STATUTORY INSTRUMENTS

2025 No. 1012

INFRASTRUCTURE PLANNING

The Morgan Offshore Wind Project Generation Assets Order 2025

Made - - - - *29th August 2025*

Coming into force *22nd September 2025*

CONTENTS

PART 1
Preliminary

1. Citation and commencement 2
2. Interpretation 3

PART 2
Principal Powers

3. Development consent etc. granted by the Order 6
4. Operation of generating station 6
5. Deemed marine licences under the 2009 Act 6
6. Power to maintain the authorised project 6
7. Benefit of the Order 7

PART 3
Miscellaneous and general

8. Abatement of works abandoned or decayed 8
9. Saving provisions for Trinity House 8
10. Crown rights 8
11. Certification of plans, etc. 9
12. Service of notices 9

SCHEDULE 1 — Authorised Development 10
PART 1 — Authorised Development 10
PART 2 — Ancillary Works 12
SCHEDULE 2 — Requirements 12

SCHEDULE 3 — Deemed Marine Licence under the 2009 Act – Licence 1: Wind Turbine Generators and Associated Infrastructure 20
PART 1 — Licensed marine activities 20
PART 2 — Conditions 28
SCHEDULE 4 — Deemed Marine Licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables 41
PART 1 — Licensed marine activities 41
PART 2 — Conditions 50
SCHEDULE 5 — Documents to be certified 62

An application has been made to the Secretary of State under section 37 of the Planning Act 2008(**a**) ("the 2008 Act") for an Order granting development consent.

The application was examined by a panel of three members (appointed by the Secretary of State) in accordance with Part 6 of the 2008 Act and carried out in accordance with the Infrastructure Planning (Examination Procedure) Rules 2010(**b**).

The panel, having considered the representations made and not withdrawn and the application together with the accompanying documents, in accordance with section 74(2) of the 2008 Act, has submitted a report and recommendation to the Secretary of State.

The Secretary of State has considered the representations made and not withdrawn, and the report and recommendation of the panel, has taken into account the environmental information in accordance with regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(**c**), and, as a national policy statement as effect in relation to the proposed development, has had regard to the documents and matters referred to in section 104(2) of the 2008 Act.

The Secretary of State, having decided the application, has determined to make an Order granting development consent for the development described in the application with modifications which in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application.

The Secretary of State, in exercise of the powers conferred by sections 114, 115, 120, 140 and 149A and schedule 5 to the 2008 Act, makes the following Order.

PART 1

Preliminary

Citation and commencement

1. This Order may be cited as the Morgan Offshore Wind Project Generation Assets Order 2025 and comes into force on 22nd September 2025.

(**a**) 2008 c. 29. Section 37 was amended by section 128(2) and Schedule 13, Part 1, paragraphs 1 to 5 of the Localism Act 2011 (c. 20).
(**b**) S.I. 2010/103. This instrument was amended by S.I. 2012/635.
(**c**) S.I. 2017/572.

Interpretation

2.—(1) Except for Schedule 3 (deemed marine licence under the 2009 Act – Licence 1: Wind Turbine Generators and Associated Infrastructure) and Schedule 4 (deemed marine licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables), which are subject to the definitions in those Schedules, in this Order—

"1989 Act" means the Electricity Act 1989(**a**);

"2004 Act" means the Energy Act 2004(**b**);

"2008 Act" means the Planning Act 2008;

"2009 Act" means the Marine and Coastal Access Act 2009(**c**);

"address" includes any number or address used for the purposes of electronic transmission;

"ancillary works" means the ancillary works described in Part 2 of Schedule 1 (ancillary works) and any other works authorised by this Order that are not development within the meaning of section 32 of the 2008 Act;

"authorised development" means the development and associated development described in Part 1 of Schedule 1 (authorised development) and any other development authorised by this Order that is development within the meaning of section 32 of the 2008 Act;

"authorised project" means the authorised development and ancillary works;

"bank holiday" means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**d**);

"buoy" means any floating device used for navigational purposes or measurement purposes, including but not limited to wave buoys, LiDAR and guard buoys;

"cable" means up to 400kV cables for the transmission of electricity and includes fibre optic and other communications cables either within the cable or laid alongside;

"cable crossings" means the crossing of sub-sea cables, pipelines or other existing infrastructure by the cables (including inter-array cables) authorised by this Order together with cable protection;

"cable protection" means measures to protect cables from physical damage including but not limited to concrete mattresses, with or without frond devices, and/or rock placement, the use of bagged solutions filled with grout or other materials;

"commence" means the first carrying out of any licensed activities authorised by licence 1 or licence 2, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance approved under licence 1 or licence 2, and "commencement" must be construed accordingly;

"electronic transmission" means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

"environmental statement" means the document certified as the environmental statement by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"deemed marine licences" means the marine licences set out in Schedules 3 (Deemed Marine Licence under the 2009 Act – Licence 1: Wind Turbine Generators and Associated Infrastructure) and 4 (Deemed Marine Licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables);

"foundation" means any one or more of: a multi-leg pin-piled jacket foundation, multi-leg suction bucket jacket foundation, or gravity base foundation;

(**a**) 1989 c. 29.
(**b**) 2004 c. 20.
(**c**) 2009 c. 23.
(**d**) 1971 c. 80.

"gravity base foundation" means a structure principally of steel, concrete, or steel and concrete with a base which rests on the seabed either due to its own weight with or without added ballast or additional skirts and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

"inter-array cables" means the cables linking the wind turbine generators to each other and to the offshore substation platforms;

"interconnector cables" means the cables linking the offshore substation platforms to each other;

"jacket foundation" means a steel jacket/lattice-type structure constructed principally of steel, fixed to the seabed with pin-piles or steel suction buckets and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

"km" means kilometres;

"LAT" means lowest astronomical tide;

"licensed activities" means the activities specified in Part 1 of the deemed marine licences;

"licence 1" means the marine licence set out in Schedule 3 (Deemed marine licence under the 2009 Act – Licence 1: Wind Turbine Generators and other Offshore Infrastructure);

"licence 2" means the marine licence set out in Schedule 4 (Deemed marine licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables);

"LiDAR" means a light detection and ranging system used to measure weather and sea conditions;

"m" means metres and "m^2" means metres squared;

"maintain" includes inspect, upkeep, repair, adjust or alter the authorised development, and remove, reconstruct or replace any part of the authorised development, to the extent assessed in the environmental statement; and any derivative of "maintain" is to be construed accordingly;

"Marine Management Organisation" means the body created under the 2009 Act which is responsible for the regulation of licence 1 and licence 2 or any successor of that function and "MMO" must be construed accordingly;

"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 11 (certification of plans etc.) for the purposes of this Order;

"offshore in principle monitoring plan" means the document certified as the offshore in principle monitoring plan by the Secretary of State under article 11 (certification of plans, etc.) of the Order;

"offshore substation platform" means a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad, containing—

(a) electrical equipment required to switch, transform or convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems;

(b) accommodation, storage, workshop auxiliary equipment and facilities for operating, maintaining and controlling the substation or wind turbine generators, including navigation, aviation and safety marketing and lighting, systems for vessel charging, access and retrieval, cranes, potable water supply, black water separation, stores, fuels and spares, communications systems and control hub facilities and other associated equipment and facilities;

“offshore surface structures” means offshore substation platforms and wind turbine generators;

“Order limits” means the limits shown on the order limits and grid coordinates plan within which the authorised development may be carried out;

“order limits and grid coordinates plan” means the document certified as the order limits and grid coordinates plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline environmental management plan” plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline fisheries liaison and co-existence plan” plan means the document certified as the outline fisheries liaison and co-existence plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline marine mammal mitigation protocol” means the document certified as the outline marine mammal mitigation protocol” by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline offshore written scheme of investigation for archaeology” means the document certified as the outline offshore written scheme of investigation for archaeology by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline offshore operations and maintenance plan” means the document certified as the outline offshore operations and maintenance plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“outline underwater sound management strategy” means the document certified as the outline underwater sound management strategy” by the Secretary of State under article 11 (certification of plans, etc.) of the Order;

“outline vessel traffic management plan” means the document certified as the outline vessel traffic management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

“operation” means the undertaking of activities authorised by this Order which are not part of the construction, commissioning or decommissioning of the authorised development;

“pin-pile” means steel or concrete cylindrical piles driven and/or drilled into the seabed to secure jacket foundations;

“requirements” means those matters set out in Part 1 of Schedule 2 (requirements) to this Order;

“scour protection” means measures to prevent loss of seabed sediment around any structure placed in or on the seabed including by the use of bagged solutions filled with grout or other materials, protective aprons, mattresses with or without frond devices, and rock and gravel placement;

“scheduled works” means the numbered works specified in Part 1 of Schedule 1 (authorised development) to this Order, or any part of them;

“suction bucket” means a tubular steel structure which partially or fully penetrates the seabed and associated equipment, including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

“undertaker” means Morgan Offshore Wind Limited (company registration number: 13497271) whose registered office address is Chertsey Road, Sunbury on Thames, Middlesex, United Kingdom, TW16 7BP;

“vessel” means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or

adapted for movement through, in, on or over water and which is at the time in, on or over water;

"wind turbine generator" means a structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment including communications equipment, fixed to a foundation or transition piece;

"the works plan" means the plan certified as the works plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order.

(2) All distances, directions, areas and lengths referred to in this Order are approximate and distances between points on a work comprised in the authorised development are taken to be measured along that work.

(3) References in this Order to points identified by letters or numbers are to be construed as references to points so lettered or numbered on the relevant plans.

(4) References in this Order to numbered works are references to the works as numbered in Part 1 of Schedule 1 (authorised development).

PART 2

Principal Powers

Development consent etc. granted by the Order

3. Subject to the provisions of this Order and to the requirements in Schedule 2 the undertaker is granted—

(a) development consent for the authorised development; and

(b) consent for the ancillary works;

to be carried out within the Order limits.

Operation of generating station

4.—(1) The undertaker is authorised to use and operate the authorised development for which development consent is granted by this Order.

(2) Paragraph (1) does not relieve the undertaker of any requirement to obtain any permit or licence under any legislation that may be required from time to time to authorise the operation of the authorised development.

Deemed marine licences under the 2009 Act

5. The marine licences set out in Schedules 3 and 4 are deemed to have been granted to the undertaker under Part 4 (marine licensing) of the 2009 Act for the licensed activities specified in Part 1 of each licence and subject to the conditions specified in Part 2 of each licence.

Power to maintain the authorised project

6.—(1) Subject to paragraph (2), the undertaker may at any time maintain the authorised project, except to the extent that this Order or an agreement made under this Order provides otherwise.

(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 activities not authorised by licence 1 or licence 2.

Benefit of the Order

7.—(1) Subject to this article, the provisions of this Order have effect solely for the benefit of the undertaker.

(2) Subject to paragraph (5), the undertaker may with the written consent of the Secretary of State—

(a) transfer to another person ("the transferee") any or all of the benefit of the provisions of this Order (excluding deemed marine licence 1 or licence 2) and such related statutory rights as may be agreed between the undertaker and the transferee; and

(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 (excluding deemed marine licence 1 or licence 2) and such related statutory rights as may be so agreed,

except where paragraph (6) applies, in which case the consent of the Secretary of State is not required.

(3) Subject to paragraph (5), the undertaker may with the written consent of the Secretary of State—

(a) where an agreement has been made in accordance with paragraph (2)(a), transfer to the transferee the whole of deemed marine licence 1 or licence 2 and such related statutory rights as may be agreed between the undertaker and the transferee; or

(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 whole of deemed marine licence 1 or licence 2 and such related statutory rights as may be so agreed,

except where paragraph (6) applies, in which case the consent of the Secretary of State is not required.

(4) The Secretary of State must consult the MMO before giving consent to the transfer or grant to another person of the benefit of the provisions of deemed marine licence 1 or licence 2.

(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)—

(a) the benefit transferred or granted ("the transferred benefit") shall include any rights that are conferred, and any obligations that are imposed, by virtue of the provisions to which the benefit relates;

(b) the transferred benefit shall reside exclusively with the transferee or, as the case may be the lessee, and the transferred benefit shall not be enforceable against the undertaker save in the case of a deemed marine licence transferred or granted in respect of any breach of an obligation by the undertaker which occurs prior to such transfer or grant or which occurs as a result of any activity carried out by the undertaker on behalf of the transferee; and

(c) the exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraphs (2) or (3) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the undertaker.

(6) No consent of the Secretary of State is required where the transferee or lessee is the holder of a licence under section 6 (licences authorising supply, etc.) of the 1989 Act(**a**).

(7) Where an agreement has been made in accordance with paragraphs (2) or (3) references in this Order to the undertaker, will include references to the transferee or lessee.

(8) Prior to any transfer or grant under this article taking effect the undertaker must give notice in writing to the Secretary of State and the MMO.

(**a**) Section 6 was amended by sections 89, 136, 198, 143 and 145, Part 1 of Schedule 23 and paragraphs 3 and 5 of Schedule 19 to the Energy Act 2004 (c. 20), sections 72 and 121 and Schedule 1 to the Energy Act 2011 (c. 16), sections 166, 186, 334 and 205 to the Energy Act 2023 (c. 52), S.I. 2011/2704. There are other amendments to section 6 which are not relevant to the Order.

(9) A notice required under paragraph (8) must—

(a) state—

(i) the name and contact details of the person to whom the benefit of the provisions will be transferred or granted;

(ii) the date on which the transfer will take effect (which must be at least 28 days after the date on which the notice is given);

(iii) the provisions to be transferred or granted; and

(iv) the restrictions, liabilities, and obligations that, in accordance with paragraph (5)(c), will apply to the person exercising the powers transferred or granted.

(b) be accompanied by—

(i) where relevant, a plan showing the works or areas to which the transfer or grant relates; and

(ii) a copy of the document effecting the transfer or grant signed by the undertaker and the person to whom the benefit of the powers will be transferred or granted.

(10) The notice specified under paragraph (8) 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.

(11) Section 72(7) and (8) of the 2009 Act do not apply to a transfer or grant of the benefit of the provisions of deemed marine licence 1 or licence 2 to another person by the undertaker pursuant to an agreement under this article, save that the MMO may amend the deemed marine licence to include the name of a transferee or lessee under this article.

PART 3

Miscellaneous and general

Abatement of works abandoned or decayed

8. Where the scheduled works or any part of them are abandoned or allowed to fall into decay, the Secretary of State may, following consultation with the undertaker, issue a written notice requiring the undertaker at its own expense either to repair, make safe and restore one or any of the scheduled works or any relevant part of them, or to remove them or any relevant part of them, and without prejudice to any notice served under section 105(2) (requirement to prepare decommissioning programmes) of the 2004 Act(**a**), restore the site to a safe and proper condition, to such an extent and within such limits as may be specified in the notice.

Saving provisions for Trinity House

9. Nothing in this Order prejudices or derogates from any of the rights, duties or privileges of Trinity House.

Crown rights

10.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular, nothing in this Order authorises the undertaker or any licensee to use, enter upon or in any manner interfere with any rights of any description belonging to His Majesty in right of the Crown and forming part of The Crown Estate without the consent in writing of the Crown Estate Commissioners.

(2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions; and is deemed to have been given in writing where it is sent electronically.

(**a**) Section 105 was amended by section 69 of the Energy Act 2008 (c. 32).

Certification of plans, etc.

11.—(1) The undertaker must, as soon as practicable after the making of this Order, submit to the Secretary of State copies of all documents listed in Schedule 5 for certification that they are true copies of the documents referred to in this Order.

(2) A plan or document so certified is admissible in any proceedings as evidence of the contents of the document of which it is a copy.

Service of notices

12.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served—

(a) by post;

(b) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied; or

(c) with the consent of the recipient and subject to paragraphs (5) to (8) by electronic transmission.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 (references to service by post) of the Interpretation Act 1978(**a**) as it applies for the purposes of this article, the proper address of any person in relation to the service on that person of a notice or document under paragraph (1) is, if that person has given an address for service, that address, and otherwise—

(a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body; and

(b) in any other case, the last known address of that person at the time of service.

(4) Where a notice or other document required to be served or sent for the purposes of this Order is served or sent by electronic transmission the requirement is to be taken to be fulfilled only where—

(a) the recipient of the notice or other document to be transmitted has given consent to the use of electronic transmission in writing or by electronic transmission;

(b) the notice or document is capable of being accessed by the recipient;

(c) the notice or document is legible in all material respects; and

(d) the notice or document is in a form sufficiently permanent to be used for subsequent reference.

