

Response ID ANON-5T4P-8FBR-Y

Submitted to Consultation on Offshore Wind Environmental Compensatory Measures Reforms
Submitted on 2025-09-02 16:34:48

Questions 1-9: about you

1a Would you like your response to be confidential?

No

1b If you answered yes to this question, please give your reason.

Answer:

2 What is your name?

Answer:

Rebecca Bridge

3 What is your email address?

Answer:

r.bridge@southampton.ac.uk

4 Are you responding to this consultation on behalf of an individual? If yes, please answer questions 6, 7, and 9 only. If no, please answer questions 5 and 8 only.

No

5a Which organisation or organisations are you responding on behalf of?

Answer:

The feedback provided has been compiled by Public Policy Southampton on behalf of the ECOWind BOWIE Project led University of Southampton, University of Hull, University of East Anglia. Responses were received from 1) Antonina Nazarova representing the CSERGE team at UEA and 2) Krysia Mazik from the University of Hull.

5b What is the position you hold at the organisation or organisations?

Answer:

Policy Associate & PhD Student

6 If employed, briefly describe the type of organisation or industry you work for (e.g. eNGO, developer, OFW industry, marine industry). If you are self-employed, or looking for work, please indicate what type of work you do. If retired, please indicate the type of work you undertook in your career.

Answer:

N/A

7 If responding as an individual, where do you live? [Please tick one of the following bullets]

Not Answered

8a If responding on behalf of an organisation headquartered in the UK, where is your organisation based or where are you operating? [Please tick one of the following bullets]

The organisation operates throughout the UK

8b If responding on behalf of a multinational organisation headquartered outside the UK, where are you operating?

Answer:

N/A

9 Which of the following best describes where you live? [Please tick one of the following bullets]

Urban – coastal

Questions 10-17: wider compensatory measures

10 Do you agree with our proposal to enable wider compensatory measures which aim to benefit the UK MPA Network?

Yes

Please explain your answer:

1) Allowing wider compensatory measures will make it more feasible to deliver meaningful ecological benefits, especially where direct, like-for-like compensation is impractical. This flexibility can improve outcomes for the whole UK MPA network, support strategic restoration projects, and enable pooling of resources (e.g., via the Marine Recovery Fund) for greater long-term impact. 2) Like for like compensation is likely to be impossible in many offshore environments, particularly where features such as mobile sandbanks or biogenic reefs are present (unless biogenic reefs develop/recover simply as a result of pressure removal). Therefore, some flexibility in compensation measures, targets and objectives is necessary. However, caution should be applied to ensure this approach does not result in a patchwork of fragmented habitats that are functionally different to those they are intending to provide compensation for. Consideration of location, connectivity to and influence on surrounding habitats, timescale for development and longevity (some features may be ephemeral) is necessary. Habitat loss/damage will need to be carefully considered at the planning and consenting stage in order to avoid progressive loss of/degradation to habitats where direct compensation is not possible. Progressive loss leads to shifting baselines whereby impact assessment becomes based on an increasingly impacted baseline where the significance of impact is perceived to be less than it actually is. Clarity on what is meant by wider compensatory measures is needed and what the limits are. This needs to be habitat specific. The proposal refers to compensating for loss of one sediment type with a functionally similar one or one that delivers a similar service. It's important to consider that function and service are generally not directly measured (more likely, they are assumed from traits information) and are not always directly quantifiable. For example, the blue mussel (*Mytilus*) and the horse mussel (*Modiolus*) are both reef-forming, filter-feeding bivalves that act as bioengineers and enhance local biodiversity. But they have different environmental requirements and have different levels of impact on the environment and host very different biodiversity. Function is related to density and biomass. Sabellaria and blue mussel are not comparable, as suggested by the proposal. Their habitat requirements and ecology are entirely different, as is the biodiversity they support. This would not be compensation. Consider whether it is possible to replace one species/habitat with another in the location from which it has been lost or impacted, and whether compensation in another area will deliver the required function. What is the impact of lost function on the wider environment in the impacted area? For seabirds, consider what is important about surface feeding, in relation to the ecological role of that species. What is the compensation in this case? The proposal suggests that water quality improvements could compensate for Sabellaria loss. The wider ecological role of Sabellaria needs to be considered here. Sabellaria generally does not occur where water quality is a problem (subtidal coastal and offshore waters in areas of moderate water movement and a high level of mixing. It does not occur in the more sheltered coastal or estuarine areas where water quality problems are generally experienced. Here, consider how loss of offshore habitat/diversity and function (and its influence on the wider environment) can be compensated for by improving inshore water quality and facilitating the recovery of a functionally different habitat?

11 We propose that wider compensatory measures should deliver positive benefits reasonably proportionate to the level of damage to the UK MPA network. Do you have any views on how "reasonably proportionate" should be defined and how it could be demonstrated?

