



**RWE Renewables UK Dogger Bank South
(West) Limited**

**RWE Renewables UK Dogger Bank South
(East) Limited**

Dogger Bank South Offshore Wind Farms

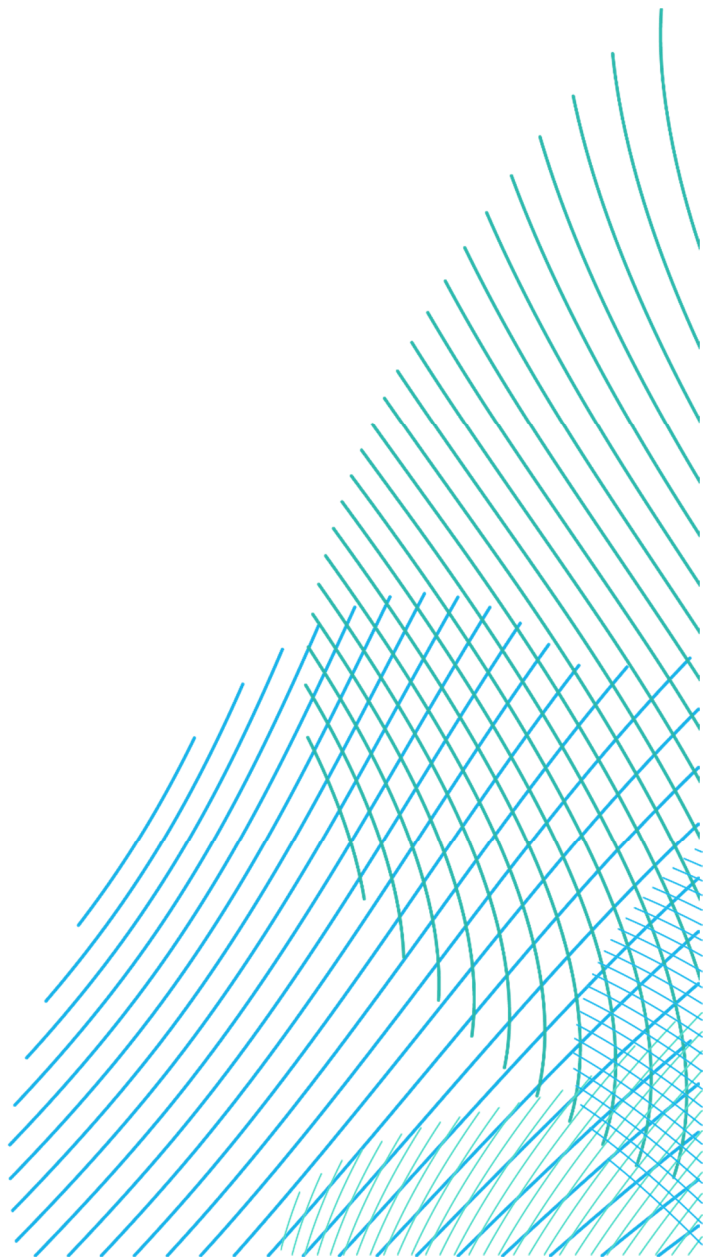
**Schedule of Changes to Draft DCO
(To Revision 03)**

December 2024

Application Reference: 3.4

APFP Regulation: 5(2)(b)

Revision: 01



| | | | |
|--------------------------------|--|------------------------------|--------------------|
| Company: | RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited | Asset: | Development |
| Project: | Dogger Bank South Offshore Wind Farms | Sub Project/Package: | Consents |
| Document Title or Description: | Schedule of Changes to the Draft Development Consent Order (To Revision 03) | | |
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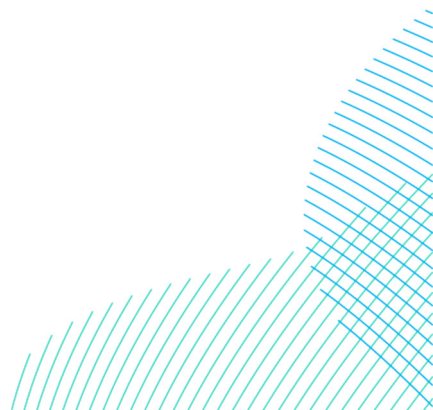
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| Rev No. | Date | Status/Reason for Issue | Author | Checked by | Approved by |
|---------|---------------|----------------------------|---------------|------------|-------------|
| 01 | December 2024 | Pre-examination Submission | Burges Salmon | RWE | RWE |

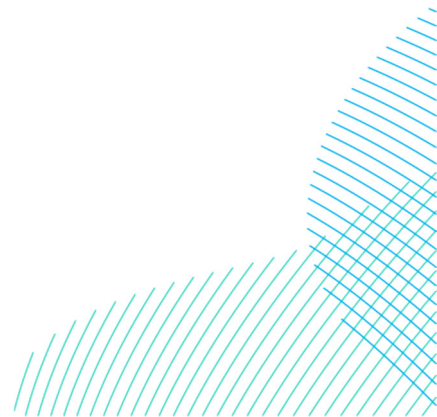


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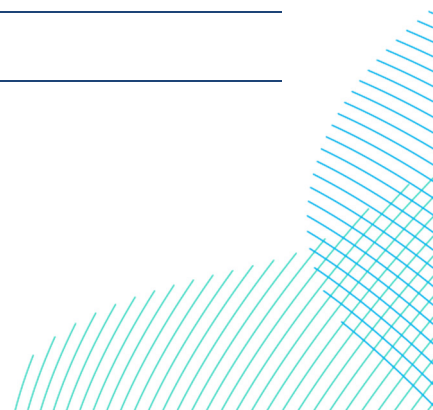
Glossary

| Term | Definition |
|----------------------------------|--|
| Development Consent Order (DCO) | An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP). |
| Dogger Bank South (East) Limited | RWE Renewables UK Dogger Bank South (East) Limited (DBSEL), company number 13656240, whose registered office is Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB. |
| Dogger Bank South (West) Limited | RWE Renewables UK Dogger Bank South (West) Limited (DBSWL), company number 13656525, whose registered office is Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB. |
| The Applicants | The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake). |
| The Projects | DBS East and DBS West (collectively referred to as the Dogger Bank South offshore wind farms). |

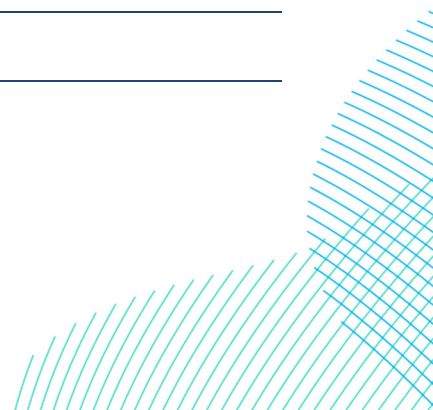
Acronyms

| Term | Definition |
|-------|--|
| DBS | Dogger Bank South |
| DBSEL | RWE Renewables UK Dogger Bank South (East) Limited |
| DBSWL | RWE Renewables UK Dogger Bank South (West) Limited |
| DCO | Development Consent Order |
| DML | Deemed Marine License |

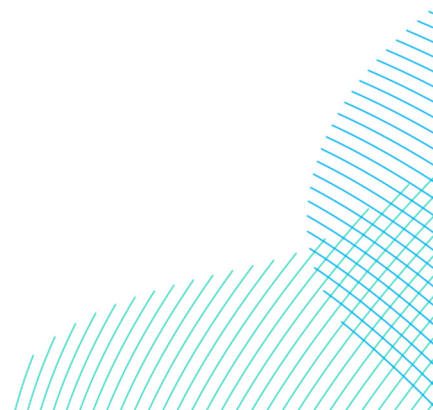
Unrestricted



| Term | Definition |
|------|---|
| EIA | Environmental Impact Assessment |
| EPS | European Protected Species |
| ES | Environmental Statement |
| ESP | Electrical Switching Platform |
| ExA | Examination Authority |
| HDD | Horizontal Directional Drill |
| HRA | Habitats Regulation Assessment |
| IPMP | In principal Monitoring Plan |
| JNCC | Joint Nature Conservation Committee |
| kg | Kilogram |
| Km | Kilometre |
| MCZ | Marine Conservation Zone |
| MA | Monitoring Area |
| MMMP | Marine Mammal Mitigation Protocol |
| MCAA | Marine and Coastal Access Act |
| MMO | Marine Management Organisation |
| NE | Natural England |
| NPS | National Policy Statement |
| NSIP | Nationally Significant Infrastructure Project |
| OWF | Offshore Wind Farm |
| PAD | Principle of Disagreement |
| SAC | Special Area of Conservation |



| Term | Definition |
|------|------------------------------------|
| SIP | Site Integrity Plan |
| SNCB | Statutory Nature Conservation Body |
| SOCG | Statement of Common Ground |
| SoS | Secretary of State |



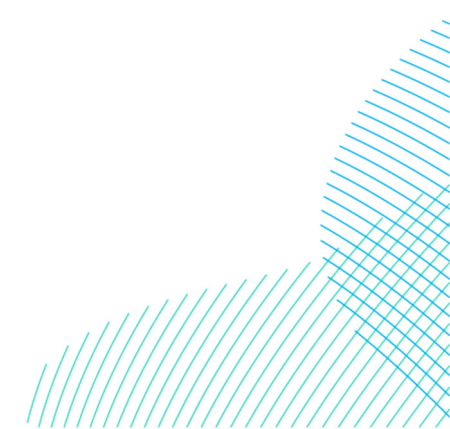
1 Schedule of Changes

1.1 Introduction

1. **Table 1-1** below sets out the schedule of changes to the Draft DCO (Revision 03) (application ref: 3.1), submitted in December 2024 (pre-examination).

Table 1-1 Table of amendments submitted to the Draft Development Consent Order (Revision 03)

| Article/Paragraph/Schedule Number | Amendment | Reason |
|---------------------------------------|---|--|
| Changes made throughout the Draft DCO | Various minor amendments have been made to the Draft DCO to correct cross-referencing errors and typos. | In response to section 55 advice and to address comments raised by the MMO in their relevant representation (3.16.3) [RR-030]. |
| Changes made throughout the Draft DCO | All references to “marine licence” have been amended to “deemed marine licence”. | To address comments raised by the MMO in their relevant representation (3.16.2) [RR-030]. |
| Changes made throughout the Draft DCO | All references to “[no relevant works] may commence” have been changed to “[the relevant works] must not be commenced”. | To address comments raised by the ExA (supplementary agenda question ISH1.S2.01) [EV4-001]. |



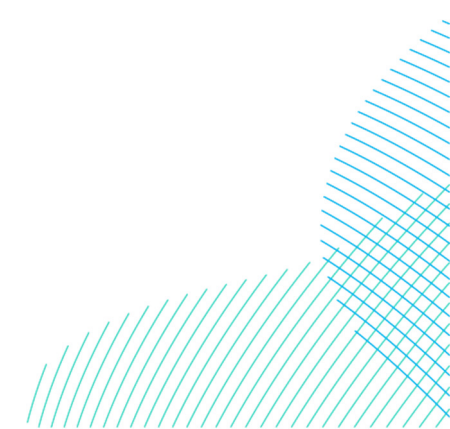
| Article/Paragraph/Schedule Number | Amendment | Reason |
|--|---|--|
| Changes made throughout the Draft DCO. | When plans/documents that are to be certified are referred to, the drafting has been changed to: <i>“...means the plan or plans certified <u>by the Secretary of State as the [relevant plan/document name] for the purposes of this Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified) by the Secretary of State under article 42;(certification of plans and documents, etc.);”</u></i> | To address comments raised by the ExA (supplementary agenda question ISH1.A.01) [EV4-001]. |
| Changes made throughout the Draft DCO. | All references to relevant parts of legislation have been set out in full. | To address comments raised by the ExA (supplementary agenda question ISH1.G.05) [EV4-001]. |
| Changes made throughout the Draft DCO | Lines have been added to tables to separate each row (where not previously included). | To address comments raised in relation to s55 checklist [PDA-011]. |
| Preamble | The preamble referred to “a Panel”. This has been replaced with “an Examining Authority” of 5 members. | To address comments raised by the ExA (supplementary agenda question ISH1.G.01) [EV4-001]. |
| Paragraph 5 of preamble. | Amendments have been made to remove reference to special category land and replace it with open space land: <i>[The Secretary of State is satisfied that special categoryopen space land comprisedwithin the Order land,</i> | To address comments raised by the ExA (supplementary agenda question ISH1.G.02) [EV4-001]. |

| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|--|--|
| Paragraph 7 of preamble. | <p>Section 122 has been added to the list of references to the 2008 Act:</p> <p>Accordingly, the Secretary of State, in exercise of the powers in sections [114, 115, 120(1), <u>122</u>, 123, 140 and 149A] of the 2008 Act, makes the following Order:</p> | To address comments raised by the ExA (supplementary agenda question ISH1.G.04) [EV4-001]. |
| Article 2, Interpretation | <p>The definition of “authorised project” has been amended to:</p> <p><i>“authorised project” means the authorised development and ancillary works authorised by this Order. means the authorised development and the ancillary works;</i></p> | To address comments raised by the ExA (supplementary agenda question ISH1.A.02) [EV4-001]. |

(¹) Sections 114,115 and 120 were amended by sections 128(2) and 140 and Schedule 13, paragraphs 1, 55(1), (2) and 60(1) and (3) of the Localism Act 2011. Relevant amendments were made to section 115 by section 160(1) to (6) of the Housing and Planning Act 2016 (c.22).

