

ID	Topic area	Agreement	Comments	JNCC	NE	DEFRA	DESNZ	RWE	ODOW	TCE	Decisions/ response by TCE
1	Compensation options	The group agreed the two options to pursue in parallel as option A & B are: artificial nest structures and management of fisheries to improve prey availability	Discussed & agreed during SGKM3 on 28/03/2023	Agreed (31/10/23)	Agreed (22/5)	Defra noted practical concerns that would need to be taken into account around the delivery of any fisheries management measures. (LG 30/01/2024)	agreed (24/05/23)	Agreed, PDB (19/5/23)	RHF (22/05/23)	Agreed (BL) (19/06/2023)	No response required
2	Delivery	The group agreed strategic compensation was preferred noting a few caveats needed to be considered	Discussed & agreed during SGKM3 on 28/03/2023	Agree that strategic implementation would be preferable. Agree with NE that the funding and delivery mechanisms are currently uncertain. (31/10/23)	Clear advantages but also areas of uncertainty regarding implementation mechanism that need addressing (22/5)	Agreed (PL) (24/5)	Agreed (01/11/23)	Agreed, PDB (19/5/23)	Agree in principle but suggest wording required to set out caveats. (19/5/23)	Agreed (BL) (19/06/2023)	No response required
3	Design	The group agreed with the ANS design requirements required for Kittiwake (as per presented in the slides of MS and are taken from Hornsea Three pattern book produced by LDA designs). (nice to have design elements e.g. additional monitoring design to be discussed separately)	Discussed & agreed during SGKM5 on 24/05/2023	Agree with general design requirements. However, while ANS have been accepted as compensation for impact on Kittiwake at project level, these are newly installed and assumptions around colonisation rates, productivity, dispersal and contribution to SPA and wider populations etc are untested. Do not agree that designing in the ability to monitor (including access for tagging etc) from the outset, is 'nice to have'. (31/10/23)	ANS design requirements are generally acceptable as agreed on 24/5, however we do not consider ensuring robust monitoring is 'nice to have' as understanding the performance of the ANS is needed to identify if adaptive management is needed (19/6)	Agreed, but also agree with SNCB that monitoring is needed. (LG 23/01/2024)	Agreed, but also agree with SNCB comments on nice to have and monitoring. (01/11/23)	We are content with the design criteria laid out in the draft plan (30/10/23)	Agreed. JL (12/6/23)	Agreed (BL) (19/06/2023)	The Crown Estate note that Government and SNCB's raise that monitoring should not be considered 'nice to have', but consider this agreement is with regards to design elements discussed within the Steering Group. It is agreed that monitoring is a vital constituent of a compensatory measure to allow for success to be identified and adaptive management to be implemented where required, but that the 'nice to have' design elements may allow for additional monitoring, or different monitoring techniques, above what is considered suitable and robust.
4	Compensation options	The group discussed the option of management of fisheries to increase prey availability. While there is uncertainty on delivery for compensation, the group agreed it should be included as a measure on the basis there is still prospect it could be delivered as compensation. The group had previously agreed, and continued to agree that this is the 'best option' in terms of benefits to kittiwake, despite the inherent difficulties in monitoring and quantifying the benefit. It was agreed there was limited benefit of trying to advance the evidence base supporting the measure within the timelines available for the R4 Plan compensation proposals and focus should be spent on trying to develop a case which can be included within the kittiwake compensation plan (the overarching)	Discussed & agreed during SGKM6 on 21st June 2023	Agreed (31/10/23)	Agreed (31/10)	We disagree that fisheries management should be used as a compensation measure as there is uncertainty in the predicted scale and timescale of recovery of seabirds and it is uncertain it would be enough to compensate for offshore wind impacts on seabird populations. A decision on using fisheries management as compensation is dependent on approval by Defra SoS. The text under Agreement column C does not reflect the latest changes going from 'best' measure to 'most ecologically beneficial' (LG 25/01/24)	Agreed. Noting the recent consultation in England and Scotland, there may also be merit in looking at monitoring of any potential closures as part of a package of measures (hopefully to inform on future headroom) (01/11/23)	We are content with the text that appears within the draft plan as this keeps the option in play should decision makers change stance in future (30/10/23)	JL 21/7/23. Agree in principle- noting that level of detail/time spent on this should not impact on delivery of plan to programme given the uncertainties around the measure. Focus should not be on non-essential elements if time is limited.	Agreed (BL) (20/07/2023)	The Crown Estate note Defra's view on fisheries management measures being included in the plan. Fisheries management was agreed to be the most ecologically beneficial compensatory measure identified by the Steering Group by the majority of members, in line with the decision making mechanism in the agreed Terms of Reference. The plan acknowledges that any measures implemented for Round 4 compensation must be 'additional', and also acknowledges uncertainty in delivery given the recent Defra consultation on sandeel management for other purposes, and goes on to identify offshore artificial nesting structures and a viable and deliverable alternative.