Yes

Please explain your answer:

1) Reasonably proportionate should mean that the ecological benefits delivered are measurable, targeted, and equivalent in scale, function, and duration to the damage caused. This could be demonstrated through clear metrics (e.g., habitat area restored vs. lost, species population trends, or ecosystem services delivered) agreed with regulators in advance, with monitoring to confirm delivery over an appropriate/specified timeframe. Terms of equivalence; measurable outcomes; include monitoring and verification. 2) Proportionate needs to consider the wider interaction with surrounding habitats, rather than simple consideration of spatial scale. Careful and long-term monitoring is required here to ensure that compensatory measures meet their objectives in the long term. Evidence from the intertidal indicates that restored/created habitats often develop towards targets in the early phases but then diverge, sometimes developing into different habitats than intended. They don't always support the species diversity of natural habitats. Detailed monitoring will be required to develop an understanding of how compensation measures are working, what they are delivering and how that develops over time. This is fundamental to achieving success whilst ensuring that degradation / habitat loss related to new development is not coupled with the development of a patchwork of scattered compensatory measures that are not functionally or geographically linked.

12 Do you agree with our proposed approach of how to demonstrate a wider compensatory measure has an ecological benefit to the UK MPA network? If not, how could it be amended?

Yes

Please explain your answer:

1) The proposed approach links measures to clear ecological objectives and requires evidence to demonstrate benefit. To strengthen it, there should be standardised assessment criteria across all projects – same rules for everyone; baseline data collection before implementation, so benefits can be measured against a known starting point; and independent post-delivery monitoring to verify that benefits are achieved and sustained over time.

13 Do you agree with the proposal to have a legislative requirement that compensatory measures that ecologically benefit the impacted feature must be considered first, as part of a hierarchy of compensatory measures which must be followed sequentially?

Yes

Please explain your answer:

1) A sequential hierarchy provides clarity, promotes consistency in decision-making, and safeguards against defaulting to less targeted measures when direct compensation is achievable. This approach also aligns with the principle of maintaining the integrity of the MPA network (the best way is to restore or replace that same feature first).

14 Is the hierarchy of compensatory measures, including the type of environmental compensation to be considered at each stage, clear?

Yes

Please explain your answer:

1) More specific criteria for determining when to move from one tier to the next.

15 Do you support the proposal that, where a reasoned case can be made that there will be a greater ecological benefit to the UK MPA network, it is possible to move to wider compensatory measures (tier 2 or 3), where there may be measures available that directly benefit the impacted feature (tier 1)?

Yes

Please explain your answer:

1) The decision should be supported by transparent, science-based justification and agreed with the relevant statutory nature conservation bodies.

16 Do you agree that wider compensatory measures must be approved by the relevant lead Departmental Ministers, noting that Ministers will need to show they have considered the advice of SNCBs prior to their approval?

Yes

Please explain your answer:

1) This is to ensure that wider compensatory measures are scientifically robust, legally compliant, and aligned with national conservation priorities.

17 Do you agree with our proposed approach for selecting and assessing wider compensatory measures based on the best available scientific evidence?

Yes

Please explain your answer, including what best available scientific data includes:

1) Using the best available scientific evidence is essential for ensuring that wider compensatory measures deliver real and lasting ecological benefits. This should include up-to-date peer-reviewed research, data from statutory monitoring programmes, site-specific surveys, and recognised ecological models. Where uncertainties exist, the approach should follow the precautionary principle and be updated as new data becomes available. Ideally the clear methodology should be described (unless the SNCBs provide it) : How to systematically identify the “best available” evidence; who is responsible for evaluating and verifying the data quality; standards or protocols for acceptable sources (e.g., peer-reviewed publications, statutory monitoring, independent surveys); procedures for updating evidence as new science emerges.

Questions 18-22: environmental safeguards

18 Do you agree that our proposed environmental safeguards for wider compensatory measures are suitable?

Yes

Please explain your answer, including alternative suggestions where you deem necessary:

1) The safeguards provide a necessary framework to ensure wider compensatory measures genuinely benefit the UK MPA network. To strengthen them, we suggest adding: Clear, measurable success criteria agreed before implementation; independent ecological review at key project stages; long-term (how long?) monitoring obligations with corrective action if targets are not met.

19 Do you agree with the proposal that, in England, wider compensatory measures would not be suitable for impacts to locations with Marine Irreplaceable Habitats or features?

Yes

Please explain your answer:

1) Marine Irreplaceable Habitats and features, by definition, cannot be restored or replaced elsewhere without losing their unique ecological value. In these cases, only direct, site-specific measures (or avoiding the impact entirely) can maintain the integrity of the MPA network. Allowing wider compensatory measures here could set a precedent that undermines protection of the most critical marine assets.

