



**SCOTTISHPOWER
RENEWABLES**

East Anglia TWO Offshore Windfarm

Schedule of Changes to the draft Development Consent Order

Applicant: East Anglia TWO Limited
Document Reference: 3.1.1
SPR Reference: EA2-DWF-ENV-REP-IBR-000962_01 Rev 06

Date: 22nd April 2021
Revision: Version 06
Author: Shepherd and Wedderburn LLP

**Applicable to
East Anglia TWO**



Revision Summary				
Rev	Date	Prepared by	Checked by	Approved by
01	30/11/2020	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
02	15/12/2020	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
03	03/02/2021	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
04	04/03/2021	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
05	25/03/2021	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris
06	22/04/2021	Shepherd and Wedderburn LLP	Lesley Jamieson	Rich Morris

Description of Revisions			
Rev	Page	Section	Description
01	n/a	n/a	n/a
02	n/a	n/a	Updated to reflect changes to the draft DCO submitted at Deadline 3
03	n/a	n/a	Updated to reflect changes to the draft DCO submitted at Deadline 5
04	n/a	n/a	Updated to reflect changes to the draft DCO submitted at Deadline 7
05	n/a	n/a	Updated to reflect changes to the draft DCO submitted at Deadline 8
06	n/a	n/a	Updated to reflect changes to the draft DCO submitted to reflect proposed amendment to Order limits at Work No. 9



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
SASES	Substation Action Save East Suffolk
SCC	Suffolk County Council
SoCG	Statement of Common Ground
SPA	Special Protection Area
SZB	EDF Energy Nuclear Generation Limited
SZC	NNB Generation Company (SZC) Limited
TCE	The Crown Estate
UXO	Unexploded Ordnance



1 Schedule of Changes to the draft Development Consent Order

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
Whole DCO	ExA	In response to the ExA's comment that "drafting references in the DML to a schedule "of the Order" should arguably be amended to "to the Order"" the Applicant has reviewed the drafting and updated the text accordingly.	References to Schedules "of the Order" have been amended to "to the Order".	5
Whole DCO	ExA	In response to the ExA's comment that an alternative should be found to references to "and/or" the Applicant has reviewed the draft DCO and has updated the drafting where this was considered appropriate. In some instances, "and/or" is considered to be appropriate in the context and so such references have been left.	References to "and/or" have been amended where considered appropriate.	5
Whole DCO	ExA	In response to the ExA's comment that company numbers should be included within the draft DCO where a company is referred	Company numbers have been inserted throughout the DCO where companies are referenced.	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		to, the Applicant has provided this information.		
Articles				
Article 2(1)	N/A	<p>New definitions have been inserted to reflect new documents that have been referred to in the draft DCO and submitted into the Examination.</p> <p>The offshore ornithology without prejudice compensation measures document has been inserted in square brackets as this document is referred to in Schedule 18 which is a draft Schedule intended to secure compensatory measures in respect of specified species should the Secretary of State conclude that such measures are necessary. In the event that Schedule 18 is not included within the final DCO, this definition should be removed from the DCO.</p>	<p><i>“activity exclusion zone plan” means the plan certified as the activity exclusion zone plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p> <p><i>[“offshore ornithology without prejudice compensation measures” means the document certified as the offshore ornithology without prejudice compensation measures by the Secretary of State under article 36 (certification of plans etc.);]</i></p> <p><i>“Sizewell C order limits – offshore plan” means the plan certified as the Sizewell C order limits – offshore plan by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i></p>	5
Article 2(1)	N/A	<p>New definitions have been inserted to reflect new outline plans that have been prepared and submitted into the Examination.</p>	<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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<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><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>	



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			<i>"outline watercourse crossing method statement" means the document certified as the outline watercourse crossing method 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 "cable sealing end compound"	SASES	In its Deadline 1 submission, SASES requested that a definition of "cable sealing end compound" be included within Article 2.	<i>"cable sealing end compound" means a compound containing electrical equipment (including sealing ends, post insulators and earth switches), access, fencing and other associated equipment, structures or buildings;</i>	4
Article 2(1), definition of "intrusive"	ExA	In response to a comment from the ExA observing that the term "intrusive" is used in several provisions of the draft DCO but is not defined, the Applicant has inserted a definition of "intrusive" in the draft DCO.	<i>"intrusive" means an activity that requires or is facilitated by breaking the surface of the ground or seabed (but does not include the installation of fence or signage posts);</i>	5
Article 2(1), definition of "layout principles statement"	Applicant	The Applicant has submitted a layout principles statement with which the turbine layout must accord and so a definition of the layout principles statement has been included within the draft DCO.	<i>"layout principles statement" means the document certified as the layout principles statement by the Secretary of State under article 36 (certification of plans etc.);</i>	6
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 "offshore"	MMO	When amending the definition of "offshore preparation works" at Deadline 3, the Applicant deleted "seaward of MHWS" from	<i>"offshore preparation works" means surveys, monitoring and UXO clearance activities seaward of MHWS undertaken prior</i>	4



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preparation works”		the definition in error and so this text has been re-inserted. The Applicant thanks the MMO for highlighting this in its Deadline 4 submission.	<i>to the commencement of construction to prepare for construction;</i>	
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 “onshore preparation works”	Applicant	In order to reflect the terminology used in the Outline Landscape and Ecological Management Strategy, the Applicant has amended the reference to “pre-planting” in the definition of “onshore preparation works” to “early planting”.	<i>“onshore preparation works” means operations consisting of site clearance, demolition work, pre-early 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, erection of welfare facilities and the temporary display of site notices or advertisements;</i>	5
Article 2(1), definition of “outline written scheme of investigation (onshore)”	SCC	Reference to “archaeology” has been included within the name of the outline written scheme of investigation (onshore) as requested by SCC at ISH6.	<i>“outline written scheme of investigation (onshore archaeology)” means the document certified as the outline written scheme of investigation (onshore archaeology) by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);</i>	4
Article 2(1), definition of	MoD, Applicant	The Applicant has agreed wording for requirement 34 with the MoD and the agreed	<i>“radar line of sight coverage plan” means the plan certified as the radar line of sight coverage plan by the Secretary of State</i>	3



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"radar line of sight coverage plan"		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.	for the purposes of this Order under article 36 (certification of plans etc.);	
Article 2(1), definition of "SAC" and "SPA"	ExA	In response to a comment from the ExA, the Applicant has included a definition of SAC and SPA.	"SAC" means special area of conservation; ... "SPA" means special protection area;	5
Article 2(1), definition of "stage"	SASES	In its Deadline 1 submission, SASES requested that a definition of "stage" be included within the draft DCO.	"stage" means a section or part of the authorised development as identified as a stage in a written scheme approved under requirement 11;	4
Article 2(1), definition of "substations design principles statement"	Applicant	At Deadline 4, the Applicant submitted a Substations Design Principles Statement (REP4-029) which updates and supersedes the Outline Onshore Substation Design Principles Statement (APP-585) and the Outline National Grid Substation Design Principles Statement (REP1-046). References to these outline documents have therefore been replaced in the draft DCO with references to the Substations Design Principles Statement and the definitions have been amended accordingly.	"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.); "outline onshore substation design principles statement" means the document certified as the outline onshore substation design principles statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.); "substations design principles statement" means the document certified as the substations design principles statement by the Secretary of State for the purposes of this Order under article 36 (certification of plans etc.);	4
Article 2(1), definition of trenchless	Applicant	Within Work Nos. 11 and 13 references to horizontal directional drilling (HDD) compounds have been amended to refer to	"trenchless technique compound" means a construction site associated with the transmission works where a trenchless technique is proposed including hard standings, lay down and	3



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technique compound		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>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>	
Article 5	MMO	The MMO requested various amendments to Article 5 to reflect drafting in the Hornsea Three and Norfolk Vanguard DCOs. The Applicant has therefore updated Article 5 to address the MMO's comments where this was considered appropriate.	<i>(9) Where paragraph (7) applies, Prior to any transfer or grant under this article taking effect the undertaker must provide written notification to the Secretary of State and, if such transfer or grant relates to the exercise of powers in their area, to the MMO and the relevant planning authority at least 14 days prior to transferring or granting any benefit under paragraph (1). (10) A notice required under paragraph (9) must— (a) state— (i) the name and contact details of the person to whom the benefit of the provisions will be transferred or granted; (ii) subject to paragraph (11), the date on which the transfer will take effect; (iii) the provisions to be transferred or granted; (iv) the restrictions, liabilities and obligations that, in accordance with paragraph (5), will apply to the person exercising the powers transferred or granted; and (v) where paragraph (7) does not apply, confirmation of the availability and adequacy of funds for compensation associated with the compulsory acquisition of the Order land. (b) be accompanied by— (i) where relevant, a plan showing the works or areas to which the transfer or grant relates; and</i>	6



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			<p><i>(ii) a copy of the document effecting the transfer or grant signed by the undertaker and the person to whom the benefit of the powers will be transferred or granted.</i></p> <p><i>(11) The date specified under paragraph (10)(a)(ii) must not be earlier than the expiry of 14 days from the date of the receipt of the notice.</i></p> <p><i>(12) The notice given under paragraph (10) must be signed by the undertaker and the person to whom the benefit of the powers will be transferred or granted as specified in that notice.</i></p>	
Article 7(1)(b)	Applicant	The cross references in Article 7(1)(b)(i) to requirements 26 and 27 have been updated to reflect the deletion of requirement 26 and amendments to requirement 27.	<p><i>(b) the defendant shows that the nuisance—</i></p> <p><i>(i) relates to premises used by the undertaker for the purposes of or in connection with the use of the authorised project and that the nuisance is attributable to the use of the authorised project which is being used in compliance with requirement 26 (control of noise during operational phase) and where relevant, requirement 27 (control of noise during operational phase cumulatively with East Anglia ONE North onshore substation); or</i></p>	5
Article 12(1)(b)	Applicant	In reviewing the draft DCO, the Applicant identified an incorrect cross reference within Article 12(1)(b) and has amended this accordingly.	<p><i>(b) subject to paragraph (3){2}, prevent all persons from passing along the street.</i></p>	4
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.	<p>...</p> <p><i>(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</i></p>	3



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			<p><i>the Order limits as the undertaker reasonably requires for the purposes of the authorised project.</i></p> <p><i>(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.</i></p>	
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).	<p><i>(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;</i></p> <p>...</p> <p><i>(d) without prejudice to the generality of sub-paragraph (a), carry out ecological or archaeological investigations or environmental monitoring on such land; and</i></p> <p><i>(e) place on, leave on and remove from the land apparatus and welfare facilities for use in connection with the survey and investigation of land, environmental monitoring and making of trial holes and trial trenches.</i></p>	3
Article 17	ExA	The ExA queried whether it was sufficiently clear that the undertaker must remove any equipment etc brought onto land once a survey or investigation is completed. The Applicant has therefore included a new paragraph within Article 17 to clarify the position.	<i>(5) Following completion of any survey, monitoring or investigation works the undertaker must remove all equipment, apparatus and welfare facilities placed on the land in connection with such survey, monitoring or investigations.</i>	5
Article 22	ExA, Applicant	In its commentary on the draft DCO, the ExA asked the Applicant to confirm that Articles 22 and 23 remain abreast of recent	<i>(3) In section 1 (application of act), for subsection 2, substitute—</i>	5



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		legislative changes relevant to compulsory acquisition. The Applicant has reviewed Articles 22 and 23 and has made some minor updates to reflect recent DCO precedent (for example in the Hornsea Three Order).	<p><i>“(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”</i></p> <p>...</p> <p><i>(10) References to the 1965 Act in the 1981 Act must be construed as references to that Act as applied by section 125 of the 2008 Act (and as modified by article 23 (application of Part 1 of the Compulsory Purchase Act 1965)) to the compulsory acquisition of land under this Order.</i></p>	
Article 23	ExA, Applicant	In its commentary on the draft DCO, the ExA asked the Applicant to confirm that Articles 22 and 23 remain abreast of recent legislative changes relevant to compulsory acquisition. The Applicant has reviewed Articles 22 and 23 and has made some minor updates to reflect recent DCO precedent (for example in the Hornsea Three Order).	<p><i>(3) In section 11A (powers of entry: further notice of entry)—</i> <i>(a) in subsection (1)(a), after “land” insert “under that provision”;</i> <i>(b) in subsection (2), after “land” insert “under that provision”.</i></p>	5
Article 26	ExA, Applicant	The ExA queried whether the period of 14 days specified within Article 26 could be amended to 28 days and whilst the Applicant considers a 14 day period to be justified, the Applicant has amended Article 26 to allow for a notice period for entry to land of 28 days.	<p><i>(2) Not less than 2814 days before entering on and taking temporary possession of or using land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land.</i></p>	5
Article 27	Applicant	The Applicant has amended the “maintenance period” in paragraph (11) to 10 years in respect of the maintenance of trees or shrubs to which the ten year replacement planting period specified in Requirement 15	<p><i>(11) In this article “the maintenance period”, in relation to any part of the authorised project, means—</i> <i>(a) the period of five years beginning with the date on which the authorised project first exports electricity to the national electricity transmission network except where the authorised development consists of the maintenance of any tree or shrub</i></p>	5



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		applies. Similar provision can be found in the recent Hornsea Three Order.	<i>for which a 10 year replacement period is specified pursuant to requirement 15 (implementation and maintenance of landscaping), in which case "the maintenance period" means a period of 10 years beginning with the date on which that tree or shrub is first planted; and</i>	
Article 34	Applicant	In reviewing the draft DCO, the Applicant identified that paragraph (4)(b) of Article 34 referred only to Part 1 of Schedule 11 when it should refer to Schedule 11 more generally. Schedule 11 lists the important hedgerows that may be removed. The removal of hedgerows listed in Part 2 will be limited to the reduced working width of 16.1 metres in accordance with requirement 12(17)(d).	(4) The undertaker may, for the purposes of the authorised project— (a) subject to paragraph (2) above, remove any hedgerows within the Order limits that may be required for the purposes of carrying out the authorised project; and (b) remove the important hedgerows as are within the Order limits and specified in Part 1 of Schedule 11 (removal of important hedgerows).	5
Article 35(1)(b)	Applicant	In its Deadline 1 submission, SASES commented that Article 35(1)(b) was superfluous and should be deleted. In considering this comment, the Applicant came to the view that it would be more appropriate for the text to reflect the powers available to electricity licence holders within paragraph 9(1)(b) of Schedule 4 to the Electricity Act 1989 and has therefore amended the text accordingly.	(b) from constituting an unacceptable source of danger (whether to children or to other persons) a danger to passengers or other persons using the authorised project.	4
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) The undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of— (a) the land plans (document reference 2.2 – revision 34);	2



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			<p>(b) <i>the works plans (document reference 2.3.1 – revision 1 offshore and document reference 2.3.2 – revision 34 onshore);</i></p> <p>...</p> <p>(i) <i>the book of reference (document reference 4.3 – version 44)</i></p>	
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 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. Reference to the substations design principles statement has been inserted and references to the outline national grid substation design principles statement and the outline onshore substation design principles statement have been deleted. The name of the outline written scheme of investigation (onshore archaeology) has been updated.	4
Article 36	Applicant, MMO, ExA	In response to comments from the MMO and the ExA, the Applicant has included a new Schedule in the draft DCO which lists the documents to be certified in a similar format to that set out within the Norfolk Boreas draft DCO. Article 36 has therefore been amended to refer to the new Schedule 17.	<p><i>36.—(1) The undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of the documents listed in Schedule 17 (documents to be certified).—</i></p> <p><i>(a) —the land plans (document reference 2.2— revision 3 onshore and document reference 2.2.1— revision 1 offshore);</i></p> <p><i>(b) —the works plans (document reference 2.3.1— revision 1 offshore and document reference 2.3.2— revision 4 onshore);</i></p> <p><i>(c) —the Order limits boundary coordinates plan (offshore) (document reference 2.12— revision 1);</i></p> <p><i>(d) —the access to works plan (document reference 2.4— revision 1);</i></p>	5



