

East Anglia TWO Offshore Windfarm

Schedule of Changes to the draft Development Consent Order

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**Applicable to
East Anglia TWO**

Schedule of Changes to the draft Development Consent Order

15 December 2020



Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
001	30/11/2020	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
002	15/12/2020	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris

Description of Revisions			
Rev	Page	Section	Description
001	n/a	n/a	n/a
002	n/a	n/a	Updated to reflect changes to the draft DCO submitted at Deadline 3



Glossary of Acronyms

CFWG	Commercial Fisheries Working Group
DCO	Development Consent Order
DML	Deemed Marine Licence
ES	Environmental Statement
ESC	East Suffolk Council
ExA	Examining Authority
HDD	Horizontal Directional Drilling
ISH	Issue Specific Hearing
LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
MHWS	Mean High Water Springs
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MoD	Ministry of Defence
NE	Natural England
NGV	National Grid Ventures
SCC	Suffolk County Council
SoCG	Statement of Common Ground
SPA	Special Protection Area
UXO	Unexploded Ordnance



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DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Whole document				
Whole DCO	ExA	ExA Q 1.3.16: please ensure that all references to Schedules in the draft DCO match the actual title of the Schedule to which they refer.	Cross references to Schedules and to other provisions have been updated throughout the draft DCO	3
Whole DCO	NE	NE commented that many areas and volumes are given as m2 and m3 and that they should be m ² or m ³ .	References to m2 and m3 have been updated throughout the DCO to m ² and m ³ as appropriate.	3
Articles				
Article 2(1)	N/A	New definitions have been inserted to reflect new outline plans that have been prepared and submitted into the Examination.	<p><i>“best practice protocol for minimising disturbance to red-throated diver” means the document certified as the best practice protocol for minimising disturbance to red-throated diver by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline fisheries liaison and coexistence plan” means the document certified as the outline fisheries liaison and coexistence plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline landfall construction method statement” means the document certified as the outline landfall construction method statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p>	3



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			<p><i>“outline national grid substation design principles statement” means the document certified as the outline national grid substation design principles statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline operational drainage management plan ” means the document certified as the outline operational drainage management plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline port construction traffic management and travel plan” means the document certified as the outline port construction traffic management and travel plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline Sabellaria reef management plan” means the document certified as the outline Sabellaria reef management plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p>Error! Reference source not found. (certification of plans etc.);</p> <p><i>“outline Sizewell Gap construction method statement” means the document certified as the outline Sizewell Gap construction method statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline SPA crossing method statement” means the document certified as the outline SPA crossing method statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>“outline watercourse crossing method statement” means the document certified as the outline watercourse crossing method</i></p>	



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			<i>statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i>	
Article 2(1), definition of "offshore preparation works"	MMO, NE	The MMO and NE requested that the words "but not limited to" be removed from the definition of offshore preparation works to provide certainty as to the activities falling within the definition. The Applicant has therefore revised the definition to clarify the activities that fall within the definition of "offshore preparation works".	<i>"offshore preparation works" means surveys, monitoring and UXO clearance activities any activities within the Order limits seaward of MHWs undertaken prior to the commencement of construction to prepare for construction, including but not limited to surveys, monitoring and UXO clearance.</i>	3
Article 2(1), definition of "onshore preparation works"	N/A	In order to avoid confusion with the highway alterations forming part of Work Nos. 35 to 37, the Applicant has deleted reference to highway alterations from the definition of "onshore preparation works".	<i>"onshore preparation works" means operations consisting of site clearance, demolition work, pre-planting of landscaping works, archaeological investigations, environmental surveys, ecological mitigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of temporary means of enclosure, creation of site accesses, footpath creation, highway alterations, erection of welfare facilities and the temporary display of site notices or advertisements;</i>	3
Article 2(1), definition of "radar line of sight coverage plan"	MoD, Applicant	The Applicant has agreed wording for requirement 34 with the MoD and the agreed text does not make reference to a radar line of sight coverage plan. This definition has therefore been removed and the radar line of sight coverage plan is no longer referred to as a certified document.	<i>"radar line of sight coverage plan" means the plan certified as the radar line of sight coverage plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i>	3



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Article 2(1), definition of trenchless technique compound	Applicant	Within Work Nos. 11 and 13 references to horizontal directional drilling (HDD) compounds have been amended to refer to trenchless technique compounds and this new definition has been inserted to reflect that change in order to provide a definition of trenchless technique compound.	<i>"trenchless technique compound" means a construction site associated with the transmission works where a trenchless technique is proposed including hard standings, lay down and storage areas for construction materials and equipment, areas for spoil, areas for vehicular parking, bunded storage areas, areas for welfare facilities including offices and canteen and washroom facilities, wheel washing facilities, workshop facilities and temporary fencing or other means of enclosure and areas for other facilities required for construction purposes;</i>	3
Article 13	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to highways and so this article has been amended accordingly.	... (b) with the approval of the relevant planning highway authority after consultation with the relevant planning highway authority, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised project. (2) If the relevant planning highway authority fails to notify the undertaker of its decision within 28 days of receiving an application for approval under paragraph (1)(b) that relevant planning highway authority is deemed to have granted approval.	3
Article 17(1)	Applicant	Text included to clarify that temporary possession can be taken for the purposes of investigating and taking samples of groundwater and for the purposes of environmental monitoring (such as noise monitoring and air quality monitoring).	(b) without prejudice to the generality of sub-paragraph (a), make trial holes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, and subsoil and groundwater and remove soil and groundwater samples; ... (d) without prejudice to the generality of sub-paragraph (a), carry out ecological or archaeological investigations or environmental monitoring on such land; and (e) place on, leave on and remove from the land apparatus and welfare facilities for use in connection with the survey and	3

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			<i>investigation of land, environmental monitoring and making of trial holes and trial trenches.</i>	
Article 36	Applicant	This Article has been updated to reflect the latest versions of certified documents submitted at Deadline 1 to support the Application for the Inclusion of Additional Land (REP1-037).	36.—(1) <i>The undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of—</i> (a) <i>the land plans (document reference 2.2 – revision 34);</i> (b) <i>the works plans (document reference 2.3.1 – revision 1 offshore and document reference 2.3.2 – revision 34 onshore);</i> ... (i) <i>the book of reference (document reference 4.3 – version 44)</i>	2
Article 36	Applicant	This Article has been updated to reflect the latest versions of certified documents that have been submitted into the Examination and to reflect new outline documents referred to in the draft DCO.	Revision/version numbers have been updated and new certified documents have been added. Reference to the radar line of sight coverage plan has been deleted.	3
Article 37	MMO	The MMO requested that text be included in Article 37 to clarify that the arbitration provisions do not apply to decisions of the MMO or the Secretary of State. The Applicant has included the MMO's proposed text and has deleted existing paragraph (2) to clarify the position.	(2) Where the referral to arbitration under paragraph (1) relates to a difference with the Secretary of State, in the event that the parties cannot agree upon a single arbitrator within the specified time period stipulated in paragraph (1), either party may refer to the International Court of Arbitration of the International Chamber of Commerce for appointment of an arbitrator. (2) <i>Any matter for which the consent or approval of the Secretary of State or the Marine Management Organisation is required under any provision of this Order shall not be subject to arbitration.</i>	3
Article 38	Applicant	Article 38 has been amended to give effect to a new Schedule 16 setting out	(1) <i>Schedule 16 (procedure for discharge of requirements) has effect in relation to all consents, agreements or approvals required</i>	3



