



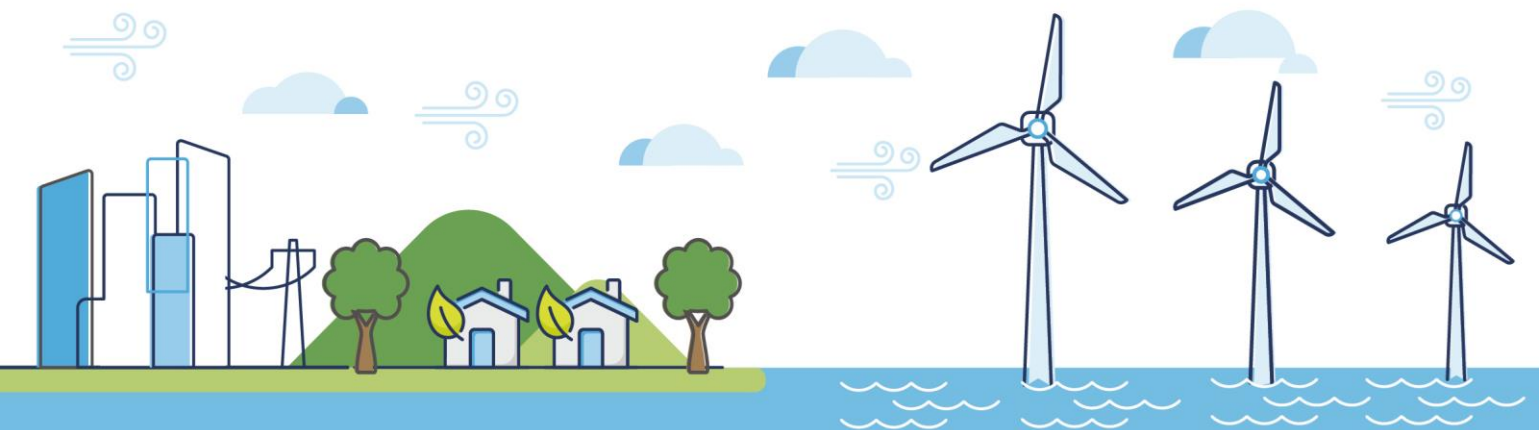
Morecambe Offshore Windfarm: Generation Assets Development Consent Order Documents

Volume 3

Schedule of Changes to the Draft Development Consent Order (Rev 05)

Document Reference: 3.4

Rev 04



Document History

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1 Introduction

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

Table 1.1 Versions of the draft DCO submitted

Version Number	Examination Library Reference	Deadline
01	APP-012	DCO Submission
02	PD1-002 (clean) PD1-003 (tracked)	Procedural Deadline A
03	REP2-002 (clean) REP2-003 (tracked)	Deadline 2
04	REP4-002 (clean) REP4-003 (tracked)	Deadline 4
05	[tbc]	Deadline 5

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

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

Article / Paragraph / Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting, numbering and grammar errors	For clarity and consistency
Articles		
Article 2 (Interpretation)	The definition of “business day” has been deleted and replaced with a new definition of “working day” as follows: “business day” means a day other than a Saturday or Sunday or a bank holiday in England and Wales; <u>“working day” means a day other than a Saturday or Sunday, a bank holiday or other public holiday in England and Wales.</u>	In response to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of “Marine Management Organisation” in Schedule 6, Part 1, paragraph 1.
Article 2 (Interpretation)	The following definition has been amended: “electronic transmission” <u>or “electronically”</u> means a communication transmitted— (a) by means of an electronic communications network; or (b) by other means but while in electronic form;	To ensure that uses of “electronically” in the draft Order are directly linked to the proposed definition.
Article 2 (Interpretation)	The following definition has been added: <u>“km” means kilometres and “km²” means square kilometres;</u>	In response to Matter 2 raised by the ExA in Appendix F(i) to