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			[...] for certification that they are true copies of the documents referred to in this Order	
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. <i>(2) 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 37	Trinity House	In its Deadline 4 submission, Trinity House requested an amendment to Article 37 to clarify the position regarding the primacy of the Trinity House saving provision in Article 40.	37.—(1) Subject to article 40 (saving provision for Trinity House), Any dispute or difference arising out of or in connection with any provision of this Order, unless otherwise provided for, must be referred to and settled in arbitration in accordance with the rules at Schedule 15 (arbitration rules) of this Order by a single arbitrator to be agreed between the parties, within 14 days of receipt of the notice of arbitration, or if the parties fail to agree within the time period stipulated, to be appointed on the application of either party (after giving notice in writing to the other) by the Secretary of State.	4
Article 38	Applicant	Article 38 has been amended to give effect to a new Schedule 16 setting out a procedure for discharging requirements.	<i>(1) Schedule 16 (procedure for discharge of requirements) has effect in relation to all consents, agreements or approvals required or contemplated by the requirements within Part 3 of Schedule 1 (requirements) of this Order.</i>	3



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			<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—</p> <p>(a) — after “local planning authority” insert “or Secretary of State”; and</p> <p>(b) — after subsection (b) insert the following—</p> <p>“(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”</p> <p>(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.</p> <p>(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>	
Article 41	TCE	At Deadline 6, The Crown Estate requested an amendment to Article 41 and this has been addressed in the draft DCO.	<p>(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker or any licensee to take, use, enter upon or in any manner interfere with any land or rights of any description (including any portion of the shore or bed of the sea or any river, channel, creek, bay or estuary)—</p>	5



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Article 41	TCE	The Crown Estate requested the deletion of paragraph (2) of Article 41 on the basis that the Applicant is not seeking compulsory acquisition of any Crown land and therefore it is not necessary and the Applicant has agreed to make this change.	(2) Paragraph (1) does not apply to the exercise of any right under this Order for the compulsory acquisition of an interest in any Crown land (as defined in the 2008 Act) which is for the time being held otherwise than by or on behalf of the Crown.	6
Article 44	ExA, Applicant	Without prejudice to the Applicant's position that there will be no adverse effect on the integrity of any European Site as a result of the Project alone or in combination and as requested by the Examining Authority, the Applicant has provided drafting for an article and a Schedule to secure compensatory measures should the Secretary of State conclude that such measures are necessary. This article gives effect to Schedule 18 (Compensation measures) should the Secretary of State consider that it is necessary. The drafting has been included in square brackets and should be removed from the final Order if the Secretary of State considers that such compensation is not necessary.	[Compensation provisions] 44. Schedule 18 (compensation measures) has effect.]	5
Article 44	ExA	At ISH15, the ExA suggested that it may be sensible to clarify the context in which the word "compensation" is used and so the Applicant has updated the text of this article and of Schedule 18 accordingly.	[Offshore Ornithology Compensation provisions] 44. [Schedule 18 (offshore ornithology compensation measures) has effect.]	6
Schedule 1				



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 1, Part 1, Paragraph 1, Work No. 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.	<i>Work No. 2 — 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 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 Nos. 6, 8, 9, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 26, 31, 32	SASES	In its Deadline 1 submission, SASES requested that the number of cable ducts be specified in the description of the works.	The Applicant has updated the description of Work Nos. 6, 8, 9, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 26, 31 and 32 to include reference to the number of cable ducts.	4
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	<i>Work No. 12A — temporary ecological mitigation works in accordance with the ecological management plan and associated access.</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		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.		
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 1, Paragraph 1, Work No. 17	SCC	In its Deadline 6 submission, SCC identified some errors with respect to the names of streets referenced within the draft DCO. The Applicant has therefore corrected these references within the draft DCO, which includes a minor change to the description of Work No. 17 to refer to Thorpe Road instead of Thorpeness Road.	<i>Work No. 17 — up to six electrical cables, up to two fibre optic cables and up to two distributed temperature sensing cables and up to ten cable ducts laid underground from Work No. 16 to Work No. 18 and crossing Thorpeness Road (B1353) together with the construction of a haul road and access.</i>	5
Schedule 1, Part 3, Requirement 1	Applicant	The Applicant has reduced the commencement period for the Project from seven years to five years and this is reflected in requirement 1.	<i>1. The authorised project must commence no later than the expiration of seven five years beginning with the date this Order comes into force.</i>	4
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



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DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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.	2.—(1) <i>Subject to paragraph (2), wind turbine generators forming part of the authorised project must not—</i> ... (e) <i>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, Requirement 12	ExA, Applicant	Following comments received from the ExA, the Applicant has restructured requirement 12 so that it is in a more logical order and is therefore easier to follow.	Requirement 12 has been restructured.	5
Schedule 1, Part 3, Requirement 12	Applicant	At Deadline 4, the Applicant submitted a Substations Design Principles Statement (REP4-029) which updates and supersedes the Outline Onshore Substation Design Principles Statement (APP-585) and the Outline National Grid Substation Design Principles Statement (REP1-046).	References to the outline onshore substation design principles statement and the outline national grid substation design principles statement have been replaced with references to the substations design principles statement.	4
Schedule 1, Part 3,	ESC	The Applicant has agreed to submit details of the specification of plant comprised within	<i>(2) No stage of Work No. 30 may commence until written details of the specification of plant, and any noise mitigation</i>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Requirement 12		the onshore substation together with any noise mitigation proposed and updated modelling prior to commencement of Work No. 30. This has been secured within requirement 12 and the wording has been agreed with ESC. Paragraph (5) has been updated to require the details provided to accord with the Substations Design Principles Statement (ExA.AS-4.D8.V2).	<i>proposed in respect of Work No. 30 together with updated modelling, have been submitted to and approved in writing by the relevant planning authority. Work No. 30 must thereafter be implemented in accordance with the approved details.</i> ... (5) Any details provided by the undertaker pursuant to paragraphs (1), (2), (3) and (3) (4) must accord with the substations design principles statement and be within the Order limits.	
Schedule 1, Part 3, Requirement 12(3), (5)	ESC, SCC, Applicant	The Applicant has reduced a number of the parameters associated with the onshore substation to reduce environmental effects and provide greater certainty on the project parameters.	(3) To the extent comprised within the onshore substation— (a) buildings must not exceed a height of 15 14 metres above finished ground level; (b) external electrical equipment, with the exception of lightning protection masts, must not exceed a height of 18 14 metres above finished ground level; (c) lightning protection masts must not exceed a height of 25 20 metres above finished ground level; and (d) the maximum number of lightning protection masts must not exceed six. ... (5) The fenced compound area (excluding its accesses) for the onshore substation must not exceed 36,100 32,300 m ² .	3
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	(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 <i>(which accord with the outline national grid substation design principles statement)</i> have been submitted to and approved by the relevant planning authority. Work No. 41 must be carried out in accordance with the approved details. ...	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		Examination at Deadline 1 and has updated the DCO requirement to refer to this outline document accordingly.	<i>(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.</i>	
Schedule 1, Part 3, Requirement 12(9)	SASES	SASES requested that the maximum height of the gantries and other electrical equipment comprised within the cable sealing end compounds be listed separately and so the Applicant has updated requirement 12 to address this comment.	<i>(9) The To the extent comprised within the cable sealing end compounds and overhead line gantries comprised within Work No. 38— (a) the overhead line gantries must not exceed a height of 16 metres above finished ground level; and (b) electrical equipment (excluding the overhead line gantries) must not exceed a height of 14.5 metres above finished ground level.</i>	6
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 reflected in an update to the requirement.	<i>(14) The working width of the onshore cable route must not exceed 32 metres, save in respect of the following— ... (b) where the cables cross the Hundred River the working width of the onshore cable route must not exceed 40 50 metres for a distance of 40 metres from the banks of the river;</i>	3
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.	<i>(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.</i>	3
Schedule 1, Part 3,	Applicant	A new requirement has been inserted to clarify that trenchless technique compounds will not be utilised as part of Work Nos. 11 or	<i>(16) Where open cut trenching is used to cross the Sandlings SPA, Work Nos. 11 and 13 must not include trenchless technique compounds.</i>	3



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DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Requirement 12(16)		13 where an open cut trench technique is used to cross the Sandlings SPA.		
Schedule 1, Part 3, Requirement 12(17)(b) (previously 12(14)(b))	Applicant	The Applicant has committed to a reduction in the working width from 40m to 34m where the cables cross the Hundred River and this has been reflected in an update to the requirement.	(17) <i>The working width of the onshore cable route must not exceed 32 metres, save in respect of the following— ... (b) where the cables cross the Hundred River the working width of the onshore cable route must not exceed 34 metres for a distance of 40 metres from the banks of the river;</i>	5
Schedule 1, Part 3, Requirement 12(18)	ExA	At ISH4, the ExA suggested that the Applicant consider how it might secure the commitment to install the cables at landfall using HDD. In light of this comment, the Applicant has included a new requirement in the draft DCO to require the cables at landfall to be installed using HDD.	(18) <i>The cables comprised within Work No. 6 must be installed using horizontal directional drilling.</i>	4
Schedule 1, Part 3, Requirement 12(19)	ESC, SASES	In its Deadline 4 submission, ESC requested that details of the cable sealing end compounds are submitted to the relevant planning authority for approval and that such details must be in accordance with the Substations Design Principles Statement (REP4-029). SASES made a similar comment in its Deadline 1 submission. The Applicant has therefore included a requirement to submit details of the cable sealing end compounds for approval.	(19) <i>No stage of the cable sealing end compounds comprised within Work No. 38 may commence until details of the layout, scale and external appearance of the cable sealing end compounds (which accord with the substations design principles statement) have been submitted to and approved by the relevant planning authority. Work No. 38 must be carried out in accordance with the approved details.</i>	4
Schedule 1, Part 3, Requirement 12(20)	ExA	The ExA queried whether the requirement relating to the installation of cables comprised within Work No.6 being installed using horizontal directional drilling should	(20) <i>The ducts and cables comprised within Work No. 6 must be installed using horizontal directional drilling.</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
<i>(previously 12(18))</i>		also refer to ducts. The Applicant can confirm that the requirement should also refer to ducts and so reference to ducts has been included within the requirement.		
Schedule 1, Part 3, Requirement 12(20)	SASES	In its Deadline 1 submission, SASES requested that an area be specified in respect of the cable sealing end compounds. The Applicant has therefore included a requirement specifying the maximum compound areas.	<i>(20) The fenced compound area (excluding its accesses) for the cable sealing end compounds comprised within Work No. 38 must not exceed— (a) 5,000m² where the cable sealing end compound includes circuit breakers; and (b) 2,500m² where the cable sealing end compound does not include circuit breakers.</i>	4
Schedule 1, Part 3, Requirement 12(21)	SASES	In its Deadline 1 submission SASES requested that parameters be specified in respect of the permanent access road comprised within Work No. 34. The Applicant has therefore included a requirement specifying the maximum width of the access road.	<i>(21) The width of the new permanent access road comprised within Work No. 34 must not exceed 7 metres.</i>	4
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.	<i>(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 (which accords with the outline landfall construction method statement) has been submitted to and approved by the relevant planning authority.</i>	3
Schedule 1, Part 3, Requirement 13	ExA, ESC, Applicant	In response to comments raised by the ExA and ESC, the Applicant has committed to undertake periodic monitoring and/or reporting at the landfall and this is secured through the inclusion of new text within requirement 13.	<i>(1) No part of Work Nos. 6 or 8 may commence until the following have been submitted to and approved by the relevant planning authority— (a) a landfall construction method statement for the construction of that part of Work No. 6 or Work No. 8 (which accords with the outline landfall construction method statement); and</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>(b) a landfall monitoring plan (which accords with the outline landfall monitoring plan contained within appendix 2 of the outline landfall construction method statement) has been submitted to and approved by the relevant planning authority.</i></p> <p><i>(2) The landfall construction method statement and the landfall monitoring plan referred to in paragraph (1) must be implemented as approved.</i></p> <p><i>(3) In the event that inspections carried out in accordance with the landfall monitoring plan indicate that, as a result of the rate and extent of landfall erosion, Work Nos. 6 or 8 could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial works or mitigation measures to protect Work Nos. 6 or 8 from coastal retreat, together with a timetable for their implementation, to the relevant planning authority for approval and the remedial works or mitigation measures must be implemented as approved.</i></p>	
Schedule 1, Part 3, Requirement 13	MMO, NE	The MMO and Natural England have requested to be named as consultees in requirement 13 in respect of the landfall construction method statement and the Applicant has updated the text of the requirement to address these comments. The updated text has been agreed with the MMO, NE and ESC. The Applicant has also updated the heading of the requirement to include reference to monitoring to reflect amendments made to requirement 13 in version 5 of the draft DCO.	<p>Landfall construction method statement and monitoring plan</p> <p><i>(1) No part of Work Nos. 6 or 8 may commence until the following have been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body and, in respect of subparagraph (a) and to the extent that it relates to works seaward of mean high water springs, the marine management organisation—</i></p> <p><i>(a) a landfall construction method statement for the construction of that part of Work No. 6 or Work No. 8 (which accords with the outline landfall construction method statement); and</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>(b) a landfall monitoring plan (which accords with the outline landfall monitoring plan contained within appendix 2 of the outline landfall construction method statement).</p> <p>(2) The landfall construction method statement and the landfall monitoring plan must be implemented as approved.</p> <p>(3) In the event that inspections carried out in accordance with the landfall monitoring plan indicate that, as a result of the rate and extent of landfall erosion, Work Nos. 6 or 8 could become exposed during the operation of the authorised project the undertaker must, as soon as practicable, submit proposals in writing for remedial works or mitigation measures to protect Work Nos. 6 or 8 from coastal retreat, together with a timetable for their implementation, to the relevant planning authority for approval in consultation with the relevant statutory nature conservation body and the remedial works or mitigation measures must be implemented as approved.</p>	
Schedule 1, Part 3, Requirement 14	ESC	A new paragraph (2) has been inserted in this requirement to make it clear that the landscape management plan(s) must be implemented as approved to ensure that commitments are secured.	(2) The written landscape management plan(s) and associated work programme(s) must be implemented as approved.	4
Schedule 1, Part 3, Requirement 15(1)	ESC	This requirement has been updated to clarify that landscaping works must be carried out and maintained in accordance with the landscape management plan(s).	(1) All landscaping works must be carried out and maintained in accordance with the landscape management plan(s) approved under requirement 14 (provision of landscaping), and in accordance with the relevant recommendations of appropriate British Standards.	4
Schedule 1, Part 3, Requirement 15(2)	ESC	At Deadline 4, ESC suggested that Work No. 24 should also be subject to a ten year replacement planting period. The Applicant has therefore amended this requirement to	(2) Any tree or shrub planted as part of an approved landscape management plan that, within a period of five years (save in relation to Work Nos. 24 and 33, for which the relevant period is ten years) after planting, is removed, dies or	4