(5) Where the recipient of a notice or other document served or sent by electronic transmission notifies the sender within seven days of receipt that the recipient requires a paper copy of all or part of that notice or other document the sender must provide such a copy as soon as reasonably practicable.

(6) Any consent to the use of electronic communication given by a person may be revoked by that person in accordance with paragraph (7).

(7) Where a person is no longer willing to accept the use of electronic transmission for any of the purposes of this Order—

(a) that person must give notice in writing or by electronic transmission revoking any consent given by that person for that purpose; and

(b) such revocation is final and takes effect on a date specified by the person in the notice but that date must not be less than seven days after the date on which the notice is given.

(**a**) 1978 c. 30.

(8) This article does not exclude the employment of any method of service not expressly provided for by it.

(9) In this article "legible in all material respects" means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.

Signed by the authority of the Secretary of State for Energy Security and Net Zero.

David Wagstaff
Deputy Director for Energy Infrastructure Planning
29th August 2025 Department for Energy Security and Net Zero

SCHEDULE 1

Articles 3 and 4

Authorised Development

PART 1

Authorised Development

1. A nationally significant infrastructure project as defined in sections 14 (nationally significant infrastructure projects: general) and 15 (generating stations) of the 2008 Act located in the Irish Sea approximately 36 kilometres from the coast of north-west England comprising an offshore wind generating station with an electrical output capacity of over 100MW.

Work No. 1—

(a) up to 96 wind turbine generators; and

(b) a network of subsea inter-array cables between the wind turbine generators including cable crossings and cable protection;

Work No. 2— up to four offshore substation platforms; and

Work No. 3— a network of subsea interconnector cables between the offshore substation platforms including cable crossings and cable protection.

In connection with the scheduled works 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 the placement of rock and/or concrete mattresses, with or without frond devices;

(c) dredging;

(d) the removal of material from the seabed and the disposal of inert material of natural origin within the Order limits produced during construction drilling, 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 and use of cable anchors;

(f) removal of static fishing equipment;

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

(h) lighting.

2. The grid coordinates for the scheduled works are as shown on the order limits and grid coordinates plan and as specified below—

Point ID	*Latitude*	*Longitude*
1	53° 54′ 27.788″ N	3° 58′ 8.915″ W
2	53° 54′ 41.257″ N	3° 58′ 42.184″ W
3	53° 57′ 6.032″ N	4° 3′ 55.525″ W
4	53° 57′ 7.936″ N	4° 4′ 25.017″ W
5	53° 57′ 13.636″ N	4° 5′ 53.497″ W
6	53° 58′ 7.549″ N	4° 7′ 48.094″ W
7	54° 0′ 28.539″ N	4° 12′ 48.480″ W
8	54° 0′ 33.128″ N	4° 12′ 41.699″ W
9	54° 0′ 39.541″ N	4° 12′ 32.331″ W
10	54° 0′ 49.220″ N	4° 12′ 18.682″ W
11	54° 0′ 58.979″ N	4° 12′ 5.399″ W
12	54° 1′ 0.852″ N	4° 12′ 2.795″ W
13	54° 1′ 10.663″ N	4° 11′ 49.441″ W
14	54° 1′ 20.488″ N	4° 11′ 36.537″ W
15	54° 1′ 26.187″ N	4° 11′ 24.779″ W
16	54° 1′ 31.886″ N	4° 11′ 13.315″ W
17	54° 1′ 33.367″ N	4° 11′ 10.387″ W
18	54° 1′ 34.438″ N	4° 11′ 8.270″ W
19	54° 1′ 39.125″ N	4° 10′ 59.214″ W
20	54° 1′ 41.978″ N	4° 10′ 53.701″ W
21	54° 1′ 42.739″ N	4° 10′ 52.231″ W
22	54° 1′ 47.148″ N	4° 10′ 43.936″ W
23	54° 1′ 48.940″ N	4° 10′ 40.404″ W
24	54° 1′ 57.247″ N	4° 10′ 24.352″ W
25	54° 2′ 5.706″ N	4° 10′ 8.569″ W
26	54° 2′ 11.564″ N	4° 9′ 57.954″ W
27	54° 2′ 14.425″ N	4° 9′ 52.857″ W
28	54° 2′ 14.433″ N	4° 9′ 52.843″ W
29	54° 2′ 14.446″ N	4° 9′ 52.820″ W
30	54° 2′ 23.202″ N	4° 9′ 37.580″ W
31	54° 2′ 23.221″ N	4° 9′ 37.547″ W
32	54° 2′ 23.229″ N	4° 9′ 37.534″ W
33	54° 2′ 23.238″ N	4° 9′ 37.518″ W
34	54° 2′ 23.239″ N	4° 9′ 37.517″ W
35	54° 2′ 32.133″ N	4° 9′ 22.564″ W
36	54° 2′ 32.146″ N	4° 9′ 22.542″ W
37	54° 2′ 32.159″ N	4° 9′ 22.521″ W
38	54° 2′ 32.166″N	4° 9′ 22.509″ W
39	54° 2′ 32.172″ N	4° 9′ 22.500″ W
40	54° 2′ 41.223″ N	4° 9′ 7.804″ W
41	54° 2′ 41.236″ N	4° 9′ 7.782″ W
42	54° 2′ 41.249″ N	4° 9′ 7.761″ W
43	54° 2′ 41.257″ N	4° 9′ 7.749″ W
44	54° 2′ 41.263″ N	4° 9′ 7.739″ W
45	54° 2′ 50.489″ N	4° 8′ 53.271″ W
46	54° 2′ 59.863″ N	4° 8′ 39.076″ W

47	54° 3′ 9.407″ N	4° 8′ 25.119″ W
48	54° 3′ 19.079″ N	4° 8′ 11.466″ W
49	54° 3′ 28.890″ N	4° 7′ 58.099″ W
50	54° 3′ 38.836″ N	4° 7′ 45.024″ W
51	54° 3′ 48.923″ N	4° 7′ 32.234″ W
52	54° 3′ 52.208″ N	4° 7′ 28.172″ W
53	54° 3′ 56.043″ N	4° 7′ 23.528″ W
54	54° 3′ 59.107″ N	4° 7′ 19.782″ W
55	54° 3′ 59.122″ N	4° 7′ 19.764″ W
56	54° 3′ 59.130″ N	4° 7′ 19.754″ W
57	54° 4′ 1.160″ N	4° 7′ 17.353″ W
58	54° 4′ 1.181″ N	4° 7′ 17.328″ W
59	54° 4′ 6.734″ N	4° 7′ 10.779″ W
60	54° 4′ 7.781″ N	4° 7′ 9.560″ W
61	54° 4′ 9.456″ N	4° 7′ 7.587″ W
62	54° 4′ 13.935″ N	4° 7′ 2.501″ W
63	54° 4′ 16.028″ N	4° 7′ 0.112″ W
64	54° 4′ 18.943″ N	4° 6′ 56.806″ W
65	54° 4′ 19.913″ N	4° 6′ 55.716″ W
66	54° 4′ 24.700″ N	4° 6′ 50.475″ W
67	54° 4′ 30.489″ N	4° 6′ 44.156″ W
68	54° 4′ 35.097″ N	4° 6′ 39.269″ W
69	54° 4′ 40.000″ N	4° 6′ 34.145″ W
70	54° 4′ 41.189″ N	4° 6′ 32.904″ W
71	54° 4′ 45.972″ N	4° 6′ 28.021″ W
72	54° 3′ 42.182″ N	4° 0′ 24.131″ W
73	54° 0′ 25.772″ N	3° 53′ 55.337″ W
74	53° 58′ 34.172″ N	3° 47′ 19.232″ W
75	53° 56′ 34.760″ N	3° 47′ 14.121″ W

PART 2

Ancillary Works

3. Works within the Order limits which fall within the scope of the work assessed by the environmental statement comprising—

(a) temporary landing places, moorings or other means of accommodating vessels in the construction and/or maintenance of the authorised development; and

(b) buoys, beacons, fenders and other navigational warning or ship impact protection works.

SCHEDULE 2

Article 3

Requirements

Time limits

1. The authorised development must commence no later than the expiration of seven years beginning with the date this Order comes into force.

Design parameters

2.—(1) The wind turbine generators to be constructed as part of the authorised development must be located within the area shown on the works plan.

(2) No part of any wind turbine generators to be constructed as part of the authorised development shall extend beyond the Order limits.

(3) The authorised development must be constructed in accordance with the parameters assessed in the environmental statement and set out in Table 1.

(4) The parameters in Table 1 do not allow works in relation to wind turbine generators that give rise to any materially new or materially different environmental effects to those identified in the environmental statement based upon the two assessed scenarios set out in Table 3.5 of the environmental statement.

(5) References to the location of an offshore surface structure in Table 1 is a reference to the centre point of that structure.

(6) In the event that driven or part-driven pile foundations are proposed to be used, the hammer energy used to drive or part-drive the pile foundations must not exceed—

(a) 4,400kJ in respect of pin pile foundations at up to 16 locations; and

(b) 3,000kJ in respect of any other foundations.

Table 1

Parameter	*Value*
Maximum number of wind turbine generators	96
Maximum height of wind turbine generators when measured from LAT to the tip of the vertical blade (m)	364
Maximum rotor diameter of each wind turbine generator (m)	320
Maximum rotor swept area (m^2)	5,468,884
Minimum distance from LAT to the lowest point of the rotating blade for each turbine (m)	34
Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)	26
Minimum distance between all offshore surface structures (in all directions) (m)	1,400
Maximum diameter of pin-piles for wind turbine generators on jacket pin-pile foundations (m)	5.5
Maximum diameter of gravity base at the seabed for wind turbine generators on gravity base foundations (m)	49
Maximum diameter of buckets for wind turbine generators on suction bucket jackets (m)	18
Maximum diameter of pin-piles for offshore substation platforms on jacket pin-pile foundations (m)	5.5
Maximum diameter of gravity base at the seabed for offshore substation platforms on gravity base foundations (m)	80
Maximum diameter of buckets for offshore substation platforms on suction bucket jackets (m)	18
Maximum number of wind turbines on jacket driven pin-pile foundations	64
Maximum total volume of extracted seabed material to be used in gravity base foundations (m^3)	490,000
Maximum total seabed footprint of wind turbine generators (including scour protection) (m^2)	735,488
Maximum volume of scour protection for wind turbine generators (m^3)	1,701,998
Maximum volume of scour protection for	58,361

offshore substation foundations (m^3)	
Maximum number of offshore substation platforms	4
Maximum dimensions of offshore substations (excluding towers, helipads, masts, and cranes):	
Height when measured from LAT (m)	70
Length (m)	80
Width (m)	60
Maximum total seabed footprint area for offshore substation foundations (including scour protection) (m^2)	24,964
Maximum total length of cables (km)	450
Maximum number of cable crossings	20
Maximum volume of cable protection (inter-array and interconnector) (m^3)	852,600
Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m^2)	548,800

Aviation safety

3.—(1) 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 development unless otherwise agreed with the Ministry of Defence.

(2) The undertaker must notify the Defence Infrastructure Organisation Safeguarding, at least 14 days prior to the commencement of the scheduled works, of the following—

(a) the date of the commencement of construction of the scheduled works;

(b) the date any wind turbine generators are brought into use;

(c) the maximum height of any construction equipment to be used;

(d) the maximum heights of any wind turbine generator, and offshore substation platform to be constructed;

(e) the latitude and longitude of each wind turbine generator, and offshore substation platform to be constructed; and

the Defence Infrastructure Organisation Safeguarding must be notified of any changes to the information supplied under this paragraph and of the completion of the construction of the scheduled works.

(3) The lights installed in accordance with paragraph (1) will be operated at the lowest permissible lighting intensity level.

St Anne's and Lowther Hill Primary Surveillance Radar

4.—(1) No part of any wind turbine generator 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 avoid the impact of the development on the primary radar of the operator located at St Anne's and Lowther Hill Primary Surveillance Radar and associated air traffic management operations.

(2) No part of any wind turbine generator 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 such approved scheme.

(3) For the purposes of this requirement—

(a) "operator" means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants 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 that Act); and

(b) "primary radar mitigation scheme" or "scheme" means a detailed scheme agreed with the operator which sets out the measures to be taken to avoid at all times the impact of the development on the St Anne's and Lowther Hill Primary Surveillance Radar and air traffic management operations of the operator.

Operation of Warton Aerodrome (Air traffic services)

5.—(1) No part of any wind turbine generator shall be erected as part of the authorised development until—

(a) the Secretary of State, having consulted with the operator and the CAA, confirms in writing that no mitigation is required in respect of the authorised development; or

(b) the Secretary of State has, having consulted with the operator and the CAA—

(i) approved in writing an ATS mitigation scheme; and

(ii) confirmed in writing that he is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (3)(a)).

(2) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10).

(3) The undertaker shall be solely responsible for the costs of—

(a) implementing the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10); and

(c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Warton Aerodrome which are new or different to those identified by the environmental statement, working with the CAA and the operator in good faith to agree any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

(4) For the purposes of this requirement—

"approved ATS mitigation scheme" means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(b)(i).

"ATS mitigation scheme" means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Warton Aerodrome, including, but not limited to—

(a) the Aerodrome's ability to provide and deliver on an uninterrupted basis—

(i) national sovereign defence capabilities;

(ii) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and

(iii) any other operational requirements which are identified by the operator.

(b) the Aerodrome's IFP, MSA, DF, VHF and UHF communication systems;

"CAA" means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;

"DF" means direction finding;

"IFP" means instrument flight procedures;

"MSA" means minimum sector altitude;

"operator" means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey, GU16 7EX) 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 at Warton Aerodrome or any other organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;

"UHF" means ultra high frequency; and

"VHF" means very high frequency.

Warton Aerodrome Primary Surveillance Rader

6.—(1) No part of any wind turbine generator shall be erected as part of the authorised development until a radar mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the Ministry of Defence and the operator.

(2) No wind turbine generator erected as part of the authorised development shall be permitted to rotate its rotor blades about its horizontal axis other than for the purpose of testing the proposed mitigation solution identified in the approved radar mitigation scheme until the Secretary of State, following consultation with the Ministry of Defence and the operator, has confirmed in writing that he is satisfied that—

(a) the proposed mitigation solution has been subject to technical and operational assessment and, in particular, has undergone 'in-situ' testing in line with the requirements of (and for the time period(s) specified in) the approved radar mitigation scheme;

(b) the performance criteria required to be met by the proposed mitigation solution, as specified in the approved radar mitigation scheme, have been met; and

(c) the approved radar mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (5)(a)).

(3) The approved radar mitigation scheme must remain in place and be complied with for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both).

(4) The undertaker shall be solely responsible for the costs of—

(a) implementing the approved radar mitigation scheme prior to any wind turbine generator erected as part of the authorised development being permitted to rotate its rotor blades about its horizonal axis;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of the approved radar mitigation scheme for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both); and

(c) in the event of any amendment being made to the authorised development which gives rise to new or different adverse impacts to those identified by the environmental statement on the operation of the PSR or the PSR air traffic control operations, working with the Ministry of Defence and the operator in good faith to agree any additional mitigation measures required to prevent or remove such adverse impacts for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry

of Defence or the operator (or both), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

(5) For the purposes of this requirement—

"approved radar mitigation scheme" means the radar mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1);

"Ministry of Defence" means the Ministry of Defence as represented by Defence Infrastructure Organisation – DIO Safeguarding, DIO Head Office, St George's House, DMS Whittington, Litchfield, Staffordshire, WS14 9PY or any successor body;

"operator" means BAE Systems (Operations) Limited (incorporated in England and Wales with Company Number 01996687 whose registered office is Victory Point, Lyon Way, Frimley, Camberley, Surrey, GU16 7EX) 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 or any other organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;

"PSR" means the primary surveillance radar at Warton Aerodrome or any upgrade thereto or replacement thereof;

"PSR air traffic control operations" means the air traffic control operations, including both civil and military aircraft operations, of the Ministry of Defence or the operator (or both) which are reliant upon the PSR; and

"radar mitigation scheme" means a scheme designed to prevent or remove any adverse impacts arising from the authorised development upon the operation of the PSR or the PSR air traffic control operations.

