



# **Awel y Môr Offshore Wind Farm**

## **Applicant's Statement of Commonality for SoCG**

### **Closing Submission**

**Date: 17 March 2023**

**Revision: J**

Document Reference: CS.8

Application Reference: N/A



REVISION	DATE	STATUS/ REASON FOR ISSUE	AUTHOR	CHECKED BY	APPROVED BY
<b>A</b>	October 2022	Deadline 1	GoBe Consultants	RWE	RWE
<b>B</b>	November 2022	Deadline 2	GoBe Consultant	RWE	RWE
<b>C</b>	November 2022	Deadline 3	GoBe Consultant	RWE	RWE
<b>D</b>	December 2022	Deadline 3a	GoBe Consultant	RWE	RWE
<b>E</b>	January 2023	Deadline 4	GoBe Consultant	RWE	RWE
<b>F</b>	February 2023	Deadline 5	GoBe Consultant	RWE	RWE
<b>G</b>	February 2023	Deadline 6	GoBe Consultant	RWE	RWE
<b>H</b>	March 2023	Deadline 7	GoBe Consultant	RWE	RWE
<b>I</b>	March 2023	Deadline 8	GoBe Consultant	RWE	RWE
<b>J</b>	March 2023	Closing Submissio	GoBe Consultant	RWE	RWE

[www.awelymor.cymru](http://www.awelymor.cymru)

RWE Renewables UK Swindon Limited  
Windmill Hill Business Park  
Whitehill Way  
Swindon  
Wiltshire SN5 6PB  
T +44 (0)8456 720 090  
[www.rwe.com](http://www.rwe.com)

Registered office:  
RWE Renewables UK Swindon Limited  
Windmill Hill Business Park  
Whitehill Way  
Swindon

# Contents

1	Introduction.....	6
1.1	Purpose of Statement of Commonality .....	6
1.2	Structure of this Statement of Commonality .....	6
2	Approach to Capturing Commonality .....	7
2.1	List of Commonality .....	7
2.2	Letters of Comfort and Position Statements.....	7
2.3	Statements of Common Ground.....	8
3	Status of Commonality .....	16
4	Summary of Commonality .....	19
5	Additional commentary .....	22
5.1	Deadline 1 .....	22
5.2	Deadline 2 .....	22
5.3	Deadline 3 .....	22
5.4	Deadline 3a.....	23
5.5	Deadline 4 .....	23
5.6	Deadline 5 .....	24
5.7	Deadline 6 .....	24
5.8	Deadline 7 .....	24
5.9	Deadline 8 .....	24
5.10	Closing Submission.....	24
6	Final positions .....	25
6.1	North Wales LPAs .....	25
6.2	DCC .....	25
6.3	Conwy County Borough Council .....	25
6.4	Isle of Anglesey County Council.....	26
6.5	NRW – SLVIA.....	26
6.6	NRW – Offshore .....	26
6.7	NRW – Onshore .....	27

6.8	Cadw .....	27
6.9	National Trust .....	27
6.10	Isle of Man Government .....	28
6.11	MCA .....	28
6.12	Trinity House .....	28
6.13	Chamber of Shipping.....	28
6.14	RSPB .....	29
6.15	JNCC .....	29
6.16	NWWT .....	29

## Tables

Table 1: List of parties and the Applicant's approach to capturing commonality. ....	9
Table 2: List of documents and their status at the close of examination. ....	17
Table 3: Summary of commonality key.....	19
Table 4: Summary of Commonality with each stakeholder in relation to each topic covered at the close of examination. ....	20

# 1 Introduction

## 1.1 Purpose of Statement of Commonality

- 1 This document provides the Examining Authority (ExA) with an overview of the position of each Statement of Common Ground (SoCG) between Awel y Môr Offshore Wind Farm Limited (the 'Applicant') and the Interested Parties (IPs) (see Annex H of Rule 6 Letter PD-007) in relation to Awel y Môr Offshore Wind Farm (hereafter referred to as 'AyM') at the closing submission. This document shows the overview agreement between the Applicant and IPs at the close of examination.

## 1.2 Structure of this Statement of Commonality

- 2 The Statement of Commonality is structured as follows:
  - Section 1: Introduction;
  - Section 2: Approach to capturing commonality – Outlines the approach to commonality with IPs;
  - Section 3: Status of commonality – Describes the status of commonality with each IP, to be updated at each deadline;
  - Section 4: Summary of Commonality – Identifies the commonality of topic areas of interest with each IP;
  - Section 5: Additional commentary – Provides additional information on the status of agreements and notable consultation activities undertaken through the Examination; and
  - Section 6: Final positions – Where final positions have been reached with IPs, this section outlines those final positions.