Article / Paragraph / Schedule Number	Amendment	Reason
		the Rule 6 Letter issued on 23 September 2024 (PD-007).
Article 2 (Interpretation)	The following definition has been amended: “m” means metres, and “m²” means metres squared <u>square metres and “m³” means cubic metres</u>; <i>(Noting that the ‘2’ and ‘3’ have been reformatted to be in superscript when used in this definition and throughout the Order)</i>	In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).
Article 2 (Interpretation)	The following definition has been amended: “Marine Management Organisation” <u>or “MMO”</u> means the Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH which is the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function and “MMO” must be construed accordingly;	In response to Matter 3 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of “Marine Management Organisation” in Schedule 6, Part 1, paragraph 1.
Article 2 (Interpretation)	The following definition has been amended: “offshore substation platform” <u>or “OSP”</u> means a structure above LAT and attached to the seabed by means of one or more foundations, with one or more decks and open with modular equipment or fully clad, containing— [...]	In response to Matter 4 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of “Marine Management

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

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

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

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The definition of “business day” has been deleted and replaced with a new definition of “working day” as follows: “business day” means a day other than a Saturday or Sunday or a bank holiday in England and Wales; <u>“working day” means a day other than a Saturday or Sunday, a bank holiday or other public holiday in England and Wales.</u>	In response to Matter 1 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definitions used in Article 1 (Interpretation).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been amended: “electronic transmission” <u>or “electronically”</u> means a communication transmitted— (a) by means of an electronic communications network; or (b) by other means but while in electronic form;	To ensure that uses of “electronically” in the draft Order are directly linked to the proposed definition.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been added: <u>“km” means kilometres and “km²” means square kilometres;</u>	In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1 Paragraph 1	The following definition has been amended: “m” means metres, “m²” means metres squared<u>square metres</u> and “m³” means metres cubed<u>cubic metres</u>; <i>(Noting that the ‘2’ and ‘3’ have been reformatted to be in superscript when used in this definition and throughout the Order)</i>	In response to Matter 2 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007).

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

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

Article / Paragraph / Schedule Number	Amendment	Reason																					
Generation Assets), Part 1, Paragraph 3	(a) up to one or two offshore substation platforms each fixed to the seabed by a foundation; and (b) a network of subsea platform link cables including cable crossings and cable protection;	the Rule 6 Letter issued on 23 September 2024 (PD-007). A similar change has been made to the definition of Work No. 2 in Schedule 1 Part 1.																					
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 5	This paragraph has been amended as follows: 5. The activities set out in paragraph 3 are to be located within the area delineated on the offshore works plan by the coordinates shown on the offshore order limits and grid coordinates plan and listed in Table 2.2 below— Table 2.2 <table><tr><th>Point</th><th>Latitude</th><th>Longitude</th></tr><tr><td>1</td><td>53° 50' 11.03673656" N</td><td>003° 36' 31.65915051" W</td></tr><tr><td>2</td><td>53° 49' 41.72634557" N</td><td>003° 34' 15.69323747" W</td></tr><tr><td>3</td><td>53° 49' 45.14948499" N</td><td>003° 29' 48.00160838" W</td></tr><tr><td>4</td><td>53° 45' 16.81576507" N</td><td>003° 29' 38.45882862" W</td></tr><tr><td>5</td><td>53° 45' 00.78002400" N</td><td>003° 36' 04.79995593" W</td></tr><tr><td>6</td><td>53° 46' 45.95836718" N</td><td>003° 40' 53.89383116" W</td></tr></table>	Point	Latitude	Longitude	1	53° 50' 11.03673656" N	003° 36' 31.65915051" W	2	53° 49' 41.72634557" N	003° 34' 15.69323747" W	3	53° 49' 45.14948499" N	003° 29' 48.00160838" W	4	53° 45' 16.81576507" N	003° 29' 38.45882862" W	5	53° 45' 00.78002400" N	003° 36' 04.79995593" W	6	53° 46' 45.95836718" N	003° 40' 53.89383116" W	In response to the MMO's relevant representation (RR-047).
Point	Latitude	Longitude																					
1	53° 50' 11.03673656" N	003° 36' 31.65915051" W																					
2	53° 49' 41.72634557" N	003° 34' 15.69323747" W																					
3	53° 49' 45.14948499" N	003° 29' 48.00160838" W																					
4	53° 45' 16.81576507" N	003° 29' 38.45882862" W																					
5	53° 45' 00.78002400" N	003° 36' 04.79995593" W																					
6	53° 46' 45.95836718" N	003° 40' 53.89383116" W																					
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2,	Two additional parameters have been added to Table 4: <table><tr><td>Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles</td><td>2.500</td></tr></table>	Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles	2.500	In response to Natural England's relevant representation (RR-061).																			
Maximum hammer energy (kilojoules or kJ) employed during installation of pin piles	2.500																						