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		a procedure for discharging requirements.	<p><i>or contemplated by the requirements within Part 3 of Schedule 1 (requirements) of this Order.</i></p> <p>(1) Sub-section (1) of section 78 of the 1990 Act applies to the development consent granted by this Order and to the requirements except that it is modified so as to read for the purposes of this Order only as follows— (a) — after “local planning authority” insert “or Secretary of State”; and (b) — after subsection (b) insert the following— “(bb) — refuse or fails to determine an application for any consent, agreement or approval of that authority required by a requirement imposed on a grant of development consent or contained in a provision of a development consent order, or grant it subject to conditions; or” (2) Sections 78 and 79 of the 1990 Act have effect in relation to any appeal under the terms of this article except that the Secretary of State in question is the Secretary of State who would be responsible for determining an application for development consent with the subject matter of this Order if section 103(1) of the 2008 Act applied. (3) The terms of any development order, and other rules and regulations which apply to applications pursuant to conditions or the subject matter of section 78 of the 1990 Act apply, insofar as they are not inconsistent with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and any other orders, rules or regulations made under the 2008 Act, to any application or appeal made under the requirements specified in paragraph (1).</p>	
Schedule 1				
Schedule 1, Part 1,	Applicant	The description of Work No. 2 has been updated to include monopile as a potential foundation option for the	Work No. 2 — up to one construction, operation and maintenance platform fixed to the seabed within the area shown on the works	3



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Paragraph 1, Work No. 2		construction, operation and maintenance platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	<i>plans by one of four three foundation types (namely monopile, jacket on suction caissons, jacket on piles or gravity base);</i>	
Schedule 1, Part 1, Paragraph 1, Work No. 3	Applicant	The description of Work No. 3 has been updated to include monopile as a potential foundation option for the offshore electrical platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	<i>Work No. 3 — up to four offshore electrical platforms fixed to the seabed within the area shown on the works plans by one of four three foundation types (namely monopile, jacket on suction caissons, jacket on piles or gravity base);</i>	3
Schedule 1, Part 1, Paragraph 1, Work No. 11	Applicant	Reference to the temporary HDD compound has been amended to refer to a trenchless technique compound to cover the situation where a trenchless technique other than HDD is utilised.	<i>Work No. 11 — up to six electrical cables, up to two fibre optic cables and up to two distributed temperature sensing cables and cable ducts laid underground from Work No. 9 to Work No. 12 together with a temporary horizontal directional drilling trenchless technique compound, temporary construction consolidation sites, construction of a haul road and access.</i>	3
Schedule 1, Part 1, Paragraph 1, Work No. 12A	NE, Applicant	As detailed within the Outline SPA Crossing Method Statement (REP1-043), the Applicant has identified a parcel of land within the limits of deviation for Work No. 12 that is suitable for habitat management for ornithological receptors and has therefore inserted reference to a new Work No. 12A to make provision for this area to be used for ecological mitigation.	<i>Work No. 12A — temporary ecological mitigation works in accordance with the ecological management plan and associated access.</i>	3



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Schedule 1, Part 1, Paragraph 1, Work No. 13	Applicant	Reference to the temporary HDD compound has been amended to refer to a trenchless technique compound to cover the situation where a trenchless technique other than HDD is utilised.	<i>Work No. 13 — up to six electrical cables, up to two fibre optic cables and up to two distributed temperature sensing cables and cable ducts laid underground from Work No. 12 to Work No. 16 together with a temporary horizontal directional drilling trenchless technique compound, construction of a haul road and access.</i>	3
Schedule 1, Part 3, Requirement 2(1)(a)	ESC, SCC, NE	In response to discussions with the LPAs and Natural England (amongst others) regarding the seascape, landscape and visual amenity (SLVIA) impacts of the Projects, the Applicant has reduced the maximum wind turbine generator tip height from 300m to 282m.	<i>2.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised project must not— (a) exceed a height of 282300 metres when measured from LAT to the tip of the vertical blade;</i>	3
Schedule 1, Part 3, Requirement 2(1)(a)	NE	In order to reduce collision risk to birds, NE requested that the Applicant consider increasing the air draught. The Applicant has now committed to an increased air draught of 24m above MHWS.	<i>2.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised project must not— ... (e) have an air clearance height of less than 2422 metres from MHWS.</i>	3
Schedule 1, Part 3, Requirement 7(3)	Applicant	New requirement has been inserted to reflect the inclusion of a monopile foundation as a potential foundation option for the offshore electrical platform.	<i>(3) In relation to each offshore electrical platform, the monopile foundations must not have a total footprint at the seabed which is more than 177 m².</i>	3
Schedule 1, Part 3, Requirement 8(3)	Applicant	New requirement has been inserted to reflect the inclusion of a monopile foundation as a potential foundation option for the construction, operation and maintenance platform.	<i>(3) In relation to any construction, operation and maintenance platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m².</i>	3
Schedule 1, Part 3,	ESC, SCC, Applicant	The Applicant has reduced a number of the parameters associated with the	<i>(3) To the extent comprised within the onshore substation—</i>	3



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Requirement 12(3), (5)		onshore substation to reduce environmental effects and provide greater certainty on the project parameters.	<p>(a) buildings must not exceed a height of 4514 metres above finished ground level;</p> <p>(b) external electrical equipment, with the exception of lightning protection masts, must not exceed a height of 4814 metres above finished ground level;</p> <p>(c) lightning protection masts must not exceed a height of 2520 metres above finished ground level; and</p> <p>(d) the maximum number of lightning protection masts must not exceed six.</p> <p>...</p> <p>(5) The fenced compound area (excluding its accesses) for the onshore substation must not exceed 36,10032,300 m².</p>	
Schedule 1, Part 3, Requirement 12(6), (17)	ESC, SCC	In the Local Impact Report the LPAs request an amendment to the wording of Requirement 12(6) in the draft DCO to include the need for the design details of the national grid substation to comply with the Outline Onshore Substation Design Principles Statement relevant to this infrastructure. The Applicant submitted an Outline National Grid Substation Design Principles Statement (REP1-046) into the Examination at Deadline 1 and has updated the DCO requirement to refer to this outline document accordingly.	<p>(6) No stage of the national grid substation comprised within Work No. 41 may commence until details of the layout, scale and external appearance of the national grid substation (which accord with the outline national grid substation design principles statement) have been submitted to and approved by the relevant planning authority. Work No. 41 must be carried out in accordance with the approved details.</p> <p>...</p> <p>(17) For the purposes of paragraphs (7), (8) and (10), 'finished ground level' will be defined in accordance with the outline national grid substation design principles statement.</p>	3
Schedule 1, Part 3, Requirement 12(14)(b)	The Applicant	The Applicant has committed to a reduction in the working width from 50m to 40m where the cables cross the Hundred River and this has been	<p>(14) The working width of the onshore cable route must not exceed 32 metres, save in respect of the following—</p> <p>...</p>	3



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		reflected in an update to the requirement.	(b) where the cables cross the Hundred River the working width of the onshore cable route must not exceed 40 50 metres <i>for a distance of 40 metres from the banks of the river;</i>	
Schedule 1, Part 3, Requirement 12(14)(f)	The Applicant	Following oral submissions made at ISH1, the Applicant has committed to a reduced working width where the cables cross the woodland immediately to the east of Aldeburgh Road. The requirement has therefore been amended to capture this commitment to provide for a reduced working width of 16.1m from Aldeburgh Road to the point 40m from the western bank of the Hundred River.	(14) The working width of the onshore cable route must not exceed 32 metres, save in respect of the following— ... (f) where the cables cross the woodland to the east of Aldeburgh Road the working width of the onshore cable route must not exceed 16.1 metres between Aldeburgh Road and the point 40 metres from the western bank of the Hundred River.	3
Schedule 1, Part 3, Requirement 12(16)	Applicant	A new requirement has been inserted to clarify that trenchless technique compounds will not be utilised as part of Work Nos. 11 or 13 where an open cut trench technique is used to cross the Sandlings SPA.	(16) Where open cut trenching is used to cross the Sandlings SPA, Work Nos. 11 and 13 must not include trenchless technique compounds.	3
Schedule 1, Part 3, Requirement 13(1)	ExA, Applicant	The Applicant submitted an Outline Landfall Construction Method Statement (REP1-042) into the Examination at Deadline 1 and requirement 13 has been updated to make reference to the outline document.	(1) No part of Work Nos. 6 or 8 may commence until a method statement for the construction of that part of Work No. 6 or Work No. 8 <i>(which accords with the outline landfall construction method statement)</i> has been submitted to and approved by the relevant planning authority.	3
Schedule 1, Part 3, Requirement 16(1)	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to highways and so this requirement has been amended accordingly.	(1) Construction of any access must not begin until written details <i>(which accord with the outline access management plan)</i> of the siting, design, layout and any access management measures for any new, permanent or temporary means of access to a highway to be used by vehicular traffic, or any alteration to an existing	3