## 2 Approach to Capturing Commonality

### 2.1 List of Commonality

- 3 Table 1 provides the list of SoCGs that have been requested by the ExA in the Rule 6 letter issued on 23 August 2022 and the Applicant's approach to capturing commonality.

### 2.2 Letters of Comfort and Position Statements

- 4 In some instance, Letters of Comfort (LoC) and Position Statements (PS) are being prepared instead of a full formal SoCG, with agreement from the IPs. This is because the matters on which some IPs are interested in are limited in scope (e.g. substantive matters are either agreed or can be addressed post-consent through crossing and/or proximity agreements) and so the LoCs in these cases are considered to be more appropriate than a SoCG in order to capture status of discussions. Where a LoC or PS is being prepared instead of a SoCG, this is detailed in Table 1.
- 5 A PS is substantively the same as a SoCG but follows a simpler format to allow each party to identify the issues pertinent to (for example) their commercial interests and to determine the level of detail to put before the ExA pending the conclusion of commercial discussions, which are being progressed outside the DCO process and may pertain to commercially sensitive information. The PSs will be updated in the same way as a SoCG, with updates provided to the ExA at relevant deadlines.
- 6 Joint Statements have been submitted at Deadline 8 with the following parties, in addition to the Joint Statement with SP Manweb submitted at Deadline 7 (REP7-045) and the Joint Statement with Welsh Water/ Dŵr Cymru at Deadline 8 (REP8-092):
  - ▲ The Applicant has submitted an updated Joint Statements on the Landscape Enhancement Scheme with the NW LPAs at Document CS.5 of the Applicant's closing submission which now includes Denbighshire County Council's signature.

## 2.3 Statements of Common Ground

- 7 At the closing submission, the Applicant has resubmitted the SoCG with the North Wales Local Planning Authorities (NW LPAs) as it has now received Denbighshire County Council's signature to this SoCG.
- 8 With this resubmission, the Applicant now has a final, fully signed version for each SoCG.
- 9 In addition, protective provisions agreed with the Welsh Ministers in relation to the A55 crossing are included in the dDCO at Document CS.4 of the Applicant's closing submission. The Applicant understands that the Welsh Ministers will be confirming to the ExA that on this basis they are content for the DDCO to disapply s61 of the New Roads and Street Works Act.



Table 1: List of parties and the Applicant's approach to capturing commonality.

INTERESTED PARTY	APPROACH TO COMMONALITY
SoCGs requested by the ExA in Annex H of the Rule 6 Letter	
Denbighshire County Council (DCC)	<ul style="list-style-type: none"> <li>Joint SoCG with the North Wales Local Planning Authorities (NW LPAs) on Seascape, Landscape and Visual Impact Assessment (SLVIA) (SoCG 01); and</li> <li>Standalone SoCG on non-SLVIA matters (SoCG 02).</li> </ul>
Conwy County Borough Council (CCBC)	<ul style="list-style-type: none"> <li>Joint SoCG with the NW LPAs on SLVIA (SoCG 01); and</li> <li>Standalone SoCG on non-SLVIA matters (SoCG 03).</li> </ul>
Gwynedd Council	<ul style="list-style-type: none"> <li>Joint SoCG with the NW LPAs on SLVIA (SoCG 01).</li> </ul>
Isle of Anglesey County Council (IoACC)	<ul style="list-style-type: none"> <li>Joint SoCG with the NW LPAs on SLVIA (SoCG 01); and</li> <li>Standalone SoCG on non-SLVIA matters (SoCG 04).</li> </ul>
Flintshire District Council (FCC)	Following FCC's withdrawal from the examination process (REP2-051), the Applicant is no longer seeking to include FCC in the Joint SoCG with the NW LPAs on SLVIA.
Eryri National Park (ENP)	<ul style="list-style-type: none"> <li>Joint SoCG with the NW LPAs on SLVIA (SoCG 01).</li> </ul>

