

MONA OFFSHORE WIND PROJECT

Schedule of Changes in Revision F08 of the draft Development Consent Order

Deadline: 7

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F06



Image of an offshore wind farm

MONA OFFSHORE WIND PROJECT

Document status

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Prepared by:

Burges Salmon LLP

Prepared for:

Mona Offshore Wind Ltd.

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1 Schedule of Changes of the draft Development Consent Order (Revision F02)

Table 1-1: Table of amendments submitted to the draft Development Consent Order (Revision 02) following Section 51 Advice

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Schedules		
Schedule 1, Part 1	Works descriptions Work No. 12A was changed to “12a” and Work No. 22A was changed to “22a” and consequential changes made throughout	In accordance with s51 advice to match with the Works plans – onshore
Schedule 1, Part 1	Amendment to the work description as follows: “ <i>Work No. 9:</i> <i>(a) installation of up to four buried cable circuits between Work No. 38 and Work No. 10 approximately 10 m including cable ducts;</i> ”	In accordance with s51 advice
Schedule 15	Amendment to title of document J26.15 as follows: “ <i>Outline onshore construction method statement</i> ”	In accordance with s51 advice

2 Schedule of Changes of the draft Development Consent Order (Revision F03)

Table 2-1: Table of amendments submitted to the draft Development Consent Order (Revision 03) for the pre-Examination Procedural Deadline¹

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 2	<p>The definition of “<i>mean high water springs</i>” or “<i>MHWS</i>” has been amended as follows:</p> <p><i>“mean high water springs” or “MHWS” means the highest level which spring tides reach on average over a period of time;</i></p> <p>References to mean high water springs or MHWS have been amended throughout the dDCO.</p>	There is no mean high water springs marked on the Ordnance Survey maps in Wales so this reference required correcting to “mean high water”.
Article 2	<p>The definition of “<i>mean low water springs</i>” or “<i>MLWS</i>” has been amended as follows:</p> <p><i>“mean low water springs” or “MLWS” means the lowest level that spring tides reach on average over a period of time;</i></p> <p>References to mean low water springs or MLWS have been amended throughout the dDCO.</p>	There is no mean low water springs marked on the Ordnance Survey maps in Wales so this reference required correcting to “mean low water”.
Schedules		

¹ Please note there are some changes within the document C1 Mona Draft Development Consent Order (Track Change F02_F03) which are showing as changes to paragraph and sub-paragraph numbers but which are not in fact changes. They are a quirk of the software used to prepare the track change document. If further clarity is required, the Applicant would be more than happy to provide it.

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<p>Schedule 1, Part 1, Table 1</p>	<p>The co-ordinates have been updated in Table 1</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.181). References beginning RR-011 are to document S.PD.3 Applicant's Response to Relevant Representations F01.</p>		
<p>Schedule 2, Paragraph 2, Table 2</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="748 491 1541 528"> <tr> <td data-bbox="748 491 1274 528"><i>Maximum rotor swept area (m²)</i></td> <td data-bbox="1274 491 1541 528"><i>5,468,884</i></td> </tr> </table>	<i>Maximum rotor swept area (m²)</i>	<i>5,468,884</i>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.6).</p>
<i>Maximum rotor swept area (m²)</i>	<i>5,468,884</i>			
<p>Schedule 2, Paragraph 2, Table 2</p>	<p>A parameter has been amended in the table as follows:</p> <table border="1" data-bbox="748 624 1541 719"> <tr> <td data-bbox="748 624 1274 719"><i>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile-pin piles foundations (m)</i></td> <td data-bbox="1274 624 1541 719">5.5</td> </tr> </table>	<i>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile-pin piles foundations (m)</i>	5.5	<p>To clarify that the diameter relates to the pin-piles themselves, and not the foundation.</p>
<i>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile-pin piles foundations (m)</i>	5.5			
<p>Schedule 2, Paragraph 9</p>	<p>Sub-paragraph (2)(h) has been amended as follows: <i>construction surface water and drainage management plan;</i> References to mean construction surface water and drainage management plan have been amended throughout the dDCO.</p>	<p>To align with the document name as submitted.</p>		
<p>Schedule 14</p>	<p>The title of Schedule 14 has been amended as follows: <i>Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.173).</p>		
<p>Schedule 14, Part 1, Sub-paragraph 1(1)</p>	<p>The definition of "Joint Nature Conservation Committee" has been amended as follows: <i>"Joint Nature Conservation Committee" means the statutory adviser to the government and devolved administrations on UK and international nature conservation <u>and "JNCC" must be construed accordingly;</u></i></p>	<p>To clarify that the use of JNCC in the dDCO refers to the Joint Nature Conservation Committee.</p>		

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<p>Schedule 14, Part 1, Sub-paragraph 1(1)</p>	<p>A definition of “licencing authority” has been added:</p> <p><i><u>“licencing authority” means Natural Resources Wales acting on behalf of the Welsh Ministers pursuant to powers under the 2009 Act or any successor of that function;</u></i></p>	<p>As per the Applicant’s response to the comment from NRW in their Relevant Representation (RR-011.166).</p>
<p>Schedule 14, Part 1, Sub-paragraph 1(1)</p>	<p>The definition of “Natural Resources Wales” or “NRW” has been removed:</p> <p><i>“Natural Resources Wales” means the body acting on behalf of the Welsh Ministers pursuant to the powers under the 2009 Act or any successor of that function and “NRW” must be construed accordingly;</i></p> <p>References to Natural Resources Wales or NRW have been replaced by references to “the licencing authority” throughout Schedule 14.</p>	<p>As per the Applicant’s response to the comment from NRW in their Relevant Representation (RR-011.166).</p>
<p>Schedule 14, Part 1, Sub-paragraph 1(1)</p>	<p>The definition of “statutory historic body” has been amended as follows:</p> <p><i><u>“statutory historic body” means CADW, Welsh Archaeological Trust, or Royal Commission on the Ancient and Historical Monuments of Wales, or the relevant successor bodies an organisation charged by the Welsh Ministers with advising on matters related to historic buildings and monuments;</u></i></p>	<p>NRW requested that these parties be listed in the definition of “statutory historic body”. The Applicant has included them in the alternative (“or” rather than “and” as suggested by NRW) to reflect it may be one or all of the named bodies.</p>
<p>Schedule 14, Part 1, Sub-paragraph 1(1)</p>	<p>The definition of “statutory nature conservation body” has been removed:</p> <p><i>“statutory nature conservation body” means an organisation charged by the Welsh Ministers with advising on nature conservation matters;</i></p> <p>References in Schedule 14 to the “statutory nature conservation body” have been replaced with references to the “JNCC”.</p>	<p>To reflect there being only one statutory nature conservation body (the JNCC) for the purposes of Schedule 14 and As per the Applicant’s response to the comment from NRW in their Relevant Representation (RR-011.180).</p>

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<p>Schedule 14, Part 1, Paragraph 1</p>	<p>Contact information has been updated in sub-paragraph (4)</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.175, RR-011.180).</p>
<p>Schedule 14, Part 1, Paragraph 2</p>	<p>Sub-paragraph (e) has been amended as follows: <i>(e) site clearance and preparation works including clearance of unexploded ordnance, debris, boulder clearance and the removal of out of service cables and static fishing equipment;</i></p>	<p>To include clearance of unexploded ordnance as a marine licence activity in Schedule 14. This was omitted in error from the application version of the dDCO. Also As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.185).</p>
<p>Schedule 14, Part 1, Paragraph 5</p>	<p>Paragraph 5 has been amended as follows: <i>5. The licenced marine activities set out in paragraph 2 must be located within Work No. 1 being the area described by the co-ordinates set out in Table 3 below—</i></p>	<p>To create a clear link between the licenced marine activities in Schedule 14 and Work No. 1, the location in which they will take place. As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.187).</p>
<p>Schedule 1, Part 1, Table 3</p>	<p>The co-ordinates have been updated in Table 3</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.181).</p>
<p>Schedule 14, Part 1, Paragraph 6</p>	<p>Paragraph 6 has been amended as follows: <i>6. This licence remains in force until the authorised scheme has been decommissioned in accordance with the provisions of Schedule 2, requirement 20 of the Order and in accordance with a programme approved by the Secretary of State under section 106 (approval of decommissioning programmes) of the 2004 Act including any modification to the programme under section 108 (reviews and revisions of decommissioning programmes) of the 2004 Act, and the completion of such programme has been confirmed by the Secretary of State in writing.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.191).</p>

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<p>Schedule 14, Part 1, Paragraph 9</p>	<p>Paragraph 9 has been amended as follows: 9. Any amendments to or variations from the approved details, plans or schemes must be in accordance with the principles and assessments set out in the environmental statement, and approval for an amendment or variation may only be given where it has been demonstrated to the satisfaction of NRW that it is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement <u>Not used.</u></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.194).</p>		
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="748 571 1541 611"> <tr> <td><u>Maximum rotor swept area (m²)</u></td> <td><u>5,468,884</u></td> </tr> </table>	<u>Maximum rotor swept area (m²)</u>	<u>5,468,884</u>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.76).</p>
<u>Maximum rotor swept area (m²)</u>	<u>5,468,884</u>			
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A parameter has been amended in the table as follows:</p> <table border="1" data-bbox="748 695 1541 762"> <tr> <td><u>Minimum distance between offshore surface structures within in a row (m)</u></td> <td><u>1,400</u></td> </tr> </table>	<u>Minimum distance between offshore surface structures within in a row (m)</u>	<u>1,400</u>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.196).</p>
<u>Minimum distance between offshore surface structures within in a row (m)</u>	<u>1,400</u>			
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A parameter has been amended in the table as follows:</p> <table border="1" data-bbox="748 858 1541 954"> <tr> <td><u>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile <u>pin pile</u> foundations (m)</u></td> <td><u>5.5</u></td> </tr> </table>	<u>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile <u>pin pile</u> foundations (m)</u>	<u>5.5</u>	<p>To clarify the diameter relates to the pin-piles themselves, and not the jacket foundation.</p>
<u>Maximum diameter of pin piles for offshore substation platform on jacket pin-pile <u>pin pile</u> foundations (m)</u>	<u>5.5</u>			
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="748 1038 1541 1106"> <tr> <td><u>Maximum volume of extracted material to be used in gravity base foundations (m³)</u></td> <td><u>490,000</u></td> </tr> </table>	<u>Maximum volume of extracted material to be used in gravity base foundations (m³)</u>	<u>490,000</u>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.195).</p>
<u>Maximum volume of extracted material to be used in gravity base foundations (m³)</u>	<u>490,000</u>			
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="748 1190 1541 1286"> <tr> <td><u>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</u></td> <td><u>1,759,698</u></td> </tr> </table>	<u>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</u>	<u>1,759,698</u>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.195).</p>
<u>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</u>	<u>1,759,698</u>			

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<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="750 240 1541 339"> <tr> <td data-bbox="750 240 1272 339"> <p><u>Maximum volume of cable protection for cables within Work No. 1 (inter-array and interconnector) (m³)</u></p> </td> <td data-bbox="1272 240 1541 339"> <p><u>637,500</u></p> </td> </tr> </table>	<p><u>Maximum volume of cable protection for cables within Work No. 1 (inter-array and interconnector) (m³)</u></p>	<p><u>637,500</u></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.195).</p>
<p><u>Maximum volume of cable protection for cables within Work No. 1 (inter-array and interconnector) (m³)</u></p>	<p><u>637,500</u></p>			
<p>Schedule 14, Part 2, Condition 10, Table 4</p>	<p>A new parameter has been added to the table as follows:</p> <table border="1" data-bbox="750 422 1541 518"> <tr> <td data-bbox="750 422 1272 518"> <p><u>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</u></p> </td> <td data-bbox="1272 422 1541 518"> <p><u>425,000</u></p> </td> </tr> </table>	<p><u>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</u></p>	<p><u>425,000</u></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.195).</p>
<p><u>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</u></p>	<p><u>425,000</u></p>			
<p>Schedule 14, Part 2, Condition 11</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>(1) The undertaker may at any time maintain the authorised scheme, <u>so far as is consistent with the provisions of this licence and</u> except to the extent that this marine licence or an agreement made under this marine licence provides otherwise.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.197).</p>		
<p>Schedule 14, Part 2, Condition 11</p>	<p>Sub-paragraph (3) is amended as follows:</p> <p><i>(3) No maintenance works authorised by this marine licence may be carried out until a <u>An operations and maintenance plan in accordance with the outline operations and maintenance plan has been must be submitted to and approved by the licencing authority NRW in writing at least four months four months prior to commencement of the operation of licensed activities and be provided for review and resubmission every three years during the operational phase. Maintenance must be carried out in accordance with the approved details-plan.</u></i></p>	<p>These changes are made to clarify that the maintenance activities will be undertaken in accordance with the operations and maintenance plan. There are other additional changes made for consistency across the conditions. The change from 'details' to 'plan' is as per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.198).</p>		
<p>Schedule 14, Part 2, Condition 11</p>	<p>Sub-paragraph (4) has been added as follows:</p> <p><i><u>(4) The licencing authority must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the licencing authority, unless otherwise agreed in writing with the undertaker.</u></i></p>	<p>This provision is included to reflect the provisions in Paragraph 19(2) for consistency.</p>		

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<p>Schedule 14, Part 2, Condition 13</p>	<p>Sub-paragraph (1)(b) has been removed:</p> <p>(b) Those persons referred to in paragraph (a) must be requested to confirm receipt of a copy of this license in writing to NRW within 28 days of receipt.</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.200).</p>
<p>Schedule 14, Part 2, Condition 13</p>	<p>Sub-paragraph (4) is amended as follows:</p> <p>(4) The information referred to in sub-paragraph (1)(a) must be available for inspection by <u>officers appropriately authorised by the licensing authority and authorised MEOs</u> an authorised enforcement officer at the locations set out in sub-paragraph (3)(b).</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.201).</p>
<p>Schedule 14, Part 2, Condition 13</p>	<p>Sub-paragraph (7) is amended as follows:</p> <p><i>and confirmation of notification must be provided to NRW <u>the licencing authority</u> and the MEO within five days.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.202).</p>
<p>Schedule 14, Part 2, Condition 13</p>	<p>Sub-paragraph (8) has been amended as follows:</p> <p>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised scheme or any part thereof advising of its start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to <u>the licencing authority</u> NRW, the MEO, MCA, Trinity House and UKHO within five days of the notifications being sent</p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.204).</p>

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<p>Schedule 14, Part 2, Condition 13</p>	<p>Sub-paragraph (9) has been amended as follows:</p> <p><i>(9) The undertaker must ensure that local notifications to mariners are updated and reissued at regular intervals during construction activities and at least five days before any planned operations and maintenance works (or otherwise agreed) and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme approved under condition 18(1)(b). Copies of all notices must be provided to the licencing authority NRW, the MEO, and UKHO within five days of the notification being sent.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.203).</p>
<p>Schedule 14, Part 2, Condition 17</p>	<p>Paragraph 17 has been updated as follows:</p> <p><i>Force majeure and dropped objects</i></p> <p>...</p> <p><i>(2) In the event that any rock material used in the construction of the authorised scheme is misplaced or lost within the Order limits, the undertaker must report the loss in writing to the licencing authority and the MEO within 48 hours and if the licencing authority, in consultation with the MEO, reasonably considers such material to constitute a navigation or environmental hazard (dependent on the size and nature of the material) the undertaker must, in that event, demonstrate to the licencing authority that reasonable attempts have been made to locate, remove or move any such material.</i></p> <p><i>(3) All dropped objects must be notified to the licencing authority in accordance with the dropped objects plan. On receipt of a notice the licencing authority may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and if reasonable to do so the licencing authority may require obstructions to be removed from the seabed at the undertaker's expense.</i></p>	<p>Conditions 16(7) and 16(10) have been moved to Condition 17 to become new sub-paragraphs (2) and (3). As per the Applicant's response to the comments from NRW in their Relevant Representation (RR-011.204 to RR-011.206).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>No part of the authorised scheme may commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by NRW, the licencing authority (in consultation with the relevant statutory nature conservation body Trinity House and the MCA as appropriate bodies identified below)</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>

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<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(a) has been amended as follows:</p> <p>(a) <i>a design plan... to ensure conformity with the description of Work No. 1 and compliance with conditions 10 and 11 in consultation with Trinity House and the MCA;</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(a)(v) has been amended as follows:</p> <p>(v) <i>any archaeological exclusion zones, in consultation with the statutory historic body;</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(c) has been amended as follows:</p> <p>(c) <i>a monitoring plan, in consultation with the JNCC, Trinity House and the MCA, (which in accordance with the offshore in-principle monitoring plan) and to include details of proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction monitoring and related reporting in accordance with conditions 21, 22, 23 to be submitted to the licencing authority NRW in accordance with the following unless otherwise agreed in writing with the licencing authority NRW —</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(d) has been amended as follows:</p> <p>(d) <i>an offshore construction method statement, in consultation with Trinity House and the MCA, in accordance with the construction methods assessed in the environmental statement, including details of—</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>

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Schedule 14, Part 2, Condition 18

Sub-paragraph (1)(e) has been amended as follows:

- (e) *an offshore environmental management plan covering the period of construction and operation to include details of—*
 - (i) *a marine pollution contingency plan, [in consultation with the JNCC](#), to address the risks, methods and procedures to deal with any spills and collision incidents during construction and operation of the authorised scheme in relation to all activities carried out;*
 - (ii) *a chemical risk assessment, including information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance;*
 - (iii) *waste management and disposal arrangements;*
 - (iv) *the appointment and responsibilities of a fisheries liaison officer;*
 - (v) *a fisheries liaison and coexistence plan ~~which—in~~ [accordances](#) with the outline fisheries liaison and coexistence plan, to ensure relevant fishing fleets are notified of commencement of the authorised scheme pursuant to condition 13(8) and to address the interaction of the construction of the authorised scheme with fishing activities;*
 - (vi) *measures to minimise disturbance to marine mammals and rafting birds from transiting vessels [in consultation with the JNCC](#); and*
 - (vii) *measures to minimise the potential spread of invasive non-native species [in consultation with the JNCC](#);*

As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).