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		ensure a 10 year period applies to Work No. 24.	<i>becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority.</i>	
Schedule 1, Part 3, Requirement 15(2)	Applicant	The Applicant has amended this requirement so that the 10 year replacement period also applies to trees and shrubs planted as part of Work No. 19.	<i>(2) Any tree or shrub planted as part of an approved landscape management plan that, within a period of five years (save in relation to Work Nos. 19, 24 and 33, for which the relevant period is ten years) after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority.</i>	5
Schedule 1, Part 3, Requirement 15(2)	ESC	ESC suggested that trees and shrubs planted as part of Work No. 29 should also be subject to a ten year replacement planting period. The Applicant has therefore amended this requirement so that the 10 year replacement period also applies to trees and shrubs planted as part of Work No. 29.	<i>(2) Any tree or shrub planted as part of an approved landscape management plan that, within a period of five years (save in relation to Work Nos. 19, 24, 29 and 33, for which the relevant period is ten years) after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless alternative timing or a different specimen is otherwise approved by the relevant planning authority.</i>	6
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.	<i>(1) Construction of any access must not begin until written details (which accord with the outline access management plan) 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 means of access to a highway</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>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 17(4)	SASES	SASES requested that this requirement be expanded to apply to the grid connection works (excluding pylons). The Applicant can confirm that the requirement was intended to apply to both the onshore substation and national grid substation but acknowledges that this was not clear from the drafting. The Applicant has therefore clarified the drafting and has also included the cable sealing end compounds within the scope of the provision.	<i>(4) Any approved permanent fencing in relation to the an onshore substation comprised within Work No. 30, the national grid substation comprised within Work No. 41 and the sealing end compounds comprised within Work No. 38 must be completed before the respective substation or sealing end compound that onshore substation is brought into use and must be maintained for the operational lifetime of the work to which it relates onshore substation.</i>	4
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 19	SCC	The Applicant has amended requirement 19 in order to address comments raised by SCC within its Deadline 4 submission.	<i>(1) No intrusive onshore preparation works (including 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</i>	4



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>Suffolk County Council in consultation with the relevant planning authority.</p> <p>(2) Intrusive onshore preparation works pre-commencement archaeological surveys, archaeological investigations and associated site preparation works must be carried out in accordance with the approved plan.</p>	
Schedule 1, Part 3, Requirement 19	SCC	The Applicant has amended requirement 19 in order to address comments raised by SCC within its Deadline 5 submission.	(1) No intrusive onshore preparation works (including 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 and the outline written scheme of investigation (onshore archaeology)) in respect of those works has been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.	5
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.	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.	3
Schedule 1, Part 3, Requirement 20	SCC	The Applicant has amended requirement 20 in order to address comments raised by SCC within its Deadline 4 submission.	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 archaeology) and is informed by the pre-commencement archaeological surveys) has, after consultation with Historic England, been submitted to and approved by Suffolk County Council in consultation with the relevant planning authority.	4



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>(2) In the event that site investigation is required, the scheme must include details of the following—</p> <ul style="list-style-type: none"> (a) an assessment of significance and research questions; and (b) the programme and methodology of site investigation and recording; (c) the programme for post investigation assessment; (d) provision to be made for analysis of the site investigation and recording; (e) provision to be made for publication and dissemination of the analysis and records of the site investigation; (f) provision to be made for archive deposition of the analysis and records of the site investigation; and (g) nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation. <p>(3) Any archaeological works or watching brief must be carried out in accordance with the approved written scheme of archaeological investigation for that stage.</p> <p>(4) In the event that site investigation is required, the site investigation and post investigation assessment must be completed for that stage in accordance with the programme set out in the written scheme of archaeological investigation and provision made for analysis, publication and dissemination of results and archive deposition secured for that stage.</p>	
Schedule 1, Part 3,	ESC, SCC	Amendment made to clarify that the ecological management plan will reflect pre-	(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	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Requirement 21(1)		construction survey results (as opposed to survey results included in the ES).	<i>management strategy) reflecting the survey results and the ecological mitigation measures included in the environmental statement and including—</i>	
Schedule 1, Part 3, Requirement 21(1)	ESC	The Applicant has included reference to pre-construction surveys in order to address comments raised by ESC within its Deadline 4 submission.	<i>21.—(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 pre-construction survey results, and the ecological mitigation measures included in the environmental statement and including—</i>	4
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
Schedule 1, Part 3, Requirement 21(2)	ESC	An amendment has been made to clarify that the ecological management plan submitted in relation to the onshore preparation works may reflect pre-construction survey results (as well as survey results included in the ES).	<i>(2) Onshore preparation works may not be carried out until a written ecological management plan (which accords with the outline landscape and ecological management strategy) for those works reflecting the survey results and the ecological mitigation measures included in the environmental statement has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.</i>	5
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.	<i>(k) a watercourse crossing method statement (which accords with the outline watercourse crossing method statement); and</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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.	<i>(l) a Sizewell Gap construction method statement (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.	<i>(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 during the operation of a trenchless technique;</i>	3
Schedule 1, Part 3, Requirement 23(2)(b)	ESC, Applicant	In response to a comment from ESC at Deadline 5, the Applicant has amended the reference to fitting out works within this requirement to refer to “internal” fitting out works to clarify the nature of works referred to.	<i>(2) Outside the hours specified in paragraph (1), construction work may be undertaken for essential activities including but not limited to— (a) continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring, dewatering, cable pulling, cable jointing and drilling during the operation of a trenchless technique; (b) internal fitting out works associated with the onshore substation; ...</i>	5
Schedule 1, Part 3, Requirement 23(3)	Applicant	This requirement has been updated to clarify that the timing and duration of all works outwith the specified construction hours must be approved by the relevant planning authority in advance (with the exception of activities undertaken in an emergency).	<i>(3) With the exception of activities undertaken in accordance with paragraph (2)(e), the timing and duration of construction work undertaken in accordance with paragraph (2)(a) to (d) must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.</i>	4
Schedule 1, Part 3, Requirement 23(3)	ESC	ESC requested that requirements 23 and 24 be amended so that in addition to seeking approval from ESC in relation to the duration and timing of works outside the specified	<i>(3) With the exception of activities undertaken in accordance with paragraph (2)(e), the timing and duration of construction work undertaken in accordance with paragraph (2) and, where works do not fall within paragraphs (2)(a) to (2)(e),</i>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		construction hours, agreement must also be sought on whether works that do not fall within paragraphs (2)(a) to (2)(e) are essential. The Applicant has therefore amended paragraph (3) to address this comment and the text has been agreed with ESC.	<i>whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.</i>	
Schedule 1, Part 3, Requirement 24(2)(b)	ESC, Applicant	In response to a comment from ESC at Deadline 5, the Applicant has amended the reference to fitting out works within this requirement to refer to “internal” fitting out works to clarify the nature of works referred to.	(2) <i>Outside the hours specified in paragraph (1), construction work may be undertaken for essential activities including but not limited to—</i> (a) <i>continuous periods of operation that are required as assessed in the environmental statement, such as concrete pouring and the installation and removal of conductors, pilot wires and associated protective netting across highways or public footpaths;</i> (b) <i>internal fitting out works associated with the national grid substation;</i> ...	5
Schedule 1, Part 3, Requirement 24(3)	Applicant	This requirement has been updated to clarify that the timing and duration of all works outwith the specified construction hours must be approved by the relevant planning authority in advance (with the exception of activities undertaken in an emergency).	(3) <i>With the exception of activities undertaken in accordance with paragraph (2)(e), the timing and duration of construction work undertaken in accordance with paragraph (2)(a) to (d) must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.</i>	4
Schedule 1, Part 3, Requirement 24(3)	ESC	ESC requested that requirements 23 and 24 be amended so that in addition to seeking approval from ESC in relation to the duration and timing of works outside the specified construction hours, agreement must also be sought on whether works that do not fall within paragraphs (2)(a) to (2)(e) are essential. The Applicant has therefore amended paragraph (3) to address this	(3) <i>With the exception of activities undertaken in accordance with paragraph (2)(e), the timing and duration of construction work undertaken in accordance with paragraph (2) and, where works do not fall within paragraphs (2)(a) to (2)(e), whether such works are essential, must be approved by the relevant planning authority in writing in advance, and must be carried out within the approved time.</i>	6



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		comment and the text has been agreed with ESC.		
Schedule 1, Part 3, Requirement 25	SASES	In response to a comment raised by SASES, the Applicant has updated Requirement 25 so that it applies to the cable sealing end compounds as well as the substations.	<p><i>(5) Work No. 38 must not begin operation until an operational artificial light emissions management plan providing details of artificial light emissions during the operation of Work No. 38, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.</i></p> <p><i>(6) The approved operational artificial light emissions management plan must be implemented upon, and maintained during, the operation of Work No. 38.</i></p>	4
Schedule 1, Part 3, Requirement 26	Applicant	As a result of further noise modelling, the Applicant has been able to reduce the noise limits specified within this requirement. The Applicant has also included an additional noise sensitive location as requested by ESC.	<p>26.—<i>(1) The noise rating level for the operation of Work No. 30 must not exceed—</i></p> <p><i>(a) 3234dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—</i></p> <p><i>(i) 1 Woodside Cottages, Grove Road (641837, 261172); and</i></p> <p><i>(ii) Woodside Barn Cottages, Church Road (641237, 260645);</i></p> <p><i>(b) 31dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive location—</i></p> <p><i>(i) Little Moor Farm, Knodishall (641228, 261676).</i></p>	4
Schedule 1, Part 3, Requirement 26	Applicant	The Applicant has expanded the scope of the noise condition in Requirement 27 to include the national grid substation which renders the noise condition relating to the onshore substation in requirement 26 unnecessary as it is not possible for the	<p>Control of noise during operational phase</p> <p>(1) The noise rating level for the operation of Work No. 30 must not exceed—</p> <p>(a) 32dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—</p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		onshore substation to operate without the national grid substation. Requirement 26 has therefore been deleted and Requirement 27 will control the operational noise of the onshore substation, the national grid substation and, if operational, the East Anglia ONE North onshore substation.	(i) 1 Woodside Cottages, Grove Road (641837, 261172); (ii) Woodside Barn Cottages, Church Road (641237, 260645); (b) 31dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive location— (i) Little Moor Farm, Knodishall (641228, 261676). Work No. 30 must not begin operation until a scheme for monitoring compliance with the noise rating levels set out in paragraph (1) above has been submitted to and approved by the relevant planning authority. The scheme must include identification of suitable monitoring locations (and alternative surrogate locations if appropriate) and times when the monitoring is to take place to demonstrate that the noise levels have been achieved after both initial commencement of operations and six months after Work No. 30 is at full operational capacity. (2) The monitoring scheme must be implemented as approved.	
Schedule 1, Part 3, Requirement 26 (New)	ESC, SCC, ExA, SASES	In response to concerns raised by the Councils, SASES and the ExA, the Applicant has included a new requirement in the draft DCO which requires the approval of an onshore preparation works management plan which will ensure that relevant onshore preparation works are subject to appropriate controls.	<p>Onshore preparation works management plan</p> <p><i>(1) Prior to carrying out specified onshore preparation works, an onshore preparation works management plan in respect of those works (which accords with appendix 1 of the outline code of construction practice) must be submitted to and approved by the relevant local planning authority in consultation with Suffolk County Council.</i></p> <p><i>(2) The specified onshore preparation works must be carried out in accordance with the approved onshore preparation works management plan.</i></p> <p><i>(3) For the purposes of this requirement—</i> <i>(a) “specified onshore preparation works” means operations consisting of site clearance, demolition work, early planting of</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>landscaping works, intrusive 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 and erection of welfare facilities.</i>	
Schedule 1, Part 3, Requirement 27	Applicant	As a result of further noise modelling, the Applicant has been able to reduce the noise limits specified within this requirement. The Applicant has also included an additional noise sensitive location as requested by ESC.	27.—(1) <i>The combined noise rating level for the operation of Work No. 30 cumulatively with the operation of the East Anglia ONE North onshore substation must not exceed—</i> <i>(a) 3234dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—</i> <i>(i) 1 Woodside Cottages, Grove Road (641837, 261172); and</i> <i>(ii) Woodside Barn Cottages, Church Road (641237, 260645);</i> <i>(b) 31dB LAeq (5 min) at any time at a free field location immediately adjacent to the following noise sensitive location—</i> <i>(i) Little Moor Farm, Knodishall (641228, 261676).</i>	4
Schedule 1, Part 3, Requirement 27	ExA, ESC, SASES	In response to comments raised by ESC, SASES and the ExA, the Applicant has amended the cumulative noise condition within Requirement 27 to include the national grid substation. The Applicant has also incorporated some of the drafting proposed by SASES at Deadline 5 in order to provide further detail in relation to the scheme for monitoring compliance.	Control of noise during operational phase cumulatively with East Anglia ONE North onshore substation <i>(1) The combined noise rating level for the standard operation of Work No. 30 cumulatively with the standard operation of the new national grid substation and the East Anglia ONE North onshore substation must not exceed—</i> <i>(a) 32dB LAeq (15 min) at any time at a free field location immediately adjacent to the following noise sensitive locations—</i>	5



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			<p>(i) 1 Woodside Cottages, Grove Road (641837, 261172); (ii) Woodside Barn Cottages, Church Road (641237, 260645);</p> <p>(b) 31dB LAeq (15 min) at any time at a free field location immediately adjacent to the following noise sensitive location— (i) Little Moor Farm, Knodishall (641228, 261676).</p> <p>(2) Work No. 30 must not operate at the same time as the new national grid substation or the East Anglia ONE North onshore substation until a scheme for monitoring compliance with the noise rating levels set out in paragraph (1) above has been submitted to and approved by the relevant planning authority. The scheme must be based on principles set out in BS 4142:2014+A1:2019. The reference method set out in Annex D to BS 4142:2014+A1:2019 shall be used in the assessment of whether tonal penalties apply. The scheme must identify—</p> <p>(a) the required meteorological and other conditions under which the measurements will be taken, acknowledging that data obtained during emergency operation or testing of certain plant and equipment is not be taken in to account;</p> <p>(b) include identification of suitable monitoring locations (and alternative surrogate locations if appropriate); and</p> <p>(c) times when the monitoring is to take place to demonstrate that the noise levels have been achieved after—</p> <p>(d) initial commencement of— (i) Work No. 30, the new national grid substation and the East Anglia ONE North</p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>onshore substation both all operating at the same time; and</i></p> <p><i>(ii) where Work No. 30 begins operation before the East Anglia ONE North onshore substation, Work No. 30 and the new national grid substation operating at the same time; and</i></p> <p>(e) six months after—</p> <p><i>(i) both Work No. 30, the new national grid substation and the East Anglia ONE North onshore substation have all been operating cumulatively at full capacity and</i></p> <p><i>(ii) where Work No. 30 begins operation at least six months before the East Anglia ONE North onshore substation, both Work No. 30 and the new national grid substation have been operating cumulatively at full capacity.</i></p> <p>(3) The monitoring scheme must be implemented as approved.</p> <p>(4) For the purposes of this requirement—</p> <p>(a) “East Anglia ONE North onshore substation” means the onshore substation comprised within Work No. 30 of the East Anglia ONE North Order; and</p> <p>(b) “new national grid substation” means the national grid substation comprised within Work No. 41 of this Order and Work No. 41 of the East Anglia ONE North Order.</p>	
Schedule 1, Part 3, Requirement 27(4)	ESC	ESC requested clarity in respect of what constitutes standard operation and so the Applicant has inserted a definition of “standard operation” which has been agreed with ESC.	<p>(4) For the purposes of this requirement—</p> <p>...</p> <p><i>(c) “standard operation” means the ordinary operation of the substations excluding emergency operation and the</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>testing of plant and equipment associated with emergency operation.</i>	
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.	<i>(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 highway authority in consultation with the relevant highway planning authority—</i>	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 Applicant has updated the requirement to address this comment.	<i>(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 be submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation body.</i> <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>	3
Schedule 1, Part 3, Requirement 30	SCC, ESC	SCC requested that the relevant highway authority be named as a consultee on the onshore decommissioning plan and the Applicant has updated the requirement to address this comment. In addition, ESC requested that a notification of cessation of commercial operation be provided and provision has been made for this within the requirement.	<i>(1) The undertaker must notify the relevant planning authority of the permanent cessation of commercial operation of the transmission works within 14 days following the date of permanent cessation.</i> <i>(2) 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 be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body.</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>(3) The undertaker must notify the relevant planning authority of the permanent cessation of commercial operation of the grid connection works within 14 days following the date of permanent cessation.</i></p> <p><i>(4) 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 highway authority and 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



