

Norfolk Boreas Offshore Wind Farm Schedule of Changes to the draft Development Consent Order (Version 3)

Applicant: Norfolk Boreas Limited
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Deadline 4

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Photo: Ormonde Offshore Wind Farm

Norfolk Boreas Limited
Norfolk Boreas Offshore Wind Farm

Schedule of Changes to the draft DCO

Deadline 4

(30 January 2020)

Date	Issue No.	Reason for Issue	Author	Checked	Approved
29/01/2020	01.	Draft for review	JT	VR	
30/01/2020	02.	Final draft for Deadline 4	JT	VR	JL

Schedule of changes to the draft Norfolk Boreas Offshore Wind Farm DCO

Ref.	DCO Ref.	Consultee	Comments from consultee (Rationale for the change)	Change made	DCO Version
Deadline 0 (4 November 2019)					
1.	Article 2 (Interpretations) Schedule 9-13 (Interpretations)	MMO	The MMO, in their relevant representation, questioned whether "scour protection" should be referred to as "equipment" in the definitions of "gravity base", "jacket foundation", "monopile foundation" and "tetrabase foundation". Accordingly, the Applicant has updated the definition to refer to materials and equipment.	<i>"gravity base" means a structure principally of steel, concrete, or steel and concrete which rests on the seabed either due to its own weight with or without added ballast or additional skirts and associated materials and equipment including scour protection, J-tubes, transition piece, corrosion protection systems, fenders and maintenance equipment, boat access systems, access ladders and access and rest platform(s) and equipment;</i> [The same change has been made to the respective definitions of "jacket foundation", "monopile foundation" and "tetrabase foundation".]	2
2.	Article 6(11)(c)	N/A	To correct an error as this drafting was previously placed beneath the wrong sub-paragraph at paragraph (10) rather than paragraph (11).	<i>(c) the transferee or lessee is a person within the same group as Vattenfall AB (publ) (a company incorporated in Sweden with Reg No. 556036-2138, whose registered office is SE-169 92 Stockholm, Sweden) under Section 1261 of the Companies Act 2006.</i>	2

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3.	Article 6(14)	N/A	The Applicant would not be in a position to provide a copy of the document effecting the transfer at the stage of consulting the Secretary of State under Article 6(3) given that, at this stage, the Applicant is consulting the Secretary of State prior to making an application for consent to the transfer of benefit. This change makes it clear that a copy of the transfer agreement will only be required where relevant.	<p>(b) <i>where relevant, be accompanied by—</i></p> <p>(i) <i>where relevant, a plan showing the works or areas to which the transfer or grant relates; and</i></p> <p>(ii) <i>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>	
4.	Schedule 1, Part 3, 2(1)(d) Schedule 9, Part 4, 1(1)(d) Schedule 10, Part 4, 1(1)(d)	Various including NFFO, Natural England, and internal design	Updating of turbine spacing to align with commitments made by Norfolk Vanguard and to simplify the worst case scenario position in relation to ornithology and commercial fisheries.	(d) <i>be less than 7260 metres from the nearest wind turbine generator in either direction perpendicular to the approximate prevailing wind direction (crosswind) or be less than 7620 metres from the nearest wind turbine generator in either direction which is in line with the approximate prevailing wind direction (downwind);</i>	2
5.	Schedule 1, Requirement 5 Schedule 11-12, Condition 2 and 3(1)(f)	NE	To reflect commitment to reduce cable protection to 5% in the SAC.	<p>5.—(1) <i>The total length of cables must not exceed 1,190 kilometres and the total length of cable trench within which the cables will be placed must not exceed 910 kilometres;</i></p> <p><i>(2) The total volume of cable protection must not exceed 321,436m³</i></p> <p><i>(3) The total area occupied by cable protection must not exceed 606,086m² ; and</i></p> <p><i>(4) The length of cables and volume and area of cable protection must not exceed</i></p>	