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			<i>means of access to a highway used by vehicular traffic, has been submitted to and approved by the relevant planning highway authority in consultation with the relevant highway planning authority.</i>	
Schedule 1, Part 3, Requirement 19(1)	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to archaeology and so this requirement has been amended accordingly.	<i>(1) No intrusive pre-commencement archaeological surveys, archaeological investigations or site preparation works in respect of such surveys or investigations may be carried out until a pre-commencement archaeology execution plan (which accords with the outline pre-commencement archaeology execution plan) in respect of those surveys, investigations or preparation works has been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.</i>	3
Schedule 1, Part 3, Requirement 20(1)	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to archaeology and so this requirement has been amended accordingly.	<i>20.—(1) No stage of the onshore works may commence until for that stage a written scheme of archaeological investigation (which accords with the outline written scheme of investigation (onshore)) has, after consultation with Historic England and Suffolk County Council, been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.</i>	3
Schedule 1, Part 3, Requirement 21(1)	ESC, SCC	Amendment made to clarify that the ecological management plan will reflect pre-construction survey results (as opposed to survey results included in the ES).	<i>(1) No stage of the onshore works may commence until for that stage a written ecological management plan (which accords with the outline landscape and ecological management strategy) reflecting the survey results and the ecological mitigation measures included in the environmental statement and including—</i>	3
Schedule 1, Part 3, Requirement 21(1)(d)	NE, Applicant	The Applicant submitted an Outline SPA Crossing Method Statement (REP1-043) into the Examination at Deadline 1 and requirement 21 has been updated to make reference to the outline document.	<i>(d) where appropriate, a special protection area crossing method statement (which accords with the outline SPA crossing method statement)</i>	3



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Schedule 1, Part 3, Requirement 22(2)(k)	NE, Applicant	The Applicant has submitted an Outline Watercourse Crossing Method Statement (document reference ExA.AS-3.D3.V1) into the Examination at Deadline 3 and requirement 22 has been updated to make reference to the outline document.	(k) a watercourse crossing method statement <i>(which accords with the outline watercourse crossing method statement); and</i>	3
Schedule 1, Part 3, Requirement 22(2)(l)	Applicant	The Applicant submitted an Outline Sizewell Gap Construction Method Statement (REP1-041) into the Examination at Deadline 1 and requirement 22 has been updated to make reference to the outline document.	(l) a Sizewell Gap construction method statement <i>(which accords with the outline Sizewell Gap construction method statement).</i>	3
Schedule 1, Part 3, Requirement 23(2)(a)	Applicant	The Applicant has amended this requirement to refer to drilling associated with trenchless techniques to reflect the fact that a trenchless technique other than HDD may be utilised.	(a) continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring, dewatering, cable pulling, cable jointing and horizontal-directional drilling <i>during the operation of a trenchless technique;</i>	3
Schedule 1, Part 3, Requirement 28(1)	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to highways and so this requirement has been amended accordingly.	(1) No stage of the onshore works may commence until for that stage the following have been submitted to and approved by the relevant planning <i>highway</i> authority in consultation with the relevant highway <i>planning</i> authority—	3
Schedule 1, Part 3, Requirement 30	NE	NE requested that the relevant statutory nature conservation body be named as a consultee on the onshore decommissioning plan and the	(1) Within six months following the permanent cessation of commercial operation of the transmission works an onshore decommissioning plan in respect of the transmission works must	3



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		Applicant has updated the requirement to address this comment.	<p><i>be submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) Within six months following the permanent cessation of commercial operation of the grid connection works an onshore decommissioning plan in respect of the grid connection works must be submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.</i></p>	
Schedule 1, Part 3, Requirement 31	SLVIA stakeholders	At an SLVIA multi-party workshop on 30 July 2020 stakeholders requested that the Applicant's commitment to operate night time aviation lights at the lowest permissible lighting intensity level be secured within the draft DCO.	<p><i>(1) The undertaker must exhibit such lights, with such shape, colour and character as are required in writing by Air Navigation Order 2016 and determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the Civil Aviation Authority.</i></p> <p><i>(2) Such lights will be operated at the lowest permissible lighting intensity level.</i></p>	3
Schedule 1, Part 3, Requirement 32	ESC, SCC	The LPAs have advised the Applicant that SCC will be responsible for approvals relating to public rights of way and so this requirement has been amended accordingly.	<p><i>(1) No stage of the authorised development is to commence that would affect a public right of way specified in Schedule 3 (public rights of way to be temporarily stopped up) or Schedule 4 (footpaths to be stopped up) until a public rights of way strategy in respect of that stage and in accordance with the outline public rights of way strategy, including the specification for the making up of an alternative right of way (where appropriate) has, after consultation with the relevant highway authority, been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.</i></p>	3
Schedule 1, Part 3, Requirement 34	MoD	The Applicant and the MoD have reached agreement on the wording of requirement 34 and the DCO has been updated to include the agreed wording.	<p>Ministry of Defence surveillance operations</p> <p><i>34.—(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal</i></p>	3



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			<p><i>axis until the Secretary of State, having consulted with the Ministry of Defence, confirms satisfaction in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Ministry of Defence to ensure that the approved mitigation is implemented. No construction of any radar line of sight wind turbine generator (RLSWG) forming part of the authorised development and within radar line of sight of the air defence radar at Remote Radar Head (RRH) Trimingham may commence until the Secretary of State, having consulted with the Ministry of Defence, confirms satisfaction in writing that appropriate mitigation is available and that arrangements have been put in place with the Ministry of Defence to ensure that such appropriate mitigation is implemented for the required period.</i></p> <p>(2) For the purposes of this requirement—</p> <p>(a) “appropriate mitigation” means measures to prevent or remove mitigate any adverse effects which the operation of the authorised development will have on the air defence radar at Remote Radar Head (RRH) Trimingham and the Ministry of Defence’s air surveillance and control operations;</p> <p>(b) “approved mitigation” means the detailed Radar Mitigation Scheme (RMS) that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of Defence at the time the Secretary of State confirms satisfaction in writing in accordance with paragraph (1);</p> <p>(c) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, Kingston Road, Sutton Coldfield, B75 7RL or any successor body;</p> <p>(e) “the required period” means the shorter of—</p>	