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Schedule 1, Part 3, Requirement 32	SCC, SASES	This requirement has been updated to remove reference to “commence” so that the requirement applies to pre-commencement works that affect public rights of way.	<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) is to be undertaken 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 been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.</i>	4
Schedule 1, Part 3, Requirement 32	SCC	SCC requested clarification that onshore preparation works that might not constitute development fall within the scope of the requirement. In order to address SCC’s comment, the Applicant has updated the text of requirement 32 to specifically refer to onshore preparation works to clarify that where onshore preparation works affect a public right of way, they will fall within the scope of the requirement. This amendment has been agreed with SCC.	<i>(1) No stage of the authorised development or onshore preparation works 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) is to be undertaken 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 been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.</i>	6
Schedule 1, Part 3, Requirement 33	SCC	The Applicant has agreed the text of a new emergency planning requirement with the Suffolk Joint Emergency Planning Unit, acting on behalf of Suffolk County Council. The agreed text has been included in the draft DCO and replaces the previous emergency incident response requirement.	<i>Emergency planning arrangements incident response plan</i> <i>(1) No part of the relevant works shall commence until the Suffolk Resilience Forum Radiation Emergency Plan has been reviewed to account for the relevant works or part thereof and reissued in accordance with the relevant Radiation Emergency Preparedness Regulations. No stage of Work Nos. 9, 10, 11, 12, 13 and 15 shall commence until an emergency incident response plan relating to the construction</i>	5



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			<p>of that stage of the relevant works has been submitted for approval by the relevant planning authority.</p> <p><i>(2) Emergency planning arrangements specified within the Suffolk Resilience Forum Radiation Emergency Plan in respect of the relevant works shall be implemented in relation to the relevant part of the relevant works, unless otherwise agreed with Suffolk County Council after consultation with the Sizewell Emergency Planning Consultative Committee or Suffolk Resilience Forum as appropriate. The emergency incident response plan shall be carried out as approved in relation to the relevant part of the relevant works.</i></p> <p><i>(3) For the purposes of this requirement—</i></p> <p><i>(a) “the relevant works” means—</i></p> <p><i>(i) the onshore preparation works;</i></p> <p><i>(ii) the onshore works; and</i></p> <p><i>(iii) to the extent that they are within the Sizewell B Detailed Emergency Planning Zone, the offshore works.</i></p> <p><i>(b) “the relevant Radiation Emergency Preparedness Regulations” means the Radiation (Emergency Preparedness and Public Information) Regulations 2019 as amended from time to time; and</i></p> <p><i>(c) “the relevant Sizewell B Detailed Emergency Planning Zone” means the Sizewell Detailed Emergency Planning Zone detailed within the Suffolk Resilience Forum Radiation Emergency Plan.</i></p>	
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 axis until the Secretary of State, having consulted with the Ministry of Defence, confirms satisfaction</i></p>	3



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			<p><i>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 (RLSWTG) forming part of the authorised development and within radar line of sight of the air defence radar at Remote Radar Head (RRH) Trimmingham 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) Trimmingham 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>(c) — “the required period” means the shorter of —</p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<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 34	ExA	In response to a comment raised by the ExA, the Applicant has removed reference to “(RHH)” and “(RMS)” since they are not used within the requirement.	<p>(2) For the purposes of this requirement—</p> <p>(a) “appropriate mitigation” means measures to prevent or remove any adverse effects which the authorised development will have on the air defence radar at Remote</p>	5



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			<p>Radar Head (RRH) Trimingham and the Ministry of Defence’s air surveillance and control operations; (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>	
Schedule 1, Part 3, Requirement 36	ESC, SCC	<p>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 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>	<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 (which accords with the outline port construction traffic management and travel plan) for the onshore port-related traffic to and from the 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 planning authority in consultation with the relevant planning highway authority; or</p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>(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.</i></p> <p><i>(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.</i></p> <p><i>(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.</i></p> <p><i>(5) For the purposes of this requirement— “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</i></p>	



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			<i>the ongoing operational management of the authorised project.</i>	
Schedule 1, Part 3, Requirement 37	ESC	In its Deadline 4 response ESC requested that this requirement be updated to include infrastructure associated with Work No.6 to the point of mean low water. The Applicant has therefore updated the requirement to include Work No. 6 within the scope of the requirement.	<p>Decommissioning of relevant landfall works Work No. 8</p> <p>37.—(1) After a period of 24 years but before the expiration of a period of 25 years following completion of construction of the relevant landfall works Work No. 8, the undertaker must submit a report to the relevant planning authority detailing the following—</p> <ul style="list-style-type: none"> (a) the extent of coastal retreat experienced following completion of construction; (b) whether any remedial works or mitigation measures to protect the relevant landfall works Work No. 8 from coastal retreat have been required during this period, what these works comprised and an assessment of their impacts on coastal processes; (c) the length of the anticipated remaining operational lifespan of the authorised project; (d) the extent of the likely coastal retreat during the timeframe of the anticipated remaining operational lifespan of the authorised project and the likely need for, and nature of, any proposed remedial works or mitigation measures to protect the relevant landfall works Work No. 8 from coastal retreat and an analysis of their predicted impact on coastal processes; and (e) any proposed remedial works or mitigation measures identified under paragraph (d). <p>(2) If it cannot be demonstrated to the reasonable satisfaction of the relevant planning authority that, taking into account any proposals for such remedial works or mitigation measures, the relevant landfall works Work No. 8 will not have a</p>	4



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>significant impact on coastal processes then the relevant landfall works Work No. 8 must be decommissioned in accordance with Requirement 30 (onshore decommissioning).</p> <p>(3) For the purposes of this requirement— (a) "the relevant landfall works" means Work No. 6, to the extent that the works are landward of mean low water springs, and Work No. 8.</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 another development consent order 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 38	Applicant	In updating this requirement at Deadline 3, the Applicant did not update the heading and so this has been amended so that it reflects the requirement.	Restriction on carrying out grid connection works where consented in another order East Anglia ONE North Order	4
Schedule 1, Part 3, Requirement 38	ExA, SASES	In response to comments raised by the ExA and SASES in relation to concerns that Work No. 34 may be constructed more than once, the Applicant has amended requirement 38 to clarify that Work No. 34 may only be constructed once.	<p>(2) Work No. 34 must not— (a) be constructed more than once under this Order; (b) be constructed under this Order if it is being or has been constructed under another development consent order.</p>	5
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>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</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>the relevant planning authority, in consultation with Suffolk County Council and the Environment Agency.</i> <i>(2) The operational drainage management plan must be implemented as approved.</i>	
Schedule 1, Part 3, Requirement 41	ESC, SCC, SASES	SCC and SASES requested in their Deadline 4 submissions that the scope of this requirement be extended to include the permanent access road comprised within Work No. 34 and the cable sealing end compounds comprised within Work No. 38. Comments were also raised at ISH6 that maintenance of the operational drainage should also be secured. The requirement has therefore been updated to reflect these comments.	41.—(1) <i>No part of Work Nos. 30, 34, 38 or 41 may commence until an operational drainage management plan in respect of that part (which accords with the outline operational drainage management plan) and includes provision for the maintenance of any measures identified, has been submitted to and approved by the relevant planning authority, in consultation with Suffolk County Council and the Environment Agency.</i> <i>(2) The operational drainage management plan must be implemented as approved.</i>	4
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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version												
Schedule 1, Part 3, Requirement 42	ESC	In its Deadline 4 submission and at ISH6, ESC requested that the terminology within this requirement be clarified, and in particular queried the use of the terms “constructed” and “in parallel”. The Applicants have therefore amended the requirement in order to address the comments raised.	<i>In the event that the cables comprised within the East Anglia ONE North cables works are installed constructed prior to the cables comprised within the East Anglia TWO cable works, the East Anglia TWO cable works may not subsequently be installed constructed unless the cable ducts forming part of the East Anglia TWO cable works are installed concurrently in parallel with the installation construction of the cables comprised within the East Anglia ONE North cable works.</i>	4												
Schedule 1, Part 3, Requirement 43	ExA, SASES	In response to concerns that the grid connection works may be constructed without the offshore wind farm, the Applicant has included a requirement in the draft DCO which prevents the National Grid infrastructure from going ahead without the offshore wind farm.	Restriction on carrying out grid connection works <i>43. No part of the grid connection works may commence under this Order until either— (a) the offshore works have commenced; or (b) the undertaker has provided appropriate evidence to the Secretary of State demonstrating its commitment to commence the authorised development described within paragraph 1 of Schedule 1, Part 1 and the Secretary of State has confirmed that the grid connection works may commence.</i>	5												
Schedule 2																
Schedule 2	SCC	In its Deadline 6 submission, SCC identified some errors within Schedule 2 of the draft DCO with respect to the names of streets referenced and the points shown on the works plans. The Applicant has therefore corrected these references within the draft DCO.	<table border="1"> <thead> <tr> <th>(1)</th> <th>(2)</th> </tr> </thead> <tbody> <tr> <td><i>Area</i></td> <td><i>Street subject to street works</i></td> </tr> <tr> <td>...</td> <td>...</td> </tr> <tr> <td>District of East Suffolk</td> <td>THORPENESS ROAD between reference points 5a and 5b on sheet 5 of 12 of the works plans.</td> </tr> <tr> <td>...</td> <td>...</td> </tr> <tr> <td>District of East Suffolk</td> <td>A1094 (ALDEBURGHFARNHAM ROAD) between reference points 10a and 10bd on sheet 10 of 12 on the works plans.</td> </tr> </tbody> </table>	(1)	(2)	<i>Area</i>	<i>Street subject to street works</i>	District of East Suffolk	THORPENESS ROAD between reference points 5a and 5b on sheet 5 of 12 of the works plans.	District of East Suffolk	A1094 (ALDEBURGH FARNHAM ROAD) between reference points 10a and 10 b d on sheet 10 of 12 on the works plans.	5
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DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version								
			<p>District of East Suffolk A1094 (ALDEBURGH ROAD) between reference points 10b and 10d on sheet 10 of 12 on the works plans.</p> <hr/> <p>District of East Suffolk B1121 (SAXMUNDHAM ALDEBURGH ROAD) between reference points 10c and 10d on sheet 10 of 12 on the works plans.</p> <hr/> <p>District of East Suffolk B1069 (SNAPE ROAD) between reference points 10e and 10f on sheet 10 of 12 on the works plans.</p> <hr/> <p>District of East Suffolk A12 (MAIN ROAD) between reference points 11a and 11b on sheet 11 of 12 on the works plans.</p> <hr/> <p>District of East Suffolk A1094 (ALDEBURGH ROAD) (FRIDAY STREET ALDEBURGH ROAD) between reference points 11c and 11d on sheet 11 of 12 on the works plans.</p>									
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 3	Applicant	The Applicant has sought to amend the Order limits at Work No. 9 to increase the separation distance between the onshore cable corridor and the Wardens Trust property. This change has necessitated a minor amendment to the temporary diversion proposed for PRow E-106/025/0. The	<table border="1"> <thead> <tr> <th>(1)</th> <th>(2)</th> <th>(3)</th> <th>(4)</th> </tr> </thead> <tbody> <tr> <td><i>Area</i></td> <td><i>Public right of way to be temporarily stopped up</i></td> <td><i>Extent temporary stopping up</i></td> <td><i>of Temporary public right of way to be substituted</i></td> </tr> </tbody> </table>	(1)	(2)	(3)	(4)	<i>Area</i>	<i>Public right of way to be temporarily stopped up</i>	<i>Extent temporary stopping up</i>	<i>of Temporary public right of way to be substituted</i>	7
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<i>Area</i>	<i>Public right of way to be temporarily stopped up</i>	<i>Extent temporary stopping up</i>	<i>of Temporary public right of way to be substituted</i>									



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		description of TEMP2a has therefore been amended in Schedule 3 to reflect this change.	<p>...</p> <p>District of East Suffolk Byway open to all traffic reference 2 (E-106/025/0)</p> <p>Approximately 66m of the existing byway open to all traffic reference 2 (E-106/025/0) between the points marked CS1-1 and CS1-2 on sheet 2 of 12 of the temporary stopping up of public rights of way plan shown with a dashed pink line.</p> <p>Approximately 236299m of proposed byway open to all traffic reference TEMP2a, or approximately 360m of proposed byway open to all traffic reference TEMP2b between the points CS1-1 and CS1-2 on sheet 2 of 12 of the temporary stopping up of public rights of way plan shown with a black and white dashed line or as otherwise approved by the relevant highway authority.</p>	
Schedule 4				
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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version																								
Schedule 5																												
Schedule 5	SCC	In its Deadline 6 submission, SCC identified some errors within Schedule 5 of the draft DCO with respect to the names of streets referenced and the points shown on the works plans. The Applicant has therefore corrected these references within the draft DCO.	<table border="1"> <thead> <tr> <th>(1)</th> <th>(2)</th> <th>(3)</th> </tr> </thead> <tbody> <tr> <td><i>Area</i></td> <td><i>Street to be temporarily stopped up</i></td> <td><i>Extent of temporary stopping up, alteration or diversion</i></td> </tr> <tr> <td colspan="3">...</td> </tr> <tr> <td>District of East Suffolk</td> <td>THORPENESS ROAD</td> <td>Approximately 164m of Thorpeness Road as is within Work No.17 as shown between reference points 5a and 5b on sheet 5 of 12 of the works plans.</td> </tr> <tr> <td>District of East Suffolk</td> <td>ALDEBURGH ROAD</td> <td>Approximately 9323m of Aldeburgh Road as is within Work No.19 as shown between reference points 5e and 5f on sheet 5 of 12 of the works plans.</td> </tr> <tr> <td colspan="3">...</td> </tr> <tr> <td>District of East Suffolk</td> <td>A1094 (ALDEBURGH ROAD FARNHAM ROAD)</td> <td>Approximately 751226m of the A1094 (Aldeburgh Farnham Road) as is within Work No.35 as shown between reference points 10a and 10bd on sheet 10 of 12 of the works plans.</td> </tr> <tr> <td>District of East Suffolk</td> <td>A1094 (ALDEBURGH ROAD)</td> <td>Approximately 525m of the A1094 (Aldeburgh Road) as is within Work No.35 as shown between reference points 10b</td> </tr> </tbody> </table>	(1)	(2)	(3)	<i>Area</i>	<i>Street to be temporarily stopped up</i>	<i>Extent of temporary stopping up, alteration or diversion</i>	...			District of East Suffolk	THORPENESS ROAD	Approximately 164m of Thorpeness Road as is within Work No.17 as shown between reference points 5a and 5b on sheet 5 of 12 of the works plans.	District of East Suffolk	ALDEBURGH ROAD	Approximately 9323m of Aldeburgh Road as is within Work No.19 as shown between reference points 5e and 5f on sheet 5 of 12 of the works plans.	...			District of East Suffolk	A1094 (ALDEBURGH ROAD FARNHAM ROAD)	Approximately 751226m of the A1094 (Aldeburgh Farnham Road) as is within Work No.35 as shown between reference points 10a and 10bd on sheet 10 of 12 of the works plans.	District of East Suffolk	A1094 (ALDEBURGH ROAD)	Approximately 525m of the A1094 (Aldeburgh Road) as is within Work No.35 as shown between reference points 10b	5
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			<p style="text-align: right; color: red;">and 10d on sheet 10 of 12 of the works plans.</p> <hr/> <p>District of East Suffolk B1121 (SAXMUNDHAM ROAD) ALDEBURGH ROAD)</p> <p>Approximately 84m of the B1121 (Saxmundham Aldeburgh Road) as is within Work No.35 as shown between reference points 10c and 10d on sheet 10 of 12 of the works plans.</p> <hr/> <p>District of East Suffolk B1069 (SNAPE ROAD)</p> <p>Approximately 197m of the B1069 (Snape Road) as is within Work No.35 as shown between reference points 10e and 10f on sheet 10 of 12 of the works plans.</p> <hr/> <p>District of East Suffolk A12 (MAIN ROAD)</p> <p>Approximately 680m of the A12 (Main Road) as is within Work No.36 as shown between reference points 11a and 11b on sheet 11 of 12 of the works plans.</p> <hr/> <p>District of East Suffolk A1094 (FRIDAY STREET) ALDEBURGH ROAD)</p> <p>Approximately 469m of the A1094 (Friday Street Aldeburgh Road) as is within Work No.36 as shown between reference points 11c and 11d on sheet 11 of 12 of the works plans.</p>	
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	100, 101, 102, 103, 104, 104A, 104B, 104C	2