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<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(f) has been amended as follows:</p> <p>(f) <i>an offshore written scheme of investigation for archaeology and protocol for archaeological discoveries in relation to the Order limits, in consultation with the statutory historic body, which must in accordance with the outline offshore written scheme of investigation and protocol for archaeological discoveries and industry good practice and in consultation with the statutory historic body to include—</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(g) has been deleted</p>	<p>This is to avoid duplication of conditions and to clarify that the maintenance activities will be undertaken in accordance with the operations and maintenance plan as per the change to Condition 11(3).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(g) (was (h)) has been amended as follows:</p> <p>(g) <i>an aids to navigation management plan, in consultation with Trinity House and the MCA, specifying how the undertaker will ensure compliance with condition 15 from the commencement of construction of the authorised scheme to the completion of decommissioning of the authorised scheme;</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(h) (was (i)) has been amended as follows:</p> <p>(h) <i>in the event that driven or part-driven pile foundations are proposed to be used or in the event that unexploded ordnance clearance is required, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body <u>JNCC</u>;</i></p>	<p>This change is to clarify that separate marine mammal mitigation protocols will be prepared for piling and UXO clearance. This provision will now solely relate to piling and the marine mammal mitigation protocol for UXO is covered by Condition 21. This is to support the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.185, RR-011.180).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(j) (was (k)) has been amended as follows:</p> <p>(j) <i>a vessel traffic management plan, in consultation with Trinity House and the MCA, in accordance with the outline vessel traffic management plan; and</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>

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<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(k) (was (l)) has been amended as follows:</p> <p><i>(k) a vessel traffic monitoring strategy, <u>in consultation with Trinity House and the MCA, in accordance with the offshore in-principle monitoring plan.</u></i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (2) has been amended as follows:</p> <p><i>(2) Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific offshore written scheme of investigation and protocol for archaeological discoveries (which must accord with the details set out in the outline offshore written scheme of investigation and protocol for archaeological discoveries) which has been submitted to and approved by NRW <u>the licencing authority in consultation with the statutory historic body.</u></i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.209).</p>
<p>Schedule 14, Part 2, Condition 20</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>(1) No piling activities or detonation of unexploded ordnance must<u>can</u> commence until <u>for those activities</u> an underwater sound management strategy for those activities, which accords in accordance with the outline underwater sound management strategy has been submitted to and approved in writing by <u>the licencing authority NRW</u> in consultation with the relevant statutory nature conservation body JNCC.</i></p>	<p>These changes are for consistency across the way in which the conditions are drafted.</p>
<p>Schedule 14, Part 2, Condition 20</p>	<p>Sub-paragraph (2) has been amended as follows:</p> <p><i>(2) The underwater sound management strategy must be submitted to <u>the licencing authority NRW</u> no later than four months prior to the commencement of the relevant activities <u>unless otherwise agreed in writing by the licencing authority.</u></i></p>	<p>These changes are for consistency across the way in which the conditions are drafted.</p>
<p>Schedule 14, Part 2, Condition 20</p>	<p>A new sub-paragraph (3) has been added as follows:</p> <p><i><u>(3) The licencing authority must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the licencing authority, unless otherwise agreed in writing with the undertaker.</u></i></p>	<p>This provision is included to reflect the provisions in Paragraph 19(2) for consistency.</p>

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<p>Schedule 14, Part 2, Condition 21</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>(1) No removal or detonation of unexploded ordnance can take place commence until <u>for those activities</u> the following have been submitted to and approved in writing by <u>the licencing authority NRW</u> in consultation with the relevant statutory nature conservation body <u>the JNCC</u> and, in respect of the method statement, the MCA—</i></p>	<p>These changes are for consistency across the way in which the conditions are drafted.</p>
<p>Schedule 14, Part 2, Condition 21</p>	<p>Sub-paragraph (2) has been amended as follows:</p> <p><i>(2) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iii)) and the marine mammal mitigation protocol must be submitted to <u>the licencing authority NRW</u> for approval at least three<u>four</u> months prior to the date on which unexploded ordnance clearance activities are intended to begin.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.212).</p>
<p>Schedule 14, Part 2, Condition 21</p>	<p>A new sub-paragraph (3) has been added as follows:</p> <p><i><u>(3) The licencing authority must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the licencing authority, unless otherwise agreed in writing with the undertaker.</u></i></p>	<p>This provision is included to reflect the provisions in Paragraph 19(2) for consistency.</p>
<p>Schedule 14, Part 2, Condition 22</p>	<p>Paragraph 22 has been amended as follows:</p> <p><i>22. No part of the authorised project may commence until <u>the licencing authority NRW</u>, in consultation with the MCA, has confirmed <u>approved</u> in writing that <u>a Search and Rescue checklist has been agreed and is in place in line the requirements of MGN654 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response" (or any successor document)</u> the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the authorised project contained within MGN654 "Offshore Renewable Energy Installations (OREIs) Guidance on UK Navigational Practice, Safety and Emergency Response Issues" (or any equivalent guidance that replaces or supersedes it) and its annexes.</i></p>	<p>As per the Applicant's response to the comment from NRW in their Relevant Representation (RR-011.215).</p>

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<p>Schedule 14, Part 2, Condition 23</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>The undertaker must provide the following information in writing to NRW and the MEO—the name, function, company number (if applicable), registered or head office address (as appropriate) of any agent or contractor appointed to engage in the licensed marine activities within seven days of appointment; <u>in writing to the licencing authority and the MEO.</u></i></p> <p>(b) ————— a completed Hydrographic Note H102 each week during the construction of the authorised scheme listing the vessels currently and to be used in relation to the licensed marine activities.</p>	<p>As per the Applicant’s response to the comment from NRW in their Relevant Representation (RR-011.217).</p>
<p>Schedule 14, Part 2, Condition 26</p>	<p>Sub-paragraph (4) has been amended as follows:</p> <p><i>(4) The undertaker must carry out the monitoring agreed under sub-paragraph (1) and provide the agreed reports to <u>the licencing authority NRW</u> in the agreed format in accordance with the agreed timetable within four months of completion of the reports, unless otherwise agreed in writing with <u>the licencing authority NRW</u> in consultation with the relevant statutory nature conservation body JNCC.</i></p>	<p>As per the Applicant’s response to the comment from NRW in their Relevant Representation (RR-011.217).</p>
<p>Schedule 15, Table 5</p>	<p>Document J26.6 was updated as follows:</p> <p>Outline construction surface water and drainage management plan</p>	<p>To align with the document name as submitted.</p> <p>The Applicant makes no further updates to Schedule 15 at this stage but will do so at Deadline 4.</p>

3 Schedule of Changes of the draft Development Consent Order (Revision F04)

Table 3-1: Table of amendments submitted to the draft Development Consent Order (Revision F04) for Deadline 2

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Part 1, Paragraph 1, Interpretation	The definition of “commence” has been amended as follows: <i>“commence ” means (a) in relation to the offshore works seaward of MLW, the first carrying out of any licensed marine activities authorised by the deemed marine licence, save for non-intrusive pre-construction surveys, and monitoring surveys, and unexploded ordnance surveys and clearance of unexploded ordnance authorised under the deemed marine licence;</i>	To align with the changes to the definition of “commence” in Schedule 14, Part 1, Paragraph 1.
Part 1, Paragraph 1, Interpretation	The definition of ‘deemed marine license’ has been amended as follows: <i>“deemed marine licence” means the marine licence set out in Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets);</i>	To align with the labelling of Schedule 14.
Part 1, Paragraph 1, Interpretation	The definition of ‘design principles’ has been amended as follows: <i>“design principles document” means the document certified as the design principles document by the Secretary of State under article 42 for the purposes of this Order;</i>	To align with the document name.
Part 1, Paragraph 1, Interpretation	The definition of measures to minimise disturbance to marine mammals and rafting birds from transiting vessels has been amended as follows: <i>“measures to minimise disturbance to marine mammals and rafting birds from transiting vessels” means the document certified as the measures to minimise disturbance to marine mammals and rafting birds from transiting vessels by the Secretary of State under article 42 for the purposes of this Order;</i>	To align with the document name.

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<p>Part 1, Paragraph 1, Interpretation</p>	<p>The definition of 'NRW' has been amended as follows: <i>"NRW " “Natural Resources Wales” means the body acting on behalf of the Welsh Ministers pursuant to powers under the 2009 Act <u>Natural Resources Wales</u> or any successor <u>body to its</u> of that functions and “NRW” must be construed accordingly;</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.419 (Document Reference S_D2_3.2).</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>The following definition has been inserted: <u>“onshore substation temporary construction compound” means a temporary construction compound and laydown area of up to 150,000 m2 needed to store equipment and materials and for site accommodation during the construction of the onshore substation;</u></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_16.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>The definition of 'Order limits' has been amended as follows: <i>“Order limits” means the limits shown on the works plans— onshore and works plans— offshore and intertidal within which the authorised project may be carried out;</i></p>	<p>To align with the document name.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>The definition of 'outline onshore and intertidal written scheme of investigation' has been amended as follows: <i>“outline onshore and intertidal written scheme of investigation” means the document certified as the outline onshore and intertidal written scheme of investigation by the Secretary of State under article 42 for the purposes of this Order;</i></p>	<p>To align with the document name.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>The definition of 'outline operational drainage management strategy' has been amended as follows: <i>“outline operational drainage management strategy” means the document certified as the outline operational drainage management strategy by the Secretary of State under article 42 for the purposes of this Order;</i></p>	<p>To align with the document name.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>A new definition has been inserted: <u>“primary temporary construction compound” means a temporary construction compound and laydown area of up to 22,500 m2 needed to store equipment and materials and for site accommodation during the construction of the authorised project;</u></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_16.</p>

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<p>Part 1, Paragraph 1, Interpretation</p>	<p>A new definition has been inserted: <i><u>“secondary temporary construction compound” means one of up to four temporary construction compounds and laydown areas each of up to 15,000 m2 needed to store equipment and materials and for site accommodation during the construction of the authorised project;</u></i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_16.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>A new definition has been inserted: <i><u>“transition joint bay temporary construction compound” means a temporary construction compound and laydown area of up to 15,000 m2 needed to store equipment and materials during and for site accommodation the construction of the transition joint bays for the authorised project;</u></i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_16.</p>
<p>Part 1, Paragraph 1, Interpretation</p>	<p>The definition of ‘works plans – offshore and intertidal’ has been amended as follows: <i>“works plans – offshore and intertidal” means the document certified as the works plans – offshore and intertidal by the Secretary of State under article 42 for the purposes of this Order; and</i> <i>“works plans- onshore” means the document certified as the works plans - onshore by the Secretary of State under article 42 for the purposes of this Order.</i></p>	<p>To align with the document name.</p>
<p>Part 2, Article 5, Deemed marine licence under the 2009 Act</p>	<p>Article 5 has been amended as follows: <i>5. The marine licence set out in Schedule 14 is deemed to have been granted to the undertaker under Part 4 (marine licensing) of the 2009 Act for the licensed <u>marine</u> activities specified in Part 1 of the marine licence and subject to the conditions specified in Part 2 of the marine licence.</i></p>	<p>To align with how the activities are described in Schedule 14.</p>
<p>Part 2, Article 6, Power to maintain the authorised project</p>	<p>Paragraph (2) has been amended as follows: <i>(2) Paragraph (1) does not relieve the undertaker of any requirement to obtain any further licence under Part 4 (marine licensing) of the 2009 Act for the licensable <u>marine</u> activities not covered by the deemed marine licence.</i></p>	<p>To align with how the activities are described in Schedule 14.</p>

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<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) Subject to paragraph (5), the undertaker may with the written consent of the Secretary of State—</i></p> <p><i>(a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order (<u>excluding the deemed marine licence</u>) and such related statutory rights as may be agreed between the undertaker and the transferee; and</i></p> <p><i>(b) grant to another person (“the lessee”) for a period agreed between the undertaker and the lessee any or all of the benefit of the provisions of this Order (including <u>excluding</u> the deemed marine licence) and such related statutory rights as may be so agreed</i></p> <p><u>except where paragraph (6) applies, in which case no consent of the Secretary of State is required.</u></p>	<p>The Applicant has made updates to Article 7 in order to align the drafting with the Morgan Offshore Wind Project Generation Assets draft development consent order. These changes mean that the undertaker will no longer be able to transfer or grant part of the marine licence, only the whole of the marine licence, under Article 7.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>The following paragraph has been inserted:</p> <p><u><i>(3) Subject to paragraph (5), the undertaker may with the written consent of the Secretary of State—</i></u></p> <p><u><i>(a) where an agreement has been made in accordance with paragraph (2)(a),</i></u></p> <p><u><i>transfer to the transferee the whole of the deemed marine licence and such related statutory rights as may be agreed between the undertaker and the transferee; and</i></u></p> <p><u><i>(b) where an agreement has been made in accordance with paragraph (2)(b), grant to the lessee for the duration mentioned in paragraph (2)(b), the deemed marine licence and such related statutory rights as may be so agreed.</i></u></p> <p><u>except where paragraph (6) applies, in which case the consent of the Secretary of State is not required.</u></p>	<p>The Applicant has made updates to Article 7 in order to align the drafting with the Morgan Offshore Wind Project Generation Assets draft development consent order. These changes mean that the undertaker will no longer be able to transfer or grant part of the marine licence, only the whole of the marine licence, under Article 7.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (4) has been amended as follows:</p> <p><i>(4) The Secretary of State must consult NRW before giving consent to the transfer or grant to another person of the benefit of the provisions of the deemed marine licence <u>under paragraph (3).</u></i></p>	<p>Consequential change in relation to the above changes to Article 7.</p>

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<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (5) has been amended as follows: <i>(5) Where the undertaker has transferred any benefit, or for the duration of any period during which the undertaker has granted any benefit, under paragraphs (2) or (3)—</i></p>	<p>Consequential change in relation to the above changes to Article 7.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (6) has been amended as follows: <i>(6) Where this paragraph applies, nNo consent of the Secretary of State is required —This paragraph applies where—</i></p>	<p>Consequential change in relation to the above changes to Article 7.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (7) has been amended as follows: <i>(7) Where an agreement has been made in accordance with paragraph (2) or (3), references in this Order to the undertaker will include references to the transferee or lessee.</i></p>	<p>Consequential change in relation to the above changes to Article 7.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (9) has been amended as follows: <i>(9) A notice required under paragraphs (2) and (7)(8) must—</i> <i>(a) state—</i> <i>(i) the name and contact details of the person to whom the benefit of the provisions will be transferred or granted;</i> <i>(ii) <u>subject to paragraph (10)</u>, the date on which the transfer will take effect;</i> <i>(iii) the provisions to be transferred or granted;</i> <i>(iv) the restrictions, liabilities, and obligations that, in accordance with sub-paragraph (4)(c), will apply to the person exercising the powers transferred or granted; and</i> <i>(v) where paragraph (5) does not apply, confirmation of the availability and adequacy of funds for compensation associated with the compulsory acquisition of the Order land;</i></p>	<p>Consequential change in relation to the above changes to Article 7 and to align the drafting with the Morgan Offshore Wind Project Generation Assets draft development consent order.</p>
<p>Part 2, Article 7, Benefit of the Order</p>	<p>Paragraph (10) has been amended as follows: <i>(10) The notice given<u>specified</u> under paragraph (8)(9)(a) must be signed by the undertaker and the person to whom the benefit of the powers will be transferred or granted as specified in that notice.</i></p>	<p>Consequential change in relation to the above changes to Article 7 and to align the drafting with the Morgan Offshore Wind Project Generation Assets draft development consent order.</p>

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Part 2, Article 47, Inconsistent Planning Permissions

The following article has been inserted:

Inconsistent Planning Permissions

47.—(1) As from the date on which the authorised project is commenced any conditions of a planning permission granted pursuant 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 3 of Schedule 1 (requirements).