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				<p><i>the following parameters in respect of the corresponding Work Nos.—</i></p> <p>...</p> <p>2.</p> <p><i>Work No. 4A and 4B (export cable) 500 kilometres 76,436 m3 132,086 m2</i></p> <p>...</p> <p>3(1)</p> <p><i>(f) in the Haisborough, Hammond and Winterton Special Area of Conservation, the total area of cable protection must not exceed 532,000m2 and the total volume of cable protection must not exceed 320,800m3.</i></p>	
6.	Schedule 1, Requirement 9 Schedule 11-12, Condition 6	MMO	As a result of comments from the MMO's relevant representation.	<p>9.—(1) In relation to any offshore service platform, each foundation using piles must not have—</p> <p>(a) <i>more than six driven piles;</i></p> <p>(b) <i>in the case of two or more pile structures, have a pile diameter which is more than three metres.</i></p> <p>(2) In relation to an offshore service platform, the each foundation must not have a seabed footprint area (excluding scour protection) of greater than 7,500 m2.</p> <p>6.—(1) In relation to an offshore service platform, the each foundation using piles</p>	2

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				<p><i>must not have—</i></p> <p>(a) <i>more than six driven piles;</i></p> <p>(b) <i>a pile diameter which is more than three metres.</i></p> <p>(2) <i>In relation to an offshore service platform, the each foundation must not have a seabed footprint area (excluding scour protection) of greater than 7,500 m2.</i></p>	
7.	Schedule 1, Part 3 (16)	NCC	This requirement has been updated to require trenchless installation techniques under the A1067 in order to reflect traffic assessments and as a result of consultation with NCC.	<p>(13) <i>In the event of scenario 2, trenchless installation techniques must be used for the purposes of passing under—</i></p> <p>...</p> <p><u>(s) A1067 Road (Work No. 7)</u></p>	2
8.	Schedule 1, Part 3 (20)	Natural England	Updated as a result of consultation with Natural England and following Natural England's Relevant Representation.	<p>(1) <i>No stage of the onshore transmission works may commence until for that stage a code of construction practice has been submitted to and approved by the relevant planning authority, in consultation with Norfolk County Council, and the Environment Agency, <u>and relevant statutory nature conservation body.</u></i></p>	2
9.	Schedule 1, Part 3 (24)	Natural England	This wording has been inserted to reflect discussions with Natural England and to signpost the mitigation measures required within the SPA.	<p><u>(4) Construction works within 5km of the Broadland Special Protection Area and Ramsar site must be carried out in accordance with the mitigation relating to onshore ornithology contained in section 10.3.1 to 10.3.2 of the outline landscape and ecological management strategy, which must be incorporated into the</u></p>	2

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				<u>ecological management plan.</u>	
10.	Schedule 1, Part 3 (26)	Examining Authority	This wording reflects changes from the Norfolk Vanguard dDCO submitted at Deadline 8 as a result of the Examining Authority's suggestions in the Schedule of Changes.	<u>(5) No crushing or screening works must take place at any time on any of the mobilisation areas, without the prior written consent of the relevant planning authority.</u>	2
11.	Schedules 9 – 13, Part 1 (Interpretations)	MMO / NE	This definition has been replicated from Article 2 of the DCOs into each DML following relevant representations from Natural England and the MMO. References to Natural England within the dDCO have also been updated to refer to the relevant statutory nature conservation body.	<u>"statutory nature conservation body" means an organisation charged by government with advising on nature conservation matters;</u>	2
12.	Schedule 9 – 10, Part 3, 1(d) and 2(2)(c) Schedule 11-13 Part 3, 1(d)	MMO	As a result of comments contained in the MMO's relevant representation.	<i>(d) the disposal of up to a total of [relevant figure for each Schedule]m³ of inert material of natural origin within the offshore Order limits produced during construction drilling or seabed preparation for foundation works and cable (including fibre optic cable) sandwave preparation works at disposal site references [XX] [XX] within the extent of the Order limits seaward of MHWS.</i>	2
13.	Schedule 9, Condition 9(9)	MMO	To ensure consistency across all DMLs and to reflect comments from the MMO's relevant representation.	<i>(9) The notices to mariners must be updated and reissued at weekly intervals during construction activities and at least five days before any planned operations and maintenance works and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction and monitoring</i>	