Article / Paragraph / Schedule Number	Amendment		Reason
Paragraph 1 (Design Parameters)	Maximum hammer energy (kilojoules or kJ) employed during installation of monopile foundations	6.600	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	A new sub-paragraph (4) has been added as follows: (4) All maintenance works must be carried out in accordance with the approved offshore operation and maintenance plan unless otherwise agreed in writing by the MMO		In response to the MMO's relevant representation (RR-047).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 8 (Force majeure)	A new sub-paragraph (2) has been added as follows: (2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.		In response to the MMO's relevant representation (RR-047).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 12 (Offshore safety management)	Paragraph 12 has been amended as follows: 12. No part of the authorised project may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that part of the project, adequately addressed all MCA recommendations as appropriate to the authorised project contained within MGN654 “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.		In response to Matter 19 raised by the ExA in Appendix F(i) to the Rule 6 Letter issued on 23 September 2024 (PD-007)

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 13 (Reporting of engaged agents, contractors and vessels)	Paragraph 13 has been amended as follows: 13.—(1) The undertaker must provide <u>the name, address and function of any agent, contractor or subcontractor that will carry out any of the licensed activities on behalf of the undertaker to the MMO in writing no less than 24 hours before that agent, contractor or subcontractor carries out any such licensed activities.</u> the following information in writing to 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 project 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 <u>provided under sub-paragraphs (1) and (2)</u> must be notified to the MMO in writing at least 24 hours before the agent, contractor or vessel engages in the licensed activities. (4) <u>The undertaker must ensure that a copy of this marine licence and any subsequent revisions or amendments has been provided to any</u>	In response to the MMO's relevant representation (RR-047).

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

Article / Paragraph / Schedule Number	Amendment	Reason
	(2) Every six months following the commencement of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements until completion of those activities. (3) Within 12 weeks of the completion of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements. (4) The undertaker must notify MMO of the successful submission of forward look or close out information pursuant to sub-paragraphs (1) to (3) above within seven days of the submissions to the Marine Noise Registry. (5) 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 or any successor database; and (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.	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 20 (Underwater sound management strategy)	A new condition 20 (Underwater sound management strategy) has been added as follows: Underwater sound management strategy 20.—(1) No piling activities shall commence until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and	In response to the MMO’s relevant representation (RR-047) and Natural England’s relevant representation (RR-061).

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

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

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

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

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

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

Article / Paragraph / Schedule Number	Amendment	Reason
	(b) “mitigation agreement” means an agreement between the MOD (through the DIO) and the undertaker which— (i) obliges the parties to agree an IFP scheme; and (ii) obliges the undertaker to comply with the IFP scheme and the remaining terms of this requirement.	
Schedule 2 (Requirements), Paragraph 8 (Ministry of Defence radar mitigation)	A new paragraph 8 has been added: <u>Ministry of Defence radar mitigation</u> <u>8.—(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State, having consulted with the Ministry of Defence, confirms satisfaction that appropriate mitigation can be implemented and maintained for the life of the authorised development and that a mitigation agreement has been offered to the Ministry of Defence to ensure that the approved mitigation can be implemented.</u> <u>(2) For the purposes of this requirement—</u> <u>(a) “appropriate mitigation” means measures to prevent or remove any adverse effects which the authorised development will have on the air defence radar(s) at Warton Aerodrome and the Ministry of Defence’s air surveillance and control operations;</u> <u>(b) “approved mitigation” means the detailed radar mitigation scheme that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of Defence at the time the Secretary of State confirms satisfaction in writing in accordance with sub-paragraph (1); and</u>	To mitigate for impacts from the authorised project on the air defence radar at Warton Aerodrome, as detailed in the Draft Statement of Common Ground with BAE Systems (Operations) Ltd and Defence Infrastructure Organisation - Revision 01 (REP1-069 at Topic/Ref DIO 12 and DIO 13). <i>The Applicant notes that the wording of this requirement is still in discussion with BAE Systems (Operations) Ltd and Defence Infrastructure Organisation.</i>

