




**DOGGER BANK  
TEESSIDE A & B**

**August  
2013**

# **Draft Environmental Statement Chapter 7 - Consultation**

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Environmental Statement – Chapter 7  
Consultation  
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# 1 Introduction

- 1.1.1 This chapter of the draft Environmental Statement (ES) outlines the approach taken to consultation relating to the Environmental Impact Assessment (EIA) for Dogger Bank Teesside A & B. A summary of relevant technical consultation responses and the account taken of them by Forewind is given in each technical chapter of this draft ES.
- 1.1.2 A full account of the wider consultation process will be provided in the Consultation Report, which will accompany the application for a Development Consent Order (DCO). All responses received during the statutory consultation periods, which includes Scoping and consultation undertaken in accordance with sections 42, 47 and 48 of the Planning Act 2008 (the Planning Act), will be recorded in the Consultation Report.
- 1.1.3 Forewind is endeavouring to agree Statements of Common Ground, on certain key technical issues, to aid the Planning Inspectorate in understanding where there is agreement or outstanding disagreement with stakeholders. More details are provided in Section 5 of this chapter.
- 1.1.4 It must be recognised that pre-application consultation and discussion is a continuous process throughout the development of Dogger Bank Teesside A & B. The chapters of this draft ES have been prepared taking into account responses to previous statutory and non-statutory consultations. However, there is a considerable lead-in period to finalise the ES, therefore some more recent responses or discussions with consultees may not have been captured within this version. Where appropriate, these responses will be incorporated into the final ES to be submitted with the DCO application.

## 2 Policy and Guidance

### 2.1 Policy

#### National Policy Statements

- 2.1.1 Consultation has been undertaken with reference to the relevant National Policy Statements (NPS) which form the primary national guidance documents for Nationally Significant Infrastructure Projects (NSIPs). These documents encourage applicants to carry out pre-application consultation with a range of stakeholders. The relevant NPS for Dogger Bank Teesside A & B are:
- Overarching National Policy Statement for Energy (EN-1) (DECC 2011a); and
  - NPS for Renewable Energy Infrastructure (EN-3) (DECC 2011b);
- 2.1.2 Consultation is explicitly referenced in the EIA Directive (85/337/EEC)<sup>1</sup> and is a key element of the EIA Regulations<sup>2</sup>.
- 2.1.3 The EIA Regulations set out a process by which statutory stakeholders are to be notified about the intention to submit an ES and consulted on the information to be provided in the ES. It places a duty on these stakeholders to enter into consultation with the promoter of an EIA development and to provide any environmental information they hold that is relevant to the preparation of the ES. The EIA Regulations also make provisions for the local community to be informed and consulted about the EIA development.
- 2.1.4 The EIA Regulations place a greater emphasis on consultation on the content of the ES, whereas the NPS highlight specific topics and stakeholder groups to consult. As such, Forewind's approach to consultation has been informed by both the NPS and the EIA regulations to ensure a thorough and robust consultation programme.
- 2.1.5 For Dogger Bank Teesside A & B, the relevant sections of the EIA Regulations relating to pre-application consultation are:
- Regulation 6(b) – Notify the Secretary of State in writing that the person proposes to provide an environmental statement
  - Regulation 8 – Application for a scoping opinion
  - Regulation 9 - Procedure to facilitate preparation of environmental statements
  - Regulation 10 - Consultation statement requirements
  - Regulation 11 - Pre-application publicity under section 48 (duty to publicise)
  - Regulation 24 – Development with significant transboundary effects

<sup>1</sup> Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (O.J. No. L 175, 5.7.1985, p. 40), as amended by Council Directive 97/11/EC (O.J. No. L 73, 14.3.1997, p.5) (the 'EIA Directive'), 2003/35/EC and 2009/31/EC.

<sup>2</sup> Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. SI 2009/2263, London: HMSO (the 'EIA Regulations')

- 2.1.6 As detailed in **Chapter 3 Legislation and Policy**, Dogger Bank Teesside A & B is defined under Part 3, Section 15(3) of the Planning Act as a NSIP. Therefore, Forewind has also undertaken pre-application consultation in accordance with the requirements of the Planning Act.
- 2.1.7 The relevant sections of Part 5, Chapter 2 of the Planning Act are:
- Section 42 – Duty to consult
  - Section 43 – Local authorities for the purpose of section 42(1)(b)
  - Section 44 – Categories for purposes of section 42(1)(d)
  - Section 45 – Timetable for consultation under section 42
  - Section 46 – Duty to notify the Secretary of State of proposed application
  - Section 47 – Duty to consult local community
  - Section 48 – Duty to publicise
  - Section 49 – Duty to take account of responses to consultation and publicity
- 2.1.8 Forewind's approach to consultation has been informed by the Planning Inspectorate's (and formerly the Infrastructure Planning Commission's) Advice Notes as well as:
- Department for Communities and Local Government. 2013. *Planning Act 2008 – Guidance on the pre-application process*;
  - Department for Communities and Local Government. 2009. *Planning Act 2008 – Guidance on pre-application consultation*; and
  - Infrastructure Planning Commission. 29 March 2010. *IPC Guidance Note 1 on Pre-Application Stages (Chapter 2 of the Planning Act 2008)*. Revision 1.