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				<i>programme approved under condition 14(1)(b). Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</i>	
14.	Schedule 10 Condition 9(8) Schedule 11 Condition 4(8) Schedule 13 Condition 3(8)	MMO	To ensure consistency across all DMLs and to reflect comments from the MMO's relevant representation.	<i>(8) A notice to mariners must be issued at least ten days prior to the commencement of the licensed activities or any part of them advising of the start date of Work No. 1 (wind turbine generators or other offshore construction activities including array cables and fibre optic cables) and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</i>	2
15.	Schedule 9-10, Condition 12(4) Schedule 11-12, Condition 7(4) Schedule 13, Condition 5(4).	MMO	As a result of comments from the MMO's relevant representation.	<i>(4) The undertaker must inform the MMO of the location and quantities of material disposed of each month under this licence. This information must be submitted to the MMO by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive. In the event that no activity has taken place during the reporting period the undertaker must provide a null (0) return to the MMO.</i>	2
16.	Schedules 9 - 10, Part 4 (14)	MCA	This wording was agreed with the MCA during the Norfolk Vanguard examination and makes clear for the avoidance of doubt that MGN543 includes all its annexes.	<i>(ix) the proposed layout of all wind turbine generators (in accordance with the recommendations for layout contained in MGN543 and its annexes), accommodation platforms and</i>	2

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				<i>meteorological masts including any exclusion zones identified under sub-paragraph (1)(h)(iv);</i>	
17.	Schedule 9, Condition 15(7)	MMO	To address an inconsistency with the other DML schedules and to reflect a comment from the MMO in their relevant representation.	<i>(7) The licensed activities must be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 14 or deemed to be approved following an appeal under sub-paragraph (6) above, unless otherwise agreed in writing by the MMO.</i>	2
18.	Schedules 9 - 10, Part 4 Condition 15(8) Schedules 11 - 12, Part 4 Condition 10(8)	MCA	This wording has been updated to reflect discussions with the MCA whilst maintaining consistency with the dDCO for Norfolk Vanguard.	<i>(8) No part of the authorised scheme may commence until the MMO, in consultation with the MCA, has given written approval of an Emergency Response Co-operation Plan (ERCoP) which includes details of the plan for emergency, response and co-operation for the authorised scheme in accordance with the MCA recommendations contained within MGN543 “Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” and has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed MCA recommendations as appropriate to the authorised scheme contained within MGN543 “Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” and its annexes. The ERCoP and associated</i>	2

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				guidance and requirements must be implemented as approved, unless otherwise agreed in writing by the MMO in consultation with the MCA.	
19.	Schedule 9-10, Condition 16 Schedule 11-12, Condition 11 Schedule 13, Condition 9	MMO	To reflect a request in the MMO's relevant representation.	Post-construction plans and documents <i>The undertaker must conduct a swath bathymetric survey to IHO S44ed5 Order 1a across the area(s) within the Order limits in which construction works were carried out and provide the data and survey report(s) to the MMO, MCA and UKHO.</i>	2
20.	Schedule 10, Condition 20(4)	MMO	Correction of a typographical error.	<i>(4) Following installation of cables (including fibre optic cables), the cable monitoring plan required and within 12 weeks of completion of impact pile driving, information on the locations under condition 14(1)(g)(iii) must be updated with the results of the post installation surveys. The plan must be implemented during the operational lifetime of the authorised scheme and reviewed as specified within the plan, following cable burial surveys, or as instructed by the MMO.</i>	2
21.	Schedule 11, Condition 12	N/A	To correct an error and ensure consistency with the other DMLs.	12. (1) The undertaker must provide the following information to the MMO— (a) the name and function of any agent or contractor appointed to engage in the licensed activities within seven days of appointment; and	

