



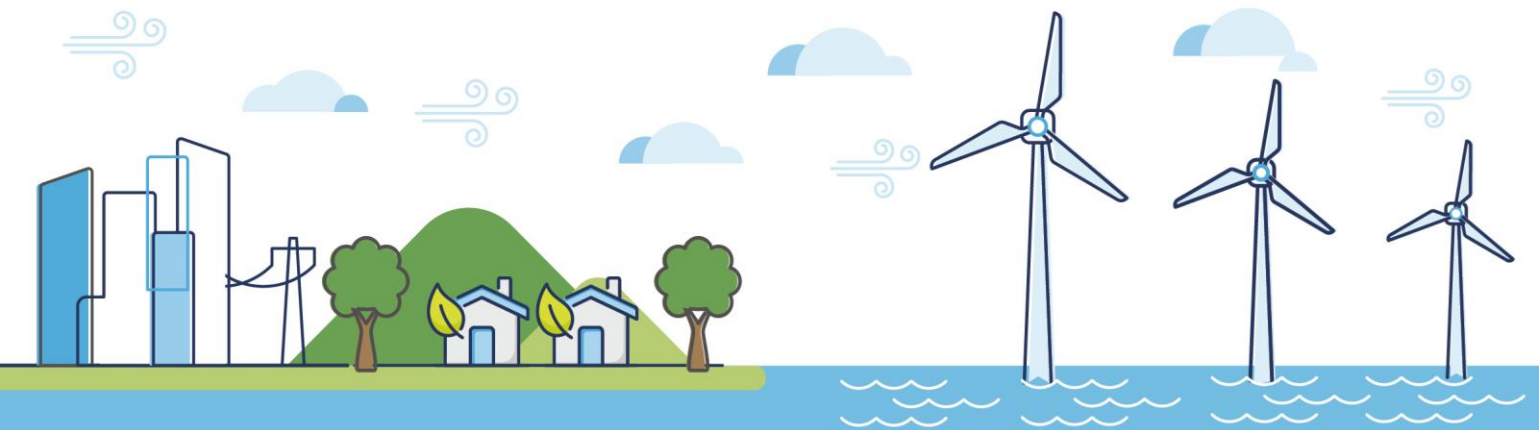
# Morecambe Offshore Windfarm: Generation Assets Development Consent Order Documents

## Volume 3

### Schedule of Changes to the Draft Development Consent Order (Rev 03)

Document Reference: 3.4

Rev 02



## Document History

<b>Doc No</b>	MOR001-FLO-CON-ENV-SCH-0007	<b>Rev</b>	02
<b>Alt Doc No</b>	700012003v2		
<b>Document Status</b>	Approved for Use	<b>Doc Date</b>	12 December 2024
<b>PINS Doc Ref</b>	3.4	<b>APFP Ref</b>	5(2)(b)

Rev	Date	Doc Status	Originator	Reviewer	Approver	Modifications
01	15 October 2024	Approved for Use	CMS	Morecambe Offshore Windfarm Ltd	Morecambe Offshore Windfarm Ltd	n/a
02	12 December 2024	Approved for Use	CMS	Morecambe Offshore Windfarm Ltd	Morecambe Offshore Windfarm Ltd	Updated at Deadline 2

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# The future of renewable energy

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# 1 Introduction

1. As requested by the Examining Authority in its Rule 6 letter dated 23 September 2024 (PD-007), this document is a schedule of changes listing all changes to the draft DCO since the application version (APP-012), when such changes were made (including the version number) and for what purpose each change was introduced.
2. The following versions of the draft DCO are presented in **Table 1.1**.

*Table 1.1 Versions of the draft DCO submitted*

Version Number	Examination Library Reference	Deadline
01	APP-012	DCO Submission
02	PD1-002 (clean) PD1-003 (tracked)	Procedural Deadline A
03	[tbc]	Deadline 2

## 2 Changes made to the draft DCO (Rev 02) – Procedural Deadline A

Table 2.1 Changes made to the draft DCO (Rev 02) submitted at Procedural Deadline A

Article / Paragraph / Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting, numbering and grammar errors	For clarity and consistency
<b>Articles</b>		
Article 2 (Interpretation)	<p>The definition of “business day” has been deleted and replaced with a new definition of “working day” as follows:</p> <p><del>“business day” means a day other than a Saturday or Sunday or a bank holiday in England and Wales;</del></p> <p><u>“working day” means a day other than a Saturday or Sunday, a bank holiday or other public holiday in England and Wales.</u></p>	<p>In response to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p> <p>A similar change has been made to the definition of “Marine Management Organisation” in Schedule 6, Part 1, paragraph 1.</p>
Article 2 (Interpretation)	<p>The following definition has been amended:</p> <p>“electronic transmission” <u>or “electronically”</u> means a communication transmitted—</p> <p>(a) by means of an electronic communications network; or</p> <p>(b) by other means but while in electronic form;</p>	<p>To ensure that uses of “electronically” in the draft Order are directly linked to the proposed definition.</p>
Article 2 (Interpretation)	<p>The following definition has been added:</p> <p><u>“km” means kilometres and “km<sup>2</sup>” means square kilometres;</u></p>	<p>In response to Matter 2 raised by the ExA in Appendix F(i) to</p>

