

2020 No. 0000

INFRASTRUCTURE PLANNING

**The Dogger Bank Teesside A and B Offshore Wind Farm
(Amendment) Order [No.] 2020**

Made - - - - - *[Date]*

Coming into force - - - - *[Date]*

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(a), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a non-material change to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015(c).

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(d), has decided to make the changes on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers in paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order:

Citation and commencement

1. This Order may be cited as The Dogger Bank Teesside A and B Offshore Wind Farm (Amendment) Order [No.] 2020 and comes into force on [Date].

Amendment to The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015

2. The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (“the 2015 Order”) is amended in accordance with this Order.

Amendments to Article 2 (Interpretation)

3. Article 2 is amended as follows—

(a) In the definition of “Marine Licence 2” after “(Marine Licence 2: Project B Offshore Generation – Work Nos. 1B and 2T)” insert “(as amended by any variations to the licence made by the MMO)”;

(a) Paragraph 2 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraphs 1 and 72 of Schedule 13 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c.7). There are other amendments to the Act that are not relevant to this Order.
(b) As amended by S.I. 2012/635 and S.I. 2015/760.
(c) S.I. 2015/1592, as amended by S.I. 2015/1742 and S.I. 2019/669.
(d) S.I. 2011/2055. Regulations 6 and 7 were both amended by S.I. 2012/635 and 2015/760.

- (b) In the definition of “Marine Licence 4” after “(Marine Licence 4: Project B Offshore Generation – Work Nos. 2B, 3B and 2T)” insert “(as amended by any variations to the licence made by the MMO)”;
- (c) In the definition of “relevant planning authority for the port” after “to service” insert “all or part off”;
- (d) In the definition of “wind turbine generator” after “electrical” insert “, communication”;
- (e) In paragraph 2(3)(b) after “Conditions 3 to 11” insert “(Detailed offshore design parameters)”;
- (f) In paragraph 2(3)(c) after “Conditions 3 to 9” insert “(Detailed offshore design parameters)”.

Amendments to Article 39 (Deemed licences under Marine and Coastal Access Act 2009)

4. Article 39 is amended as follows—

- (a) In paragraph 39(b) after “Schedule 9” insert “or as otherwise amended by the MMO”;
- (b) In paragraph 39(d) after “Schedule 11” insert “or as otherwise amended by the MMO”;

Amendments to Part 1 (Authorised development) of Schedule 1 (Authorised Project)

5. Part 1 (Authorised development) of Schedule 1 (Authorised Project) is amended as follows—

- (a) In paragraph 2 at Work No. 1B(d)(iv) after “the export cable route in Work No. 2B;” delete “and” and insert the following—
 - “(v) any of the wind turbine generators comprised in Work No. 1B(a) and the offshore converter platform referred to in Work No. 1B(b)(ii); and”

Amendments to Part 3 (Requirements) of Schedule 1 (Authorised Project)

6. Part 3 (Requirements) of Schedule 1 (Authorised Project) is amended as follows—

- (a) In paragraph 5(8B)(b) of Part 3 (Requirements) of Schedule 1 (Authorised Project) after “employ a hammer energy during installation exceeding” for “3,000 kilojoules” substitute “4,000 kilojoules”.
- (b) In Paragraph 6(1) of Part 3 (Requirements) of Schedule 1 (Authorised Project) for “Wind” substitute “Within Work No. 1A, wind”.
- (c) After paragraph 6 of Part 3 (Requirements) of Schedule 1 (Authorised Project) insert the following—
 - “6A.—(1) Within Work 1(B), wind turbine generator foundation structures must be of 1 or more of the following foundation options: monopole, multi-leg or gravity base.
 - (2) No wind turbine generator foundation structure employing a footing of driven piles may—
 - (a) have more than 6 driven piles;
 - (b) in the case of single-pile structures, have a pile diameter exceeding 12 metres or employ a hammer energy during installation exceeding 4,000 kilojoules;
 - (c) in the case of structures with 2 or more piles, have a pile diameter exceeding 3.5 metres or employ a hammer energy during installation exceeding 2,300 kilojoules.
 - (3) No wind turbine generator foundation may have—
 - (a) a main supporting structure exceeding 61 metres in width;
 - (b) a seabed footprint (excluding subsea scour protection) exceeding 2,376 square metres;
 - (c) a seabed footprint (including subsea scour protection) exceeding 5,675 square metres.

- (4) The foundations for wind turbine generators must be in accordance with the wave reflection co-efficient values set out in Table 3.6 in Chapter 5, Appendix B (foundation characterisation study) of the environmental statement.”
- (d) In paragraph 9(2)(b) of Part 3 (Requirements) of Schedule 1 (Authorised Project) for “1 fibre-optic cable’ substitute “2 fibre-optic cables”.
 - (e) In paragraph 13(6)(b) of Part 3 (Requirements) of Schedule 1 (Authorised Project) after “(see Condition 16(a)” insert “Array Location and Layout Plan”.
 - (f) Paragraph 14 of Part 3 (Requirements) of Schedule 1 (Authorised Project) is amended as follows—
 - (i) After “Condition 25 of Marine Licence 1 or 2” insert “(Aids to Navigation)”;
 - (ii) After “Condition 22 of Marine Licence 3 or” delete “4” and insert “Condition 23 of Marine Licence 4 (Aids to Navigation)”.

Signed by authority of the Secretary of State for Business, Energy and Industrial Strategy

[insert minister]

[Insert title]

Date

Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Teesside A and B Offshore Wind Farm Order 2015, a development consent order under the Planning Act 2008, following an application made in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for a non-material change under paragraph 2 of Schedule 6 to the Planning Act 2008.