INTERESTED PARTY	APPROACH TO COMMONALITY
Llandudno Town Council	The Applicant notes the request from the ExA for a SoCG with Llandudno Town Council. However, the responses from Llandudno Town Council have been limited and a SoCG is not considered necessary.
Betws yn Rhos and Llanelian yn Rhos Community Council	The Applicant notes the request from the ExA for a SoCG with Betws yn Rhos and Llanelian yn Rhos Community Council. However, the responses from Betws yn Rhos and Llanelian yn Rhos Community Council have been limited and a SoCG is not considered necessary.
Llanddulas and Rhyd Y Foel Community Council	The Applicant notes the request from the ExA for a SoCG with Llanddulas and Rhyd Y Foel Community Council. However, the responses from Llanddulas and Rhyd Y Foel Community Council have been limited and a SoCG is not considered necessary.
Natural Resources Wales (NRW)	<ul style="list-style-type: none"> <li>▲ SoCG covering SLVIA and LVIA matters (SoCG 05);</li> <li>▲ SoCG covering offshore topics (excluding Seascape, Landscape and Visual Impact Assessment (SLVIA) (SoCG 06); and</li> <li>▲ SoCG covering onshore topics (excluding Landscape and Visual Impact Assessment (LVIA) (SoCG 07).</li> </ul>
Cadw	▲ SoCG covering onshore and offshore archaeology and cultural heritage (SoCG 08).
National Trust	▲ SoCG covering the matters raised in the Relevant Representation (RR-029)– Archaeology and cultural heritage, SLVIA, tourism and recreation (SoCG 09).
Isle of Man Government	SoCG covering the matters raised in their Relevant Representation (RR-027) – Commercial fisheries, offshore ornithology and marine mammals (SoCG 10).

INTERESTED PARTY	APPROACH TO COMMONALITY
National Air Traffic Services Ltd (NATS)	<p>The Applicant notes the request from the ExA for a SoCG with NATS. However, discussions with NATS have focused on aviation safeguarding and progression of a commercial agreement to secure radar blanking mitigation. The commercial agreement is completed and do not consider a SoCG is not necessary.</p> <p>NATS has now submitted a letter confirming the withdrawal of its objection at Deadline 8.</p>
Maritime and Coastguard Agency (MCA)	<p>▲ SoCG covering matters related to shipping and navigation (SoCG 11).</p>
Trinity House	<p>▲ SoCG covering matters related to shipping and navigation (SoCG 12).</p>
UK Chamber of Shipping (CoS)	<p>▲ SoCG covering matters related to shipping and navigation (SoCG 13).</p>
Royal Society for the Protection of Birds (RSPB)	<p>▲ SoCG covering offshore ornithology (SoCG 14).</p>
Joint Nature Conservation Committee (JNCC)	<p>▲ SoCG covering marine mammals (SoCG 15). The Applicant received correspondence from JNCC on 13 October 2022 indicating that JNCC was content to provide advice on marine mammals only.</p>

INTERESTED PARTY	APPROACH TO COMMONALITY
Gwynedd Archaeological Planning Services (GAPS)	The Applicant notes the request for a SoCG with GAPS. However, the Applicant has engaged via correspondence with GAPS and received confirmation on 8 September 2022 indicating GAPS is content to provide advice via the relevant LPA in their advisory capacity, and therefore does not require a separate SoCG.
North Wales Wildlife Trust (NWWT)	SoCG covering offshore ecological matters (SoCG 16).
National Grid Electricity Transmission plc (National Grid)	<p>The Applicant notes the ExA request for a SoCG with National Grid. The Applicant is continuing discussions with National Grid and will update the ExA via the Status of Landowner Negotiations Table (Document 8.15 of the Applicant's Deadline 8 submission) and therefore does not consider a SoCG necessary.</p> <p>The Applicant has reached an agreed position with NGET and agreed Protective Provisions are included in the dDCO at Document CS.4 of the Applicant's closing submission.</p>
SP Energy Networks (SPEN) on behalf of SP Manweb (SPM)	<p>The Applicant notes the ExA request for a SoCG with SPEN (on behalf of SPM). The Applicant is continuing discussions with SPEN and has updated the ExA via the Status of Landowner Negotiations Table and therefore does not consider a SoCG necessary.</p> <p>The Applicant submitted a Joint Statement (REP7-045) which confirms there are no outstanding matters of disagreement between the parties and confirms that SPEN (on behalf of SPM) intends to withdraw their objection prior to the close of the Examination.</p>