20 Do you agree that our proposal for guidance adequately clarifies adaptive management requirements, including for measures delivered through the MRF?

Yes

Please explain your answer:

1) The proposal provides a sound framework for adaptive management, including for MRF-delivered measures, by recognising the need to monitor effectiveness and make changes where required. To ensure this works in practice, the final guidance may also include clear examples of potential interventions, specify minimum monitoring periods, and outline how responsibilities and costs for corrective action will be allocated. (i.e. clearly defined timelines, decision thresholds, funding mechanisms, or accountability for implementing changes if measures are underperforming).

21 Do you agree with our proposal that there should be a public register that documents OFW environmental compensation?

Yes

Please explain your answer:

1) A public register will improve transparency, allow stakeholders to track delivery of commitments, and help share lessons from different projects. It can also build public trust by showing measurable progress and enabling independent scrutiny of environmental outcomes.

22 Where could this register be hosted and who could be responsible for the register, including on-going updating and management?

Please explain your answer:

1) The register could be hosted on a central government platform to ensure public accessibility and credibility: GOV.UK; MMO (or equivalent competent authority)

Questions 23-25: other aspects of proposals

23 Do you agree that our proposals for guidance provide clarity in how to assess whether environmental compensation can be considered additional?

Yes

Please explain your answer:

1) The proposals provide useful clarity by defining additionality as measures that go beyond normal site management duties and by setting clear criteria to distinguish "normal practice" from additional actions (e.g., whether the measure is already being delivered, has a delivery mechanism, or is funded). This helps avoid double counting and ensures compensation delivers genuine net benefits.

24 Do you agree with our proposals for guidance to provide clarity that, in certain circumstances, environmental compensation can be in place and operational after the impact to the site has occurred?

Yes

Please explain your answer:

1) Allowing compensation to become operational after impacts can be acceptable in limited cases where measures need lead-in time but deliver greater long-term benefit, provided safeguards such as case-by-case assessment, overcompensation, and adaptive monitoring are applied. To strengthen confidence further, guidance may set clearer expectations on how overcompensation ratios are determined and ensure accountability for delivery through independent review.

25 Do you agree that our proposals for guidance provide clarity on when mitigation or compensation might be required for small levels of impact to a protected site?

Yes

Please explain your answer:

1) The proposals provide helpful clarity by confirming that very small impacts may not require further action, while also setting out clear circumstances where even small effects could trigger mitigation or compensation (e.g., for sensitive features, poor site condition, or cumulative impacts). This case-by-case approach, supported by early engagement with SNCBs and the option of using the MRF, strikes a pragmatic balance between protecting sites and avoiding unnecessary burdens on developers.

Questions 26-27: final comments

26 Do you agree that the approach described in this consultation will help to provide greater environmental compensation opportunities for OFW whilst protecting the marine environment?

Yes

Please explain your answer, including alternative suggestions where you deem necessary:

1) The approach described in the consultation balances flexibility for developers with stronger ecological safeguards, making the system more pragmatic, flexible, and strategic — increasing the scope for effective compensation while embedding safeguards that protect the marine environment.

27 Do you have any other comments on our proposals described above?

Please explain your answer:

1) Potential suggestions to consider: 1. Clearer operational procedures: Define standard triggers for adaptive management (e.g., thresholds that require corrective action); specify minimum monitoring periods (e.g., 10+ years for long-lived habitats). 2. Independent oversight: Independent ecological review at key project stages (pre-consent, implementation, monitoring); clear roles for SNCBs vs. government vs. developers. 3. Enforcement mechanisms: What happens if compensation commitments are not delivered (penalties, fallback mechanisms); stronger assurance that developers cannot proceed without secure arrangements. 4. Stakeholder involvement: Opportunities for NGOs, local communities, and fisheries to contribute to monitoring or delivery. 5. The document is only about MPAs, what about other territories? While the consultation provides a detailed framework for compensation within the MPA network, it leaves a gap in addressing impacts that may occur in non-designated but ecologically valuable marine areas. Many offshore wind projects may affect habitats or species outside MPAs, including migratory routes, spawning grounds, or wider ecosystem functions that support biodiversity and fisheries. 6. Regional / ecosystem-level planning: How compensation measures fit into wider marine spatial planning and biodiversity strategies; greater emphasis on network resilience and cumulative effects. The consultation makes strong progress towards a more pragmatic and flexible approach to environmental compensation. However, further clarity might be needed on how compensatory measures fit within regional and ecosystem-level planning. Compensation should not be treated only on a project-by-project basis, but instead designed to strengthen the resilience, connectivity, and

long-term functionality of the MPA network, particularly in the face of climate change and cumulative pressures.

Consultee Feedback on the Online Survey

1 Overall, how satisfied are you with our online consultation tool? Please give us any comments you have on the tool, including suggestions on how we could improve it.

Very satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

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