Operation of Walney Aerodrome (Air traffic services)

7.—(1) No part of any wind turbine generator shall be erected as part of the authorised development until—

(a) the Secretary of State, having consulted with the operator and the CAA, confirms in writing that no mitigation is required in respect of the authorised development; or

(b) the Secretary of State has, having consulted with the operator and the CAA—

(i) approved in writing an ATS mitigation scheme; and

(ii) confirmed in writing that he is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (3)(a)).

(2) The Approved ATS Mitigation Scheme must remain in place and be complied with for the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10).

(3) The undertaker shall be solely responsible for the costs of—

(a) implementing the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10); and

(c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Walney Aerodrome which are new or different to those identified by the environmental statement, working with the CAA and the operator in good faith to agree any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development

(including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 10), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

(4) For the purposes of this requirement—

"approved ATS mitigation scheme" means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(b)(i);

"ATS mitigation scheme" means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Walney Aerodrome, including but not limited to—

(a) the Aerodrome's ability to provide and deliver, on an uninterrupted basis—

(i) national sovereign defence capabilities;

(ii) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and

(iii) any other operational requirements which are identified by the operator; and

(b) the Aerodrome's IFP, MSA and VHF communication systems, such scheme to remain in place throughout the lifetime of the authorised development and for so long as any part of the authorised development remains in situ;

"CAA" means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;

"IFP" means instrument flight procedures;

"MSA" means minimum sector altitude;

"operator" means BAE Systems Marine Limited (incorporated in England and Wales with company number 00229770, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) 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 at Walney Aerodrome or any organisation employed by BAE Systems Marine Limited to provide an air traffic service at Walney Aerodrome; and

"VHF" means very high frequency.

Air traffic services at Isle of Man Airport

8.—(1) No part of any wind turbine generator 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—

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

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

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

(3) For the purposes of this requirement—

"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

"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.

Operation of Blackpool Airport

9.—(1) No part of any wind turbine generator 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 it is satisfied that—

(a) appropriate mitigation will be implemented and maintained throughout the lifetime of the authorised development; and

(b) appropriate arrangements have been put in place with the operator to ensure that such appropriate mitigation is so implemented prior to construction of any wind turbine generator and thereafter maintained.

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

(3) For the purposes of this requirement—

"appropriate mitigation" means measures to prevent or remove any adverse impacts which the authorised development will have on the ability of the operator to provide safe airport operational and air traffic services (including but not limited to any adverse impacts on instrument flight procedures, minimum sector altitudes, and very high frequency radio and direction finding communication systems) for Blackpool Airport;

"approved mitigation" means the appropriate mitigation agreed with the Civil Aviation Authority and the operator and confirmed by the Secretary of State in accordance with sub-paragraph (1); and

"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.

Decommissioning

10. No works may commence until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State pursuant to section 105(2) (requirement to prepare decommissioning programmes) of the 2004 Act has been submitted to the Secretary of State.

Requirement for written approval

11. Where under any of the above requirements the approval or agreement of the Secretary of State or another person is required, that approval or agreement must be given in writing.

Amendments to approved details

12. With respect to any requirement which requires the authorised project to be carried out in accordance with the details approved under this Schedule, the approved details are taken to include any amendments that may subsequently be approved or agreed by the person responsible for the original approval.

SCHEDULE 3

Article 5

Deemed Marine Licence under the 2009 Act – Licence 1: Wind Turbine Generators and Associated Infrastructure

PART 1

Licensed marine activities

Interpretation

1.—(1) In this licence—

"1989 Act" means the Electricity Act 1989(**a**);

"2004 Act" means the Energy Act 2004(**b**);

"2008 Act" means the Planning Act 2008(**c**);

"2009 Act" means the Marine and Coastal Access Act 2009(**d**);

"Annex I reef" means a reef of a type listed in Annex I to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;

"address" includes any number or address used for the purposes of electronic transmission;

"ancillary works" means the ancillary works described in Part 2 of Schedule 1 (ancillary works) and any other works authorised by this Order that are not development within the meaning of section 32 of the 2008 Act;

"authorised deposits" means the substances and articles specified in paragraph 4 of Part 1 of this licence;

"authorised scheme" means Work No. 1, Work No. 2 and Work No. 3 and the further associated development described in paragraph 3 of Part 1 of this licence or any part of that work or development;

"bank holiday" means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**e**);

"buoy" means any floating device used for navigational purposes or measurement purposes, including but not limited to wave buoys, LiDAR and guard buoys;

"cable" means up to 400kV cables for the transmission of electricity and includes fibre optic and other communications cables either within the cable or laid alongside;

"cable crossings" means the crossing of sub-sea cables, pipelines or other existing infrastructure by the cables (including inter-array cables) authorised by this Order together with cable protection;

"cable protection" means measures to protect cables from physical damage including but not limited to concrete mattresses, with or without frond devices, and/or rock placement, the use of bagged solutions filled with grout or other materials;

"chemicals" comprise both substances and preparations;

"commence" means the first carrying out of any licensed activities, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance, and "commencement" must be construed accordingly;

(**a**) 1989 c. 29.
(**b**) 2004 c. 20.
(**c**) 2008 c. 29.
(**d**) 2009 c. 23.
(**e**) 1971 c. 80.

“commercial operation” means in relation to any part of the authorised scheme, the exporting, transmission or conversion, on a commercial basis, of electricity;

“condition” means a condition in part 2 of this licence;

“electronic transmission” means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

“environmental statement” means the document certified as the environmental statement by the Secretary of State under article 11 (certification of plans, etc.) of the Order;

“foundation” means any of: a multi-leg pin-piled jacket foundation, multi-leg suction bucket jacket foundation, or gravity base foundation;

“gravity base foundation” means a structure principally of steel, concrete, or steel and concrete with a base which rests on the seabed either due to its own weight with or without added ballast or additional skirts and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

“HAT” means highest astronomical tide;

“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;

“inter-array cables” means the cables linking the wind turbine generators to each other and to the offshore substation platforms;

“interconnector cables” means the cables linking the offshore substation platforms to each other;

“intrusive activities” means activities including anchoring of vessels, jacking up of vessels, temporary deposits and temporary wet storage areas;

“jacket foundation” means a steel jacket/lattice-type structure constructed principally of steel, fixed to the seabed with pin-piles or steel suction buckets and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

“km” means kilometres;

“LAT” means lowest astronomical tide;

“layout principles” means the layout principles contained within Table 3.7 of the environmental statement project description referred to as document S_D6_15 in Schedule 5;

“LiDAR” means a light detection and ranging system used to measure weather and sea conditions;

“licence 2” means the marine licence set out in Schedule 4 (Deemed marine licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables);

“licenced activities” means those activities specified in Part 1 of this licence;

“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance;

“m” means metres and “m^2” means metres squared;

“maintain” includes inspect, upkeep, repair, adjust or alter the authorised scheme, and remove, reconstruct or replace any part of the authorised scheme, to the extent assessed in the environmental statement; and any derivative of “maintain” is to be construed accordingly;

“Marine Management Organisation” means the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function and “MMO” must be construed accordingly;

“MCA” means the Maritime and Coastguard Agency, the executive agency of the Department for Transport;

“MCMS” means the Marine Case Management System web portal provided and operated by the MMO;

"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 11 (certification of plans, etc.) for the purposes of this Order;

"offshore in principle monitoring plan" means the document certified as the offshore in principle monitoring plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"offshore order limits and grid coordinates plan" means the document certified as the offshore order limits and grid coordinates plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"offshore substation platform" means a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad, containing—

(a) electrical equipment required to switch, transform or convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems; and

(b) accommodation, storage, workshop auxiliary equipment and facilities for operating, maintaining and controlling the substation or wind turbine generators, including navigation, aviation and safety marketing and lighting, systems for vessel charging, access and retrieval, cranes, potable water supply, black water separation, stores, fuels and spares, communications systems and control hub facilities and other associated equipment and facilities;

"offshore surface structures" means offshore substation platforms and wind turbine generators;

"Order" means the Morgan Offshore Wind Project Generation Assets Order 2025;

"Order limits" means the limits shown on the offshore order limits and grid coordinates plan within which the authorised scheme may be carried out;

"outline environmental management plan" plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline fisheries liaison and co-existence plan" plan means the document certified as the outline fisheries liaison and co-existence plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline marine mammal mitigation protocol" means the document certified as the outline marine mammal mitigation protocol" by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore construction method statement" means the document certified as the outline offshore construction method statement by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore written scheme of investigation for archaeology" plan means the document certified as the outline offshore written scheme of investigation for archaeology by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore operations and maintenance plan" plan means the document certified as the outline offshore operations and maintenance plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline underwater sound management strategy" means the document certified as the outline underwater sound management strategy by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline vessel traffic management plan" means the document certified as the outline vessel traffic management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"operation" means the undertaking of activities authorised by this Order which are not part of the construction, commissioning or decommissioning of the authorised development;

"pathway to the marine environment" means open systems or closed systems that require top up;

"pin-pile" means steel or concrete cylindrical piles driven and/or drilled into the seabed to secure jacket foundations;

"preparation" means a mixture or solution composed of two or more substances;

"scour protection" means measures to prevent loss of seabed sediment around any structure placed in or on the seabed including by the use of bagged solutions filled with grout or other materials, protective aprons, mattresses with or without frond devices and rock and gravel placement;

"substance" means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;

"suction bucket" means a tubular steel structure which partially or fully penetrates the seabed and associated equipment, including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

"statutory historic body" means an organisation charged by the government with advising on matters related to historic buildings and monuments;

"statutory nature conservation body" means an organisation charged by the government with advising on nature conservation matters;

"Trinity House" means the Corporation of Trinity House of Deptford Strond;

"UKHO" means the United Kingdom Hydrographic Office of Admiralty Way, Taunton, Somerset, TA1 2DN;

"undertaker" means Morgan Offshore Wind Limited (company registration number: 13497271) whose registered office address is Chertsey Road, Sunbury on Thames, Middlesex, United Kingdom, TW16 7BP;

"vessel" means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and which is at the time in, on or over water;

"wind turbine generator" means a structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment including communications equipment, fixed to a foundation or transition piece;

"works plan" means the plans certified as the works plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order.

(2) In this licence a reference to any statute, order, regulation or similar instrument is a reference to a statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

(3) In this licence, unless otherwise indicated—

(a) all times are Greenwich Mean Time ("GMT"); and

(b) all coordinates are latitude and longitude degrees and minutes to two decimal places.

(4) Unless otherwise stated or agreed with the MMO, all notifications must be sent by the undertaker to the MMO using MCMS. Except where otherwise notified in writing by the relevant organisation, the addresses for correspondence for the purposes of this Schedule are—

(a) Centre for Environment, Fisheries and Aquaculture Science
Pakefield Road
Lowestoft
Suffolk
NR33 0HT
Tel: 01502 562 244

(b) Historic England
4th Floor
Cannon Bridge House
25 Dowgate Hill
London
EC4R 2YA.
Tel: 0161 421 416
Email: northwest@historicengland.org.uk

(c) Marine Management Organisation
Marine Licensing Team
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH
Tel: 0300 231 1032
Email: marine.consents@marinemanagement.org.uk

(d) Marine Management Organisation (local office)
Lutra House
Dodd Way
Walton Summit
Preston
PR5 8BX
Tel: 02080 265 643
Email: preston@marinemanagement.org.uk

(e) Marine Management Organisation
Marine Pollution Response Team
Tel. (during office hours): 03008 002 024,
Tel. (outside office hours): 07770 977 825 or 0845 051 8486

(f) Maritime and Coastguard Agency
UK Technical Services Navigation
Spring Place
105 Commercial Road
Southampton
SO15 1EG
Email: navigationsafety@mcga.gov.uk

(g) Natural England
Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX
Tel: 03000 604 911

(h) Trinity House
Tower Hill
London
EC3N 4DH
Tel: 020 7481 6900

(i) United Kingdom Hydrographic Office
Admiralty Way
Taunton
Somerset
TA1 2DN
Tel: 01823 337 900

Details of licensed marine activities

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 seabed;

(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 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 15,694,606 cubic metres of inert material of natural origin within the Order limits produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site reference IS155 within the extent of the Order limits seaward of MHWS, unless otherwise agreed in writing with the MMO.

3. Such activities are authorised in relation to the construction, maintenance and operation of the authorised scheme being—

Work No. 1— an offshore wind generating station comprising—

(a) up to 96 wind turbine generators; and

(b) a network of subsea inter-array cables between the wind turbine generators including cable crossings and cable protection;

Work No. 2— up to four offshore substation platforms (all or any of which may alternatively be constructed under licence 2); and

Work No. 3— a network of subsea interconnector cables between the offshore substation platforms including cable crossings and cable protection (which may alternatively be constructed under licence 2).

In connection with the licenced activities in Work Nos. 1 to 3 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 scheme 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 and the disposal of inert material of natural origin and/or dredged material within the Order limits 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 and use of cable anchors;

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

(g) removal of static fishing equipment;

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

(i) lighting; and

(j) buoys, beacons, fenders and other navigational warning or ship impact protection works.

4. The substances and objects authorised for deposit at sea are—

(a) iron, steel, copper and aluminium;

(b) stone and rock;

(c) concrete and grout;

(d) sand and gravel;

(e) plastic and synthetic;

(f) material extracted from within the Order limits during construction drilling or seabed preparation for foundation works and cable sandwave preparation works; and

(g) marine coatings, other chemicals and timber.

5. The grid coordinates for Work No. 1, Work No. 2 and Work No. 3 are as shown on the order limits and grid coordinates plan and as specified below—

Point	*Latitude*	*Longitude*
1	53° 54′ 27.788″ N	3° 58′ 8.915″ W
2	53° 54′ 41.257″ N	3° 58′ 42.184″ W
3	53° 57′ 6.032″ N	4° 3′ 55.525″ W
4	53° 57′ 7.936″ N	4° 4′ 25.017″ W
5	53° 57′ 13.636″ N	4° 5′ 53.497″ W
6	53° 58′ 7.549″ N	4° 7′ 48.094″ W
7	54° 0′ 28.539″ N	4° 12′ 48.480″ W
8	54° 0′ 33.128″ N	4° 12′ 41.699″ W
9	54° 0′ 39.541″ N	4° 12′ 32.331″ W
10	54° 0′ 49.220″ N	4° 12′ 18.682″ W
11	54° 0′ 58.979″ N	4° 12′ 5.399″ W
12	54° 1′ 0.852″ N	4° 12′ 2.795″ W

13	54° 1′ 10.663″ N	4° 11′ 49.441″ W
14	54° 1′ 20.488″ N	4° 11′ 36.537″ W
15	54° 1′ 26.187″ N	4° 11′ 24.779″ W
16	54° 1′ 31.886″ N	4° 11′ 13.315″ W
17	54° 1′ 33.367″ N	4° 11′ 10.387″ W
18	54° 1′ 34.438″ N	4° 11′ 8.270″ W
19	54° 1′ 39.125″ N	4° 10′ 59.214″ W
20	54° 1′ 41.978″ N	4° 10′ 53.701″ W
21	54° 1′ 42.739″ N	4° 10′ 52.231″ W
22	54° 1′ 47.148″ N	4° 10′ 43.936″ W
23	54° 1′ 48.940″ N	4° 10′ 40.404″ W
24	54° 1′ 57.247″ N	4° 10′ 24.352″ W
25	54° 2′ 5.706″ N	4° 10′ 8.569″ W
26	54° 2′ 11.564″ N	4° 9′ 57.954″ W
27	54° 2′ 14.425″ N	4° 9′ 52.857″ W
28	54° 2′ 14.433″ N	4° 9′ 52.843″ W
29	54° 2′ 14.446″ N	4° 9′ 52.820″ W
30	54° 2′ 23.202″ N	4° 9′ 37.580″ W
31	54° 2′ 23.221″ N	4° 9′ 37.547″ W
32	54° 2′ 23.229″ N	4° 9′ 37.534″ W
33	54° 2′ 23.238″ N	4° 9′ 37.518″ W
34	54° 2′ 23.239″ N	4° 9′ 37.517″ W
35	54° 2′ 32.133″ N	4° 9′ 22.564″ W
36	54° 2′ 32.146″ N	4° 9′ 22.542″ W
37	54° 2′ 32.159″ N	4° 9′ 22.521″ W
38	54° 2′ 32.166″N	4° 9′ 22.509″ W
39	54° 2′ 32.172″ N	4° 9′ 22.500″ W
40	54° 2′ 41.223″ N	4° 9′ 7.804″ W
41	54° 2′ 41.236″ N	4° 9′ 7.782″ W
42	54° 2′ 41.249″ N	4° 9′ 7.761″ W
43	54° 2′ 41.257″ N	4° 9′ 7.749″ W
44	54° 2′ 41.263″ N	4° 9′ 7.739″ W
45	54° 2′ 50.489″ N	4° 8′ 53.271″ W
46	54° 2′ 59.863″ N	4° 8′ 39.076″ W
47	54° 3′ 9.407″ N	4° 8′ 25.119″ W
48	54° 3′ 19.079″ N	4° 8′ 11.466″ W
49	54° 3′ 28.890″ N	4° 7′ 58.099″ W
50	54° 3′ 38.836″ N	4° 7′ 45.024″ W
51	54° 3′ 48.923″ N	4° 7′ 32.234″ W
52	54° 3′ 52.208″ N	4° 7′ 28.172″ W
53	54° 3′ 56.043″ N	4° 7′ 23.528″ W
54	54° 3′ 59.107″ N	4° 7′ 19.782″ W
55	54° 3′ 59.122″ N	4° 7′ 19.764″ W
56	54° 3′ 59.130″ N	4° 7′ 19.754″ W
57	54° 4′ 1.160″ N	4° 7′ 17.353″ W
58	54° 4′ 1.181″ N	4° 7′ 17.328″ W
59	54° 4′ 6.734″ N	4° 7′ 10.779″ W
60	54° 4′ 7.781″ N	4° 7′ 9.560″ W
61	54° 4′ 9.456″ N	4° 7′ 7.587″ W
62	54° 4′ 13.935″ N	4° 7′ 2.501″ W