(1) 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—

(a) development which is consistent with the authorised development save that its impact has not been assessed in the environmental statement and assessment has been carried out in accordance with the 2017 Regulations or the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 prior to the grant of the planning permission; or

(b) for development unrelated to 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.

(2) 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 160 (offences) or 161 (breach of terms of order granting development consent) of the 2008 Act.

This article considered prudent to include following the Supreme Court ruling in *Hillside Park v Snowdonia National Park Authority* [2020] EWCA Civ 1440. Please see further explanation within the Explanatory Memorandum (Document reference C3 F03).

Schedules

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<p>Schedule 1, Part 1</p>	<p>Work No. 7 has been amended as follows: <i>Work No. 7: temporary construction compound for vehicle parking, circulation area and laydown area of up to 800 m² including fencing together with access to Work No. 4 during construction;</i></p>	<p>To clarify the position with regards to the temporary construction compounds following discussions at Issue Specific Hearing 2. See also Response to Hearing Action Points F01 (REP1-102).</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 9 has been amended as follows: <i>Work No. 9: installation of up to four buried cable circuits between Work No. 38 and Work No. 10 approximately 10 m including cable ducts;</i></p>	<p>This change was intended to be made within the draft development consent order (Document Reference AS-011) and was erroneously left out. This change was made to correct that error.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 10 has been amended as follows: <i>(d) temporary construction compound and laydown area of up to 30,000 m² <u>comprising a secondary temporary construction compound and a transition joint bay temporary construction compound of up to 15,000 m²</u>;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 13 has been amended as follows: <i>Work No. 13: primary temporary construction compounds and laydown areas <u>secondary temporary construction compound with a total maximum area of 37,500 m²</u> and access to Work Nos. 12 and 14 during construction including works to the public highway and visibility splays;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 16 has been amended as follows: <i>Work No. 16: <u>primary temporary construction compound and laydown area or secondary temporary construction compound of up to 22,500 m²</u> and access to Work No. 15 during construction including works to the public highway and visibility splays;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 18 has been amended as follows: <i>Work No. 18: <u>primary temporary construction compound or secondary temporary construction compound and laydown area of up to 22,500 m²</u> and access to Work No. 17 during construction including works to the public highway and visibility splays;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>

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<p>Schedule 1, Part 1</p>	<p>Work No. 23 has been amended as follows: <i>Work No. 23:</i> <i>(a) permanent landscaping, ecological and environmental works, including watercourse realignment and attenuation pond(s);</i> <i>(b) the onshore substation temporary construction compound and laydown area; and</i> <i>(c) access during construction;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 24 has been amended as follows: <i>Work No. 24:</i> <i>(a) temporary and permanent landscaping, ecological and environmental works, including watercourse realignment and temporary attenuation pond(s);</i> <i>(b) the onshore substation temporary construction compound and laydown area of up to 150,000 m²; and</i> <i>(c) access during construction;</i></p>	<p>To reflect the additions of new definitions around temporary construction compounds, see above rows.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 25 has been amended as follows: <i>Work No. 25:</i> <i>(a) installation of up to two buried 400 kV cable circuits between Work No. 22 and Work No. 26 including cable ducts;</i> <i>(b) trenchless installation technique pit works including the creation of entry and exit pits for trenchless installation techniques and cable trenching works; and</i> <i>(c) access during construction; and</i> <i>(d) temporary construction compound and laydown area;</i></p>	<p>There will be no temporary construction compounds in Work No. 25.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 28 has been amended as follows: <i>Work No. 28: temporary construction compound and laydown area for Work No. 27 of up to 7,100 m²;</i></p>	<p>To clarify the position with regards to the temporary construction compounds following discussions at Issue Specific Hearing 2. See also Response to Hearing Action Points F01 (REP1-102).</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 32 has been amended as follows: <i>Work No. 32: permanent landscaping, ecological and environmental works;</i></p>	<p>To address inconsistencies in the drafting of the Work Nos.</p>

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<p>Schedule 1, Part 1</p>	<p>Work No. 34 has been amended as follows: <i>Work No. 34: <u>permanent</u> landscaping, ecological and environmental works;</i></p>	<p>To address inconsistencies in the drafting of the Work Nos.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 35 has been amended as follows: <i>Work No. 35: landscaping, ecological and environmental maintenance works;</i></p>	<p>To address inconsistencies in the drafting of the Work Nos.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 36 has been amended as follows: <i>Work No. 36: <u>permanent</u> landscaping, ecological and environmental works;</i></p>	<p>To address inconsistencies in the drafting of the Work Nos.</p>

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Schedule 1, Part 1

Work No. 38 has been amended as follows:

Work No 38: permanent accesses;

and in connection with such Work Nos. 1 and 2 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised development and which fall within the scope of the work assessed by the environmental statement, including—

(a) scour protection around the foundations of the offshore structures;

(b) cable protection measures such as rock placement ~~and the placement of rock~~ and/or concrete mattresses, with or without frond devices;

(c) dredging;

(d) the removal of material from the seabed required for the construction of Work No. 1 and the disposal of inert material of natural origin and/or dredged material within Work No. 1 produced during construction drilling, and seabed preparation for foundation works, cable installation preparation such as sandwave clearance, boulder clearance and pre-trenching;

(e) creation and use of temporary vessel laydown areas, use of cable anchors;

~~*(f) temporary landing places, moorings or other means of accommodating vessels in the construction or maintenance of the authorised project;*~~

(f) removal of static fishing equipment;

(g) the use of extracted seabed material within gravity base foundations;
and

(h) lighting; and

~~*(j) marking buoys, beacons, fenders and other navigational warning or ship impact protection works;*~~

and in connection with Work Nos. 3 to 38 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of

In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_4.

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the authorised development and which fall within the scope of the work assessed by the environmental statement, including—

(a) haul roads, ramps, watercourse and other temporary crossings, means of access and other vehicular and/or pedestrian means of access, including creation of new tracks and footpaths, and/or widening, upgrades, alterations and improvements of existing roads, tracks and footpaths;

(b) bunds, embankments, swales, landscaping, fencing and boundary treatments;

(c) provision of temporary and permanent [landscaping](#), ecological and environmental mitigation and compensation works;

(d) spoil storage and associated control measures;

(e) jointing bays, link boxes, cable ducts, cable protection, joint protection, manholes, marker posts, underground cable markers, tiles and tape, and lighting and other works associated with laying cables and/or pulling cables through cable ducts;

(f) works for the provision of apparatus including cabling, water and electricity supply works, foul drainage provision, surface water management systems, temporary drainage during installation of cables and culverting;

(g) works to alter the position of apparatus, including mains, sewers, drains and cables (overhead and underground);

(h) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;

~~*(i) temporary and permanent landscaping works and habitat creation;*~~

~~*(j) works for the benefit or protection of land affected by the authorised development;*~~

(i) working sites in connection with the construction of the authorised development including mobile welfare units [and](#); construction lay down areas ~~and compounds and storage compounds~~; and

~~*(j) works of restoration.; and*~~

~~*(m) fencing or other means of enclosure; and*~~

~~*(n) such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised development.*~~

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<p>Schedule 1, Part 2, Article 1</p>	<p>Paragraph (d) has been amended as follows: <i>(d) temporary works to the benefit or protection of land, watercourses or structures affected by the authorised development.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_4.</p>
<p>Schedule 2², Requirement 3</p>	<p>Paragraph (1) has been amended as follows: <i>The undertaker must exhibit such lights, with such shape, colour and character and at such times as are required by Air Navigation Order 2016 and/or determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the Civil Aviation Authority. Lighting installed specifically to meet Ministry of Defence aviation safety requirements must remain operational for the life of the authorised project unless otherwise agreed with the Ministry of Defence Infrastructure Organisation Safeguarding.</i></p>	<p>The Defence Infrastructure Organisation Safeguarding are the consultee for the purpose of this Requirement and should be listed here (instead of Ministry of Defence).</p>
<p>Schedule 2, Requirement 3</p>	<p>Paragraph (2) has been amended as follows: <i>(2) The undertaker must notify Defence Infrastructure Organisation Safeguarding and the Civil Aviation Authority, at least 14 days prior to the commencement of the offshore works, of the following—</i> <i>(a) the date of the commencement of construction of the offshore works;</i> <i>(b) the expected date any wind turbine generators are brought into use;</i> <i>(c) the maximum height of any construction equipment to be used;</i> <i>(d) the maximum heights of any wind turbine generator and offshore substation platform to be constructed; and</i> <i>(e) the latitude and longitude of each wind turbine generator and offshore substation platform to be constructed; and the Defence Infrastructure Organisation Safeguarding and the Civil Aviation Authority must be notified of any changes to the information supplied under this sub-paragraph and of the completion of the construction of the offshore works.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_32.</p>

² Please note there are some changes within the document C1 Mona Draft Development Consent Order (Track Change F03_F04) which are showing as changes to paragraph and sub-paragraph numbers but which are not in fact changes. They are a quirk of the software used to prepare the track change document. If further clarity is required, the Applicant would be more than happy to provide it.

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<p>Schedule 2, Requirement 5</p>	<p>Paragraph (2) has been amended as follows: <i>(2) The details submitted under sub-paragraph (1) of this requirement must be in accordance with requirement 6 (detailed design parameters onshore) and substantially in accordance with the design principles document.</i></p>	<p>ISH2_32 In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_43(1).</p>
<p>Schedule 2, Requirement 7</p>	<p>Paragraph (1) has been amended as follows: <i>(1) Work No. 22a must not be commenced until a landscape plan for Work Nos. 23, 24 and 31 to 37 and associated work programme has been submitted to and approved by the relevant planning authority following consultation with NRW as appropriate.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_39. This is to align the trigger for the submission of details under this Requirement, to the relevant authority, with the construction of the onshore substation itself (rather than the platform). This is to reflect the fact that the undertaker will not be submitting details of landscaping until the point of constructing the onshore substation (rather than the platform) as that is when the details of the structures comprising the onshore substation will be known in relation to which the landscaping (now referenced as Work Nos. 23, 24 and 31 to 37) need to be designed.</p>
<p>Schedule 2, Requirement 8</p>	<p>Paragraph (1) has been amended as follows: <i>(1) All landscaping works must be carried out in accordance with the landscaping schemes plans approved under requirement 7 (provision of landscaping).</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_39.</p>
<p>Schedule 2, Requirement 9</p>	<p>The following paragraph has been inserted: <i>(4) Onshore site preparation works must be carried out in accordance with the applicable details set out in the outline code of construction practice.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_51.</p>
<p>Schedule 2, Requirement 11</p>	<p>Paragraph (3) has been amended as follows: <i>(3) Onshore site preparation works Pre-commencement surveys and investigations, including those necessary to allow production of any scheme required under sub-paragraph (1) must only take place in accordance the applicable details set out in the outline onshore written scheme of investigation.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_51.</p>

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Schedule 2, Requirement 12	The following paragraph has been inserted: <i>(3) Onshore site preparation works must be carried out in accordance with the applicable details set out in the outline landscape and ecology management plan</i>	In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_51.
Schedule 2, Requirement 14	Paragraph (1) has been amended as follows: <i>(1) Except as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the onshore works and heavy goods vehicle traffic movements arriving or departing from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to Saturday, with no activity on Sundays or bank holidays.</i>	In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_17.
Schedule 2, Requirement 14	Paragraph (2) has been amended as follows: <i>(2) Subject to paragraph (3), construction of the onshore works and heavy goods vehicle construction-related traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified works including—</i>	In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_17.
Schedule 2, Requirement 18	References to ‘operational drainage management strategy’ have been updated to ‘operation drainage management strategy’	To align with the document name.
Schedule 8	The following plots have been added: 06-106a 09-173a 09-173b	To reflect the updates to the Book Of Reference (See Book Of Reference – Document Reference REP1-005, and Book Of Reference – Document Reference D4 F04).
Schedule 10³, Part 3, For the protection of Dŵr Cymru Cyfyngedig (DC)	The protective provisions have been updated.	By agreement with Welsh Water. See Land Rights Tracker (Document Reference S_PD_5 F03).

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<p>Schedule 11</p>	<p>Updates to the list of hedgerows in Schedule 11</p>	<p>See Appendix to Response to Hearing Action Point: Hedgerow Clarification Note (Document Reference S_D1_5.8 F02). The hedgerows listed in Schedule 11 are all those hedgerows which may require removal due to the onshore works, either individual plants or sections of hedgerow. Following a review of the onshore works following discussions during Issue Specific Hearings 1 and 2, the Applicant undertook a review of the hedgerows listed and has provided an updated Schedule to ensure all necessary hedgerows are captured.</p>
<p>Schedule 12⁴, Paragraph 3</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>(1) Where an application has been made to the relevant discharging authority for any agreement or approval required pursuant to a requirement included in this Order, the relevant discharging authority must give notice to the undertaker of their decision, including the reasons, on the application, within a period of 8 weeks <u>20 working days</u> beginning with—</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>
<p>Schedule 12, Paragraph 3</p>	<p>Paragraph (1)(b) has been amended as follows:</p> <p><i>(b) where further information is requested under paragraph 3 the <u>working day</u> immediately following that on which the further information has been supplied by the undertaker, or such longer period as may be agreed in writing by the undertaker and the relevant planning discharging authority.</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>
<p>Schedule 12, Paragraph 4</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) If the relevant discharging authority considers further information is needed, and the requirement does not specify that consultation with a requirement consultee is required, it must, within 10 <u>working days</u> of receipt of the application, notify the undertaker in writing specifying the further information required.</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>

⁴ Please note there are some changes within the document C1 Mona Draft Development Consent Order (Track Change F03_F04) which are showing as changes to paragraph and sub-paragraph numbers but which are not in fact changes. They are a quirk of the software used to prepare the track change document. If further clarity is required, the Applicant would be more than happy to provide it.