## **2.2 Overview of consultation**

- 2.2.1 Forewind is carrying out a multi-stage, iterative consultation on Dogger Bank Teesside A & B. An overview of consultation is shown in **Figure 2.1** Overview of statutory and non-statutory consultation. The process is described in more detail in this chapter and in the Consultation Report which will accompany the application for a DCO.
- 2.2.2 At the start of the project development process for Dogger Bank Teesside in March 2012, Forewind notified<sup>3</sup> the Secretary of State (SoS) of its intention to undertake an EIA and provide an ES in respect of Dogger Bank Teesside. At this time, Dogger Bank Teesside was referring to four projects, Dogger Bank Teesside A, B, C and D.
- 2.2.3 In May 2012, Forewind submitted a Scoping Report to the SoS. The description of the proposed development in the Scoping Report comprised up to four offshore wind farm projects, each with a generating capacity of up to 1.2GW, to be consented by way of the submission of one or a number of DCO applications. In parallel, Forewind consulted stakeholders in accordance with section 42 and section 47 of the Planning

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<sup>3</sup> Under Regulation 6 (1) (B) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).



Act on Preliminary Environmental Information<sup>4</sup> (PEI). This was preceded by publication of a Statement of Community Consultation (SoCC) in May 2012, encompassing all four Dogger Bank Teesside projects. In June 2012, the SoS issued the Dogger Bank Teesside Scoping Opinion.

- 2.2.4 Forewind continued to consult stakeholders on Dogger Bank Teesside on a non-statutory basis throughout 2012 as the EIA and project design processes progressed.
- 2.2.5 In December 2012 Forewind decided and informed the Planning Inspectorate and all consultees prescribed by the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 that the optimum consenting strategy for Dogger Bank Teesside was to split the development into two separate DCO applications. The first DCO application (this application) is seeking consent for Dogger Bank Teesside A & B, located within Tranches A and B of the Dogger Bank Zone (Dogger Bank Teesside A & B was described in the Scoping Opinion, Preliminary Environmental Information 1 and SoCC as part of Dogger Bank Teesside).
- 2.2.6 The second DCO application will seek consent for Dogger Bank Teesside C & D – two offshore wind farms located in Tranche C of the Dogger Bank Zone, with a combined installed capacity of up to 2.4GW (and associated infrastructure), which will both connect into an as yet unconfirmed substation in Teesside. Forewind will produce a separate ES for this development and will, therefore, carry out a final statutory consultation on the draft ES for Dogger Bank Teesside C & D at a later date. Currently this is anticipated to be Quarter 4 2014.
- 2.2.7 In October 2013, Forewind published (in the prescribed manner<sup>5</sup>) a SoCC specific to Dogger Bank Teesside A & B to clarify the community consultation process going forward.

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<sup>4</sup> Under Section 42 'Duty to consult' of the Planning Act 2008 (as amended).

<sup>5</sup> Under Section 47 'Duty to consult local community' of the Planning Act 2008 (as amended).