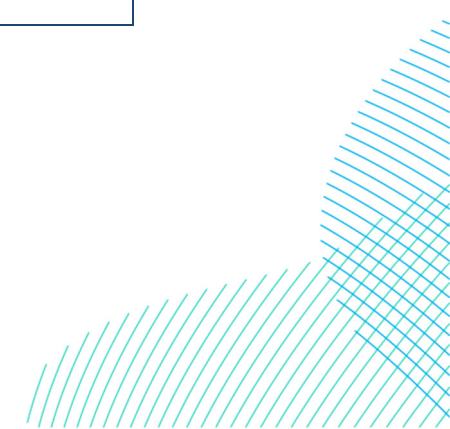


| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|--|--|
| Article 2 , Interpretation | <p>The following definitions have been inserted:</p> <p><u><i>“bank holiday” means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971;</i></u></p> <p><u><i>“Dogger Bank SAC” means the site designated as the Dogger Bank Special Area of Conservation;</i></u></p> <p><u><i>“horizontal directional drilling” refers to a trenchless technique for installing cables and cable ducts involving drilling in an arc between two points;</i></u></p> <p><u><i>“offshore electrical platform” means an offshore collector platform, an offshore converter platform and/or an offshore switching platform;</i></u></p> <p><u><i>“pre-existing ducts” means the ducts to be installed at landfall forming part of Work Nos 3A, 3B, 8A and 8B.</i></u></p> <p><u><i>“public holiday” means a public holiday in England and Wales established by common law;</i></u></p> <p><u><i>“working day” means a day which is not a weekend, bank holiday or public holiday in England;</i></u></p> | <p>To address comments raised by the ExA (supplementary agenda questions ISH1.A.16, ISH1.S2.05 and ISH1.S1.01) [EV4-001] as these are used throughout the Draft DCO.</p> |

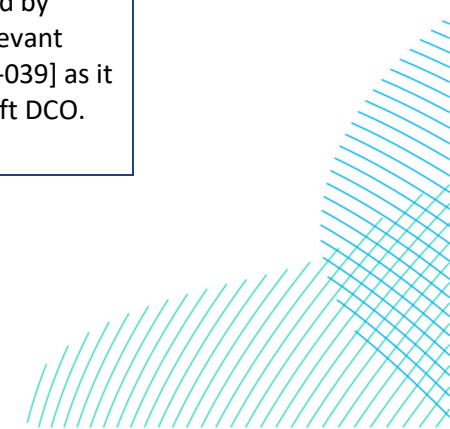


| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|---|---|
| Article 2, Interpretation | <p>The definition of “cable crossing” has been amended as follows:</p> <p><i>“cable crossing” means a crossing of existing subsea cables or pipelines or other existing infrastructure by a cable or, where cables run together in parallel, a set of cables authorised by this Order together with physical protection measures including rock placement or other cable protection;</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.05) [EV4-001].</p> |
| Article 2, Interpretation | <p>The following address details have been provided:</p> <p><i>“Environment Agency” means the Environment Agency, <u>Horizon House, Deanery Road, Bristol, BS1 5AH</u> and any successor in name or function;</i></p> <p><i>“MCA” means the Maritime and Coastguard Agency, <u>Navigation Safety Branch, Bay 2/20, Spring Place, 105 Commercial Road, Southampton, SO15 1EG</u>;</i></p> <p><i>“statutory historic body” means Historic England, <u>4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA</u> or its successor in function;</i></p> <p><i>“Trinity House” means the Corporation of Trinity House of Deptford Strond, <u>Tower Hill, London EC3N 4DH</u>;</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.06) [EV4-001].</p> |

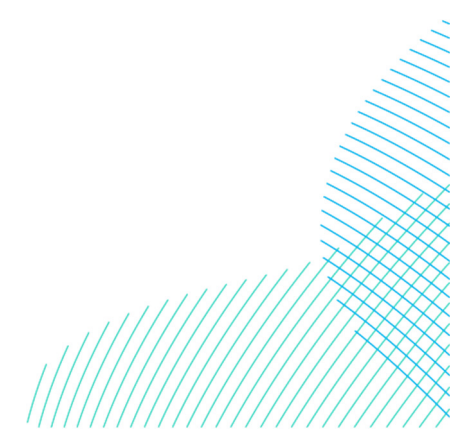
| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|---|--|
| Article 2, Interpretation | <p>The definition of “jacket foundation” has been updated to:</p> <p><i>“jacket foundation” means a lattice type structure constructed of steel which is fixed to the seabed at 3 or more points with steel pin piles and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms</i><i>means a lattice type structure constructed of steel, which may include scour protection and additional equipment such as J tubes, corrosion protection systems and access platforms;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 4) [RR-030].</p> |
| Article 2, Interpretation | <p>The definition has been updated to:</p> <p><i>“maintain” includes inspect, upkeep, repair, adjust, alter, and further includes remove, reconstruct and replace (including replenishment of cable protection), but does not include the removal, reconstruction or replacement of foundations associated with the authorised project, to the extent assessed in the environmental statement; and “maintenance”any derivation of “maintain” must be construed accordingly;</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.07) [EV4-001].</p> |



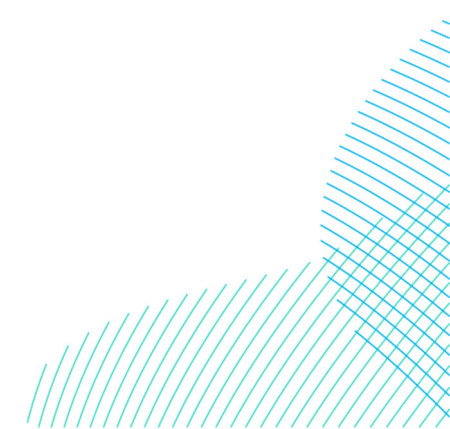
| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|---|---|
| Article 2, Interpretation | <p>The following definitions has been deleted:</p> <p>“HAT” means highest astronomical tide;</p> <p>“National Grid substation connection works” means Work Nos. 34A and 34B;</p> <p>“outline communications and public relations procedure” means Appendix B of the document certified by the Secretary of State as the outline code of construction practice for the purposes of this Order under Article 42 and referenced in Schedule 19 ;by the Secretary of State under article 42;</p> <p>“outline soil management plan” means Appendix A of the document certified by the Secretary of State as the outline code of construction practice for the purposes of this Order under Article 42 and referenced in Schedule 19;</p> <p>“strategic road network” means any part of the road network including trunk roads, special roads or streets for which National Highways is the highway authority;</p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.09, ISH1.A.10 and ISH1.A.13) [EV4-001] as these are no longer used in the Draft DCO.</p> |
| Article 2, Interpretation | <p>The following definition has been deleted:</p> <p>“Natural England” means Natural England and any successor in name or function;</p> | <p>To address comments raised by Natural England in their relevant representation (NE A5) [RR-039] as it is no longer used in the Draft DCO.</p> |



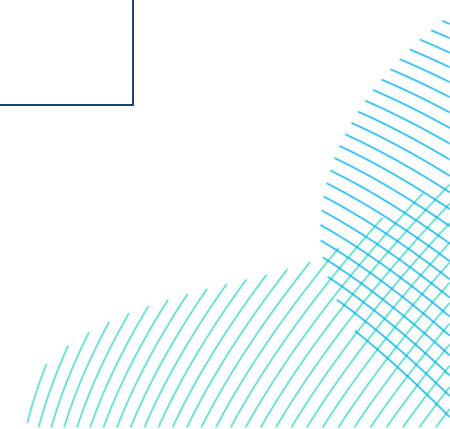
| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|--|---|
| Article 2, Interpretation | <p>Reference to the Environmental Statement has been removed from the following definitions:</p> <p><i>“offshore collector platform” means a structure described in the environmental statement as an offshore collector platform...”</i></p> <p><i>“offshore converter platform” means a structure described in the environmental statement as an offshore converter platform...”</i></p> <p><i>“offshore switching platform” means a structure described in the environmental statement as an offshore switching platform...”</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, rows 40, 41 and 42) [RR-030].</p> |
| Article 2, Interpretation | <p>The definition of “transition piece” has been updated to:</p> <p><i>“transition piece” means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and may include additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 38) [RR-030].</p> |



| Article/Paragraph/Schedule Number | Amendment | Reason |
|-----------------------------------|---|--|
| Article 2, Interpretation | <p>This article has been amended as follows:</p> <p><i><u>“All distances, directions and lengths referred to in this Order are approximate, save in respect of the parameters referred to in—</u></i></p> <ul style="list-style-type: none"> <i><u>a) requirements 2 to 6 in Part 1 of Schedule 2 (requirements);</u></i> <i><u>b) conditions 1 to 5 in Part 2 of Schedule 10 (conditions);</u></i> <i><u>c) conditions 1 to 5 in Part 2 of Schedule 11 (conditions);</u></i> <i><u>d) conditions 1 to 3 in Part 2 of Schedule 12 (conditions);</u></i> <i><u>e) conditions 1 to 3 in Part 2 of Schedule 13 (conditions); and</u></i> <i><u>f) condition 1 in Part 2 of Schedule 14 (conditions).</u></i> <p><i>distances, directions, and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised project are to be taken to be measured along that work.”</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 9) [RR-030].</p> |

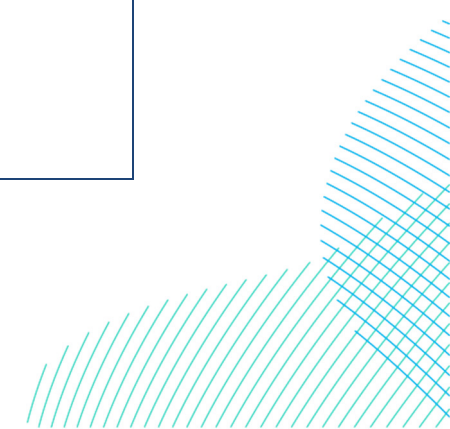


| Article/Paragraph/Schedule Number | Amendment | Reason |
|--|---|---|
| Article 2, Interpretation | <p>The following wording has been inserted at (8):</p> <p><i><u>“Any reference to any statute, order, regulation or similar instrument in this Order must be construed as a reference to a statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any re-enactment.”</u></i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.17) [EV4-001].</p> |
| Article 3(a), Development consented granted by Order | <p>3(a) has been updated to:</p> <p><i>“DBSEL is granted development consent for the DBS East works and related ancillary works <u>to be carried out within the Order limits; and</u>”</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 10) [RR-030].</p> |
| Article 5(7)(b), Benefit of the Order | <p>Article 5(7)(b) has been updated to state:</p> <p><i>“the transferred benefit shall reside exclusively with the transferee or, as the case may be, the lessee and the transferred benefit shall not be enforceable against the undertaker <u>save in the case of a deemed marine licence transferred or granted in respect of any breach of an obligation by the undertaker which occurs prior to such transfer or grant or which occurs as a result of any activity carried out by the undertaker on behalf of the transferee; and</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.18) [EV4-001].</p> |

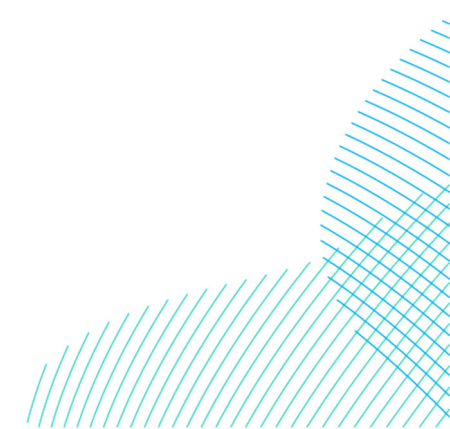


| Article/Paragraph/Schedule Number | Amendment | Reason |
|--|---|---|
| Article 5(13), Benefit of the Order | <p>Article 5(13) has been updated as follows:</p> <p><i>“The provisions of articles 8 (street works), 10 (temporary stopping up closure of streets), 20 (compulsory acquisition of land), 22 (compulsory acquisition of rights), 3029 (temporary use of land for carrying out the authorised project) and 310 (temporary use of land for maintaining the authorised project) shall have effect only for the benefit of the undertaker and a person who is a transferee or lessee who is also—</i></p> <p><i>in respect of Work Nos. 109A to 34A and 109B to 34B, a person who holds a licence under the 1989 Act; or”</i></p> | To address s55 checklist comments [PDA-011]. |
| Article 5(14), Benefit of the Order | <p>This has been updated to refer to a transfer of the whole DML:</p> <p><i>“Section 72(7) and (8) (variation, suspension, revocation and transfer) of the 2009 Act do not apply to a transfer of grant of the <u>whole of the benefit of the provisions of any deemed marine licences to another person by the undertaker pursuant to an agreement under <u>paragraph (3) of this article...</u>”</u></i></p> | To address comments raised by the ExA (supplementary agenda question ISH1.A.17) [EV4-001]. |
| Article 9(1)(b), Application of the 1991 Act | <p>This has been amended as follows:</p> <p><i>“the temporary closurestopping up, restriction, alteration or diversion of a street by the undertaker under article 10 (temporary stopping upclosure of streets);”</i></p> | To address s55 checklist comments [PDA-011] and comments raised by the ExA (supplementary agenda question ISH1.A.20) [EV4-001]. |