INTERESTED PARTY	APPROACH TO COMMONALITY
Diamond Transmission Corporation	The Applicant notes the ExA request for a SoCG with Diamond Transmission Corporation. The Applicant understands that Diamond Transmission Corporation is content to continue commercial discussions and therefore does not consider a SoCG necessary.
EirGrid	The Applicant notes the ExA request for a SoCG with EirGrid. The Applicant understands that EirGrid is content to continue commercial discussions outside of the DCO process and therefore does not consider a SoCG necessary.
Rhyl Flats Wind Farm Limited (Rhyl Flats)	<p>The Applicant notes the ExA request for a SoCG with Rhyl Flats. The Applicant is continuing discussions with Rhyl Flats and updated the ExA in response to Rhyl Flats' written representations (REP2-002) and therefore does not consider a SoCG necessary.</p> <p>The Applicant has provided an update on the status of agreements with Rhyl Flats in REP8-043.</p>
North Hoyle Wind Farm Limited (North Hoyle)	<p>The Applicant notes the ExA request for a SoCG with North Hoyle. The Applicant understands that North Hoyle is content to continue commercial discussions. The Applicant updated the ExA in response to North Hoyle's written representations (REP2-002) and therefore does not consider a SoCG necessary.</p> <p>The Applicant has provided an update on the status of agreements with North Hoyle in REP8-043.</p>
Network Rail Infrastructure Limited (Network Rail)	The Applicant notes the ExA request for a SoCG with Network Rail. The Applicant has provided an update to the ExA via the Status of Landowner Negotiations Table and therefore does not consider a SoCG necessary. The Applicant has reached an agreed position with Network Rail

INTERESTED PARTY	APPROACH TO COMMONALITY
	and Protective Provisions are included in the dDCO at Document CS.4 of the Applicant's closing submission.
Dŵr Cymru Cyfyngedig (DC) / Welsh Water	The Applicant notes the ExA request for a SoCG with Welsh Water. The Applicant has submitted a Joint Statement with Welsh Water/ Dŵr Cymru at REP8-092.
Parties not requested by the ExA in Annex H of the Rule 6 Letter	
Civil Aviation Authority (CAA)	The Applicant notes that the ExA has not requested a SoCG with the CAA and has therefore not progressed a SoCG.
Ministry of Defence (MoD)	The Applicant notes that the ExA has not requested a SoCG with MoD. The Applicant has engaged with the MoD during the pre-application process (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303, respectively)) and notes that the MoD does not consider the project will have significant effects on its operations and has therefore not deemed it necessary to progress a SoCG.
Natural England	The Applicant notes that Natural England has expressed its desire not to register an interest in the Application (AS-037), and therefore a SoCG with Natural England has not been deemed necessary. Natural England has been involved in the Evidence Plan process in relation to marine mammals and offshore ornithology (see the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303, respectively)).

INTERESTED PARTY	APPROACH TO COMMONALITY
Gwynt y Môr Offshore Transmission Owner (Gwynt y Môr OFTO)	The Applicant notes that the ExA has not requested a SoCG with Gwynt y Môr OFTO, with whom a cable crossing and cable proximity agreement is required. The Applicant understands that Gwynt y Môr OFTO is content to continue commercial discussions and therefore does not consider a SoCG necessary.

### 3 Status of Commonality

- 10 Table 2 lists the individual SoCGs developed between the Applicant and IPs with a summary of the current status of the document as of the close of examination.



Table 2: List of documents and their status at the close of examination.

DOCUMENT	STATUS AT THE CLOSE OF EXAMINATION
SoCG 01: NW LPAs	<p>A final version of this SoCG has been resubmitted at Document CS.7 of the Applicant's closing submission.</p> <p>This document has been resubmitted because Denbighshire County Council has now signed this SoCG. The Applicant notes that the content of this SoCG has not changed since its submission at Deadline 8 (REP8-044)</p> <p>The North Wales Local Planning Authorities (NW LPAs) (comprising IoACC, Conwy County Borough Council, ENP and Denbighshire County Council) have also signed a Joint Statement in relation to the Landscape Enhancement Scheme at Document CS.5 of the Applicant's closing submission which DCC have now also signed.</p>
SoCG 02: Denbighshire County Council (DCC)	A final SoCG has been submitted at REP7-049.
SoCG 03: Conwy County Borough Council (CCBC)	A final SoCG has been submitted at REP8-045.
SoCG 04: Isle of Anglesey County Council (IoACC)	A final SoCG has been submitted at REP8-046.