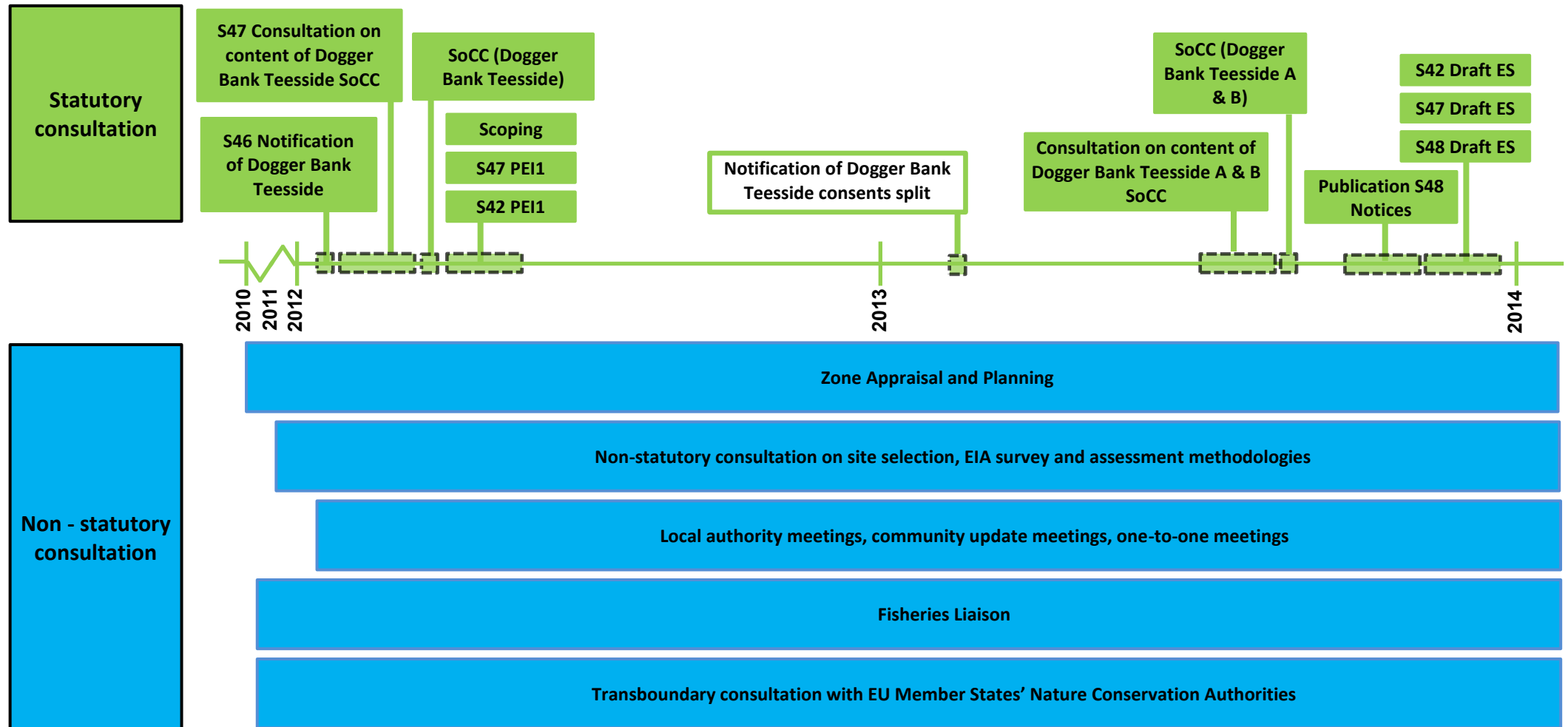


Figure 2.1 Overview of statutory and non-statutory consultation

- 2.2.8 By the second (final) stage of statutory consultation on the Draft ES, Forewind had refined its proposals for Dogger Bank Teesside A & B for consultation on a draft ES specific to those projects.
- 2.2.9 Forewind considers that all consultation undertaken to date on Dogger Bank Teesside is relevant to both Dogger Bank Teesside A & B and Dogger Bank Teesside C & D. In addition, Forewind will consider all further consultation on Dogger Bank Teesside A & B as potentially also relevant to Dogger Bank Teesside C & D. Consultation undertaken on a zone wide basis has been included where appropriate and relevant to Dogger Bank Teesside A & B.

## **3 Approach to consultation**

### **3.1 Consultation objectives**

- 3.1.1 Forewind recognises that effective and meaningful consultation is an integral part of its development activities and is committed to ensuring that it maintains a transparent approach to its consultation and engagement activities.
- 3.1.2 Forewind's stakeholder engagement objectives are as follows:
- To identify and pro-actively engage with those statutory bodies, non-governmental organisations, other national and international organisations, the local community, landowners and occupiers which have the potential to be affected by our activities.
  - To develop a transparent consultation and engagement strategy that fulfils the pre-application consultation requirements of the Planning Act.
  - To prioritise consultation with stakeholders who are directly affected or who have a greater cause for concern as a result of our development proposals.
  - To be open and honest in all communications with our stakeholders.
  - To recognise the interests and points of view of our stakeholders and wherever appropriate to use these to inform our development activities.
  - To undertake a comprehensive Zone Appraisal and Planning (ZAP) process and appropriate consultation with stakeholders to enable robust site selection and identification of individual projects for development.

### **3.2 Iterative consultation process**

- 3.2.1 The consultation process is iterative and started with Forewind informing the stakeholder community of its intention to seek open and transparent consultation on the day that it was awarded the development rights for the Dogger Bank Zone.
- 3.2.2 During the ZAP process, Forewind organised stakeholder workshops as well as one-to-one meetings, which influenced the information presented in the Zonal Characterisation Documents (ZoC) as well as the selection of the survey areas.
- 3.2.3 The first stage of development of the Dogger Bank Zone was identified in 2011 and is called Dogger Bank Creyke Beck. This comprises two 1.2GW offshore wind farms, located in Tranche A of the Dogger Bank Zone, associated infrastructure and onshore grid connections at the Creyke Beck Substation in the East Riding of Yorkshire. Dogger Bank Creyke Beck is the subject of its own DCO application and consultation process; however various elements of that development are similar to Dogger Bank Teesside A & B. Therefore, where relevant and possible, Forewind has endeavoured to take account of Dogger Bank Creyke Beck consultation responses in the development of Dogger Bank Teesside A & B.
- 3.2.4 Once the Dogger Bank Teesside development process commenced, Forewind requested a Scoping Opinion from the Planning Inspectorate. Forewind then carried

out two stages of statutory pre-application consultation<sup>6</sup> on PEI with both statutory consultees and the local community. Appendix 1 of the SoS Scoping Opinion<sup>7</sup> lists the bodies formally consulted during the Scoping Exercise.

- 3.2.5 Given the close proximity of the onshore works for Dogger Bank Teesside A, B, C and D and the overlap in the onshore survey areas, Forewind sought to reduce the consultation burden on stakeholders, wherever possible and for as long as possible, by consulting on Dogger Bank Teesside A, B, C and D together.
- 3.2.6 However, by the second stage of statutory consultation, it became necessary to split the two consent applications. Therefore, the second statutory consultation is being carried out separately for Dogger Bank Teesside A & B and Dogger Bank Teesside C & D.
- 3.2.7 In between the statutory consultation periods, Forewind continued to consult stakeholders as needs arose. For example, subject specific consultation on survey and assessment methodologies and appropriate mitigation was not restricted to the statutory consultation periods. Forewind refers to this as *non-statutory* consultation, given that it was not carried as a specific requirement of any the Planning Act, although it has been duly considered and may have influenced Forewind's approach and/or proposals. Forewind expects to continue non-statutory consultation with stakeholders after the statutory consultation on this draft ES and before the application for a DCO is submitted.
- 3.2.8 The iterative consultation process has ensured that both statutory and local community stakeholders have been engaged in the development process for Dogger Bank Teesside A & B from an early stage, which has resulted in them having a clear influence on the design of the proposals and the EIA.
- 3.2.9 The general public has been consulted once, on the draft ES, through the formal publicity required under section 48 of the Planning Act. This reflects Forewind's commitment to prioritise consultation according to the impact that the development will have.

### 3.3 Methods of consultation

- 3.3.1 Forewind used a variety of consultation methods to ensure that consultation material was appropriate and accessible for all stakeholders. **Figure 2.1** sets out the different stages of the consultation process.

