

**SCOTTISHPOWER
RENEWABLES**

East Anglia ONE North and East Anglia TWO Offshore Windfarms

Draft Statement of Common Ground Maritime and Coastguard Agency

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited
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Applicable to East Anglia ONE North and East Anglia TWO



Revision Summary

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Glossary of Acronyms

DCO	Development Consent Order
DML	Deemed Marine Licence
DTS	Distributed Temperature Sensing
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
MHWS	Mean High Water Springs
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
NRA	Navigational Risk Assessment
PINS	Planning Inspectorate
SoCG	Statement of Common Ground

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Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited
Construction, operation and maintenance platform	A fixed offshore structure required for construction, operation, and maintenance personnel and activities.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO / East Anglia ONE North windfarm site	The offshore area within which wind turbines and offshore platforms will be located.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to the EIA and the information required to support HRA.
Generation Deemed Marine Licence (DML)	The deemed marine licence in respect of the generation assets set out within Schedule 13 of the draft DCO.
Horizontal directional drilling (HDD)	A method of cable installation where the cable is drilled beneath a feature without the need for trenching.
Inter-array cables	Offshore cables which link the wind turbines to each other and the offshore electrical platforms, these cables will include fibre optic cables.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land and connect to the onshore cables.
Offshore	Area to seaward of nearshore in which the transport of sediment is not caused by wave activity.
Offshore cable corridor	This is the area which will contain the offshore export cables between offshore electrical platforms and landfall.
Offshore development area	The East Anglia TWO / East Anglia ONE North windfarm site and offshore cable corridor (up to Mean High Water Springs).
Offshore electrical platform	A fixed structure located within the windfarm area, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the offshore electrical platforms to the landfall. These cables will include fibre optic cables.
Offshore platform	A collective term for the construction, operation and maintenance platform and the offshore electrical platforms.
Platform link cable	Electrical cable which links one or more offshore platforms, these cables will include fibre optic cables.



Safety zone	A marine area declared for the purposes of safety around a renewable energy installation or works / construction area under the Energy Act 2004.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.

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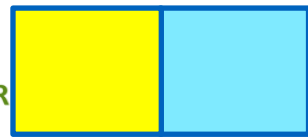
1 Introduction

1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by East Anglia TWO Limited, East Anglia ONE North Limited (the Applicants) and the Maritime and Coastguard Agency (MCA). It identifies areas of the East Anglia TWO and East Anglia ONE North Development Consent Order (DCO) applications (the Applications) where matters are agreed or not agreed between parties.
2. The Applicants have had regard to the guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
3. This SoCG has been structured to reflect topics of interest to MCA on the Applications. Topic specific matters agreed, not agreed and actions to resolve between the Applicants and MCA are included within this SoCG.
4. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicants and MCA.
5. The phrase “Not Agreed” identifies any point that is not yet agreed between the Applicants and MCA. Points that are not yet agreed will be the subject of ongoing discussion between the Applicants and MCA to reach agreement on the point wherever possible or refine the extent of disagreement between parties. The notes column of the SoCG tables provides commentary on these matters.
6. The tables in **section 2.1** are based upon discussions and information exchanged between the Applicants and MCA during the pre-application and examination phases of the application regarding **Shipping and Navigation**.

1.2 The Development

7. The key offshore components of each project will comprise:
 - Offshore wind turbines and their associated foundations;
 - Offshore platforms - up to four offshore electrical platforms and their associated foundations supporting some of the windfarm’s electrical equipment, and up to one construction, operation and maintenance platform and associated foundations that may cater for personnel and activities required during the construction phase and operation and maintenance of the windfarm;
 - Sub-sea cables between the wind turbines and offshore electrical platforms (inter-array), between separate offshore platforms (platform link cables) and between offshore electrical platforms and the landfall (export cables);



- Scour protection around foundations and on inter-array, platform link and export sub-sea cables as required; and
 - Potential for one meteorological mast (met mast) and its associated foundations for monitoring wind speeds during the operational phase of the windfarm.
8. The key onshore components of each project will comprise:
- The landfall site with up to two transition bays to connect the onshore and offshore cables;
 - Up to six onshore cables, up to two fibre optic cables and up to two distributed temperature sensing (DTS) cables installed underground (some or all of which may be installed in ducts) and associated jointing bays installed underground;
 - Onshore substation; and
 - Electrical cable connection between onshore substation and National Grid substation.
9. National Grid infrastructure will also be required to connect each project to the national electricity grid. Key components of the National Grid infrastructure which is common to both projects will comprise:
- National Grid substation;
 - Cable sealing end compounds and a cable sealing end (with circuit breaker) compound; and
 - Realignment of the existing overhead lines; including the reconstruction or replacement of up to three existing overhead pylons in proximity to the National Grid substation and the addition of up to one new pylon in close proximity to existing overhead pylons.