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				<p><i>(b) each week during the construction of the authorised scheme a completed Hydrographic Note H102 listing the vessels currently and to be used in relation to the licensed activities.</i></p> <p><i>(2) Any changes to the supplied details must be notified to the MMO in writing prior to the agent, contractor or vessel engaging in the licensed activities.</i></p> <p><i>12. The undertaker must conduct a swath bathymetric survey to IHO S44ed5 Order 1a across the area(s) within the Order limits in which construction works were carried out and provide the data and survey report(s) to the MCA and activities.</i></p>	
22.	Schedule 11-12, Part 4, Condition 19	Natural England	This wording has been inserted to reflect discussions with Natural England and to mitigate impact on red throated diver during cable installation. This is also consistent with the dDCO submitted for Norfolk Vanguard.	<p><u>19. Restriction on cable installation construction works</u></p> <p><i><u>During the months of January to March inclusive, construction activities consisting of cable installation for Work No. 4A and Work No. 4B must only take place with one main cable laying vessel.</u></i></p>	2
Deadline 1					
23.	Article 2 Schedule 17	ExA	Reference to 'Part' has been capitalised throughout where appropriate in response to comments from the ExA at ISH 1.	<p><i>“onshore transmission works” means Work Nos. 4C to 12B and any related further associated development in connection with those works and ancillary works described in Schedule 1 pPart 1 and Schedule 1 Ppart 2 respectively;</i></p>	3

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24.	Article 6	MMO	To correct a typographical error.	<p>(15) <i>The date specified under paragraph (1314)(a)(ii) must not be earlier than the expiry of five days from the date of the receipt of the notice.</i></p> <p>(16) <i>The notice given under paragraph (1314) 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>	3
25.	Article 39	ExA	At ISH1 into the draft DCO, the ExA questioned whether the list of organisations in Article 39(1) should also include government departments and other organisations specified in the Requirements. The Applicant has amended the Article in order to cover any potential discharging bodies that are not covered by the list.	"39. (1) <i>Where an application is made to or request is made of the relevant planning authority, a highway authority, a street authority or the owner of a watercourse, sewer or drain, <u>or any other relevant discharging authority</u>, for any agreement or approval required or contemplated by any of the provisions of the Order, such agreement or approval must, if given, be given in writing and may not be unreasonably withheld."</i>	3
26.	Article 39(2) Schedule 16(4)	N/A	This Article has been updated to reflect an earlier omission. Schedule 16 paragraph 4 has also been updated in a similar manner.	(2) <i>Schedule 16 (procedure for discharge of requirements) has effect in relation to all agreements or approvals granted, refused or withheld in relation to requirements 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, <u>32</u>, 33, 34 and 35 in Part 3 of Schedule 1 (requirements).</i>	3
27.	Schedule 1, Part 1 Authorised Development	ExA	In the Hearing Action Points from ISH1, published by the Planning Inspectorate on 14 November 2019,	<u>Associated Development</u> <u>And</u> <i>Associated development within the meaning of section 115(2) of the 2008 Act</i>	3

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28.			the ExA asked the Applicant to review the layout of the dDCO with a view to separating out Associated Development more clearly. The Applicant has introduced headings to clarify this Part accordingly.	<p>comprising—</p> <p><u>Further Associated Development</u></p> <p><u>And in</u> connection with Work Nos. 1 to 4B and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project and which fall within the scope of the work assessed by the environmental statement including—</p> <p>...</p> <p><u>and in</u> connection with such Work Nos. 4C to 12B...</p> <p><u>and in</u> the event of scenario 2, in connection with Work No. 11A and Work No. 11B...</p>	
29.		ExA	At ISH1 into the draft DCO, the ExA questioned whether the wording 'necessary or expedient' was required here. The Applicant considers that the wording in the preamble sets out the qualifying criteria for activities to be authorised and duplication at (p) is not therefore necessary. It is clear from the preamble text that any further associated development must fall within the scope of the work assessed by the Environmental Statement.	<p>(p) such other works, apparatus, plant and machinery of whatever nature as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project.;</p>	3