#### Statutory consultation

- 3.3.2 Statutory stakeholders, that is those prescribed by Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) as amended<sup>8</sup>, were consulted through written correspondence and meetings. A list of statutory stakeholders was provided to Forewind by the Planning Inspectorate in April 2012.
- 3.3.3 During the two statutory consultation periods on PEI, the local community was invited to public exhibitions and hard copies of the PEI documents were lodged at local

<sup>6</sup> Stage One: Dogger Bank Teesside, Environmental Assessment Scoping Report, Preliminary Environmental Information (PEI1), Forewind, May 2012

Stage Two: This stage

<sup>7</sup> Scoping Opinion, Proposed Dogger Bank Teesside Offshore Wind Farm, June 2012, Secretary of State.

<sup>8</sup> Under Section 3 "Prescribed consultees" of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended)

libraries. These included libraries in Redcar, Kirkleatham, Marske-by-the-Sea and Saltburn-by-the-Sea. The local community members who were invited was comprised of residents living within a specified distance of the project, the general public, community groups, local businesses, technical consultees and landowners, as defined in the SoCC. These stages of statutory consultation are highlighted in **Figure 2.1**.

### **Non-statutory consultation**

- 3.3.4 Outside of the statutory consultation periods, Forewind organised community update meetings on a bi-annual basis to discuss progress on the development of the converter stations and HVDC cable route. These meetings were attended by local Ward and Parish Councillors, as well as Neighbourhood Officers and Neighbourhood Managers, with the agreement that they would pass information from the meeting on to local residents.
- 3.3.5 In May 2013, Forewind went beyond the commitments made in the SoCC and invited members of the local community to a surgery-style one-to-one meeting to discuss Dogger Bank Teesside A & B and provide any feedback they had on the proposals as well as local information and concerns. Interest in the events was low with a total of seven attendees, despite issuing a press release that was picked up by a number of publications in the local area, and advertising in the Dogger Bank News newsletter which was delivered to all addresses of local residents that will be visually impacted by the construction works and converter stations in the Consultation Area. The extent of the local community Consultation Area was defined by the SoCC and is shown in **Figure 3.1**.
- 3.3.6 Forewind consulted more stakeholder organisations than those identified by the Planning Inspectorate in accordance with Regulation 9 of the EIA Regulations. These additional “non-prescribed” stakeholders included local interest groups (e.g. Teesmouth Bird Club), environmental charities (e.g. RSPB) and non-governmental organisations (e.g. WWF). These additional stakeholders were identified through consultation with Redcar and Cleveland Borough Council (RCBC) and other previously identified stakeholders. These stakeholders were consulted on specific topics to identify local knowledge that was researched further and included where relevant. The methods Forewind used to consult these stakeholders depended on their technical knowledge and level of interest in the development. For example, the RSPB was consulted and treated as a statutory stakeholder on ornithology alongside the Joint Nature Conservation Committee (JNCC) and Natural England, whereas Teesmouth Bird Club was invited to take part in an ecology impacts and mitigation workshop in May 2013. Further detail on this event can be found in Section 2.3 of **Chapter 25 Terrestrial Ecology**.

### **Landowner consultation**

- 3.3.7 Forewind appointed a land agent to liaise with landowners, occupiers and tenants throughout the pre-application stage, regarding the impacts specifically relevant to their property or land interest. In addition, landowners and occupiers (where known) were invited to attend the public exhibitions and meeting times were offered for one-to-one discussions with Forewind and its land agent. As section 42 consultees, all identified landowners and known occupiers were provided with compact disc (CD) copies of the PEI and offered hard copies. At the second stage of statutory consultation, a factsheet was produced to answer frequently asked questions relating

to landowner, occupier and tenant issues. Forewind also sought to meet with any with a registered interest in the land, including housing developers and utility companies.

- 3.3.8 Landowners were also consulted on the site selection process and aided cable routing, by highlighting local level constraints and suggested micro-siting through individual land parcels, details of which can be found in **Chapter 6 Assessment of Alternatives**. In addition, access rights for various surveys and investigations were sought through consultation.

### **Fisheries and international consultation**

- 3.3.9 Forewind appointed two Fisheries Liaison Co-ordinators to ensure that both the offshore and nearshore fishing stakeholders were adequately consulted. Several meetings were held with nearshore fishermen in convenient coastal locations. Forewind met offshore fishing stakeholders in their respective countries and also attended several North Sea Regional Advisory Committee (NSRAC) meetings. Fisheries Liaison Representatives were present on all nearshore survey vessels and offshore survey vessels where required, to liaise with any fishing vessels encountered during the survey. Details of these meetings can be found in **Chapter 15 Commercial Fisheries**.
- 3.3.10 International shipping and fishing organisations likely to be affected by Forewind's proposals were offered meetings in their respective countries. Once the Dogger Bank Teesside A & B proposals were more refined, Forewind contacted the Nature Conservation Authorities, Fisheries Authorities and other contacts (provided by the Planning Inspectorate) in the relevant European Economic Area (EEA) Member States by letter to request a meeting. Consultation on the Habitats Regulations Assessment (HRA) commenced at this stage and ran in parallel with the EIA consultation. Consultation details can be found in **Chapter 16 Shipping & Navigation** and **Chapter 32 Transboundary Effects**.
- 3.3.11 All consultation was documented and recorded in Forewind's stakeholder database to ensure that key points could be recalled and carefully considered for inclusion within the relevant chapters of the ES where necessary. Forewind's views on consultation responses were also recorded so that they could be reported, as appropriate, in each chapter of the ES and the Consultation Report.