1.3 Summary of Agreed, Not Agreed and Outstanding Matters

10. **Table 1.1** provides a summary of the matters agreed, not agreed and those which are outstanding between the Applicants and the MCA for each of the relevant SoCG topic areas. For further information on agreements that are outstanding / under discussion and for which the Applicants and the MCA are working to address during the examination period, see the detailed agreement **Table 2.2**.



Table 1.1 Summary of Agreed, Not Agreed and Outstanding Matters

Topic	Agreed, Disagreed or Outstanding
Shipping and Navigation	Outstanding
Development Consent Order	Outstanding

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2 Statement of Common Ground

11. The areas of agreement and disagreement between the Applicants and the MCA are set out below.

2.1 Shipping and Navigation

12. Each project has the potential to impact upon shipping and navigation. **Chapter 14 Shipping and Navigation** of the Environmental Statement (ES) (APP-062) provides an assessment of the significance of these impacts.
13. **Table 2.1** provides an overview of meetings and correspondence undertaken with the MCA regarding shipping and navigation.
14. **Table 2.2** provides areas of agreement and disagreement with the MCA regarding shipping and navigation.
15. Further details on the stakeholder engagement process for shipping and navigation can be found in the Consultation Report (APP-029).

Table 2.1 Summary of consultation with MCA regarding Shipping and Navigation

Date	Contact Type	Topic
Pre-Application		
17 th February 2016	Meeting	Meeting to discuss proposed approach to marine traffic survey, wind turbine layout and cable corridors.
7 th April 2017	Letter	De-scoping of potential impacts on electro-magnetic navigation systems and the approach to collecting new and use of existing data to inform the NRA and EIA.
27 th February 2018	Briefing Note	Briefing note outlining minor changes to the offshore export cable corridor
4 th April 2018	Meeting	Project update and scoping response meeting
7 th March 2019	Briefing Note	Agreement sought on need for additional hazard workshop following East Anglia TWO reverting to a maximum of 75 x 250m turbines plus platforms and met mast.
Post-Application		
18 th February 2020	Meeting	Meeting to discuss agreements in SoCG
12 th March 2020	Meeting	Second meeting to discuss agreements in SoCG.
21 st May 2020	Meeting	Third meeting to discuss agreements in SoCG.



Table 2.2 Shipping and Navigation

ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	MCA position	Notes
Environmental Impact Assessment						
MCA -101	Existing Environment	Sufficient vessel traffic survey data has been collected to inform the assessment.	Agreed	Agreed	Agreed	None
		Sufficient hydrographic survey data has been collected to inform the assessment.	In discussion	In discussion	In discussion	Hydrographic data has been submitted to the hydrographic team at the MCA. Initial checks have been undertaken, which did not suggest significant issues, however, full checks are still to be undertaken (currently on hold due to Covid-19). 'Agreement status' is therefore recorded as 'in discussion' subject to completion of full checks.
MCA -102	Assessment Methodology	The impact assessment methodologies used for the EIA provide an appropriate approach to assessing potential impacts of the project.	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	MCA position	Notes
		The Navigation Risk Assessment (NRA) for the Project has been undertaken as per requirements set out in the Marine Guidance Note (MGN) 543 – Offshore Renewable Energy Installations (OREIs) Guidance on UK navigational Practice Safety and Emergency	Agreed	Agreed	Agreed	None
		The worst case scenario presented in the assessment is appropriate.	Agreed	Agreed	Agreed	None
MCA -103	Assessment Conclusions	The assessment is appropriate and has reached accepted results.	Agreed	Agreed	Agreed	None
		The assessment of cumulative impacts has reached accepted results.	Agreed	Agreed	Agreed	None
MCA -104	Mitigation	Given the impacts of the project, the proposed mitigation outlined in the Schedule of Mitigation Offshore (APP-574) and section 14.3.3 of ES Chapter 14 Shipping and Navigation (APP-052) is appropriate.	Agreed	Agreed	Agreed	None
Draft Development Consent Order (DCO)						
MCA -105	Wording of DCO Requirement	The wording of the following requirements and conditions pertaining to shipping and navigation are appropriate and adequate:	In discussion	In discussion	In discussion	MCA provided a number of comments on the DCO and DMLs against their 'standard conditions'