DOCUMENT	STATUS AT THE CLOSE OF EXAMINATION
SoCG 05: NRW - SLVIA	A final SoCG has been submitted at REP8-047 .
SoCG 06: NRW - Offshore	A final SoCG has been submitted at REP8-048.
SoCG 07: NRW - Onshore	A final SoCG has been submitted at REP8-049.
SoCG 08: Cadw	A final SoCG has been submitted at REP4-028.
SoCG 09: National Trust	A final SoCG has been submitted at REP8-050.
SoCG 10: Isle of Man (IoM)	A final SoCG has been submitted at REP8-051.
SoCG 11: MCA	A final SoCG has been submitted at REP7-048.
SoCG 12: Trinity House	A final SoCG has been submitted at REP4-030.
SoCG 13: CoS	A final SoCG has been submitted at REP4-031.
SoCG 14: RSPB	A final SoCG has been submitted at REP8-052.
SoCG 15: JNCC	A final SoCG has been submitted at REP4-029.
SoCG 16: NWWT	A final SoCG has been submitted at REP7-047.

## 4 Summary of Commonality

- 11 This section provides a summary of the topics covered in each of the SoCGs.
- 12 As the examination progresses, the Applicant will populate this table to show where there is a commonality in the topics or matters being discussed with the stakeholders.
- 13 Table 4 presents a summary of the topics covered in each of the stakeholder SoCGs, using the following colour coding in Table 3.

Table 3: Summary of commonality key.

	Topic not relevant to the stakeholder or deferred.
	Awaiting inputs from the IP.
	Topic agreed.
	Ongoing point of discussion.
	Topic not agreed – no material impact.
	Topic not agreed – material impact.

Table 4: Summary of Commonality with each stakeholder in relation to each topic covered at the close of examination.

SO CG	MARINE GEOLOGY, OCEANOGRAPHY AND PHYSICAL PROCESSES	MARINE WATER AND SEDIMENT QUALITY	OFFSHORE ORNITHOLOGY	BENTHIC SUBTIDAL AND INTERTIDAL ECOLOGY	FISH AND SHELLFISH ECOLOGY	MARINE MAMMALS	COMMERCIAL FISHERIES	SHIPPING AND NAVIGATION	SEASCAPE, LANDSCAPE AND VISUAL IMPACT ASSESSMENT	OFFSHORE ARCHAEOLOGY AND CULTURAL HERITAGE	OTHER MARINE USERS AND ACTIVITIES	MILITARY AND CIVIL AVIATION	ONSHORE LANDSCAPE AND VISUAL IMPACT ASSESSMENT	SOCIOECONOMICS	TOURISM AND RECREATION	ONSHORE BIODIVERSITY AND NATURE CONSERVATION	GROUND CONDITIONS AND LAND USE	HYDROLOGY, HYDROGEOLOGY AND FLOOD RISK	ONSHORE ARCHAEOLOGY AND CULTURAL HERITAGE	TRAFFIC AND TRANSPORT	AIRBORNE NOISE AND VIBRATION	AIR QUALITY	PUBLIC HEALTH
SoCG 01: NW LPAs																							
SoCG 02: DCC																							
SoCG 03: CCBC																							
SoCG 04: IoACC																							
SoCG 05: NRW - SLVIA/LVIA																							
SoCG 06: NRW - Offshore																							
SoCG 07: NRW - Onshore																							

SO CG	MARINE GEOLOGY, OCEANOGRAPHY AND PHYSICAL PROCESSES	MARINE WATER AND SEDIMENT QUALITY	OFFSHORE ORNITHOLOGY	BENTHIC SUBTIDAL AND INTERTIDAL ECOLOGY	FISH AND SHELLFISH ECOLOGY	MARINE MAMMALS	COMMERCIAL FISHERIES	SHIPPING AND NAVIGATION	SEASCAPE, LANDSCAPE AND VISUAL IMPACT ASSESSMENT	OFFSHORE ARCHAEOLOGY AND CULTURAL HERITAGE	OTHER MARINE USERS AND ACTIVITIES	MILITARY AND CIVIL AVIATION	ONSHORE LANDSCAPE AND VISUAL IMPACT ASSESSMENT	SOCIOECONOMICS	TOURISM AND RECREATION	ONSHORE BIODIVERSITY AND NATURE CONSERVATION	GROUND CONDITIONS AND LAND USE	HYDROLOGY, HYDROGEOLOGY AND FLOOD RISK	ONSHORE ARCHAEOLOGY AND CULTURAL HERITAGE	TRAFFIC AND TRANSPORT	AIRBORNE NOISE AND VIBRATION	AIR QUALITY	PUBLIC HEALTH
SoCG 08: Cadw																							
SoCG 09: National Trust																							
SoCG 10: Isle of Man																							
SoCG 11: MCA																							
SoCG 12: Trinity House																							
SoCG 13: CoS																							
SoCG 14: RSPB																							
SoCG 15: JNCC																							
SoCG 16: NWWT																							