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			<p>(i) the operational life of the authorised development; and</p> <p>(ii) the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by the Ministry of Defence being the date on which responsibility for ensuring its air defence radar surveillance systems accommodate the modern built environment including wind turbines is assumed by the Ministry of Defence.</p> <p>(d) “RLSWTG” means a wind turbine generator which exceeds the following heights when measured above Mean Sea Level (Newlyn) to the tip of the vertical blade—</p> <p>(i) 209 metres in area A;</p> <p>(ii) 220 metres in area B;</p> <p>(iii) 230 metres in area C;</p> <p>(iv) 240 metres in area D;</p> <p>(v) 250 metres in area E;</p> <p>(vi) 260 metres in area F;</p> <p>(vii) 270 metres in area G;</p> <p>(viii) 280 metres in area H;</p> <p>(ix) 290 metres in area I.</p> <p>(e) “areas A, B, C, D, E, F, G, H and I” means the areas defined by radar line of sight boundaries shown on the radar line of sight coverage plan.</p> <p>(3) The undertaker must thereafter comply with the all other obligations contained within the appropriate approved mitigation for the life of the authorised development required period.</p>	
Schedule 1, Part 3, Requirement 36	ESC, SCC	This requirement has been updated to reflect ongoing engagement with the LPAs. The requirement now makes provision for a port construction traffic management plan in respect of traffic to and from the construction port and a port travel plan in respect of traffic to	<p>Port traffic travel plan</p> <p>36.—(1) No part of Work No. 1 may commence until —</p> <p>(a) a port construction traffic management travel plan travel plan (which accords with the outline port construction traffic management and travel plan) for the onshore port-related traffic to and from the</p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		and from the operation port. The plans must accord with the Outline Port Construction Traffic Management and Travel Plan (document reference ExA.AS-2.D3.V1) submitted at Deadline 3.	<p>selected base construction port or ports and relating to that part of the authorised development, has been submitted to and approved by the relevant planning highway authority in consultation with the relevant highway planning authority; or</p> <p>(b) the relevant planning highway authority has confirmed, after consultation with the relevant highway planning authority, that no port construction traffic management travel plan is required for that part of the authorised development.</p> <p>(2) No part of Work No. 1 may begin operating until—</p> <p>(a) a port travel plan (which accords with the outline port construction traffic management and travel plan) for the onshore port-related traffic to and from the operation port or ports and relating to that part of the authorised development, has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority; or</p> <p>(b) the relevant highway authority has confirmed, after consultation with the relevant planning authority, that no port travel plan is required for that part of the authorised development.</p> <p>(3) The port construction traffic management travel plan must be implemented as approved at all times specified within the port construction traffic management travel plan during the construction and/or operation of the authorised project.</p> <p>(4) The port travel plan must be implemented as approved at all times specified within the port travel plan during the operation of the authorised project.</p> <p>(5) For the purposes of this requirement—</p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>“relevant planning authority” and “relevant highway authority” mean—</i></p> <p><i>(a) in respect of paragraph (1), the planning or highway authority or authorities in whose area the relevant selected base construction port is located; and</i></p> <p><i>(b) in respect of paragraph (2), the planning or highway authority or authorities in whose area the relevant operation port is located;</i></p> <p><i>“selected base construction port” or “ports” means a port or ports situated in England and/or Wales and used for construction of the authorised project; and</i></p> <p><i>“base operation port” or “ports” means the port a port or ports situated in England and/or Wales and used by management personnel for construction of the authorised project and for the ongoing operational management of the authorised project.</i></p>	
Schedule 1, Part 3, Requirement 38	NGV	The requirement restricting grid connection works from being constructed if they have already been constructed under the East Anglia ONE North order has been amended to refer to any other DCO.	Where any part of the grid connection works are being or have been constructed under <i>another development consent order</i> the East Anglia ONE North Order , that part of the grid connection works must not be constructed under this Order.	3
Schedule 1, Part 3, Requirement 41	ESC, SCC	As a result of ongoing engagement with the LPAs, the Applicant has included a new requirement for an operational drainage management plan in respect of the onshore substation and national grid substation to be submitted to and approved prior to the construction of those works. The	<p>Operational drainage management plan</p> <p><i>41.—(1) No part of Work Nos. 30 or 41 may commence until an operational drainage management plan in respect of that part (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with Suffolk County Council and the Environment Agency.</i></p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		requirement also makes reference to the Outline Operational Drainage Management Plan (document reference ExA.AS-1.D3.V1) which has been submitted into the Examination at Deadline 3.	<i>(2) The operational drainage management plan must be implemented as approved.</i>	
Schedule 1, Part 3, Requirement 42	ESC, SCC, NE	A new requirement has been inserted into the DCO to secure the Applicant's commitment that, where the East Anglia TWO and the East Anglia ONE North projects are constructed sequentially, when the first project goes into construction, the cable ducting for the second project will be installed along the whole of the onshore cable route in parallel with the installation of the onshore cables for the first project.	Installation of cable ducts <i>(1) In the event that the East Anglia ONE North cable works are constructed prior to the East Anglia TWO cable works, the East Anglia TWO cable works may not subsequently be constructed unless the cable ducts forming part of the East Anglia TWO cable works are installed in parallel with the construction of the East Anglia ONE North cable works.</i> <i>(2) For the purposes of this requirement—</i> <i>(a) "the East Anglia ONE North cable works" mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of the East Anglia ONE North Order; and</i> <i>(b) "the East Anglia TWO cable works" mean Work Nos. 6, 8, 9, 11, 12, 13, 16 to 23 and 26 of this Order.</i>	3
Schedule 3				
Schedule 3	Applicant	Schedule 3 has been updated to reflect refinements that were made to the Project at Deadline 1, to make provision for the temporary diversion of two public rights of way in respect of which a diversion was not previously provided for, and to make minor corrections identified by the LPAs and the Applicant.	Various amendments have been made to Schedule 3 to reflect refinements to the proposals in respect of public rights of way. The amendments are clearly identified in track changes in the Draft Development Consent Order (Tracked) (document reference 3.1 (Tracked)) submitted at Deadline 3.	3
Schedule 4				



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Schedule 4	Applicant	Schedule 4 has been updated to reflect refinements that were made to the Project at Deadline 1 and refinements to routing of alternative rights of way in light of discussions with the LPAs.	Various amendments have been made to Schedule 4 to reflect refinements to the proposals in respect of public rights of way. The amendments are clearly identified in track changes in the Draft Development Consent Order (Tracked) (document reference 3.1 (Tracked)) submitted at Deadline 3.	3									
Schedule 7													
Schedule 7	Applicant	The Applicant has updated Schedule 7 to include reference to plots 104A, 104B, 104C in order to reflect amendments to the order land detailed within the Application for the Inclusion of Additional Land (REP1-037) submitted at Deadline 1.	100, 101, 102, 103, 104, 104A, 104B, 104C	2									
Schedule 8													
Schedule 8, Paragraph 2(2)(a)	ExA	ExA Q 1.3.23: In paragraph 2(2)(a) should the phrase to be substituted be ...“land is acquired or taken from”...?	(2) <i>In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4—</i> (a) <i>for “land is acquired or taken from” substitute “a right or restrictive covenant over land is purchased from or imposed on”; and</i>	3									
Schedule 9													
Schedule 9	Applicant	The Applicant has updated Schedule 9 to add and remove reference to various plots in order to reflect amendments to the order land detailed within the Application for the Inclusion of Additional Land (REP1-037) and the Notice of Intent to Make Non-material or Material Changes (REP1-039) submitted at Deadline 1.	<table><tr><td><i>Number of land shown on land plan</i></td><td><i>Purpose for which temporary possession may be taken</i></td><td><i>Relevant part of the authorised project</i></td></tr><tr><td>1 to 131, 133 to 136, 144, 146 to 160, 163 to 182</td><td>Construction and carrying out of the authorised project</td><td>Work Nos. 6 to 43</td></tr><tr><td>7, 10 to 13, 15, 16, 25, 27, 28, 30, 31, 39 to 43,</td><td>Worksites for construction and the</td><td>Work Nos. 8, 9, 11, 13, 15 to</td></tr></table>	<i>Number of land shown on land plan</i>	<i>Purpose for which temporary possession may be taken</i>	<i>Relevant part of the authorised project</i>	1 to 131, 133 to 136, 144, 146 to 160, 163 to 182	Construction and carrying out of the authorised project	Work Nos. 6 to 43	7, 10 to 13, 15, 16, 25, 27, 28, 30, 31, 39 to 43,	Worksites for construction and the	Work Nos. 8, 9, 11, 13, 15 to	2
<i>Number of land shown on land plan</i>	<i>Purpose for which temporary possession may be taken</i>	<i>Relevant part of the authorised project</i>											
1 to 131, 133 to 136, 144, 146 to 160, 163 to 182	Construction and carrying out of the authorised project	Work Nos. 6 to 43											
7, 10 to 13, 15, 16, 25, 27, 28, 30, 31, 39 to 43,	Worksites for construction and the	Work Nos. 8, 9, 11, 13, 15 to											