5	Compensation options	The group agreed that prey supporting habitat measures to increase prey availability for kittiwake were good to have as part of a package and that discussions would now look to focus on how benefits could be incorporated.	Discussed & agreed during SGKM6 on 21st June 2023	Agreed (31/10/23)	Agreed though not a priority (31/10)	As noted in the row above, we do not agree that fisheries management should be used as a compensatory measure (LG 30/01/2024)	Agreed (01/11/23)	Agreed in principle. It should be noted that areas proposed for extension of the DB SAC for compensation purposes would encompass known sandeel fisheries (see email from PP to Sara 24/08/23 for links) (30/10/23)	JL 21/7/23. As above. Agreed in principle. Focus should be on delivery of a functional plan to programme which allows DCO submission. Focus should not be on non-essential elements if time is limited.	Agreed (BL) (20/07/2023)	No response required
6	Monitoring	design are related to access, power (for monitoring, for example) and human safety	discussed SGKM6 on 21st June 2023	Agreed (31/10/23)	Agreed (31/10)	Agreed (LG) 22/11	Agreed (01/11/23)	Agreed (30/10/23)	Agreed JL 21/7/23	Agreed (BL) (20/07/2023)	No response required
7	Quantum	The method of quantum to be used will be the "new colony approach 2". It is noted there is still a question on which WCS parameters to use and any requirement for apportioning back to FFC SPA, but these will be covered in separate line items post further discussions	Discussed & agreed during SGKM7 on 2nd August 2023	Agreed re calculation method. The compensation target (i.e. the parameters used to calculate this using the agreed method) is not yet agreed and requires further discussion. (31/10/23)	Agreed re calculation method. Emphasise need for further discussions around how to generate compensation targets off the back of that calculation method, including how impacts of the 3 projects will be agreed and fed in (31/10)	Agreed as per SCNB comments (08/01 - LG) (01/11/23)	Agreed - as per SCNB comments (01/11/23)	We maintain the position that the Hornsea 4 approach is our preferred option and that both the Hornsea 3 and Hornsea 4 method and results (i.e. no. of pairs delivered) should be presented in the plan. This will allow the SoS to make an informed decision having weighed the arguments from the examination. Providing the number of structures and a range of pairs delivered provides the necessary detail to all parties about what will ultimately be delivered. We are therefore content with the presentation of the data provided by RWE and ODOW in Table 7, noting that the data provided by developers represents a worst case scenario at the point the plan has been finalised and is likely to be reduced further going forward (24/01/2024)	We maintain the position that the Hornsea 4 approach is our preferred option and that both the Hornsea 3 and Hornsea 4 method and results (i.e. no. of pairs delivered) should be presented in the plan. This will allow the SoS to make an informed decision having weighed the arguments from the examination. Providing the number of structures and a range of pairs delivered provides the necessary detail to all parties about what will ultimately be delivered. We are therefore content with the presentation of the data provided by RWE and ODOW in Table 7, noting that the data provided by developers represents a worst case scenario at the point the plan has been finalised and is likely to be reduced further going forward (24/01/24)	Agreed (BL) 12/01/2024	The Crown Estate note the developers views that the Hornsea 4 method is their preferred approach, however, the wider view of the Steering Group is that the Hornsea 3 method is preferred. The plan documents presents the results of both methods, but clearly indicates that the Hornsea 3 method is recommended. This is in line with the decision making mechanism in the agreed Terms of Reference.