## 5 Additional commentary

### 5.1 Deadline 1

- 14 The Applicant has not been in a position to provide initial SoCGs to the ExA at Deadline 1. However, initial SoCGs have been issued to all parties (except where noted above in Table 2 and are actively engaging positively with all IPs identified). The ExA should be confident that, whilst the Applicant has not provided initial SoCGs at Deadline 1, that outstanding matters are being discussed with the relevant IPs, and an update will be provided at subsequent deadlines. As noted in Section 8 of the Preliminary Meeting Note (EV-008), the Applicant advised that submissions of SoCGs at Deadline 1 are not generally considered to be helpful unless it has been agreed with the IP. It is also noted that the LPAs present at the Preliminary Meeting were in agreement with this position.

### 5.2 Deadline 2

- 15 The Applicant has been progressing SoCGs with parties since Deadline 1. The Applicant has re-contacted all parties to progress SoCGs and hopes to be able to submit progressed SoCGs at Deadline 3.
- 16 The ExA should be confident that, whilst the Applicant has not provided a complete set of initial SoCGs at Deadline 2, outstanding matters are being discussed with the relevant IPs, and an update will be provided at subsequent deadlines.

### 5.3 Deadline 3

- 17 The Applicant is pleased to be progressing with the SoCGs and has submitted seven SoCGs into the Examination at this deadline, in addition to the SoCG with MCA submitted at Deadline 2. The Applicant is making good progress with other SoCGs yet to be submitted and is engaging with IPs to ensure these can be submitted as soon as practical for both parties. The Applicant is also continuing discussion in regard to topics under ongoing discussions and hopes to be able to submit updated SoCGs at subsequent deadlines once positions have been reached.

## 5.4 Deadline 3a

- 18 The Applicant has submitted two additional SoCGs into examination between Deadline 3 and Deadline 3a with DCC and Cadw (AS-046 and AS-047, accepted at the discretion of the Examining Authority).
- 19 The Applicant took actions from ISH2 to progress SoCGs and provide updates at Deadline 4. Since ISH2, the Applicant confirms that all parties where SoCGs are outstanding have been re-contacted with the aim of progressing discussions such that a meaningful update can be given to the ExA at Deadline 4. It is noted that it was stated by the Applicant in ISH2 that the SoCG with CoS had been provisionally agreed for submission at Deadline 3a, however further clarification is required and an update will be provided at Deadline 4.
- 20 The Applicant has issued its signed final versions of SoCGs to Cadw and JNCC and is awaiting their returned counter-signed versions. The Applicant hopes to be able to issue these two SoCGs as final signed versions at Deadline 4.

## 5.5 Deadline 4

- 21 In line with the discussions at ISH2 (Section 5 of REP3a-004) the Applicant has made progress on all SoCGs and submitted progressed SoCGs with the NW LPAs, CCBC, IoM Government and NWWT.
- 22 The Applicant has included final signed versions in its Deadline 4 submission for Cadw, JNCC, Trinity House and CoS.
- 23 The only outstanding SoCG yet to be submitted to the Examination is that with RSPB. The Applicant confirms that a meeting has been arranged with RSPB and it is hoped that a draft SoCG will be submitted at Deadline 6.
- 24 On all SoCGs not yet agreed as final, the Applicant will continue to liaise with the interested parties to progress discussions and will provide updates at the earliest opportunity.

## 5.6 Deadline 5

- 25 The Applicant has submitted an updated SoCG with both the National Trust and NRW (Onshore SoCG) at Deadline 5. The Applicant is continuing discussions with stakeholders and hopes to provide further updated SoCGs and final SoCGs at Deadline 6.

## 5.7 Deadline 6

- 26 The Applicant has submitted further iteration of SoCGs with NRW (offshore and SLVIA), and DCC. Recognising that the Examination is due to formally close in 4 weeks' time, the Applicant is continuing to liaise with stakeholders and will provide final SoCGs at a subsequent deadline.