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30.	Schedule 1, Part 3, Requirement 15	ExA	At the request of the ExA, the Applicant has updated the title of this Requirement.	Scenarios, and stages, and phases of authorised development onshore	3								
31.	Schedule 1, Part 3, Requirement 16	ExA	The Applicant has added wording to this Requirement to clarify that the relevant planning authority will have approved the details for the onshore project substation and the overhead line pylon works, in accordance with which construction works must be carried out.	<p>(3) The onshore project substation must be carried out constructed in accordance with the approved details approved by the relevant planning authority.</p> <p>12(b) the permanent replacement overhead line pylon works comprised in Work No. 11A must be carried out constructed in accordance with the details approved details by the relevant planning authority;</p>	3								
32.	Schedule 1, Part 3, Requirement 16	ExA	In the Hearing Action Points from ISH 1, the ExA asked the Applicant to consider how further clarity could be provided around maximum area of the temporary compound(s). The Applicant has updated Requirement 16 (Detailed design parameters onshore) accordingly.	<p>(15) The footprint of temporary works areas must not exceed the following parameters:</p> <table border="1"> <thead> <tr> <th>Temporary Work Area</th> <th>Maximum footprint (m²)</th> </tr> </thead> <tbody> <tr> <td>Mobilisation areas</td> <td>10,000 m² for each mobilisation area</td> </tr> <tr> <td>Trenchless crossing compounds (Scenario 2 only)</td> <td>7,500m² at each drill entry site and 5,000m² at each drill exit site</td> </tr> <tr> <td>Temporary landfall</td> <td>3,000 m² for each</td> </tr> </tbody> </table>	Temporary Work Area	Maximum footprint (m ²)	Mobilisation areas	10,000 m ² for each mobilisation area	Trenchless crossing compounds (Scenario 2 only)	7,500m ² at each drill entry site and 5,000m ² at each drill exit site	Temporary landfall	3,000 m ² for each	3
Temporary Work Area	Maximum footprint (m ²)												
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				<p><i>compounds at Work No. 4C (up to two)</i></p> <p><i>Temporary construction compound associated with Work No. 8A and 8B.</i></p> <p><i>compound</i></p> <p><i>20,000 m²</i></p>	
33.	Schedule 1, Part 3, Requirement 17	ExA	At ISH 1, the Applicant agreed that the use of the word 'part' in Requirement 17 could be considered superfluous, and the Applicant has deleted reference to 'part' accordingly.	17. (1) No part of Works No. 4A, 4B or 4C may must not commence until a method statement for the construction of Works No. 4A, 4B and 4C has been submitted to and approved in writing by North Norfolk District Council in consultation with the relevant statutory nature conservation body.	3
34.	Schedule 1, Part 3, Requirement 18	ExA	At ISH 1 the ExA asked the Applicant to consider updating this Requirement to reflect additional detail from the OLEMS. The Applicant has updated Requirement 18 to reflect the OLEMS accordingly.	<p><i>(i) sustainable drainage measures integrated into the details of hard and soft landscaping works at the onshore project substation (Work No. 8B); and</i></p> <p><i>(j) guidance on the use of materials and colours relating to the design of the onshore project substation (Work No. 8A).</i></p>	3
35.	Schedule 1, Part 3, Requirement 20	N/A	This Requirement has been updated to correct an error and to ensure consistency with the defined term.	<i>(4) Pre-commencement screening, fencing and site security works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening, fencing and site security set out in the outline code of construction practice, and which has been</i>	3

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				<i>submitted to and approved by the relevant local planning authority</i>	
36.	Schedule 1, Part 3, Requirement 23			<i>(4) Pre-commencement surveys, site preparation works and archaeological investigations must only take place in accordance with a specific written scheme of investigation which is in accordance with the details set out in the outline written scheme of investigation (onshore), and which has been submitted to and approved by the relevant <u>planning</u> local authority.</i>	3
37.	Schedule 1, Part 3, Requirement 24			<i>(3) Pre-commencement site clearance works must only take place in accordance with a specific ecological management plan for site clearance works which is in accordance with the relevant details for site clearance works set out in the outline landscape and ecological management strategy, and which has been submitted to and approved by the relevant <u>planning</u> local authority. The plan for site clearance works must be informed by post consent ecological surveying of previously un-surveyed areas for the relevant stage referred to in the plan.</i>	3
38.	Schedule 16(1)	ExA and NNDC	The list of Requirements in Schedule 16 has been updated to reflect an earlier omission.	<i>(1) Where an application has been made to a discharging authority for any agreement or approval required pursuant to requirements 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, <u>32</u>, 33, and 34 and 35 in Part 3 of Schedule 1 (requirements) of this Order.</i>	3