Article / Paragraph / Schedule Number	Amendment	Reason
		the Rule 6 Letter issued on 23 September 2024 (PD-007).
Article 2 (Interpretation)	<p>The following definition has been amended:</p> <p>“m” means metres, <del>and</del> “m<sup>2</sup>” means <del>metres squared</del> <u>square metres and</u> “m<sup>3</sup>” means cubic metres;</p> <p><i>(Noting that the ‘2’ and ‘3’ have been reformatted to be in superscript when used in this definition and throughout the Order)</i></p>	In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).
Article 2 (Interpretation)	<p>The following definition has been amended:</p> <p>“Marine Management Organisation” <u>or “MMO”</u> means the Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH which is the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function <del>and “MMO” must be construed accordingly;</del></p>	<p>In response to Matter 3 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p> <p>A similar change has been made to the definition of “Marine Management Organisation” in Schedule 6, Part 1, paragraph 1.</p>
Article 2 (Interpretation)	<p>The following definition has been amended:</p> <p>“offshore substation platform” <u>or “OSP”</u> means a structure above LAT and attached to the seabed by means of one or more foundations, with one or more decks and open with modular equipment or fully clad, containing— [...]</p>	<p>In response to Matter 4 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p> <p>A similar change has been made to the definition of “Marine Management</p>

Article / Paragraph / Schedule Number	Amendment	Reason
		Organisation” in Schedule 6, Part 1, paragraph 1.
Article 2 (Interpretation)	The following definition has been added: <a href="#">“outline underwater sound management strategy” means the document certified as the outline underwater sound management strategy by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</a>	In response to the MMO’s relevant representation (RR-047) Natural England’s relevant representation (RR-061) and Natural England’s relevant representation (RR-061).
Article 2 (Interpretation)	The following definition has been amended: “statutory nature conservation body” means <del>an organisation charged by the government with advising on nature conservation matters;</del> <a href="#">a statutory nature conservation body, being the appropriate nature conservation body as defined in Regulation 5 of the Conservation of Habitats and Species Regulations 2017(a) or its equivalent in the Conservation of Offshore Marine Habitats and Species Regulations 2017(b);</a>	In response to Natural England’s relevant representation (RR-061). A similar change has been made to the definition of “statutory nature conservation body” in Schedule 6, Part 1, paragraph 1.
Article 2 (Interpretation)	The following definition has been amended: “wind turbine generator” <u>or “WTG”</u> means a structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter hoisting facilities and other associated equipment including communications equipment, fixed to a foundation or transition piece.	In response to Matter 5 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). This definition now corresponds with that used in Schedule 6, Part 1, paragraph 1.



Article / Paragraph / Schedule Number	Amendment	Reason				
Article 2 (Interpretation)	A new sub-paragraph (5) has been added: <u>(5) A reference to any statute, order, regulation or similar instrument in this Order is construed as a reference to a statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.</u>	In response to Matter 17 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).				
<b>Schedules</b>						
Schedule 1 (Authorised Project), Part 1, Paragraph 1	The definition of Work No. 2 has been amended as follows: (a) <del>up to one or</del> two offshore substation platforms each fixed to the seabed by a foundation; and (b) a network of subsea platform link cables including cable crossings and cable protection;	In response to Matter 7 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of Work No. 2 in Schedule 6, Part 1, Paragraph 3				
Schedule 2 (Requirements), Paragraph 2 (Design Parameters)	Two additional parameters have been added to Table 2: <table border="1" data-bbox="645 979 1588 1214" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="padding: 5px;"><u>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</u></td> <td style="text-align: center; padding: 5px;"><u>2.500</u></td> </tr> <tr> <td style="padding: 5px;"><u>Maximum hammer energy (kilojoules or kJ) employed during installation of monopile foundations</u></td> <td style="text-align: center; padding: 5px;"><u>6.600</u></td> </tr> </tbody> </table>	<u>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</u>	<u>2.500</u>	<u>Maximum hammer energy (kilojoules or kJ) employed during installation of monopile foundations</u>	<u>6.600</u>	In response to Natural England's relevant representation (RR-061).
<u>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</u>	<u>2.500</u>					
<u>Maximum hammer energy (kilojoules or kJ) employed during installation of monopile foundations</u>	<u>6.600</u>					
Schedule 2 (Requirements), Paragraph 3 (Aviation safety)	Sub-paragraph (3) has been amended as follows: (3) The lights installed in accordance with paragraph (1) <del>will</del> <u>shall</u> be operated at the lowest permissible lighting intensity level.	In response to Matter 9 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).				