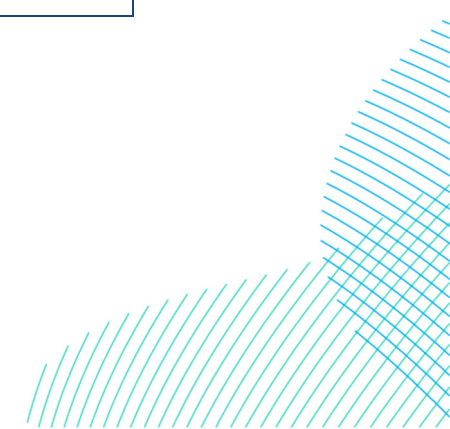
| Article/Paragraph/Schedule Number | Amendment | Reason |
|--|---|---|
| Article 10(2), Temporary closure of streets | <p>This has been amended to refer to the authorised development:</p> <p><i>“Without limiting paragraph (1), the undertaker may <u>for the purpose of carrying out the authorised development</u> use any street temporarily closed or restricted under the powers conferred by this article as a temporary working site.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.22) [EV4-001].</p> |
| Article 11(6) and (7), Closure and diversion of public rights of way | <p>This has been amended to correct “stopping up” to “closure”:</p> <p><i>“(6) Subject to paragraphs (7) and (8), the undertaker may in connection with the carrying out of the authorised project stop-upclose each of the public rights of way specified in column (2) of Part 2 (public rights of way to be permanently diverted) of Schedule 5 (closure and diversion of public rights of way) to the extent specified in column (3), by reference to the letters shown on the public rights of way plan.</i></p> <p><i>(7) No public rights of way may be stopped-upclosed under this article until a temporary alternative route for the passage of such traffic as could have used the public right of way has been provided and subsequently maintained by the undertaker until a permanent alternative has been provided and open to public use, which temporary alternative route must be provided to the reasonable satisfaction of the relevant highway authority, between the points specified in column (4) of Part 2 of Schedule 5.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.23) [EV4-001].</p> |



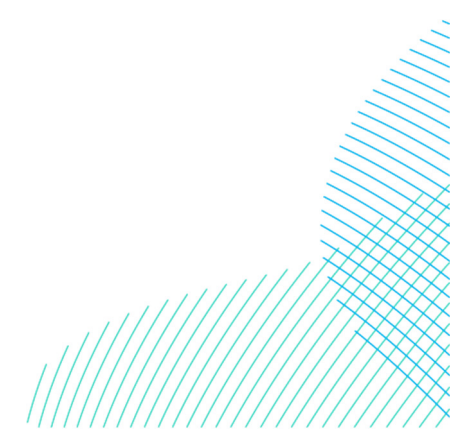
| Article/Paragraph/Schedule Number | Amendment | Reason |
|--|---|---|
| Article 12(2), Power to alter layout, etc. of streets | <p>Amended to include operation:</p> <p><i>“Without limitation on the specific powers conferred by paragraph (1), but subject to paragraph (4), the undertaker may, for the purposes of constructing, operating and maintaining the authorised project, permanently or temporarily alter the layout of any street (and carry out works ancillary to such alterations) whether or not within the Order limits and the layout of any street having a junction with such a street and, without limiting the scope of this paragraph, the undertaker may...”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.24) [EV4-001].</p> |
| Article 18(1)(b), Authority to survey and investigate land onshore | <p>Reference to bore holes has been added:</p> <p><i>“without limiting sub-paragraph (a), make trial holes and bore holes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil and groundwater and remove soil and groundwater samples;”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.A.27) [EV4-001].</p> |



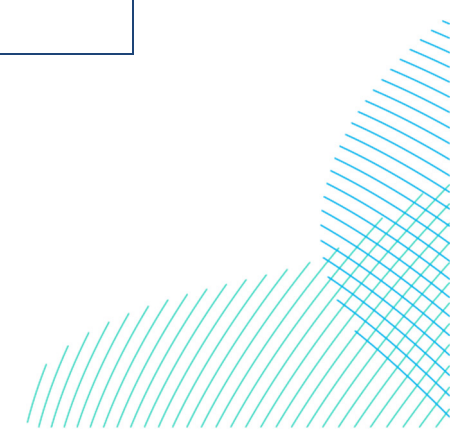
| Article/Paragraph/Schedule Number | Amendment | Reason |
|---|---|---|
| Article 19(a), Removal of human remains | <p>Article 19(a) has been updated as follows:</p> <p><i>“In this article, “specified land” means the land within the <u>onshore Order limits as shown on the onshore order limits and grid coordinates plan and is in reference to land onshore only.</u>”</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 12) [RR-030].</p> |
| Article 20(1) and (2), Compulsory acquisition of land | <p>Articles 20(1) and (2) have been updated as follows:</p> <p><i>“—a) DBSEL, with the consent of DBSWL such consent not to be unreasonably withheld, may acquire compulsorily so much of the Order land as is required for the DBS East works, or to facilitate, or is incidental to, the construction, <u>operation</u> and maintenance of the DBS East works.</i></p> <p><i>DBSWL, with the consent of DBSEL such consent not to be unreasonably withheld, may acquire compulsorily so much of the Order land as is required for the DBS West works, or to facilitate, or is incidental to, the construction, <u>operation</u> and maintenance of the DBS West works”.</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.02) [EV3-001].</p> |



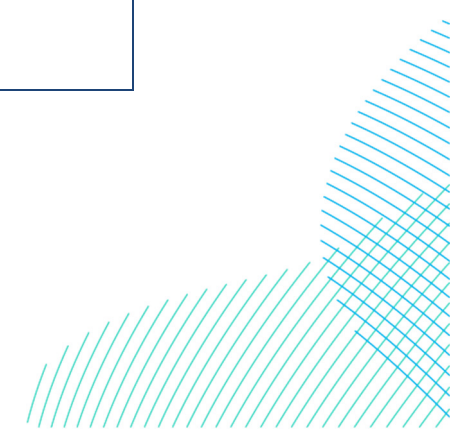
| Article/Paragraph/Schedule Number | Amendment | Reason |
|---|---|---|
| Article 20(4), Compulsory acquisition of land | This article has been amended to include reference to Schedule 15: <i>“(e) article 41 (crown rights); <u>and</u> (f) <u>Schedule 15 (protective provisions)</u>:-”</i> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.04) [EV3-001]. |
| Article 23(1)(a), Private rights over land | This has been amended to refer to the grant of a lease by agreement: <i>“from the date of acquisition of the land by the undertaker, whether compulsorily, or by agreement <u>or through the grant of a lease of the land by agreement</u>; or”</i> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.07) [EV3-001]. |
| Article 23(2)(b), Private rights over land | Article 23(2)(b) has been updated as follows: <i>“on the date of entry on the land by the undertaker under section 11(1) <u>(powers of entry)</u> of the 1965 Act <u>in pursuance of the right</u>:-”</i> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.09) [EV3-001]. |



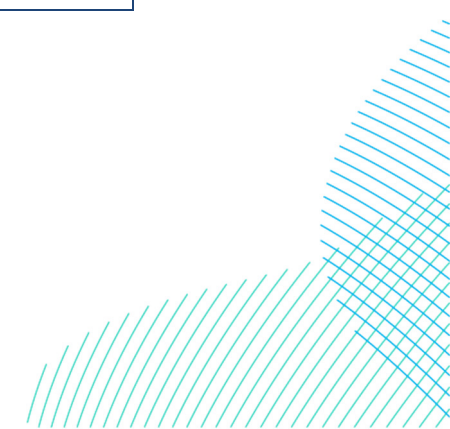
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Article 23(3), Private rights over land | <p>Article 23(3) has been updated as follows:</p> <p><i>“Subject to the provisions of this article, all private rights <u>or restrictive covenants</u> over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable, in so far as their continuance would be inconsistent with the purpose for which temporary possession is taken, for as long as the undertaker remains in lawful possession of the land.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.10) [EV3-001].</p> |
| Article 23(6)(b), Private rights over land | <p>Article 23(6)(b) has been updated as follows:</p> <p><i>“any agreement made at any time between the undertaker and the person in or to whom the right <u>or restrictive covenant</u> in question is vested or belongs.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.12) [EV3-001].</p> |
| Article 23(7)(a), Private rights over land | <p>Article 23(7)(a) has been updated as follows:</p> <p><i>“is made with a person in or to whom the right <u>or restrictive covenant</u> is vested or belongs; and”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.13) [EV3-001].</p> |



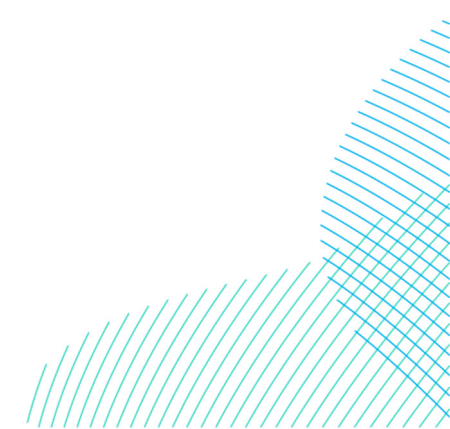
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Article 25(3), Statutory authority to override easements and other rights | <p>Article 25(3) has been updated as follows:</p> <p><i>“The interests and rights to which this article applies are any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support <u>and any restrictions as to the use of land arising by virtue of a contract.</u>”</i></p> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.14) [EV3-001]. |
| Article 30(4)(b), Temporary use of land for carrying out the authorised project | <p>Reference to culverts added:</p> <p><i>“remove any drainage works <u>including culverts</u> installed by the undertaker under this article;”</i></p> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.20) [EV3-001]. |
| Article 30(4)(c), Part 5, temporary use of land for carrying out the authorised project | <p>Article 30 (4)(c) has been updated as follows:</p> <p><i>“remove any new road surface or other improvements carried out under this article to any street specified in Schedule 3 (streets subject to street works) <u>or any new footpath surface or other enhancements carried out under this article to any footpath or any improvements carried out under this article to any bridge; or</u>”</i></p> | To address comments raised by the ExA (supplementary agenda question CAH1.SA.20) [EV3-001]. |



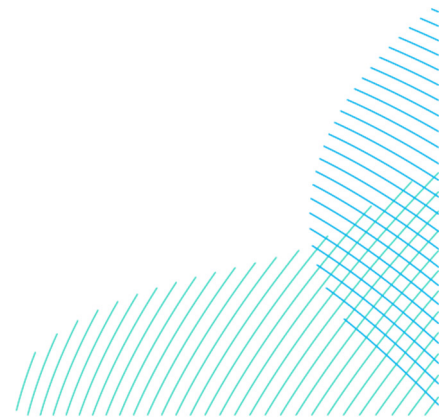
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Article 31(1)(c), Temporary use of land for maintaining the authorised project</p> | <p>Article 31(1) has been updated as follows: <i>“Subject to paragraph (2), at any time during the maintenance period relating to any part of the authorised project, the undertaker may—</i> <i>(a) enter on and take temporary possession of any land within the Order limits if such possession is reasonably required for the purpose of maintaining the authorised project; and</i> <i>(b) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose; and</i> <i>(b)(c) <u>enter on and take temporary possession of any land within the Order limits required to gain access for the purpose of maintaining the authorised project.</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.21) [EV3-001].</p> |
| <p>Article 32(1), Statutory undertakers</p> | <p>Article 32(1) has been updated as follows: <i>“—b) Subject to the provisions of article 45 (protective provisions) <u>and</u> <u>schedule 15 (protective provisions)</u>, the undertaker may—”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.23) [EV3-001].</p> |



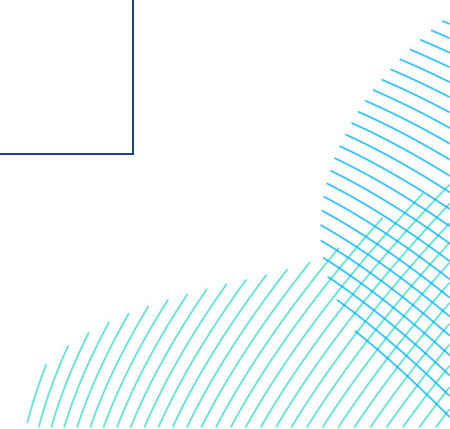
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| Article 32(1)(a), Statutory undertakers | <p>Article 32(1)(a) has been updated as follows:</p> <p>a) <i>acquire compulsorily, or acquire new rights or impose restrictive covenants over, the land belonging to statutory undertakers shown on the land plans within the Order limits <u>and as described in the book of reference</u>; and</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.24) [EV3-001].</p> |
| Article 32(1)(b), Part 5, Statutory undertakers | <p>Article 32(1)(b) has been updated as follows:</p> <p>b) <i>extinguish <u>or suspend</u> the rights of <u>or the restrictions for the benefit of or and remove, relocate</u> or reposition apparatus belonging to, statutory undertakers, <u>over or</u> within the Order limits.</i></p> | <p>To address comments raised by the ExA (supplementary agenda question CAH1.SA.25) [EV3-001].</p> |



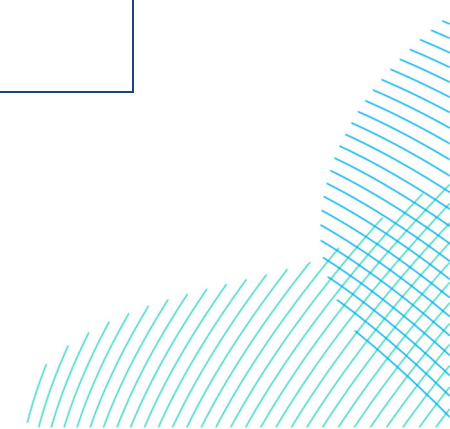
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| Article 48(1), Requirements, appeals, etc. | <p>This has been amended as follows:</p> <p><i>“Where an application is made to, or a request is made of, the relevant planning authority or any other relevant person for any agreement or approval required or contemplated by any of the provisions of this Order, <u>such application must be made in writing and</u> such agreement or approval must, if given, be given in writing and must not be unreasonably withheld or delayed.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.02) [EV4-001].</p> |