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Deadline 4 (30 January 2020)					
39.	Article 2, Interpretation	ExA	At the hearing into onshore matters held on 21 January 2020, the ExA asked for clarity on the buildings connected to the onshore project substation. The Applicant has therefore inserted a new definition for converter building at Article 2 and referred to converter building in Requirement 16.	<i>"converter building means the building housing the principal electrical equipment comprised in Work No.8A"</i>	4
40.	Article 2, Interpretation Schedules 9 – 12, Part 1	N/A	To correct a typographical error and make alphabetical.	<i><u>"HAT" means highest astronomical tide;</u></i>	4
41.	Article 2	N/A	To reflect an update requested by the Secretary of State to the Norfolk Vanguard application and to link with the amendment made to Requirement 21.	<i>"Hornsea Project 3" means the project authorised pursuant to the Hornsea Three Offshore Wind Farm Order 20[X];</i>	4
42.	Article 2	N/A	To reflect an update requested by the Secretary of State to the Norfolk Vanguard application and to link with the amendment made to Requirement 21.	<i>"Hornsea Project 3 Development Consent Order" means the Hornsea Three Offshore Wind Farm Order 20[X];</i>	4
43.	Article 2, Interpretation Schedule 17, Part 7	Environment Agency	To address a request from the Environment Agency.	<i><u>"main river" has the same meaning as is in the Water Resources Act 1991(b)</u></i> <i>[Footnote]</i> <i><u>(b) "main river" is defined in section 113</u></i>	4

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44.	Article 2, Interpretation	N/A	To address a question raised through the agenda issued on 14 January 2020 and reflect the definition in the ES.	<u><i>“noise sensitive location” means the location of the relevant Receptor Identifier SSR1–SSR11 from Table 25.27, Chapter 25 of the environmental statement;</i></u>	4
45.	Article 6(16)	N/A	To correct a cross-referencing error.	<i>(16) The notice given under paragraph (13) 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>	4
46.	Article 7	Environment Agency	The Applicant has updated this Article and the relevant footnote in accordance with the most up to date statutory regime and following further consultation with the Environment Agency.	<i>(a) the Environmental Permitting (England and Wales) Regulations 2016 (c), to the extent that they require a permit for anything that would have required consent made under section 109 of the Water Resources Act 1991 immediately before the repeal of that section;</i>	4
47.	Article 15	EA	Made in response to further consultation with the Environment Agency and following their response to the ExA's first written questions.	<u><i>(6) This article does not authorise the entry into controlled waters of any matter whose entry or discharge into controlled waters is prohibited by regulation 12 of the 2016 Regulations Nothing in this article overrides the requirement for an environmental permit under Regulation 12(1)(b) of the 2016 Regulations insofar as the discharge activity comes within the definition contained within the 2016 Regulations.</i></u>	4
48.	Requirement 5 Schedules 9 - 10, Part 4, Condition	MMO	This condition has been updated following correspondence with the MMO and the equivalent changes	<i>The total length of the cables and the area and volume of their cable protection <u>must not exceed the individual distributions set</u></i>	4

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	3 Schedule 11 - 12, Part 4, Condition 2 Schedule 13, Part 4, Condition 2		have been made in the appropriate conditions of the DMLs.	<i>out in Table 2 of the outline scour protection and cable protection plan and must not exceed the following—</i>	
49.	Requirement 11 Schedules 9 - 10, Part 4, Condition 8 Schedule 11 - 12, Part 4, Condition 3	MMO	This condition has been updated following correspondence with the MMO, and the equivalent changes have been made in the appropriate conditions of the DMLs.	<i>The total amount of scour protection for the wind turbine generators, offshore service platform, meteorological masts, offshore electrical platforms and LIDAR measurement buoys forming part of the authorised project must not exceed 27,369,513m3 or 5,473,903m2 and must not exceed the distributed quantities of scour protection set out in Table 1 of the outline scour protection and cable protection plan;</i>	4
50.	Requirement 16	ExA	At the hearing into onshore matters held on 21 January 2020, the ExA asked for clarity on the buildings housing the principal electrical equipment. The Applicant has therefore inserted a new definition for converter building at Article 2 and referred to converter building(s) in Requirement 16.	16.—(1) <i>The total number of converter buildings housing the principal electrical equipment for the onshore project substation comprised in Work No. 8A must not exceed two.</i> (2) <i>Construction works for the onshore project substation buildings referred to in paragraph (1) above must not commence until details of the layout, scale and external appearance of the same have been submitted to and approved by the relevant planning authority.</i> ... (5) <i>Buildings (including the converter</i>	4