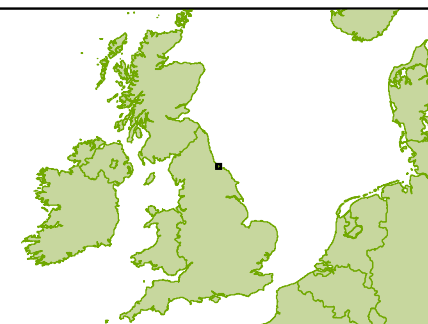
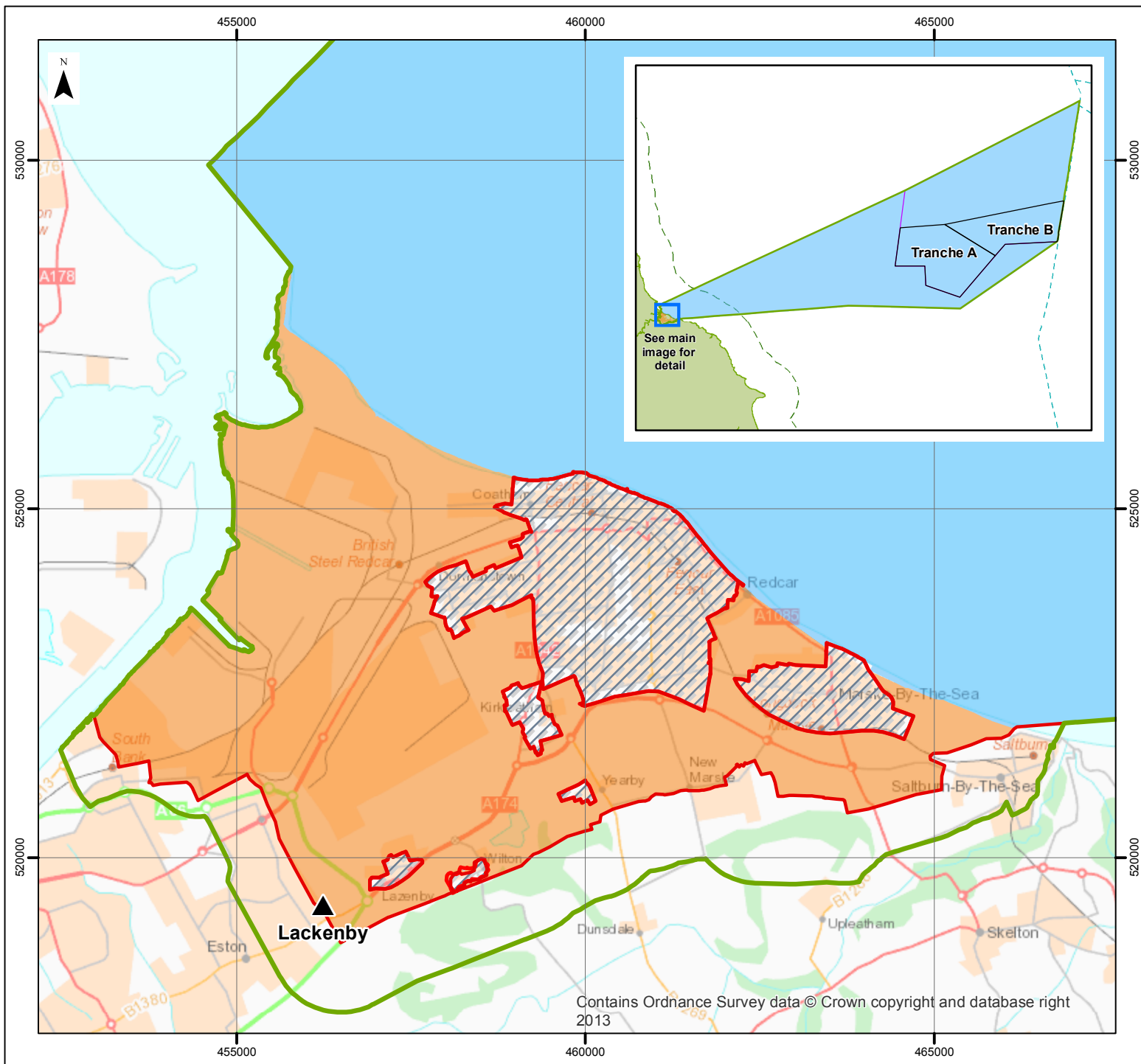
## **3.4 Publication of consultation plans**

- 3.4.1 Forewind published, on its website ([www.forewind.co.uk](http://www.forewind.co.uk)), a number of documents setting out its approach to stakeholder engagement for Dogger Bank Teesside A & B:
- The Stakeholder Engagement Plan (StEP) – this outlines how Forewind identifies and consults with all its stakeholders, both during the ZAP process and during individual project development.
  - The Fisheries Liaison Plan (FLP) – this sets out Forewind's approach to engaging with and consulting the fishing community. Fisheries liaison commenced in 2010 and so influenced this plan, which was published in November 2011, with an updated plan published in April 2013.
  - The Dogger Bank Teesside A & B SoCC – this sets out Forewind's approach to community consultation and accords with section 47 of the Planning Act and Regulation 10 of the EIA Regulations. It was published in October 2013, ahead

of the statutory consultation on the draft ES.