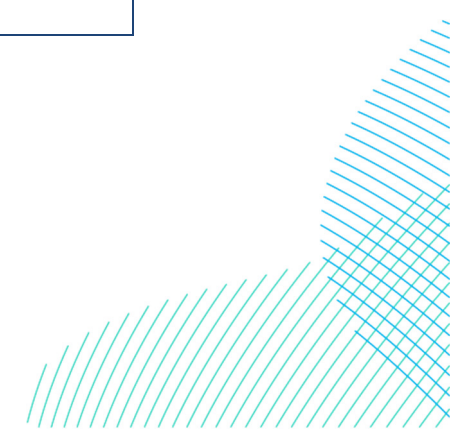
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| <p>Article 50, Inconsistent planning permissions</p> | <p>Article 50 has been updated as follows:</p> <p><i>“As from the date on which the authorised project is commenced any conditions of a planning permission granted pursuant to Part 3 (Control over Development) of the 1990 Act (whether express or otherwise) which relate to land within the Order limits or land adjacent to the Order limits cease to have effect to the extent they are inconsistent with the authorised project or with anything done or approved under the requirements in Part 1 (requirements) of Schedule 2.</i></p> <p><i>As from the date of this Order where planning permission (whether express or otherwise) is granted (whether prior to the date of this Order or after) pursuant to Part 3 of the 1990 Act in respect of land within the Order limits for development not forming part of the authorised project, the carrying out of development pursuant to such planning permission is not to operate to prevent the undertaker from carrying out further works for the development of the authorised project pursuant to the terms of this Order. —</i></p> <p><i>Nothing in this Order restricts the undertaker from seeking or implementing, or the relevant planning authority from granting, planning permission for development within the Order limits.</i></p> <p><i>Any development, or any part of a development within the Order limits which is constructed or used under the authority of a planning permission pursuant to Part 3 of the 1990 Act (whether express or otherwise) following the coming into force of this Order is to be disregarded at all times for the purposes of ascertaining whether or not an offence has been committed under the provisions of sections</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 18) [RR-030].</p> |
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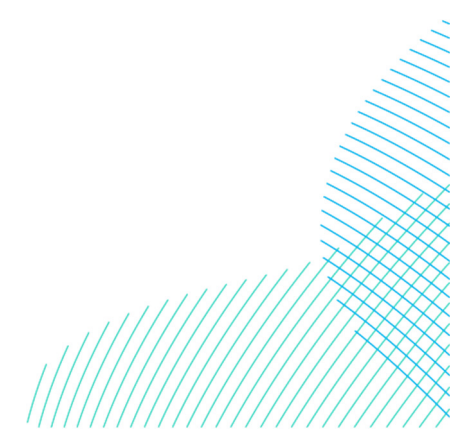
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| | <p>160 (offences) or 161 (breach of terms of order granting development consent) of the 2008 Act.</p> <p><i><u>In this article “planning permission” means a planning permission granted pursuant to Part 3 (control over development) of the 1990 Act (whether express or otherwise). “</u></i></p> | |
| Schedules | | |
| Changes made throughout the Schedules | Various minor amendments have been made to the Schedules to correct cross-referencing errors and typos. | In response to section 55 advice and to address comments raised by the MMO in their relevant representation (3.16.3) [RR-030]. |
| Schedule 1, Part 1, paragraph 1 | <p>The description of Work No. 3A(c) has been amended:</p> <p><i>“up to three temporary pits for trenchless cable installation at landfall seaward of MLWS and up to three additional temporary pits <u>(if required)</u> for trenchless cable installation at landfall seaward of MLWS for the DBS West Project within the area shown on the works plans;”</i></p> | In response to comments raised by the ExA (supplementary agenda question ISH1.S1.02) [EV4-001]. |



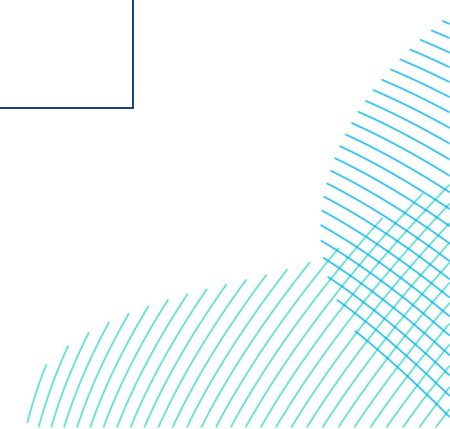
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| Schedule 1, Part 1, paragraph 1 | <p>The description of Work No. 3B(c) has been amended:</p> <p><i>“up to three temporary pits for trenchless cable installation at landfall seaward of MLWS and up to three additional temporary pits <u>(if required)</u> for trenchless cable installation at landfall seaward of MLWS for the DBS East Project within the area shown on the works plans;”</i></p> | <p>In response to comments raised by the ExA (supplementary agenda question ISH1.S1.02) [EV4-001].</p> |
| Schedule 2, Requirement 3(1) | <p>This has been amended:</p> <p><i>“Wind turbine generator foundations must be of one or more of the following foundation options: piled monopile <u>foundation,</u> and/or piled jacket foundation.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.04) [EV4-001].</p> |
| Schedule 2, Requirement 10(2) | <p>This has been amended:</p> <p><i>“Each landscaping scheme <u>landscape management plan</u> must include details of all proposed hard and soft landscaping works, including—”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.08) [EV4-001].</p> |



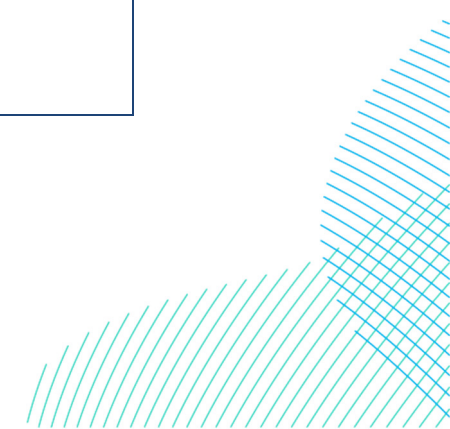
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 11(1) | <p>This has been amended:</p> <p><i>“All landscaping works must be carried out in accordance with a landscape management plan approved under requirement 10 (provision of landscaping) and in accordance with the relevant recommendations of appropriate British Standards.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.09) [EV4-001]. The outline plan already references the relevant British Standards and Industry Guidance.</p> |
| Schedule 2, Requirement 12(1) | <p>This has been amended as follows:</p> <p><i>“No <u>Any</u> phase of the onshore works may <u>must not be</u> commenced until a written ecological management plan (which accords with the outline ecological management plan and the relevant recommendations of appropriate British Standards or Industry Guidance) for that phase reflecting the survey results and ecological mitigation and enhancement included in the environmental statement has been submitted to and approved by the relevant planning authority in consultation with Natural England <u>the relevant statutory nature conservation body</u> and (where works have potential to affect wetland habitat) the Environment Agency.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda questions ISH.S2.01 and ISH1.S2.09) [EV4-001] and by Natural England in their relevant representation (NE A5) [RR-039].</p> |



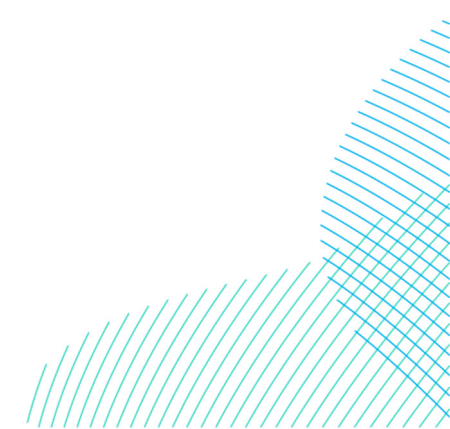
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| Schedule 2, Requirement 12(2) | <p>This has been updated as follows:</p> <p><i>“Pre-commencement site clearance works must only take place in accordance with a specific written ecological management plan for site clearance works (which accords with the relevant details for pre-commencement site clearance works in the outline ecological management plan) has been submitted to and approved by the relevant planning authority <u>in consultation with the relevant statutory nature conservation body and (where works have potential to affect wetland habitat) the Environment Agency.</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.10) [EV4-001].</p> |
| Schedule 2, Requirement 14(1) | <p>This has been amended as follows:</p> <p><i>“<u>Any phase of the onshore works may must not be commenced</u> until a construction traffic management plan (which must be in accordance with the outline construction traffic management plan) has for that phase been submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and National Highways or Hull City Council <u>on matters related to their respective functions as specified in the outline construction traffic management plan (if appropriate).</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.01) [EV4-001] and by Hull City Council in their relevant representation [RR-024].</p> |



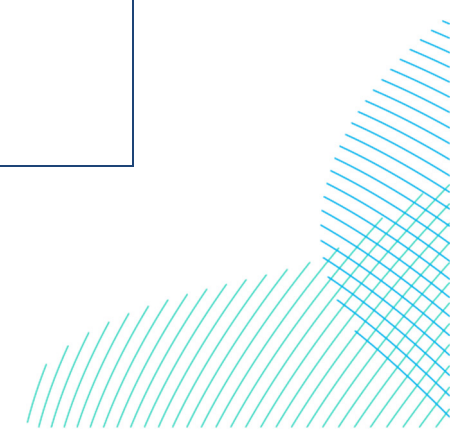
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| <p>Schedule 2, Requirement 16(1), (2), (3) and (5)</p> | <p>This has been updated as follows:</p> <p>“Each of Work Nos. 22A, 22B, 25A or 26A, and 26BAny phase of the <u>onshore works</u> must not <u>be commenced</u> until a written plan for drainage during construction of the relevant <u>work phase</u> has been submitted to and approved by the relevant planning authority; following<u>in</u> consultation with the lead local flood authority and the Environment Agency.</p> <p>Each of Work Nos. 22A, 22B, 25A or 26A, and 26BAny phase of the <u>onshore works</u> must not <u>be commenced</u> until a written plan for drainage during operation of the relevant work, has been submitted to and approved by the relevant planning authority; following<u>in</u> consultation with the lead local flood authority and the Environment Agency.</p> <p>Each construction drainage strategy and each operational drainage strategy must accord with the principles for the relevant <u>work phase</u> set out in the outline drainage strategy, must include a timetable for implementation, and must include provision for the maintenance of any measures identified.</p> <p>Each construction drainage strategy and operational drainage strategy must be implemented as approved.</p> <p>Any construction drainage strategy and operational drainage strategy submitted under sub-paragraphs (1) and (2) may cover one or more <u>Worksp</u>hases.”</p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.14 and ISH1.S2.15) [EV4-001].</p> |
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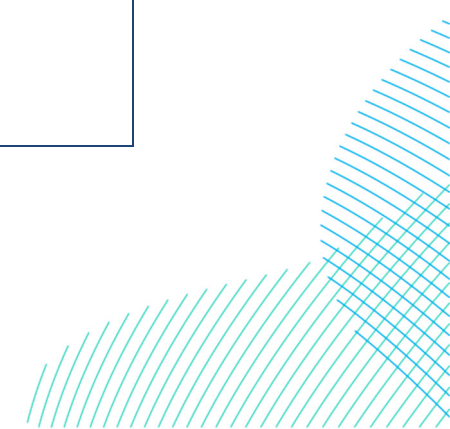
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 17(1) and (2) | <p>Requirement 17(1) and (2) have been updated as follows:</p> <p><i>“No-Any phase of the onshore works may must not be commenced until written details of the foul water drainage system (if any) (including means of pollution control) for the construction of that phase of the onshore works have, after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by the lead local flood relevant drainage and sewerage authorities in consultation with the lead local flood authority and the Environment Agency,.</i></p> <p><i>“No-Any phase of the onshore works may must not be commenced operation until written details of the foul water drainage system (if any) (including means of pollution control) for the operation of that phase of the onshore works have, after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by the relevant drainage and sewerage authorities in consultation with the lead local flood authority and the Environment Agency.”</i></p> | <p>To address comments raised by the ExA (supplementary agenda questions ISH1.S2.01, ISH1.S2.16) [EV4-001].</p> |



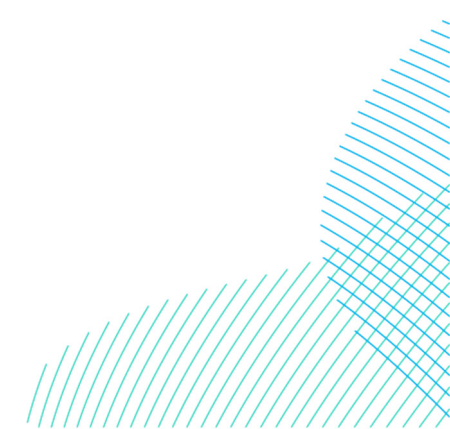
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 18(1) | <p>Requirement 18(1) has been updated as follows:</p> <p><i>“No Any phase of the onshore works may <u>must not be</u> commenced until a written scheme of archaeological investigation for that phase (which must accord with the outline onshore written scheme of investigation) has, after consultation with the statutory historic body, been submitted to and approved by the relevant planning authority <u>in consultation with the statutory historic body.</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.17) [EV4-001].</p> |
| Schedule 2, Requirement 19(1) | <p>This has been amended as follows:</p> <p><i>“No Any phase of the onshore works may <u>must not be</u> commenced until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority <u>following in</u> consultation as appropriate with the Environment Agency, Natural England <u>the relevant statutory nature conservation body and, if applicable, the MMO where required.</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda questions ISH1.S2.01 and ISH1.S2.19) [EV4-001] and by Natural England in their relevant representation (NE A7) [RR-039].</p> |
| Schedule 2, Requirement 19(4) | <p>Requirement 19(4) has been updated as follows:</p> <p><i>“Any temporary fencing must be removed on completion of the relevant phase of the onshore works unless otherwise approved by the relevant planning authority <u>following consultation with the relevant statutory nature conservation body.</u>”</i></p> | <p>To address comments raised by Natural England (NE A7) [RR-039].</p> |



| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 20(1) | <p>This has been amended as follows:</p> <p><i>“Construction work for the onshore works must only take place between 0700 hours and 1900 hours Monday to Saturday, with no activity on Sundays, <u>bank holidays</u> or public holidays, except as specified in sub-paragraphs (2) to (4).”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.21) [EV4-001].</p> |
| Schedule 2, Requirement 22(3) | <p>The following has been inserted at Requirement 22(3):</p> <p><i>“Any scheme approved under sub-paragraphs (1) or (2) must be implemented as approved <u>and thereafter operated and maintained in accordance with the approved details.</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.23) [EV4-001]. To ensure enforceability this has been included.</p> |
| Schedule 2, Requirement 23(2) and (3) | <p>This has been amended as follows:</p> <p><i>“(2) Where a European protected species is shown to be present, the relevant phase of the onshore works must not commence until ,after consultation with Natural England and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved by the relevant planning authority or a European protected species licence <u>has been granted by Natural England</u>the relevant statutory nature conservation body.</i></p> <p><i>(3)The onshore works must be carried out in accordance with the approved scheme<u>any approved European protected species licence</u>”</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.24) [EV4-001].</p> |