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<p>Schedule 12, Paragraph 4</p>	<p>Paragraph (3) has been amended as follows:</p> <p><i>(3) If the requirement indicates that consultation must take place with a consultee the relevant planning authority must issue the consultation to the requirement consultee within five working days of receipt of the application. Where the consultee requires further information they must notify the relevant discharging authority in writing specifying the further information required within 10 <u>working</u> days of receipt of the consultation. The relevant discharging authority must notify the undertaker in writing specifying any further information requested by the consultee within five working days of receipt of such a request.</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>
<p>Schedule 12, Paragraph 5</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>(1) Any consultee who receives a consultation under paragraph 2(3) must respond to that request within 28 <u>30</u> <u>working</u> days from receipt unless sub-paragraph (2) of this paragraph applies.</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>
<p>Schedule 12, Paragraph 6</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>(1) Where an application is made to the relevant planning authority for agreement or approval in respect of a requirement <u>or agreement or approval of an amendment pursuant to Requirement 23 of Schedule 2</u> the fee for the discharge of conditions as specified in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (Wales) Regulations 2015() (or any regulations replacing the same) is to be paid by the undertaker to the relevant planning authority in accordance with these regulations unless otherwise agreed with the relevant planning authority.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_5.</p>
<p>Schedule 12, Paragraph 6</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) Any fee paid under this Schedule must be refunded to the undertaker within four weeks <u>20 working</u> days of the application being rejected as invalidly made.</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>
<p>Schedule 12, Paragraph 7</p>	<p>Paragraph (2)(a) has been amended as follows:</p> <p><i>any appeal by the undertaker must be made within 42 <u>30</u> <u>working</u> days of the date of the notice of the decision or determination, or (where no determination has been made) the expiry of the time period set out in paragraph 2(1), giving rise to the appeal referred to in sub- paragraph (1);</i></p>	<p>In response to the Local Impact Report. See Response to Conwy Borough County Council and Denbighshire County Council's Local Impact Report, row REP1-049.156 (Document Reference S_D2_5).</p>

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<p>Schedule 14⁵, Part 1, Paragraph 1</p>	<p>The definition of ‘commence’ has been amended as follows: <i>“commence” means the first carrying out of any licensed marine activities, save for <u>non-intrusive</u> pre-construction surveys monitoring surveys, unexploded ordnance surveys and clearance of unexploded ordnance, and “commenced” and “commencement” must be construed accordingly;</i></p>	<p>In response to NRW’s written representation. See Appendix to Response to WRs: NRW, rows REP1-056.421 and REP1-056.422 (Document Reference S_D2_3.2).</p>
<p>Schedule 14, Part 1, Paragraph 1</p>	<p>The following definition has been inserted: <u><i>“layout principles” means the layout principles contained within the environmental statement project description referred to as document F1.3 in Schedule 15;</i></u></p>	<p>This is in connection with the addition to Condition 18(1)(a), see below.</p>
<p>Schedule 14, Part 1, Paragraph 1</p>	<p>The following definition has been removed: <i>“mean high water” or “MHW” means the highest level that tides reach on average over a period of time;</i> <i>“mean low water” or “MLW” means the lowest level that tides reach on average over a period of time;</i></p>	<p>These terms are no longer used within Schedule 14.</p>
<p>Schedule 14, Part 1, Paragraph 1</p>	<p>Paragraph 1(3)(b) has been amended as follows: <i>(b) all coordinates are latitude and longitude <u>decimal</u> degrees and minutes to two decimal places.</i></p>	<p>In response to NRW’s written representation. See Appendix to Response to WRs: NRW, row REP1-056.423 (Document Reference S_D2_3.2).</p>

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<p>Schedule 14, Part 1, Paragraph 1</p>	<p>The address of the Marine Coastguard Agency has been amended as follows:</p> <p><i>Maritime and Coastguard Agency</i> UK Technical Services Navigation-Safety Branch Bay 2/20 <i>Spring Place</i> <i>105 Commercial Road</i> <i>Southampton</i> <i>SO15 1EG</i> Tel: [REDACTED] <i>Email: [REDACTED]</i></p>	<p>In response to MCA's written representation. See Response to Written Representations, row REP1-068.22 (Document Reference S_D2_3).</p>				
<p>Schedule 14, Part 2, Condition 10(1), Table 4</p>	<p>Table 4 has been amended as follows:</p> <table border="1" data-bbox="622 711 1402 874"> <tr> <td data-bbox="622 711 1160 810"> <p>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</p> </td> <td data-bbox="1160 711 1402 810"> <p>1,759,698 58,361</p> </td> </tr> <tr> <td data-bbox="622 810 1160 874"> <p>Maximum volume of scour protection for wind turbine generators (m³)</p> </td> <td data-bbox="1160 810 1402 874"> <p>1,701,998</p> </td> </tr> </table>	<p>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</p>	<p>1,759,698 58,361</p>	<p>Maximum volume of scour protection for wind turbine generators (m³)</p>	<p>1,701,998</p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.425 (Document Reference S_D2_3.2).</p>
<p>Maximum volume of scour protection for offshore substation foundations and wind turbine generators (m³)</p>	<p>1,759,698 58,361</p>					
<p>Maximum volume of scour protection for wind turbine generators (m³)</p>	<p>1,701,998</p>					
<p>Schedule 14, Part 2, Condition 11</p>	<p>Paragraph (3) has been amended as follows:</p> <p><i>(3) An offshore operations and maintenance plan in accordance with the outline offshore operations and maintenance plan must be submitted to and approved by the licensing authority for approval in writing at least four months prior to commencement of the operation of licensed activities and be provided for review and resubmission every three years during the operational phase. Maintenance must be carried out in accordance with the approved plans.</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.426 (Document Reference S_D2_3.2).</p>				

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<p>Schedule 14, Part 2, Condition 13</p>	<p>Paragraph (8) has been amended as follows: <i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to any of the non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of unexploded ordnance taking place and prior to the commencement of the authorised scheme or any part thereof advising of its start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the licensing authority, MCA, Trinity House and UKHO within five days of the notifications being sent.</i></p>	<p>This has been updated to refer to non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of unexploded ordnance such that notice to mariners will be provided for these activities as well. In response to NRW's written representation. See Appendix to Response to WRs: NRW, rows REP1-056.421 and REP1-056.422 (Document Reference S_D2_3.2).</p>
<p>Schedule 14, Part 2, Condition 13</p>	<p>Paragraph (9) has been amended as follows: <i>(9) The undertaker must ensure that local notifications to mariners are updated and reissued at regular intervals during the pre-construction surveys, unexploded ordnance surveys, clearance of unexploded ordnance and construction activities and at least five days before any planned operations and maintenance works (or otherwise agreed) and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme approved under condition 18(1)(b). Copies of all notices must be provided to the licensing authority, and UKHO within five days of the notification being sent.</i></p>	<p>This has been updated to refer to non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of unexploded ordnance such that updated notice to mariners will be provided at regular intervals for these activities as well. In response to NRW's written representation. See Appendix to Response to WRs: NRW, rows REP1-056.421 and REP1-056.422 (Document Reference S_D2_3.2).</p>
<p>Schedule 14, Part 2, Condition 13</p>	<p>Paragraph (11) has been amended as follows: <i>(11) In case of damage to, or destruction or decay of, the authorised scheme seaward of MLW or any part thereof, excluding the exposure of cables and cable faults, 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 licensing authority, the MEO, MCA, Trinity House, the Kingfisher Information Service of Seafish, UKHO and the regional fisheries contact.</i></p>	<p>This drafting is no longer needed.</p>

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<p>Schedule 14, Part 2, Condition 13</p>	<p>Paragraph (12) has been amended as follows: <i>(12) In case of the buried cables becoming exposed ure-of-cables on or above the seabed, the undertaker must within three days following identification of exposure of cables or cable faults, notify regional fisheries contacts and inform the Kingfisher Information Service of Seafish of the location and extent of exposure or cable faults. Copies of all such notices must be provided to the licensing authority, the MEO, MCA, Trinity House, and UKHO within five days of the notification being sent.</i></p>	<p>In response to MCA's written representation. See Response to Written Representations, row REP1-068.23 (Document Reference S_D2_3).</p>
<p>Schedule 14, Part 2, Condition 15</p>	<p>Paragraph (5) has been amended as follows: <i>(5) In the event that the provisions of conditions 13(11) or 13(12) are invoked, the undertaker must lay down such buoys, exhibit such lights and take such other steps for preventing danger to navigation as directed by Trinity House.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH2_33.</p>
<p>Schedule 14, Part 2, Condition 16</p>	<p>Paragraph (2) has been amended as follows: <i>(2) The undertaker must ensure that any coatings and treatments are suitable for use in the marine environment and are used in accordance with recognised best environmental practice. guidelines approved by the Health and Safety Executive and the Environment Agency Pollution Prevention Control Guidelines.</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.428 (Document Reference S_D2_3.2) save for the phrasing in Paragraph 2 has been amended to align with drafting already present elsewhere within Schedule 14 (for example Condition 18(1)(e)(ii)) and for drafting clarity.</p>

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<p>Schedule 14, Part 2, Condition 17</p>	<p>Condition 17 has been amended as follows:</p> <p><u>17.</u>—(1) <i>If:</i></p> <p><i>(a) due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or if the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the licensing authority, the MEO, Trinity House and the Maritime and Coastguard Agency; or:</i></p> <p><i>(b) In the event that any rock material used in the construction of the authorised scheme is misplaced or lost within the Order limits, the undertaker must report the loss in writing to the licencing authority, and the MEO, <u>Trinity House and the MCA</u> within 48 hours <u>of becoming aware of it;</u> and</i></p> <p><i>if the licencing authority, in consultation with the MEO, reasonably considers such material to constitute a navigation or environmental hazard (dependent on the size and nature of the material) the undertaker must in that event, demonstrate to <u>locate the material and recover it at its own expense unless otherwise approved in writing by the licencing authority</u> that reasonable attempts have been made to locate, remove or move any such material.</i></p> <p><i>(2) All dropped objects must be notified to the licencing authority in accordance with the dropped objects plan. On receipt of a notice the licencing authority may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and if reasonable to do so the licencing authority may require obstructions to be removed from the seabed at the undertaker's expense.</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, rows REP1-056.429 to REP1-056.431 (Document Reference S_D2_3.2). The Applicant has updated Condition 17 such that the default position will be material dropped, either as a result of a 'force majeure' event or through loss, will be recovered where it poses a navigational or environmental hazard, unless it is otherwise agreed with the licencing authority. Other drafting changes are made to accommodate this position and to address NRW's comments.</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Paragraph 1 has been amended as follows:</p> <p><i>18. (1) No part of the authorised scheme may commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by licensing authority, (in consultation with the relevant bodies identified below <u>statutory historic body, JNCC, Trinity House or the MCA as appropriate</u>)—</i></p>	<p>Changes have been made to reverse the changes to PDA-003 including the reference to consultation being with the relevant bodies as appropriate to ensure NRW MLT have flexibility as to whom they wish to consult. This does not prevent NRW MLT from consulting other bodies. In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.432 (Document Reference S_D2_3.2). Other changes to Condition 18(1) for this purpose (sub-paragraphs (a), (c), (d), (e), (f), (g), (j) and (k)).</p>

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<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(a) has been amended as follows: <i>a design plan at a scale of between 1:25,000 and 1:50,000 <u>in accordance with the layout principles</u>, including detailed representation on the most suitably scaled admiralty chart, setting out proposed details of the authorised scheme, including the:</i></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH_3.</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(a)(ii) has been amended as follows: <u><i>(ii) confirm whether Work No. 1 sub-sections (c) and (d) are to be constructed under this marine licence:</i></u></p>	<p>In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_13.</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(a)(iii) has been amended as follows: <u><i>(iii) the proposed layout of all wind turbine generators and offshore substation platforms (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes), including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 125 m micro-siting in any direction;</i></u></p>	<p>This obligation is a layout principle and therefore no longer needs to be specifically listed here following the change to Condition 18(1)(a).</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Sub-paragraph (1)(c)(iii) has been amended as follows: <i>(iii) at least four months prior to the authorised scheme being brought into commercial operation scheme, details of operational <u>post-construction</u> monitoring, if required;</i></p>	<p>This is to align with drafting otherwise included in the dML ('operational monitoring' is not otherwise used)</p>
<p>Schedule 14, Part 2, Condition 18</p>	<p>Paragraph 2 has been deleted: <i>(2) Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific offshore written scheme of investigation and protocol for archaeological discoveries (which must accord with the details set out in the outline offshore written scheme of investigation and protocol for archaeological discoveries) which has been submitted to and approved by the licensing authority in consultation with the statutory historic body.</i></p>	<p>No intrusive works will be carried out pre-commencement so this provision is no longer needed.</p>

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<p>Schedule 14, Part 2, Condition 19</p>	<p>Paragraph 2 has been amended as follows:</p> <p><i>(2) The licensing authority must determine an application for approval made under condition 198 within period of four months commencing on the date the application is received by licensing authority, unless otherwise agreed in writing with the undertaker.</i></p>	<p>This is a cross-referencing correction.</p>
<p>Schedule 14, Part 2, Condition 21</p>	<p>Sub-paragraph (1)(iv) has been added as follows:</p> <p><i>(iv) a specific offshore written scheme of investigation and protocol for archaeological discoveries (which must accord with the details set out in the outline offshore written scheme of investigation and protocol for archaeological discoveries); and</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, rows REP1-056.421 and REP1-056.422 (Document Reference S_D2_3.2). This will require the undertaker to submit an offshore written scheme of investigation and protocol for archaeological discoveries in relation to unexploded ordnance clearance.</p>
<p>Schedule 14, Part 2, Condition 24</p>	<p>The title of Condition 24 has been amended as follows:</p> <p><i>Pre-construction monitoring and surveys</i></p>	<p>To align with the removal of pre-commencement monitoring surveys from the definition of 'commence'.</p>
<p>Schedule 14, Part 2, Condition 24</p>	<p>Paragraph 1 has been amended as follows:</p> <p><i>24.—(1) The undertaker must, in discharging condition 18(1)(c) submit a monitoring plan or plans in accordance with the offshore in-principle monitoring plan for written approval by the licensing authority in consultation with the JNCC, which must contain details of proposed pre-construction monitoring and surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report.</i></p>	<p>To align with the removal of pre-commencement monitoring surveys from the definition of 'commence'.</p>
<p>Schedule 14, Part 2, Condition 26</p>	<p>Paragraph 5 has been amended as follows:</p> <p><i>(5) The undertaker must carry out the monitoring agreed under sub-paragraph (1) and provide the agreed reports to the licensing authority in the agreed format within four months of completion of the reports in accordance with the agreed timetable, unless otherwise agreed in writing with the licensing authority in consultation with the JNCC.</i></p>	<p>In response to NRW's written representation. See Appendix to Response to WRs: NRW, row REP1-056.435 (Document Reference S_D2_3.2).</p>

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Schedule 15, Part 2, Table 5

The following row has been inserted:

J10	Mitigation and Monitoring Schedule	February 2024
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In response to a point raised by the Examining Authority. See Response to Hearing Action Points due at Deadline 2 (Document Reference S_D2_4), row ISH1_10.

5 Schedule of Changes of the draft Development Consent Order (Revision F05)

Table 5-1: Table of amendments submitted to the draft Development Consent Order (Revision F05) for Deadline 4

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 7	Paragraph 7 has been amended as follows: <i>(7) Where an agreement has been made in accordance with paragraph (2) or (3), references in this Order to the undertake will include references to the transferee or lessee in accordance with that agreement.</i>	In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_05 and to correct the cross referencing.
Article 17	Paragraph 2 has been amended as follows: <i>(2) No land may be entered or equipment placed or left on or removed from the land under paragraph (1) unless at least 14 days' notice has been served on every owner and occupier of the land. If the undertaker proposes to do any of the following, the notice must include details of what is proposed—</i> <i>(a) boring or excavating;</i> <i>(b) leaving apparatus on the land; and</i> <i>(c) taking samples.</i>	In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_07
Schedules		

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<p>Schedule 1, Part 1</p>	<p>The coordinates in Table 1 have been updated to include 7 decimal (rather than 6). No other changes have been made.</p>	<p>In response to a point raised by the Examining Authority and Natural Resources Wales Marine Licensing Team. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_11 and Response to NRW D3 Submission (Document Reference S_D4_16 F01), Row REP3-090.235.</p> <p>The offshore order limits and grid coordinates plan (PDA-002) will be updated at Deadline 5 to reflect these changes.</p>				
<p>Schedule 2, Requirement 2, Table 2</p>	<p>Table 2 was updated as follows:</p> <table border="1" data-bbox="618 587 1429 675"> <tr> <td>Maximum total length of cables within Work No. 1 (inter-array and interconnector) (km)</td> <td>375325</td> </tr> <tr> <td>Maximum total length of interconnector cables (km)</td> <td>50</td> </tr> </table>	Maximum total length of cables within Work No. 1 (inter-array and interconnector) (km)	375 325	Maximum total length of interconnector cables (km)	50	<p>Please see Response to Examining Authority's Written Questions (REP3-062), Row Q1.7.3.</p>
Maximum total length of cables within Work No. 1 (inter-array and interconnector) (km)	375 325					
Maximum total length of interconnector cables (km)	50					
<p>Schedule 2, Requirement 2, Table 2</p>	<p>Table 2 was updated as follows:</p> <table border="1" data-bbox="618 726 1429 782"> <tr> <td>Maximum number of cable crossings (inter-array and interconnector)</td> <td>7767</td> </tr> <tr> <td>Maximum number of cable crossings (interconnector)</td> <td>10</td> </tr> </table>	Maximum number of cable crossings (inter-array and interconnector)	77 67	Maximum number of cable crossings (interconnector)	10	<p>Please see Response to Examining Authority's Written Questions (REP3-062), Row Q1.7.3.</p>
Maximum number of cable crossings (inter-array and interconnector)	77 67					
Maximum number of cable crossings (interconnector)	10					
<p>Schedule 2, Requirement 3</p>	<p>Paragraph 3 has been updated as follows:</p> <p><i>(3) The lights installed in accordance with sub-paragraph (1) will be operated at the lowest permissible light ing intensity level.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_13.</p>				
<p>Schedule 2, Requirement 6</p>	<p>Sub paragraph (6)(3)(a) has been amended as follows:</p> <p><i>(3) In relation to Work No. 22a</i></p> <p><i>(a) the highest part of any building, excluding lightning rods, must not exceed 15 metres above finished ground level;</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_02.</p>				
<p>Schedule 2, Requirement 7</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>(1) Work No. 22a must not be commenced until a landscape plan for Work Nos. 23, 24 and 31 to 37 and associated work programme has been submitted to and approved in writing by the relevant planning authority following consultation with NRW as appropriate.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_17.</p>				

