreed (AF 10/4/24)	Agreed (SV 11/4/24)	Agreed RW 22/03/24	Agree 21/3/24	Agreed - BL 06/03/2024	N/A
9	Seagrass restoration	It is proposed that one potential option for implementation is via existing seagrass restoration funds/ projects to enhance the chance of successful implementation and one option for the implementation is for it to be developer lead. Due to the benefits the group favoured the option to deliver through existing restoration projects/funds so long as it proved to be additional.		Not agreed - the best ecological option should be used to restore sub-tidal seagrass if this measure is taken forward as a very small part of a package. This may not necessarily be through existing projects. (KR 18/04/2024)	Not agreed, should this measure be taken forward for sub tidal seagrass restoration as part of a package then the best ecological option should be identified. This may be contribution to an existing project where the benefits can be shown to be additional or restoration of a new area of subtidal seagrass (AF 18/04/24)	Defer to SNCB advice on this point, but if implemented via existing projects, compensation will need to be demonstrated to be truly additional (SV 18/04/24)	As per Defra comments RW 18/04/24	Agree 18/4/24	Agreed - BL 19/04/2024	The views of SNCB's Defra and DESNZ are noted. Both developer led and utilising existing seagrass restoration projects are presented as opportunities within the plan, and the Steering Group will have the opportunity to influence the appropriate way forward should this measure be required. The indication that utilising existing projects was 'favoured' was intended to indicate that utilising existing knowledge and expertise would be beneficial where possible, but it is noted and agreed that any seagrass restoration would need to be proved to be 'additional'.
10	Aggregates	This was excluded as a viable measure for this Plan due to the small areas available and the fact that the aggregates industry is managed to ensure sandbank recovery.		Not agreed - this measure has not been discussed in detail and sufficient evidence has not been presented to suggest that it is not viable. This is a measure that could be delivered as part of a package (although outside of DB SAC) to benefit Annex I Sandbank. (KR 18/04/2024)	Not agreed. This measure was not explored in detail and there is not sufficient evidence to conclude it is not viable. We consider that this could contribute to a package of measures and that this could help to remove pressure on Annex 1 sandbank. (AF 18/04/24)	Not agreed. This measure was not explored in detail and we don't have the evidence to conclude it is not viable. There could be benefits in some situations, e.g re-locating aggregates activities that currently occur within MPAs (SV 18/04/24)	As per Defra comments. Although I agree that the aggregates industry is managed to allow recovery by leaving a minimum of target substrate in place, I take the Defra/SNCB points around removal of pressure in a site which is already under pressure and re-locating activities that currently occur in MPAs. RW 18/04/24	Agree 18/4/24	Agreed - BL 19/04/2024	The view of the the SNCB's and Defra are noted, however, it was discussed during the Steering Group meetings that whilst there may be opportunity to reduce some pressure from aggregates within MPAs the number of aggregates sites within protected sites, and their scale was such that there was limited viability for this measure to be taken forward.
11	Ratio	A ratio of 1:1 has been stated as the compensation value for restriction of future offshore wind as this is a like for like measure. There is no requirement for like for like to be more than 1:1 ratio		Not agreed, this has not been discussed with the steering group and no evidence has been presented on a suitable ratio. (KR 24/4/24)	Not agreed, the steering group has not seen potential areas for restriction of future offshore wind and has not had any discussion on what ratio would be required should this measure be taken forward at any stage. Further work is needed to understand how ecologically meaningful the measure is and to enable discussion on appropriate ratios. (AF 24/4/24)	Not agreed. This has not been discussed with the steering group and further work is needed to understand how ecologically meaningful this measure is and therefore appropriate ratios (SV 24/4/24)	Not agreed - while it sounds sensible in principle, it hasn't been discussed/explored/tested with the steering group. There may well be nuances, caveats and exceptions to this. RW 24/04/24	Agree 24/04/2024	Agreed - BL 24/04/2024	The Crown Estate note that this point is not agreed across the Steering Group, but this is based on existing precedent for like for like measures in DCO decisions, and is included to reduce risk of inefficient use of The Crown Estate's assets in the future, whilst noting that this position does not fetter the discretion of the Secretary of State to make a discretion on appropriate compensation.