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 2 (Requirements), Paragraph 12 (Amendments to approved details)	Sub-paragraph (2) has been amended as follows:  (2) Any amendments to or variations from the approved details must be in accordance with the principles and assessments set out in the environmental statement. Such agreement may only be given where it has been demonstrated to the satisfaction of the Secretary of State that the amendment to the approved detail is unlikely to give rise to any materially <del>greater</del> <u>new or materially different</u> environmental effects from those assessed in the environmental statement.	For consistency with the remainder of the draft Order which uses “materially new or materially different”.
Schedule 5 (Arbitration rules), Part 1 Paragraph 1 (Primary objective)	Sub-paragraph (2) has been amended as follows:  (2) The parties will first use their reasonable endeavours to settle a dispute amicably through negotiations undertaken in good faith by the senior management of the parties. Any dispute which is not resolved amicably by the senior management of the parties within twenty <del>business</del> <u>working</u> days of the dispute arising, or such longer period as agreed in writing by the parties, will be subject to arbitration in accordance with the terms of this Schedule.	As a consequential change to the deletion of “business days” and replacement with “working days” pursuant to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).
Schedule 5 (Arbitration rules), Part 1 Paragraph 2 (Time periods)	Sub-paragraph (1) has been amended as follows:  (1) All time periods in these arbitration rules will be measured in <del>business</del> <u>working</u> days and this will exclude weekends and bank holidays.	As a consequential change to the deletion of “business days” and replacement with “working days” pursuant to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	<p>The definition of “business day” has been deleted and replaced with a new definition of “working day” as follows:</p> <p><del>“business day” means a day other than a Saturday or Sunday or a bank holiday in England and Wales;</del></p> <p><u>“working day” means a day other than a Saturday or Sunday, a bank holiday or other public holiday in England and Wales.</u></p>	<p>In response to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p> <p>A similar change has been made to the definitions used in Article 1 (Interpretation).</p>
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	<p>The following definition has been amended:</p> <p>“electronic transmission” <u>or “electronically”</u> means a communication transmitted—</p> <p>(a) by means of an electronic communications network; or</p> <p>(b) by other means but while in electronic form;</p>	<p>To ensure that uses of “electronically” in the draft Order are directly linked to the proposed definition.</p>
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	<p>The following definition has been added:</p> <p><u>“km” means kilometres and “km<sup>2</sup>” means square kilometres;</u></p>	<p>In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p>
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	<p>The following definition has been amended:</p> <p>“m” means metres, “m<sup>2</sup>” means <del>metres squared</del><u>square metres</u> and “m<sup>3</sup>” means <del>metres cubed</del><u>cubic metres</u>;</p> <p><i>(Noting that the ‘2’ and ‘3’ have been reformatted to be in superscript when used in this definition and throughout the Order)</i></p>	<p>In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).</p>

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been amended: “Marine Management Organisation” <u>or “MMO”</u> means the Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH which is the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function <del>and “MMO” must be construed accordingly;</del>	In response to Matter 3 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of “Marine Management Organisation” in Article 1 (Interpretation).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	A new definition has been added as follows: <u>“MGN654” means MGN654 “Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” (or any equivalent guidance that replaces or supersedes it) and its annexes;</u>	In response to Matter 19 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). As this definition is only used in the Deemed Marine Licence (Schedule 6 to the draft DCO), it has not been added to the definitions set out in Article 1 (Interpretation)
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been amended: “offshore substation platform” <u>or “OSP”</u> means a structure above LAT and attached to the seabed by means of one or more foundations, with one or more decks and open with modular equipment or fully clad, containing— [...]	In response to Matter 4 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of

Article / Paragraph / Schedule Number	Amendment	Reason
		“Marine Management Organisation” in Article 1 (Interpretation).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been added: <u>“outline underwater sound management strategy” means the document certified as the outline underwater sound management strategy by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</u>	In response to the MMO’s relevant representation (RR-047) and Natural England’s relevant representation (RR-061).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been amended: “statutory nature conservation body” means <del>an organisation charged by the government with advising on nature conservation matters;</del> <u>a statutory nature conservation body, being the appropriate nature conservation body as defined in Regulation 5 of the Conservation of Habitats and Species Regulations 2017(a) or its equivalent in the Conservation of Offshore Marine Habitats and Species Regulations 2017(b);</u>	In response to Natural England’s relevant representation (RR-061). A similar change has been made to the definition of “statutory nature conservation body” in Article 1 (Interpretation)
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 2	Sub-paragraph (d) has been deleted as the removal of sediment samples is not intended to be a licensable marine activity.	This is a correction and is also in response to the MMO’s relevant representation (RR-047).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm	The definition of Work No. 2 has been amended as follows:	In response to Matter 7 raised by the ExA in Appendix F(i) to