63	54° 4′ 16.028″ N	4° 7′ 0.112″ W
64	54° 4′ 18.943″ N	4° 6′ 56.806″ W
65	54° 4′ 19.913″ N	4° 6′ 55.716″ W
66	54° 4′ 24.700″ N	4° 6′ 50.475″ W
67	54° 4′ 30.489″ N	4° 6′ 44.156″ W
68	54° 4′ 35.097″ N	4° 6′ 39.269″ W
69	54° 4′ 40.000″ N	4° 6′ 34.145″ W
70	54° 4′ 41.189″ N	4° 6′ 32.904″ W
71	54° 4′ 45.972″ N	4° 6′ 28.021″ W
72	54° 3′ 42.182″ N	4° 0′ 24.131″ W
73	54° 0′ 25.772″ N	3° 53′ 55.337″ W
74	53° 58′ 34.172″ N	3° 47′ 19.232″ W
75	53° 56′ 34.760″ N	3° 47′ 14.121″ W

6. This marine licence remains in force until the authorised scheme has been decommissioned 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.

7. The provisions of section 72 (variation, suspension, revocation and transfer) of the 2009 Act apply to this licence except that the provisions of section 72(7) and (8) relating to the transfer of the licence apply only to a transfer not falling within article 7 (benefit of order) of the Order.

8. With respect to any condition which requires the licensed activities be carried out in accordance with the details, plans or schemes approved under this licence, the approved details, plans or schemes are taken to include any amendments that may subsequently be approved in writing by the MMO.

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 statements. Such agreement may only be given where it has been demonstrated to the satisfaction of the MMO that it is unlikely to or will not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

PART 2

Conditions

Design parameters

10.—(1) The authorised scheme must be constructed in accordance with the parameters assessed in the environmental statement and set out in Table 2.

(2) The parameters in Table 2 do not allow works in relation to wind turbine generators that give rise to any materially new or materially different environmental effects to those identified in the environmental statement based upon the two assessed scenarios set out in Table 3.5 of the environmental statement.

(3) References to the location of an offshore surface structure in Table 2 is a reference to the centre point of that structure.

Table 2

Parameter	*Value*
Maximum number of wind turbine generators	96
Maximum height of wind turbine generators when measured from LAT	364

to the tip of the vertical blade (m)	
Maximum rotor diameter of each wind turbine generator (m)	320
Maximum rotor swept area (m^2)	5,468,884
Minimum distance from LAT to the lowest point of the rotating blade for each turbine (m)	34
Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)	26
Minimum distance between offshore surface structures (in all directions) (m)	1,400
Maximum diameter of pin-piles for wind turbine generators on jacket pin-pile foundations (m)	5.5
Maximum diameter of gravity base at the seabed for wind turbine generators on gravity base foundations (m)	49
Maximum diameter of buckets for wind turbine generators on suction bucket jackets (m)	18
Maximum diameter of pin-piles for offshore substation platforms on jacket pin-pile foundations (m)	5.5
Maximum diameter of gravity base at the seabed for offshore substation platforms on gravity base foundations (m)	80
Maximum diameter of buckets for offshore substation platforms on suction bucket jackets (m)	18
Maximum number of wind turbines on jacket driven pin-pile foundations	64
Maximum volume of extracted seabed material to be used in gravity base foundations (m^3)	490,000
Maximum total seabed footprint of wind turbine generators (including scour protection) (m^2)	735,488
Maximum volume of scour protection for wind turbine generators (m^3)	1,701,998
Maximum volume of scour protection for offshore substation foundations (m^3)	58,361
Maximum number of offshore substation platforms	4
Maximum dimensions of offshore substations (excluding towers, helipads, masts, and cranes):	
Height when measured from LAT (m)	70
Length (m)	80
Width (m)	60
Maximum total seabed footprint area for offshore substation foundations (including scour protection) (m^2)	24,964
Maximum total length of cables (inter-array and interconnector) (km)	450
Maximum number of cable crossings (inter-array and interconnector)	20
Maximum volume of cable protection (inter-array and interconnector) (m^3)	852,600
Maximum total seabed footprint area for cable protection (m^2)	548,800

11. The total number of offshore substation platforms forming part of the authorised scheme in this licence and the authorised scheme in licence 2 taken together must not exceed four (whether constructed under this licence or licence 2).

12. The total length of interconnector cables forming part of the authorised scheme in this licence and the authorised scheme in licence 2 taken together must not exceed 60 kilometres (whether constructed under this licence or licence 2).

Maintenance of the authorised scheme

13.—(1) The undertaker may at any time maintain the authorised scheme, except to the extent that this licence or an agreement made under this licence provides otherwise.

(2) Maintenance works include but are not limited to—

(a) major wind turbine component or offshore substation platform replacement;

(b) painting and applying other coatings to wind turbine generators or offshore substation platforms;

(c) bird waste and marine growth removal;

(d) cable remedial burial;

(e) cable repairs and replacement;

(f) access ladder and boat landing replacement;

(g) wind turbine generator and offshore substation platform anode replacement; and

(h) J-tube repair/replacement.

(3) An operations and maintenance plan in accordance with the outline offshore operations and maintenance plan must be submitted to the MMO for approval in writing at least six months prior to commencement of the operation of licensed activities and must provide for review and resubmission every three years during the operational phase.

(4) All operation and maintenance activities must be carried out in accordance with the plan approved under sub-paragraph (3).

(5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.

(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licenced activities during the preceding year, the timing of activities and methodologies used.

(7) Unless otherwise agreed in writing with the MMO, every fifth year the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report which will—

(a) Include a review of licenced activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and

(b) Reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.

Extension of time periods

14. Any time period given in this licence to either the undertaker or the MMO may be extended with the agreement of the other party such agreement not to be unreasonably withheld or delayed.

Notifications and inspections

15.—(1) The undertaker must ensure that—

(a) a copy of this licence (issued as part of the grant of the Order) and any subsequent amendments or revisions to it is provided to—

(i) all agents and contractors notified to the MMO in accordance with condition 26;

(ii) the masters and transport managers responsible for the vessels notified to the MMO in accordance with condition 26;

(b) within 28 days of receipt of a copy of this licence those persons referred to in paragraph (a) must confirm receipt of this licence in writing to the MMO.

(2) Only those persons and vessels notified to the MMO in accordance with condition 26 are permitted to carry out the licensed activities.

(3) Copies of this licence must also be available for inspection at the following locations—

(a) the undertaker's registered address;

(b) any site office located at or adjacent to the construction site and used by the undertaker or its agents and contractors responsible for the loading, transportation or deposit of the authorised deposits; and

(c) on board each vessel and at the office of any transport manager with responsibility for vessels from which authorised deposits or removals are to be made.

(4) The documents referred to in sub-paragraph (1)(a) must be available for inspection by an authorised enforcement officer at the locations set out in sub-paragraph (3)(b).

(5) The undertaker must provide access, and if necessary appropriate transportation, to the offshore construction site or any other associated works or vessels to facilitate any inspection that the MMO considers necessary to inspect the works during the construction and operation of the authorised scheme.

(6) The undertaker must inform the MMO Local Office in writing at least 14 days prior to the commencement of the licensed activities or any part of them and within five days of the completion of the licensed activity.

(7) The Kingfisher Information Service of Seafish must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or part thereof by including the information in a notice via their portal (https://kingfisherbulletin.org/submit-notice) and by email to kingfisher@seafish.co.uk—

(a) at least 14 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data; and

(b) as soon as reasonably practicable and no later than 24 hours after completion of the authorised scheme

and confirmation of notification must be provided to the MMO within five days.

(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 the start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA Trinity House and UKHO within five days.

(9) The undertaker must ensure that local notifications to mariners are updated and reissued at weekly 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 and monitoring plan approved under conditions 20(1)(b) and 20(1)(c). Copies of all notices must be provided to the MMO and UKHO within five days.

(10) The undertaker must notify UKHO of completion (within 14 days) of the authorised scheme or any part thereof in order that all necessary amendments are made to nautical charts. Copies of all notices must be provided to the MMO and MCA within five days.

(11) In case of damage to, or destruction or decay of, the authorised scheme or any part thereof, excluding the exposure of cables and 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 MMO, MCA, Trinity House, the Kingfisher Information Service of Seafish, regional fisheries contact and UKHO.

(12) In case of buried cables becoming exposed on or above the seabed, the undertaker must within three days following identification of a cable exposure, notify mariners regional fisheries contact and the Kingfisher Information Service of Seafish of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, and UKHO within five days.

(13) The undertaker must ensure that the MMO, the MMO Local Office, local fishermen's organisations, and the Source Data Receipt Team at the UKHO Taunton, Somerset, TA1 2DN (sdr@ukho.gov.uk) are notified within five days of each instance of cable repair, replacement or protection replenishment activity.

Aids to navigation

16.—(1) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning exhibit such lights, marks, sounds, signals and other aids to navigation, and take such other steps for the prevention of danger to navigation, as Trinity House may from time to time direct.

(2) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning keep Trinity House and the MMO informed of progress of the authorised scheme including—

(a) notice of commencement of construction of the authorised scheme within 24 hours of commencement having occurred;

(b) notice within 24 hours of any aids to navigation being established by the undertaker; and

(c) notice within five days of completion of construction of the authorised scheme.

(3) The undertaker must provide reports to Trinity House on the availability of aids to navigation in accordance with the frequencies set out in the aids to navigation management plan agreed pursuant to condition 20 (1)(f) using the reporting system provided by Trinity House.

(4) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning notify Trinity House and the MMO of any failure of the aids to navigation and the timescales and plans for remedying such failures, as soon as possible and no later than 24 hours following the undertaker becoming aware of any such failure.

(5) In the event that the provisions of condition 15(11) 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.

Colouring of structures

17. Except as otherwise required by Trinity House the undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035).

Chemicals, drilling and debris

18.—(1) The undertaker must ensure that any coatings and treatments are suitable for use in the marine environment and are used in accordance with guidelines approved by the Health and Safety Executive and the Environment Agency Pollution Prevention Control Guidelines.

(2) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including bunding of 110 percent of the total volume of all reservoirs and containers.

(3) The undertaker must inform the MMO in writing of the location and quantities of material disposed of each month under this licence by submission of a disposal return by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive.

(4) The undertaker must ensure that only inert material of natural origin, produced during the drilling installation of or seabed preparation for foundations, and drilling mud is disposed of within disposal site reference IS155 within the extent of the Order limits seaward of MHWS. Any other materials must be screened out before disposal of the inert material at this site.

(5) The undertaker must ensure that any rock material used in the construction of the authorised scheme is from a recognised source, free from contaminants and containing minimal fines.

(6) 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 local enforcement office within 48 hours and if the MMO 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 MMO that reasonable attempts have been made to locate, remove or move any such material.

(7) The undertaker must ensure that no waste concrete slurry or wash water from concrete or cement works are discharged into the marine environment. Concrete and cement mixing and washing areas must be contained to prevent run off entering the water through the freeing ports.

(8) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO Marine Pollution Response Team in accordance with the marine pollution contingency plan agreed under condition 20(1)(e).

(9) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (0344 382 0570), and the UK Hydrographic Office email: navwarnings@btconnect.com.

(10) All dropped objects including those in condition 18(9), must be reported to the MMO using the dropped object procedure form (including any updated form as provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, unless otherwise agreed in writing with the MMO.

(11) On receipt of notification of the dropped object procedure form the MMO may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and the MMO may require obstructions to be removed from the marine environment at the undertaker's expense if reasonable to do so.

Force Majeure

19.—(1) If due to stress of weather or any other cause beyond the reasonable control of the master of a vessel, and which the master of a vessel by the exercise of reasonable diligence is unable to prevent, avoid or remove, 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 of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.

(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.

Pre-construction plans and documentation

20.—(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate—

(a) a design plan at a scale of between 1:25,000 and 1:50,000 in accordance with the layout principles, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the—

(i) number, dimensions, specification, foundation type(s) and depth for each wind turbine generator and offshore substation platform;

(ii) the proposed layout of all wind turbine generators (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes) and offshore substation platforms, including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House;

(iii) proposed layout of all cables;

(iv) location and specification of all other aspects of the authorised scheme; and

(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to condition 20(2)(d) or relating to any benthic habitats of conservation, ecological or economic importance constituting reef habitats of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006,

to ensure conformity with the description of Work No. 1 and compliance with conditions 10, 11 and 12.

(b) A construction programme to include details of—

(i) the proposed construction start date;

(ii) proposed timings for mobilisation of plant delivery of materials and installation works;

(iii) an indicative written construction programme for all wind turbine generators and offshore substation platforms forming part of the authorised scheme and licenced activities;

(c) A monitoring plan (which accords with the offshore in principle monitoring plan) 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 27, 28 and 29 to be submitted to the MMO in accordance with the following—

(i) at least six months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed monitoring;

(ii) at least six months prior to commencement of construction, detail on construction monitoring; and

(iii) at least six months prior to completion of construction, details of operational monitoring, if required;

unless otherwise agreed in writing with the MMO.

(d) an offshore construction method statement (which accords with the outline offshore construction method statement) in accordance with the construction methods assessed in the environmental statement, including details of—

(i) cable specification, installation and monitoring, to include—

(aa) the technical specification of the inter-array cables and interconnector cables;

(bb) a detailed cable specification and installation plan for the authorised scheme, incorporating a cable burial risk assessment. The detailed cable specification and installation plan will identify the risk of needing any cable protection that may exceed 5 percent of navigable depth referenced to Chart Datum. In the event that any area of cable protection exceeding 5 percent of navigable depth is identified, the cable specification and installation plan will set out details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised; and

(cc) details of cable monitoring including details of cable protection until the authorised scheme is decommissioned which includes a risk based approach to the management of unburied or shallow buried cables;

(ii) scour protection management and cable protection management including details of the need, type, sources, quantity and installation methods for scour protection and cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;

(iii) foundation installation methodology, including drilling methods and disposal of drill arisings and material extracted during seabed preparation for foundation and cable installation works;

(iv) piling methodology, in the event that driven or part-driven pile foundations are proposed to be used;

(v) contractors;

(vi) associated ancillary works; and

(vii) guard vessels to be employed;

(e) an offshore environmental management plan (which accords with the outline environment management plan) to include details of—

(i) a marine pollution contingency plan 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 and standards;

(iii) a chemical risk assessment for all chemicals that have a pathway to the marine environment used for the marine licensed activities, outside the course of normal navigation, and are not present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR) to be submitted to the MMO for approval no later than ten weeks prior to use of the chemicals and to include details of—

(aa) the function of the chemical;

(bb) the quantities being used and the frequency of use;

(cc) the physical, chemical, and ecotoxicological properties;

(dd) waste management and disposal arrangements;

(ee) the appointment and responsibilities of a fisheries liaison officer;

(ff) a fisheries liaison and coexistence plan (which accords with the outline fisheries liaison and co-existence plan) to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 15 and to address the interaction of the licensed activities with fishing activities;

(gg) measures to minimise disturbance to marine mammals and rafting birds from transiting vessels; and

(hh) measures to minimise the potential spread of invasive non-native species;

(f) an aids to navigation management plan to be agreed in writing by the MMO following consultation with Trinity House specifying how the undertaker will ensure compliance with condition 16 from the commencement of construction of the authorised scheme to the completion of decommissioning of the authorised scheme;

(g) in the event that driven or part-driven pile foundations are proposed to be used 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; and

(h) a vessel traffic management plan (in accordance with the outline vessel traffic management plan).