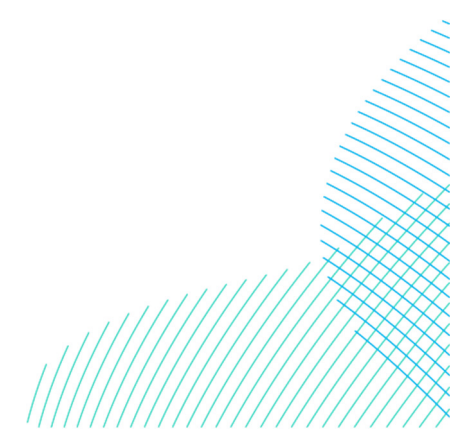


| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 26(1) | <p>The name and wording of Requirement 26 has been updated as follows:</p> <p>Local Skills and employment</p> <p><i>Any phase of the onshore works may must not be commenced until a skills and employment strategy in respect of that phase (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by the relevant planning authority.</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.25) [EV4-001].</p> |
| Schedule 2, Requirement 32(1) | <p>Requirement 32(1) has been updated as follows:</p> <p><i>No Any phase of the onshore works may must not be commenced until a biodiversity net gain strategy (in accordance with the biodiversity gain strategy forming Appendix 18-10 of the environmental statement) in relation to that phase has been submitted and approved by the relevant planning authority in consultation with the <u>relevant</u> statutory nature conservation body.</i></p> | <p>To address comments raised by the ExA (supplementary agenda question ISH1.S2.27) [EV4-001].</p> |

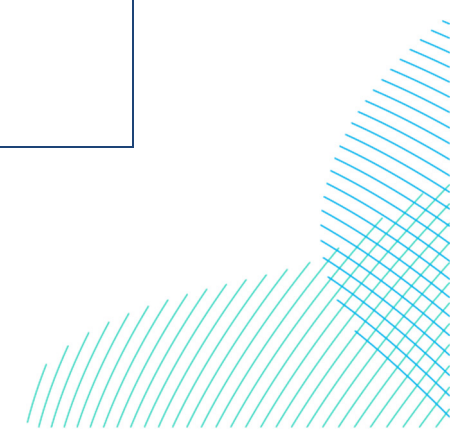


| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Schedule 2, Requirement 35 | <p>Requirement 35 has been updated as follows:</p> <p><i>“DBSEL and DBSWL must—</i></p> <p><i>(a) before submitting any plan or document required to be submitted for approval under the requirements <u>to the relevant discharging authority</u>, provide a copy of the plan or document to the other undertaker to enable the other undertaker to provide comments on the relevant plans and documentation; and</i></p> <p><i>(b) when submitting any plan or document referred to in subparagraph (a) for approval, submit <u>to the relevant discharging authority</u> any comments duly received from the other undertaker or a statement confirming that no such comments were received.”</i></p> | To address comments raised by the ExA (supplementary agenda question ISH.S2.28) [EV4-001]. |
| Schedule 5, Part 1 , Public rights of way to be temporarily closed or restricted | <p>Row 5 of the table has been updated as follows:</p> <p>East Riding of Yorkshire</p> <p>Proposed Bridelway<u>Bridleway</u> in the parishes of Catwich and Leven</p> <p>Change the content of the Public Rights of Way plan. Between reference points 15a and 15b marked with a dashed <u>solid</u> purple line on sheet 15 of the Public Rights of Way plan.</p> | To address comments raised by the ExA (supplementary agenda question ISH1.S2.31) [EV4-001]. |

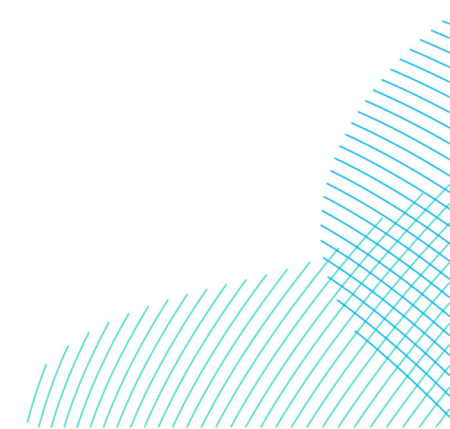
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p> | <p>Removal of definitions.</p> <p><i>“commercial operation” means in relation to any part of the authorised scheme, the exporting, transmission or conversion, on a commercial basis, of electricity;</i></p> <p><i>“jointing bay” means an underground structure located at regular intervals along the cable route to join sections of cable and facilitate installation of the cable into the buried cable ducts;</i></p> <p><i>“land plans” means the plans certified as the land plans by the Secretary of State under article 42 of the Order;</i></p> <p><i>“offshore works” means Work Nos 1A to 9A and any other authorised development associated with those works;</i></p> <p><i>“onshore works” means Work Nos 10A to 34A and any other authorised development associated with those works;</i></p> <p><i>“Order land” means the land shown on the land plans which is within the limits of land to be acquired or used and described in the book of reference;</i></p> | <p>Definitions not used.</p> |



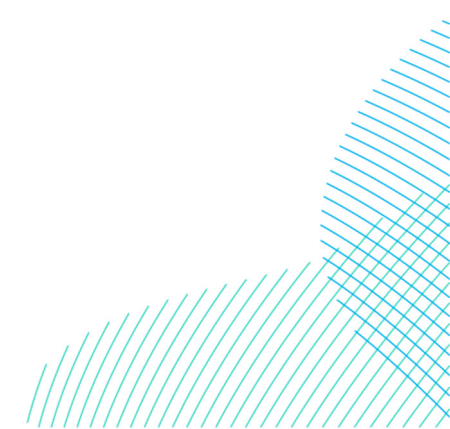
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| <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p> | <p>Removal of definitions.</p> <p><i>“authorised project” means the development and associated development described in Part 1 of Schedule 1 (authorised development) of the Order and any other development authorised by the Order that is development within the meaning of section 32 (meaning of “development”) of the 2008 Act;</i></p> <p><i>“in principle Site Integrity Plan for the Southern North Sea Special Area of Conservation” means the document certified as the in principle Site Integrity Plan for the Southern North Sea Special Area of Conservation by the Secretary of State under article 42 (certification of documents and plans, etc.) of the Order;</i></p> <p><i>“inter platform cable corridor disposal site” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance to be located within Work Nos. 5A and 5B;</i></p> <p><i>“LAT” means lowest astronomical tide;</i></p> <p><i>“monopile foundation” means a steel pile driven or drilled into the seabed and associated equipment including scour protection, J tubes, corrosion protection systems and access platforms and equipment;</i></p> <p><i>“outline marine mammal mitigation protocol” means the document certified as the outline marine mammal mitigation protocol by the Secretary of State under article 42 (certification of documents and plans, etc.) of the Order;</i></p> | <p>Definitions not used.</p> |
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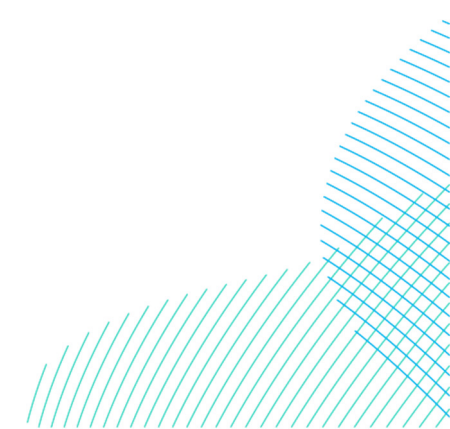
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p> | <p>Definition of “Annex I sandbank” amended.</p> <p>“Annex I <u>sandbank subtidal habitat</u>” means a <u>sandbank subtidal habitat</u> of a type listed in Annex I to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;</p> | <p>To address comments raised by Natural England in their relevant representation (C52) [RR-039].</p> |



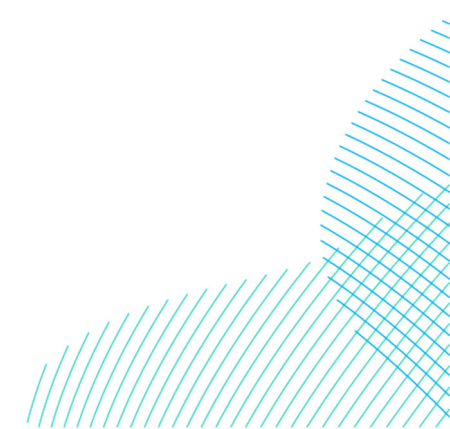
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p> | <p>Definitions of documents to be certified by the Secretary of State have been amended for consistency.</p> <p><i>“cable statement” means the document certified <u>by the Secretary of State as the cable statement for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified) by the Secretary of State under article 42 (certification of documents and plans, etc.) of the Order;</u></i></p> | <p>To address comments raised by ExA in their Supplementary Agenda Additional Questions for ISH1 (ISH1.DML.01) [EV4-001].</p> |



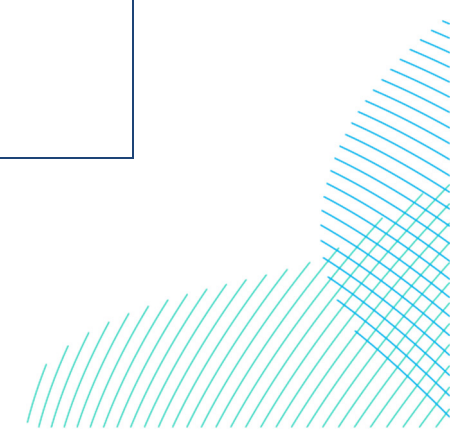
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p> | <p>More precise definitions of the habitat types and habitat designations added.</p> <p><i><u>“habitats of principal importance” means a habitat designated as being of principal importance in accordance with section 41 (biodiversity lists and action (England)) of the Natural Environment and Rural Communities Act 2006;</u></i></p> | <p>To address comments raised by Natural England in their relevant representation (C52) [RR-039].</p> |



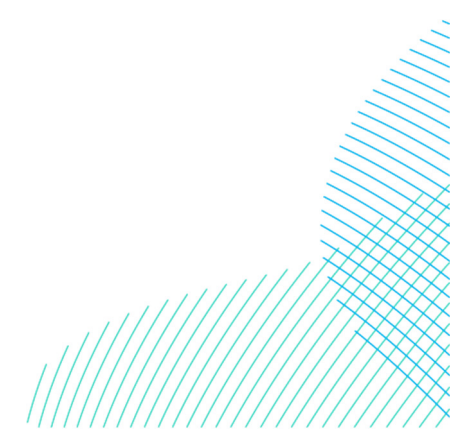
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> | <p>Definition of “jacket foundation” amended.</p> <p><i>“jacket foundation” <u>means a lattice type structure constructed of steel which is fixed to the seabed at 3 or more points with steel pin piles and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms.</u>means a lattice type structure constructed of steel, which may include scour protection and additional equipment such as J-tubes, corrosion protection systems and access platforms;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 4) [RR-030].</p> |



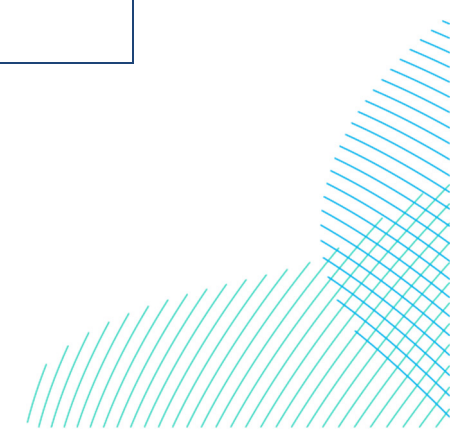
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraphs 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> | <p>Definitions added and amended the deemed marine licences relating to the definition of “<i>offshore accommodation platform</i>”.</p> <p><u>“offshore collector platform” means an offshore collector platform with equipment to collect the HVAC power generated at the wind turbine generators, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u></p> <p><u>“offshore converter platform” means an offshore converter platform with equipment to convert the HVAC power generated at the wind turbine generators into HVDC power, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation,</u></p> | <p>To address comments raised by ExA in their Supplementary Agenda Additional Questions for ISH1 (ISH1.DML.02) [EV4-001] and to address comments made by the MMO (Table 1, rows 41 and 42) [RR-030].</p> |
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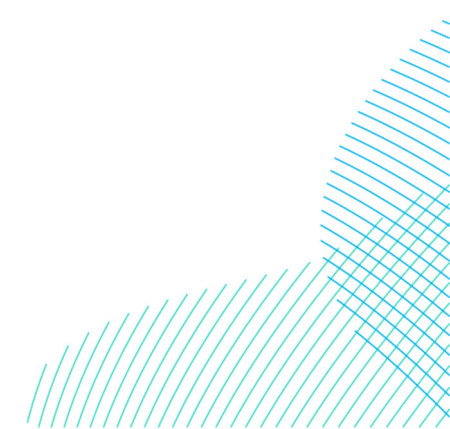
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| | <p><u>metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u></p> <p><u>“offshore switching platform” means an offshore switching platform with equipment to facilitate and alter the inter-connection and onward transmission of power from two or more power transmission systems, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u></p> | |