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

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

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

Article / Paragraph / Schedule Number	Amendment	Reason		
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 6	Paragraph 6 has been amended as follows: 6. This licence remains in force until the authorised project has been decommissioned in accordance with a decommissioning programme approved by the Secretary of State under section 106 (approval of decommissioning programmes) of the 2004 Act, including any modification to the programme under section 108, and the completion of such programme has been confirmed by the Secretary of State in writing.	To reflect the inclusion of a new defined term “decommissioning programme”.		
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 1 (Design Parameters)	An additional parameter has been added to Table 4: <table border="1"><tr><td>Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)</td><td>70</td></tr></table>	Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)	70	In response to a request from the ExA at ISH1 and to align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022).
Maximum height when measured from HAT of offshore substation platforms (including helipads and lightning protection) (m)	70			
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	Sub-paragraph (2) has been amended as follows: (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, foundation structures (including transition pieces) or offshore substation platforms; (c) bird waste and marine growth removal; (d) cable remedial burial; (e) cable repairs and replacement;	To align with 5.1.5 Environmental Statement Chapter 5: Project Description (REP1-022) and in response to Natural England’s Risk and Issues Log – Deadline 1 (REP1-098 at point RI_A9).		

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

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

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

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

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

4 Changes made to the draft DCO (Rev 04) – Deadline 4

Table 4.1 Changes made to the draft DCO (Rev 04) submitted at Deadline 4

Article / Paragraph / Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting, numbering, grammar errors and minor word revisals (e.g. adding “authorised” before “project”, etc.).	For clarity and consistency
Preamble	Technical amendments have been made to the preamble to reflect the composition of Examining Authority and to restructure the preamble. Text has also been deleted as no change request has been submitted in respect of the Application.	For consistency with other DCOs
Articles		
Article 2 (Interpretation)	New definitions have been added as follows: <u>“CAA” means the Civil Aviation Authority constituted by the Civil Aviation Act 1982(h);</u> <u>“design statement” means the document certified as the design statement by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</u> <u>“kV” means kilovolt;</u> <u>“MHWS” means Mean High Water Springs;</u> <u>“outline construction method statement” means the document certified as the outline construction method statement by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</u>	This is to reflect their usage elsewhere in the DCO

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>“row” means a row of wind turbine generators perpendicular to the prevailing wind;</u>	
Article 2 (Interpretation)	The definitions of “inter-array cables” and “platform link cables” have been amended to specifically refer to HVAC cables.	Following discussion with the ExA at ISH4
Article 2 (Intepretation)	A new paragraph (5) has been added: <u>(5) The expression “includes” is to be construed without limitation unless the contrary intention appears.</u>	For clarity and following discussion with the ISH4
Schedules		
Schedule 2 (Requirements), Paragraph 2 (Design parameters)	A new paragraph (2) has been added: <u>(2) No part of any wind turbine generator to be constructed as part of the authorised project shall oversail or extend beyond the Order limits.</u>	Following discussion with the ExA at ISH4 to clarify that no part of any WTG can oversail the Order limits.
Schedule 2 (Requirements), Paragraph 2 (Design parameters), Table 2	Two definitions have been clarified to make clear what is meant by the distance between rows: Minimum <u>intra-row</u> distance <u>(between wind turbines generators in a row of wind turbine generators)</u> (m) Minimum <u>inter-row</u> distance <u>(between rows of wind turbine generators)</u> (m)	For clarity given questions raised in ExAQ1
Schedule 2 (Requirements), Paragraph 3 (Aviation safety)	Sub-paragraph (2)(c) has been amended as follows: (c) the <u>latitude, longitude and</u> maximum height of any construction equipment <u>with a height of 50m or greater (above mean sea level)</u> to be used; Minor typographical edits have been made to this requirement also.	In response to DIO’s Responses to ExQ1 (REP3-080). This wording has been agreed with DIO.