## 5.8 Deadline 7

- 27 The Applicant has submitted final SoCGs with DCC, MCA and NWWT at Deadline 7.
- 28 The Applicant is continuing to liaise with other IPs in working towards final SoCGs at Deadline 8.

## 5.9 Deadline 8

- 29 With the final SoCGs submitted at Deadline 8, the Applicant has submitted final versions of all SoCGs.
- 30 The final positions of IPs are summarised in Section 6.

## 5.10 Closing Submission

- 31 The Applicant has resubmitted the final SoCG with the North Wales LPAs as it has now received DCC's signature to this SoCG. With this addition, a full suite of final, signed SoCGs has been submitted to the Examination prior to its close.
- 32 The final positions of all IPs relevant to SoCGs are summarised in Section 6.



## 6 Final positions

### 6.1 North Wales LPAs

- 33 A final SoCG has been resubmitted to the Examination at Document CS.7 of the Applicant's closing submission. This version includes DCC's signature but the content remains unchanged from the version submitted at Deadline 8 (REP8-044).
- 34 Whilst there are some non-material disagreements in relation to the SLVIA methodology, the NW LPAs are in broad agreement with the SLVIA and its conclusions.
- 35 Material disagreement remains over the extent to which the project has mitigated significant effects through iterative design changes to the offshore array. In order to offset these effects the Applicant has committed to delivering a Landscape Enhancement Scheme as summarised in Document CS.6 of the Applicant's closing submission.

### 6.2 DCC

- 36 A final SoCG has been submitted to the Examination at REP7-049. All matters covered by the SocG are agreed. There are no outstanding areas of disagreement.

### 6.3 Conwy County Borough Council

- 37 A final SoCG has been submitted to the Examination at REP8-045.
- 38 Whilst there is broad agreement between the parties on the assessment of tourism, disagreements remain over the identification of the baseline due to the Covid-19 pandemic and uncertainties over the assessment of impacts to the tourism economy.
- 39 The Applicant is discussing the potential for a tourism fund to be provided to CCBC and an update on these discussions is provided in Document CS.6 of the Applicant's closing submission.

- 40 There is broad agreement with the baseline and assessment undertaken with regard to noise. However, disagreement remains regarding the proposed 50 dB level.

## **6.4 Isle of Anglesey County Council**

- 41 A final SoCG has been submitted to the Examination at REP8-046. All matters covered by the SoCG in relation to skills and employment are agreed. There are no outstanding areas of disagreement.

## **6.5 NRW – SLVIA**

- 42 A final SoCG has been submitted to the Examination at REP8-047.
- 43 There is broad agreement with the SLVIA methodology, except in relation to the application of NRW's technical guidance 'the White Consultants' Report', and the definitions of sensitivity of some visual receptors, where there is material disagreement. NRW is in broad agreement with the conclusions of the SLVIA, except where material and non-material disagreements are highlighted.
- 44 Disagreement also remains over the extent to which reductions to the offshore array through iterative design have mitigated significant effects. NRW consider it necessary for enhancement measures to be developed in accordance with the Welsh National Marine Plan. Therefore the Applicant has committed to delivering a Landscape Enhancement Scheme as summarised in Document CS.6 of the Applicant's closing submission.
- 45 All matters in relation to the onshore LVIA are agreed, with no outstanding areas of disagreement.

## **6.6 NRW – Offshore**

- 46 A final SoCG has been submitted to the Examination at REP8-048. All matters covered by the SoCG are agreed. There are no outstanding areas of disagreement.

## 6.7 NRW – Onshore

- 47 A final SoCG has been submitted to the Examination at REP8-049. All matters covered by the SoCG are agreed. There are no outstanding areas of disagreement.

## 6.8 Cadw

- 48 A final SoCG has been submitted to the Examination (REP4-028). All matters covered by the SoCG in relation to both onshore and offshore archaeology are agreed. There are no outstanding areas of disagreement.

## 6.9 National Trust

- 49 A final SoCG has been submitted to the Examination at REP8-050.
- 50 In relation to SLVIA, there is broad agreement in terms of its methodology, though disagreement remains over the characterisation and assessment of Penrhyn Castle. Lighting also remains a concern for National Trust in the context of the totality of landscape and visual harm.
- 51 Similarly to the NW LPAs and NRW, National Trust also question the extent to which the reductions made to the offshore array mitigate significant effects and consider that enhancement measures are required to offset effects. As mentioned previously, the Applicant has committed to a Landscape Enhancement Scheme as set out in Document CS.6 of the Applicant's closing submission.
- 52 The Applicant notes that National Trust have not specified in the SoCG whether they consider the outstanding disagreements to be material or not.
- 53 In relation to tourism, National Trust are in agreement with the assessment methodology and its conclusions. National Trust wished to highlight that discussions pertaining to the potential tourism fund with CCBC (as set out in Document CS.6 of the Applicant's closing submission) remain ongoing.