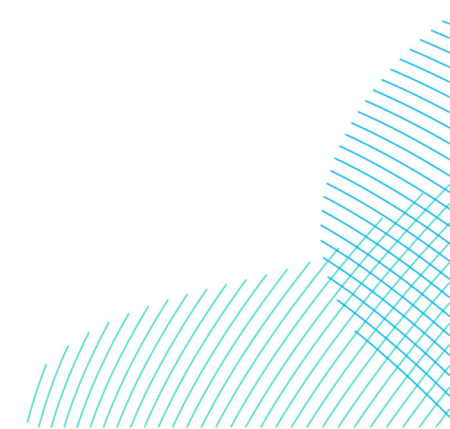
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraphs 1(1) and Part 2, Condition 15(1)(c)(ii)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1) and Part 2, Condition 15(1)(c)(ii)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1) and Part 2, Condition 13(1)(c)(ii)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1) and Part 2, Condition 13(1)(c)(ii)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1) and Part 2, Condition 11(1)(c)(ii)</p> | <p>New wording added to condition and new definition added.</p> <p><i><u>“outline scour protection plan” means the document certified by the Secretary of State as the outline scour protection plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</u></i></p> <p><i><u>(ii) a scour protection plan (in accordance with the outline scour protection plan) including details of scour protection and cable protection including details of the need, type, sources, quantity and installation methods for scour protection and cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;</u></i></p> | <p>Required due to updated wording in outline scour protection plan [AS-080].</p> |



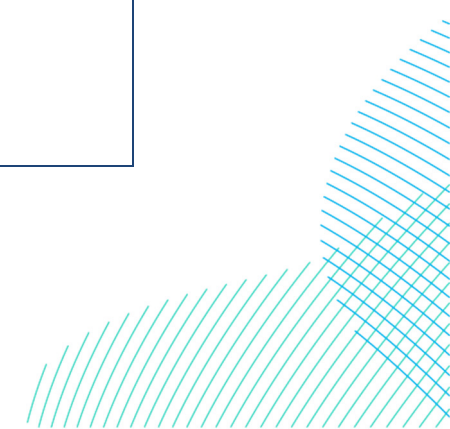
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> | <p>Definition of “<i>transition piece</i>” amended.</p> <p><i>“transition piece” means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and includes additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment; means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and may include additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 38) [RR-030].</p> |



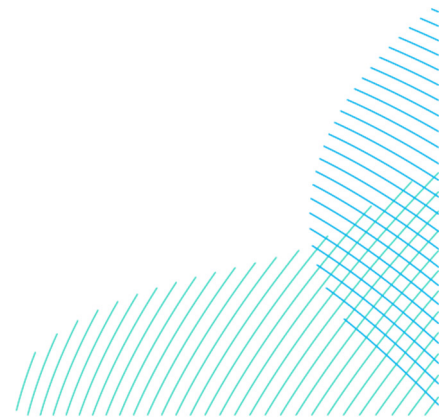
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Conditions 1-5</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Conditions 1-5</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Conditions 1-3</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Conditions 1-3</p> | <p>Wording of deemed Marine Licence conditions amended for certainty and enforceability.</p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 48) [RR-030].</p> |



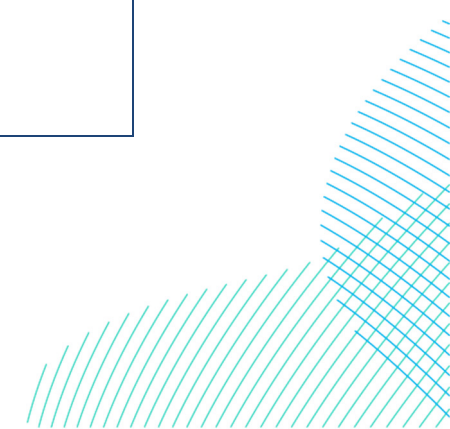
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 6</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 6</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 4</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 4</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 2</p> | <p>The “Phases of authorised scheme” condition has been amended.</p> <p><u><i>(1) The authorised scheme must not commence until an offshore works phasing scheme setting out the phases of construction of the authorised scheme has been submitted to and approved in writing by the MMO.</i></u></p> <p><u><i>(2) The authorised scheme must be submitted at least 4 months prior to the proposed commencement of the works.</i></u></p> <p><u><i>(3) Any subsequent amendments to the offshore works phasing scheme submitted for approval under sub-paragraph (1) must be submitted to the MMO for approval in writing.</i></u></p> <p><u><i>(4) The offshore works phasing scheme submitted for approval under sub-paragraph (1) must be implemented as approved. The approved details shall be taken to include any amendment that may subsequently be approved by the MMO in accordance with sub-paragraph (3). The authorised scheme must not be commenced until a written scheme setting out the phases of construction of the authorised scheme has been submitted to and approved in writing by the MMO.</i></u></p> <p><u><i>Any subsequent amendments to the written scheme submitted for approval under sub-paragraph (1) must be submitted to, and approved in writing by, the MMO.</i></u></p> <p><u><i>The written scheme submitted for approval under sub-paragraph (1) must be implemented as approved. The approved details shall be taken to include any amendment that may subsequently be approved in accordance with sub-paragraph (2).</i></u></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 51) [RR-030].</p> |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 7</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 7</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 5</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 5</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 3</p> | <p>The “<i>Maintenance of the authorised scheme</i>” condition has been amended.</p> <p><i>(1) The undertaker may at any time maintain the authorised scheme, except to the extent that this licence or an agreement made under this licence provides otherwise.</i></p> <p><i>(2) Maintenance works include but are not limited to—</i></p> <p><i>(a) Routine maintenance of wind turbine generators, offshore accommodation platform, and their respective foundations;</i></p> <p><i>(b) Major wind turbine component or offshore accommodation platform replacement;</i></p> <p><i>(c) Painting and applying other coatings to wind turbine generators or offshore accommodation platforms;</i></p> <p><i>(d) Bird waste and marine growth removal;</i></p> <p><i>(e) Surveys/inspections of cables;</i></p> <p><i>(f) Cable remedial burial;</i></p> <p><i>(g) Cable protection replenishment;</i></p> <p><i>(h) Cable repairs and replacement;</i></p> <p><i>(i) Access ladder and boat landing replacement;</i></p> <p><i>(j) Wind turbine generator and offshore accommodation platform anode replacement; and</i></p> <p><i>(k) J-tube repair/replacement.</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 52) [RR-030].</p> |
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(3) An offshore operations and management plan substantially in accordance with the outline offshore operations and management plan must be submitted to the MMO for approval in writing at least four months prior to commencement of the operation of licensed activities and must provide for review and resubmission every three years during the operational phase of the licensed activities. Operation of the licensed activities must not commence until an offshore operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance plan has been submitted to and approved in writing by the MMO. The operations and maintenance plan must include, but is not limited to—

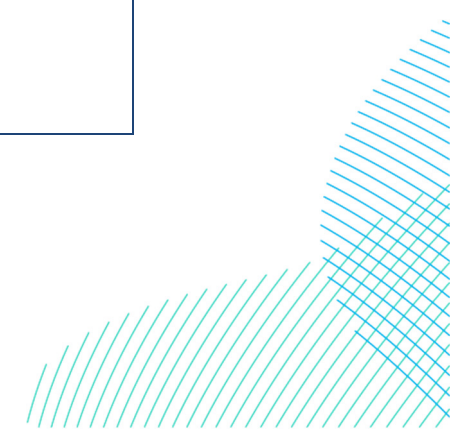
(a) a list of maintenance activities within the marine environment that are planned for the lifetime of the licensed activities;

(b) details of the typical construction plant, machinery and personnel requirements for each maintenance activity and any requirements for detailed method statements;

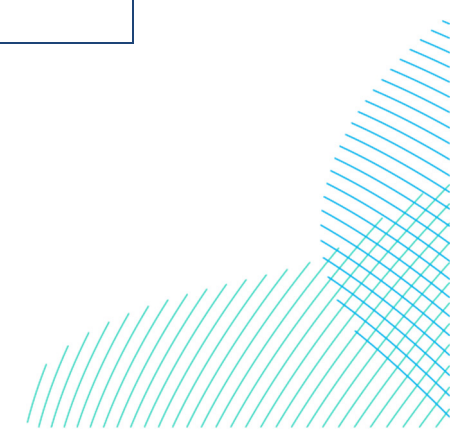
(c) details of the typical frequency and timing of each maintenance activity; and

(d) details of controls and mitigation that will be in place in order to protect the marine environment.

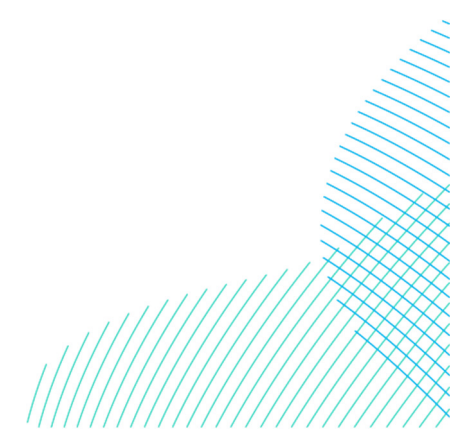
(4) The offshore operations and maintenance plan must be reviewed every three years commencing from the date on which the plan was approved, unless otherwise agreed by the MMO, to ensure the details of the maintenance activities remain accurate. The conclusions of that review must be submitted to and approved by the MMO in writing.



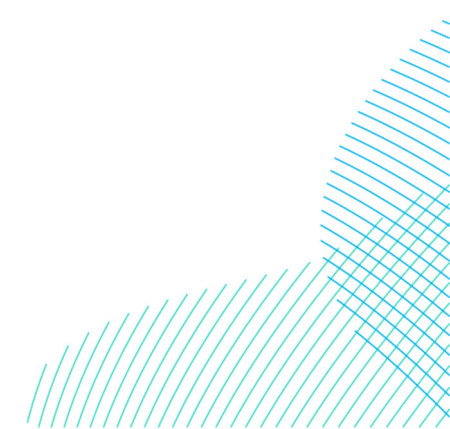
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| | <p><u><i>(5) The offshore operations and maintenance plan must be implemented as approved by the MMO.</i></u></p> <p><u><i>(6) Unless otherwise agreed in writing with the MMO, the undertaker must submit—</i></u></p> <p><u><i>(a) the first offshore operations and maintenance plan at least 4 months prior to the operation of the licensed activities;</i></u></p> <p><u><i>(b) any revised offshore operations and maintenance plan submitted in accordance with sub-paragraph (4) at least 4 months before such revised plan is required to be put in place; and</i></u></p> <p><u><i>(c) where additional maintenance activities are identified that are not included in the approved offshore operations and maintenance plan, or any revised plan approved in accordance with sub-paragraph (4), an updated offshore operations and maintenance plan including the additional maintenance activities must be submitted to and approved by the MMO in writing as soon as possible after the need for such additional maintenance activities is identified.</i></u></p> <p><u><i>All operation and maintenance activities must be carried out in accordance with the approved plan.</i></u></p> | |



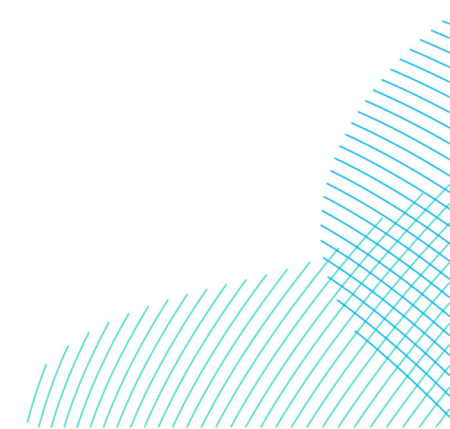
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 9(11)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 9(11)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 7(11)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 7(11)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 5(11)</p> | <p>The “<i>Notifications and inspections</i>” condition has been amended.</p> <p><i>(11) In case of damage to, or destruction or decay of, the authorised scheme or any part thereof, excluding the exposure of cables, the undertaker must as soon as reasonably practicable and no later than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify the MMO, <u>the MMO Local Office</u>, MCA, Trinity House, the Kingfisher Information Service of Seafish and UKHO.</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 61) [RR-030].</p> |



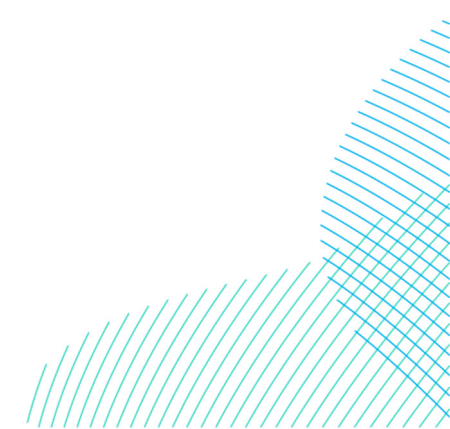
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 11</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 11</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 9</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 9</p> | <p>The “<i>Colouring of Structures</i>” condition has been amended.</p> <p><i><u>The undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to the height agreed in writing with Trinity House. The undertaker must paint the remainder of the structures grey (colour code RAL 7035). Requests to change the colouring of the structure must be submitted to the MMO in writing and must not be undertaken unless approved in writing by the MMO. Except as otherwise required by Trinity House, the undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035).</u></i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 63) [RR-030].</p> |



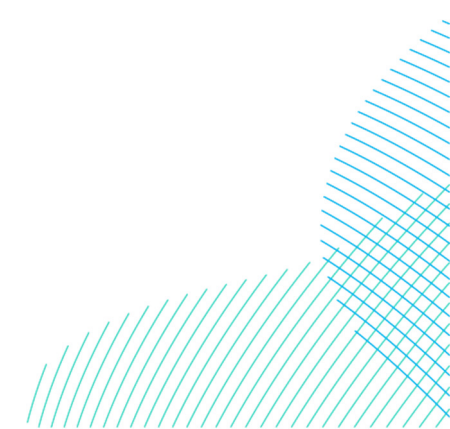
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 13(3)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 13(3)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11(3)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 11(3)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 9(3)</p> | <p>The “<i>Chemicals, drilling and debris</i>” condition has been amended for clarity.</p> <p><i>(3) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including bunding of 110 percent of the total volume of all reservoirs and containers.</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 67) [RR-030].</p> |