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			47, 49, 50, 54 to 56, 65 to 67, 69, 70, 74, 80, 82, 83, 85, 92, 93, 99, 104, 104A, 104B, 104C, 107 to 116, 119 to 121, 127 to 131, 133 to 135, 138, 142 to 144, 146, 147, 152, 153 and 182	carrying out of the authorised project	19, 22, 23, 26, 30 to 35 and 37 to 43	
			8, 9, 16, 29, 31, 34 to 38, 42 to 45, 47, 48, 51 to 54, 56, 58 to 60, 62, 69 to 71, 73, 74, 80, 89 to 93, 95, 96, 108 and 127	Access for carrying out the authorised project	Work Nos. 7, 11, 15, 17, 18, 19, 20, 23, 26 and 34	
			7, 8, 16, 39, 47, 65, 66, 84, 108 to 113	Construction consolidation sites	Work Nos. 7, 8, 11, 16, 18, 22, 27, 31 and 42	
			7, 8, 10 to 16, 22 to 25, 27, 28, 30, 31, 39 to 43, 46, 47, 49, 50, 54 to 61, 63 to 67, 69, 70, 72, 74, 75, 77, 80, 82, 83, 85, 92, 93, 95, 96, 97 107 to 116, 117, 123, 127 to 131, 133, 135, 136, to 138, 142 to 144, 146, 147, 152, 153, 177 to 180 and 182	Laying of temporary vehicular access tracks, haul roads, hard standings and improvements to tracks	Work Nos. 7, 8, 9, 11, 12, 13, 14, 15 to 23, 26, 30, 31 32, 34, 35 and 37 to 43	
			7, 8, 10 to 16, 22 to 27, 28, 30, 39 to 43, 47, 49, 50, 58 to 61, 63 to 67, 69, 78, 79, 80 to 84, 85, 92, 98, 99, 104, 104C, 105 to	Temporary diversion of public rights of way	Work Nos. 7, 8, 9, 11, 12, 13, 16 to 23, 25, 26, 27, 33 and 37 to 43	

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			<div>116, 127 to 131, 133, 135, 144, 146, 147 and 182</div> <div>26 Creation of habitat for flora and fauna and other ecological measures Work No. 14</div> <div>50, 54 and 55 Temporary bridge arrangements over the Hundred River Work No. 19</div> <div>17 to 21, 32, 33, 76, 117, 122 to 126, 148 to 160, 163 to 180 Clear vegetation to increase the visibility swathes Work Nos. 10, 15, 23 and 34 to 37</div> <div>8, 8A Temporary Water Supply Work No. 7</div>	
Schedule 13				
Schedule 13, Part 1, Paragraph 1(1)	N/A	New definitions have been inserted to reflect new outline plans that have been prepared and submitted into the Examination.	<p><i>“best practice protocol for minimising disturbance to red-throated diver” means the document certified as the best practice protocol for minimising disturbance to red-throated diver by the Secretary of State for the purposes of this Order;</i></p> <p><i>“outline fisheries liaison and coexistence plan” means the document certified as the outline fisheries liaison and coexistence plan by the Secretary of State for the purposes of the Order;</i></p> <p><i>“outline Sabellaria reef management plan” means the document certified as the outline Sabellaria reef management plan by the Secretary of State for the purposes of the Order;</i></p>	3
Schedule 13, Part 1, Paragraph 1(1)	MMO, NE	The MMO and NE requested that the words “but not limited to” be removed from the definition of offshore preparation works to provide certainty	<p><i>“offshore preparation works” means any activities within the Order limits seaward of MHWS surveys, monitoring and UXO clearance activities undertaken prior to the commencement of construction</i></p>	3

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		as to the activities falling within the definition. The Applicant has therefore revised the definition to clarify the activities that fall within the definition of “offshore preparation works”.	to prepare for construction, including but not limited to surveys, monitoring and UXO clearance;	
Schedule 13, Part 1, Paragraph 1(4)	MMO	The telephone number for the MMO's local office in Lowestoft has been updated as requested by the MMO.	(b) Marine Management Organisation (local office) Marine Environment Team Pakefield Road Lowestoft Suffolk NR33 0HT Tel: 0208 026 6094[-];	3
Schedule 13, Part 1, Paragraph 3(2)	Applicant	The description of Work No. 2 has been updated to include monopile as a potential foundation option for the construction, operation and maintenance platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	(2) Work No. 2— (a) up to one construction, operation and maintenance platform fixed to the seabed within the area shown on the works plans by one of four three foundation types (namely monopile , jacket on suction caissons, jacket on piles or gravity base)...	3
Schedule 13, Part 1, Paragraph 3(3)	Applicant	The description of Work No. 3 has been updated to include monopile as a potential foundation option for the offshore electrical platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	(3) Work No. 3— (a) up to four offshore electrical platforms fixed to the seabed within the area shown on the works plans by one of four three foundation types (namely monopile , jacket on suction caissons, jacket on piles or gravity base)...	3
Schedule 13, Part 2,	ESC, SCC, NE	In response to discussions with the LPAs and Natural England (amongst	1.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised scheme must not—	3



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Condition 1(1)(a)		others) regarding the SLVIA impacts of the Projects, the Applicant has reduced the maximum wind turbine generator tip height from 300m to 282m.	(a) exceed a height of 282 300 metres when measured from LAT to the tip of the vertical blade;	
Schedule 13, Part 2, Condition 1(1)(e)	NE	In order to reduce collision risk to birds, NE requested that the Applicant consider increasing the air draught. The Applicant has now committed to an increased air draught of 24m above MHWS.	1.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised scheme must not— ... (e) have an air clearance height of less than 24 22 metres from MHWS.	3
Schedule 13, Part 2, Condition 8(3)	Applicant	New condition has been inserted to reflect the inclusion of a monopile foundation as a potential foundation option for the construction, operation and maintenance platform.	(3) In relation to any construction, operation and maintenance platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m ² .	3
Schedule 13, Part 2, Condition 9(3)	Applicant	New condition has been inserted to reflect the inclusion of a monopile foundation as a potential foundation option for the offshore electrical platform.	(3) In relation to each offshore electrical platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m ² .	3
Schedule 13, Part 2, Condition 10(6)	MMO	The Applicant has updated the text of Condition 10(6) to ensure UXO clearance activities are caught within the notification requirements	(6) The undertaker must inform the MMO Coastal Office in writing at least five days prior to UXO clearance activities and at least five days prior to the commencement of the licensed activities or any part of them, and within five days of completion of the licensed activities.	3
Schedule 13, Part 2, Condition 10(7)	MMO	The Applicant has updated the text of Condition 10(7) to ensure UXO clearance activities are caught within the notification requirements	(7) The undertaker must inform the Kingfisher Information Service of Seafish by email to kingfisher@seafish.co.uk of details regarding the vessel routes, timings and locations relating to the construction of the authorised scheme or relevant part—	3