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 2 (Requirements), Paragraph 5 (Operation of Blackpool Airport)	This requirement has been replaced following discussions with Blackpool Airport, as follows: <u>5 Operation of Blackpool Airport</u> <u>1.—(1) No part of any wind turbine generator or offshore substation platform (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the operator and the CAA, has confirmed in writing that it is satisfied that—</u> <u>(a) appropriate mitigation can be implemented and maintained throughout the lifetime of the authorised development; and</u> <u>(b) appropriate arrangements have been put in place with the operator to ensure that such appropriate mitigation is implemented prior to construction of any wind turbine generator or offshore substation platform (excluding foundations) and thereafter maintained.</u> <u>(2) For the purposes of this requirement—</u> <u>(a) “appropriate mitigation” means appropriate mitigation measures required 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 (including minimum sector altitudes), very high frequency radio and direction finding communication systems) for Blackpool Airport;</u> <u>(b) “approved mitigation” means the appropriate mitigation approved by the Secretary of State in consultation with the CAA and the operator in accordance with sub-paragraph (1); and</u>	In response to Blackpool Airport’s Responses to ExQ1 (REP3-097). This wording has been agreed with Blackpool Airport (as confirmed in the Draft Statement of Common Ground with Blackpool Airport Ltd (Rev 03) (Document Reference 9.11) submitted at Deadline 4).

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(c) “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 any successor as holder of a licence under the Commission Regulation (EU) No. 139/2014 (or any successor regulation) from the CAA to operate Blackpool Airport;</u> <u>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation throughout the lifetime of the authorised development for as long as any above waterline structures forming part of the authorised development remain in situ.</u>	
Schedule 2 (Requirements), Paragraph 9 (Air traffic services at Isle of Man Airport)	A new requirement has been added as follows: <u>Air traffic services at Isle of Man Airport</u> <u>9.—(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the operator and the Isle of Man Civil Aviation Administration, confirms in writing that either—</u> <u>(a) no mitigation is required in respect of the authorised development;</u> <u>or</u> <u>(b) should mitigation be required in respect of the authorised development—</u> <u>(i) an appropriate mitigation scheme can be implemented and maintained for the lifetime of the authorised development; and</u> <u>(ii) a mitigation agreement has been offered to the operator to ensure that the appropriate mitigation can be implemented.</u> <u>(2) For the purposes of this requirement—</u>	To mitigate for impacts from the authorised project on the air traffic services at Isle of Man Airport. This wording has been agreed with Isle of Man Territorial Seas Committee, having spoken with Isle of Man Airport (as confirmed in Draft Statement of Common Ground with Isle of Man Territorial Sea Committee (Rev 03) (Document Reference 9.7) submitted at Deadline 4).

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(a) “appropriate mitigation scheme” means a scheme submitted to 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;</u> <u>(b) “approved mitigation” means an appropriate mitigation scheme approved in accordance with sub-paragraph (1)(b); and</u> <u>(c) “operator” means Isle of Man Airport or such other organisation as is licensed from time to time to provide air traffic services for Isle of Man Airport.</u> <u>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the lifetime of the authorised development.</u> <i>The Applicant notes that subsequent requirements have been renumbered given this addition.</i>	
Schedule 2 (Requirements), Paragraph 12 (Skills and Employment Plan)	Paragraph (2) has been amended as follows: (2) The skills and employment plan must be substantially in accordance with the outline skills and employment plan and must be implemented as notified <u>for the lifetime of the authorised development</u>.	Following discussion with the ExA at ISH2 and ISH4 to ensure that implementation will be for the lifetime of the development.
Schedule 3 (Protective provisions), Part 1 (For the protection of offshore cables)	Minor amendments have been made throughout this part for clarity and to correct typographical errors. Clarification has also been added throughout that months are “calendar months”.	For clarity and consistency

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 3 (Protective provisions), Part 4 (For the protection of Stena Line Limited)	A new part 4 has been added to Schedule 3 to capture suggested protective provisions for the benefit of Stena Line Limited. The Applicant would note that these remain under discussion. In particular, paragraph 5 (Indemnity) has not been included with the draft DCO submitted at Deadline 4 as it is expected that this will be superseded by a Commercial Side Agreement between the parties.	Following discussions with Stena Line.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 1 (Interpretation)	New definitions have been added as follows: <u>“design statement” means the document certified as the design statement by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</u> <u>“kV” means kilovolt;</u> <u>“outline construction method statement” means the document certified as the outline construction method statement by the Secretary of State under article 12 (certification of documents and plans, etc.) of the Order;</u> <u>“row” means a row of wind turbine generators perpendicular to the prevailing wind;</u> <u>“WGS84” means the World Geodetic System 1984;</u>	This is to reflect their usage elsewhere in the DCO
	The definitions of “inter-array cables” and “platform link cables” have been amended to specifically refer to HVAC cables.	Following discussion with the ExA at ISH4
	A new sub-paragraph (c) has been added: <u>(c) the expression “includes” is to be construed without limitation.</u>	For clarity and following discussion with the ISH4
	At sub-paragraph (4)(e), the address of the Maritime and Coastguard Agency has been updated.	In response to the MCA’s Written Representation (REP2-034).