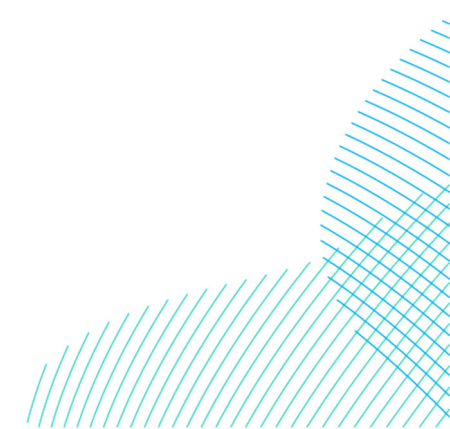
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 13(4)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 13(4)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11(4)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 11(4)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 9(4)</p> | <p>The “<i>Chemicals, drilling and debris</i>” condition has been amended to refer to providing a null return to the MMO.</p> <p><i>(4) The undertaker must inform the MMO in writing of the location and quantities of material disposed of each month under this <u>deemed</u> marine licence by submission of a disposal return 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 <u>and must provide a null return if no activity has taken place during the reporting period.</u></i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 68) [RR-030].</p> |



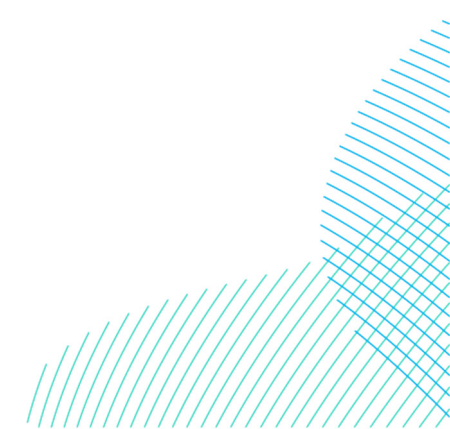
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(1)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to refer to the relevant statutory nature conservation body as a consultee.</p> <p><i>(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA, <u>the relevant statutory nature conservation body</u> and UKHO as appropriate —</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 70) [RR-030].</p> |



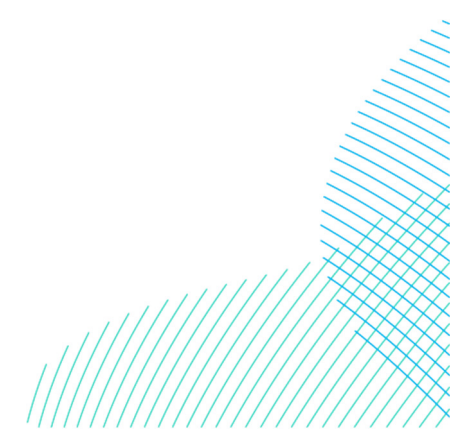
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(a)(v)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(a)(v)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)(a)(v)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(a)(v)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(1)(a)(v)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to refer to glacial till.</p> <p><i>(v) any exclusion zones or micro-siting requirements identified pursuant to [15/13/11](1)(e)(iv) or relating to any habitats of principal importance, <u>Annex I subtidal habitats or surficial deposits of glacial till</u> identified as part of surveys undertaken in accordance with condition 20;</i></p> | <p>To address comments raised by Natural England in their relevant representation (C45) [RR-039].</p> |



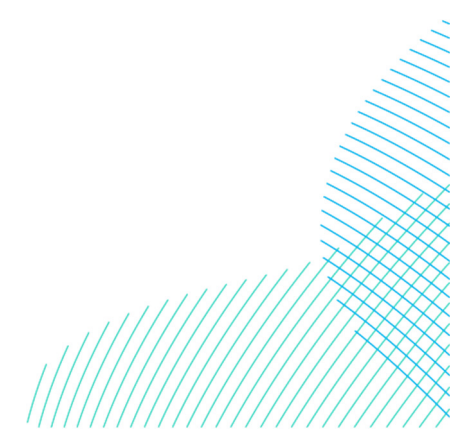
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(c)(iv)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(c)(iv)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)(c)(iv)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(c)(iv)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(1)(c)(iv)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended for clarity.</p> <p><i>(iv) advisory safe passing distances for vessels around construction sites <u>where the licensed activities are taking place</u>;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 72) [RR-030].</p> |



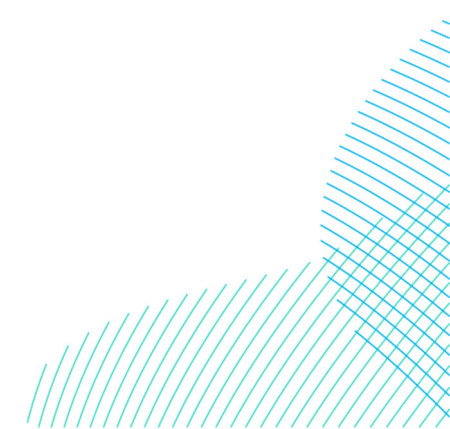
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(4) and (5)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to reduce the period from six months to four months.</p> <p><i>“(4) Each programme, statement, plan, protocol or scheme required to be approved under condition 11 must be submitted for approval at least six-four months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</i></p> <p><i>(5) The MMO must determine an application for approval made under condition 11 within a period of six-four months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.”</i></p> | <p>To align with the equivalent conditions in other Deemed Marine Licences.</p> |



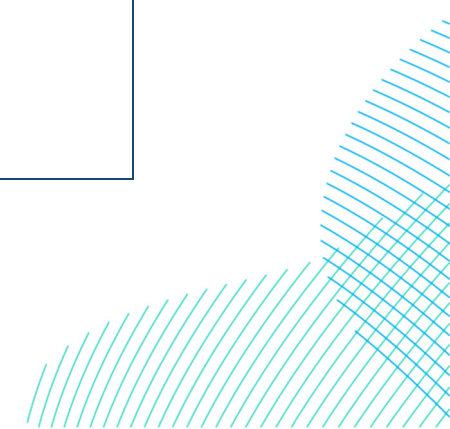
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(d)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(d)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)(d)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(d)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to confirm the project environmental management plan covers the period of operation.</p> <p><i>(d) a project environmental management plan (in accordance with the outline project environmental management plan) covering the period of construction <u>and operation</u> to include details of—</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 73) [RR-030].</p> |



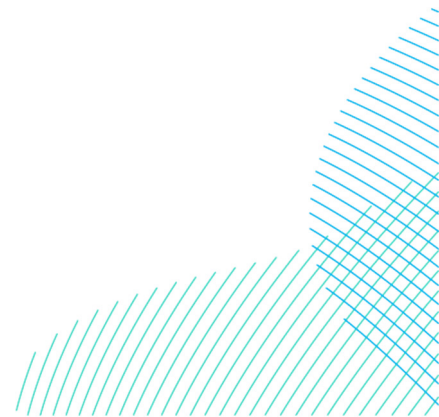
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(i)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(i)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)(i)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(i)</p> | <p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to refer to a final cable statement.</p> <p><i><u>(i) a final cable statement (in accordance with the cable statement).</u></i></p> | <p>To reflect updates to the cable statement [AS-078].</p> |



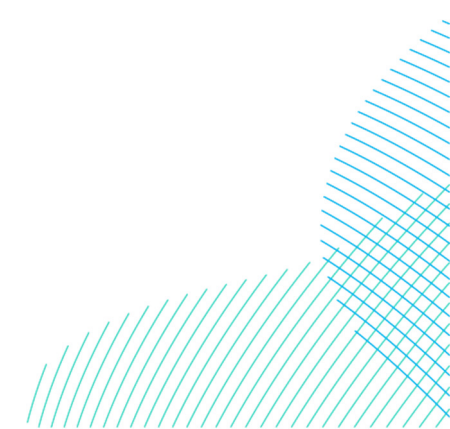
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13</p> | <p>The “Pre-construction plans and documentation” condition has been amended to provide further information on piling.</p> <p><u><i>(7) In the event that driven or part-driven pile foundations are proposed to be used, the hammer energy used to drive or part-drive monopile foundations must not exceed 6,000kJ and the hammer energy used to drive or part-drive pin pile foundations must not exceed 3,000kJ.</i></u></p> <p><u><i>(8) The maximum number of main vessels engaged at any time in activities related to piling for the licensed activities when combined with the number of main vessels engaged in piling activities authorised by the deemed marine licences granted under Schedules [10/11/12/13] must not exceed 3 vessels. vessels engaged at any time in activities related to piling for the licensed activities.</i></u></p> <p><u><i>(9) The number of piled foundations installed within a 24 hour period when combined with the number of piled foundations installed pursuant to the deemed marine licences granted under Schedules [10/11/12/13] of the Order within the same 24 hour period must not exceed:</i></u></p> <p><u><i>(a) 4 monopile foundations;</i></u></p> <p><u><i>(b) 12 pin pile foundations;</i></u></p> <p><u><i>(c) 3 monopile foundations and 3 pin pile foundations;</i></u></p> <p><u><i>(d) 2 monopile foundations and 6 pin pile foundations; or</i></u></p> <p><u><i>(e) 1 monopile foundation and 9 pin pile foundations.</i></u></p> | <p>To address comments raised by the MMO in their relevant representation (3.16.4) [RR-030] and to address comments raised by Natural England in their relevant representation (A1, A12 and A18) [RR-039].</p> |
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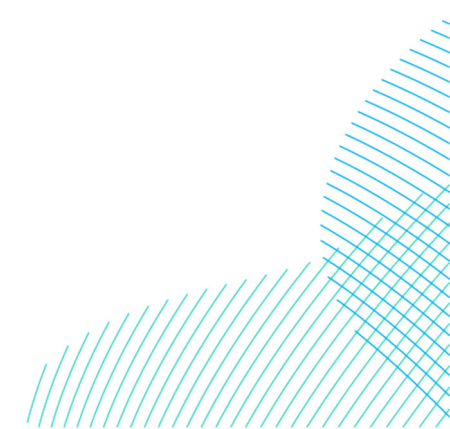
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| | <p><u>(10) The number of piled foundations installed concurrently when combined with the number of piled foundations installed concurrently pursuant to the deemed marine licences granted under Schedules [10/11/12/13] must not exceed:</u></p> <p><u>(a) where only monopile foundations are being installed concurrently exceed 2 monopile foundations;</u></p> <p><u>(b) where only pin pile foundations are being installed concurrently exceed 3 pin pile foundations; and</u></p> <p><u>(c) where a combination of monopile foundations and pin pile foundations are being installed concurrently exceed 1 monopile foundation and 1 pin pile foundation.</u></p> | |



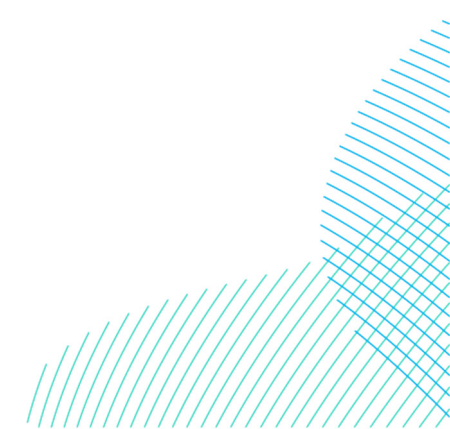
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 16(3)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 16(3)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 14(3)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 14(3)</p> | <p>The “<i>Site Integrity Plan</i>” condition has been amended to refer to submission no later than six months prior to commencement of piling activities.</p> <p><i>(3) The SIP must be submitted in writing to the MMO no later than four six months prior to the commencement of piling activities.</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 81) [RR-030] and to address comments raised by Natural England in their relevant representation (A13) [RR-039].</p> |



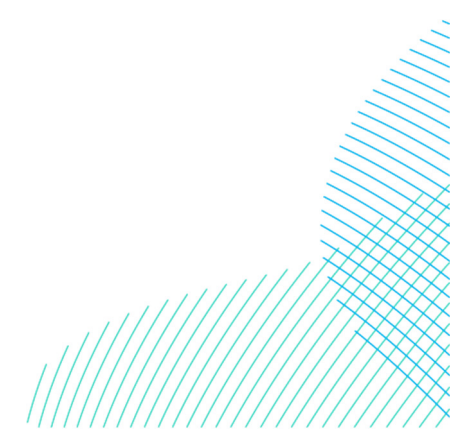
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 17</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 17</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 15</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 15</p> | <p>A new heading has been added for this condition which was previously omitted.</p> <p><u>“Approval of programmes, statements etc”</u></p> | <p>To address an omission.</p> |



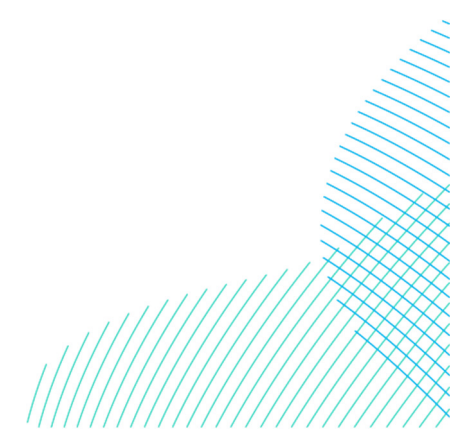
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20(2)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20(2)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18(2)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18(2)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 14(2)</p> | <p>The “<i>Pre-construction monitoring and surveys</i>” condition has been amended for consistency with the MMO’s requested wording.</p> <p><i>(2) The survey proposals submitted under sub-paragraph (1) must be in general accordance with the principles set out in the in principle monitoring plan and must specify each survey’s objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 84) [RR-030].</p> |