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	MCA position	Notes
	s and DML Conditions(s)	<ul style="list-style-type: none"> Condition 17(1)(a) of the generation DML and Condition 13(1)(a) of the transmission DML with reference to the development of a Design Plan to optimise the foundation type and installation method to the site conditions; Conditions 11 and 12 of the generation DML and Conditions 7 and 8 of the transmission DML with reference to aids to navigation; Condition 17(1)(i) of the generation DML and Condition 13(1)(i) of the transmission DML with reference to the aids to navigation management plan; Condition 18(5) of the generation DML and Condition 14(5) of the transmission DML with reference to commencement and MMO consultation with MCA; Requirement 2(1)(e) within DCO Schedule 1 Part 3 with reference to air clearance height of no less than 22 metres from MHWS; Condition 17(1)(d)(ii)(bb) of the generation DML and Condition 13(1)(d)(ii)(bb) of the transmission DML with reference to the cable laying plan; 				<p>(agreed between MCA, Trinity House and the MMO). The Applicants and MCA discussed these comments and reached agreement over the changes required to certain DML conditions, which is captured in Appendix 1. The Applicants will incorporate the agreed changes (see Appendix 1) in the next version of the DCO that is submitted under the Examination.</p> <p>The agreement position is recorded as 'in discussion' subject to MCA review of the next iteration of the Draft DCO to ensure that the changes to DML conditions recorded in Appendix 1 have been made and to determine whether upon review of the</p>



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	MCA position	Notes
		<ul style="list-style-type: none"> Condition 10 of the generation DML and Condition 6 of the transmission DML with reference to notifications and inspections; Conditions 21 and 22 of the generation DML and Conditions 17 and 18 of the transmission DML with reference to construction and post construction traffic monitoring; Requirement 10 within DCO Schedule 1, Part 3 with reference to the decommissioning programme. Condition 20 of the generation DML and Condition 16 of the transmission DML with reference to pre-construction monitoring and surveys. 				updated Draft DCO, the MCA has any further comments.
Other Matters as Required						
MCA -106	Arbitration		n/a	n/a	MCA defer to and support the MMOs position on arbitration.	None
	Emergency response	<ul style="list-style-type: none"> A SAR Checklist will be completed post consent to ensure that the development, where applicable, complies with the requirements and recommendations. 	Agreed	Agreed	Agreed	None



ID	Topic	Statement	East Anglia TWO Limited Position	East Anglia ONE North Limited Position	MCA position	Notes
		<ul style="list-style-type: none"> An ERCoP will need to be in place and agreed with the MCA prior to any offshore construction. 				
	'Order Limits' GIS files	The Order Limits GIS files will be issued to MCA whenever they change	Agreed	Agreed	Agreed	None

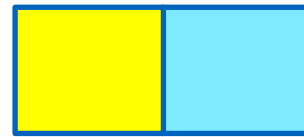
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3 Signatures

16. The above Statement of Common Ground is agreed between East Anglia TWO Limited, East Anglia ONE North Limited and the Maritime and Coastguard Agency on the day specified below.

Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of Maritime and Coastguard Agency
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of East Anglia TWO Limited
Signed: _____
Print Name: _____
Job Title: _____
Date: _____
Duly authorised for and on behalf of East Anglia ONE North Limited



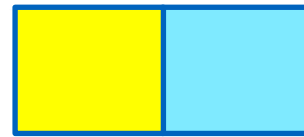
4 Appendices

4.1 Appendix 1. MCA review of Draft DCO and DMLs against ‘standard conditions’ agreed between MCA, Trinity House and the MMO and record of changes required to DML conditions agreed between East Anglia ONE North Limited, East Anglia TWO Limited and the MCA

No.	MCA Comment	SPR comment	MCA response	Agreed position between MCA and the Applicants
1.1	<p>Preconstruction plans and documentation Condition 17(1)(a) in the generation DML and 13(1)(a) in the transmission DML</p> <p>Comment: ‘for approval at least 6 months prior to the commencement...’</p>	<p>A commitment to submission 6 months prior to commencement is already included: Condition 18(2) states: “<i>Each programme, statement, plan, protocol or scheme required to be approved under condition 17 must be submitted for approval at least six months prior to the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</i>” – Therefore, SPR does not believe an amendment to DMLs is required.</p>	<p>Although in a different location to where it sits usually, a commitment to six months is there and provides the same purpose as far as MCA is aware. No concerns to raise by MCA. MMO may wish to comment.</p>	<p>Agreed that no changes required to the DML conditions.</p>