Article / Paragraph / Schedule Number	Amendment	Reason																					
Generation Assets), Part 1, Paragraph 3	(a) <del>up to one or</del> two offshore substation platforms each fixed to the seabed by a foundation; and (b) a network of subsea platform link cables including cable crossings and cable protection;	the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of Work No. 2 in Schedule 1 Part 1.																					
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 5	This paragraph has been amended as follows: <b>5.</b> The activities set out in paragraph 3 are to be located within the area delineated <del>on the offshore works plan</del> <u>by the coordinates shown on the offshore order limits and grid coordinates plan and listed in Table 2.2 below—</u> <b>Table 2.2</b> <table border="1" data-bbox="663 786 1588 1190"> <thead> <tr> <th><u>Point</u></th> <th><u>Latitude</u></th> <th><u>Longitude</u></th> </tr> </thead> <tbody> <tr> <td><u>1</u></td> <td><u>53° 50' 11.03673656" N</u></td> <td><u>003° 36' 31.65915051" W</u></td> </tr> <tr> <td><u>2</u></td> <td><u>53° 49' 41.72634557" N</u></td> <td><u>003° 34' 15.69323747" W</u></td> </tr> <tr> <td><u>3</u></td> <td><u>53° 49' 45.14948499" N</u></td> <td><u>003° 29' 48.00160838" W</u></td> </tr> <tr> <td><u>4</u></td> <td><u>53° 45' 16.81576507" N</u></td> <td><u>003° 29' 38.45882862" W</u></td> </tr> <tr> <td><u>5</u></td> <td><u>53° 45' 00.78002400" N</u></td> <td><u>003° 36' 04.79995593" W</u></td> </tr> <tr> <td><u>6</u></td> <td><u>53° 46' 45.95836718" N</u></td> <td><u>003° 40' 53.89383116" W</u></td> </tr> </tbody> </table>	<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>	<u>1</u>	<u>53° 50' 11.03673656" N</u>	<u>003° 36' 31.65915051" W</u>	<u>2</u>	<u>53° 49' 41.72634557" N</u>	<u>003° 34' 15.69323747" W</u>	<u>3</u>	<u>53° 49' 45.14948499" N</u>	<u>003° 29' 48.00160838" W</u>	<u>4</u>	<u>53° 45' 16.81576507" N</u>	<u>003° 29' 38.45882862" W</u>	<u>5</u>	<u>53° 45' 00.78002400" N</u>	<u>003° 36' 04.79995593" W</u>	<u>6</u>	<u>53° 46' 45.95836718" N</u>	<u>003° 40' 53.89383116" W</u>	In response to the MMO's relevant representation (RR-047).
<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>																					
<u>1</u>	<u>53° 50' 11.03673656" N</u>	<u>003° 36' 31.65915051" W</u>																					
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Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2,	Two additional parameters have been added to Table 4: <table border="1" data-bbox="651 1249 1588 1350"> <tbody> <tr> <td><u>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</u></td> <td><u>2,500</u></td> </tr> </tbody> </table>	<u>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</u>	<u>2,500</u>	In response to Natural England's relevant representation (RR-061).																			
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Article / Paragraph / Schedule Number	Amendment		Reason
Paragraph 1 (Design Parameters)	<a href="#">Maximum hammer energy (kilojoules or kJ) employed during installation of monopile foundations</a>	<a href="#">6.600</a>	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	A new sub-paragraph (4) has been added as follows: <a href="#">(4) All maintenance works must be carried out in accordance with the approved offshore operation and maintenance plan unless otherwise agreed in writing by the MMO</a>		In response to the MMO's relevant representation (RR-047).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 8 (Force majeure)	A new sub-paragraph (2) has been added as follows: <a href="#">(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.</a>		In response to the MMO's relevant representation (RR-047).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 12 (Offshore safety management)	Paragraph 12 has been amended as follows: <b>12.</b> No part of the authorised project may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that part of the project, adequately addressed all MCA recommendations as appropriate to the authorised project contained within MGN654 <del>“Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” (or any equivalent guidance that replaces or supersedes it) and its annexes.</del>		In response to Matter 19 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007)

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 13 (Reporting of engaged agents, contractors and vessels)	<p>Paragraph 13 has been amended as follows:</p> <p><b>13.</b>—(1) The undertaker must provide <a href="#">the name, address and function of any agent, contractor or subcontractor that will carry out any of the licensed activities on behalf of the undertaker to the MMO in writing no less than 24 hours before that agent, contractor or subcontractor carries out any such licensed activities.</a> <del>the following information in writing to the MMO—</del></p> <ul style="list-style-type: none"> <li><del>(a) the name, function, company number (if applicable), registered or head office address (as appropriate) of any agent or contractor appointed to engage in the licensed activities within seven days of appointment; and</del></li> <li><del>(b) each week during the construction of the authorised project a completed Hydrographic Note H102 listing the vessels currently and to be used in relation to the licensed activities.</del></li> </ul> <p>(2) The undertaker must notify the MMO in writing of any vessel being used to carry on any licensed activity listed in this licence on behalf of the undertaker. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity. Notification must include the master’s name, vessel type, vessel IMO number and vessel owner or operating company.</p> <p>(3) Any changes to the <del>supplied</del> details <a href="#">provided under subparagraphs (1) and (2)</a> must be notified to the MMO in writing at least 24 hours before the agent, contractor or vessel engages in the licensed activities.</p> <p>(4) <a href="#">The undertaker must ensure that a copy of this marine licence and any subsequent revisions or amendments has been provided to any</a></p>	<p>In response to the MMO’s relevant representation (RR-047).</p>



Article / Paragraph / Schedule Number	Amendment	Reason
	<a href="#">agents, contractors, subcontractors or vessels that will carry on any licensed activities on behalf of the undertaker prior to them engaging in the licensed activities.</a>	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 15 (Construction monitoring)	Sub-paragraph (4) has been amended as follows: (4) The results of the initial underwater sound measurements monitored in accordance with sub- paragraph (2) must be provided to the MMO within six weeks of the end of piling of the first four piled foundations. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. <a href="#">If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different 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.</a>	In response to Natural England’s relevant representation (RR-061).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 19 (Marine Noise Registry)	A new condition 19 (Marine Noise Registry) has been added as follows: <b><a href="#">Marine Noise Registry</a></b> <a href="#">19.—(1) Where driven or part-driven pile foundations are proposed to be installed, the undertaker must at least 10 days prior to the commencement of those activities, submit details including the expected location of the activities and the start and end dates of the activities to the Marine Noise Registry to satisfy the forward look requirements and update that information as required if the expected location and start and end dates change.</a>	In response to the MMO’s relevant representation (RR-047).