(2) The authorised scheme must not commence until a written scheme of archaeological investigation has been submitted to and approved by the MMO following consultation with the statutory historic body, in accordance with the outline offshore written scheme of investigation, and in accordance with industry good practice, following consultation with the statutory historic body to include—

(a) details of responsibilities of the undertaker, archaeological consultant and contractor;

(b) a methodology for further site investigation including any specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations;

(c) archaeological analysis of survey data, and timetable for reporting, which is to be submitted to the MMO within four months of any survey being completed;

(d) delivery of any mitigation including, where necessary, identification and modification of archaeological exclusion zones;

(e) monitoring of archaeological exclusion zones during and post construction where required;

(f) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the National Record of the Historic Environment, by submitting an OASIS (Online Access to the Index of archaeological investigations) form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO that the OASIS form has been submitted to the National Record of the Historic Environment within two weeks of submission;

(g) a reporting and recording protocol, including reporting of any wreck or wreck material during construction, operation and decommissioning of the authorised scheme; and

(h) a timetable for all further site investigations, which must allow sufficient opportunity to establish a full understanding of the historic environment within the Order limits and the approval of any necessary mitigation required as a result of the further site investigations prior to commencement of licensed activities;

(3) 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 written scheme of investigation (which must accord with the details set out in the outline offshore written scheme of investigation), which has been submitted to and approved by the MMO.

21.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 20 must be submitted for approval at least six months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.

(2) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under condition 20, unless otherwise agreed in writing by MMO.

Underwater Sound Management Strategy

22.—(1) No driven or part-driven piling activities shall commence or low order UXO clearance can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body.

(2) The underwater sound management strategy submitted under sub-paragraph (1) must include details of the noise mitigation systems and/or noise abatement system that will be utilised to manage sound from driven or part-driven piling activities (or low order UXO clearance unless otherwise agreed in writing by the MMO).

(3) No driven or part-driven piling activities or low order UXO clearance may be undertaken between 15 February to 31 March (inclusive) of any year, unless the MMO provides written confirmation to the undertaker beforehand that such works can take place in all or in a specified part of the Order limits during this period or part of this period.

(4) In considering whether to provide the confirmation referred to in sub-paragraph (3) above, the MMO shall have regard to any report or reports provided to the MMO by or on behalf of the undertaker relating to such matters as additional baseline information, reduced spatial restrictions, piling management measures, installation techniques or noise propagation modelling.

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

(6) The driven or part-driven piling activities and low order UXO clearance must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the MMO.

Low order unexploded ordnance clearance

23.—(1) No low order unexploded ordnance clearance can take place until the following have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—

(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) low order unexploded ordnance clearance; and

(cc) removal and disposal of large debris;

(ii) a plan showing the area in which clearance activities are proposed to take place;

(iii) confirmation of the total number of unexploded ordnance to be cleared under this licence using low order methods;

(iv) a programme of works; and

(v) any exclusion zones/ environmental micro-siting requirements;

(b) 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.

(2) The method statement and the marine mammal mitigation protocol must be submitted to the MMO for approval at least six months prior to the date on which it is intended for low order unexploded ordnance clearance activities to begin unless otherwise agreed in writing with the MMO.

(3) Any low order unexploded ordnance clearance activities must be undertaken in accordance with the method statement and marine mammal mitigation protocol approved under sub-paragraph (1).

(4) Subject to sub-paragraph (5), an unexploded ordnance close out report must be submitted to the MMO and the relevant statutory nature conservation body within six months following the end of the low order unexploded ordnance clearance activity and must include the following for each clearance undertaken—

(a) co-ordinates, depth, current speed, charge utilised and the date and time of each 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.

(5) Should there be more than one low order unexploded ordnance clearance activity, the report required under sub-paragraph (4) will be provided at intervals agreed with the MMO.

(6) The total number of low order unexploded ordnance clearance as part of the authorised scheme in this licence and the authorised scheme in licence 2 taken together must not exceed 13 (whether undertaken under this licence or licence 2).

(7) No high order unexploded ordnance clearance is permitted by this marine licence.

Marine Noise Registry

24.—(1) In the event that driven or part–driven pile foundations are proposed to be used as part of the foundation installation the undertaker must provide the following information to the Marine Noise Registry—

(a) no less than six months prior to the commencement of each stage of construction of the licensed activities, information on the expected location, start and end dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements;

(b) within two weeks after commencement of each stage of construction of the licensed activities, information on the location, start and end dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements;

(c) at six month intervals following the commencement of pile driving, information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements by 7 April for winter season October – March inclusive and 7 October for summer season April – September inclusive or within 12 weeks of completion of impact pile driving whichever is earlier.

(2) Within 12 weeks of the completion of pile driving the undertaker must submit information on the locations and dates of those activities to satisfy the Close Out requirements.

(3) The undertaker must notify MMO of the successful submission of Forward Look or Close Out information pursuant to sub-paragraphs (1) to (3) above within seven days of the submissions to the Marine Noise Registry.

(4) For the purpose of this condition—

(a) "Marine Noise Registry" means the database of impulsive noise generating activities in UK seas maintained by Joint Nature Conservation Committee;

(b) "Forward Look" and "Close Out" requirements are as set out in the 'UK Marine Noise Registry: Information Document, Version 1 (May 2016)' or any updated information document.

Offshore safety management

25. No part of the authorised scheme may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the authorised scheme 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.

Reporting of engaged agents, contractors and vessels

26.—(1) The undertaker must provide the following information in writing to the MMO, unless otherwise agreed in writing by the MMO—

(a) the name, function, company number (if applicable), registered or head office address (as appropriate) of any agent or contractor appointed to engage in the licensed activities within seven days of appointment; and

(b) each week during the construction of the authorised scheme a completed Hydrographic Note H102 listing the vessels currently and to be used in relation to the licensed activities.

(2) The undertaker must notify the MMO in writing of any vessel being used to carry on any licensed activity listed in this licence on behalf of the undertaker. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity. Notification must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.

(3) Any changes to the supplied details must be notified to the MMO in writing at least 24 hours before the agent, contractor or vessel engages in the licensed activities.

Pre-construction monitoring and surveys

27.—(1) The undertaker must, in discharging condition 20(1)(c) submit a monitoring plan or plans in accordance with the offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must contain details of proposed monitoring and surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report.

(2) The survey proposals submitted under sub-paragraph (1) must be in general accordance with the principles set out in the offshore in principle monitoring plan and must specify each survey's objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position or will enable the validation or otherwise of key predictions in the environmental statement.

(3) The baseline report proposals submitted under sub-paragraph (1) must ensure that the outcome of the agreed surveys, together with existing data and reports, are drawn together to present a valid statement of the pre-construction position, with any limitations, and must make clear what post-construction comparison is intended and the justification for this being required.

(4) The pre-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed with the MMO, have due regard to, but not be limited to, the need to undertake a swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers, which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer around the location of each work.

(5) The undertaker must carry out the surveys specified within the monitoring plan or plans in accordance with that plan or plans, unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.

Construction monitoring

28.—(1) The undertaker must, in discharging condition 20(1)(c) for each stage of construction, submit details (which accord with the offshore in principle monitoring plan) for approval in writing by the MMO in consultation with the relevant statutory nature conservation bodies of any proposed monitoring, including methodologies and timings, to be carried out during the construction of the authorised scheme. The monitoring proposals must specify each monitoring proposal's objectives and explain how it will assist in either informing a useful and valid comparison with the pre-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.

(2) The construction monitoring must include—

(a) marine traffic monitoring in accordance with the offshore in principle monitoring plan, including the provision of reports on the results of that monitoring at the end of each year of the construction period to the MMO, MCA and Trinity House;

(b) in the event that driven or part-driven pile foundations are proposed, measurements of underwater sound generated by the installation of the first four piled foundations of each piled foundation type to be installed collectively under this licence and licence 2 unless the MMO otherwise agrees in writing; and

(c) in the event that driven or part-driven pile foundations are proposed, measurements of underwater sound generated by the installation of the first two piled foundations where it is anticipated hammer energies greater than 3,000kJ may be required for installation, unless the MMO otherwise agrees in writing.

(3) In the event that piled foundations are proposed to be used, the details submitted in accordance with the marine mammal mitigation protocol must include proposals for monitoring marine mammals.

(4) The undertaker must carry out the monitoring approved under sub-paragraph (1), including any further underwater sound monitoring required in writing by the MMO, and provide the agreed reports in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies.

(5) The results of the initial underwater sound measurements monitored in accordance with sub-paragraph (2)(b) must be provided to the MMO within six weeks of the installation of the first four piled foundations. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation

with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.

(6) The results of the any underwater sound measurements monitored in accordance with sub-paragraph (2)(c) must be provided to the MMO within six weeks of the installation of the first two piled foundations that exceed 3,000kJ of hammer energy. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, any piling activity where the hammer energy is anticipated to exceed 3,000kJ must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.

(7) The undertaker must carry out the surveys specified in the offshore monitoring plan in accordance with that plan, including any further underwater sound monitoring required in writing by the MMO under sub-paragraph (4), unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.

Post-construction monitoring

29.—(1) The undertaker must, in discharging condition 20(1)(c) submit details (which accord with the offshore in principle monitoring plan) for approval in writing by the MMO in consultation with relevant statutory nature conservation bodies of proposed post-construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results.

(2) The monitoring proposals must specify each monitoring proposal's objectives and explain how it will assist in either informing a useful and valid comparison with the pre-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.

(3) The post-construction monitoring referred to in sub-paragraph (1) must, unless otherwise agreed in writing with the MMO, have due regard to, but not be limited to, the need to—

(a) undertake, within 12 months of completion of construction of the authorised scheme, a full sea floor coverage swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN 654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications, and side scan sonar, of the area(s) within the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables (including fibre optic cables) have been buried or protected; and

(b) undertake post-construction marine traffic monitoring in accordance with the offshore in principle monitoring plan, including the provision of reports on the results of that monitoring to the MMO, MCA and Trinity House.

(4) The undertaker must carry out the monitoring agreed under sub-paragraph (1) and provide the agreed reports to the MMO in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies.

(5) Following the installation of cables, details of cable monitoring required under 20(1)(d)(i) must be updated with the results of the post installation surveys.

Reporting of scour and cable protection

30.—(1) Not more than four months following completion of the construction of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature conservation

bodies with a report setting out details of the cable protection and scour protection used for the authorised scheme.

(2) The report must include the following information—

(a) the location of cable protection and scour protection;

(b) the volume of cable protection and scour protection; and

(c) any other information relating to the cable protection and scour protection as agreed between the MMO and the undertaker.

(3) Any cable protection (other than the replenishment or replacement of existing cable protection) authorised under this licence must be deployed within 10 years from the date of completion of construction (as reported in the close-out report under condition 31) unless otherwise agreed by the MMO in writing.

Completion of construction

31.—(1) The undertaker must submit a close-out report to the MMO, MCA, Trinity House, the UKHO and the relevant statutory nature conservation body within four months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details—

(a) the final number of installed wind turbine generators and offshore substation platforms;

(b) the installed wind turbine generator and offshore substation platform parameters;

(c) as built plans;

(d) latitude and longitude coordinates of the centre point of the location for each wind turbine generator and offshore substation platform provided as Geographical Information System data referenced to WGS84 datum; and

(e) latitude and longitude coordinates of the inter-array and interconnector cables provided as Geographical Information System data referenced to WGS84 datum.

(2) Following completion of construction, no further construction activities can be undertaken under this licence.

Requirement for written approval

32. Where under any of the above conditions the approval or agreement of the MMO is required, that approval or agreement must be given in writing.

SCHEDULE 4

Article 5

Deemed Marine Licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables

PART 1

Licensed marine activities

Interpretation

1.—(1) In this licence—

"1989 Act" means the Electricity Act 1989(**a**);

(**a**) 1989 c. 29.

"2004 Act" means the Energy Act 2004(**a**);

"2008 Act" means the Planning Act 2008(**b**);

"2009 Act" means the Marine and Coastal Access Act 2009(**c**);

"Annex I reef" means a reef of a type listed in Annex I to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;

"address" includes any number or address used for the purposes of electronic transmission;

"ancillary works" means the ancillary works described in Part 2 of Schedule 1 (ancillary works) and any other works authorised by this Order that are not development within the meaning of section 32 of the 2008 Act;

"authorised deposits" means the substances and articles specified in paragraph 4 of Part 1 of this licence;

"authorised scheme" means Work No. 2 and Work No. 3 and the further associated development described in paragraph 3 of Part 1 of this licence or any part of that work or development;

"bank holiday" means a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(**d**);

"buoy" means any floating device used for navigational purposes or measurement purposes, including but not limited to wave buoys, LiDAR and guard buoys;

"cable" means up to 400kV cables for the transmission of electricity and includes fibre optic and other communications cables either within the cable or laid alongside;

"cable crossings" means the crossing of sub-sea cables, pipelines or other existing infrastructure by the cables (including inter-array cables) authorised by this Order together with cable protection;

"cable protection" means measures to protect cables from physical damage including but not limited to concrete mattresses, with or without frond devices, and/or rock placement, the use of bagged solutions filled with grout or other materials;

"chemicals" comprise both substances and preparations;

"commence" means the first carrying out of any licensed activities, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance, and "commencement" must be construed accordingly;

"commercial operation" means in relation to any part of the authorised scheme, the exporting, transmission or conversion, on a commercial basis, of electricity;

"condition" means a condition in part 2 of this licence;

"electronic transmission" means a communication transmitted—

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form;

"environmental statement" means the document certified as the environmental statement by the Secretary of State under article 11 (certification of plans, etc.) of the Order;

"foundation" means any of: a multi-leg pin-piled jacket foundation, multi-leg suction bucket jacket foundation, or gravity base foundation;

"gravity base foundation" means a structure principally of steel, concrete, or steel and concrete with a base which rests on the seabed either due to its own weight with or without added ballast or additional skirts and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

(**a**) 2004 c. 20.
(**b**) 2008 c. 29.
(**c**) 2009 c. 23
(**d**) 1971 c. 80.