No.	MCA Comment	SPR comment	MCA response	Agreed position between MCA and the Applicants
1.2	<p>Pre-construction monitoring and surveys Condition 20(2)(b) in the generation DML and 16(2)(b) in the transmission DML</p> <p>Comment: <i>The survey shall include all cable routes. Side Scan sonar is not an MCA requirement. Additional wording required as per standard condition.</i></p>	<p><u>Cable routes</u> Condition 20(2)(b) states: "...of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer area around the site of each work" – Therefore, cables are covered and SPR does not believe an amendment to the DML condition is required.</p> <p><u>Sidescan sonar</u> Pre-construction SSS surveys are included alongside bathymetry surveys for the purpose of identifying Sabellaria reef and sites of archaeological interest. Therefore, whilst SSS are not an MCA requirement, they are required for other purposes and SPR does not believe an amendment to the DMLs is required.</p> <p><u>Additional wording required as per MCA standard condition (MCA SC)</u> From a comparison of the MCA standard conditions with our draft DCO, we note the following points:</p> <ul style="list-style-type: none"> • MCA SC refer to survey meeting 'IHO Order 1a' – We originally made reference to IHO Order 1a in the Draft DCO consulted on pre-application – At that time MCA asked us to replace this with 	<p>There are aspects of the standard wording still missing i.e. timescales 3 months which is not specified in the guidance but included in the conditions as standard. Plus the report of survey being sent to the MMO is a requirement but not covered in the guidelines because it is in the condition.</p> <p>MCA have also now removed the requirement for 500m, so this aspect is ok.</p> <p>SSS comment was just for information, fine for MCA if it's there but wanted to make it clear MCA are not requesting it.</p>	<p>Agreed that no change required to the DML conditions as condition 17(1)(c) in the generation DML and 13(1)(c) in the transmission DML require the Monitoring Plan to be submitted to the MMO 'at least 6 months' prior to the first pre-construction survey.</p> <p>Outstanding: MCA to review pre-construction monitoring conditions in their entirety in the next iteration of the Draft DCO to determine acceptability.</p> <p>Agreed that no change required to the DML conditions as reference to '500m' was not included in them.</p> <p>Agreed that no change required to the DML conditions.</p>



Draft Statement of Common Ground

Maritime and Coastguard Agency: 11th June 2020

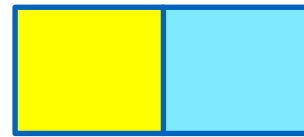
No.	MCA Comment	SPR comment	MCA response	Agreed position between MCA and the Applicants
		<p>reference to MGN 543 and its annexes. Given our reference to surveys meeting MGN 543 and its annexes, which includes a requirement to meet IHO Order 1a, we do not believe there is a need to change the wording of the Condition – Therefore, SPR does not believe an amendment to DMLs required</p> <ul style="list-style-type: none"> MCA SC state that survey data and reports must be issued to MCA and UKHO. This is already a requirement of 'MGN 543 and its annexes', which the DMLs already refer to, therefore, SPR does not believe an amendment to DMLs required. 	<p>MCA believe this is being confused with the ERCoP being replaced with MGN 543 and its annexes. We have never requested the replacement of IHO Order 1a with the annexes although hydro survey guidelines was included as a reason why we want 'annexes' included after MGN 543.</p> <p>The Hydro guidelines are a separate document and we are concerned this detail will be missed – IHO order 1a is included in all other DCOs and is key.</p>	<p>Agreed to amend conditions 20(2)(b) of the generation DML and 16(2)(b) of the transmission DML in the next iteration of the Draft DCO submitted to the Examining Authority to reflect the following:</p> <p>“a full sea floor coverage swath-bathymetry survey undertaken to IHO Order 1a standard that meets the requirements of MGN543 and its annexes, and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer area around the site of each work, inclusive of seabed anomalies or sites of historic or archaeological interest that lie within the buffer”</p>
1.3	<p>Notifications and inspections Condition 10(10) in the generation DML and 6(10) in the transmission DML</p> <p>Comment 1: Notification to UKHO should be '14 days prior' as per standard conditions</p>	<p>SPR agree to MCA comment. Action to amend DMLs: amend Cond. 10(10) and 6(10) to 14 days (both occurrences)</p> <p>SPR agree to MCA comment. Action to amend DMLs: amend Cond. 10(10) and 6(10) to require notification to the MMO within 5 days</p>	Noted	<p>Agreed to amend DML conditions in the next iteration of the Draft DCO submitted to the Examining Authority to reflect the following:</p> <p>“The undertaker must notify the UK Hydrographic Office both of the commencement (fourteen days prior), progress and completion of construction</p>



