

**THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010**

**NORTH FALLS OFFSHORE WIND FARM DEVELOPMENT CONSENT ORDER**

**PINS REFERENCE EN010119**

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**DEADLINE 7: COMMENTS ON  
THE EXA'S SCHEDULE OF CHANGES TO THE DDCO  
LONDON GATEWAY PORT LIMITED  
(IP REF: 20050576)**

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This document sets out the comments of London Gateway Port Limited on the Examining Authority's schedule of proposed changes to the draft Development Consent Order (dDCO) published on 1 July 2025.

Where a proposed change to the dDCO is not set out in the table below, LGPL has no comment on that proposed change.

Article	ExA's Proposed Changes	LGPL Comment
<b>Schedule 2 Requirements</b>		
<b>Requirement 2(3)</b>	<p><del>"(3) Any part of Work No. 3 and any associated development the</del>  <b>authorised development</b> located within the following areas shown on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan, must be designed, installed, operated and maintained at a level which would not preclude or impede dredging:</p> <p>(a) of the area shown shaded in orange and labelled Sunk A – Sunk DW Buffer, to a level of 22 metres below Chart Datum;</p> <p>(b) of the area shown shaded in pink and labelled Trinity – Trinity DW Buffer, to a level of 22 metres below Chart Datum; and</p> <p>(c) to the area shown cross hatched purple and labelled Sunk B – Sunk DW Buffer, to a level of 19 metres below Chart Datum.</p> <p><b>(4) The undertaker must not carry out wet storage or relocate any boulders or archaeological finds to or within the three areas referred to in paragraph (3)."</b></p>	<p>LGPL supports these changes which were requested in <b>[REP5-097]</b> for the reasons set out there. The reference to wet storage in (4) is additional to LGPL's request but LGPL supports its inclusion further to the representations by the PLA. It would be contrary to the intention and purpose of the DWRs to permit wet storage there.</p>
<b>Schedule 9 - DML</b>		

<b>Schedule 9 – Part 1 (1)</b>	"Areas of Interest" means any part of those areas shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan;	LGPL agrees with the ExA's position. LGPL notes that this definition could also be used in other parts of the DML, but expects the Applicant will make the necessary changes accordingly.
<b>Schedule 9 – Part 2, Condition 10</b>	<p>New Requirement (as proposed to be amended for Schedule 2 Requirement 2 (3)) should be included in the DML Schedule 9 at condition 10 as sub-paragraphs (4) and (5).</p> <p><b>(4) Any part of the authorised development located within the following areas shown on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan, must be designed, installed, operated and maintained at a level which would not preclude or impede dredging:</b></p> <p><b>(a) of the area shown shaded in orange and labelled Sunk A – Sunk DW Buffer, to a level of 22 metres below Chart Datum;</b></p> <p><b>(b) of the area shown shaded in pink and labelled Trinity – Trinity DW Buffer, to a level of 22 metres below Chart Datum; and</b></p> <p><b>(c) to the area shown cross hatched purple and labelled Sunk B – Sunk DW Buffer, to a level of 19 metres below Chart Datum.</b></p> <p><b>(5) The undertaker must not carry out wet storage or relocate any boulders or archaeological finds to or within the three areas referred to in paragraph (4)."</b></p>	LGPL agrees with the ExA's position.
<b>Schedule 9 – Part 2, Condition 13 (3)</b>	"(3) In undertaking activities under paragraphs (2)(a), <b>(2)(d)</b> , (2)(e) and (2)(f), other than in areas shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation	LGPL agrees with the ExA's position

	Area (Future Dredging Depths) Plan where navigable depth may not be reduced to any extent, the undertaker must not reduce water depth by more than 5% Chart Datum unless agreed with the MMO and the MCA in writing.”	
<b>Schedule 9 – Part 2, Condition 13(4),</b>	13 (4) An operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance plan shall be submitted to the MMO for approval in consultation with the relevant SNCB, <b>the MCA and the PLA</b> at least six months prior to the commencement of operations. All operation and maintenance activities shall be carried out in accordance with the approved operations and maintenance plan and the approved cable specification and installation plan.	LGPL agrees with the ExA's position, however, LGPL suggests that the reference to “and the PLA” is changed to refer to “ <b>and the local harbour authorities</b> ” so that LGPL is also informed.
<b>Schedule 9 - Part 2, 17(2)</b>	(2) The undertaker must during the period from the start of construction of the authorised development to completion of decommissioning of the authorised development seaward of MHWS keep Trinity House, <del>and</del> the MMO <b>and the PLA</b> informed in writing of progress of the authorised development seaward of MHWS including the following—	LGPL agrees with the ExA's position, however, LGPL suggests that the reference to “and the PLA” is changed to refer to “ <b>and the local harbour authorities</b> ” so that LGPL is also informed.
<b>Schedule 9 – Part 2, Condition 22(1) (a) (iii)</b>	(iii) the length, <b>depth</b> and arrangement of cables comprising Work Nos. 2, 3 and 4A; <b>including cable crossings;</b>	LGPL agrees with the ExA's position
<b>Schedule 9 – Part 2, Condition 22(1)(h) (ii), (iii) &amp; (iv)</b>	<del>(ii) a detailed cable laying plan for the Order limits within that stage, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum (excluding the areas shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan where navigable depth may not be reduced) and, in the event that any area of cable protection exceeding 5% of navigable depth is</del>	LGPL agrees with the ExA's position.