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			<i>(a) at least 14 days prior to UXO clearance activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data;</i>	
Schedule 13, Part 2, Condition 10(8)	MMO	The Applicant has updated the text of Condition 10(8) to ensure UXO clearance activities are caught within the notification requirements	<i>(8) A notice to mariners must be issued at least 14 days prior to UXO clearance activities and at least 14 days prior to the commencement of the licensed activities or any part of them advising of the start date of Work No. 1...</i>	3
Schedule 13, Part 2, Condition 10(10)	MCA	The MCA requested amendments to the notification periods to reflect current standard conditions.	<i>(10) The undertaker must notify the UK Hydrographic Office both of the commencement (within ten 14 days prior), progress and completion of construction (within ten 14 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.</i>	3
Schedule 13, Part 2, Condition 10(10)	MMO	The Applicant has updated the text of Condition 10(10) to ensure UXO clearance activities are caught within the notification requirements	<i>(10) The undertaker must notify the UK Hydrographic Office both of UXO clearance activities (14 days prior) and of the commencement (within ten 14 days prior), progress and completion of construction (within ten 14 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.</i>	3
Schedule 13, Part 2, Condition 10(12)	MCA	The MCA requested amendments to Condition 10(12) to reflect current standard conditions.	<i>(12) 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.</i>	3
Schedule 13, Part 2, Condition 16	NE	In order to address concerns raised in NE's Relevant Representation, the Applicant has amended the UXO	<i>16.—(1) No removal or detonation of UXO can take place until the following have been have been submitted to and approved in</i>	3



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		clearance condition to require environmental micro-siting to be considered in the method statement for UXO clearance which must be submitted to and approved by the MMO prior to any UXO clearance activities taking place. In addition, the Applicant has included text requiring the relevant statutory nature conservation body to be consulted during the approval process.	<i>writing by the MMO in consultation with the relevant statutory nature conservation body— (a) a method statement for UXO clearance which must include— (i) methodologies for— (aa) identification and investigation of potential UXO targets; (bb) clearance of UXO; (cc) removal and disposal of large debris; (ii) a plan showing the area in which clearance activities are proposed to take place; (iii) a programme of works; and (iv) any exclusion zones/environmental micro-siting requirements;</i>	
Schedule 13, Part 2, Condition 16(3)	MMO	In order to address comments raised by the MMO, the Applicant has amended the UXO clearance condition to require submission of the plans at least three months prior to the planned commencement of UXO clearance activities.	<i>(3) The method statement, marine mammal mitigation protocol and East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance must be submitted to the MMO for approval at least three months prior to the date on which it is intended for UXO clearance activities to begin.</i>	3
Schedule 13, Part 2, Condition 17(1)(e)(v)	CFWG	Following engagement with the CFWG through the SoCG process, the Applicant has produced an Outline Fisheries Liaison and Coexistence Plan (document reference ExA.AS-5.D3.V2) which has been submitted into the Examination. This condition has been amended to require the fisheries liaison and coexistence plan to be submitted under condition 17(1)(e)(v) to be in accordance with the outline plan.	<i>(v) a fisheries liaison and coexistence plan, in accordance with the outline fisheries liaison and coexistence plan, to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 10 and to address the interaction of the licensed activities with fishing activities;</i>	3



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Schedule 13, Part 2, Condition 17(1)(e)(vi)	NE, ExA	NE sought further clarity on the procedures to be adopted within vessels transit corridors to minimise disturbance to red-throated diver and so the Applicant has submitted a Best Practice Protocol for Minimising Disturbance to Red-throated Diver (document reference ExA.AS-22.D3.V1) into the Examination and has included this as a certified document within the DCO. Condition 17(1)(e)(vi) has also been amended to make reference to the protocol.	<i>(vi) procedures to be adopted within vessels transit corridors to minimise disturbance to red-throated diver which must be in accordance with the best practice protocol for minimising disturbance to red-throated diver.</i>	3
Schedule 13, Part 2, Condition 17(1)(j)	NE, MMO	In order to address comments raised by the MMO and NE the Applicant has submitted an Outline Sabellaria Reef Management Plan (REP1-044) into the Examination to provide details on how <i>Sabellaria</i> reef will be managed and a new condition has been inserted in the DMLs requiring a final <i>Sabellaria</i> reef management plan to be submitted to the MMO for approval and this must be in accordance with the outline plan.	<i>(j) A Sabellaria reef management plan, in accordance with the outline Sabellaria reef management plan, to be submitted to the MMO at least six months prior to undertaking any pre-construction geophysical survey detailed in the monitoring plan to be submitted under condition 17(1)(c)(i).</i>	3
Schedule 13, Part 2, Condition 20(2)(b)	MCA	The Applicant has amended this condition to include reference to IHO Order 1a standard as requested by the MCA.	<i>(b) 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;</i>	3

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Schedule 13, Part 2, Condition 20(2)(d)	NE	In order to address comments raised by NE, the Applicant has included a condition to make provision for pre-construction ornithological monitoring.	<i>(d) any ornithological monitoring required by the monitoring plan submitted in accordance with condition 17(1)(c)</i>	3
Schedule 13, Part 2, Condition 21(3)	MMO, NE	The MMO and NE have requested the following wording to be included in the DMLs and this has been incorporated into the updated draft DCO: <i>"If, in the opinion of the MMO in consultation with Natural England, the assessment shows significantly different impact to those assessed in the ES or failures in mitigation, all piling activity must cease until an update to the MMMP and further monitoring requirements have been agreed."</i>	<i>(3) The results of the initial noise measurements monitored in accordance with sub-paragraph (1) must be provided to the MMO within six weeks of the installation of the first four piled foundations of each piled foundation type. The assessment of this report by the MMO will determine whether any further noise monitoring is required. If, in the opinion of the MMO in consultation with the statutory nature conservation body, the assessment shows significantly different impact to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</i>	3
Schedule 13, Part 2, Condition 22(2)(e)	NE	In order to address comments raised by NE, the Applicant has included a condition to make provision for post-construction ornithological monitoring.	<i>(e) any ornithological monitoring required by the monitoring plan submitted in accordance with condition 17(1)(c)</i>	3
Schedule 13, Part 2, Condition 22(3)	MMO	As requested by the MMO, the Applicant has amended this condition to remove reference to the three-year timescale for post-construction surveys.	<i>(3) The undertaker must carry out the surveys agreed under sub-paragraph (1) for up to 3 years post construction, which could be non-consecutive years, 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>	3
Schedule 13, Part 2, Condition 24	MMO, NE	In its Deadline 2 submission, the MMO commented that <i>"any cable or scour protection which is proposed in areas where no such protection was</i>	<i>Scour protection and cable protection during operation</i> <i>24.—(1) During the operational period the undertaker must not install scour protection in locations where scour protection was not</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		<i>employed during the construction phase of the wind farm is considered new cable or scour protection, and therefore cannot be properly considered to be a maintenance activity". The Applicant has assessed the installation of cable and scour protection during the construction and operation phase but acknowledges the points raised by the MMO (and also by NE) and has therefore included a new condition in the DMLs requiring the approval of details of any new scour or cable protection to be installed during the operational period in order to provide the MMO and NE with sufficient comfort that such cable and scour protection will not be installed prior to the MMO approving the relevant details.</i>	<p><i>installed during construction until details of the need, type, sources, quantity and installation methods for the scour protection have been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The installation of such scour protection must be undertaken in accordance with the details approved under paragraph (1).</i></p> <p><i>(3) During the operational period the undertaker must not install cable protection in locations where cable protection was not installed during construction until details of the need, type, sources, quantity and installation methods for the cable protection have been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(4) The installation of such cable protection must be undertaken in accordance with the details approved under paragraph (3).</i></p>	
Schedule 13, Part 2, Condition 25	MMO	The MMO requested that a condition be inserted into each DML requiring co-operation between the undertakers of the East Anglia TWO Project and the East Anglia ONE North Project and the Applicant has included a condition in each DML to address the MMO's comment.	<p>Co-operation</p> <p><i>25.—(1) Prior to submission of plans and documentation required to be submitted to the MMO for approval in accordance with condition 16(1) and condition 17(1), the undertaker must provide a copy of the relevant plans and documentation to the East Anglia ONE North undertaker to enable the East Anglia ONE North undertaker to provide any comments on the plans and documentation.</i></p> <p><i>(2) The undertaker must participate in liaison meetings with the East Anglia ONE North undertaker as requested from time to time by the MMO in writing in advance, and such meetings will be</i></p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>chaired by the MMO and may consider such matters as are determined by the MMO relating to the efficient management and discharge of conditions 16(1) and 17(1) of this licence and conditions 16(1) and 17(1) of Schedule 13, Part 2 of the East Anglia ONE North Order.</i></p> <p><i>(3) For the purposes of this condition—</i></p> <p><i>“East Anglia ONE North authorised scheme” means Work Nos. 1 to 6 of the East Anglia ONE North Order;</i></p> <p><i>“East Anglia ONE North Order” means the East Anglia ONE North Offshore Wind Farm Order 20[xx]; and</i></p> <p><i>“East Anglia ONE North undertaker” means the undertaker in respect of the East Anglia ONE North authorised scheme.</i></p>	
Schedule 14				
Schedule 14, Part 1, Paragraph 1(1)	N/A	New definitions have been inserted to reflect new outline plans that have been prepared and submitted into the Examination.	<p><i>“best practice protocol for minimising disturbance to red-throated diver” means the document certified as the best practice protocol for minimising disturbance to red-throated diver by the Secretary of State for the purposes of this Order;</i></p> <p><i>“outline fisheries liaison and coexistence plan” means the document certified as the outline fisheries liaison and coexistence plan by the Secretary of State for the purposes of the Order;</i></p> <p><i>“outline Sabellaria reef management plan” means the document certified as the outline Sabellaria reef management plan by the Secretary of State for the purposes of the Order;</i></p>	3
Schedule 14, Part 1, Paragraph 1(1)	MMO, NE	The MMO and NE requested that the words “but not limited to” be removed from the definition of offshore preparation works to provide certainty as to the activities falling within the	<p><i>“offshore preparation works” means any activities within the Order limits seaward of MHWS surveys, monitoring and UXO clearance activities undertaken prior to the commencement of construction to prepare for construction, including but not limited to surveys, monitoring and UXO clearance;</i></p>	3