"HAT" means highest astronomical tide;

"high order unexploded ordnance clearance" means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;

"interconnector cables" means the cables linking the offshore substation platforms to each other;

"intrusive activities" means activities including anchoring of vessels, jacking up of vessels, temporary deposits and temporary wet storage areas;

"jacket foundation" means a steel jacket/lattice-type structure constructed principally of steel, fixed to the seabed with pin-piles or steel suction buckets and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

"km" means kilometres;

"LAT" means lowest astronomical tide;

"layout principles" means the layout principles contained within Table 3.7 of the environmental statement project description referred to as document S_D6_15 in Schedule 5;

"LiDAR" means a light detection and ranging system used to measure weather and sea conditions;

"licence 1" means the marine licence set out in Schedule 3 (deemed marine licence under the 2009 Act – Licence 1: Wind Turbine Generators and other Offshore Infrastructure);

"licenced activities" means those activities specified in Part 1 of this licence;

"low order unexploded ordnance clearance" means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance;

"m" means metres and "m^2" means metres squared;

"maintain" includes inspect, upkeep, repair, adjust or alter the authorised scheme, and remove, reconstruct or replace any part of the authorised scheme, to the extent assessed in the environmental statement; and any derivative of "maintain" is to be construed accordingly;

"Marine Management Organisation" means the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function and "MMO" must be construed accordingly;

"MCA" means the Maritime and Coastguard Agency, the executive agency of the Department for Transport;

"MCMS" means the Marine Case Management System web portal provided and operated by the MMO;

"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 11 (certification of plans, etc.) for the purposes of this Order;

"offshore in principle monitoring plan" means the document certified as the offshore in principle monitoring plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"offshore order limits and grid coordinates plan" means the document certified as the offshore order limits and grid coordinates plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"offshore substation platform" means a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad, containing—

(a) electrical equipment required to switch, transform or convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering

equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems; and

(b) accommodation, storage, workshop auxiliary equipment and facilities for operating, maintaining and controlling the substation or wind turbine generators, including navigation, aviation and safety marketing and lighting, systems for vessel charging, access and retrieval, cranes, potable water supply, black water separation, stores, fuels and spares, communications systems and control hub facilities and other associated equipment and facilities;

"offshore surface structures" means offshore substation platforms and wind turbine generators;

"Order" means the Morgan Offshore Wind Project Generation Assets Order 2025;

"Order limits" means the limits shown on the offshore order limits and grid coordinates plan within which the authorised scheme may be carried out;

"outline environmental management plan" plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline fisheries liaison and co-existence plan" plan means the document certified as the outline fisheries liaison and co-existence plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline marine mammal mitigation protocol" means the document certified as the outline marine mammal mitigation protocol" by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore construction method statement" means the document certified as the outline offshore construction method statement by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore written scheme of investigation for archaeology" plan means the document certified as the outline offshore written scheme of investigation for archaeology by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline offshore operations and maintenance plan" plan means the document certified as the outline offshore operations and maintenance plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline underwater sound management strategy" means the document certified as the outline underwater sound management strategy" by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"outline vessel traffic management plan" means the document certified as the outline vessel traffic management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;

"operation" means the undertaking of activities authorised by this Order which are not part of the construction, commissioning or decommissioning of the authorised development;

"pathway to the marine environment" means open systems or closed systems that require top up;

"pin-pile" means steel or concrete cylindrical piles driven and/or drilled into the seabed to secure jacket foundations;

"preparation" means a mixture or solution composed of two or more substances;

"scour protection" means measures to prevent loss of seabed sediment around any structure placed in or on the seabed including by the use of bagged solutions filled with grout or other materials, protective aprons, mattresses with or without frond devices and rock and gravel placement;

"substance" means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any

impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;

"suction bucket" means a tubular steel structure which partially or fully penetrates the seabed and associated equipment, including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;

"statutory historic body" means an organisation charged by the government with advising on matters related to historic buildings and monuments;

"statutory nature conservation body" means an organisation charged by the government with advising on nature conservation matters;

"Trinity House" means the Corporation of Trinity House of Deptford Strond;

"UKHO" means the United Kingdom Hydrographic Office of Admiralty Way, Taunton, Somerset, TA1 2DN;

"undertaker" means Morgan Offshore Wind Limited (company registration number: 13497271) whose registered office address is Chertsey Road, Sunbury on Thames, Middlesex, United Kingdom, TW16 7BP;

"vessel" means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and which is at the time in, on or over water;

"works plan" means the plans certified as the works plan by the Secretary of State under Article 11 (certification of plans, etc.) of this Order.

(2) In this licence a reference to any statute, order, regulation or similar instrument is a reference to a statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

(3) In this licence, unless otherwise indicated—

(a) all times are Greenwich Mean Time ("GMT"); and

(b) all coordinates are latitude and longitude degrees and minutes to two decimal places.

(4) Unless otherwise stated or agreed with the MMO, all notifications must be sent by the undertaker to the MMO using MCMS. Except where otherwise notified in writing by the relevant organisation, the addresses for correspondence for the purposes of this Schedule are—

(a) Centre for Environment, Fisheries and Aquaculture Science
Pakefield Road
Lowestoft
Suffolk
NR33 0HT
Tel: 01502 562 244

(b) Historic England
4th Floor
Cannon Bridge House
25 Dowgate Hill
London
EC4R 2YA Tel: 0161 421 416
Email: northwest@historicengland.org.uk

(c) Marine Management Organisation
Marine Licensing Team
Lancaster House

Hampshire Court
Newcastle upon Tyne
NE4 7YH
Tel: 0300 231 1032
Email: marine.consents@marinemanagement.org.uk

(d) Marine Management Organisation (local office)
Lutra House
Dodd Way
Walton Summit
Preston
PR5 8BX
Tel: 02080 265 643
Email: preston@marinemanagement.org.uk

(e) Marine Management Organisation
Marine Pollution Response Team
Tel. (during office hours): 03008 002 024,
Tel. (outside office hours): 07770 977 825 or 0845 051 8486

(f) Maritime and Coastguard Agency
UK Technical Services Navigation Spring Place
105 Commercial Road
Southampton
SO15 1EG
Email: navigationsafety@mcga.gov.uk

(g) Natural England
Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX
Tel: 03000 604 911

(h) Trinity House
Tower Hill
London
EC3N 4DH
Tel: 020 7481 6900

(i) United Kingdom Hydrographic Office
Admiralty Way
Taunton
Somerset
TA1 2DN
Tel: 01823 337 900

Details of licensed marine activities

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 seabed;

(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 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 1,253,915 cubic metres of inert material of natural origin within the Order limits produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site reference IS155 within the extent of the Order limits seaward of MHWS, unless otherwise agreed in writing with the MMO.

3. Such activities are authorised in relation to the construction, maintenance and operation of the authorised scheme being—

Work No. 2— up to four offshore substation platforms (all or any of which may alternatively be constructed under licence 1); and

Work No. 3— a network of subsea interconnector cables between the offshore substation platforms including cable crossings and cable protection (which may alternatively be constructed under licence 1).

In connection with the licenced activities in Work Nos. 2 and 3 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 scheme 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 and the disposal of inert material of natural origin and/or dredged material within the Order limits 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 and use of cable anchors;

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

(g) removal of static fishing equipment;

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

(i) lighting; and

(j) buoys, beacons, fenders and other navigational warning or ship impact protection works.

4. The substances and objects authorised for deposit at sea are—

(a) iron, steel, copper and aluminium;

(b) stone and rock;

(c) concrete and grout;

(d) sand and gravel;

(e) plastic and synthetic;

(f) material extracted from within the Order limits during construction drilling or seabed preparation for foundation works and cable sandwave preparation works; and

(g) marine coatings, other chemicals and timber.

5. The grid coordinates for Work No. 2 and Work No. 3 are as shown on the order limits and grid coordinates plan and as specified below—

Point	*Latitude*	*Longitude*
1	53° 54′ 27.788″ N	3° 58′ 8.915″ W
2	53° 54′ 41.257″ N	3° 58′ 42.184″ W
3	53° 57′ 6.032″ N	4° 3′ 55.525″ W
4	53° 57′ 7.936″ N	4° 4′ 25.017″ W
5	53° 57′ 13.636″ N	4° 5′ 53.497″ W
6	53° 58′ 7.549″ N	4° 7′ 48.094″ W
7	54° 0′ 28.539″ N	4° 12′ 48.480″ W
8	54° 0′ 33.128″ N	4° 12′ 41.699″ W
9	54° 0′ 39.541″ N	4° 12′ 32.331″ W
10	54° 0′ 49.220″ N	4° 12′ 18.682″ W
11	54° 0′ 58.979″ N	4° 12′ 5.399″ W
12	54° 1′ 0.852″ N	4° 12′ 2.795″ W
13	54° 1′ 10.663″ N	4° 11′ 49.441″ W
14	54° 1′ 20.488″ N	4° 11′ 36.537″ W
15	54° 1′ 26.187″ N	4° 11′ 24.779″ W
16	54° 1′ 31.886″ N	4° 11′ 13.315″ W
17	54° 1′ 33.367″ N	4° 11′ 10.387″ W
18	54° 1′ 34.438″ N	4° 11′ 8.270″ W
19	54° 1′ 39.125″ N	4° 10′ 59.214″ W
20	54° 1′ 41.978″ N	4° 10′ 53.701″ W
21	54° 1′ 42.739″ N	4° 10′ 52.231″ W
22	54° 1′ 47.148″ N	4° 10′ 43.936″ W
23	54° 1′ 48.940″ N	4° 10′ 40.404″ W
24	54° 1′ 57.247″ N	4° 10′ 24.352″ W
25	54° 2′ 5.706″ N	4° 10′ 8.569″ W
26	54° 2′ 11.564″ N	4° 9′ 57.954″ W
27	54° 2′ 14.425″ N	4° 9′ 52.857″ W
28	54° 2′ 14.433″ N	4° 9′ 52.843″ W
29	54° 2′ 14.446″ N	4° 9′ 52.820″ W
30	54° 2′ 23.202″ N	4° 9′ 37.580″ W
31	54° 2′ 23.221″ N	4° 9′ 37.547″ W
32	54° 2′ 23.229″ N	4° 9′ 37.534″ W
33	54° 2′ 23.238″ N	4° 9′ 37.518″ W
34	54° 2′ 23.239″ N	4° 9′ 37.517″ W
35	54° 2′ 32.133″ N	4° 9′ 22.564″ W
36	54° 2′ 32.146″ N	4° 9′ 22.542″ W
37	54° 2′ 32.159″ N	4° 9′ 22.521″ W
38	54° 2′ 32.166″N	4° 9′ 22.509″ W
39	54° 2′ 32.172″ N	4° 9′ 22.500″ W

40	54° 2′ 41.223″ N	4° 9′ 7.804″ W
41	54° 2′ 41.236″ N	4° 9′ 7.782″ W
42	54° 2′ 41.249″ N	4° 9′ 7.761″ W
43	54° 2′ 41.257″ N	4° 9′ 7.749″ W
44	54° 2′ 41.263″ N	4° 9′ 7.739″ W
45	54° 2′ 50.489″ N	4° 8′ 53.271″ W
46	54° 2′ 59.863″ N	4° 8′ 39.076″ W
47	54° 3′ 9.407″ N	4° 8′ 25.119″ W
48	54° 3′ 19.079″ N	4° 8′ 11.466″ W
49	54° 3′ 28.890″ N	4° 7′ 58.099″ W
50	54° 3′ 38.836″ N	4° 7′ 45.024″ W
51	54° 3′ 48.923″ N	4° 7′ 32.234″ W
52	54° 3′ 52.208″ N	4° 7′ 28.172″ W
53	54° 3′ 56.043″ N	4° 7′ 23.528″ W
54	54° 3′ 59.107″ N	4° 7′ 19.782″ W
55	54° 3′ 59.122″ N	4° 7′ 19.764″ W
56	54° 3′ 59.130″ N	4° 7′ 19.754″ W
57	54° 4′ 1.160″ N	4° 7′ 17.353″ W
58	54° 4′ 1.181″ N	4° 7′ 17.328″ W
59	54° 4′ 6.734″ N	4° 7′ 10.779″ W
60	54° 4′ 7.781″ N	4° 7′ 9.560″ W
61	54° 4′ 9.456″ N	4° 7′ 7.587″ W
62	54° 4′ 13.935″ N	4° 7′ 2.501″ W
63	54° 4′ 16.028″ N	4° 7′ 0.112″ W
64	54° 4′ 18.943″ N	4° 6′ 56.806″ W
65	54° 4′ 19.913″ N	4° 6′ 55.716″ W
66	54° 4′ 24.700″ N	4° 6′ 50.475″ W
67	54° 4′ 30.489″ N	4° 6′ 44.156″ W
68	54° 4′ 35.097″ N	4° 6′ 39.269″ W
69	54° 4′ 40.000″ N	4° 6′ 34.145″ W
70	54° 4′ 41.189″ N	4° 6′ 32.904″ W
71	54° 4′ 45.972″ N	4° 6′ 28.021″ W
72	54° 3′ 42.182″ N	4° 0′ 24.131″ W
73	54° 0′ 25.772″ N	3° 53′ 55.337″ W
74	53° 58′ 34.172″ N	3° 47′ 19.232″ W
75	53° 56′ 34.760″ N	3° 47′ 14.121″ W

6. This marine licence remains in force until the authorised scheme has been decommissioned 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.

7. The provisions of section 72 (variation, suspension, revocation and transfer) of the 2009 Act apply to this licence except that the provisions of section 72(7) and (8) relating to the transfer of the licence apply only to a transfer not falling within article 7 (benefit of order) of the Order.

8. With respect to any condition which requires the licensed activities be carried out in accordance with the details, plans or schemes approved under this licence, the approved details, plans or schemes are taken to include any amendments that may subsequently be approved in writing by the MMO.

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 statements. Such agreement may only be given where it has been demonstrated to the satisfaction of the MMO that it is unlikely to or will not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

PART 2

Conditions

Design parameters

10.—(1) The authorised scheme must be constructed in accordance with the parameters assessed in the environmental statement and set out in Table 3.

(2) References to the location of an offshore surface structure in Table 3 is a reference to the centre point of that structure.

Table 3

Parameter	*Value*
Minimum distance between offshore surface structures (in all directions) (m)	1,400
Maximum diameter of pin-piles for offshore substation platforms on jacket pin-pile foundations (m)	5.5
Maximum diameter of gravity base at the seabed for offshore substation platforms on gravity base foundations (m)	80
Maximum diameter of buckets for offshore substation platforms on suction bucket jackets (m)	18
Maximum number of offshore substation platforms	4
Maximum dimensions of offshore substations (excluding towers, helipads, masts, and cranes):	
Height when measured from LAT (m)	70
Length (m)	80
Width (m)	60
Maximum total seabed footprint area for offshore substation foundations (including scour protection) (m^2)	24,964
Maximum volume of scour protection for offshore substation foundations (m^3)	58,361
Maximum total length of cables (interconnector) (km)	60
Maximum number of cable crossings (interconnector)	10
Maximum volume of cable protection (interconnector) (m^3)	210,000
Maximum total seabed footprint area for cable protection (interconnector) (m^2)	130,000

11. The total number of offshore substation platforms forming part of the authorised scheme in this licence and the authorised scheme in licence 1 taken together must not exceed four (whether constructed under this licence or licence 1).

12. The total length of interconnector cables forming part of the authorised scheme in this licence and the authorised scheme in licence 1 taken together must not exceed 60 kilometres (whether constructed under this licence or licence 1).

Maintenance of the authorised scheme

13.—(1) The undertaker may at any time maintain the authorised scheme, except to the extent that this licence or an agreement made under this licence provides otherwise.

(2) Maintenance works include but are not limited to—

(a) offshore substation platform replacement;

(b) painting and applying other coatings to or offshore substation platforms;

(c) bird waste and marine growth removal;

(d) cable remedial burial;

(e) cable repairs and replacement;

(f) access ladder and boat landing replacement;

(g) offshore substation platform anode replacement; and

(h) J-tube repair/replacement.

(3) An operations and maintenance plan in accordance with the outline offshore operations and maintenance plan must be submitted to the MMO for approval in writing at least six months prior to commencement of the operation of licensed activities and must provide for review and resubmission every three years during the operational phase.

(4) All operation and maintenance activities must be carried out in accordance with the plan approved under sub-paragraph (3).

(5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.

(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licenced activities during the preceding year, the timing of activities and methodologies used.

(7) Unless otherwise agreed in writing with the MMO, every fifth year the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report which will—

(a) Include a review of licenced activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and

(b) Reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.

Extension of time periods

14. Any time period given in this licence to either the undertaker or the MMO may be extended with the agreement of the other party such agreement not to be unreasonably withheld or delayed.

Notifications and inspections

15.—(1) The undertaker must ensure that—

(a) a copy of this licence (issued as part of the grant of the Order) and any subsequent amendments or revisions to it is provided to—

(i) all agents and contractors notified to the MMO in accordance with condition 26;

(ii) the masters and transport managers responsible for the vessels notified to the MMO in accordance with condition 26;

(b) within 28 days of receipt of a copy of this licence those persons referred to in paragraph (a) must confirm receipt of this licence in writing to the MMO.

(2) Only those persons and vessels notified to the MMO in accordance with condition 26 are permitted to carry out the licensed activities.

(3) Copies of this licence must also be available for inspection at the following locations—

(a) the undertaker's registered address;

(b) any site office located at or adjacent to the construction site and used by the undertaker or its agents and contractors responsible for the loading, transportation or deposit of the authorised deposits; and

(c) on board each vessel and at the office of any transport manager with responsibility for vessels from which authorised deposits or removals are to be made.

(4) The documents referred to in sub-paragraph (1)(a) must be available for inspection by an authorised enforcement officer at the locations set out in sub-paragraph (3)(b).

(5) The undertaker must provide access, and if necessary appropriate transportation, to the offshore construction site or any other associated works or vessels to facilitate any inspection that the MMO considers necessary to inspect the works during the construction and operation of the authorised scheme.