No.	MCA Comment	SPR comment	MCA response	Agreed position between MCA and the Applicants
	<p>Comment 2: Issue of copies of the notifications to the MMO should be 5 days as per standard conditions</p>			(within fourteen days) of the licensed activities in order that all necessary amendments to nautical charts are made and the undertaker must send a copy of such notifications to the MMO within five days.”
1.4	<p>Notifications and inspections 10(12) in the generation DML and 6(12) in the transmission DML</p> <p>Comment 1: remove ‘working’ from working days</p> <p>Comment 2: Add ‘copies of all notices must be provided to the MMO and MCA within five days’</p>	<p>SPR agree to MCA comment. Action to amend DMLs: amend Cond. 10(12) and 6(12) to refer to ‘3 days’ (i.e. delete ‘working’)</p> <p>SPR agree to MCA comment. Action to amend DMLs: amend Cond. 10(12) and 6(12) to insert ‘Copies of all notices must be provided to the MMO and MCA within five days’ at end of condition.</p>	Noted	<p>Agreed to amend DML conditions in the next iteration of the Draft DCO submitted to the Examining Authority to reflect the following:</p> <p>“In case of exposure of cables on or above the seabed, the undertaker must, within three working days following identification of a cable exposure, notify mariners by issuing a notice to mariners and by informing Kingfisher Information Service of the location and extent of exposure. Copies of all notices must be provided to the MMO and MCA within five days.”</p> <p>Noted that UKHO receive NTMs as standard.</p>



No.	MCA Comment	SPR comment	MCA response	Agreed position between MCA and the Applicants
1.5	<p>Post-construction monitoring Condition 22(2)(d) of the generation DML and Condition 18(2)(d) of the transmission DML</p> <p>Comment: Wording needs to be amended in line with condition</p>	<p>Comparison of our wording and MCA SC Condition 22(2)(d) states: <i>“post-construction traffic monitoring in accordance with the outline navigation monitoring strategy, including the provision of reports on the results of that monitoring periodically as requested by the MMO in consultation with Trinity House and the MCA”</i>.</p> <p>MCA SC state: <i>“Post construction monitoring must include vessel traffic monitoring by automatic identification system for a duration of three consecutive years following the completion of construction of authorised project, unless otherwise agreed in writing by the MMO. An appropriate report must be submitted to the MMO, Trinity House and the MCA at the end of each year of the three-year period”</i>.</p> <p><u>AIS</u> Reference to vessel traffic monitoring by AIS is included in the Outline Navigation Monitoring Strategy. SPR considers that reference to the Navigation Monitoring Strategy is more appropriate as it will allow for amendment of the plan in line with latest MCA advice contemporary with the actual post-construction surveys. Therefore, SPR</p>	<p>Ok if the condition includes reference to a navigation plan that MCA will agree. The MCA will ensure this is addressed in the plan.</p>	<p>Agreed that no changes are required to the condition for the following reasons:</p> <p>Condition 22(2)(d) in the generation DML and 18(2)(d) in the transmission DML require the post-construction traffic monitoring survey to be carried out in accordance with the outline navigation monitoring strategy.</p> <p>And that,</p> <p>The Outline Navigation Monitoring Strategy (Paragraph 7 and 8 under 1.1.2 Agreed Control Mechanisms) requires that <i>“The survey will consist of a minimum of 28 days annual Automatic Identification System (AIS) traffic data covering seasonal variations in traffic patterns and fishing operations within a 10nm buffer of the ‘as built’ site.”</i></p>



No.	MCA Comment (19/02/2020)	SPR comment (18/05/2020)	MCA response (21/05/2020)	Agreed position between MCA and the Applicants (21/05/2020)
		<p>considers that no change to condition 22(2)(d) or 18(2)(d) is required.</p> <p><u>3 consecutive years monitoring</u> SPR plans to amend the wording of paragraph (3) of this condition, at the request of the MMO to remove the reference to three years so that it reads: <i>“The undertaker must carry out the surveys agreed under sub-paragraph (1) and provide the agreed reports in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies”.</i></p>	<p>With regard to ‘3 consecutive years monitoring’ - This is included in the agreed MMO, TH and MCA standard conditions as a requirement. This has been requested for all projects. We will request it either in the condition or in the Navigation Plan. Our preference is in the condition.</p>	<p>Agreed that no changes are required to the condition for the following reasons:</p> <p>Condition 22(2)(d) in the generation DML and 18(2)(d) in the transmission DML require the post-construction traffic monitoring survey to be carried out in accordance with the outline navigation monitoring strategy.</p> <p>And that,</p> <p>The Outline Navigation Monitoring Strategy (Paragraph 6 under 1.1.2 Agreed Control Mechanisms) requires that <i>“The undertaker shall complete a post construction traffic monitoring survey of the [East Anglia TWO/ East Anglia ONE North] windfarm site, submitted annually for the first three years post construction.”</i></p>