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		definition. The Applicant has therefore revised the definition to clarify the activities that fall within the definition of “offshore preparation works”.		
Schedule 14, Part 1, Paragraph 1(4)	MMO	The telephone number for the MMO's local office in Lowestoft has been updated as requested by the MMO.	<i>(b) Marine Management Organisation (local office)</i> <i>Marine Environment Team</i> <i>Pakefield Road</i> <i>Lowestoft</i> <i>Suffolk</i> <i>NR33 0HT</i> <i>Tel: 0208 026 6094[-];</i>	3
Schedule 14, Part 1, Paragraph 3(1)	Applicant	The description of Work No. 2 has been updated to include monopile as a potential foundation option for the construction, operation and maintenance platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	<i>(2) Work No. 2—</i> <i>(a) up to one construction, operation and maintenance platform fixed to the seabed within the area shown on the works plans by one of four three foundation types (namely monopile, jacket on suction caissons, jacket on piles or gravity base)...</i>	3
Schedule 14, Part 1, Paragraph 3(2)	Applicant	The description of Work No. 3 has been updated to include monopile as a potential foundation option for the offshore electrical platform, as described in Deadline 3 Project Update Note (document reference ExA.AS-6.D3.V1) submitted at Deadline 3.	<i>(3) Work No. 3—</i> <i>(a) up to four offshore electrical platforms fixed to the seabed within the area shown on the works plans by one of four three foundation types (namely monopile, jacket on suction caissons, jacket on piles or gravity base)...</i>	3
Schedule 14, Part 2, Condition 4(3)	Applicant	New condition has been inserted to reflect the inclusion of a monopile foundation as a potential foundation	<i>(3) In relation to any construction, operation and maintenance platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m².</i>	3



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		option for the construction, operation and maintenance platform.		
Schedule 14, Part 2, Condition 5(3)	Applicant	New condition has been inserted to reflect the inclusion of a monopile foundation as a potential foundation option for the offshore electrical platform.	<i>(3) In relation to each offshore electrical platform, the monopile foundation must not have a total footprint at the seabed which is more than 177 m².</i>	3
Schedule 14, Part 2, Condition 6(6)	MMO	The Applicant has updated the text of Condition 6(6) to ensure UXO clearance activities are caught within the notification requirements	<i>(6) The undertaker must inform the MMO Coastal Office in writing at least five days prior to UXO clearance activities and at least five days prior to the commencement of the licensed activities or any part of them, and within five days of completion of the licensed activities.</i>	3
Schedule 14, Part 2, Condition 6(7)	MMO	The Applicant has updated the text of Condition 6(7) to ensure UXO clearance activities are caught within the notification requirements	<i>(7) The undertaker must inform the Kingfisher Information Service of Seafish by email to kingfisher@seafish.co.uk of details regarding the vessel routes, timings and locations relating to the construction of the authorised scheme or relevant part— (a) at least 14 days prior to UXO clearance activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data;</i>	3
Schedule 14, Part 2, Condition 6(8)	MMO	The Applicant has updated the text of Condition 6(8) to ensure UXO clearance activities are caught within the notification requirements	<i>(8) A notice to mariners must be issued at least 14 days prior to UXO clearance activities and at least 14 days prior to the commencement of the licensed activities or any part of them advising of the start date of Work Nos. 2, 3, 4, 5 and 6 ...</i>	3
Schedule 14, Part 2, Condition 6(10)	MCA	The MCA requested amendments to the notification periods to reflect current standard conditions.	<i>(10) The undertaker must notify the UK Hydrographic Office both of the commencement (within ten 14 days prior), progress and completion of construction (within ten 14 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.</i>	3

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Schedule 14, Part 2, Condition 6(10)	MMO	The Applicant has updated the text of Condition 6(10) to ensure UXO clearance activities are caught within the notification requirements	<i>(10) The undertaker must notify the UK Hydrographic Office both of UXO clearance activities (14 days prior) and of the commencement (within ten 14 days prior), progress and completion of construction (within ten 14 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.</i>	3
Schedule 14, Part 2, Condition 6(12)	MCA	The MCA requested amendments to Condition 6(12) to reflect current standard conditions.	<i>(12) 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.</i>	3
Schedule 14, Part 2, Condition 12(1)	NE	In order to address concerns raised in NE's Relevant Representation, the Applicant has amended the UXO clearance condition to require environmental micro-siting to be considered in the method statement for UXO clearance which must be submitted to and approved by the MMO prior to any UXO clearance activities taking place. In addition, the Applicant has included text requiring the relevant statutory nature conservation body to be consulted during the approval process.	<i>12.—(1) No removal or detonation of UXO can take place until the following have been have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body— (a) a method statement for UXO clearance which must include— (i) methodologies for— (aa) identification and investigation of potential UXO targets; (bb) clearance of UXO; (cc) removal and disposal of large debris; (ii) a plan showing the area in which clearance activities are proposed to take place; (iii) a programme of works; and (iv) any exclusion zones/environmental micro-siting requirements;</i>	3
Schedule 14, Part 2,	MMO	In order to address comments raised by the MMO, the Applicant has	<i>(3) The method statement, marine mammal mitigation protocol and East Anglia TWO Project Southern North Sea SAC Site</i>	3