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><a href="#">(2) Every six months following the commencement of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements until completion of those activities.</a></p> <p><a href="#">(3) Within 12 weeks of the completion of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements.</a></p> <p><a href="#">(4) The undertaker must notify MMO of the successful submission of forward look or close out information pursuant to sub-paragraphs (1) to (3) above within seven days of the submissions to the Marine Noise Registry.</a></p> <p><a href="#">(5) For the purpose of this condition—</a></p> <p>(a) <a href="#">“Marine Noise Registry” means the database of impulsive noise generating activities in UK seas maintained by Joint Nature Conservation Committee or any successor database; and</a></p> <p>(b) <a href="#">“Forward look” and “close out” requirements are as set out in the ‘UK Marine Noise Registry: Information Document, Version 1 (May 2016’ or any updated information document.</a></p>	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 20 (Underwater sound management strategy)	<p>A new condition 20 (Underwater sound management strategy) has been added as follows:</p> <p><b><a href="#">Underwater sound management strategy</a></b></p> <p><a href="#">20.—(1) No piling activities shall commence until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and</a></p>	In response to the MMO’s relevant representation (RR-047) and Natural England’s relevant representation (RR-061).

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><u>approved in writing by the MMO in consultation with the relevant statutory nature conservation body.</u></p> <p><u>(2) The underwater sound management strategy must be submitted to the MMO no later than four months prior to the commencement of the relevant activities, unless otherwise agreed in writing by the MMO.</u></p> <p><u>(3) The piling activities must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the MMO.</u></p>	
Schedule 8 (Documents to be certified)	A new entry has been added to Table 5 to reflect the inclusion of the Outline Underwater Sound Management Strategy.	In response to the MMO's relevant representation (RR-047) and Natural England's relevant representation (RR-061).

### 3 Changes made to the draft DCO (Rev 03) – Deadline 2

Table 3.1 Changes made to the draft DCO (Rev 03) - Deadline 2

Article / Paragraph / Schedule Number	Amendment	Reason		
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting, numbering and grammar errors	For clarity and consistency		
<b>Articles</b>				
Article 2 (Interpretation)	The following definition has been added: <a href="#">“decommissioning programme” has the meaning given by section 105(2) of the 2004 Act(f);</a>	In response to a request from the ExA at Issue Specific Hearing 1 (“ISH1”).		
<b>Schedules</b>				
Schedule 2 (Requirements), Paragraph 2 (Design Parameters)	An additional parameter has been added to Table 2: <table border="1" data-bbox="645 863 1588 1002"> <tr> <td><a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a></td> <td><a href="#">70</a></td> </tr> </table>	<a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a>	<a href="#">70</a>	In response to a request from the ExA at ISH1 and to align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022).
<a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a>	<a href="#">70</a>			
Schedule 2 (Requirements), Paragraph 2 (Design Parameters)	A new sub-paragraph (3) has been added: <a href="#">(3) The wind turbine generators to be constructed or operated as part of the authorised project must have the same height and rotor diameter, unless otherwise agreed in writing by the Secretary of State.</a>	In response to a commitment made by the Applicant at ISH1 to ensure that a mix of turbine sizes could not be used together.		
Schedule 2 (Requirements), Paragraph 5 (Blackpool Airport Instrument Flight Procedures)	Sub-paragraph (1) has been amended as follows: 5.—(1) No <del>part construction</del> of any wind turbine generator (excluding foundations) <del>shall be erected</del> as part of the authorised development	To ensure that no above-sea construction can take place before the aviation		

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><a href="#">shall take place</a> until the Secretary of State, having consulted with the airport operator, confirms satisfaction in writing that—</p>	<p>requirements are satisfied, as discussed at ISH1.</p>
<p>Schedule 2 (Requirements), Paragraph 6 (Walney Aerodrome Instrument Flight Procedures)</p>	<p>Paragraph 6 has been amended as follows:</p> <p><del>Barrow / Walney Island Airport</del> <a href="#">Aerodrome</a> <b>Instrument Flight Procedures</b></p> <p>6.—(1) No <del>part</del> <a href="#">construction</a> of any wind turbine generator (excluding foundations) <del>shall be erected</del> as part of the authorised development <a href="#">shall take place</a> until the Secretary of State, having consulted with the airport operator, confirms satisfaction in writing that—</p> <p>(a) an IFP scheme has been submitted to the airport operator;</p> <p>(b) the Civil Aviation Authority has evidenced its approval to the airport operator of the IFP scheme (if such approval is required);</p> <p>(c) the IFP scheme is accepted by NATS Aeronautical Information Service (AIS) for implementation through the Aeronautical Information Regulation and Control (AIRAC) cycle (or any successor publication), where applicable, and is available for use by aircraft; and</p> <p>(d) a mitigation agreement has been submitted to the airport operator to enter into.</p> <p>(2) For the purposes of this requirement—</p> <p>(a) “airport operator” means BAE Systems or any successor as holder of a licence under the Commission Regulation (EU) No. 139/2014 (or any successor regulation) from the Civil Aviation Authority to operate <del>Barrow / Walney Island Airport</del> <a href="#">Aerodrome</a>;</p> <p>(b) “IFP scheme” means a scheme to address the potential impact of the turbines on the instrument flight procedures of the airport operator;</p>	<p>To reflect the proper name of the aerodrome as advised by BAE Systems Marine Limited and to ensure that no above-sea construction can take place before the aviation requirements are satisfied, as discussed at ISH1.</p>