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<p>Schedule 2, Requirement 8</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) Any tree or shrub planted as part of an approved landscaping scheme plan that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless a different species is otherwise agreed in writing with the relevant planning authority.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_17.</p>
<p>Schedule 2, Requirement 9</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>(1) No stage of the onshore works may commence until for that stage a code of construction practice has been submitted to and approved in writing by the relevant planning authority following consultation with NRW and the relevant highways authority as appropriate.</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_17.</p>

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Schedule 2, Requirement 9

Sub-paragraphs 2(a)-(r) have been amended as follows:

(1) The code of construction practice must accord with the outline code of construction practice and include, as appropriate to the relevant stage—

- (a) spillage and emergency response plan (in accordance with the outline spillage and emergency response plan);*
- (b) dust management plan (in accordance with the outline dust management plan);*
- (c) construction noise and vibration management plan (in accordance with the outline construction noise and management plan);*
- (d) construction traffic management plan (in accordance with the outline construction management plan);*
- (e) highways access management plan (in accordance with the outline highways access management plan);*
- (f) communications plan (in accordance with the outline communications plan);*
- (g) construction fencing plan (in accordance with the outline construction fencing plan);*
- (h) construction surface water drainage management plan (in accordance with the outline construction surface water drainage management plan);*
- (i) flood management plan (in accordance with the outline flood management plan);*
- (j) public rights of way management strategy (in accordance with the outline public rights of way management strategy);*
- (k) soil management plan (in accordance with the outline soil management plan);*
- (l) site waste management plan (in accordance with the outline site waste management plan);*
- (m) artificial light emissions plan (in accordance with the outline artificial light emissions plan);*
- (n) biosecurity protocol (in accordance with the outline biosecurity protocol);*
- (o) discovery strategy for contaminated land (in accordance with the outline discovery strategy for contaminated land);*

In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH3_01.

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	<p>(p) arboriculture method statement (in accordance with the outline arboriculture method statement);</p> <p>(q) onshore construction method statement (in accordance with the outline construction method statement); and</p> <p>(r) landfall construction method statement (in accordance with the outline landfall construction method statement).</p>	
Schedule 2, Requirement 15	<p>Requirement 15 has been amended as follows:</p> <p><i>Any land landward of MLW which is used temporarily for construction of the onshore works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months of completion of the relevant stage of the onshore works in accordance with such details as have been submitted to and approved in writing by the relevant planning authority.</i></p>	In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row ISH5_19
Schedule 7	Reference to plot 11-236 has been deleted	To correct the reference to this plot being Schedule 7 for temporary possession only.
Schedule 8	Changes were made to the cable rights package within Schedule 8.	To provide clarity on what rights will be sought in relation to onshore cables.
Schedule 11, Part 3	An additional Part 3 has been added including details trees subject to a tree preservation order for which powers are sought to fell, lop or remove.	As confirmed in Issue Specific Hearing 6, following confirmation from Conwy County Borough Council of the precise details of trees protected by TPOs within the Order limits. See Hearing Summary (ISH5) dDCO (Document reference S_D4_5 F01) paragraph 42.
Schedule 12, Paragraph 3	Various updates to the time periods in Schedule 12 have been made to increase the timescales set out.	In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row ISH5_21.
Schedule 12, Paragraph 5, Provision of information by Consultees	<p>Paragraph (5) has been amended as follows:</p> <p><i>(5)(1) – Any consultee who receives a consultation under paragraph 4(3) must respond to that request within 20 working days from receipt unless sub-paragraph (2) of this paragraph applies.</i></p>	In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row ISH5_22.

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<p>Schedule 14, Part 1, Paragraph 1, Interpretation</p>	<p>The following definition has been removed: <i>“Joint Nature Conservation Committee” means the statutory adviser to the government and devolved administrations on UK and international nature conservation and “JNCC” must be construed accordingly;</i></p>	<p>Please see Response to NRW D3 Submission (Document Reference S_D4_16 F01), Row REP3-090.163 and REP3-090.238.</p>
<p>Schedule 14, Part 1, Paragraph 1, Interpretation</p>	<p>The definition of “layout principles” has been amended as follows: <i>“layout principles” means the layout development principles contained within Table 3.7 of the environmental statement project description referred to as document F1.3 in Schedule 15;</i></p>	<p>In response to a point raised by the Examining Authority. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH4_14.</p>
<p>Schedule 14, Part 1, Paragraph 1, Interpretation</p>	<p>The following definition has been inserted: <i>“statutory nature conservation body” means the Joint Nature Conservation Committee or Natural Resources Wales (Advisory) acting in their capacity as [●], or the relevant successor bodies;</i></p> <p>Various other changes were also made to Schedule 14 to update references from the JNCC to statutory nature conservation body</p>	<p>Please see Response to NRW D3 Submission (Document Reference S_D4_16 F01), Row REP3-090.163 and REP3-090.238.</p>

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**Schedule 14, Part 1, Paragraph 3,
Details of licensed marine activities**

Work No 1 has been amended as follows:
in connection with the licensed marine activities in Work No. 1 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the ~~works~~ authorised scheme and which fall within the scope of the work assessed by the environmental statement, including—

- (e) scour protection around the foundations of the offshore structures;*
- (f) cable protection measures such as rock placement ~~and the placement of rock~~ and/or concrete mattresses, with or without frond devices;*
- (g) dredging;*
- (h) the removal of material from the seabed required for the construction of Work No. 1 and the disposal of inert material of natural origin and/or dredged material within Work No. 1 produced during construction drilling, and seabed preparation for foundation works, cable installation preparation such as sandwave clearance, boulder clearance and pre-trenching;*
- (i) creation and use of temporary vessel laydown areas, use of cable anchors;*
- ~~(j) temporary landing places, moorings or other means of accommodating vessels in the construction or maintenance of the authorised project;~~*
- (j) removal of static fishing equipment;*
- (k) the use of extracted seabed material within gravity base foundations; and*
- (l) lighting; ~~and~~*
- ~~(m) marking buoys, beacons, fenders and other navigational warning or ship impact protection works.~~*

To align with the description of associated development for offshore works in Schedule 1.

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<p>Schedule 14, Part 1, Paragraph 5, Details of licensed marine activities</p>	<p>The coordinates in Table 3 have been updated to include 7 decimal (rather than 6). No other changes have been made.</p>	<p>In response to a point raised by the Examining Authority and Natural Resources Wales Marine Licensing Team. See Response to October Hearing Action Points due at Deadline 4 (Document Reference S_D4_6 F01), row HAP_ISH5_11 and Response to NRW D3 Submission (Document Reference S_D4_16 F01), Row REP3-090.235.</p> <p>The offshore order limits and grid coordinates plan (PDA-002) will be updated at Deadline 5 to reflect these changes.</p>				
<p>Schedule 14, Part 2, Paragraph 10, Design Parameters</p>	<p>Updates to Table 4 in respect of total length of cables and maximum number of cable crossings have been made to align with Table 2.</p>	<p>Please see Response to Examining Authority's Written Questions (REP3-062), Row Q1.7.3.</p>				
<p>Schedule 14, Part 2, Paragraph 10, Design Parameters</p>	<p>The following rows of Table 4 have been amended:</p> <table border="1" data-bbox="618 660 1435 863"> <tr> <td data-bbox="618 660 1182 762"> <p>Maximum volume of cable protection for cables within Work No.1 (inter-array and interconnector) (m³)</p> </td> <td data-bbox="1182 660 1435 762"> <p><u>1,053,420</u> 637,500</p> </td> </tr> <tr> <td data-bbox="618 762 1182 863"> <p>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</p> </td> <td data-bbox="1182 762 1435 863"> <p><u>627,960</u> 425,000</p> </td> </tr> </table>	<p>Maximum volume of cable protection for cables within Work No.1 (inter-array and interconnector) (m³)</p>	<p><u>1,053,420</u> 637,500</p>	<p>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</p>	<p><u>627,960</u> 425,000</p>	<p>To reflect the volume and footprint of cable protection which includes cable crossings. Previously these figures did not include the volume and footprint relating to cable crossings and in order to align with the maximum design scenarios which have been used in the Environmental Statement it was necessary to make this update.</p>
<p>Maximum volume of cable protection for cables within Work No.1 (inter-array and interconnector) (m³)</p>	<p><u>1,053,420</u> 637,500</p>					
<p>Maximum total seabed footprint of cable protection for cables within Work No. 1 (inter-array and interconnector) (m²)</p>	<p><u>627,960</u> 425,000</p>					
<p>Schedule 14, Part 2, Paragraph 18, Pre-construction plans and documentation</p>	<p>Sub-paragraph 18(1)(a)(iii) has been amended as follows:</p> <p><i>(a)(iii) the proposed layout of all wind turbine generators and offshore substation platforms (which shall be in accordance with the recommendations for layout contained in MGN654 and its annexes), including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 125 55 m micro-siting in any direction unless otherwise agreed in writing with the licensing authority in consultation with the MCA and Trinity House.</i></p>	<p>In response to points raised by the Maritime and Coastguard Agency. Please see Response to Maritime and Coastguard Agency ExQ1 Responses (Document Reference S_D4_31 F01), Row REP3-087.6</p>				

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<p>Schedule 14, Part 2, Paragraph 18, Pre-construction plans and documentation</p>	<p>A new sub-paragraph 18(1)(l) has been added as follows: <i>(l) a compliance report in respect of the conditions to be discharged.</i></p>	<p>Please see Response to NRW D3 Submission (Document Reference S_D4_16 F01), Row REP3-090.241.</p>
<p>Schedule 14, Part 2, Paragraph 21, UXO clearance</p>	<p>Sub-paragraph (1) has been amended as follows: <i>No removal or detonation of unexploded ordnance can commence-begin until for those activities the following have been submitted to and approved in writing by the licensing authority in consultation with the statutory nature conservation body JNCC and, in respect of the method statement, the MCA—</i></p>	<p>In response to NRW D3 REP3-090.240: The drafting of condition 21 of Schedule 14 of the Draft DCO has been updated to replace the reference to “commence” to address the comment made by NRW Marine Licencing Team.</p>
<p>Schedule 15</p>	<p>Table 5 of Schedule 15 of the Draft DCO has been updated.</p>	<p>To include an updated list of documents, including relevant details, to be certified.</p>

6 Schedule of changes to the draft development consent order (Revision F06)

Table 6-1: Table of amendments to the draft Development Consent Order (Revision F06) for Deadline 5

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the draft DCO to correct cross-referencing and consistency errors.	For clarity and consistency
Articles		
Part 1, Paragraph 2, Interpretation	<p>The definition of ‘commence’ has been amended as follows:</p> <p><i>(a) <u>for the purposes of the requirements the first carrying out of any activities in relation to the offshore works</u>, the first carrying out of any licensed marine activities authorised by the deemed marine licence, save for non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of <u>low order unexploded ordnance authorised under the deemed marine licence</u>;</i></p>	<p>In response to HAP_ISH5_03, see Response to October Hearing Action Points at Deadline 5 - S_D5_2. The definition to ensure offshore works under the standalone Natural Resources Wales (NRW) marine licence cannot be triggered without the offshore requirements having been satisfied (Requirements 3 and 20).</p> <p>The definition now also refers to low order unexploded ordnance clearance as this is the only form of unexploded ordnance clearance that will be consented under the deemed marine licence. See further comments below on Schedule 14.</p>
Part 1, Paragraph 2, Interpretation	<p>The definition of ‘maintain’ has been amended as follows:</p> <p><i><u>“maintain” includes works to:</u></i></p> <p><i>(a) “maintain” includes inspect, upkeep, repair, adjust or alter the authorised project; and</i></p> <p><i>(b) <u>remove, reconstruct or replace any part of the authorised project (excluding removal, reconstruction or replacement of the whole of the onshore substation)</u></i></p> <p><i>provided that such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement and, <u>in relation to the offshore works, are undertaken in accordance with condition 11, Part 2 of Schedule 14 and any derivative of “maintain” is to be construed accordingly;</u></i></p>	<p>These changes have been made in response to HAP_ISH5_04 (see Response to October Hearing Action Points at Deadline 5 - S_D5_2) asking the Applicant to consider the definition of “maintain” and to include wording to preclude the total replacement of reconstruction of the onshore substation.</p> <p>The Applicant has, as directed by the Examining Authority, reviewed the definition of “maintain” within The Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024. Concerns remain regarding the application of that definition and the Applicant has instead made amendments to the definition of ‘maintain’ in both Article 2 and the deemed marine licence which it considers offers greater clarity as to the extent of maintenance works which can be undertaken.</p>

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<p>Part 1, Paragraph 2, Interpretation</p>	<p>The definition of ‘statutory historic body’ has been removed as follows: <i>“statutory historic body” means an organisation charged by the government with advising on matters related to historic buildings and monuments;</i></p>	<p>This definition is not used in the front end DCO articles and has therefore been removed. The definition remains within the deemed marine licence.</p>
<p>Part 5, Article 26, Acquisition of subsoil only</p>	<p>Sub-paragraph (3) was removed: <i>(3) Paragraph (2) does not prevent Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as modified by article 27 (modification of Part 1 of the 1965 Act) or Schedule 9 (Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictions) as the case may be) from applying where the undertaker acquires any part of, or rights in a cellar, vault, arch or other construction forming part of a house, building or factory.</i></p>	<p>This change is made in response to Response to Griff Parry on behalf of Harriet Mary Parry, Robert Wynne Parry, Griffith Wynne Parry and Elizabeth Wynne Wade D4 Submissions, Part 3 (S_D5_15) , Row REP4-120.7.</p>
<p>Part 5, Article 26, Acquisition of subsoil only</p>	<p>A new sub-paragraph (4) was added to replace and amend the previous sub-paragraph (3): <u><i>(4) Paragraphs (2) and (3) do not apply where the undertaker acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory or airspace above a house, building or manufactory.</i></u></p>	<p>This change is made in response to Response to Griff Parry on behalf of Harriet Mary Parry, Robert Wynne Parry, Griffith Wynne Parry and Elizabeth Wynne Wade D4 Submissions, Part 3 (S_D5_15) , Row REP4-120.7.</p>

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Part 6, Article 47, Inconsistent Planning Permissions

Article 47 has been amended as follows:

~~47.—(1) As from the date on which the authorised project is commenced any conditions of a planning permission granted pursuant 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 3 of Schedule 1 (requirements).~~

~~(2) 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—~~

~~(a) development which is consistent with the authorised development save that its impact has not been assessed in the environmental statement and assessment has been carried out in accordance with the 2017 Regulations or the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 prior to the grant of the planning permission;~~
~~or~~

47.—(1) If planning permission is granted under the powers conferred by the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—

(a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; or

(b) required to complete or enable the use or operation of any part of the development authorised by this Order,

then the construction, maintenance, use or operation of that development under the terms of the planning permission does not constitute a breach of the terms of this Order.

(2) Development consent granted by this Order is to be deemed as specific planning permission for the purposes of section 264(3) (cases in which land is not to be treated as operational land for the purposes of that Act) of the 1990 Act.

In response to HAP_ISH5_09 and HAP_ISH5_10 (see Response to October Hearing Action Points at Deadline 5 - S_D5_2). These changes rely on drafting from the Lower Thames Crossing draft DCO, which is at decision stage. This drafting enables the DCO and other planning consents to co-exist over the same land, and not be automatically incompatible in law.

Please also see the Explanatory Memorandum (C3 F04) for further context.