(6) The undertaker must inform the MMO Local Office in writing at least 14 days prior to the commencement of the licensed activities or any part of them and within five days of the completion of the licensed activity.

(7) The Kingfisher Information Service of Seafish must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or part thereof by including the information in a notice via their portal (https://kingfisherbulletin.org/submit-notice) and by email to kingfisher@seafish.co.uk—

(a) at least 14 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data; and

(b) as soon as reasonably practicable and no later than 24 hours after completion of the authorised scheme

and confirmation of notification must be provided to the MMO within five days.

(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 the start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA Trinity House and UKHO within five days.

(9) The undertaker must ensure that local notifications to mariners are updated and reissued at weekly 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 and monitoring plan approved under conditions 20(1)(b)) and 20(1)(c). Copies of all notices must be provided to the MMO and UKHO within five days.

(10) The undertaker must notify UKHO of completion (within 14 days) of the authorised scheme or any part thereof in order that all necessary amendments are made to nautical charts. Copies of all notices must be provided to the MMO and MCA within five days.

(11) In case of damage to, or destruction or decay of, the authorised scheme or any part thereof, excluding the exposure of cables and 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 MMO, MCA, Trinity House, the Kingfisher Information Service of Seafish, regional fisheries contact and UKHO.

(12) In case of buried cables becoming exposed on or above the seabed, the undertaker must within three days following identification of a cable exposure, notify mariners regional fisheries contact and the Kingfisher Information Service of Seafish of the location and extent of exposure. Copies of all notices must be provided to the MMO, MCA, Trinity House, and UKHO within five days.

(13) The undertaker must ensure that the MMO, the MMO Local Office, local fishermen's organisations, and the Source Data Receipt Team at the UKHO Taunton, Somerset, TA1 2DN (sdr@ukho.gov.uk) are notified within five days of each instance of cable repair, replacement or protection replenishment activity.

Aids to navigation

16.—(1) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning exhibit such lights, marks, sounds, signals and other aids to navigation, and take such other steps for the prevention of danger to navigation, as Trinity House may from time to time direct.

(2) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning keep Trinity House and the MMO informed of progress of the authorised scheme including—

(a) notice of commencement of construction of the authorised scheme within 24 hours of commencement having occurred;

(b) notice within 24 hours of any aids to navigation being established by the undertaker; and

(c) notice within five days of completion of construction of the authorised scheme.

(3) The undertaker must provide reports to Trinity House on the availability of aids to navigation in accordance with the frequencies set out in the aids to navigation management plan agreed pursuant to condition 20(1)(f) using the reporting system provided by Trinity House.

(4) The undertaker must during the period from commencement of construction of the authorised scheme to completion of decommissioning notify Trinity House and the MMO of any failure of the aids to navigation and the timescales and plans for remedying such failures, as soon as possible and no later than 24 hours following the undertaker becoming aware of any such failure.

(5) In the event that the provisions of condition 15(11) 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.

Colouring of structures

17. Except as otherwise required by Trinity House the undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035).

Chemicals, drilling and debris

18.—(1) The undertaker must ensure that any coatings and treatments are suitable for use in the marine environment and are used in accordance with guidelines approved by the Health and Safety Executive and the Environment Agency Pollution Prevention Control Guidelines.

(2) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including bunding of 110 percent of the total volume of all reservoirs and containers.

(3) The undertaker must inform the MMO in writing of the location and quantities of material disposed of each month under this licence by submission of a disposal return by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive.

(4) The undertaker must ensure that only inert material of natural origin, produced during the drilling installation of or seabed preparation for foundations, and drilling mud is disposed of within disposal site reference IS155 within the extent of the Order limits seaward of MHWS. Any other materials must be screened out before disposal of the inert material at this site.

(5) The undertaker must ensure that any rock material used in the construction of the authorised scheme is from a recognised source, free from contaminants and containing minimal fines.

(6) 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 local enforcement office within 48 hours and if the MMO 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 MMO that reasonable attempts have been made to locate, remove or move any such material.

(7) The undertaker must ensure that no waste concrete slurry or wash water from concrete or cement works are discharged into the marine environment. Concrete and cement mixing and washing areas must be contained to prevent run off entering the water through the freeing ports.

(8) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO Marine Pollution Response Team in accordance with the marine pollution contingency plan agreed under condition 20(1)(e).

(9) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (0344 382 0570), and the UK Hydrographic Office email: navwarnings@btconnect.com.

(10) All dropped objects including those in condition 18(9), must be reported to the MMO using the dropped object procedure form (including any updated form as provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, unless otherwise agreed in writing with the MMO.

(11) On receipt of notification of the dropped object procedure form the MMO may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and the MMO may require obstructions to be removed from the marine environment at the undertaker's expense if reasonable to do so.

Force Majeure

19.—(1) If due to stress of weather or any other cause beyond the reasonable control of the master of a vessel, and which the master of a vessel by the exercise of reasonable diligence is unable to prevent, avoid or remove, 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 of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.

(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.

Pre-construction plans and documentation

20.—(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate—

(a) a design plan at a scale of between 1:25,000 and 1:50,000 in accordance with the layout principles, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the—

(i) number, dimensions, specification, foundation type(s) and depth for each substation platform;

(ii) the proposed layout of all offshore substation platforms, including grid coordinates of the centre point of the proposed location for each offshore substation platform subject to up to 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House;

(iii) proposed layout of all cables;

(iv) location and specification of all other aspects of the authorised scheme; and

(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to condition 20(2)(d) or relating to any benthic habitats of conservation, ecological or

economic importance constituting reef habitats of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006,

to ensure conformity with the description of Work Nos 2 and 3 and compliance with conditions 10, 11 and 12.

(b) a construction programme to include details of—

(i) the proposed construction start date;

(ii) proposed timings for mobilisation of plant delivery of materials and installation works;

(iii) an indicative written construction programme for all offshore substation platforms forming part of the authorised scheme and licenced activities;

(c) a monitoring plan (which accords with the offshore in principle monitoring plan) 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 27, 28 and 29 to be submitted to the MMO in accordance with the following—

(i) at least six months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed monitoring;

(ii) at least six months prior to commencement of construction, detail on construction monitoring;

(iii) at least six months prior to completion of construction, details of operational monitoring, if required; and

unless otherwise agreed in writing with the MMO.

(d) an offshore construction method statement (which accords with the outline offshore construction method statement) in accordance with the construction methods assessed in the environmental statement, including details of—

(i) cable specification, installation and monitoring, to include—

(aa) the technical specification of the interconnector cables;

(bb) a detailed cable specification and installation plan for the authorised scheme, incorporating a cable burial risk assessment. The detailed cable specification and installation plan will identify the risk of needing any cable protection that may exceed 5 percent of navigable depth referenced to Chart Datum. In the event that any area of cable protection exceeding 5 percent of navigable depth is identified, the cable specification and installation plan will set out details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised; and

(cc) details of cable monitoring including details of cable protection until the authorised scheme is decommissioned which includes a risk based approach to the management of unburied or shallow buried cables;

(ii) scour protection management and cable protection management including details of the need, type, sources, quantity and installation methods for scour protection and cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;

(iii) foundation installation methodology, including drilling methods and disposal of drill arisings and material extracted during seabed preparation for foundation and cable installation works;

(iv) piling methodology, in the event that driven or part-driven pile foundations are proposed to be used;

(v) contractors;

(vi) associated ancillary works; and

(vii) guard vessels to be employed;

(e) an offshore environmental management plan (which accords with the outline environment management plan) to include details of—

(i) a marine pollution contingency plan 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 and standards;

(iii) a chemical risk assessment for all chemicals that have a pathway to the marine environment used for the marine licensed activities, outside the course of normal navigation, and are not present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR) to be submitted to the MMO for approval no later than ten weeks prior to use of the chemicals and to include details of—

(aa) the function of the chemical;

(bb) the quantities being used and the frequency of use;

(cc) the physical, chemical, and ecotoxicological properties;

(dd) waste management and disposal arrangements;

(ee) the appointment and responsibilities of a fisheries liaison officer;

(ff) a fisheries liaison and coexistence plan (which accords with the outline fisheries liaison and co-existence plan) to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 15 and to address the interaction of the licensed activities with fishing activities;

(gg) measures to minimise disturbance to marine mammals and rafting birds from transiting vessels; and

(hh) measures to minimise the potential spread of invasive non-native species.

(f) an aids to navigation management plan to be agreed in writing by the MMO following consultation with Trinity House specifying how the undertaker will ensure compliance with condition 16 from the commencement of construction of the authorised scheme to the completion of decommissioning of the authorised scheme;

(g) in the event that driven or part-driven pile foundations are proposed to be used 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; and

(h) a vessel traffic management plan (in accordance with the outline vessel traffic management plan.

(2) The authorised scheme must not commence until a written scheme of archaeological investigation has been submitted to and approved by the MMO following consultation with the statutory historic body, in accordance with the outline offshore written scheme of investigation, and in accordance with industry good practice, following consultation with the statutory historic body to include—

(a) details of responsibilities of the undertaker, archaeological consultant and contractor;

(b) a methodology for further site investigation including any specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations;

(c) archaeological analysis of survey data, and timetable for reporting, which is to be submitted to the MMO within four months of any survey being completed;

(d) delivery of any mitigation including, where necessary, identification and modification of archaeological exclusion zones;

(e) monitoring of archaeological exclusion zones during and post construction where required;

(f) a requirement for the undertaker to ensure that a copy of any agreed archaeological report is deposited with the National Record of the Historic Environment, by submitting an OASIS (Online Access to the Index of archaeological investigations) form with a digital copy of the report within six months of completion of construction of the authorised scheme, and to notify the MMO that the OASIS form has been submitted to the National Record of the Historic Environment within two weeks of submission;

(g) a reporting and recording protocol, including reporting of any wreck or wreck material during construction, operation and decommissioning of the authorised scheme; and

(h) a timetable for all further site investigations, which must allow sufficient opportunity to establish a full understanding of the historic environment within the Order limits and the approval of any necessary mitigation required as a result of the further site investigations prior to commencement of licensed activities;

(3) 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 written scheme of investigation (which must accord with the details set out in the outline offshore written scheme of investigation) which has been submitted to and approved by the MMO.

21.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 20 must be submitted for approval at least six months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.

(2) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under condition 20, unless otherwise agreed in writing by MMO.

Underwater Sound Management Strategy

22.—(1) No driven or part-driven piling activities shall commence or low order UXO clearance can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to, and approved in writing, by the MMO in consultation with the relevant statutory nature conservation body.

(2) The underwater sound management strategy submitted under sub-paragraph (1) must include details of the noise mitigation systems and/or noise abatement system that will be utilised to manage sound from driven or part-driven piling activities (or low order UXO clearance unless otherwise agreed in writing by the MMO).

(3) No driven or part-driven piling activities or low order UXO clearance may be undertaken between 15 February to 31 March (inclusive) of any year, unless the MMO provides written confirmation to the undertaker beforehand that such works can take place in all or in a specified part of the Order limits during this period or part of this period.

(4) In considering whether to provide the confirmation referred to in sub-paragraph (3) above, the MMO shall have regard to any report or reports provided to the MMO by or on behalf of the undertaker relating to such matters as additional baseline information, reduced spatial restrictions, piling management measures, installation techniques or noise propagation modelling.

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

(6) The driven or part-driven piling activities and low order UXO clearance must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the MMO.

Low order unexploded ordnance clearance

23.—(1) No low order unexploded ordnance clearance can take place until the following have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—

(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) low order unexploded ordnance clearance; and

(cc) removal and disposal of large debris;

(ii) a plan showing the area in which clearance activities are proposed to take place;

(iii) confirmation of the total number of unexploded ordnance to be cleared under this licence using low order methods;

(iv) a programme of works; and

(v) any exclusion zones/ environmental micro-siting requirements;

(b) 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.

(2) The method statement and the marine mammal mitigation protocol must be submitted to the MMO for approval at least six months prior to the date on which it is intended for low order unexploded ordnance clearance activities to begin unless otherwise agreed in writing with the MMO.

(3) Any low order unexploded ordnance clearance activities must be undertaken in accordance with the method statement and marine mammal mitigation protocol approved under sub-paragraph (1).

(4) Subject to sub-paragraph (5), an unexploded ordnance close out report must be submitted to the MMO and the relevant statutory nature conservation body within six months following the end of the low order unexploded ordnance clearance activity and must include the following for each clearance undertaken—

(a) co-ordinates, depth, current speed, charge utilised and the date and time of each 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.

(5) Should there be more than one low order unexploded ordnance clearance activity, the report required under sub-paragraph (4) will be provided at intervals agreed with the MMO.

(6) The total number of low order unexploded ordnance clearance as part of the authorised scheme in this licence and the authorised scheme in licence 1 taken together must not exceed 13 (whether undertaken under this licence or licence 1).

(7) No high order unexploded ordnance clearance is permitted by this marine licence.

Marine Noise Registry

24.—(1) In the event that driven or part–driven pile foundations are proposed to be used as part of the foundation installation the undertaker must provide the following information to the Marine Noise Registry—

(a) no less than six months prior to the commencement of each stage of construction of the licensed activities, information on the expected location, start and end dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements,

(b) within two weeks after commencement of each stage of construction of the licensed activities, information on the location, start and end dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements;

(c) at six month intervals following the commencement of pile driving, information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements by 7 April for winter season October – March inclusive and 7 October for summer season April – September inclusive or within 12 weeks of completion of impact pile driving whichever is earlier.

(2) Within 12 weeks of the completion of pile driving the undertaker must submit information on the locations and dates of those activities to satisfy the Close Out requirements.

(3) The undertaker must notify MMO of the successful submission of Forward Look or Close Out information pursuant to sub-paragraphs (1) to (3) above within seven days of the submissions to the Marine Noise Registry.

(4) For the purpose of this condition—

(a) "Marine Noise Registry" means the database of impulsive noise generating activities in UK seas maintained by Joint Nature Conservation Committee;

(b) "Forward Look" and "Close Out" requirements are as set out in the 'UK Marine Noise Registry: Information Document, Version 1 (May 2016)' or any updated information document.

Offshore safety management

25. No part of the authorised scheme may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the project, adequately addressed all MCA recommendations as appropriate to the authorised scheme 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.

Reporting of engaged agents, contractors and vessels

26.—(1) The undertaker must provide the following information in writing to the MMO, unless otherwise agreed in writing by the MMO—

(a) the name, function, company number (if applicable), registered or head office address (as appropriate) of any agent or contractor appointed to engage in the licensed activities within seven days of appointment; and

(b) each week during the construction of the authorised scheme a completed Hydrographic Note H102 listing the vessels currently and to be used in relation to the licensed activities.

(2) The undertaker must notify the MMO in writing of any vessel being used to carry on any licensed activity listed in this licence on behalf of the undertaker. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity. Notification must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.

(3) Any changes to the supplied details must be notified to the MMO in writing at least 24 hours before the agent, contractor or vessel engages in the licensed activities.

Pre-construction monitoring and surveys

27.—(1) The undertaker must, in discharging condition 20(1)(c) submit a monitoring plan or plans in accordance with the offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must contain details of proposed monitoring and surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report.

(2) The survey proposals submitted under sub-paragraph (1) must be in general accordance with the principles set out in the offshore in principle monitoring plan and must specify each survey's objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position or will enable the validation or otherwise of key predictions in the environmental statement.

(3) The baseline report proposals submitted under sub-paragraph (1) must ensure that the outcome of the agreed surveys, together with existing data and reports, are drawn together to present a valid statement of the pre-construction position, with any limitations, and must make clear what post-construction comparison is intended and the justification for this being required.

(4) The pre-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed with the MMO, have due regard to, but not be limited to, the need to undertake a swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers, which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer around the location of each work.

(5) The undertaker must carry out the surveys specified within the monitoring plan or plans in accordance with that plan or plans, unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.

Construction monitoring

28.—(1) The undertaker must, in discharging condition 20(1)(c) for each stage of construction, submit details (which accord with the offshore in principle monitoring plan) for approval in writing by the MMO in consultation with the relevant statutory nature conservation bodies of any proposed monitoring, including methodologies and timings, to be carried out during the construction of the authorised scheme. The monitoring proposals must specify each monitoring proposal's objectives and explain how it will assist in either informing a useful and valid comparison with the pre-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.