8	ANS	Offshore structures are preferred	Feedback from SG review of report	JNCC advises against the inclusion of onshore ANS in the Plan, and could not agree to this (31/10/23)	This matter is not just a question of 'preference' - NE advises against the inclusion of onshore ANS in the Plan. We support the Plan recommendation that onshore ANS are not progressed. (31/10)	Noting SCNB comments, Defra agrees to not include onshore ANS in the Plan, and identify ANS sites and take stocks on existing structures (08/01)	Noting the SCNB comments, DESNZ thinks it would also be useful to take stock of existing structures (onshore and offshore) in the overall assessment of where best position (and number) for ANS might be located in future (31/11/23).	Agreed in principle, noting that this is not a commitment and is based on a scenario where all projects proceed. If this was not the case then the requirement for two structures should be reviewed. We also maintain the position that onshore structures are a viable option and offer many practical benefits over offshore structures. We accept that this is not the position of the SG (24/01/2024)	Agreed, noting that onshore structures should not be discounted if a viable option is available within the necessary timeframes (24/04/2024)	Noting SNCB views on reasons for offshore structures being preferred over onshore, this agreed (BL) 12/01/2024	The Crown Estate note the views of developers on onshore Artificial Nesting Structures. Offshore Artificial Nesting Structures are preferred in the plan due to the wider views within the Steering Group, in line with the agreed Terms of Reference.
9	OANS	options being considered by the SG/Steering Group. In order of preference these are: •The construction of two offshore SANS; •The construction of an additional two tiers (which equates to 2,000 nesting spaces) of nesting structures to Ørsted Hornsea Four offshore kittiwake structure and consideration of one additional standalone offshore SANS; •The construction of an additional two tiers (which equates to 2,000 nesting spaces) of nesting structures to Ørsted Hornsea Four offshore kittiwake structure and consideration of one additional standalone offshore SANS as part of adaptive management; and •The construction of an additional two tiers (which	Feedback from SG review of report	As per line 8, JNCC only supports the provision of two offshore SANS. These could be either two new structures, or one new structure with the remainder of the compensation requirement being provided by the addition of tiers onto another, existing structure (eg the Hornsea 4 ANS). Our advice on this matter has been and remains that the sequencing of allocation of breeding kittiwake (ie how breeding birds a re apportioned between H4 and R4), would need to be established, particularly during the colonisation stage. (24/01/24)	Of these options NE only supports the provision of two offshore SANS, one of which could be the additional two tiers on the Hornsea 4 structure.	Agree as per NE advice (08/01 - LG)	Agree with first two options as per NE. 19/12/23	The SG appeared to agree that 2 x offshore ANS, one of which could be an extension to a proposed Ørsted Hornsea 4 offshore ANS was an acceptable approach. RWE maintains that onshore ANS are still a viable option (24/01/2024).	The SG appeared to agree that 2 x offshore ANS, one of which could be an extension to a proposed Ørsted Hornsea 4 offshore ANS was an acceptable approach. ODOW note that onshore structures should not be discounted if a viable option is available within the necessary timeframes (24/01/2024)	Given discussions in the Steering Group to date, it appears the group are in favour of two structures which may include the Ørsted tower, as per NE advice. (BL) 12/01/2024	The Crown Estate note the views of developers on onshore Artificial Nesting Structures. Offshore Artificial Nesting Structures are preferred in the plan due to the wider views within the Steering Group, in line with the agreed Terms of Reference.
10	OANS	It was agreed that 2 structures is preferable to minimise risk	Agreed in the SGM9 call	Agreed. (24/01/24)	Agreed.	Agreed (08/01 LG)	Agreed 19/12/23	Agreed but we maintain our position that onshore towers are a viable option and should be considered by the SG moving forward (24/01/2024)	Agreed in principle, noting that this is not a commitment and is based on a scenario where all projects proceed. If this was not the case then the requirement for two structures should be reviewed. ODOW note that onshore structures should not be discounted if a viable option is available within the necessary timeframes (24/01/2024)	Agreed (BL) 12/01/2024	The Crown Estate note the views of developers on onshore Artificial Nesting Structures. Offshore Artificial Nesting Structures are preferred in the plan due to the wider views within the Steering Group, in line with the agreed Terms of Reference.