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version									
		Inclusion of Additional Land (REP1-037) submitted at Deadline 1.											
Schedule 7	Applicant	The Applicant has removed plot 3 from the Order land at the request of East Suffolk Council and Schedule 7 has been updated to reflect this.	1, 2, 3	5									
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”...?	<i>(2) 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— (a) 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 border="1"> <thead> <tr> <th><i>Number of land shown on land plan</i></th> <th><i>Purpose for which temporary possession may be taken</i></th> <th><i>Relevant part of the authorised project</i></th> </tr> </thead> <tbody> <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, 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,</td> <td>Worksites for construction and the carrying out of the authorised project</td> <td>Work Nos. 8, 9, 11, 13, 15 to 19, 22, 23, 26, 30 to 35 and 37 to 43</td> </tr> </tbody> </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, 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,	Worksites for construction and the carrying out of the authorised project	Work Nos. 8, 9, 11, 13, 15 to 19, 22, 23, 26, 30 to 35 and 37 to 43	2
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DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>138, 142 to 144, 146, 147, 152, 153 and 182</p> <hr/> <p>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</p> <hr/> <p>7, 8, 16, 39, 47, 65, 66, 84, 108 to 113</p> <hr/> <p>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</p> <hr/> <p>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 116, 127 to 131, 133, 135, 144, 146, 147 and 182</p>	<p>Access for carrying out the authorised project</p> <p>Work Nos. 7, 11, 15, 17, 18, 19, 20, 23, 26 and 34</p> <p>Construction consolidation sites</p> <p>Work Nos. 7, 8, 11, 16, 18, 22, 27, 31 and 42</p> <p>Laying of temporary vehicular access tracks, haul roads, hard standings and improvements to tracks</p> <p>Work Nos. 7, 8, 9, 11, 12, 13, 14, 15 to 23, 26, 30, 31 32, 34, 35 and 37 to 43</p> <p>Temporary diversion of public rights of way</p> <p>Work Nos. 7, 8, 9, 11, 12, 13, 16 to 23, 25, 26, 27, 33 and 37 to 43</p>



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>26 Creation of habitat for flora and fauna and other ecological measures</p> <hr/> <p>50, 54 and 55 Temporary bridge arrangements over the Hundred River</p> <hr/> <p>17 to 21, 32, 33, 76, 117, 122 to 126, 148 Clear vegetation to increase the visibility swathes</p> <hr/> <p>to 160, 163 to 180 Temporary Water Supply</p>	<p>Work No. 14</p> <hr/> <p>Work No. 19</p> <hr/> <p>Work Nos. 10, 15, 23 and 34 to 37</p> <hr/> <p>Work No. 7</p>
Schedule 9	Applicant	The Applicant has removed plot 3 from the Order land at the request of East Suffolk Council and Schedule 9 has been updated to reflect this.	1, 2, 4 to 131, 133 to 136, 144, 146 to 160, 163 to 182	5
Schedule 10				
Schedule 10, Part 1	Applicant	Paragraph 2 has been amended to carve out the undertakers referred to in bespoke protective provisions contained in Part 7 and Part 8 from the scope of the general utility undertaker protective provisions.	<p><i>“affected undertaker” means</i></p> <p><i>(a) any licence holder within the meaning of Part 1 of the 1989 Act;</i></p> <p><i>(b) a gas transporter within the meaning of Part 1 of the Gas Act 1986();</i></p> <p><i>(c) a water undertaker within the meaning of Part 1 of the Water Industry Act 1991(); and</i></p> <p><i>(d) a sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991,</i></p> <p><i>for the area of the authorised development but, for the avoidance of doubt, does not include the undertakers specified in Part 3, Part 4, Part 5, and Part 6, Part 7 or Part 8 of this Schedule, and in relation to any apparatus, means the undertaker to whom it belongs or by whom it is maintained;</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 10, Part 4	NGET	Protective provisions agreed with National Grid Electricity Transmission have been incorporated into the DCO, replacing the protective provisions that were previously included for National Grid.	Protective provisions for National Grid in Part 4 have been replaced with an agreed set of protective provisions.	5
Schedule 10, Part 5	ExA	The definition of “East Anglia ONE North Order” has been deleted as this is defined in Article 2 of the draft DCO and therefore does not need to be repeated in the protective provisions.	“East Anglia ONE North Order” means the East Anglia ONE North Offshore Wind Farm Order 20[xx];	5
Schedule 10, Part 7	SZB	Protective provisions have been included for the protection of EDF Energy Nuclear Generation Limited in Part 7 of the draft DCO. With the exception of paragraph 5 which remains under discussion, the protective provisions are in an agreed form but are subject to the conclusion of a side agreement which is currently being negotiated.	Protective provisions for the protection of EDF Energy Nuclear Generation Limited have been included in Schedule 10.	5
Schedule 10, Part 7	SZB	Paragraph 5(3) of the protective provisions has been updated to incorporate text that has been agreed with SZB.	(3) <i>The undertaker must not undertake cable trenching activities or locate the HDD punch out shall not be located within—</i> <i>(a) the HDD Punch Out and Trenching Restriction Area Exclusion Zone shown on the Activity Exclusion Zones plan (Drawing No. EA2-DEV-DRG-IBR-001259); or</i> <i>(b) the visible extent of the Coralline Crag as confirmed by the surveys undertaken under sub-paragraph (2), unless otherwise agreed with EDF Energy (such agreement not to be unreasonably withheld or delayed).</i>	6
Schedule 10, Part 8	SZC	Protective provisions have been included for the protection of NNB Generation Company	Protective provisions for the protection of NNB Generation Company (SZC) Limited have been included in Schedule 10.	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		(SZC) Limited in Part 8 of the draft DCO. The protective provisions are in an agreed form but are subject to the conclusion of a side agreement which is currently being negotiated.		
Schedule 11				
Schedule 11, Part 1	ESC	In its Deadline 4 submission, ESC highlighted that hedgerows 1 and 2 are identified within Schedule 11 as being removed but on the Important Hedgerows and Tree Preservation Order Plan (REP3-010) they are identified as being crossed with a reduced width. The Applicant notes that this was an error in the draft DCO and hedgerows 1 and 2 have now been removed from Part 1 (removal of important hedgerows) of Schedule 11 and have been reinserted in Part 2 (important hedgerows that will be crossed using a reduced working width).	<p style="text-align: center;">PART 1</p> <p style="text-align: center;">Removal of important hedgerows</p> <hr/> <p>(1) (2)</p> <hr/> <p><i>Area</i> <i>Reference of hedgerow</i></p> <hr/> <p>District of East Suffolk The important hedgerow marked 1 on sheet 1 of 12 of the important hedgerows and tree preservation order plan.</p> <hr/> <p>District of East Suffolk The important hedgerow marked 2 on sheet 1 of 12 of the important hedgerows and tree preservation order plan.</p> <hr/> <p>District of East Suffolk The important hedgerow marked 3 on sheet 1 of 12 of the important hedgerows and tree preservation order plan.</p>	4
Schedule 11, Part 1	Applicant	As a result of the amendment to the Order limits at Work No. 9, the crossing of important hedgerow 4 can now be undertaken at a reduced width of 16.1m and so reference to important hedgerow 4 has been moved from Part 1 of Schedule 11 to Part 2.	<p style="text-align: center;">PART 1</p> <p style="text-align: center;">Removal of important hedgerows</p> <hr/> <p>(1) (2)</p> <hr/> <p><i>Area</i> <i>Reference of hedgerow</i></p> <hr/> <p>District of East Suffolk The important hedgerow marked 3 on sheet 1 of 12 of the important hedgerows and tree preservation order plan.</p> <hr/> <p>District of East Suffolk The important hedgerow marked 4 on sheet 2 of 12 of the important hedgerows and tree preservation order plan.</p>	7



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 11, Part 1	Applicant	In reviewing the draft DCO and the Important Hedgerows and Tree Preservation Order Plan (REP3-010), the Applicant identified that hedgerow 28 had been omitted from Schedule 11. The Applicant has corrected this error by including reference to hedgerow 28 within Part 1 of Schedule 11.	<hr/> District of East Suffolk The important hedgerow marked 28 on sheet 6 of 12 of the important hedgerows and tree preservation order plan. <hr/>	5
Schedule 11, Part 2	ESC	In its Deadline 4 submission, ESC highlighted that hedgerows 1 and 2 are identified within Schedule 11 as being removed but on the Important Hedgerows and Tree Preservation Order Plan (REP3-010) they are identified as being crossed with a reduced width. The Applicant notes that this was an error in the draft DCO and hedgerows 1 and 2 have now been removed from Part 1 (removal of important hedgerows) of Schedule 11 and have been reinserted in Part 2 (important hedgerows that will be crossed using a reduced working width).	PART 2 Important hedgerows that will be crossed using a reduced working width <hr/> (1) (2) Area Reference of hedgerow <hr/> District of East Suffolk The important hedgerow marked 1 on sheet 1 of 12 of the important hedgerows and tree preservation order plan. <hr/> District of East Suffolk The important hedgerow marked 2 on sheet 1 of 12 of the important hedgerows and tree preservation order plan. <hr/> District of East Suffolk The important hedgerow marked 5 on sheet 2 of 12 of the important hedgerows and tree preservation order plan. <hr/>	4
Schedule 11, Part 2	Applicant	As a result of the amendment to the Order limits at Work No. 9, the crossing of important hedgerow 4 can now be undertaken at a reduced width of 16.1m and so reference to important hedgerow 4 has been moved from Part 1 of Schedule 11 to Part 2. In addition, there is no longer any requirement to remove important hedgerow 5 and so reference to important hedgerow 5 has been removed from Schedule 11.	PART 2 Important hedgerows that will be crossed using a reduced working width <hr/> (1) (2) Area Reference of hedgerow <hr/> District of East Suffolk The important hedgerow marked 1 on sheet 1 of 12 of the important hedgerows and tree preservation order plan. <hr/>	7



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>District of East Suffolk The important hedgerow marked 2 on sheet 1 of 12 of the important hedgerows and tree preservation order plan.</p> <hr/> <p>District of East Suffolk The important hedgerow marked 4 on sheet 2 of 12 of the important hedgerows and tree preservation order plan.</p> <hr/> <p>District of East Suffolk The important hedgerow marked 5 on sheet 2 of 12 of the important hedgerows and tree preservation order plan.</p>	
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	The Applicant has included a definition of “JNCC Guidance” which is referred to in the Site Integrity Plan conditions.	<i>“JNCC Guidance” means the statutory nature conservation body ‘Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs’ Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time;</i>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 1, Paragraph 1(1)	Applicant	The Applicant has submitted a layout principles statement with which the turbine layout must accord and so a definition of the layout principles statement has been included.	<i>"layout principles statement" means the document certified as the layout principles statement by the Secretary of State for the purposes of the Order;</i>	6
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 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 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>	3
Schedule 13, Part 1, Paragraph 1(1)	MMO	When amending the definition of "offshore preparation works" at Deadline 3, the Applicant deleted "seaward of MHWS" from the definition in error and so this text has been re-inserted. The Applicant thanks the MMO for highlighting this in its Deadline 4 submission.	<i>"offshore preparation works" means surveys, monitoring and UXO clearance activities seaward of MHWS undertaken prior to the commencement of construction to prepare for construction;</i>	4
Schedule 13, Part 1, Paragraph 1(1)	ExA	In response to a comment from the ExA, the Applicant has included a definition of SAC.	<i>"SAC" means special area of conservation;</i>	5
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.	<i>(b) Marine Management Organisation (local office) Marine Environment Team Pakefield Road Lowestoft Suffolk NR33 0HT Tel: 0208 026 6094[+];</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 1, Paragraph 2(1)(i)	MMO	The MMO requested an amendment to this paragraph to address the fact that the disposal site reference will be provided at a later date and the Applicant has incorporated the requested change.	<i>(i) the disposal of up to 3,022,423 m3 of inert material of natural origin and/or dredged material within the offshore Order limits produced during construction drilling or seabed preparation for foundation works, sandwave clearance and boulder clearance works at disposal site reference(s) to be provided by the MMO</i> —	6
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.	<i>(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)...</i>	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.	<i>(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)...</i>	3
Schedule 13, Part 2, Condition 1(1)(a)	ESC, SCC, NE	In response to discussions with the LPAs and Natural England (amongst others) regarding the SLVIA impacts of the Projects, the Applicant has reduced the maximum wind turbine generator tip height from 300m to 282m.	<i>1.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised scheme must not— (a) exceed a height of 282300 metres when measured from LAT to the tip of the vertical blade;</i>	3
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	<i>1.—(1) Subject to paragraph (2), wind turbine generators forming part of the authorised scheme must not— ...</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		now committed to an increased air draught of 24m above MHWS.	(e) <i>have an air clearance height of less than 2422 metres from MHWS.</i>	
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.	<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 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.	<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 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	<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 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	<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 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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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 10(12)	MCA	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 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, Trinity House and UKHO within five days.</i>	4



Schedule of Changes to the draft Development Consent Order
22nd April 2021

DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 2, Condition 16	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.	16.—(1) No removal or detonation of UXO can take place until the following have been submitted to and approved in writing by the MMO <i>in consultation with the relevant statutory nature conservation body</i> — (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; <i>and</i> (iv) any exclusion zones/environmental micro-siting requirements;	3
Schedule 13, Part 2, Condition 16(1)	MCA	In its Deadline 4 submission, the MCA requested to be named as a consultee due to the health and safety risk associated with removal or detonation of UXOs. The MCA also picked up a typo which has now been corrected.	(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 <i>body and, in respect of the method statement, the MCA</i> —	4
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.	(3) <i>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,	MMO	The MMO requested an amendment to the timescales specified for the submission of plans and documents within this requirement	(3) <i>The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iv)), the marine mammal mitigation protocol and the East Anglia TWO Project</i>	4