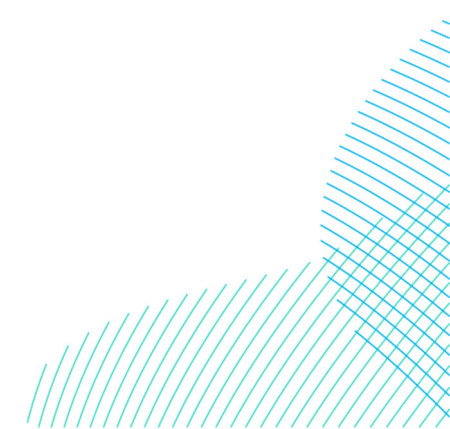
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20(4)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20(4)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18(4)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18(4)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 14(4)</p> | <p>The “<i>Pre-construction monitoring and surveys</i>” condition has been amended for clarity and to refer to glacial till.</p> <p><i>(4) The pre-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed <u>in writing</u> with the MMO, have due regard to include, but not be limited to, the need to undertake—</i></p> <p><i>(a) an appropriate survey to determine the location, extent and composition of any habitats of principal importance, <u>Annex I subtidal habitat</u> or habitat with suitability for sandeel <u>or surficial deposits of glacial till</u> in the parts of the Order limits in which it is proposed to carry out construction works;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, rows 85 and 86) [RR-030] and Natural England in their relevant representation (C45) [RR-039].</p> |



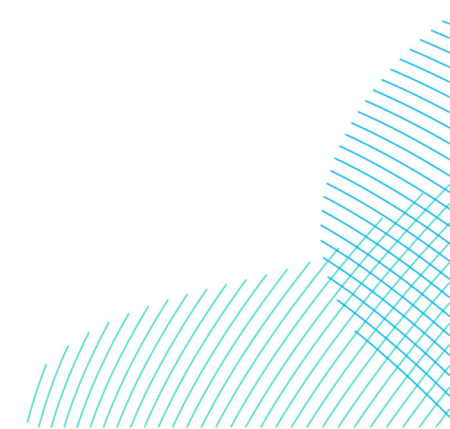
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 14</p> | <p>The “<i>Pre-construction monitoring and surveys</i>” condition has been amended to refer to when the results of surveys should be submitted and that works will not commence until the survey report has been approved by the MMO.</p> <p><u><i>(6) When any surveys are carried out in accordance with sub-paragraph (5) a survey report must be submitted to the MMO following completion of the relevant survey. Any report submitted under this sub-paragraph must be submitted prior to the commencement of licensed activities for the relevant stage.</i></u></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 83) [RR-030].</p> |



| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 22(3)(a)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 22(3)(a)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 20(3)(a)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 20(3)(a)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 16(3)(a)</p> | <p>The “<i>Post-construction monitoring and surveys</i>” condition has been amended for clarity and to refer to glacial till.</p> <p><i>(a) undertake an appropriate survey to determine any change in the location, extent and composition of any habitats of principal importance, <u>Annex I subtidal habitat</u> or habitat with suitability for sandeel <u>or surficial deposits of glacial till</u> 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 <u>and the construction benthic surveys</u>;</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 91) [RR-030] and Natural England in their relevant representation (C45) [RR-039].</p> |

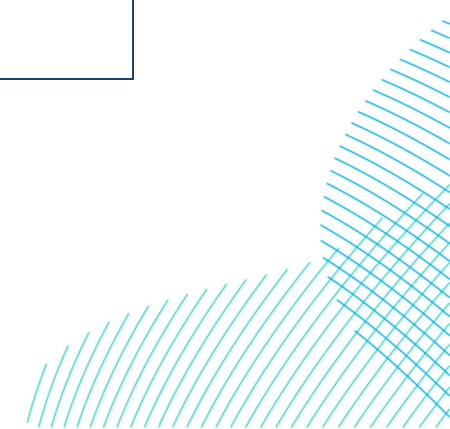


| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 22(3)(e)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 22(3)(e)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 20(3)(e)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 20(3)(e)</p> | <p>The “<i>Post-construction monitoring and surveys</i>” condition has been amended for precision.</p> <p><i>(e) undertake any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition [15/13](1)(g) undertake or contribute to any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition 15(1)(h).</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 93) [RR-030].</p> |

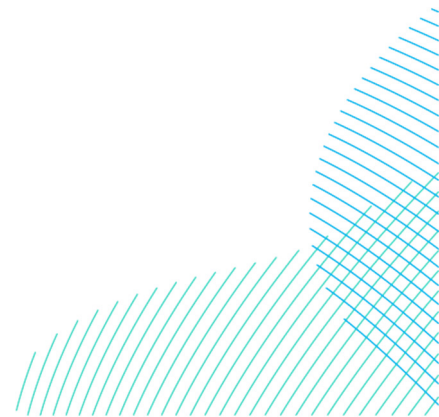


| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 23</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 23</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 21</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 21</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 17</p> | <p>The “<i>Reporting on scour and cable protection</i>” condition has been amended for clarity and to refer to the submission of an updated report.</p> <p><i>(1) No more than four months following completion of the construction 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></p> <p><i>(2) The report must include the following information—</i></p> <p><i>(a) the location of cable protection and scour protection;</i></p> <p><i>(b) the volume of cable protection and scour protection; and</i></p> <p><i>(c) any other information relating to the cable protection and scour protection as agreed between the MMO and the undertaker.</i></p> <p><u><i>(3) Where any cable protection or scour protection is replenished following completion of construction the undertaker must submit an updated report in accordance with sub-paragraph (2) in writing to the MMO and the relevant statutory nature conservation bodies no more than four months following completion of the relevant replenishment being deposited.</i></u></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 95) [RR-030] and Natural England in their relevant representation (A3) [RR-039].</p> |

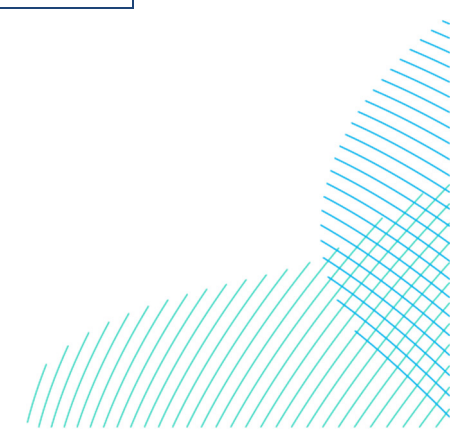
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 1, paragraph 1(1) and Part 2, Condition 26</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, paragraph 1(1) and Part 2, Condition 26</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, paragraph 1(1) and Part 2, Condition 25</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, paragraph 1(1) and Part 2, Condition 25</p> | <p>A new definition and condition dealing with “Reporting of impact pile driving” has been added.</p> <p><u>“Marine Noise Registry” means the database developed and maintained by JNCC on behalf of Defra to record the spatial and temporal distribution of impulsive noise generating activities in UK seas;</u></p> <p><u>(1) Only when driven or part-driven pile foundations are proposed to be used as part of the foundation installation the undertaker must provide the following information to the Marine Noise Registry—</u></p> <p><u>(a) prior to the commencement of each phase of construction of the licensed activities, information on the expected location, start and end dates of impact pile driving to satisfy the Marine Noise Registry’s Forward Look requirements;</u></p> <p><u>(b) at six-month intervals following the commencement of pile driving or by 25 March for works which take place in the preceding year January to December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry’s Close Out requirements; and</u></p> <p><u>(c) within 12 weeks of completion of impact pile driving or by 25 March for works which take pace in the preceding year January to December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry’s Close Out requirements.</u></p> | <p>To address comments raised by the MMO in their relevant representation (3.17) [RR-030].</p> |
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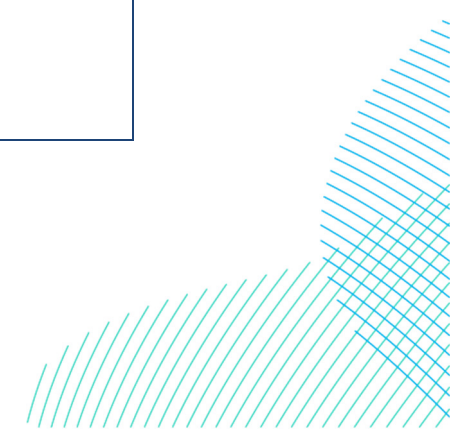
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| | <p><u><i>(2) The undertaker must notify the MMO in writing of the successful submission of Forward Look or Close Out data pursuant to paragraph (1) above within seven days of the submission.</i></u></p> <p><u><i>(3) For the purpose of this condition, "Forward Look" and "Close Out" mean the requirements as set out in the UK Marine Noise Registry Information Document Version 1 (July 2015) as amended, updated, or superseded from time to time.</i></u></p> | |



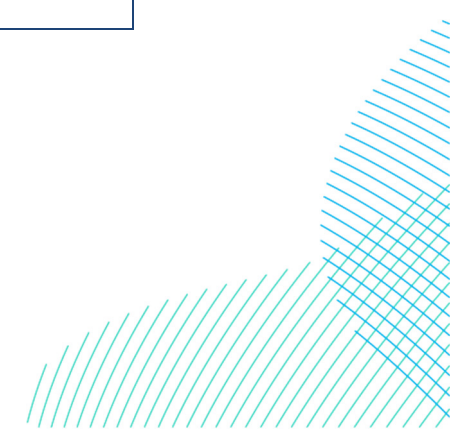
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 27</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 27</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 26</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 26</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 20</p> | <p>A new condition dealing with “<i>Maintenance reporting</i>” has been added.</p> <p><u><i>(1) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.</i></u></p> <p><u><i>(2) The report must provide a record of the licensed activities undertaken as set out in condition 7 during the preceding year, the timing of activities and methodologies used.</i></u></p> <p><u><i>(3) Every fifth year, the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report, which will—</i></u></p> <p><u><i>(a) include a review of licensed activities undertaken during the preceding five years with reference to the reports submitted in accordance with condition [27/26/20] (1) of this licence.</i></u></p> <p><u><i>(b) reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.</i></u></p> | <p>To address comments raised by the MMO in their relevant representation (3.18) [RR-030].</p> |



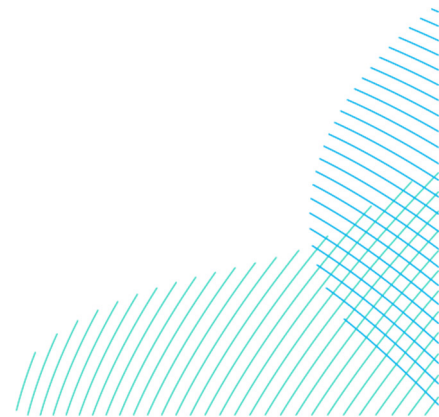
| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 28</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 28</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 27</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 27</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 21</p> | <p>A new condition dealing with “Sediment Sampling” has been added.</p> <p><u>(1) The undertaker must submit a sample plan request in writing to the MMO for written approval of a sample plan.</u></p> <p><u>(2) The sample plan request must be made—</u></p> <p><u>(a) for capital dredging, at least six months prior to the commencement of any capital dredging; or</u></p> <p><u>(b) for maintenance dredging, at least six months prior to the end of every third year from the date of the previous sediment sample analysis.</u></p> <p><u>(3) The sample plan request must include details of—</u></p> <p><u>(a) the volume of material to be dredged;</u></p> <p><u>(b) the location of the area to be dredged;</u></p> <p><u>(c) details of the material type proposed for dredging;</u></p> <p><u>(d) the type and dredging methodology (including whether it is a capital or maintenance dredge, depth of material to be dredged and proposed programme for the dredging activities); and</u></p> <p><u>(e) the location and depth of any supporting samples.</u></p> <p><u>(4) Unless otherwise agreed by the MMO, the undertaker must undertake the sampling in accordance with the approved sample plan.</u></p> | <p>To address comments raised by the MMO in their relevant representation (3.21.5) [RR-030].</p> |



| Article/Paragraph/Schedule Number | Amendment | Reason |
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| <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(5)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(5)</p> | <p>The “Pre-construction plans and documentation” condition has been amended to prevent anchoring of vessels within designated areas.</p> <p><i>(5) <u>Anchoring of vessels must not occur within the Holderness Inshore Marine Conservation Zone or within the Smithic Bank, unless otherwise agreed in writing with the MMO following consultation with the relevant statutory nature conservation body and in the event that jack-up vessels are proposed to be used for cable installation or maintenance, their legs must not be deployed within the Holderness Inshore Marine Conservation Zone or within the Smithic Bank, being the area bounded by the following coordinates, unless otherwise agreed in writing with the MMO following consultation with Natural England the relevant statutory nature conservation body. For the purposes of this sub-paragraph the “Holderness Inshore Marine Conservation Zone” and the “Smithic Bank” means the area bounded by the following coordinates:</u></i></p> | <p>To address comments raised by Natural England in their relevant representation (B59) [RR-039].</p> |
| <p>Schedule 17, Hedgerows</p> | <p>The tables included in Part 1 and Part 2 of Schedule 17 have been updated to include reference to all relevant hedgerows.</p> | <p>To reflect changes to the Tree Preservation Order and Hedgerow Plan [AS-026].</p> |



| Article/Paragraph/Schedule Number | Amendment | Reason |
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| Explanatory note, paragraph 2 | <p>Paragraph 2 has been updated as follows:</p> <p><i>“This Order also grants deemed marine licences under Part 4 of the Marine and Coastal Access Act 2009 in connection with the wind farms. The <u>deemed</u> marine licences impose conditions in connection with the deposits and works for which they grant consent<u>marine licensable activities.</u>”</i></p> | <p>To address comments raised by the MMO in their relevant representation (Table 1, row 29) [RR-030].</p> |



**RWE Renewables UK Dogger Bank
South (West) Limited**

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South (East) Limited**

**Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire, SN5 6PB**