11	ANS seasons	The group agreed that there could be a reduction from the 'standard' 4 breeding seasons (with regard to delivery before impact). However, it would need to be evidenced that the potential mortality debt could still be paid off during the lifetime of the compensation and agreed with the SG first.		JNCC don't agree that the wording accurately reflects our advice or that there was agreement in the SG. Our advice was that a second structure could follow on a year later, but that our expectation was that one would be in place for 4 breeding seasons, and that delaying the second potentially increases the mortality debt build up and hence the potential total scale of compensation requirement. (25/01/24)	NE do not believe that this agreement was made in the SG and we consider that 10.1.4 of the updated plan does not reflect SNCB advice. NE's advice was that provided one of the two structures was installed 4 breeding seasons in advance, we would be open to the idea of a 2nd structure being installed only 3 breeding seasons in advance. In other words, there is the potential for flexibility around the installation of a 2nd offshore ANS but not both (25/01/24)	Content with this approach, subject to agreement with SNCBs and evidence supports reduction (LG 25/01/2024)	Content with this approach provided evidence supports reduction. (25/01/2024)	RWE support this approach as it gives greater chance of meeting UK targets for deployment of offshore wind and reduces the 'at risk' costs to developers (24/01/2024)	ODOW support this approach as it gives greater chance of meeting UK targets for deployment of offshore wind and reduces the 'at risk' costs to developers (24/01/2024)	The Crown Estate interpret the discussions within the Steering Group sessions that a reduction in breeding seasons would only apply to one of any two structures, and not both. This was the advice of the SNCB's into the Steering Group (BL) 24/01/2023	The Crown Estate consider the views of Natural England and JNCC to represent the discussions in the Steering Group, and the agreement of members in those discussion. This was that a reduction in breeding seasons from construction of the ANS to operation of the OWF would only apply to one of any two structures constructed.
12	Examination	Examiners Questions related to this KSCP during the DCO process following the submission of the KSCP should be directed to the relevant project applicant who will then convene the Steering Group to provide a response, ensuring that the view of the Steering Group is presented in line with the principles of the Steering Groups agreed Terms of Reference. It is requested that due to the requirement of input of the Steering Group the Examiners put forward Written Questions where practicable.		JNCC has a delegation arrangement in place with NE to provide statutory advice during the examination period. However, we don't agree with the wording as this would compromise the ability of SNCBs to provide statutory nature conservation advice as per our remit. (25/01/24)	As we will be providing statutory nature conservation advice on the KSCP into the Examinations, NE does not consider it appropriate for us to also be involved in formulating responses to any input requests. The Plan would be clearer if 10.2.3 reflected this. We hope to continue to provide Steering Group advice on other matters during the DCO processes subject to availability. (25/01/24)	We are content that examiners questions are directed at the relevant project applicant and not the points others have made. The ability to provide statutory advice shouldn't be compromised. We would be open to a discussion on the role of the steering group if this would be useful. (LG 25/01/24)	Appropriate that the initial contact on individual DCO applications is via applicant project with TCE and Steering Group being alerted/convened by them. (25/01/2024)	RWE maintain the position that TCE should be the initial point of contact to 1) highlight that this is not a project level plan and 2) ensure consistency of approach (24/01/2024)	ODOW maintain the position that TCE should be the initial point of contact to 1) highlight that this is not a project level plan and 2) ensure consistency of approach (24/01/2024)	Agreed (BL) 24/01/2024	The Strategic Compensation Plan has been developed in line with the principles agreed by members in the Terms of Reference. As it will act as a DCO application document for the developers there is potential that the Examiners may want to ask for clarity or detail around it's content. As such it is appropriate for the Steering Group to determine how to respond on these questions, rather than any one individual member. The agreed Terms of Reference provide that the Steering Groups will continue to exist until all obligations have been discharged, including post consent requirements, as such it is agreed that the Steering Group still be formed during Examination. It is acknowledged that some members of the Steering Group may wish to abstain from inputting during that period.