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Condition 16(3)		and the Applicant has updated the condition to reflect revised timescales agreed with the MMO.	<p><i>Southern North Sea SAC Site Integrity Plan for UXO Clearance must be submitted to the MMO for approval at least three six months prior to the date on which it is intended for UXO clearance activities to begin.</i></p> <p><i>(4) The information to be included within the method statement in accordance with sub-paragraphs (1)(a)(ii) and (1)(a)(iv) 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></p>	
Schedule 13, Part 2, Condition 16	MMO	The UXO condition has been amended to remove references to the Site Integrity Plan as a separate SIP condition has been included within the DMLs. It has also been amended to make provision for a close out report following completion of UXO clearance activities.	<p>UXO clearance</p> <p><i>(1) No removal or detonation of UXO can take place until the following have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—</i></p> <p>...</p> <p><i>(c) an East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan.</i></p> <p><i>(2) In approving the East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance the MMO must be satisfied that the plan provides such mitigation as is necessary to avoid adversely affecting the integrity (within the meaning of the 2017 Offshore Regulations) of a relevant site, to the extent that harbour porpoise are a protected feature of that site.</i></p> <p><i>(3)(2) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iv)) and, the marine mammal mitigation protocol and the East Anglia</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance must be submitted to the MMO for approval at least six months prior to the date on which it is intended for UXO clearance activities to begin.</p> <p>(4)(3) (3) The information to be included within the method statement in accordance with sub-paragraphs (1)(a)(ii) and (1)(a)(iv) 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.</p> <p>(4) Any UXO clearance activities must be undertaken in accordance with the method statement, and marine mammal mitigation protocol and East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance approved under paragraph (1).</p> <p><i>(5) Subject to paragraph (6), a UXO clearance close out report must be submitted to the MMO at the end of the UXO clearance activity and must include the following for each detonation undertaken—</i></p> <p><i>(a) co-ordinates, depth, current speed, charge utilised and the date and time of each detonation; and</i></p> <p><i>(b) whether any mitigation was deployed, including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.</i></p> <p><i>(6) Should there be more than one UXO clearance activity, the report required under paragraph (5) may be provided at intervals agreed with the MMO.</i></p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 2, Condition 16	MMO, NE	<p>The MMO requested the inclusion of a time period for submission of the close out report in paragraph (5) and for the word “may” to be amended to “will” in paragraph (6) and the Applicant has incorporated both changes into the condition.</p> <p>In addition, NE requested that provision be included within the condition to require a copy of the close out report to be provided to NE and the Applicant has incorporated this.</p>	<p>(5) Subject to paragraph (6), a UXO clearance close out report must be submitted to the MMO and the relevant statutory nature conservation body within three months following at the end of the UXO clearance activity and must include the following for each detonation undertaken—</p> <p>(a) co-ordinates, depth, current speed, charge utilised and the date and time of each detonation; and</p> <p>(b) whether any mitigation was deployed, including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.</p> <p>(6) Should there be more than one UXO clearance activity, the report required under paragraph (5) may will be provided at intervals agreed with the MMO.</p>	6
Schedule 13, Part 2, Condition 17(1)(a)(x)	Applicant	<p>The Applicant has submitted a Layout Principles Statement (ExA.AS-34.D8.V1) with which the turbine layout must accord and the Applicant has updated the text of the design plan condition to secure this. This has been agreed with the MCA and Trinity House.</p>	<p>(x) the proposed layout of all wind turbine generators (to be in accordance with the layout principles statement and which must accord with the recommendations for layout contained in MGN543 and its annexes), offshore electrical platforms, the construction, operation and maintenance platform and meteorological mast including any exclusion zones identified under condition 17(1)(g)(iv);</p>	6
Schedule 13, Part 2, Condition 17(1)(e)(v)	CFWG	<p>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.</p>	<p>(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;</p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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)(e)(vi)	MMO	The MMO requested that this condition be updated to refer to the period in respect of which the mitigation measures specified within the best practice protocol must be undertaken and the Applicant has updated the text accordingly.	<i>(vi) procedures which must to be adopted within vessels transit corridors to minimise disturbance to red-throated diver during the period 1 November to 1 March (inclusive), which must be in accordance with the best practice protocol for minimising disturbance to red-throated diver.</i>	6
Schedule 13, Part 2, Condition 17(1)(g)(vi)	Historic England	Historic England requested an amendment to provide a more up to date definition as to where the Project's archaeological reporting archive should be submitted.	<i>(vi) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the Archaeological Data Service National Record of the Historic Environment, by submitting a Historic England OASIS (Online AccesS to the Index of archaeological investigationS) form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO that the OASIS form has been submitted to the Archaeological Data Service National Record of the Historic Environment within two weeks of submission;</i>	4
Schedule 13, Part 2,	Historic England	The Applicant has made a minor amendment to this condition following a request from Historic England.	<i>(vi) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the Archaeological Data Service, by submitting an Historic</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Condition 17(1)(g)(vi)			England-OASIS (Online AccesS to the Index of archaeological investigationS') form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO and Historic England that the OASIS form has been submitted to the Archaeological Data Service within two weeks of submission;	
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 17(2)	MMO	Reference to the Site Integrity Plan has been deleted as a separate SIP condition has been included within the DMLs.	(2) In the event that driven or part-driven pile foundations are proposed to be used, the licenced activities, or any phase of those activities must not commence until an East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for Piling which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan has been submitted to the MMO and the MMO is satisfied that the plan provides such mitigation as is necessary to avoid adversely affecting the integrity (within the meaning of the 2017 Offshore Regulations) of a relevant site, to the extent that harbour porpoise are a protected feature of that site.	5
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</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>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>	
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 21(3)	MMO	The Applicant has amended paragraph (3) to clarify the reference to "significant", as requested by the MMO.	<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 statistically significant differences in impacts to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>mitigation protocol and further monitoring requirements have been agreed.</i>	
Schedule 13, Part 2, Condition 21(3)	NE, MMO	In version 5 of the draft DCO, the Applicant clarified the reference to significant within the condition in order to address a comment raised by the MMO however NE has requested that this clarification be deleted and so the Applicant has amended paragraph (3) to revert back to the original text and this approach has been agreed with the MMO.	<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 statistically significantly different differences in impacts 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>	6
Schedule 13, Part 2, Condition 22(2)(b)	MCA	The Applicant has updated this condition to refer to IHO Order 1a standard and to remove reference to a representative sample area in order to address comments made by the MCA in its Deadline 4 submission.	<i>(b) within twelve months of completion of the licensed activities, one swath-bathymetry survey undertaken to IHO Order 1a standard that meets the requirements of MGN543 and its annexes of a representative sample area of the part(s) of the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables have been buried or protected;</i>	4
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</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies.</i>	
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 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</i> ”. 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>24.—(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 13, Part 2, Condition 24	MMO	The Applicant has amended this condition to address comments raised by the MMO and NE. The key changes are that the approval mechanism only applies during the first five	<i>(1) During the operational period of five years following the completion of construction the undertaker must not install scour protection in locations where scour protection was not installed during construction until details of the need, type,</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		<p>years of operation. Beyond this period a new marine licence will be required for the installation of any scour or cable protection in areas where scour or cable protection was not installed during construction. The condition also provides further details of the information that must be submitted for approval in respect of the installation of scour or cable protection during the first five years of operation.</p>	<p>sources, quantity and installation methods for the scour protection have the following information has been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body—.</p> <p>(a) the need for and location of the scour protection;</p> <p>(b) the type and sources of scour protection proposed to be used;</p> <p>(c) the volume and area of scour protection proposed, together with details of the total volume and area of scour protection installed under this licence;</p> <p>(d) installation methods for the scour protection; and</p> <p>(e) a report to confirm the Environmental Statement predictions in relation to the potential impact of scour protection and that the data used is appropriate.</p> <p>(2) The information required under paragraph (1) must be submitted to the MMO for approval at least four months prior to the date on which scour protection is intended for installation, unless otherwise agreed with the MMO.</p> <p>(3) The installation of such scour protection must be undertaken in accordance with the details approved under paragraph (1).</p> <p>(4) A close out report following each instance of installation of scour protection approved under paragraph (1) must be submitted to the MMO within three months of completion of the activity.</p> <p>(5) Following the date of completion of construction, the undertaker must not install scour protection in locations where scour protection was not installed during construction unless approved under paragraph (1).</p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>(6) During the operational period of five years following the completion of construction 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 the following information has been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body—.</p> <p>(a) the need for and location of the cable protection;</p> <p>(b) the type and sources of cable protection proposed to be used;</p> <p>(c) the volume and area of cable protection proposed, together with details of the total volume and area of cable protection installed under this licence;</p> <p>(d) installation methods for the cable protection; and</p> <p>(e) a report to confirm the Environmental Statement predictions in relation to the potential impact of cable protection and that the data used is appropriate.</p> <p>(7) The information required under paragraph (6) must be submitted to the MMO for approval at least four months prior to the date on which cable protection is intended for installation, unless otherwise agreed with the MMO.</p> <p>(8) The installation of such cable protection must be undertaken in accordance with the details approved under paragraph (36).</p> <p>(9) A close out report following each instance of installation of cable protection approved under paragraph (6) must be submitted to the MMO within three months of completion of the activity.</p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>(10) Following the date of completion of construction, the undertaker must not install cable protection in locations where cable protection was not installed during construction unless approved under paragraph (6).</i>	
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 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>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 2, Condition 25	ExA	Following comments made by the ExA at ISH7, the Applicant has amended the drafting of the co-operation condition to correct the missing cross reference to the SIP piling condition and to include a requirement for the undertaker to submit any comments received by the other undertaker to the MMO when submitting the relevant plan or document for approval.	<p>(1) <i>Prior to submission of plans and documentation required to be submitted to the MMO for approval in accordance with conditions 16(1), and 17(1) and 26(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 to the undertaker.</i></p> <p>(2) <i>The plans and documentation submitted to the MMO for approval in accordance with conditions 16(1), 17(1) and 26(1) must be accompanied by any comments received by the undertaker from the East Anglia ONE North undertaker in accordance with paragraph (1) or a statement from the undertaker confirming that no such comments were received.</i></p> <p>(3) <i>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 16(1), and 17(1) and 26(1) of this licence and conditions 16(1), and 17(1) and 26(1) of Schedule 13, Part 2 of to the East Anglia ONE North Order.</i></p> <p>...</p>	5
Schedule 13, Part 2, Condition 26	MMO	The Applicant has included a new SIP condition as requested by the MMO in its Deadline 5 and Deadline 6 submissions, the text of which has been agreed with the MMO.	<p><i>Southern North Sea Special Area of Conservation Site Integrity Plan</i></p> <p>(1) <i>No piling activities or any removal or detonation of UXO can take place until a Site Integrity Plan (SIP), which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to piling and removal or detonation of UXO as set out within the Guidance and how this has been considered in the context of the authorised scheme.</i></p> <p><i>(3) The SIP must be submitted to the MMO no later than six months prior to piling activities or removal or detonation of UXO being undertaken.</i></p> <p><i>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in combination with other plans and projects, is in line with the Guidance.</i></p> <p><i>(5) For the purpose of this condition—</i> <i>(a) “the Guidance” means the statutory nature conservation body Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time.</i></p>	
Schedule 13, Part 2, Condition 26	MMO	The MMO requested that the Applicant include separate SIP conditions for piling and UXO clearance activities. The Applicant has therefore amended this condition so that it applies to piling activities only and a separate condition has been inserted in respect of UXO clearance activities. The definition of the guidance has been removed	<p>Southern North Sea Special Area of Conservation Site Integrity Plan (Piling)</p> <p><i>(1) No piling activities or any removal or detonation of UXO can commence take place until a Site Integrity Plan (SIP), which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing,</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		from the condition and inserted in paragraph 1 of Part 1 of the DML.	<p>by the MMO in consultation with the relevant statutory nature conservation body.</p> <p>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to piling and removal or detonation of UXO as set out within the JNCC Guidance and how this has been considered in the context of the authorised scheme.</p> <p>(3) The SIP must be submitted to the MMO no later than six months prior to the commencement of piling activities or removal or detonation of UXO being undertaken.</p> <p>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in combination with other plans and projects, is in line with the JNCC Guidance.</p> <p>(5) For the purpose of this condition— (a) “the Guidance” means the statutory nature conservation body Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time.</p>	
Schedule 13, Part 2, Condition 27 (new)	MMO	The MMO requested that the Applicant include separate SIP conditions for piling and UXO clearance activities. The Applicant has therefore amended condition 26 so that it applies to piling activities only and this new	<p>Southern North Sea Special Area of Conservation Site Integrity Plan (UXO clearance)</p> <p>(1) No removal or detonation of UXO can take place until a Site Integrity Plan (SIP), which accords with the principles set</p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		condition has been inserted in respect of UXO clearance activities.	<p><i>out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to removal or detonation of UXO as set out within the JNCC Guidance and how this has been considered in the context of the authorised scheme.</i></p> <p><i>(3) The SIP must be submitted to the MMO no later than six months prior to removal or detonation of UXO being undertaken.</i></p> <p><i>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in-combination with other plans and projects, is in line with the JNCC Guidance.</i></p>	
Schedule 13, Part 2, Condition 27	MMO, NE	In order to address the MMO and NE's concerns regarding multiple UXO detonations and piling events, the Applicant has included a new condition within the DML to restrict noisy activities.	<p>Control of piling and UXO detonations</p> <p><i>(1) The undertaker must not—</i></p> <p><i>(a) undertake pile driving in respect of more than one pile at the same time;</i></p> <p><i>(b) undertake more than one UXO detonation at the same time; or</i></p> <p><i>(c) undertake pile driving at the same time as undertaking a UXO detonation.</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>(2) In the event that pile driving or UXO detonation is being carried out under licence 2 (transmission), the undertaker must not undertake pile driving or UXO detonation under this licence at the same time.</i></p> <p><i>(3) During the winter period the undertaker must not carry out more than one pile driving activity or UXO detonation within a 24 hour period under this licence, alone or in-combination with pile driving or UXO detonations undertaken in accordance with licence 2 (transmission).</i></p> <p><i>(4) For the purpose of this condition—</i> <i>(a) “winter period” means the period between 1 October to 31 March inclusive.</i></p>	
Schedule 13, Part 2, Condition 28	MMO	In order to address the MMO and NE's concerns regarding UXO detonations and piling events during the herring spawning season, the Applicant has included a new condition within the DML to restrict activities during the herring spawning period	<p>Herring spawning</p> <p><i>(1) The undertaker must not undertake pile driving or UXO detonations during the herring spawning period.</i></p> <p><i>(2) The “herring spawning period” means a period of approximately 14 days between 1 November and 31 January to be confirmed in writing by the MMO following submission of a herring spawning report by the undertaker which analyses the International Herring Larval Survey data for the periods 1-15 January and 16-31 January for the preceding ten years in order to determine when the highest larval densities occur.</i></p> <p><i>(3) The report referred in paragraph (2) must be submitted to the MMO at least six months prior to—</i> <i>(a) the date on which it is intended for UXO clearance activities to begin; or</i> <i>(b) the commencement of construction, whichever is earlier.</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 13, Part 2, Condition 29 (previously condition 28)	MMO	Following the inclusion of the herring spawning condition in version 5 of the draft DCO, the MMO requested that the herring spawning report include a methodology for the analysis undertaken and also requested that paragraph (3) make provision for a different timescale to be agreed for submission of the report. The Applicant has therefore updated the condition to address these comments.	<p>(1) <i>The undertaker must not undertake pile driving or UXO detonations during the herring spawning period.</i></p> <p>(2) <i>The “herring spawning period” means a period of approximately 14 days between 1 November and 31 January to be confirmed in writing by the MMO following submission of a herring spawning report by the undertaker which analyses the International Herring Larval Survey data for the periods 1-15 January and 16-31 January for the preceding ten years in order to determine when the highest larval densities occur and which includes a methodology for the analysis.</i></p> <p>(3) <i>Unless otherwise agreed in writing with the MMO, the report referred in paragraph (2) must be submitted to the MMO at least six months prior to—</i> (a) <i>the date on which it is intended for UXO clearance activities to begin; or</i> (b) <i>the commencement of construction, whichever is earlier.</i></p>	6
Schedule 13, Part 2, Condition 30	MMO	At Deadline 7, the MMO requested the inclusion of a sediment sampling condition within the DMLs and so the Applicant has included a condition, the wording of which has been agreed with the MMO, to address this comment.	<p>Sediment sampling <i>29.—(1) The undertaker must not undertake dredge or disposal activities until the following have been submitted to and approved in writing by the MMO—</i> (a) <i>details of an additional sediment contaminants sampling campaign; and</i> (b) <i>a dredge and disposal process report detailing—</i> (i) <i>the results of the sampling campaign referred to in paragraph (1)(a); and</i> (ii) <i>the requirements to be adhered to during any dredge and disposal activities.</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>(2) Any dredge and disposal activities must be undertaken in accordance with the dredge and disposal process report approved under paragraph (1).</i>	
Schedule 13, Part 2, Condition 31	MMO, NE	<p>At Deadline 7, the MMO requested the inclusion of a condition requiring a completion close out report to be submitted in order to help address some of the industry issues around releasing headroom from an ornithological perspective and so the Applicant has included a condition to address this, the text of which has been agreed with the MMO.</p> <p>In addition, NE requested that provision be included within the condition to require a copy of the close out report to be provided to NE and the Applicant has incorporated this.</p>	<p>Completion of construction</p> <p><i>(1) The undertaker must submit a close out report to the MMO and the relevant statutory nature conservation body within three months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details—</i></p> <ul style="list-style-type: none"> <i>(a) the final number of installed wind turbine generators; and</i> <i>(b) the installed wind turbine generator parameters relevant for ornithological collision risk modelling.</i> <p><i>(2) Following completion of construction, no further construction activities can be undertaken under this licence.</i></p>	6
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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 14, Part 1, Paragraph 1(1)	MMO	The Applicant has included a definition of “JNCC Guidance” which is referred to in the Site Integrity Plan conditions.	<i>“JNCC Guidance” means the statutory nature conservation body ‘Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs’ Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time;</i>	6
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 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 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>	3
Schedule 14, Part 1, Paragraph 1(1)	MMO	When amending the definition of “offshore preparation works” at Deadline 3, the Applicant deleted “seaward of MHWS” from the definition in error and so this text has been re-inserted. The Applicant thanks the MMO for highlighting this in its Deadline 4 submission.	<i>“offshore preparation works” means surveys, monitoring and UXO clearance activities seaward of MHWS undertaken prior to the commencement of construction to prepare for construction;</i>	4
Schedule 14, Part 1, Paragraph 1(1)	ExA	In response to a comment from the ExA, the Applicant has included a definition of SAC.	<i>“SAC” means special area of conservation;</i>	5
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) Marine Environment Team Pakefield Road Lowestoft Suffolk NR33 0HT</i>	3