- 3.4.1 In addition, a Dogger Bank Teesside SoCC, encompassing all four Dogger Bank Teesside wind farms was published in May 2012, at an early stage in the development process ahead of the first stage of statutory consultation on PEI. In accordance with Regulation 10 of the EIA Regulations, the SoCC set out that Dogger Bank Teesside is EIA Development and explained how Forewind would publicise and consult on the PEI.
- 3.4.2 These documents will be appended to the Consultation Report and are available on Forewind's website [www.forewind.co.uk](http://www.forewind.co.uk).



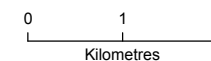


#### LEGEND (Inset map)

- Tranche boundary
- Dogger Bank Round 3 Zone
- Offshore scoping area
- Onshore scoping area
- Consultation area
- 12nm Territorial boundary
- International boundary

#### LEGEND (Main map)

- National Grid substation, Teesside
- Area excluded from scoping envelope
- Scoping envelope
- Offshore scoping area
- Onshore scoping area
- Consultation area



Source:  
Round 3 © TCE, 2010.

PROJECT TITLE

**DOGGER BANK TEESSIDE A & B**

DRAWING TITLE

### Figure 3.1 Teesside Consultation Area

VER	DATE	REMARKS	Drawn	Checked
1	23/02/2012	First Issue	AJ	NS
2	20/04/2012	Scoping Envelope boundary updated	EB	NS
3	24/07/2013	Basemapping changed & title amended	AJ	CG

DRAWING NUMBER:

**T-DES-0062-03**

SCALE	PLOT SIZE	DATUM	OSGB	PROJECTION	BNG
1:80,000	A4				

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## 4 Consultation to date

- 4.1.1 In 2010, four months after being awarded the development rights for the Dogger Bank Zone, Forewind hosted 88 stakeholder organisations at one of three ZAP workshops. These workshops were designed to introduce Forewind and the Dogger Bank Zone, as well as to gather preliminary input from stakeholders to inform the ZAP process and the development of the StEP.
- 4.1.2 In March 2012, Forewind submitted a notification letter to the Planning Inspectorate, formally notifying them of Forewind's intention to provide an ES for Dogger Bank Teesside, in accordance with Regulation 6(b) of the EIA Regulations
- 4.1.3 Several pre-scoping meetings then took place with statutory stakeholders before the Dogger Bank Teesside project development process formally commenced. During the development of Dogger Bank Teesside and subsequently Dogger Bank Teesside A & B, Forewind carried out two stages of statutory consultation relating to the EIA, namely:
- Scoping (in accordance with Regulation 8 of the EIA Regulations) which was carried out at an early stage in the development process, hence presented the project as Dogger Bank Teesside. Scoping was carried out in parallel to the first stage of statutory consultation in May 2012 to June 2012.
  - The first stage of statutory consultation on PEI (PEI1) in accordance with sections 42 and 47 of the Planning Act. This stage of consultation, carried out in May 2012 to July 2012, was designed to present and seek feedback on early options and Forewind's site selection work from prescribed bodies, landowners and occupiers (where known) and the local community including fishing stakeholders. This stage was presented as Dogger Bank Teesside.
  - The second stage of statutory consultation on PEI in accordance with sections 42 and 47 of the Planning Act, and publicity in accordance with section 48 of the Planning Act and Regulation 11 of the EIA Regulations. This stage of consultation, carried out in Autumn 2013, was intended to present the near final details of the proposals in a draft ES to prescribed bodies, landowners and occupiers, the local community (including fishing stakeholders) and the wider general public. This stage was presented as Dogger Bank Teesside A & B.
- 4.1.4 Both stages of consultation on PEI were preceded by Forewind providing the consultation documents to the Planning Inspectorate, in accordance with section 46 of the Planning Act.
- 4.1.5 The Dogger Bank Teesside A & B SoCC explained the change in the scope of the application from Dogger Bank Teesside to Dogger Bank Teesside A & B. Given that the geographical location and approach to the EIA of Dogger Bank Teesside A & B was included within the Dogger Bank Teesside SoCC, it was not necessary to repeat the Scoping exercise.
- 4.1.6 A summary of the main consultation activities is provided in **Table 3.1 Overview of key consultation activities to date.**

**Table 3.1** Overview of key consultation activities to date

Date	Statutory or non-statutory	Activity	Consultees
Q1 - Q1 2012	Non-statutory	<ul style="list-style-type: none"> <li>Consultation as part of the ZAP Process, which included the ZAP workshops.</li> <li>Fisheries Liaison Co-ordinators appointed and began fisheries engagement.</li> </ul>	<ul style="list-style-type: none"> <li>Statutory authorities</li> <li>Selected non-prescribed technical consultees (such as RSPB)</li> <li>Local authorities</li> <li>International fishing and shipping organisations</li> </ul>
Q1 2012	Non-statutory	<ul style="list-style-type: none"> <li>Pre-scoping meetings with selected consultees on Dogger Bank Teesside.</li> </ul>	<ul style="list-style-type: none"> <li>As above</li> </ul>
April - May 2012	<b>Statutory</b> - SoCC	<ul style="list-style-type: none"> <li>Statutory consultation with the Local Authorities and the MMO on the SoCC.</li> <li>Publication of the SoCC for Dogger Bank Teesside.</li> </ul>	<ul style="list-style-type: none"> <li>RCBC</li> <li>MMO</li> </ul>
21 May - 09 Jul 2012	<b>Statutory</b> –sections 42 and 47	<ul style="list-style-type: none"> <li>First stage of statutory consultation in accordance with sections 42 and 47 of the Planning Act and notification in accordance with section 46 of the Planning Act.</li> <li>PEI1 for Dogger Bank Teesside was published which included the Scoping Report.</li> <li>Public exhibitions.</li> </ul>	<ul style="list-style-type: none"> <li>Prescribed bodies</li> <li>Non-statutory consultees</li> <li>RCBC</li> <li>North Yorkshire County Council</li> <li>International fishing and shipping organisations,</li> <li>Offshore and nearshore fishermen and fishing organisations</li> <li>Offshore and onshore landowners and occupiers</li> <li>The local community through public exhibitions</li> </ul>
24 May – 22 Jun 2012	<b>Statutory</b> - Scoping	<ul style="list-style-type: none"> <li>Scoping for Dogger Bank Teesside.</li> <li>Notification under Regulation 6(b) of the EIA Regulations that Forewind proposes to provide an ES.</li> </ul>	<ul style="list-style-type: none"> <li>All those prescribed by Regulation 9 of the EIA Regulations (prescribed bodies)</li> </ul>
2012 - 2013	Non-statutory	<ul style="list-style-type: none"> <li>Consultation on emerging project design and assessment.</li> <li>EIA methodologies and baseline surveys agreed with appropriate consultees.</li> <li>Land agent began contacting landowners and occupiers.</li> </ul>	<ul style="list-style-type: none"> <li>Prescribed bodies</li> <li>Non-statutory consultees</li> <li>Local authorities and Ward Councillors</li> <li>International fishing and shipping organisations</li> <li>Offshore and nearshore fishermen and fishing</li> </ul>