	<p><del>identified (in areas other than those shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan), 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 or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection;</del></p> <p><b>(ii) a detailed cable laying plan for the Order limits within that stage, incorporating a burial risk assessment demonstrating compliance with condition 10(4);</b></p> <p><del>(iii) proposals for the volume and areas of cable protection to be used for each cable crossing, and proposals for timing and methodology for reporting on actual volumes and areas post construction; and</del></p> <p><b>(iii) a detailed cable laying plan for the Order limits within that stage, incorporating a burial risk assessment encompassing the identification of any cable protection that exceeds 5% of navigable depth referenced to Chart Datum (excluding the areas shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan where navigable depth may not be reduced) and, in the event that any area of cable protection exceeding 5% of navigable depth is identified (in areas other than those shown shaded orange, pink or hatched purple on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan), 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 or similar such assessment</b></p>	
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	<p><b>to ascertain suitable burial depths and cable laying techniques, including cable protection;</b></p> <p><del>(iv) proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised development which includes a risk based approach to the management of unburied or shallow buried cables;</del></p> <p><b>(iv) proposals for the volume, depth and areas of cable protection to be used for each cable crossing, and proposals for timing and methodology for reporting on actual volumes, actual depths and areas post construction; and</b></p> <p><b>(v) proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised development which includes a risk based approach to the management of unburied or shallow buried cables;</b></p>	
<b>Schedule 9 – Part 2, Condition 22 (1)(n)</b>	<p>n) a navigation and installation plan for the relevant stage which <del>accords</del> <b>is substantially in accordance</b> with the principles set out in the outline navigation and installation plan; and</p>	LGPL agrees with the ExA's position.
<b>Schedule 9 - Part 2, New Condition 30</b>	<p><b>Pre-construction, Construction and Postconstruction monitoring and the local harbour authorities</b></p> <p>(1) The undertaker must consult the local harbour authorities on the proposed activities and programme for any pre-construction monitoring, construction monitoring, postconstruction monitoring and related reporting within the Areas of Interest no less than 20 business days before such survey work is programmed to commence. The undertaker must have regard to any request</p>	LGPL agrees with the ExA's position.

	<p>made by the local harbour authorities for reasonable amendment to the proposed activities or programme, which request must be made to the undertaker within 5 business days of receipt of the details of the proposed activities and programme.</p> <p>(2) The undertaker must notify the local harbour authorities of the final planned programme for any pre-construction monitoring, construction monitoring, postconstruction monitoring within the Areas of Interest no less than 5 business days before such survey work is programmed to begin.</p> <p>(3) The undertaker must consult the local harbour authorities on any application for marine licensing for the clearance of unexploded ordnance within or which may affect the Areas of Interest before such applications are submitted to the MMO. The undertaker must have regard to any request made by the PLA for reasonable amendment to the proposed application, which request must be made to the undertaker within 10 business days of receipt of the details of the proposed application.</p> <p>(4) The undertaker must notify the local harbour authorities of the final programme for any clearance of unexploded ordnance to be undertaken within the Areas of Interest no less than 20 business days before such disposal is programmed to begin.</p>	
<p><b>Schedule 9 - Part 2,</b></p> <p><b>New Condition 36</b></p>	<p><b>Remediation</b></p> <p>(1) Where, following the installation or maintenance of cables forming Work No. 3, located within the following areas shown on the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan</p>	<p>LGPL agrees with the ExA's position.</p>