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				<p><i>buildings) comprised in Work No. 8A must not exceed a height of 19 metres above existing ground level and external electrical equipment comprised in Work No. 8A must not exceed a height of 25 metres above existing ground level.</i></p> <p><i>(6) The total footprint of each converter building housing the principal electrical equipment for the onshore project substation comprised in Work No. 8A must not exceed 110 metres by 70 metres.</i></p>	
51.	Requirement 21	Secretary of State	As a result of a suggested addition from the Secretary of State for the Norfolk Vanguard applicant within a letter dated 6 December 2019.	<p><i>(4) In circumstances where the Hornsea Project 3 Development Consent Order is made and development of Hornsea Project 3 commences, and notwithstanding the requirement of subparagraph (a) of paragraph (1) above, the traffic management plan shall include, in respect of Link 34 as referred to in Chapter 24 of the environmental statement, revised details of a scheme of traffic mitigation which shall be submitted to, and approved in writing by, the relevant planning authority, in consultation with the highway authority.</i></p>	4
52.	Requirement 26	Secretary of State	As a result of a suggested addition from the Secretary of State for the Norfolk Vanguard applicant within a letter dated 6 December 2019, and to reflect the intention of the Applicant.	<p><i>(4) Save for emergency works, the timing and duration full details, including but not limited to type of activity, vehicle movements and type, timing and duration and any proposed mitigation, of all essential construction activities under paragraph (2) and undertaken outside of the hours specified in paragraph (1) must</i></p>	4

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				<i>be agreed with the relevant planning authority in writing in advance, and must be carried out within the agreed time.</i>	
53.	Requirement 27	Secretary of State	As a result of a suggested addition from the Secretary of State for the Norfolk Vanguard applicant within a letter dated 6 December 2019.	<p>Control of noise during operational phase and during maintenance</p> <p>27—(1) <i>The noise rating level for the use of Work No. 8A and during maintenance must not exceed 35dB L_{Aeq} (5 minutes) at any time at a free field location immediately adjacent to any noise sensitive location.</i></p> <p>(2) <i>The noise rating level for the use of Work No. 8A and during maintenance must not exceed 32 dB L_{Leq} (15 minutes) in the 100Hz third octave band at any time at a free field location immediately adjacent to any noise sensitive location.</i></p> <p>(3) <i>Work No. 8A must not commence operation until a scheme for monitoring compliance with the noise rating levels set out in paragraphs (1) and (2) 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. 8A is at full operational capacity. Such measurements must be submitted to the relevant planning authority no later than 28 days following completion to confirm the rating level of</i></p>	4

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				<p><i>operational noise emissions do not exceed the levels specified in subparagraphs (1) and (2), including details of any remedial works and a programme of implementation should the emissions exceed the stated levels.</i></p> <p><i>(4) The monitoring scheme must be implemented as approved.</i></p>	
54.	Schedules 9-10, Condition 9(12), Schedules 11-12, Condition 4(12) Schedules 13, Condition 3(12)	Secretary of State	As a result of a suggested addition from the Secretary of State for the Norfolk Vanguard applicant within a letter dated 6 December 2019, and following representations from the MMO and MCA.	<p><i>(12) In case of exposure of cables on or above the seabed, the undertaker must within five three days following the receipt by the undertaker of the final survey report from the periodic burial survey, 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 three days.</i></p>	4
55.	Schedules 9 – 10, Part 4, Condition 14(1)(h) Schedules 11-12, Part 4, Condition 9(1)(h) Schedule 13, Part 4, Condition 7(1)(h)	ExA, MMO, Historic England	This amendment was proposed by Applicant and agreed with the MMO and Historic England to address any WSI investigations in the intertidal area.	<p><i>(h) An archaeological written scheme of investigation in relation to the offshore Order limits seaward of mean low high water, which must accord with the outline written scheme of investigation (offshore) and industry good practice, in consultation with the statutory historic body to include—</i></p>	4
56.	Schedules 9 - 10,	MMO	This condition has been updated for	<i>(3) In the event that driven or part-driven</i>	4