Date	Statutory or non-statutory	Activity	Consultees
		<ul style="list-style-type: none"> <li>• Site selection process</li> <li>• Two day offshore EIA stakeholder workshop.</li> <li>• One-to-One community engagement sessions.</li> <li>• Community update meetings</li> <li>• Initial consultation on transboundary impacts with the Nature Conservation Authorities, Fishing Authorities and other contacts (provided by the Planning Inspectorate) in other EEA Member States.</li> <li>• The Planning Inspectorate placed a Regulation 24 notice in the London Gazette regarding transboundary impacts.</li> <li>• MP and councillor briefings.</li> <li>• Included identification and explanation of the splitting of Dogger Bank Teesside.</li> </ul>	<ul style="list-style-type: none"> <li>• organisations</li> <li>• Offshore and onshore landowners and occupiers</li> <li>• The local community</li> <li>• Elected representatives such as councillors and MPs</li> <li>• Nature Conservation Agencies for other EU Member States</li> </ul>
August 2013	Non-statutory	<ul style="list-style-type: none"> <li>• Consultation on Draft ES summaries for initial review and comments prior to draft ES</li> </ul>	<ul style="list-style-type: none"> <li>• RCBC</li> <li>• Prescribed bodies</li> </ul>
October 2013	<b>Statutory</b> - SoCC	<ul style="list-style-type: none"> <li>• Statutory consultation with the Local Authorities and the MMO on the updated SoCC.</li> <li>• Publication of the SoCC for Dogger Bank Teesside A &amp; B.</li> </ul>	<ul style="list-style-type: none"> <li>• RCBC</li> <li>• MMO</li> </ul>
Q4 2013	<b>Statutory</b> –sections 42, 47 & 48	<ul style="list-style-type: none"> <li>• Consultation on the draft ES for Dogger Bank Teesside A &amp; B in accordance with sections 42 and 47 of the Planning Act</li> <li>• Notification in accordance with section 46 of the Planning Act.</li> <li>• Statutory publicity in accordance with section 48 of the Planning Act.</li> <li>• Public exhibitions.</li> <li>• Draft ES and Non-Technical</li> </ul>	<ul style="list-style-type: none"> <li>• Prescribed bodies</li> <li>• Non-statutory consultees</li> <li>• RCBC</li> <li>• North Yorkshire County Council</li> <li>• Other local authorities</li> <li>• International fishing and shipping organisations</li> <li>• Offshore and nearshore fishermen and fishing organisations</li> <li>• Offshore and onshore landowners and</li> </ul>

Date	Statutory or non-statutory	Activity	Consultees
		Summary (NTS) published.	occupiers <ul style="list-style-type: none"> <li>• The local community and their elected representatives such as councillors and MPs</li> <li>• Nature Conservation Agencies for other EU Member States</li> </ul>

- 4.1.7 In addition to the consultation activities presented above, Forewind met the Planning Inspectorate and RCBC's Planning Officer on a regular basis throughout the development of the project, to provide updates and to seek advice on subjects including the site selection process, approach to the EIA and drafting the application documents. The findings of the EIA were also presented to RCBC's Planning Officer and prescribed bodies, prior to statutory consultation on the Draft ES, to obtain initial feedback on results and prepare them for Final Formal Statutory Consultation.
- 4.1.8 Forewind has also had the opportunity to learn lessons from its first DCO application, Dogger Bank Creyke Beck and, where practical and possible, has applied these to Dogger Bank Teesside A & B. These lessons include amendments to the format and layout of consultation documents, as well as the method of consultation undertaken with specific stakeholder groups based on their preferences.
- 4.1.9 Where significant technical issues arose during consultation, Forewind has initiated a SoCC with the relevant stakeholders. This is explained further in Section 5 of this chapter.