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Condition 12(3)		amended the UXO clearance condition to require submission of the plans at least three months prior to the planned commencement of UXO clearance activities.	<i>Integrity Plan for UXO Clearance must be submitted to the MMO for approval at least three months prior to the date on which it is intended for UXO clearance activities to begin.</i>	
Schedule 14, Part 2, Condition 13(1)(d)(ii)(bb)	MMO	Following discussion with the MMO in relation to the Outline Landfall Construction Method Statement, the Applicant has made specific reference to cable landfall being included within the scope of the cable laying plan to be submitted as part of the construction method statement.	<i>(bb) a detailed cable laying plan for the Order limits, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum and, in the event that any area of cable protection exceeding 5% of navigable depth is identified, details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or such similar assessment to ascertain suitable burial depths and cable laying techniques, including cable landfall and cable protection; and</i>	3
Schedule 14, Part 2, Condition 13(1)(e)(v)	CFWG	Following engagement with the CFWG through the SoCG process, the Applicant has produced an Outline Fisheries Liaison and Coexistence Plan (document reference ExA.AS-5.D3.V2) which has been submitted into the Examination. This condition has been amended to require the fisheries liaison and coexistence plan to be submitted under condition 13(1)(e)(v) to be in accordance with the outline plan.	<i>(v) a fisheries liaison and coexistence plan, in accordance with the outline fisheries liaison and coexistence plan, to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 10 and to address the interaction of the licensed activities with fishing activities;</i>	3
Schedule 14, Part 2, Condition 13(1)(e)(vi)	NE, ExA	NE sought further clarity on the procedures to be adopted within vessels transit corridors to minimise disturbance to red-throated diver and	<i>(vi) procedures to be adopted within vessels transit corridors to minimise disturbance to red-throated diver which must be in accordance with the best practice protocol for minimising disturbance to red-throated diver.</i>	3



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		so the Applicant has submitted a Best Practice Protocol for Minimising Disturbance to Red-throated Diver (document reference ExA.AS-22.D3.V1) into the Examination and has included this as a certified document within the DCO. Condition 13(1)(e)(vi) has also been amended to make reference to the protocol.		
Schedule 14, Part 2, Condition 13(1)(j)	NE, MMO	In order to address comments raised by the MMO and NE the Applicant has submitted an Outline Sabellaria Reef Management Plan (REP1-044) into the Examination to provide details on how <i>Sabellaria</i> reef will be managed and a new condition has been inserted in the DMLs requiring a final <i>Sabellaria</i> reef management plan to be submitted to the MMO for approval and this must be in accordance with the outline plan.	<i>(j) A Sabellaria reef management plan, in accordance with the outline Sabellaria reef management plan, to be submitted to the MMO at least six months prior to undertaking any pre-construction geophysical survey detailed in the monitoring plan to be submitted under condition 13(1)(c)(i).</i>	3
Schedule 14, Part 2, Condition 13(3)	Applicant	The inclusion of monopile as a potential foundation option for the offshore electrical platform and the construction, operation and maintenance platform has necessitated an update to this condition to include a hammer energy restriction in respect of the monopile foundations. The wording reflects that in condition 17(3) of the generation DML.	<i>(3) In the event that driven or part-driven pile foundations are proposed to be used, the hammer energy used to drive or part-drive the pile foundations must not exceed— (a) 4,000kJ in respect of monopile foundations; and (b) 2,400kJ in respect of pin piles.</i>	3



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Schedule 14, Part 2, Condition 16(2)(b)	MCA	The Applicant has amended this condition to include reference to IHO Order 1a standard as requested by the MCA.	<i>(b) 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;</i>	3
Schedule 14, Part 2, Condition 16(2)(d)	NE	In order to address comments raised by NE, the Applicant has included a condition to make provision for pre-construction ornithological monitoring.	<i>(d) any ornithological monitoring required by the monitoring plan submitted in accordance with condition 13(1)(c)</i>	3
Schedule 14, Part 2, Condition 17(3)	MMO, NE	The MMO and NE have requested the following wording to be included in the DMLs and this has been incorporated into the updated draft DCO: <i>"If, in the opinion of the MMO in consultation with Natural England, the assessment shows significantly different impact to those assessed in the ES or failures in mitigation, all piling activity must cease until an update to the MMMP and further monitoring requirements have been agreed."</i>	<i>(3) The results of the initial noise measurements monitored in accordance with sub-paragraph (1) must be provided to the MMO within six weeks of the installation of the first four piled foundations of each piled foundation type. The assessment of this report by the MMO will determine whether any further noise monitoring is required. If, in the opinion of the MMO in consultation with the statutory nature conservation body, the assessment shows significantly different impact to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</i>	3
Schedule 14, Part 2, Condition 18(2)(e)	NE	In order to address comments raised by NE, the Applicant has included a condition to make provision for post-construction ornithological monitoring.	<i>(e) any ornithological monitoring required by the monitoring plan submitted in accordance with condition 13(1)(c)</i>	3
Schedule 14, Part 2,	MMO	As requested by the MMO, the Applicant has amended this condition to remove reference to the three-year	<i>(3) The undertaker must carry out the surveys agreed under sub-paragraph (1) for up to 3 years post construction, which could be non-consecutive years, and provide the agreed reports in the</i>	3



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Condition 18(3)		timescale for post-construction surveys.	<i>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>	
Schedule 14, Part 2, Condition 20	MMO, NE	In its Deadline 2 submission, the MMO commented that “any cable or scour protection which is proposed in areas where no such protection was employed during the construction phase of the wind farm is considered new cable or scour protection, and therefore cannot be properly considered to be a maintenance activity”. The Applicant has assessed the installation of cable and scour protection during the construction and operation phase but acknowledges the points raised by the MMO (and also by NE) and has therefore included a new condition in the DMLs requiring the approval of details of any new scour or cable protection to be installed during the operational period in order to provide the MMO and NE with sufficient comfort that such cable and scour protection will not be installed prior to the MMO approving the relevant details.	<p>Scour protection and cable protection during operation</p> <p><i>20.—(1) During the operational period the undertaker must not install scour protection in locations where scour protection was not installed during construction until details of the need, type, sources, quantity and installation methods for the scour protection have been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The installation of such scour protection must be undertaken in accordance with the details approved under paragraph (1).</i></p> <p><i>(3) During the operational period the undertaker must not install cable protection in locations where cable protection was not installed during construction until details of the need, type, sources, quantity and installation methods for the cable protection have been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(4) The installation of such cable protection must be undertaken in accordance with the details approved under paragraph (3).</i></p>	3
Schedule 14, Part 2, Condition 21	MMO	The MMO requested that a condition be inserted into each DML requiring co-operation between the undertakers of the East Anglia TWO Project and the East Anglia ONE North Project and	<p>Co-operation</p> <p><i>25.—(1) Prior to submission of plans and documentation required to be submitted to the MMO for approval in accordance with condition 12(1) and condition 13(1), the undertaker must provide a</i></p>	3



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		the Applicant has included a condition in each DML to address the MMO's comment.	<p><i>copy of the relevant plans and documentation to the East Anglia ONE North undertaker to enable the East Anglia ONE North undertaker to provide any comments on the plans and documentation.</i></p> <p><i>(2) The undertaker must participate in liaison meetings with the East Anglia ONE North undertaker as requested from time to time by the MMO in writing in advance, and such meetings will be chaired by the MMO and may consider such matters as are determined by the MMO relating to the efficient management and discharge of conditions 12(1) and 13(1) of this licence and conditions 12(1) and 13(1) of Schedule 14, Part 2 of the East Anglia ONE North Order.</i></p> <p><i>(3) For the purposes of this condition—</i></p> <p><i>“East Anglia ONE North authorised scheme” means Work Nos. 1 to 6 of the East Anglia ONE North Order;</i></p> <p><i>“East Anglia ONE North Order” means the East Anglia ONE North Offshore Wind Farm Order 20[xx]; and</i></p> <p><i>“East Anglia ONE North undertaker” means the undertaker in respect of the East Anglia ONE North authorised scheme.</i></p>	
Schedule 16				
Schedule 16	Applicant	New schedule inserted to provide a procedure for discharge of requirements as recommended in Planning Inspectorate Advice Note 15: Drafting Development Consent Orders.	New Schedule 16 (procedure for discharge of requirements) inserted.	3