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 8	This paragraph has been amended as follows: 8. With respect to any condition which requires the licensed activities to 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 <u>(in consultation with the relevant statutory nature conservation body, Trinity House and the MCA, as appropriate).</u>	For consistency with other conditions within the Deemed Marine Licence (Part 2 of Schedule 6) that specify consultation bodies.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 1 (Design Parameters), Table 4	Two definitions have been clarified to make clear what is meant by the distance between rows: Minimum <u>intra-row</u> distance <u>(between wind turbines generators in a row of wind turbine generators)</u> (m) Minimum <u>inter-row</u> distance <u>(between rows of wind turbine generators)</u> (m)	For clarity given questions raised in ExAQ1
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	Additional paragraphs have been added as follows: <u>(5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of completion of construction of the authorised development and every year thereafter until the permanent cessation of operation.</u> <u>(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licensed activities during the preceding year, the timing of activities and methodologies used.</u> <u>(7) Every fifth year, the undertaker must submit to the MMO in writing, within one month of the anniversary of the date of completion of construction of authorised development, a consolidated maintenance report which will—</u>	In response to the MMO's Deadline 3 submission (REP3-085), noting that the Applicant has made minor changes to link the maintenance report with the date of completion of construction activities rather than the date on which operation first commences, to ensure consistency with other conditions.

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(a) include a review of licensed activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and</u> <u>(b) reconfirm the applicability of the methodologies and frequencies of the licensed activities permitted by this licence for the duration of this licence.</u>	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 6 (Colouring of Structures)	Paragraph (1) has been amended as follows: 6.—(1) Except as otherwise required by Trinity House, the undertaker must paint all structures forming part of the authorised project yellow (colour code RAL 1023) from at least HAT to a minimum of 15m above HAT or such other height as directed by Trinity House.	In response to Trinity House's Written Representation to the Examining Authority on the Applicant's Further Update to the draft DCO and Deemed Marine Licence for Deadline 3 (REP3-100).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Various Conditions	The Application has deleted the wording "unless otherwise agreed in writing by the MMO" from the following paragraphs of the Deemed Marine Licence: • Paragraph 7(1) (Chemicals, drilling and debris) • Paragraph 9(1)(c) (Pre-construction plans and documentation) • Paragraph 10(3) • Paragraphs 14(3) and (4) (Pre-construction monitoring and surveys) • Paragraphs 15(3) and (5) (Construction monitoring) • Paragraphs 16(3) and (4) (Post-construction monitoring) • Paragraph 20(3) (Underwater sound management strategy)	To reflect the ExA's comments at ISH2 and ISH4 and reference R17.1.18 of the ExA's Rule 17 letter to Natural England and the MMO (PD-013). The Applicant has deleted this wording where it cuts across the fundamental purpose of a condition (e.g. paragraph 20(3)). It has left in this wording where it is clearly linked to more minor points within the condition, such as the

Article / Paragraph / Schedule Number	Amendment	Reason
		period of time for agreeing or submitting materials (e.g. paragraph 20(2)).
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 9 (Pre-construction plans and documentation)	Sub-paragraph (1)(a) has been amended as follows: (a) a design plan (which accords with the design statement) at a scale of between 1:25,000 and 1:50,000, including detailed representation on the most suitably scaled admiralty chart, which is to be submitted at least six months before the intended commencement of licensed activities to be approved in writing by the MMO setting out proposed details of the authorised project, including the:	To secure the principles set out in the Design Statement (updated at Deadline 4) and to reflect updated timescales for submission (increased from 4 to 6 months) with the MMO.
	Sub-paragraph 1(a)(ii) has been amended as follows: (ii) the proposed layout of all wind turbine generators and offshore substation platforms (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes), including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform and providing that such centre point is subject to a maximum up to 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House ;	In response to Trinity House's Written Representation to the Examining Authority on the Applicant's Further Update to the draft DCO and Deemed Marine Licence for Deadline 3 (REP3-100) and the MCA's Responses to ExQ1 (REP3-084).
	Sub-paragraphs 1(a)(iv) and (v) have been amended as follows: (iv) proposed location and specification of all other aspects of the authorised project; and (v) any archaeological exclusion zones or micro-siting requirements relating to any benthic habitats of conservational, ecological or economic	In response to Natural England's Risks and Issues Log (REP3-093).