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(3) To the extent any development carried out or used pursuant to a planning permission granted under section 57(b) (requirement of planning permission) of the 1990 Act or compliance with any conditions of that permission is inconsistent with the exercise of any power, right or obligation under this Order or the authorised development—

(a) that inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission is capable of physical implementation; and

(b) ~~for~~ in respect of that inconsistency, no enforcement action under the 1990 Act may be taken in relation to development ~~unrelated to the authorised project; the carrying out of development~~ carried out or used pursuant to ~~such that~~ 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, or compliance with any conditions of that permission, whether inside or outside the Order limits.~~

~~(2)~~ (4) 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~~ granted under section 57 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 160 (offences) or 161 (breach of terms of order granting development consent) of the 2008 Act, including permissions falling under subparagraph (1) or (3) or otherwise, is deemed not to be a breach of, or inconsistent with, this Order and does not prevent the authorised development being carried out or used or any other power or right under this Order being exercised.~~

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Schedules

<p>Schedule 1, Part 1</p>	<p>Work No.3 has been amended as follows: <i>(a) installation of up to four subsea cable circuits between Work No. 2 and Work No. 8 from MLW to MHW approximately 245 m including cable ducts and cable crossings;</i> <i>(b) trenchless installation technique works; and</i> <i>(c) access during construction, operation and maintenance <u>and decommissioning</u>;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>
<p>Schedule 1, Part 1</p>	<p>Work No.5 has been amended as follows: <i>Work No.5: access <u>to Work Nos. 7 and 8</u> during construction;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 9 has been amended as follows: <i>(a) installation of up to four buried cable circuits between Work No. 8 and Work No. 10 approximately 10 m including cable ducts;</i> <i>(b) trenchless installation technique works; and</i> <i>(c) access to Work No. 10 during construction, <u>operation, maintenance and decommissioning</u> including works to the public highway and visibility splays;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 22a has been amended as follows: <i>Work No. 22a: within Work No. 22 construction of an onshore HVAC substation containing (but not limited to) switchgear and electrical equipment including power transformers, reactive compensation equipment, filters, cooling equipment, control and welfare buildings, lightning rods, access during construction, operation and maintenance <u>and decommissioning</u>, security fencing and security gate and other associated equipment, structures and buildings including noise-attenuation works if required;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>
<p>Schedule 1, Part 1</p>	<p>Work No. 30 has been amended as follows: <i>Work No. 30: permanent access <u>during construction, operation, maintenance and decommissioning</u>;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>

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<p>Schedule 1, Part 1</p>	<p>Work No. 38 has been amended as follows: <i>Work No 38: permanent accesses <u>during construction, operation, maintenance and decommissioning</u>;</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of accesses within the works descriptions. These changes do not represent a change to the position and are for consistency and clarity only.</p>
<p>Schedule 2, Requirement 4</p>	<p>Requirement 4 has been amended as follows: 4.—(1)The<u>No stage of the</u> onshore works may not be commenced<u>commence</u> until notification has been submitted to the relevant planning authority detailing whether the onshore works will be constructed: (a) in a single stage; or (b) in two or more stages. (2) The<u>No stage of the</u> onshore works may not be commenced<u>commence</u> until details of the stages of the onshore works have been submitted to and approved <u>in writing</u> by the relevant planning authority and the construction of the onshore works must be in accordance with the approved details. (3) <u>The stages of the onshore works must be implemented as approved.</u></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.</p>

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Schedule 2, Requirement 5

Requirement 5 has been amended as follows:

5.—(1) Construction of Work No. 22a must not commence until details of—

- (a) the layout;*
- (b) scale;*
- (c) proposed finished ground levels;*
- (d) hard surfacing materials;*
- (e) the dimensions, colour and materials used for the buildings;*
- (f) security fencing;*
- (g) vehicular and pedestrian access, parking and circulation areas; and*
- (h) proposed and existing functional services above and below ground, including drainage, power and communications cables and pipelines, manholes and supports;*

have been submitted to and approved [in writing](#) by the relevant planning authority following consultation with NRW as appropriate.

(2) The details submitted under sub-paragraph (1) of this requirement must be in accordance with requirement 6 (detailed design parameters onshore) and substantially in accordance with the design principles.

(3) Work No. 22a must be ~~carried out in accordance with the~~ [implemented as](#) approved ~~details~~.

Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.

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<p>Schedule 2, Requirement 7</p>	<p>Requirement 7 has been amended as follows:</p> <p>7.—(1) <i>Work No. 22a must not be commenced until a landscape plan for Work Nos. 23, 24 and 31 to 3736 and associated work programme has been submitted to and approved in writing by the relevant planning authority following consultation with NRW as appropriate.</i></p> <p>(2) <i>The landscape plan must accord with the outline landscape and ecology management plan and must include details of all proposed hard and soft landscaping works including—</i></p> <p style="padding-left: 40px;"><i>(a) location, number, species, size and planting density of any proposed planting including any trees; and</i></p> <p style="padding-left: 40px;"><i>(b) implementation timetables for all landscaping works;</i></p> <p style="padding-left: 40px;"><i><u>(c) proposed management for landscaping works.</u></i></p> <p>(3) <i>The landscape plan must be implemented as approved.</i></p>	<p>Reference to work number 37 updated to “36” as this was a typographical error.</p> <p>The drafting at sub-paragraph (2)(c) is in response to comments made by the local authorities in respect of management of ecological and landscape mitigation. Please see Response to Conwy Borough County Council and Denbighshire County Council D4 Submission (S_D5_5), row REP4-096.24.</p>
<p>Schedule 2, Requirement 9</p>	<p>Requirement 9(2)(e) has been removed as follows:</p> <p>(e) highways access management plan (in accordance with the outline highways access management plan);</p>	<p>This sub-clause has been removed as the outline highways access management plan will now be approved under requirement 10. Please see Response to Conwy Borough County Council and Denbighshire County Council D4 Submission (S_D5_5), row REP4-096.22.</p>
<p>Schedule 2, Requirement 10</p>	<p>Requirement 10 has been amended as follows:</p> <p>10.—(1) <i>No new <u>temporary or</u> permanent means of access to a highway to be used by vehicular traffic, or any <u>temporary or</u> permanent alteration to an existing means of access to a highway used by vehicular traffic, may be formed until written details of the design, layout and siting of that new or altered access have a <u>highways access management plan for that access</u> has been submitted to and approved <u>in writing</u> by the relevant planning authority in consultation with the relevant highway authority.</i></p> <p><i><u>(2) The highways access management plan must accord with the outline highways access management plan.</u></i></p> <p><i>(3) The highway accesses must be constructed in accordance with the <u>implemented as</u> approved details.</i></p>	<p>Following further discussion with the local authorities, please also see Response to Conwy Borough County Council and Denbighshire County Council D4 Submission (S_D5_5), row REP4-096.22.</p>

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<p>Schedule 2, Requirement 11</p>	<p>Requirement 11 has been amended as follows:</p> <p><i>11.—(1) No stage of the onshore works may commence until for that stage an archaeological onshore written scheme of investigation in accordance has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(2) The onshore written scheme of investigation must accord with the outline onshore written scheme of investigation as appropriate for the relevant stage has been submitted to and approved by the relevant planning authority.</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.</p>
<p>Schedule 2, Requirement 12</p>	<p>Requirement 12 has been amended as follows:</p> <p><i>12.—(1) No stage of the onshore works may commence until for that stage a landscape and ecology management plan in accordance with the outline landscape and ecology management plan as appropriate for the relevant stage has, following consultation with NRW, been submitted to and approved <u>in writing</u> by the relevant planning authority.</i></p> <p><i>(2) The landscape and ecology management plan(s) submitted under sub-paragraph (1) must accord with the outline landscape and ecology management plan as appropriate for the relevant stage and must include details of an implementation timetable.</i></p> <p><i>(3) <u>The landscape and ecology management plan(s)</u> must be implemented as approved.</i></p> <p><i>(4) Onshore site preparation works must be carried out in accordance with the applicable details set out in the outline landscape and ecology management plan.</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.</p>

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Schedule 2, Requirement 13

Requirement 13 has been amended as follows:

13.—(1) No stage of the onshore works other than surveying and investigation necessary to comply with this requirement may be undertaken until, for that stage, pre-construction survey work has been carried out to establish whether a European protected species or nationally protected species under the Wildlife and Countryside Act 1981 is present on any of the land affected, or likely to be affected, by any part of that stage of the onshore works.

(2) Where a European protected species or nationally protected species under the Wildlife and Countryside Act 1981 is shown to be present, the stage of the onshore works likely to affect the species must not commence until, after consultation with NRW, a scheme of protection and mitigation measures for that stage has been submitted to and approved in writing by the relevant planning authority.

(3) Each stage of the onshore works which requires a scheme of protection and mitigation measures ~~in accordance with~~ must accord with the approved scheme as set out in sub-paragraph (2) of this requirement ~~must be carried out in accordance with the approved scheme.~~

(4) In this paragraph, “European protected species” has the same meaning as in regulations 42 (European protected species of animals) and 46 (European protected species of plants) of the Conservation of Habitats and Species Regulations 2017.

(5) In this paragraph, “nationally protected species” means any species protected under the Wildlife and Countryside Act 1981.

Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.

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Schedule 2, Requirement 14

Requirement 14 has been amended as follows:

14.—(1) *Except as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the onshore works and heavy goods vehicle traffic movements arriving or departing from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to Saturday, with no activity on Sundays or bank holidays.*

(2) *Subject to paragraph (3), construction of the onshore works and heavy goods vehicle traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified ~~works~~ activities including—*

(a) *where continuous periods of construction are required, for works such as concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation techniques, and dewatering pumps;*

(b) *for the delivery and unloading of abnormal loads;*

(c) *for the landfall works;*

(d) *for any other time-critical element of the onshore works; ~~and~~*

(e) *emergency works; ~~and~~*

(f) mobilisation activities, which may take place one hour immediately prior to and one hour immediately after the hours specified in sub-paragraph (1).

(3) *Except as provided in sub-paragraph (4) and in relation to emergency works, the undertaker must notify the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified in sub-paragraph (1) ~~must be agreed~~ by giving at least 48 hours notice in advance of ~~the works to those works and activities~~ and those works and activities must not be undertaken outside the hours specified in sub-paragraph (1) until the relevant planning authority has agreed.*

(4) *In respect of trenchless installation techniques, where continuous 24-hour working is required and has been assessed in the environmental statement, the undertaker must notify the*

In response to Examining Authority's Question Q2.6.17 (see Response to Examining Authority's Written Questions (ExQ2) (S_D5_32).

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	<p>relevant planning authority in advance <u>by giving at least 48 hours' notice</u> of such works.</p> <p>(4) In the event of an emergency, notification of that emergency must be given to the relevant planning authority and the relevant highway authority as soon as reasonably practicable.</p> <p>(5) For the purposes of this requirement "emergency" means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.</p> <p><u>(6) For the purposes of this requirement "mobilisation activities" include personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries, movement to place of work, unloading, general preparation and site maintenance work but does not include operation of heavy machinery or operation of generators or flood lights.</u></p>	
<p>Schedule 2, Requirement 15</p>	<p>Requirement 15 has been amended as follows:</p> <p>15. Any land landward of MLW which is used temporarily for construction of the onshore works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months of completion of the relevant stage of the onshore works unless otherwise <u>in accordance with such details as have been submitted to and approved pursuant to Requirements 7, 9, and 12 in respect of reinstatement, unless alternative details in relation to that land are</u> agreed in writing by the relevant planning authority.</p>	<p>Following further discussion with the local authorities, please also Response to Conwy Borough County Council and Denbighshire County Council D4 Submission (S_D5_5), row REP4-096.28.</p>

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<p>Schedule 2, Requirement 16</p>	<p>Requirement 16 has been amended as follows:</p> <p><i>16.—(1) Work No. 22a must not be brought into operation until a written scheme for the management and mitigation of internal and external artificial light emissions from Work No. 22a has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(2) The approvedwritten scheme for the management and mitigation of artificial light emissions must be implemented as approved, and maintained during the lifetime of Work No. 22a.</i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.</p>
<p>Schedule 2, Requirement 17</p>	<p>Requirement 17 has been amended as follows:</p> <p><i>17.—(1) The noise rating level for the operationoperational lifetime of Work No. 22a must not exceed 34db at Tan y Bryn Uchaf (301667, 372765) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</i></p> <p><i>(2) The noise levels set out in sub-paragraph (1) are to be measured—</i></p> <p><i>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</i></p> <p><i>(b) with a microphone placed 1.5m above the ground in free-field conditions (being at least 3.5m from the nearest vertical reflecting surface).</i></p>	<p>Updated following discussions at Issue Specific Hearing 5. These drafting changes bring consistency to the drafting and structure of the requirements, which do not affect the meaning of the requirement.</p>

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<p>Schedule 2, Requirements 18</p>	<p>Requirement 18 has been amended as follows:</p> <p>18.—(1) Work No. 22 must not commence until, for that work, a written<u>an</u> operation drainage management strategy has, following consultation with NRW, been submitted to and approved <u>in writing</u> by the relevant planning authority.</p> <p>(2) The written operation drainage management strategy must be substantially in accordance with the principles set out in <u>accord with</u> the outline operation drainage management strategy.</p> <p>(3) The written operation drainage management strategy must be implemented in accordance with the<u>as</u> approved details, prior to final commissioning of Work No. 22a, <u>and maintained during the operational lifetime of Work No. 22a.</u></p>	<p>Updated following discussions at Issue Specific Hearing 5. These drafting changes bring consistency to the drafting and structure of the requirements, which do not affect the meaning of the requirement.</p>
<p>Schedule 2, Requirement 19</p>	<p>Requirement 19 has been amended as follows:</p> <p>19.—(1) No stage of the onshore works<u>authorised project</u> may commence until, after consultation with the relevant authorities, a skills and employment plan has been notified<u>submitted to and approved</u> in writing to<u>by Denbighshire County Council on behalf of</u> the relevant authorities.</p> <p>(2) The skills and employment plan must be substantially in accordance<u>accord</u> with the outline skills and employment plan and must be implemented as notified.</p> <p><u>(3) The skills and employment plan must be implemented as approved.</u></p> <p>(4) For the purposes of this requirement the “relevant authorities” are Denbighshire County Council, Conwy County Borough Council, Isle of Man Government, and the Isle of Anglesey County Council.</p>	<p>In response to HAP_ISH5_20 (see Response to October Hearing Action Points at Deadline 5 - S_D5_2).</p>

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<p>Schedule 2, Requirement 21</p>	<p>Requirement 21 has been amended as follows:</p> <p><i>21.—(1) A written scheme of decommissioning for the onshore works must be submitted to and approved <u>in writing</u> by the relevant planning authority at least six months prior to any decommissioning works commencing.</i></p> <p><i>(2) The written scheme of decommissioning for the onshore works must include a code of construction practice and the.</i></p> <p><i><u>(3) The approved <u>written</u> scheme <u>of decommissioning</u> must be implemented as approved in the carrying out of any decommissioning works or relevant part of such works.</u></i></p>	<p>Amendment made to ensure a consistent approach is taken to the drafting of the requirements, which do not affect the meaning. Updated following discussions at Issue Specific Hearing 5.</p>
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MONA OFFSHORE WIND PROJECT

Schedule 2, Requirement 22

A new Requirement 22 has been inserted as follows:

Great Dun Fell, Lowther Hill and St. Anne's Primary Surveillance Radar

22.— (1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until a primary radar mitigation scheme agreed in advance with the Operator has been submitted to and approved in writing by the Secretary of State in order to mitigate the impact of the authorised development on the primary radar of the operator located at Great Dun Fell, Lowther Hill and St. Anne's and associated air traffic management operations.

(2) No part of any wind turbine generator (excluding foundations) shall be erected until the approved primary radar mitigation scheme has been implemented and the authorised development shall thereafter be operated fully in accordance with the approved scheme.

(3) In this requirement—

“Operator” means NATS (En Route) plc, incorporated under the Companies Act (Company Number 4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hampshire PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of the Transport Act); and

“primary radar mitigation scheme” or “scheme” means a detailed scheme agreed with the operator which sets out the measures to be taken to mitigate the impact of the development on the primary radar located at Great Dun Fell, Lowther Hill and St Annes and air traffic management operations of the Operator.

Following discussions with NATS.

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Schedule 2, Requirement 23

A new Requirement 23 has been inserted as follows:

Warton Aerodrome Primary Surveillance Radar

23.—(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State, having consulted with the Ministry of Defence and the Operator, confirms in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.