	<p>(a) the area shown shaded in orange and labelled Sunk A – Sunk DW Buffer;</p> <p>(b) the area shown shaded in pink and labelled Trinity – Trinity DW Buffer;</p> <p>(c) the area shown cross hatched purple and labelled Sunk B – Sunk DW Buffer;</p> <p>it is identified by the undertaker (who shall notify the MMO and the local harbour authorities as soon as reasonably practicable of this fact and in any event within 2 business days) or, following inspection by a local harbour authority (and the same is notified to the undertaker as soon as reasonably practicable), that the level of any cable is such that the condition 10(4) has not been achieved or at any time following installation or maintenance the cable has moved such that the requirements of condition 10(4) are no longer being achieved, then, unless otherwise agreed in writing with the MMO and the local harbour authorities, the undertaker is required to carry out remediation works as specified in the cable specification and installation plan subject to subject to sub paragraph (2) below.</p> <p>(2) Unless otherwise agreed in writing with the MMO and the local harbour authorities, the undertaker will carry out the following arrangements for the carrying out the remediation works:</p> <p>(a) the undertaker will re-bury the cable to the required specification to achieve the requirements of condition 10(4); and</p> <p>(b) following the completion of the works in sub-paragraph (2)(a), if it is identified by the undertaker or the local harbour authorities (following inspection) that the required specification is not</p>	
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	<p>achieved, then the undertaker will remove the cable without unreasonable delay and thereafter relay a new cable pursuant to an updated cable specification and installation plan approved by the MMO and the local harbour authorities which updated cable specification and installation plan specifically identifies and addresses why the previous cable burial was not successful, how that has been addressed and what measures are to be used in relaying the cable to prevent the failure reoccurring</p> <p>(3) The steps in this paragraph shall be repeated until the requirement in condition 10(4) is achieved or the cable is permanently removed from the areas referred to in paragraph 36(1).</p>	
<b>Schedule 12 – Documents to be certified</b>		
<b>Deep Water Route Cable Installation Areas (Future Dredging Depths) Plan (Rev 0) [REP4-043].</b>	<p>PLA's amendments to Deep Water Route Plan [REP4-043] as described in PLA's [REP5-111] which includes a revised image showing additional areas to be included in green, namely:</p> <p>The majority of the green area will need to allow for dredging to -22m CD and the PLA could otherwise accept the 200m buffer to the south at -19m CD.</p>	LGPL agrees with the ExA;'s position.
<b>Outline Cable Specification and Installation Plan (OCSIP) [REP4-039]</b>	At paragraph 31 in relation to the Deep Water Routes (DWR) the reference is to the cables being installed and maintained but in paragraph 32 the reference is only to installation. The oCSIP and CSIP must be clear that any commitments relating to the DWRs apply to both installation and maintenance.	<p>LGPL agrees with the ExA;'s position.</p> <p>Please see the separate Deadline 7 submission – <b>Comments on Documents Submitted at Deadline 6 -London Gateway Port Limited</b></p>

<b>Outline Sediment Management Plan [REP5-042]</b>	Outline Sediment Management Plan [REP5-042] – is there inconsistency in use of ‘export cable corridor’ and ‘offshore cable corridor’.	<p>LGPL agrees that there should be consistency in the terminology used.</p> <p>Please see the separate Deadline 7 submission – <b>Comments on Documents Submitted at Deadline 6 -London Gateway Port Limited</b></p>
<b>Schedule 14 – Protective Provisions</b>		
<b>Reinstate</b>	Reinstate Protective Provisions for LGPL based on the form included in the versions of the dDCO up to deadline 4 (see Part 7 of Schedule 14 to the dDCO [REP3-008])	<p>LGPL welcomes the ExA's position on the Protective Provisions for the benefit of LGPL. LGPL is of the view that they remain necessary for the reasons set out in <b>[REP5-096]</b>.</p> <p>LGPL notes that the ExA refers to the form of the Protective Provisions originally included by the Applicant in the dDCO, as set out in <b>[REP3-008]</b>. As noted in LGPL's original written submission <b>[REP2-039]</b> there are certain amendments to the form of the Protective Provisions that the Applicant originally submitted that LGPL requires. Unfortunately, due to the change of position by the Applicant on the inclusion of any Protective Provisions for LGPL's benefit in the dDCO, LGPL has never had the opportunity to discuss with the Applicant the changes it sought, but it has previously been indicated to the Applicant that the Protective Provisions should be in the same form as those submitted to the Five Estuaries examination. For clarity, we now submitted a full amended form of the Protective Provisions that LGPL requires. These are set out in the Schedule to the separate Deadline 7 submission – <b>Comments on Documents Submitted at Deadline 6 -London Gateway Port Limited</b>.</p>

**15 July 2025**