Article / Paragraph / Schedule Number	Amendment	Reason
	<p>(c) “mitigation agreement” means an agreement between the airport operator and the undertaker which—</p> <p>(i) obliges the parties to agree an IFP scheme; and</p> <p>(ii) obliges the undertaker to comply with the IFP scheme and the remaining terms of this requirement.</p>	
<p>Schedule 2 (Requirements), Paragraph 7 (Warton Aerodrome Instrument Flight Procedures)</p>	<p>Paragraph 7 has been amended as follows:</p> <p><b>Warton Aerodrome and RAF Valley Instrument Flight Procedures</b></p> <p>7.—(1) No <del>part</del> <u>construction</u> of any wind turbine generator (excluding foundations) <del>shall be erected</del> as part of the authorised development <u>shall take place</u> until the Secretary of State, having consulted with the Ministry of Defence (MOD) through the Defence Infrastructure Organisation Safeguarding (DIO), confirms satisfaction in writing that—</p> <p>(a) an IFP scheme has been submitted to the Military Aviation Authority (MAA), acting on behalf of the MOD (through the DIO);</p> <p>(b) the IFP scheme is submitted to NATS Aeronautical Information Service (AIS) for implementation through the Aeronautical Information Regulation and Control (AIRAC) cycle (or any successor publication), where applicable, and is available for use by aircraft; and</p> <p>(c) a mitigation agreement has been submitted to the MOD (through the DIO) to enter into.</p> <p>(2) For the purposes of this requirement—</p> <p>(a) “IFP scheme” means a scheme to address the potential impact of the turbines on the instrument flight procedures of Warton Aerodrome <del>and RAF Valley</del>;</p>	<p>To reflect the agreement in the Draft Statement of Common Ground with BAE Systems (Operations) Ltd and Defence Infrastructure Organisation - Revision 01 (REP1-069 at Topic/Ref DIO 11) that RAF Valley did not require to be included and to ensure that no above-sea construction can take place before the aviation requirements are satisfied, as discussed at ISH1.</p>

Article / Paragraph / Schedule Number	Amendment	Reason
	<p>(b) “mitigation agreement” means an agreement between the MOD (through the DIO) and the undertaker which—</p> <p>(i) obliges the parties to agree an IFP scheme; and</p> <p>(ii) obliges the undertaker to comply with the IFP scheme and the remaining terms of this requirement.</p>	
<p>Schedule 2 (Requirements), Paragraph 8 (Ministry of Defence radar mitigation)</p>	<p>A new paragraph 8 has been added:</p> <p><b><u>Ministry of Defence radar mitigation</u></b></p> <p><u>8.—(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 that appropriate mitigation can be implemented and maintained for the life of the authorised development and that a mitigation agreement has been offered to the Ministry of Defence to ensure that the approved mitigation can be implemented.</u></p> <p><u>(2) For the purposes of this requirement—</u></p> <p><u>(a) “appropriate mitigation” means measures to prevent or remove any adverse effects which the authorised development will have on the air defence radar(s) at Warton Aerodrome and the Ministry of Defence’s air surveillance and control operations;</u></p> <p><u>(b) “approved mitigation” means the detailed radar mitigation scheme 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 sub-paragraph (1); and</u></p>	<p>To mitigate for impacts from the authorised project on the air defence radar at Warton Aerodrome, as detailed in the Draft Statement of Common Ground with BAE Systems (Operations) Ltd and Defence Infrastructure Organisation - Revision 01 (REP1-069 at Topic/Ref DIO 12 and DIO 13).</p> <p><i>The Applicant notes that the wording of this requirement is still in discussion with BAE Systems (Operations) Ltd and Defence Infrastructure Organisation.</i></p>

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><a href="#">(c) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George’s House, DIO Head Office, DMS Whittington, Lichfield, Staffordshire, WS14 9PY or any successor body.</a></p> <p><a href="#">(3) The undertaker must thereafter comply with all other obligations contained within the approved mitigation for the life of the authorised development.</a></p> <p><i>The Applicant notes that subsequent requirements have been renumbered given this addition.</i></p>	
<p>Schedule 2 (Requirements), Paragraph 10 (Port Access and Transport Plan)</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p>(1) Where a port in England or Wales is to be used for the transport over land of wind turbine generators, <a href="#">offshore substation platforms</a> <del>and/or</del> foundations <a href="#">(including scour protection)</a> in connection with the construction, <a href="#">operation or maintenance</a> of the authorised development, no part of the authorised development may commence until a port access and transport plan (which accords with the outline port access and transport plan) for the onshore port-related traffic to and from the port or ports and relating to that part of the authorised development has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.</p>	<p>To reflect discussions at ISH1 and to ensure that the requirement appropriately captures “major components”.</p>
<p>Schedule 2 (Requirements), Paragraph 13 (Amendments to approved details)</p>	<p>Paragraph 13 has been amended as follows:</p> <p>13.—(1) With respect to any requirement which requires the authorised project to be carried out in accordance with the details approved <a href="#">by the Secretary of State or another organisation or body</a> under this Schedule,</p>	<p>In response to a request from the ExA at ISH1 noting that the requirements in the Order have been drafted such that they can</p>



Article / Paragraph / Schedule Number	Amendment	Reason
	<p>the approved details must be carried out as approved unless an amendment or variation is previously agreed by the Secretary of State <a href="#">or that other organisation or body</a> <del>(as applicable)</del> in accordance with subparagraph (2).</p> <p>(2) Any amendments to or variations from the approved details must be in accordance with the principles and assessments set out in the environmental statement. Such agreement may only be given where it has been demonstrated to the satisfaction of the Secretary of State <a href="#">or that other organisation or body</a> that the amendment to the approved detail is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</p> <p>(3) The approved details must be taken to include any amendments that may subsequently be approved by the Secretary of State <a href="#">or that other organisation or body</a>.</p>	<p>be discharged by specified parties other than the Secretary of State.</p>
Schedule 3 (Protective provisions)	Part 1 for the protection of offshore cables has been updated.	To include reference to the protective provisions plan showing the location of the offshore cables.
Schedule 3 (Protective provisions)	Part 2 for the benefit of Harbour Energy has been updated.	Following discussions with Harbour Energy, although the Applicant notes that discussions between the parties on the final form and content of these protective provisions are ongoing.