(2) For the purposes of this requirement—

“appropriate mitigation” means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe and efficient air traffic services for Warton Aerodrome during the life of the authorised development;

“approved mitigation” means the appropriate mitigation measures agreed with the Ministry of Defence and the Operator in accordance with sub-paragraph (1);

“Ministry of Defence” means as represented by Defence Infrastructure Organisation – Safeguarding, Kingston Road, Sutton Coldfield, B75 7RL or any successor body; and

“Operator” means BAE Systems (Operations) Limited incorporated under the Companies Act (Company Number 01996687) whose registered office is Warwick House, PO Box 87, Farnborough Aerospace Centre, Farnborough, Hants, GU14 6YU or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Warton Aerodrome.

(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.

Following discussions with Defence Infrastructure Organisation.

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Schedule 10, Part 4, For the protection of SP Manweb as electricity undertaker	The protective provisions have been updated.	By agreement of SP Manweb Plc. See Land Rights Tracker (Document reference S_PD_5 F06).
Schedule 10, Part 6, For the protection of the Welsh Ministers as Strategic Highway Authority	The protective provisions have been updated.	By agreement of the Welsh Ministers. See Land Rights Tracker (Document reference S_PD_5 F06).
Schedule 14, Part 1, Interpretation	The definition of commence has been amended as follows: <i>“commence” means the first carrying out of any licensed marine activities, save for non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance, and “commenced” and “commencement” must be construed accordingly;</i>	In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is to clarify, therefore, that only low order unexploded ordnance clearance can take place. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).
Schedule 14, Part 1, Interpretation	The following definition has been inserted: <i>“condition” means a condition in Part 2 of this licence;</i>	Insertion of a definition to assist with interpretation of the deemed marine licence.
Schedule 14, Part 1, Interpretation	The following definition has been inserted: <i>“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;</i>	In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This definition is added such that it is clear what high order unexploded ordnance clearance is (and therefore what cannot be undertaken). Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).

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<p>Schedule 14, Part 1, Interpretation</p>	<p>The following definition has been inserted: <u><i>“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance:</i></u></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This definition is added such that it is clear what low order unexploded ordnance clearance is (and therefore what can be undertaken). Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>
<p>Schedule 14, Part 1, Interpretation</p>	<p>The definition of ‘maintain’ has been amended as follows: <u><i>“maintain” includes works to:</i></u> <i>(a) “maintain” includes inspect, upkeep, repair, adjust or alter the authorised project, <u>scheme</u>; and</i> <i>(b) remove, reconstruct or replace any part <u>of the authorised scheme.</u></i> <i>provided that such works <u>are undertaken in accordance with condition 11 and</u> do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement; and any derivative of “maintain” is to be construed accordingly;</i></p>	<p>These changes have been made in response to HAP_ISH5_04 (see Response to October Hearing Action Points at Deadline 5 - S_D5_2) asking the Applicant to consider the definition of “maintain” and to include wording to preclude the total replacement of reconstruction of the onshore substation. The Applicant has, as directed by the Examining Authority, reviewed the definition of “maintain” within The Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024. Concerns remain regarding the application of that definition and the Applicant has instead made amendments to the definition of ‘maintain’ in both Article 2 and the deemed marine licence which it considers offers greater clarity as to the extent of maintenance works which can be undertaken.</p>
<p>Schedule 14, Part 1, Condition 2</p>	<p>Condition (2)(e) has been amended as follows: <i>(e) site clearance and preparation works including clearance of <u>low order</u> unexploded ordnance, debris, boulder clearance and the removal of out of service cables and static fishing equipment;</i></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is to clarify, therefore, that only low order unexploded ordnance clearance can take place. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>

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<p>Schedule 14, Part 1, Condition 13</p>	<p>Condition 13(8) has been amended as follows: <i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to any of the non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance taking place and prior to the commencement of the authorised scheme or any part thereof advising of its start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the licensing authority, MCA, Trinity House and UKHO within five days of the notifications being sent.</i></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>
<p>Schedule 14, Part 1, Condition 13(9)</p>	<p>Condition 13(9) has been amended as follows: <i>(9) The undertaker must ensure that local notifications to mariners are updated and reissued at regular intervals during the pre-construction surveys, unexploded ordnance surveys clearance of low order unexploded ordnance and construction activities and at least five days before any planned operations and maintenance works (or otherwise agreed) and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme approved under condition 18(1)(b). Copies of all notices must be provided to the licensing authority, and UKHO within five days of the notification being sent.</i></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>

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Schedule 14, Part 1, Condition 20

Condition (20) has been amended as follows:

20.—(1) No piling activities ~~or detonation of unexploded ordnance~~ can commence until for those activities an underwater sound management strategy in accordance with the outline underwater sound management strategy has been submitted to and approved in writing by the licencing authority in consultation with the statutory nature conservation body.

(2) The underwater sound management strategy must be submitted to the licensing authority no later than four months prior to the commencement of the relevant activities unless otherwise agreed in writing by the licensing authority.

(3) The licencing authority must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the licencing authority, unless otherwise agreed in writing with the undertaker.

(4) Piling activities ~~or detonation of unexploded ordnance~~ must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the licensing authority.

In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).

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Schedule 14, Part 1, Condition 21

Condition 21(1) has been amended as follows:
~~UXO~~Low order unexploded ordnance clearance
 21.—(1) No ~~removal or detonation of~~low order unexploded ordnance clearance can begin until for those activities the following have been submitted to and approved in writing by the licensing authority in consultation with the statutory nature conservation body and, in respect of the method statement, the MCA—
 (a) a method statement for low order unexploded ordnance clearance which must include—
 (i) methodologies for—
 (aa) identification and investigation of potential unexploded ordnance targets;
 (bb) ~~clearance of~~low order unexploded ordnance clearance;
 (cc) removal and disposal of large debris;

In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is to clarify, therefore, that only low order unexploded ordnance clearance can take place. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).

Schedule 14, Part 1, Condition 21

Condition 21(5) has been amended as follows:
 (5) Subject to sub-paragraph (6), an unexploded ordnance close-out report must be submitted to the licensing authority and the statutory nature conservation body within three months following the end of the unexploded ordnance clearance activity and must include the following for each ~~detonation~~clearance undertaken—
 (a) co-ordinates, depth, current speed, charge utilised and the date and time of each ~~detonation~~clearance; and
 (b) whether any mitigation was deployed including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.

In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is to clarify, therefore, that only low order unexploded ordnance clearance can take place. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).

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<p>Schedule 14, Part 1, Condition 21</p>	<p>Condition 21(7) has been inserted as follows: <u>(7) No high order unexploded ordnance clearance is permitted by this marine licence.</u></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is to clarify, therefore, that only low order unexploded ordnance clearance can take place. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>
<p>Schedule 14, Part 1, Condition 29</p>	<p>Condition 29(1) has been amended as follows: <i>(1) Where: (a) driven or part-driven pile foundations are proposed to be installed; or (b) the detonation of unexploded ordnance is to take place, the undertaker must at least 10 days prior to the start of those activities, submit details including the expected location of the activities and the start and end dates of the activities to the Marine Noise Registry to satisfy the Forward Look requirements and update that information as required if the expected location or start and end dates change</i></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>
<p>Schedule 14, Part 1, Condition 29</p>	<p>Condition 29(2) has been amended as follows: <i>(2) On the six month anniversary following the start of: (a) pile driving pile driving; or (b) detonation of unexploded ordnance, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the Close Out requirements until completion of those activities</i></p>	<p>In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).</p>

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Schedule 14, Part 1, Condition 29

Condition 29(3) has been amended as follows:
(3) Notwithstanding paragraph (2) within 8 weeks of the completion of: ~~(a) pile driving pile driving; or (b) detonation of unexploded ordnance; (c) the undertaker must submit information on the locations and dates of those activities to satisfy the Close Out requirements~~

In response to points raised by the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence. Please see Table 2.5: Marine mammals - issues raised in the Examination to date by the ExA and IPs in relation to the Applicant's screening of LSEs (alone and in-combination), Comments on the Report on the Implications on European Sites (RIES) (S_D5_33).

7 Schedule of changes to the draft Development Consent Order (Revision F07)

Table 7-1: Table of amendments to the draft Development Consent Order (Revision F07) for Deadline 6

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the draft DCO to correct cross-referencing and consistency errors.	For clarity and consistency
Articles		
Part 1, Article 2(1), Interpretation	<p>The definition of 'business day' has been amended as follows:</p> <p><i>"business day" means a day other than a Saturday or Sunday or a bank holiday in England and Wales Monday to Friday excluding bank holidays and other public holidays;</i></p>	In response to ISH6_HAP_18 requesting the Applicant to ensure the definition of 'Bank Holiday' includes Christmas Day and Good Friday. Please refer to the Applicant's response to December Hearing Action Points (S_D6_3) for further details.

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Part 1, Article 2(1), Interpretation

The definition of 'maintain' has been amended as follows:

"maintain" includes works to:

(a) inspect, upkeep, repair, adjust or alter the authorised project; and

(b) remove, reconstruct or replace any part of the offshore works in accordance with condition 11, Part 2 of Schedule 14; and

~~(b)(c) remove, reconstruct or replace any part of the authorised project~~ onshore works (excluding removal, reconstruction or replacement of ~~the whole of~~ buildings associated with the onshore substation)

provided that such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement and, ~~in relation to the offshore works, are undertaken in accordance with condition 11, Part 2 of Schedule 14 and~~ any derivative of "maintain" is to be construed accordingly;

In response to ISH6_HAP_20 requesting the applicant to check and confirm the definition of "maintain". The updates have been made further to a review of other recently made DCOs. Please refer to the Applicant's response to December Hearing Action Points (S_D6_3) for further details.

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<p>Part 2, Article 9, Defence to proceedings in respect of statutory nuisance</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>9.—(1) Where proceedings are brought under section 82(1) (summary proceedings by persons aggrieved by statutory nuisances) of the Environmental Protection Act 1990() in relation to a nuisance falling within paragraphs (d), (fb), (g) and (ga) of section 79(1) (statutory nuisances and inspections therefor) of that Act no order may be made, and no fine may be imposed, under section 82(2) of that Act if the defendant shows that the nuisance—</i></p>	<p>In response to ISH6_HAP_21, requesting the Applicant to check that the paragraphs in the Article are applicable to the Proposed Development. Article 9 has been updated to align with the Statutory nuisance statement (APP-191). Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.</p>
<p>Part 4, Article 19, Removal of human remains</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>19.—(1) Before the undertaker carries out any development or works which will or may disturb any human remains <u>interred less than 100 years ago</u> in the Order land it must remove those human remains from the Order land, or cause them to be removed, in accordance with the following provisions of this article.</i></p>	<p>In response to ISH6_HAP_23 and to align with the Outline onshore written scheme of investigation (J23 F03). Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.</p>
<p>Part 4, Article 19, Removal of human remains</p>	<p>Paragraph (14) has been inserted as follows:</p> <p><i><u>(14) Whether or not human remains have been interred more than 100 years ago will be determined in accordance with the onshore written scheme of investigation approved pursuant to requirement 11 of Schedule 2 (Requirements).</u></i></p>	<p>In response to ISH6_HAP_23 and to align with the Outline onshore written scheme of investigation (J23 F03). Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.</p>
<p>Part 6, Article 35, Felling or lopping of trees and removal of hedgerows</p>	<p>Paragraph (1) has been amended as follows:</p> <p><i>35.—(1) Subject to article 36 (trees subject to tree preservation orders) the undertaker may fell or lop, or cut back the roots of, any tree or shrub <u>within</u> or <u>overhanging</u> <u>the</u> land within the Order limits or <u>any tree or shrub</u> near any part of the authorised project if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub—...</i></p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>

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<p>Part 6, Article 36, Trees subject to tree preservation orders</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) The undertaker may fell or lop, or cut back the roots of, any tree within, or encroaching upon <u>overhanging, the land within the Order limits or any tree near any part of the authorised project</u> that is subject to a tree preservation order which was made after 21 <u>21 February 2024</u> if it reasonably believes it to be necessary in order to do so in order to prevent the tree—...</i></p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>
<p>Part 6, Article 47, Inconsistent Planning Permission</p>	<p>Paragraph (3) has been amended as follows:</p> <p><i>(3) To the extent any development carried out or used pursuant to a planning permission granted under section 57 (b) (requirement of planning <u>Planning</u> permission <u>required for development</u>) of the 1990 Act or compliance with any conditions of that permission is inconsistent with the exercise of any power, right or obligation under this Order or the authorised development—...</i></p>	<p>In response to ISH6_HAP_24, to correct a minor cross referencing error. Please refer to the Applicant's response to December Hearing Action Points (S_D6_3) for further details.</p>
<p>Schedules</p>		
<p>Schedule 2, Requirement 6</p>	<p>Paragraph (4) has been amended as follows:</p> <p><i>(4) Trenchless installation techniques must be used to install the cable ducts and electrical circuits where identified in the onshore crossing schedule for the purpose of passing under a relevant obstruction unless otherwise agreed by the relevant planning authority, following consultation with the <u>relevant</u> highway authority.</i></p>	<p>In response to ISH6_HAP_25 (Applicant's response to December Hearing Action Points (S_D6_3)) requesting that the wording is amended to read "relevant highway authority".</p>
<p>Schedule 2, Requirement 7</p>	<p>Paragraph (3) has been amended as follows:</p> <p><i>(3) The landscape plan must be implemented as approved <u>and managed in accordance with the details in the landscape and ecology management plan approved under sub-paragraph (1).</u></i></p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>

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<p>Schedule 2, Requirement 9</p>	<p>Paragraph (2)(g) has been amended as follows:</p> <p><i>(g) construction surface water <u>and drainage management plan (in accordance with the outline construction surface water <u>and drainage management plan</u>)</u></i>;</p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>
<p>Schedule 2, Requirement 9, Code of construction practice</p>	<p>Paragraph (4) has been amended as follows:</p> <p><i>(4) Onshore site preparation works must be carried out in accordance with the applicable details set out in the outline code of construction practice <u>and as appropriate the outline plans noted in sub-paragraphs 9(2)(a) – (q) inclusive.</u></i></p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>
<p>Schedule 2, Requirement 12</p>	<p>Paragraph (3) has been amended as follows:</p> <p><i>(2) The landscape and ecology management plan(s) must be implemented as approved <u>for the relevant stage and managed in accordance with the details in the landscape and ecology management plan approved under sub-paragraph (1).</u></i></p>	<p>Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.</p>
<p>Schedule 2, Requirement 13</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) Where a European protected species or nationally protected species under the Wildlife and Countryside Act 1981 is shown to be present, the stage of the onshore works likely to affect the species must not commence until, after consultation with NRW, a scheme of protection and mitigation measures for that stage has been submitted to and approved in writing by the relevant planning authority <u>or a European Protected Species licence has been granted by NRW.</u></i></p>	<p>This is in recognition of the fact that if a separate EPS licence is obtained that will be taken as an alternative means of discharging Requirement 13.</p>

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Schedule 2, Requirement 14

Paragraph (7) has been amended as follows:

(7) For the purposes of this requirement "mobilisation activities" include personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries excluding heavy goods vehicle movements, movement to place of work, ~~unloading~~, general preparation and site maintenance work but does not include operation of heavy machinery or operation of generators or flood lights.

In response to ISH6_HAP_27 requesting that the provisions are tightly drawn and fully enforceable to alleviate concerns raised by local residents with respect to mobilisation. Please refer to the Applicant's response to December Hearing Action Points (S_D6_3) for further details.

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Schedule 2, Requirement 24

A new requirement has been inserted as follows:

[Air traffic services at Liverpool John Lennon Airport](#)

[24.—\(1\) No part of any wind turbine generator \(excluding foundations\) shall be erected as part of the authorised development until the Secretary of State, having consulted with the Operator and the Civil Aviation Authority, confirms in writing that either—](#)

[\(a\) no appropriate mitigation is required in respect of the authorised development; or](#)

[\(b\) appropriate mitigation will be implemented and maintained for the life of the authorised development.](#)

[\(2\) For the purposes of this requirement—](#)

[“appropriate mitigation” means measures agreed with the Civil Aviation Authority and the Operator to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe and efficient air traffic services for Liverpool John Lennon Airport during the life of the authorised development; and](#)

[“Operator” means Liverpool Airport Limited incorporated under the Companies Act 2006 \(Company Number 2116704\) whose registered office is Liverpool John Lennon Airport, Liverpool, L24 1YD or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Liverpool John Lennon Airport.](#)

[\(3\) The undertaker shall thereafter comply with all obligations contained within the approved appropriate mitigation for the life of the authorised development.](#)

In response to ISH6_HAP_3 requesting the Applicant to update the Draft DCO to include any new Requirements that may be required to secure mitigation for potential aviation and radar effects. Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.