## 6.10 Isle of Man Government

- 54 A final SoCG has been submitted to the Examination at REP8-051.
- 55 In relation to offshore ornithology, there is broad agreement between the parties. Disagreement remains over the exclusion of little tern migration from the assessment, as well as the exclusion of Manx shearwater from the assessment of collision risk. However, these disagreements are both agreed as not being material to the conclusions of the assessment.
- 56 With regard to marine mammals, all matters are agreed with no outstanding areas of disagreement.
- 57 In relation to commercial fisheries, there is broad agreement with the assessment and its conclusions. Disagreement remains over the extent to which IoM fishing interests are referred to in the assessment specifically, however this disagreement is agreed as being non-material to the conclusions of the assessment.

## 6.11 MCA

- 58 A final SoCG has been submitted to the Examination at REP7-048. All matters covered by the SoCG are agreed. There are no outstanding areas of disagreement.

## 6.12 Trinity House

- 59 A final SoCG has been submitted to the Examination (REP4-030). All matters covered by the SoCG in relation to shipping and navigation are agreed. There are no outstanding areas of disagreement.

## 6.13 Chamber of Shipping

- 60 A final SoCG has been submitted to the Examination (REP4-031). The majority of matters covered by the SoCG in relation to shipping and navigation are agreed.

- 61 Whilst there are outstanding areas of disagreement relating to consultation and the risks of allision, it is agreed between the parties that these disagreements have no material bearing on the outcomes of the shipping and navigation assessments, which are otherwise agreed.

## **6.14 RSPB**

- 62 A final SoCG has been submitted to the Examination at REP8-052.
- 63 Disagreement remains in relation to the conclusion of the offshore ornithology assessment in the Report to Inform Appropriate Assessment (RIAA), specifically with regard to the red-throated diver feature of the Liverpool Bay SPA.
- 64 There is, however, broad agreement in relation to all other aspects of the assessment of offshore ornithological interests.

## **6.15 JNCC**

- 65 A final SoCG has been submitted to the Examination (REP4-029). All matters covered by the SoCG in relation to marine mammals are agreed. There are no outstanding areas of disagreement.

## **6.16 NWWT**

- 66 A final SoCG has been submitted to the Examination at REP7-047. All matters in relation to marine ecology (benthic, subtidal and intertidal ecology, fish and shellfish ecology, and marine mammals) are either agreed, or it is agreed that disagreements are not material to the outcomes of the EIA.
- 67 With regard to onshore biodiversity and nature conservation, it is noted that this SoCG was originally intended to also cover this topic. However, it has been confirmed between the parties that the terrestrial team at NWWT are not in a position to comment on this topic. It is further noted that they have not made representations in relation to this topic during the course of the examination. Therefore this agreements log was removed from the SoCG in agreement with NWWT.

- 68 The Applicant's response to ExQ3.2.7 (REP7-004) explains that NWWT were part of the onshore ecology Expert Topic Group (ETG) via the Evidence Plan process during the pre-application phase, and a record of consultation comments received from NWWT and the Wildlife Trusts, along with how the Applicant has addressed them is contained within the Summary of Consultation Relating to Onshore Biodiversity and Nature Conservation (APP-136). Further information about consultation activities with NWWT during this stage can be found in the Evidence Plan Report and its supporting appendices (APP-301, APP-302 and APP-303).
- 69 It is not considered that there are any major areas of concern or disagreement between the Applicant and NWWT in relation to onshore biodiversity and nature conservation, based on their comments to date in the pre-application phase, and the absence of inputs during the examination on this matter. It is further noted that agreement logs on this topic are fully agreed with both NRW (REP5-030) and DCC (REP6-044).



RWE Renewables UK Swindon Limited

Windmill Hill Business Park  
Whitehill Way  
Swindon  
Wiltshire SN5 6PB  
T +44 (0)8456 720 090  
**[www.rwe.com](http://www.rwe.com)**

Registered office:  
RWE Renewables UK Swindon Limited  
Windmill Hill Business Park  
Whitehill Way  
Swindon