12	Monitoring	<p>It was agreed that the monitoring requirements for a new or extended designated site should be appropriate to the purpose of monitoring. It is understood that monitoring for site designated as part of compensation are yet to be agreed and may differ to current monitoring, but we recommend they are appropriate to the requirement and purpose of the monitoring in relation to this Plan. This follows discussion in M9 to ensure the developers and the SNCB's concerns are adequately and fairly addressed.</p>	<p>SGDM9 • PP - evaluating success in this instance would have to be with a long-term watching brief. This would need to be factored into the ongoing adaptive management of the group. Monitoring proposal would have to be in line with the monitoring process in the existing MPA network and should be proportionate to what is currently undertaken for the existing network.</p>	<p>Agree that any monitoring of the designated site as compensation should be appropriate for understanding the condition of the site and it's contribution to the MPA network in terms of success and management (KR 24/5/24).</p>	<p>Agree that any monitoring of the designated site as compensation should be appropriate for understanding the condition of the site and it's contribution to the MPA network in terms of success and management. Monitoring would be designed for compensation sites alongside the rest of the MPA network by the relevant SNCB(s). Monitoring requirements have not been discussed yet and more time is needed to work through the details. (AF 24/4/24)</p>	<p>Agree that any monitoring of the designated site as compensation should be appropriate for understanding the condition of the site and its contribution to the MPA network in terms of success and management. Monitoring requirements have not been discussed yet and more time is needed to work through the details (SV 24/4/24).</p>	<p>Agreed - RW 24/04/24</p>	<p>Agree 24/04/2024</p>	<p>Agreed - BL 24/04/2024</p>	<p>N/A</p>
13	Questions at DCO	<p>It was agreed that The Crown Estate will continue to chair the Steering Group following the submission of DCO applications for DBSW and DBSE. Examiners' Questions related to this DBSCP during the DCO process following the submission of the DBSCP should be directed to the relevant project applicant who will then provide those questions to The Crown Estate to ensure consistent alignment of responses which take account of Steering Group discussions and responses. The Terms of Reference for the DBSCP Steering Group still apply following DCO submission and until the Steering Group is dissolved in accordance with those Terms of Reference.</p>	<p>This follows discussions in earlier meetings relating to questions on the strategic Plan level compensation and is in keeping with the aims of the ToRs</p>	<p>Not agreed. As site leads for Dogger Banks SAC JNCC will be providing statutory nature conservation advice on the project via the delegation agreement with Natural England. For this reason it would not be appropriate for us to be involved in formulating response to questions posed to TCE on the plan (KR 24/4/24).</p>	<p>Not agreed. As NE will be providing statutory nature conservation advice on the project into examinations, we do not consider it appropriate for us to also be involved in formulating responses to any input requests regarding the R4 Plan Level compensation. The plan would be clearer if 9.5.3 reflected this. We hope to continue to provide steering group advice on other matters during the DCO processes subject to availability. (AF 24/4/24)</p>	<p>We are content that examiners questions are directed at the project applicant and agree with the points made by SNCBs. The ability to provide statutory advice shouldn't be compromised. We would be open to a discussion on the role of the steering group during DCO examination. (SV 24/4/24)</p>	<p>Not agreed. Given the quasi judicial nature of the DESNZ SoS decision on each consent, DESNZ will need to take a decision on any involvement during the examination.</p>	<p>Not agreed. Although DBS, as the applicant, will respond to Examiners questions where appropriate and possible to do so there is frequently a fast turnaround on written questions and instant answers expected at hearings. Waiting on the SG to meet and respond will not be a workable solution during Examination. We also note that JNCC and NE do not plan on being involved in the SG during Examination. Agreement on the appropriate parties to be involved and how questions on the SCP can be resolved during the Examination will be required. CM 24/04/2024</p>	<p>Agreed - BL 24/04/2024</p>	<p>It is noted that there is not agreement across members of the Steering Group as to the continuation of the Steering Group during project Examination, namely due to capacity issues during a very busy process, and potential for conflicting advice to be submitted in response to Examiners Questions on the DBSCP and in individual organisations statutory roles in the process. It should be noted that all members have signed the Terms of Reference that describe the role of the Steering Group and that it will remain vested until post consent to consider monitoring and adaptive management requirements. The Examining Authority will have the right to ask questions of the DBSCP and it is appropriate that the Steering Group, being responsible for the development of the plan, respond to these questions and The Crown Estate will provide opportunity for members to feed into any response. Noting the individual organisations concerns, it will be for individual organisations to determine if and how they engage with the Steering Group during Examination.</p> <p>The Crown Estate are open to further discussions with Steering Group members regarding process during Examination.</p>