Schedule of Changes to the draft Development Consent Order
22nd April 2021

DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>Tel: 0208 026 6094</i> ;	
Schedule 14, Part 1, Paragraph 2(1)(i)	MMO	The MMO requested an amendment to this paragraph to address the fact that the disposal site reference will be provided at a later date and the Applicant has incorporated the requested change.	<i>(i) the disposal of up to 1,887,600 m3 of inert material of natural origin and/or dredged material within the offshore Order limits produced during construction drilling or seabed preparation for foundation works, sandwave clearance and boulder clearance works at disposal site reference(s) to be provided by the MMO</i> within the extent of the Order limits seaward of MHWS comprising—	6
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— (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— (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 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 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 of Changes to the draft Development Consent Order
22nd April 2021

DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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
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</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>charts are made and the undertaker must send a copy of such notifications to the MMO within five days.</i>	
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 6(12)	MCA	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 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, Trinity House and UKHO within five days.</i>	4
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</i>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>(iv) any exclusion zones/environmental micro-siting requirements;</i>	
Schedule 14, Part 2, Condition 12(1)	MCA	In its Deadline 4 submission, the MCA requested to be named as a consultee due to the health and safety risk associated with removal or detonation of UXOs. The MCA also picked up a typo which has now been corrected.	<i>(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 and, in respect of the method statement, the MCA—</i>	4
Schedule 14, Part 2, Condition 12(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 14, Part 2, Condition 12(3)	MMO	The MMO requested an amendment to the timescales specified for the submission of plans and documents within this requirement and the Applicant has updated the condition to reflect revised timescales agreed with the MMO.	<i>(3) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iv)), the marine mammal mitigation protocol and the 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 six months prior to the date on which it is intended for UXO clearance activities to begin.</i> <i>(4) The information to be included within the method statement in accordance with sub-paragraphs (1)(a)(ii) and (1)(a)(iv) 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>	4
Schedule 14, Part 2, Condition 12	MMO	The UXO condition has been amended to remove references to the Site Integrity Plan as a separate SIP condition has been	UXO clearance <i>(1) No removal or detonation of UXO can take place until the following have been submitted to and approved in writing by</i>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		included within the DMLs. It has also been amended to make provision for a close out report following completion of UXO clearance activities.	<p><i>the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—</i></p> <p>...</p> <p><i>(c) an East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan.</i></p> <p><i>(2) In approving the East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance the MMO must be satisfied that the plan provides such mitigation as is necessary to avoid adversely affecting the integrity (within the meaning of the 2017 Offshore Regulations) of a relevant site, to the extent that harbour porpoise are a protected feature of that site.</i></p> <p><i>(3)</i><i>(2) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iv)) and, the marine mammal mitigation protocol and the East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for UXO Clearance must be submitted to the MMO for approval at least six months prior to the date on which it is intended for UXO clearance activities to begin.</i></p> <p><i>(4)</i><i>(3) The information to be included within the method statement in accordance with sub-paragraphs (1)(a)(ii) and (1)(a)(iv) 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></p> <p><i>(4) Any UXO clearance activities must be undertaken in accordance with the method statement, and marine mammal mitigation protocol and East Anglia TWO Project Southern</i></p>	



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>North Sea SAC Site Integrity Plan for UXO Clearance approved under paragraph (1).</p> <p><i>(5) Subject to paragraph (6), a UXO clearance close out report must be submitted to the MMO at the end of the UXO clearance activity and must include the following for each detonation undertaken—</i></p> <p><i>(a) co-ordinates, depth, current speed, charge utilised and the date and time of each detonation; and</i></p> <p><i>(b) whether any mitigation was deployed, including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.</i></p> <p><i>(6) Should there be more than one UXO clearance activity, the report required under paragraph (5) may be provided at intervals agreed with the MMO.</i></p>	
Schedule 14, Part 2, Condition 12	MMO	<p>The MMO requested the inclusion of a time period for submission of the close out report in paragraph (5) and for the word “may” to be amended to “will” in paragraph (6) and the Applicant has incorporated both changes into the condition.</p> <p>In addition, NE requested that provision be included within the condition to require a copy of the close out report to be provided to NE and the Applicant has incorporated this.</p>	<p><i>(5) Subject to paragraph (6), a UXO clearance close out report must be submitted to the MMO and the relevant statutory nature conservation body within three months following at the end of the UXO clearance activity and must include the following for each detonation undertaken—</i></p> <p><i>(a) co-ordinates, depth, current speed, charge utilised and the date and time of each detonation; and</i></p> <p><i>(b) whether any mitigation was deployed, including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.</i></p> <p><i>(6) Should there be more than one UXO clearance activity, the report required under paragraph (5) may will be provided at intervals agreed with the MMO.</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
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)(d)(ii)(dd)	Trinity House	In its Deadline 4 submission, Trinity House requested deletion of the words 'Trinity House Class 2' from this condition.	<i>(dd) where necessary, a relocation plan for Waverider Buoy and associated Trinity House Class 2 buoy (WMO ID: 62294) located at 52°12' 28.8"N, 001° 41' 04.8"E during cable installation, after consultation by the undertaker with Cefas and Trinity House;</i>	4
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 so the Applicant has submitted a Best Practice Protocol for Minimising	<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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		<i>Disturbance to Red-throated Diver</i> (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)(e)(vi)	MMO	The MMO requested that the condition be updated to refer to the period in respect of which the mitigation measures specified within the best practice protocol must be undertaken and the Applicant has updated the text accordingly.	<i>(vi) procedures which must to be adopted within vessels transit corridors to minimise disturbance to red-throated diver during the period 1 November to 1 March (inclusive), which must be in accordance with the best practice protocol for minimising disturbance to red-throated diver.</i>	6
Schedule 14, Part 2, Condition 13(1)(g)	Historic England	Historic England requested that Suffolk County Council be named within this condition to ensure a joined up approach on the foreshore between Historic England and Suffolk County Council.	<i>(g) A written scheme of archaeological investigation in relation to the offshore Order limits seaward of mean high water, which must be submitted to the statutory historic body at least six months prior to commencement of the licensed activities and to the MMO at least four months prior to commencement of the licensed activities and which must accord with the outline written scheme of investigation (offshore) and industry good practice, in consultation with the statutory historic body (and, if relevant, Suffolk County Council) to include—</i>	4
Schedule 14, Part 2, Condition 13(1)(g)(vi)	Historic England	Historic England requested an amendment to provide a more up to date definition as to where the Project's archaeological reporting archive should be submitted.	<i>(vi) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the Archaeological Data Service National Record of the Historic Environment, by submitting a Historic England OASIS (Online AccesS to the Index of archaeological investigationS) form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO that the OASIS form has been submitted to the Archaeological Data Service National Record of the Historic Environment within two weeks of submission;</i>	4



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Schedule 14, Part 2, Condition 13(1)(g)(vi)	Historic England	The Applicant has made a minor amendment to this condition following a request from Historic England.	<i>(vi) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the Archaeological Data Service, by submitting an Historic England OASIS (Online Access to the Index of archaeological investigationS) form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO and Historic England that the OASIS form has been submitted to the Archaeological Data Service within two weeks of submission;</i>	5
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(2)	MMO	Reference to the Site Integrity Plan has been deleted as a separate SIP condition has been included within the DMLs.	<i>(2) In the event that driven or part-driven pile foundations are proposed to be used, the licenced activities, or any phase of those activities must not commence until an East Anglia TWO Project Southern North Sea SAC Site Integrity Plan for Piling which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan has been submitted to the MMO and the MMO is satisfied that the plan provides such mitigation as is necessary to avoid adversely affecting the integrity (within the meaning of the 2017 Offshore Regulations and the 2017 Regulations) of a relevant site, to the extent that harbour porpoise are a protected feature of that site.</i>	5



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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—</i> <i>(a) 4,000kJ in respect of monopile foundations; and</i> <i>(b) 2,400kJ in respect of pin piles.</i>	3
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</i>	3



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			<i>marine mammal mitigation protocol and further monitoring requirements have been agreed.</i>	
Schedule 14, Part 2, Condition 17(3)	MMO	The Applicant has amended paragraph (3) to clarify the reference to “significant”, as requested by the MMO.	<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 statistically significant significantly different differences in impacts 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>	5
Schedule 14, Part 2, Condition 17(3)	NE, MMO	In version 5 of the draft DCO, the Applicant clarified the reference to significant within the condition in order to address a comment raised by the MMO however NE has requested that this clarification be deleted and so the Applicant has amended paragraph (3) to revert back to the original text and this approach has been agreed with the MMO.	<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 statistically significantly different differences in impacts 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>	6
Schedule 14, Part 2, Condition 18(2)(b)	MCA	The Applicant has updated this condition to refer to IHO Order 1a standard and to remove reference to a representative sample	<i>(b) within twelve months of completion of the licensed activities, one swath-bathymetry survey undertaken to IHO Order 1a standard that meets the requirements of MGN543 and its annexes of a representative sample area of the part(s)</i>	4



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		area in order to address comments made by the MCA in its Deadline 4 submission.	<i>of the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables have been buried or protected;</i>	
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, Condition 18(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 14, Part 2, Condition 20	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 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</i> ”. 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	<p><i>Scour protection and cable protection during operation</i></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</i></p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		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><i>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 14, Part 2, Condition 20	MMO	The Applicant has amended this condition to address comments raised by the MMO and NE. The key changes are that the approval mechanism only applies during the first five years of operation. Beyond this period a new marine licence will be required for the installation of any scour or cable protection in areas where scour or cable protection was not installed during construction. The condition also provides further details of the information that must be submitted for approval in respect of the installation of scour or cable protection during the first five years of operation.	<p><i>(1) During the operational period of five years following the completion of construction 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 the following information has been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body—</i></p> <p><i>(a) the need for and location of the scour protection;</i></p> <p><i>(b) the type and sources of scour protection proposed to be used;</i></p> <p><i>(c) the volume and area of scour protection proposed, together with details of the total volume and area of scour protection installed under this licence;</i></p> <p><i>(d) installation methods for the scour protection; and</i></p> <p><i>(e) a report to confirm the Environmental Statement predictions in relation to the potential impact of scour protection and that the data used is appropriate.</i></p> <p><i>(2) The information required under paragraph (1) must be submitted to the MMO for approval at least four months prior to the date on which scour protection is intended for installation, unless otherwise agreed with the MMO.</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>(3) <i>The installation of such scour protection must be undertaken in accordance with the details approved under paragraph (1).</i></p> <p>(4) <i>A close out report following each instance of installation of scour protection approved under paragraph (1) must be submitted to the MMO within three months of completion of the activity.</i></p> <p>(5) <i>Following the date of completion of construction, the undertaker must not install scour protection in locations where scour protection was not installed during construction unless approved under paragraph (1).</i></p> <p>(6) <i>During the operational period of five years following the completion of construction 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 the following information has been submitted to and approved by the MMO in consultation with the relevant statutory nature conservation body—</i></p> <ul style="list-style-type: none"> <i>(a) the need for and location of the cable protection;</i> <i>(b) the type and sources of cable protection proposed to be used;</i> <i>(c) the volume and area of cable protection proposed, together with details of the total volume and area of cable protection installed under this licence;</i> <i>(d) installation methods for the cable protection; and</i> <i>(e) a report to confirm the Environmental Statement predictions in relation to the potential impact of cable protection and that the data used is appropriate.</i> 	



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			<p><i>(7) The information required under paragraph (6) must be submitted to the MMO for approval at least four months prior to the date on which cable protection is intended for installation, unless otherwise agreed with the MMO.</i></p> <p><i>(8) The installation of such cable protection must be undertaken in accordance with the details approved under paragraph (36).</i></p> <p><i>(9) A close out report following each instance of installation of cable protection approved under paragraph (6) must be submitted to the MMO within three months of completion of the activity.</i></p> <p><i>(10) Following the date of completion of construction, the undertaker must not install cable protection in locations where cable protection was not installed during construction unless approved under paragraph (6).</i></p>	
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 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 12(1) and condition 13(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 chaired by the MMO and may consider such matters as are determined by the MMO relating to the efficient</i></p>	3



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p><i>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 14, Part 2, Condition 21	ExA	Following comments made by the ExA at ISH7, the Applicant has amended the drafting of the co-operation condition to correct the missing cross reference to the SIP piling condition and to include a requirement for the undertaker to submit any comments received by the other undertaker to the MMO when submitting the relevant plan or document for approval.	<p><i>(1) Prior to submission of plans and documentation required to be submitted to the MMO for approval in accordance with conditions 12(1), and condition 13(1) and 22(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 to the undertaker.</i></p> <p><i>(2) The plans and documentation submitted to the MMO for approval in accordance with conditions 12(1), 13(1) and 22(1) must be accompanied by any comments received by the undertaker from the East Anglia ONE North undertaker in accordance with paragraph (1) or a statement from the undertaker confirming that no such comments were received.</i></p> <p><i>(3) 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)</i></p>	5