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	Part 4, Condition 14(3) Schedule 11-12, Part 4, Condition 9(3)		clarity following correspondence with the MMO.	<i>pile foundations are proposed to be used, the hammer energy used to drive or part-drive the pile foundations must not exceed</i> <i><u>(a) 5,000kJ in respect of monopile foundations; and</u></i> <i><u>(b) 2,700kJ in respect of pin piles.</u></i>	
57.	Schedule 9-10, Condition 20(2)(a) Schedule 11-12, Condition 15(2)(a) Schedule 13, Condition 13(2)(a)	NE	To reflect comments from Natural England although noting that Natural England requested "appropriate surveys" but the Applicant needs to cover the eventuality whereby it is only necessary or 'appropriate' to carry out one survey. The wording however requires at least ("but not limited to") a survey and is not limited to one survey.	<i>(2) The post-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed with the MMO, have due regard to, but not be limited to, the need to undertake—</i> <i>(a) an appropriate survey to determine any change in the location, extent and composition of any benthic habitats of conservation, ecological and/or economic importance constituting Annex 1 reef habitats identified in the pre-construction survey in the parts of the Order limits in which construction works were carried out. The survey design must be informed by the results of the pre-construction benthic survey</i>	4
58.	Schedule 9 – 10, Part 4, Condition 22 Schedule 11 - 12, Part 4, Condition 17	MMO	This condition has been updated to include scour protection reporting following representations and correspondence with the MMO.	<i>Reporting of scour and cable protection</i> <i>22.—(1) Not more than 4 months following completion of the construction phase of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature conservation bodies with a report setting out details of the cable protection and scour protection used for the authorised scheme.</i> <i>(2) The report must include the following</i>	4

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				<p>information—</p> <p>(a) location of the cable protection <u>and scour protection</u>;</p> <p>(b) volume of cable protection <u>and scour protection</u>; and</p> <p>(c) any other information relating to the cable protection as agreed between the MMO and the undertaker.</p>	
59.	Schedules 9 – 13, Part 5 (1)	N/A	The Applicant has reviewed reference to the word "shall" and, where appropriate, has removed or replaced reference to shall.	<p>1. Where the MMO refuses an application for approval under condition 14 and notifies the undertaker accordingly, or fails to determine the application for approval in accordance with condition 15 the undertaker may by notice appeal against such a refusal or non-determination and the 2011 Regulations shall apply subject to the modifications set out in paragraph 2 below.</p>	4
60.	Schedule 11-12, Part 1	N/A	To correct a typographical error and make alphabetical.	<p>“offshore electrical platform” means a platform attached to the seabed by means of a foundation, with one or more decks, whether open or fully clad, accommodating electrical power transformers, switchgear, instrumentation, protection and control systems and other associated equipment and facilities to enable the transmission of electronic communications and for electricity to be collected at, and exported from, the platform;</p> <p>“offshore in principle monitoring plan ” means the document certified as the</p>	4

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				<p><i>offshore in principle monitoring plan by the Secretary of State for the purposes of this Order;</i></p> <p><i>“offshore Order limits” means the limits shown on the works plan within which the authorised scheme may be carried out, whose grid coordinates are set out in Part 2 of this licence;</i></p>	
61.	Schedule 17, Part 7	Environment Agency	Reference to 'relevant' has been included within the Protective Provisions to reflect that the definition of "drainage authority" covers both drainage boards and the Environment Agency.	<i>the relevant drainage authority</i>	4