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Schedule 2, Requirement 25

A new requirement has been inserted as follows:

VHF communication systems at Blackpool Airport

25.—(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the Operator and the CAA, confirms in writing that either—

(a) no appropriate mitigation is required in respect of the authorised development, or

(b) appropriate mitigation will be implemented and maintained for the life of the authorised development.

(2) For the purposes of this requirement—

“appropriate mitigation” means measures agreed with the Civil Aviation Authority and the Operator to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s VHF communications, navigation and surveillance systems during the life of the authorised development;

“Operator” means Blackpool Airport Limited (incorporated in England and Wales with company number 09307995 and whose registered office is Number One Bickerstaffe Square, Talbot Road, Blackpool FY1 3AH) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Blackpool Airport; and

“VHF” means very high frequency.

(3) The undertaker shall thereafter comply with all obligations contained within the approved appropriate mitigation for the life of the authorised development.

In response to ISH6_HAP_3 requesting the Applicant to update the Draft DCO to include any new Requirements that may be required to secure mitigation for potential aviation and radar effects. Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.

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<p>Schedule 2, Requirement 26</p>	<p>A new requirement has been inserted as follows:</p> <p><u>Air traffic services at Isle of Man Airport</u> <u>26.—(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the Operator and the Isle of Man Civil Aviation Administration, confirms in writing that either—</u></p> <p><u>(a) no appropriate mitigation is required in respect of the authorised development; or</u></p> <p><u>(b) an appropriate mitigation scheme will be implemented and maintained for the life of the authorised development.</u></p> <p><u>(2) For the purposes of this requirement—</u> <u>“appropriate mitigation scheme” means a scheme agreed with the Operator which sets out measures taken to prevent or remove any adverse impacts of the authorised development on the Isle of Man Primary Surveillance Radar and air traffic management operations and the Operator’s ability to provide safe and efficient air traffic services for Isle of Man Airport during the life of the authorised development; and</u> <u>“Operator” means Isle of Man Airport or such other organisation as is licensed from time to time to provide air traffic services for Isle of Man Airport.</u></p> <p><u>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.</u></p>	<p>In response to ISH6_HAP_3 requesting the Applicant to update the Draft DCO to include any new Requirements that may be required to secure mitigation for potential aviation and radar effects. Please refer to the Applicant’s response to December Hearing Action Points (S_D6_3) for further details.</p>		
<p>Schedule 6, Table titled ‘In the County of Denbighshire:’</p>	<p>A row has been inserted at the end of the table as follows:</p> <table border="1" data-bbox="600 1090 1361 1185"> <tr> <td data-bbox="600 1090 696 1185"><i>AC-T1</i></td> <td data-bbox="696 1090 1361 1185"><i>From public highway unclassified road as shown on sheet 11 of the street works and access to works plan</i></td> </tr> </table>	<i>AC-T1</i>	<i>From public highway unclassified road as shown on sheet 11 of the street works and access to works plan</i>	<p>This amendment is required to effect the changes detailed in the Change Request Report (Document Reference CR1-030) and accepted by the Examining Authority on 19 December 2024.</p>
<i>AC-T1</i>	<i>From public highway unclassified road as shown on sheet 11 of the street works and access to works plan</i>			
<p>Schedule 7, Table titled ‘In the County of Denbighshire:’, row 3, column 1</p>	<p>The following amendments have been made:</p> <p><i>11-197a, 11-223b, 11-228, 11-229a, 11-230, 11-230a, 11-233, 11-233a, 11-234, 11-234a, 11-234b, 11-236</i></p>	<p>These additional plots (in relation to the power to take temporary possession) are required to effect changes 1-3, as detailed in the Change Request Report (Document Reference CR1-030). The changes were accepted by the Examining Authority on 19 December 2024.</p>		

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Schedule 7, Table titled ‘In the County of Denbighshire:’, row 4	<p>A new row has been inserted as follows:</p> <table border="1" data-bbox="600 213 1368 284"> <tr> <td data-bbox="600 213 779 284"><i>11-197b</i></td> <td data-bbox="779 213 1115 284"><i>Onshore site preparation works</i></td> <td data-bbox="1115 213 1368 284"><i>Work No. 27</i></td> </tr> </table>	<i>11-197b</i>	<i>Onshore site preparation works</i>	<i>Work No. 27</i>	<p>This amendment is required to effect the change 1(a) detailed in the Change Request Report (Document Reference CR1-030) and accepted by the Examining Authority on 19 December 2024. The drafting confirms that this plot is for onshore site preparation works only.</p>
<i>11-197b</i>	<i>Onshore site preparation works</i>	<i>Work No. 27</i>			
Schedule 7, Table titled ‘In the County of Denbighshire:’, row 6	<p>A new row has been inserted as follows:</p> <table border="1" data-bbox="600 379 1368 507"> <tr> <td data-bbox="600 379 779 507"><i>11-221a</i></td> <td data-bbox="779 379 1115 507"><i>Temporary construction area to facilitate the construction of permanent access</i></td> <td data-bbox="1115 379 1368 507"><i>Work Nos. 27 and 29</i></td> </tr> </table>	<i>11-221a</i>	<i>Temporary construction area to facilitate the construction of permanent access</i>	<i>Work Nos. 27 and 29</i>	<p>This amendment is required to effect Change 4 detailed in the Change Request Report (Document Reference CR1-030) and accepted by the Examining Authority on 19 December 2024.</p>
<i>11-221a</i>	<i>Temporary construction area to facilitate the construction of permanent access</i>	<i>Work Nos. 27 and 29</i>			
Schedule 10, Part 7, for the protection of National Grid Electricity Transmission Plc	<p>The protective provisions have been updated.</p>	<p>Please see Response to National Grid Electricity Transmission plc (S_D6_52).</p>			
Schedule 10, Part 9, for the protection of Awel y Môr	<p>A new Part 9 has been inserted to Schedule 10 for the protection of Awel y Môr</p>	<p>As outlined in the Deadline 5 Submission - S_D5_32.1 Response to Examining Authority’s Written Question 2.6.9 regarding Statutory Undertakers (ExQ2) (REP5-081), the Applicant has agreed to include Protective Provisions for the benefit of Awel y Môr, whose consented DCO relating to the Awel y Môr Offshore Wind Farm Order 2023, overlaps in part with the Order limits of the Mona Offshore Wind Project. Since that Submission, there has continued to be positive liaison with Awel y Môr and the form of protective provisions has been agreed, subject to one outstanding issue relating to settling the form of wording to apply to the ‘access plots’, which the Applicant feels is resolvable between the parties before the end of Examination.</p> <p>The Applicant’s proposed form of Protective Provisions have been added to Schedule 10, Part 9 of the DCO, with paragraph 6 left in brackets, to signify the outstanding point, where agreement needs to be reached regarding the access plots. The Applicant will continue to liaise with Awel y Môr and hopes to reach an agreed position on the outstanding issue.</p>			

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Schedule 14, Part 1, Paragraph 2

Paragraph (2) has been amended as follows:

2. Subject to the conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act—

- (a) the deposit at sea of the substances and objects specified in paragraph 4 below;*
- (b) the construction of works in or over the sea or on or under the sea bed;*
- (c) dredging for the purposes of seabed preparation for foundation works or cable works;*
- (d) the removal of sediment samples for the purposes of informing environmental monitoring under this licence during pre-construction, construction and operation;*
- (e) site clearance and preparation works including clearance of ~~low order unexploded ordnance~~, debris, boulder clearance and the removal of out of service cables and static fishing equipment;*
- [\(f\) low order unexploded ordnance clearance;](#)*
- (g) the use of extracted seabed material within gravity base foundations; and*
- (h) the disposal of up to 13,037,497 cubic metres of inert material of natural origin within Work No. 1 produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works.*

In response to ISH6_HAP_30, the Applicant has considered the action point and does not consider a need to add a definition of Site Clearance. These amends instead clarify that site clearance and preparation works means what is listed in paragraph 2(e). Please refer to the Applicant's response to December Hearing Action Points (S_D6_3) for further details.

The change to 2(f) is to align the drafting with the position that low order unexploded ordnance clearance is an activity which is subject to specific controls, separate from general site clearance and preparation.

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Schedule 14, Part 2, Condition 17

Condition 17 has been amended as follows:

17.—(1) ~~#All dropped objects, materials and deposits must be notified to the licencing authority in accordance with the dropped objects plan and if:~~

(a) *due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or if the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the licencing authority, the MEO, Trinity House and the MCA; or*

(b) *any rock material used in the construction of the authorised scheme is misplaced or lost within the Order limits, the undertaker must report the loss in writing to the licencing authority, the MEO, Trinity House and the MCA within 48 hours of becoming aware of it; and*

~~(2) If the licencing authority considers such material to objects, materials or deposits notified pursuant to sub-paragraph (1) constitute a navigation or environmental hazard (dependent on the size and nature of the material) the undertaker must locate the relevant object, material or deposit and recover it at its own expense unless otherwise approved in writing by the licencing authority.~~

~~(2)(3) All dropped objects must be notified to the licencing authority in accordance with the dropped objects plan. On receipt of a notice pursuant to sub-paragraph (1) the licencing authority may require relevant surveys to be carried out by the undertaker (such as side scan sonar) at the undertaker's expense.~~

In response to NRW comments made at Deadline 5 (see Response to NRW D5 Submission (S_D6_18) row reference REP5-098.98).

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Schedule 15, Table 5

Schedule 15 has been amended as follows:

1. The existing Table 5 has been split into 4 tables, with subheadings added and table headings updated accordingly.
2. Where relevant, document details have been amended.

Amendments made pursuant to discussions had at Issue Specific Hearing 6 at the request of the Examining Authority and to insert the application date.

8 Schedule of changes to the draft Development Consent Order (Revision F08)

Table 8-1: Table of amendments to the draft Development Consent Order (Revision F08) for Deadline 7

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Various minor amendments have been made to the draft DCO to correct cross-referencing and consistency errors.	For clarity and consistency following a final review of the DCO.
Articles		
Part 1, Paragraph 1, Interpretation	The definition of commence has been amended: “commence” means <i>(a) for the purposes of the requirements the first carrying out of any activities in relation to the offshore works, save for non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance <u>clearance</u>;</i> <i>(b) in respect of any other works, the first carrying out of any material operation (as defined in section 155 of the 2008 Act) forming part of the authorised project except for onshore site preparation works and the words “commence” and “commencement” must be construed accordingly;</i>	Following discussions with Natural Resources Wales (NRW). See Response to NRW D6 Submission (S_D7_11).
Part 1, Paragraph 1, Interpretation	The definition of NRW has been amended: “NRW” means Natural Resources <u>Body for</u> Wales or any successor body to its functions;	Following discussions with NRW.
Schedules		
Schedule 1, works descriptions	Work No. 38 has been updated as follows: <i>Work No. 38: permanent accesses during construction, operation, maintenance and decommissioning;</i>	To alleviate concerns raised by Awel y Môr (REP6-138).
Schedule 2, Requirement 6	Paragraph (5) has been amended as follows: <i><u>(5) For the purpose of this requirement, finished ground level must not exceed 61 metres above ordnance datum.</u></i>	In response to the Examining Authority’s Rule 17 letter (see Response to Rule 17 letter 8Jan2025 – S_D7_28).

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<p>Schedule 2, Requirement 27</p>	<p>Requirement 25 has been inserted: <u>Blackpool Airport Minimum Sector Altitude and Instrument Flight Procedures</u> <u>25.—(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State having consulted with the Operator is satisfied that the minimum sector altitude at Blackpool Airport has been increased and any necessary published instrument flight procedures updated to mitigate the effect of the wind turbine generators erected as part of the authorised development.</u> <u>(2) In this requirement—</u> <u>“Operator” means Blackpool Airport Operations Limited (incorporated in England and Wales with company number 09307995 and whose registered office is Number One Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH), or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Blackpool Airport.</u></p>	<p>In discussion with Blackpool Airport. Please see Statement of Common Ground with Blackpool Airport (S_D1_21).</p>
<p>Schedule 2, Requirement 28</p>	<p><u>Landscape enhancement scheme</u> <u>26.—(1) Work No. 1 must not be commenced until a scheme for the provision of landscape enhancement in accordance with the landscape enhancement scheme principles document has been submitted to and approved by the relevant planning authority following consultation with Natural Resources Wales, the Isle of Anglesey County Council and Eryri National Park Authority.</u> <u>(2) The landscape enhancement scheme shall set out appropriate measures to compensate for the impact of the authorised development on the protected landscapes of the Isle of Anglesey National Landscape and Eryri National Park.</u> <u>(3) The landscape enhancement scheme shall be implemented as approved.</u></p>	<p>In discussion with Natural Resources Wales (NRW), the Isle of Anglesey County Council and Eryri National Park Authority. Please see Response to Rule 17 letter 8Jan2025 (S_D7_28).</p>
<p>Schedule 7 (Land of which only temporary possession may be taken), in the County of Conwy</p>	<p>Various updates to Schedule 7 plots</p>	<p>Following a final review of plots against the Book of Reference (D4 F07).</p>

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Schedule 8 (Land in which only new rights etc. may be acquired), in the County of Conwy	Various updates to Schedule 8 plots	Following a final review of plots against the Book of Reference (D4 F07).
Schedule 10 (Protective Provisions) Part 5	Various updates to the protective provisions for Wales and West Utilities	Following discussions with Wales and West Utilities. See Final Position Statement on Statutory Undertakers (S_D7_31) for more information.
Schedule 10 (Protective Provisions) Part 8	Various updates to the protective provisions for Network Rail	Following discussions with Network Rail. See Final Position Statement on Statutory Undertakers (S_D7_31) for more information.
Schedule 14 Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 1, Paragraph 1	The definition of commence has been amended: <i>“commence” means the first carrying out of any licensed marine activities, save for non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance <u>clearance</u>, and “commenced” and “commencement” must be construed accordingly;</i>	Following updates at Deadline 5.
Schedule 14 Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 1, Paragraph 1	The following definition has been inserted: <i><u>“NRW” means Natural Resources Body for Wales or any successor body to its functions;</u></i>	Following discussions with NRW.
Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 1, Paragraph 1	The definition of statutory nature conservation body has been amended: <i>“statutory nature conservation body” means the Joint Nature Conservation Committee or Natural Resources Wales (Advisory) acting in their capacity as [●]; (or the relevant successor bodiesbody) <u>or NRW;</u></i>	Following discussions with NRW.
Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 1, Paragraph 13	Sub-paragraph (8) has been amended as follows: <i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to any of the non-intrusive pre-construction surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance <u>clearance</u> taking place and prior to the commencement of the authorised scheme or any part thereof advising of its start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the licensing authority, MCA, Trinity House and UKHO within five days of the notifications being sent</i>	Following discussions with NRW. See Response to NRW D6 Submission (S_D7_11).

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<p>Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 1, Paragraph 13</p>	<p>Sub-paragraph (9) has been amended as follows: <i>(9) The undertaker must ensure that local notifications to mariners are updated and reissued at regular intervals during the pre-construction surveys, unexploded ordnance surveys clearance of low order unexploded ordnance clearance and construction activities and at least five days before any planned operations and maintenance works (or otherwise agreed) and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme approved under condition 18(1)(b). Copies of all notices must be provided to the licensing authority, and UKHO within five days of the notification being sent.</i></p>	<p>Following discussions with NRW. See Response to NRW D6 Submission (S_D7_11).</p>
<p>Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 2, Paragraph 20</p>	<p>Sub-paragraph (1) has been amended as follows: <i>(1) No piling activities <u>or low order unexploded ordnance clearance</u> can commence until for those activities an underwater sound management strategy in accordance with the outline underwater sound management strategy has been submitted to and approved in writing by the licencing authority in consultation with the statutory nature conservation body.</i></p>	<p>Following discussions with NRW. See Response to NRW D6 Submission (S_D7_11).</p>
<p>Schedule 14 (Marine Licence ORML2429G: Mona Offshore Wind Farm Generation Assets) Part 2, Paragraph 20</p>	<p>Sub-paragraph (4) has been amended as follows: <i>(4) Piling activities <u>or low order unexploded ordnance clearance</u> must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the licensing authority.</i></p>	<p>Following discussions with NRW. See Response to NRW D6 Submission (S_D7_11).</p>
<p>Schedule 15 (Documents to be certified)</p>	<p>The document names, reference numbers and submission dates in Schedule 15 have been updated.</p>	<p>In line with the updated Examination documents. The Applicant has left square brackets for the final Examination Library references in respect of those documents being updated for Deadline 7.</p>