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			<i>and 22(1) of this licence and conditions 12(1), and 13(1) and 22(1) of Schedule 14, Part 2 of to the East Anglia ONE North Order.</i>	
Schedule 14, Part 2, Condition 22	MMO	The Applicant has included a new SIP condition as requested by the MMO in its Deadline 5 and Deadline 6 submissions, the text of which has been agreed with the MMO.	<p>Southern North Sea Special Area of Conservation Site Integrity Plan</p> <p><i>(1) No piling activities or any removal or detonation of UXO can take place until a Site Integrity Plan (SIP), which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to piling and removal or detonation of UXO as set out within the Guidance and how this has been considered in the context of the authorised scheme.</i></p> <p><i>(3) The SIP must be submitted to the MMO no later than six months prior to piling activities or removal or detonation of UXO being undertaken.</i></p> <p><i>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in-combination with other plans and projects, is in line with the Guidance.</i></p> <p><i>(5) For the purpose of this condition—</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>(a) "the Guidance" means the statutory nature conservation body Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time.</i>	
Schedule 14, Part 2, Condition 22	MMO	The MMO requested that the Applicant include separate SIP conditions for piling and UXO clearance activities. The Applicant has therefore amended this condition so that it applies to piling activities only and a separate condition has been inserted in respect of UXO clearance activities. The definition of the guidance has been removed from the condition and inserted in paragraph 1 of Part 1 of the DML.	<p>Southern North Sea Special Area of Conservation Site Integrity Plan (Piling)</p> <p><i>(1) No piling activities or any removal or detonation of UXO can commence take place until a Site Integrity Plan (SIP), which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to piling and removal or detonation of UXO as set out within the JNCC Guidance and how this has been considered in the context of the authorised scheme.</i></p> <p><i>(3) The SIP must be submitted to the MMO no later than six months prior to the commencement of piling activities or removal or detonation of UXO being undertaken.</i></p> <p><i>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in combination with other plans and projects, is in line with the JNCC Guidance.</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<p>(5) For the purpose of this condition— (a) “the Guidance” means the statutory nature conservation body Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs Joint Nature Conservation Committee Report No.654, May 2020 published in June 2020 as amended, updated or superseded from time to time.</p>	
Schedule 14, Part 2, Condition 23 (new)	MMO	The MMO requested that the Applicant include separate SIP conditions for piling and UXO clearance activities. The Applicant has therefore amended condition 22 so that it applies to piling activities only and this new condition has been inserted in respect of UXO clearance activities.	<p>Southern North Sea Special Area of Conservation Site Integrity Plan (UXO clearance)</p> <p><i>27.—(1) No removal or detonation of UXO can take place until a Site Integrity Plan (SIP), which accords with the principles set out in the in principle East Anglia TWO Project Southern North Sea SAC Site Integrity Plan, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.</i></p> <p><i>(2) The SIP submitted for approval must contain a description of the conservation objectives for the Southern North Sea Special Area of Conservation (SNS SAC) as well as any relevant management measures and it must set out the key statutory nature conservation body advice on activities within the SNS SAC relating to removal or detonation of UXO as set out within the JNCC Guidance and how this has been considered in the context of the authorised scheme.</i></p> <p><i>(3) The SIP must be submitted to the MMO no later than six months prior to removal or detonation of UXO being undertaken.</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>(4) In approving the SIP the MMO must be satisfied that the authorised scheme at the pre-construction stage, in-combination with other plans and projects, is in line with the JNCC Guidance.</i>	
Schedule 14, Part 2, Condition 23	MMO, NE	In order to address the MMO and NE's concerns regarding multiple UXO detonations and piling events, the Applicant has included a new condition within the DML to restrict noisy activities.	<p>Control of piling and UXO detonations</p> <p><i>(1) The undertaker must not—</i></p> <p><i>(a) undertake pile driving in respect of more than one pile at the same time;</i></p> <p><i>(b) undertake more than one UXO detonation at the same time; or</i></p> <p><i>(c) undertake pile driving at the same time as undertaking a UXO detonation.</i></p> <p><i>(2) In the event that pile driving or UXO detonation is being carried out under licence 2 (transmission), the undertaker must not undertake pile driving or UXO detonation under this licence at the same time.</i></p> <p><i>(3) During the winter period the undertaker must not carry out more than one pile driving activity or UXO detonation within a 24 hour period under this licence, alone or in-combination with pile driving or UXO detonations undertaken in accordance with licence 2 (transmission).</i></p> <p><i>(4) For the purpose of this condition—</i></p> <p><i>(a) "winter period" means the period between 1 October to 31 March inclusive.</i></p>	5
Schedule 14, Part 2, Condition 24	MMO	In order to address the MMO and NE's concerns regarding UXO detonations and piling events during the herring spawning season, the Applicant has included a new	<p>Herring spawning</p> <p><i>(1) The undertaker must not undertake pile driving or UXO detonations during the herring spawning period.</i></p>	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		condition within the DML to restrict activities during the herring spawning period.	<p><i>(2) The “herring spawning period” means a period of approximately 14 days between 1 November and 31 January to be confirmed in writing by the MMO following submission of a herring spawning report by the undertaker which analyses the International Herring Larval Survey data for the periods 1-15 January and 16-31 January for the preceding ten years in order to determine when the highest larval densities occur.</i></p> <p><i>(3) The report referred in paragraph (2) must be submitted to the MMO at least six months prior to—</i></p> <p><i>(a) the date on which it is intended for UXO clearance activities to begin; or</i></p> <p><i>(b) the commencement of construction, whichever is earlier.</i></p>	
Schedule 14, Part 2, Condition 25 (previously condition 24)	MMO	Following the inclusion of the herring spawning condition in version 5 of the draft DCO, the MMO requested that the herring spawning report include a methodology for the analysis undertaken and also requested that paragraph (3) make provision for a different timescale to be agreed for submission of the report. The Applicant has therefore updated the condition to address these comments.	<p><i>(1) The undertaker must not undertake pile driving or UXO detonations during the herring spawning period.</i></p> <p><i>(2) The “herring spawning period” means a period of approximately 14 days between 1 November and 31 January to be confirmed in writing by the MMO following submission of a herring spawning report by the undertaker which analyses the International Herring Larval Survey data for the periods 1-15 January and 16-31 January for the preceding ten years in order to determine when the highest larval densities occur and which includes a methodology for the analysis.</i></p> <p><i>(3) Unless otherwise agreed in writing with the MMO, the report referred in paragraph (2) must be submitted to the MMO at least six months prior to—</i></p> <p><i>(a) the date on which it is intended for UXO clearance activities to begin; or</i></p> <p><i>(b) the commencement of construction,</i></p>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>whichever is earlier.</i>	
Schedule 14, Part 2, Condition 26	MMO	At Deadline 7, the MMO requested the inclusion of a sediment sampling condition within the DMLs and so the Applicant has included a condition, the wording of which has been agreed with the MMO, to address this comment.	<p>Sediment sampling</p> <p><i>29.—(1) The undertaker must not undertake dredge or disposal activities until the following have been submitted to and approved in writing by the MMO—</i></p> <p><i>(a) details of an additional sediment contaminants sampling campaign; and</i></p> <p><i>(b) a dredge and disposal process report detailing—</i></p> <p><i>(i) the results of the sampling campaign referred to in paragraph (1)(a); and</i></p> <p><i>(ii) the requirements to be adhered to during any dredge and disposal activities.</i></p> <p><i>(2) Any dredge and disposal activities must be undertaken in accordance with the dredge and disposal process report approved under paragraph (1).</i></p>	6
Schedule 14, Part 2, Condition 27	MMO	<p>At Deadline 7, the MMO requested the inclusion of a condition requiring a completion close out report to be submitted in order to help address some of the industry issues around releasing headroom from an ornithological perspective and so the Applicant has included a condition to address this, the text of which has been agreed with the MMO.</p> <p>In addition, NE requested that provision be included within the condition to require a copy of the close out report to be provided to NE and the Applicant has incorporated this.</p>	<p>Completion of construction</p> <p><i>(1) The undertaker must submit a close out report to the MMO and the relevant statutory nature conservation body confirming the date of completion of construction within three months of the date of completion of construction..</i></p> <p><i>(2) Following completion of construction, no further construction activities can be undertaken under this licence.</i></p>	6
Schedule 15				



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 15, paragraph 7	ExA, SASES, Applicant	In response to comments made by SASES and the ExA, the Applicant has amended paragraph 7 to provide for an open arbitration procedure that is accessible to the public, subject to certain exceptions (for example, where the arbitration relates to a dispute or difference under the protective provisions).	<p>(1) <i>Subject to sub-paragraphs (2), (3) and (4), any arbitration hearing and documentation shall be open to and accessible by the public. Any hearings in this Arbitration must take place in private unless otherwise agreed between the parties.</i></p> <p>(2) <i>Where the Arbitration relates to a dispute or difference under the provisions of Schedule 10, the hearings must take place in private unless otherwise agreed between the parties and any matters, materials, documents, awards, expert reports and the like are confidential and must not be disclosed to any third party without prior written consent of the other party. The parties and Arbitrator agree that any matters, materials, documents, awards, expert reports and the like are confidential and must not be disclosed to any third party without prior written consent of the other party, save for any application to the courts and/or save for compliance with legislative rules, functions or obligations on either party.</i></p> <p>(3) <i>The Arbitrator may direct that the whole or part of a hearing is to be private and/or any documentation to be confidential where it is necessary in order to protect commercially sensitive information.</i></p> <p>(4) <i>Nothing in this paragraph shall prevent any disclosure of a document by a party pursuant to an order of a court in England and Wales or where disclosure is required under any enactment.</i></p>	5
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



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
Schedule 16, paragraph 1	ESC, SCC	In order to address comments raised by ESC and SCC in relation to the procedure for discharge of requirements, the Applicant has revised paragraph 1 to specify information to be provided by the undertaker and to amend the decision period from 42 days to 56 days.	<p>(1) <i>Where an application has been made to a discharging authority for any consent, agreement or approval required or contemplated by any of the requirements within Part 3 of Schedule 1 (requirements) of to this Order—</i></p> <p><i>(a) the undertaker must give the discharging authority sufficient information to identify the requirement(s) to which the application relates; and</i></p> <p><i>(b) the undertaker must provide such particulars, plans and drawings as are reasonably considered necessary to deal with the application.</i></p> <p>(2) †<i>The discharging authority must give notice to the undertaker of its decision on the application before the end of the decision period.</i></p> <p>(3) <i>For the purposes of this paragraph, the decision period is—</i></p> <p><i>(a) where no further information is requested under paragraph 2 (further information), 4256 days from the day immediately following that on which the application is received by the discharging authority;</i></p> <p>...</p>	5
Schedule 16, paragraph 1	ESC	In order to address comments raised by ESC, the Applicant has removed the deemed approval mechanism from paragraph 1.	(4) In the event that the discharging authority does not determine an application within the decision period, the discharging authority is taken to have granted all parts of the application (without any condition or qualification) at the end of that period unless otherwise agreed in writing.	6
Schedule 16, paragraph 2	ESC, SCC	In order to address comments raised by ESC and SCC in relation to the procedure for discharge of requirements, the Applicant has revised paragraph 2 to amend the period within which the discharging authority may	(2) If the discharging authority considers such further information to be necessary it must, as soon as reasonably practicable and within 1020 business days of receipt of the application notify the undertaker in writing specifying the further information required.	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		request further information from 10 business days to 20 business days.		
Schedule 16, paragraph 3	Applicant	In removing the deemed approval mechanism from paragraph 1 in order to address concerns raised by ESC, the Applicant has included non-determination of an application as a ground for appeal. This reflects the standard text in Appendix 1 of Planning Inspectorate Advice Note 15.	<p><i>(1) The undertaker may appeal to the Secretary of State in the event that—</i></p> <p><i>(a) the discharging authority refuses an application for any consent, agreement or approval required or contemplated by a requirement contained within Part 3 of Schedule 1 (requirements) to this Order or grants it subject to conditions to which the undertaker objects;</i></p> <p><i>(b) the discharging authority does not give notice of its decision to the undertaker within the decision period specified in paragraph 1 (applications made for certain approvals);</i></p> <p>...</p>	6
Schedule 16, paragraph 3	ESC	In their Deadline 6 response, ESC requested that the periods specified in paragraph 3 of Schedule 16 for written representations and counter-submissions be amended from 15 business days and 10 business days, respectively to 20 business days in both cases. The Applicant has therefore amended the period specified within paragraph 3 to address ESC's comments.	<p><i>(2) The appeal process is as follows—</i></p> <p>...</p> <p><i>(d) the discharging authority and the relevant consultees must submit written representations to the appointed person in respect of the appeal within 2015 business days of the date on which the appeal parties are notified of the appointment of a person under sub-paragraph (c) and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;</i></p> <p><i>(e) the appeal parties shall make any counter-submissions to the appointed person within 2010 business days of receipt of written representations pursuant to sub-paragraph (d) above.</i></p>	5
Schedule 17				
Schedule 17	Applicant, MMO, ExA	In response to comments from the MMO and the ExA, the Applicant has included a new Schedule in the draft DCO which lists the documents to be certified in a similar format	New Schedule 17 (documents to be certified) inserted.	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		to that set out within the Norfolk Boreas draft DCO.		
Schedule 17	Applicant	Schedule 17 has been updated to reflect the latest versions of certified documents that have been submitted into the Examination.	Revision/version numbers have been updated and new certified documents have been added.	6
Schedule 17	Applicant	Schedule 17 has been updated to reflect the latest versions of certified documents that have been submitted into the Examination.	Revision/version numbers and references have been updated.	7
Schedule 18				
Schedule 18	ExA, Applicant	<p>Without prejudice to the Applicant's position that there will be no adverse effect on the integrity of any European Site as a result of the Project alone or in combination, the Applicant has included a Schedule to secure compensatory measures should the Secretary of State conclude that such measures are necessary.</p> <p>The Schedule is separated into different parts, with each part securing the submission and approval of a species specific compensation and monitoring plan.</p> <p>The Applicant's position remains that there will be no adverse effect on integrity and so the Applicant would submit that this Schedule should be removed wholesale from the Development Consent Order as made. However, if the Secretary of State takes a different view, the proposed structure of the schedule would allow the compensation</p>	Schedule 18 (compensation measures) has been inserted in square brackets.	5



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
		<p>measures for one species to be changed or removed without affecting the operation of compensation for other species.</p> <p>The drafting has been included in square brackets and should be removed from the final Order if the Secretary of State considers that such compensation is not necessary.</p>		
Schedule 18	ExA	At ISH15, the ExA suggested that it may be sensible to clarify the context in which the word “compensation” is used and so the Applicants have updated the heading for Schedule 18 accordingly.	[Offshore Ornithology Compensation Measures]	6
Schedule 18	NE	At Deadline 8, NE requested that references to “Natural England” within Schedule 18 be amended to “the relevant nature conservation body”. The Applicant has therefore updated references to Natural England within Schedule 18 accordingly.	References to “Natural England” within Parts 1 to 6 of Schedule 18 have been replaced with “the relevant statutory nature conservation body”.	7
Schedule 18	ExA, Applicant	At ISH14, the ExA queried how the funding for compensation measures would be secured and so the Applicant has inserted new text at paragraph 4 of each part of Schedule 18 to address this comment.	<p><i>4. The undertaker must not commence the authorised development unless it has first—</i></p> <p><i>(a) provided a reasonable estimate of the cost of delivery of the compensation measures; and</i></p> <p><i>(b) put in place either—</i></p> <p><i>(i) a guarantee in respect of the reasonable estimate of costs associated with the delivery of the compensation measures; or</i></p> <p><i>(ii) an alternative form of security for that purpose, that has been approved by the Secretary of State.</i></p>	6



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Schedule 18	Applicant	In Parts 2, 3, 4 and 5 the text has been updated to include the potential for ornithological by-catch measures to be considered and taken forward as an additional or alternative compensation measure for gannet, guillemot, razorbill and lesser black-backed gull.	The amendments are clearly identified in track changes in the Draft Development Consent Order (Tracked) (document reference 3.1 (Tracked)) submitted at Deadline 8.	6
Schedule 18	Applicant	In Parts 3, 4 and 6 which provide compensation for species that may be displaced, the timing of implementation of the compensation measures has been revised to refer to the installation of the towers comprised within the wind turbine generators rather than the operation of the turbines given that displacement is predicted to occur as a result of the presence of the turbines rather than necessarily the operation of the turbines.	The amendments are clearly identified in track changes in the Draft Development Consent Order (Tracked) (document reference 3.1 (Tracked)) submitted at Deadline 8.	6
Schedule 18	Applicant	In reviewing and updating Schedule 18, the Applicant has made some amendments to update the text, including correcting terminology to align with the DCO definitions (e.g. use of “wind turbine generators” rather than “turbines”) and ensuring consistency between the different parts of the schedule where this is appropriate.	The amendments are clearly identified in track changes in the Draft Development Consent Order (Tracked) (document reference 3.1 (Tracked)) submitted at Deadline 8.	6
Schedule 18, Part 3, Paragraph 3(d)	Applicant	Reference to adaptive management measures was omitted from paragraph 3(d) of Part 3 in error and so the Applicant has included appropriate text to address the omission.	<i>(d) details of the proposed ongoing monitoring of the measures including: survey methods; survey programmes; success criteria; recording of GuCSG consultations and project reviews; details of the factors used to trigger alternative compensation measures, a further eradication</i>	6



DCO Reference	Stakeholder	Comments from Stakeholder/ Rationale for Change	Change Made	DCO Version
			<i>programme and/or adaptive management measures; and annual reporting to the Secretary of State</i>	