(2) The construction monitoring must include—

(a) marine traffic monitoring in accordance with the offshore in principle monitoring plan, including the provision of reports on the results of that monitoring at the end of each year of the construction period to the MMO, MCA and Trinity House;

(b) in the event that driven or part-driven pile foundations are proposed, measurements of underwater sound generated by the installation of the first four piled foundations of each piled foundation type to be installed collectively under this licence and licence 1 unless the MMO otherwise agrees in writing; and

(c) in the event that driven or part-driven pile foundations are proposed, measurements of underwater sound generated by the installation of the first two piled foundations where it is anticipated hammer energies greater than 3,000kJ may be required for installation, unless the MMO otherwise agrees in writing.

(3) In the event that piled foundations are proposed to be used, the details submitted in accordance with the marine mammal mitigation protocol must include proposals for monitoring marine mammals.

(4) The undertaker must carry out the monitoring approved under sub-paragraph (1), including any further underwater sound monitoring required in writing by the MMO, and provide the agreed reports in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies.

(5) The results of the initial underwater sound measurements monitored in accordance with sub-paragraph (2)(b) must be provided to the MMO within six weeks of the installation of the first four piled foundations. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation

with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.

(6) The results of the any underwater sound measurements monitored in accordance with sub-paragraph (2)(c) must be provided to the MMO within six weeks of the installation of the first two piled foundations that exceed 3,000kJ of hammer energy. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, any piling activity where the hammer energy is anticipated to exceed 3,000kJ must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.

(7) The undertaker must carry out the surveys specified in the offshore monitoring plan in accordance with that plan, including any further underwater sound monitoring required in writing by the MMO under sub-paragraph (4), unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.

Post-construction monitoring

29.—(1) The undertaker must, in discharging condition 20(1)(c) submit details (which accord with the offshore in principle monitoring plan) for approval in writing by the MMO in consultation with relevant statutory nature conservation bodies of proposed post-construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results.

(2) The monitoring proposals must specify each monitoring proposal's objectives and explain how it will assist in either informing a useful and valid comparison with the pre-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.

(3) The post-construction monitoring referred to in sub-paragraph (1) must, unless otherwise agreed in writing with the MMO, have due regard to, but not be limited to, the need to—

(a) undertake, within 12 months of completion of construction of the authorised scheme, a full sea floor coverage swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN 654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications, and side scan sonar, of the area(s) within the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables (including fibre optic cables) have been buried or protected; and

(b) undertake post-construction marine traffic monitoring in accordance with the offshore in principle monitoring plan, including the provision of reports on the results of that monitoring to the MMO, MCA and Trinity House.

(4) The undertaker must carry out the monitoring agreed under sub-paragraph (1) and provide the agreed reports to the MMO in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation bodies.

(5) Following the installation of cables, details of cable monitoring required under 20(1)(d)(i) must be updated with the results of the post installation surveys.

Reporting of scour and cable protection

30.—(1) Not more than four months following completion of the construction of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature conservation

bodies with a report setting out details of the cable protection and scour protection used for the authorised scheme.

(2) The report must include the following information—

(a) the location of cable protection and scour protection;

(b) the volume of cable protection and scour protection; and

(c) any other information relating to the cable protection and scour protection as agreed between the MMO and the undertaker.

(3) Any cable protection (other than the replenishment or replacement of existing cable protection) authorised under this licence must be deployed within 10 years from the date of completion of construction (as reported in the close-out report under condition 31) unless otherwise agreed by the MMO in writing.

Completion of construction

31.—(1) The undertaker must submit a close-out report to the MMO, MCA, Trinity House, the UKHO and the relevant statutory nature conservation body within four months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details—

(a) the final number of installed offshore substation platforms;

(b) the installed offshore substation platform parameters;

(c) as built plans;

(d) latitude and longitude coordinates of the centre point of the location for each offshore substation platform provided as Geographical Information System data referenced to WGS84 datum; and

(e) latitude and longitude coordinates of the interconnector cables provided as Geographical Information System data referenced to WGS84 datum.

(2) Following completion of construction, no further construction activities can be undertaken under this licence.

Requirement for written approval

32. Where under any of the above conditions the approval or agreement of the MMO is required, that approval or agreement must be given in writing.

SCHEDULE 5

Article 11

Documents to be certified

1. The following documents are the list referred to in article 11—

Table 4

Document Reference Number	*Examination Library Reference*	*Document Name*	*Version*	*Date*
Plans and Drawings				
B2	APP-081	Order Limits and Grid Coordinates Plan	F01	April 2024
B3	APP-082	Works plan	F01	April 2024
Environmental Statement				
F1	APP-095	Non-technical summary	F01	April 2024

F1.1	APP-008	Volume 1, Chapter 1 Introduction and overarching glossary	F01	April 2024
F1.2	APP-009	Volume 1, Chapter 2: Policy and legislative context	F01	April 2024
S_D6_15	REP6-024	Volume 1, Chapter 3: Project description	F02	February 2025
F1.4	APP-011	Volume 1, Chapter 4: Site selection and consideration of alternatives	F01	April 2024
F1.5	APP-012	Volume 1, Chapter 5: Environmental impact assessment methodology	F01	April 2024
S_D6_16	REP6-026	Volume 2, Chapter 1: Physical processes	F02	February 2025
S_D6_17	REP6-028	Volume 2, Chapter 2: Benthic subtidal ecology	F02	February 2025
S_D6_18	REP6-030	Volume 2, Chapter 3: Fish and shellfish ecology	F02	February 2025
S_D6_19	REP6-031	Volume 2, Chapter 4: Marine mammals	F04	February 2025
S_D6_20	REP6-033	Volume 2, Chapter 5: Offshore ornithology	F02	February 2025
F2.6	APP-024	Volume 2, Chapter 6: Commercial fisheries	F01	April 2024
S_D6_21	REP6-034	Volume 2, Chapter 7: Shipping and navigation	F02	February 2025
F2.8	APP-026	Volume 2, Chapter 8: Marine	F01	April 2024

		archaeology and cultural heritage		
S_D6_22	REP6-035	Volume 2, Chapter 9: Other sea users	F02	February 2025
S_D6_23	REP6-036	Volume 2, Chapter 10: Seascape, landscape and visual resources	F02	February 2025
F2.11	APP-015	Volume 2, Chapter 11: Aviation and radar	F01	April 2024
F2.12	APP-016	Volume 2, Chapter 12: Climate change	F01	April 2024
S_D6_24	REP6-037	Volume 2, Chapter 13: Socio-economics	F02	February 2025
F2.14	APP-018	Volume 2, Chapter 14: Human health assessment	F01	April 2024
F2.15	APP-019	Volume 2, Chapter 15: Inter-related effects	F01	April 2024
F3.3.1	APP-028	Volume 3 Annex 3.1: Underwater sound technical report	F01	April 2024
F3.3.2	APP-029	Volume 3 Annex 3.2: Sulphur hexafluoride report	F01	April 2024
F3.3.3	APP-030	Volume 3 Annex 3.3: Scoping opinion	F01	April 2024
F3.5.1	APP-031	Volume 3 Annex 5.1: Cumulative effects screening matrix	F01	April 2024
F3.5.2	APP-032	Volume 3 Annex 5.2: Transboundary impacts screening	F01	April 2024
F4.1.1	APP-033	Volume 4 Annex 1.1: Physical processes technical report	F01	April 2024
F4.2.1	APP-050	Volume 4 Annex 2.1: Benthic subtidal ecology	F01	April 2024

		technical report		
F4.3.1	APP-051	Volume 4 Annex 3.1: Fish and shellfish ecology technical report	F01	April 2024
F4.4.1	APP-052	Volume 4 Annex 4.1: Marine mammals technical report	F01	April 2024
S_D1_11	REP1-026	Volume 4 Annex 5.1: Offshore ornithology baseline characterisation	F02	October 2024
F4.5.2	APP-054	Volume 4 Annex 5.2: Offshore ornithology displacement technical report	F01	April 2024
S_D6_25	REP6-038	Volume 4 Annex 5.3: Offshore ornithology collision risk modelling technical report	F02	February 2025
F4.5.4	APP-056	Volume 4 Annex 5.4: Offshore ornithology migratory bird collision risk modelling technical report	F01	April 2024
S_D6_26	REP6-039	Volume 4 Annex 5.5: Offshore ornithology apportioning technical report	F02	February 2025
F4.5.6	APP-058	Volume 4 Annex 5.6: Offshore ornithology PVA technical report	F01	April 2024
S_D6_27	REP6-040	Volume 4 Annex 6.1: Commercial fisheries technical report	F02	February 2025
S_D6_28	REP6-041	Volume 4 Annex 7.1: Navigational risk assessment	F02	February 2025
F4.8.1	APP-061	Volume 4 Annex 8.1: Marine archaeology technical report	F01	April 2024
F4.8.2	APP-062	Volume 4 Annex 8.2: Cultural heritage assessment	F01	April 2024

F4.9.1	APP-063	Volume 4 Annex 9.1: Radar early warning systems technical report	F01	April 2024
F4.10.1	APP-034	Volume 4 Annex 10.1: Seascape, landscape and visual resources legislation and planning policy context	F01	April 2024
F4.10.2	APP-035	Volume 4 Annex 10.2: Seascape and landscape character baseline technical report	F01	April 2024
F4.10.3	APP-036	Volume 4 Annex 10.3: Visual baseline technical report	F01	April 2024
F4.10.4	APP-037	Volume 4 Annex 10.4: Seascape, landscape and visual resources impact assessment methodology	F01	April 2024
F4.10.5	APP-038	Volume 4 Annex 10.5: International and nationally designated landscape study	F01	April 2024
F4.10.6	APP-039	Volume 4 Annex 10.6: Seascape visualisations Part 1 (Figures 1.1 – 9.1)	F01	April 2024
F4.10.6	APP-040	Volume 4 Annex 10.6: Seascape visualisations Part 2 (Figures 10.1 – 16.3)	F01	April 2024
F4.10.6	APP-041	Volume 4 Annex 10.6: Seascape visualisations Part 3 (Figures 16.4 – 25)	F01	April 2024
F4.10.6	APP-042	Volume 4 Annex 10.6: Seascape visualisations Part 4 (Figures 26 – 43)	F01	April 2024
F4.10.6	APP-043	Volume 4 Annex 10.6: Seascape	F01	April 2024

		visualisations Part 5 (Figures 44 – 61)		
F4.10.6	APP-044	Volume 4 Annex 10.6: Seascape visualisations Part 6 (Figures 62 – 74)	F01	April 2024
F4.11.1	APP-045	Volume 4, Annex 11.1: Aviation and radar technical report	F01	April 2024
F4.12.1	APP-046	Volume 4, Annex 12.1: Technical greenhouse gas assessment	F01	April 2024
F4.12.2	APP-047	Volume 4, Annex 11.2: Climate change risk assessment	F01	April 2024
F4.13.1	APP-048	Volume 4, Annex 13.1: Socio-economics technical impact report	F01	April 2024
F4.14.1	APP-049	Volume 4, Annex 14.1: Airborne construction sound technical report	F01	April 2024
S_PD_3.7	PD1-012, PD1-013 and PD1-014	Annex 3.7 to the Applicant's response to Relevant Representations from Natural England [Seascape, landscape and visual impact assessment]	F01	August 2024
S_PD_3.9	PD1-016	Annex 3.9 to the Applicant's response to Relevant Representations from Natural England [Offshore ornithology]	F01	August 2024
S_D1_4.5	REP1-010	Annex 4.5 to Response to Hearing Action	F01	October 2024

		Point 15: Offshore Ornithology CEA and In-combination Gap-filling of Historical Projects Note		
S_D1_4.6	REP1-011	Displacement Rates Clarification Note [Offshore ornithology]	F01	October 2024
S_D1_4.8	REP1-013	Annex 4.8 to Response to Hearing Action Point 15: Great Orme Head SSSI Clarification Note	F01	October 2024
S_D2_13	REP2-021	Treatment of Birds in Flight Data in Abundance Estimation	F01	October 2024
S_D2_14	REP2-022	Great black-backed gull regional populations	F01	October 2024
S_D2_15	REP2-023	Review of Cumulative Effects Assessment and In-Combination Assessment	F01	October 2024
S_D3_4.4	REP3-010	Annex 4.4 to the Applicant's response to EXQ1: SLVIA Clarification note	F01	November 2024
S_D3_9	REP3-018	Inclusion of Awel y Môr in Cumulative Assessments – Clarification note	F01	November 2024
S_D3_10	REP3-019	Review of Cumulative Effects Assessment and In-Combination Assessment: Offshore ornithology	F01	November 2024
S D4 6.1	REP4-010	Annex 6.1 to the	F01	December 2024

		Applicant's response to Written Representations from MMO at Deadline 3: Cod spawning period [Fish and shellfish]		
S_D4_14	REP4-023	Greenhouse Gas (GHG) Reduction Strategy	F01	December 2024
S_D4_15	REP4-024	Review of Cumulative Effects Assessment and In-Combination Assessment: Morgan and Morecambe Offshore Wind Farms: Transmission Assets	F01	December 2024
S_D5_15	REP5-031	Additional PVA Modelling for Great Black-Backed Gull Cumulative Assessment [Offshore ornithology]	F01	January 2025
S_D5_16.1	REP5-032	Annex 16.1 to Ornithological assessment clarification data English sites	F01	January 2025
S_D5a_16.2	AS-013	Annex 16.2 to Ornithological assessment clarification data Welsh sites	F02	January 2025
S_D5_16.3	REP5-034	Annex 16.3 to Ornithological assessment clarification data offshore sites	F01	January 2025
S_D5_16	REP5-035	Ornithological assessment clarification data	F01	January 2025
S_D6_3.3	REP6-007	Helicopter Access Additional Flight Data	F01	February 2025
S_D6_3.4	REP6-008	Helicopter	F01	February 2025

		Access Additional Meteorological Analysis		
S_D6_29	REP6-042	Review of Cumulative Effects Assessment and In-Combination Assessment at Deadline 6	F01	February 2025
S_D6_37.1	REP6-057	Appendix to Ornithological assessment clarification data (REP5-035) - Explanatory note to support SNCB and Applicant workbooks	F01	February 2025
S_D6_37.2	REP6-058	Annex 16.4 to Ornithological assessment clarification data (REP5-035) - Applicant's parameters (English sites)	F01	February 2025
S_D6_37.3	REP6-059	Annex 16.5 to Ornithological assessment clarification data (REP5-035) - Applicant's parameters (Welsh and offshore sites)	F01	February 2025
S_D6_39	REP6-061	Population Viability Analysis for the Regional Population of Guillemot [Offshore ornithology]	F01	February 2025
S_D6_40	REP6-062	Project alone and cumulative assessment for the Great Orme's Head SSSI [Offshore ornithology]	F02	February 2025
S_D6_41	REP6-063	Technical Note: Calculation of the Net Effects	F02	February 2025

		on Greenhouse Gas Emissions		
S_D7_3.1	REP7-005	Annex 3.1 Warton Aerodrome CNS Safeguarding Assessment Report	F01	March 2025
Other Documents				
S_D4_11	REP4-018	Outline Offshore Environmental Management Plan	F01	December 2024
S_D4_22	REP4-032	Outline offshore construction method statement	F01	December 2024
S_D5_19	REP5-039	Outline offshore written scheme of investigation for archaeology	F02	January 2025
S_D6_30.1	REP6-045	Outline underwater sound management strategy	F04	February 2025
S_D5_23	REP5-046	Measures to minimise disturbance to marine mammals and rafting birds from transiting vessels	F02	January 2025
S_D6_31	REP6-047	Outline marine mammal mitigation protocol	F04	February 2025
S_D6_32	REP6-049	Outline offshore operations and maintenance plan	F02	February 2025
S_D6_33	REP6-051	Commitments Register	F05	February 2025
S_D6_34	REP6-054	Offshore in-principle monitoring plan	F02	February 2025
S_D6_35	REP6-055	Outline vessel traffic management plan	F04	February 2025
S_D6_45	REP6-069	Outline fisheries liaison and co-existence plan	F06	February 2025

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants development consent for, and authorises the construction, operation and maintenance of an offshore wind farm generating station located approximately 36km from the North-West coast of England, together with associated development. This Order imposes requirements in connection with the development.

A copy of the plans referred to in this Order and certified in accordance with article 11 (certification of plans, etc.) may be inspected free of charge at the offices of Lancashire County Council, County Hall, Fishergate, Preston, Lancashire, PR1 8XJ.

© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.