## 5 Current and future consultation

- 5.1.1 The current consultation (on this draft ES) is the second stage of statutory pre-application consultation in accordance with sections 42 and 47 of the Planning Act. The application has also been publicised at this time, in accordance with section 48 of the Planning Act and Regulation 11 of the EIA Regulations.
- 5.1.2 Relevant responses to this consultation will be recorded and considered by Forewind in finalising the proposals for Dogger Bank Teesside A & B, before submitting an application for a DCO to the Planning Inspectorate. Details of this consultation will be included in the relevant chapters of the final ES and in the Consultation Report.
- 5.1.3 Forewind is consulting transboundary consultees during this period. Under the Espoo Convention (1991), where a development is likely to cause 'significant adverse transboundary impact', the developer should notify the relevant European Economic Area (EEA) States as early as possible, giving them the opportunity to participate in relevant EIA procedures. Forewind has identified the seven EEA States that are being consulted under the Espoo Convention: Norway, Sweden, Denmark, Netherlands, Germany, France and Belgium in relation to the issues of commercial fishing, shipping and navigation and nature conservation. In addition to this pre-application consultation, a formal transboundary consultation will be undertaken by the Planning Inspectorate in accordance with Regulation 24 of the EIA Regulations, if and when it accepts Forewind's application for a DCO.
- 5.1.4 Forewind is also consulting specifically on the Habitats Regulations Assessment (HRA), in line with the Planning Inspectorate's Advice Note 10: Habitats Regulations Assessment (October 2012). This advises that the applicant commences consultation with the relevant statutory and non-statutory nature conservation bodies at the earliest point in the pre-application process. To date, the Dogger Bank Teesside A & B HRA Screening Report has been issued to Natural England, the Joint Nature Conservation Committee (JNCC), The Royal Society for the Protection of Birds (RSPB), The Department for Energy and Climate Change (DECC), the Planning Inspectorate and The Marine Management Organisation (MMO), in addition to transboundary nature conservation contacts within the seven EEA States potentially affected. This on-going dialogue with the nature conservation bodies will continue as the HRA process progresses.
- 5.1.5 Forewind will continue to consult stakeholders on a non-statutory basis before the application is submitted, to follow up on any unresolved matters or issues arising during the second stage of statutory consultation. Any key consultation during this stage will also be recorded in the relevant chapters of the ES and the Consultation Report.



## 6 Statements of Common Ground

- 6.1.1 Forewind is endeavouring to agree Statements of Common Ground with certain consultees to assist the Planning Inspectorate in understanding which issues have been agreed and which remain unresolved.
- 6.1.2 Each Statement of Common Ground sets out a record of consultation undertaken to date with that stakeholder, the key agreements reached and outstanding unresolved issues.
- 6.1.3 The Statements of Common Ground are likely to be early draft documents at the application stage, which will be refined and finalised through the examination phase to reflect on-going consultation.
- 6.1.4 At the current time, Forewind is in the process of agreeing to the preparation and broad scope of Statements of Common Ground with the consultees presented in **Table 5.1 Proposed statements of common ground**. Additional Statements of Common Ground with other consultees will be drafted as the need arises.

Table 5.1 Proposed statements of common ground

Consultee (included but not limited to)	ES Subject
RCBC	Assessment of alternatives Traffic and access Noise Landscape and visual impact assessment Terrestrial ecology Health impact assessment Project description (water crossings) Land use and agriculture Terrestrial archaeology Geology, water resources and land quality Air quality
English Heritage – Offshore development	Marine and coastal archaeology
English Heritage – North East	Terrestrial archaeology
Environment Agency	Geology, water resources and land quality (Water Framework Directive) Project description (water crossings)
Tees Archaeology	Terrestrial archaeology
Joint Nature Conservation Committee (JNCC)	Benthic ecology Fish ecology Marine mammals Marine and coastal ornithology
Marine Management Organisation (MMO) and Centre for Environment, Fisheries & Aquaculture Science (Cefas)	Fish and shellfish ecology Benthic ecology Marine physical processes
Maritime and Coastguard Agency (MCA)	Navigation and shipping



Consultee (included but not limited to)	ES Subject
National Federation of Fishermen's Organisations (NFFO) and individual fishing organisations	Commercial fisheries
Transboundary consultees	Commercial fisheries Navigation and shipping Marine mammals
Natural England	Terrestrial ecology Landscape and visual Intertidal ecology Marine and coastal ornithology Project description (water crossings)
Royal Society for the Protection of Birds (RSPB)	Marine and coastal ornithology Terrestrial ecology
Trinity House	Navigation and shipping
Northumbrian Water	Geology, water resources and land quality
Highways Agency	Traffic and access

## 7 Conclusions

- 7.1.1 Forewind has carried out comprehensive and transparent consultation in relation to the EIA process, with a wide range of stakeholders. The consultation process has met and exceeded the requirements of the Planning Act and EIA Regulations and has taken into account relevant advice and guidance published by the Planning Inspectorate (formerly the IPC), and relevant UK Government departments.
- 7.1.2 Stakeholders have been engaged in the development process from an early stage which has resulted in them having a clear influence on the design of the proposals and the EIA.
- 7.1.3 Consultation responses have been carefully documented and considered in the on-going development work. Responses which are considered relevant to the ES and the regard Forewind has had to them are included in each technical chapter of the draft ES and will be detailed in the Consultation Report which will accompany the application for a DCO.
- 7.1.4 Statements of Common Ground have been progressed pre-application to demonstrate a clear commitment to transparency and developing mutually acceptable solutions to issues.

## 8 References

Department of Energy and Climate Change (2011a) Overarching National Policy Statement for Energy (EN-1).

Department of Energy and Climate Change (2011b) National Policy Statement for Renewable Energy Infrastructure (EN-3).

Forewind (2012) Dogger Bank Teesside, Preliminary Environmental Information

Forewind (2012) Dogger Bank Teesside, Statement of Community Consultation

Planning Inspectorate (2012) Scoping Opinion, Proposed Dogger Bank Teesside Offshore Wind Farm