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 3 (Protective provisions)	Part 3 for the benefit of Spirit Energy Production UK Limited has been updated.	To reflect the relevant representations and written representation submitted by Spirit Energy Production UK Limited, although the Applicant notes that discussions between the parties on the final form and content of these protective provisions are ongoing.
Schedule 4 (Approval of matters specified in requirements), Paragraph 5 (Appeal)	Sub-paragraph (2)(f) has been amended as follows: (f) the appointed person must make their decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable and in any event within 20 working days <a href="#">(unless otherwise agreed with the appeal parties)</a> of the deadline for the receipt of counter-submissions pursuant to sub-paragraph (2)(e).	To reflect discussions with the ExA at ISH1 regarding timescales for appeal decisions.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 1 (Interpretation)	The following definition has been added: <a href="#">“decommissioning programme” has the meaning given by section 105(2) of the 2004 Act(f);</a>	In response to a request from the ExA at Issue Specific Hearing 1 (“ISH1”).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 1 (Interpretation)	At sub-paragraph(4)(b), the address of Historic England has been updated.	In response to Historic England’s Written Representation (REP1-095 at para. 9.2).

Article / Paragraph / Schedule Number	Amendment	Reason		
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 6	<p>Paragraph 6 has been amended as follows:</p> <p>6. This licence remains in force until the authorised project has been decommissioned in accordance with a <a href="#">decommissioning</a> programme approved by the Secretary of State under section 106 (approval of decommissioning programmes) of the 2004 Act, including any modification to the programme under section 108, and the completion of such programme has been confirmed by the Secretary of State in writing.</p>	To reflect the inclusion of a new defined term “decommissioning programme”.		
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 1 (Design Parameters)	<p>An additional parameter has been added to Table 4:</p> <table border="1" data-bbox="645 695 1588 834"> <tr> <td data-bbox="645 695 1357 834"><a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a></td> <td data-bbox="1357 695 1588 834"><a href="#">70</a></td> </tr> </table>	<a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a>	<a href="#">70</a>	In response to a request from the ExA at ISH1 and to align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022).
<a href="#">Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</a>	<a href="#">70</a>			
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	<p>Sub-paragraph (2) has been amended as follows:</p> <p>(2) Maintenance works include but are not limited to—</p> <ul style="list-style-type: none"> <li>(a) major wind turbine component or offshore substation platform replacement;</li> <li>(b) painting and applying other coatings to wind turbine generators, foundation structures (including transition pieces) or offshore substation platforms;</li> <li>(c) bird waste and marine growth removal;</li> <li>(d) cable remedial burial;</li> <li>(e) cable repairs and replacement;</li> </ul>	To align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022) and in response to Natural England’s Risk and Issues Log – Deadline 1 (REP1-098 at point RI_A9).		

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><del>(f)</del> <a href="#">cable protection and scour protection replenishment or replacement;</a></p> <p><del>(g)</del> <a href="#">access ladder and boat landing replacement;</a></p> <p><del>(e)</del> <del>(h)</del> <a href="#">wind turbine generator and substation platform and/or foundation anode replacement;</a> and</p> <p><del>(h)</del> <del>(i)</del> <a href="#">j-tube repair/replacement.</a></p>	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 6 (Colouring of structures)	<p>Sub-paragraph (1) has been amended as follows:</p> <p>6.—(1) Except as otherwise required by Trinity House, the undertaker must paint all structures forming part of the authorised project yellow (colour code RAL 1023) from at least HAT to a <a href="#">minimum of 15m above HAT or such other</a> height as directed by Trinity House.</p>	In response to a request from the ExA at ISH1.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 15 (Construction monitoring)	<p>Sub-paragraph (6) has been amended as follows:</p> <p>(6) Construction monitoring must include vessel traffic monitoring in accordance with the <del>outline vessel traffic management</del> <a href="#">in principle monitoring</a> plan, including the provision of reports on the results of that monitoring at the end of each year of the construction period to the MMO, MCA and Trinity House.</p>	To reflect that monitoring of vessel traffic during construction and post-construction is contained within the In Principle Monitoring Plan (and not the Outline Vessel Traffic Management Plan).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 16 (Post-construction monitoring)	<p>Sub-paragraph (3)(b) has been amended as follows:</p> <p>(b) undertake post-construction vessel traffic monitoring in accordance with <del>the outline vessel traffic management plan and</del> the in principle monitoring plan, including the provision of reports on the results of that monitoring to the MMO, MCA and Trinity House.</p>	

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 18 (Completion of construction)	Sub-paragraph (1) has been amended as follows: <b>18.</b> —(1) The undertaker must submit a close-out report to the MMO, MCA, Trinity House, the UKHO and the relevant statutory nature conservation body within four 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— (a) the final number of installed wind turbine generators; <del>and</del> (b) the installed wind turbine generator parameters relevant for ornithological collision risk modelling; <u>(c) as built plans;</u> <u>(d) latitude and longitude coordinates of the centre point of the location for each wind turbine generator and offshore substation platform provided as Geographical Information System data referenced to WGS84 datum; and</u> <u>(e) latitude and longitude coordinates of the inter array and export cable routes provided as Geographical Information System data referenced to WGS84 datum.</u>	To address comments made by Trinity House during Statement of Common Ground discussions (REP1-065)
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 21 (Deployment of new cable protection and scour protection)	A new paragraph 21 has been added as follows: <u><b>Deployment of new cable protection and scour protection</b></u> <u>21. Any cable protection and scour protection (other than the replenishment or replacement of existing cable protection or scour protection) authorised under this licence must be deployed within ten years from the date on which operation of the authorised project commences unless otherwise agreed by the MMO in writing.</u>	To align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022) and in response to Natural England’s Risk and Issues Log – Deadline 1 (REP1-098 at point RI_A9).

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 7 (Compensation measures), Paragraph 1	<p>The following definitions in paragraph 1 have been removed or added:</p> <p><del>“Marine Recovery Fund” means the fund operated by Defra pursuant to the Offshore Wind Environmental Improvement Package of the British Energy Security Strategy (April 2022), the Energy Act 2023( ) or any subordinate legislation made pursuant thereto, for the implementation of strategic compensation or any equivalent fund established for that purpose;</del></p> <p><u>“strategic compensation fund” means any fund established by Defra or a Government body for the purpose of implementing strategic compensation measures or any equivalent fund established for that purpose; and</u></p> <p><u>“strategic compensation owner” means the Government body with the responsibility to manage the strategic compensation fund.</u></p>	To incorporate suggested strategic compensation wording provided by Natural England in its relevant representation (RR-061 at Annex A1).
Schedule 7 (Compensation measures), Paragraph 2	<p>A new paragraph 2 has been added as follows:</p> <p><u>2. —(1) No later than [six] months prior to the commencement of the authorised development, the undertaker must advise the Secretary of State of the intention to provide compensation either—</u></p> <p><u>(a) through a contribution to the strategic compensation fund; or</u></p> <p><u>(b) through a project-alone lesser black-backed gull compensation measure.</u></p> <p><u>(2) Paragraphs 7-13 of this Schedule shall not apply to the extent that a contribution to the strategic compensation fund has been elected in paragraph 2 of this Schedule and paragraphs 4, 5 and 6 of this Schedule shall not apply to the extent that a project-alone lesser black-backed gull</u></p>	

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><a href="#">compensation measure has been elected in paragraph 2 of this Schedule.</a></p>	
<p>Schedule 7 (Compensation measures), Paragraph 3</p>	<p>Sub-paragraph 3(c) has been amended as follows:</p> <p>(c) details of the proposed schedule of meetings, timetable for preparation of the lesser black-backed gull CIMP and reporting and review periods, <a href="#">or details of the schedule of meetings to agree contributions to the strategic compensation fund</a>; and</p>	
<p>Schedule 7 (Compensation measures), Paragraphs 4 to 6</p>	<p>New paragraphs 4, 5 and 6 have been added as follows:</p> <p><a href="#">4.—(1) The undertaker must agree a ratio/value of contribution with the strategic compensation owner, in consultation with the statutory nature conservation body and the LBBGCSG.</a></p> <p><a href="#">(2) Unless otherwise agreed with the strategic compensation owner, the ratio/value must include the provision of—</a></p> <p><a href="#">(a) the required contribution to compensate for the worst-case scenario of adverse effect on the MBDE and RAE;</a></p> <p><a href="#">(b) the required contribution to monitoring of the compensation undertaken under the strategic compensation fund;</a></p> <p><a href="#">(c) the required contribution to provide for any adaptive management measures for the compensation undertaken under the strategic compensation fund;</a></p> <p><a href="#">(d) the timing of any required contribution to ensure compensation is either provided ahead of construction or to a sufficiently high ratio to allow for construction prior to implementation of the compensation;</a></p>	

Article / Paragraph / Schedule Number	Amendment	Reason
	<p><u>(e) the required contribution for the ongoing maintenance of the compensation undertaken under the strategic compensation fund; and</u></p> <p><u>(f) the required contribution for any decommissioning of the compensation undertaken under the strategic compensation fund.</u></p> <p><u>5. Prior to the commencement of any works, the undertaker must provide details on the contribution to the strategic compensation fund agreed under paragraph 4 to the Secretary of State for approval.</u></p> <p><u>6. The undertaker must provide the contribution to the strategic compensation fund as per the agreement approved by the Secretary of State under paragraph 5.</u></p>	
Schedule 7 (Compensation measures), Paragraph 8	<p>Sub-paragraph (2) has been deleted as follows:</p> <p><u>(2) The undertaker may elect to pay a contribution to the Marine Recovery Fund wholly or partly in substitution for the lesser black-backed gull compensation measure or as an adaptive management measure, and in such circumstances the lesser black-backed gull CIMP must include or be updated to include the sum of the contribution, to be agreed between the undertaker and Defra or other body responsible for the operation of the Marine Recovery Fund in consultation with the LBBGCSG.</u></p>	