Article / Paragraph / Schedule Number	Amendment	Reason
	importance constituting reef habitats of principal importance as listed under section 41 of the Natural Environment and Rural Communities Act 2006(a).	
	Sub-paragraphs (c)(i)-(iii) have been amended as follows: (i) at least four six months prior to the first survey, details of the pre-construction surveys and an outline of all proposed pre-construction monitoring; (ii) at least four six months prior to construction, details on construction monitoring; (iii) at least four six months prior to completion of construction, details of operational monitoring, if required; unless otherwise agreed in writing with the MMO.	Following discussions with the MMO on updated timescales for matters in conditions (increased from 4 to 6 months).
	Sub-paragraph (d) has been amended as follows: (d) an offshore construction method statement in substantial accordance with the outline construction method statement and the construction methods assessed in the environmental statement, including details of—	To reflect the outline Construction Method Statement (Document Reference 9.49) requested by the ExA and submitted at Deadline 4.
	Sub-paragraph (d)(ii) has been amended as follows: (ii) scour protection management and cable protection management (which accords with the outline scour protection and cable protection plan) which is to be submitted at least four months before the installation of any scour protection or cable protection including details of the need, type, sources, quantity and installation methods for scour protection and	Following discussions with the MMO on updated timescales for matters in conditions.

Article / Paragraph / Schedule Number	Amendment	Reason
	cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;	
	New sub-paragraphs have been added to paragraph (d) as follows: (iv) wind turbine generator installation methodology ; (v) offshore substation platform installation methodology ;	To reflect matters contained in the outline Construction Method Statement (Document Reference 9.49) requested by the ExA and submitted at Deadline 4.
	Sub-paragraph (i) has been amended as follows: (i) in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (in accordance with the draft marine mammal mitigation protocol) which is to be submitted at least six months before the commencement of installation of any such driven or part-driven pile foundations , the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body;	Following discussions with the MMO on updated timescales for matters in conditions (increased from 4 to 6 months).
	Sub-paragraph (k) has been amended as follows: (k) a fisheries liaison and co-existence plan (in accordance with the outline fisheries liaison and co-existence plan) which is to be submitted at least six months before the intended commencement of licensed activities to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 4 and to include—	Following discussions with the MMO on updated timescales for matters in conditions (increased from 4 to 6 months).
Schedule 6 (Deemed Marine Licence under the 2009 Act:	Paragraph 13 has been amended as follows:	In response to the MMO's Deadline 3 submission (REP3-

Article / Paragraph / Schedule Number	Amendment	Reason
Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 13 (Reporting of engaged agents, contractors and vessels)	13.—(1) The undertaker must provide the name, address and function of any agent, contractor or subcontractor that will carry out any of the licensed activities on behalf of the undertaker to the MMO in writing no less than 24 hours <u>(or such other timescale as agreed with the MMO in writing)</u> before that agent, contractor or subcontractor carries out any such 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 <u>(or such other timescale as agreed with the MMO in writing)</u> 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 details provided under sub-paragraphs (1) and (2) must be notified to the MMO in writing at least 24 hours <u>(or such other timescale as agreed with the MMO in writing)</u> before the agent, contractor or vessel engages in the licensed activities.	085), noting that the Applicant has changed the wording requested ("unless otherwise agreed in writing by the MMO") to clarify that the MMO's request is around timescales and not the principles of the condition, which was confirmed in discussions with the MMO.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 18 (Completion of construction)	Sub-paragraph (1)(e) has been amended as follows: (e) latitude and longitude coordinates of the inter array <u>cables</u> and export <u>platform link</u> cable routes provided as Geographical Information System data referenced to WGS84 datum.	To correct an error, as the Order only authorises inter array and platform link cables.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm	Paragraph 19 has been amended as follows: 19.—(1) Where <u>In the event that</u> driven or part-driven pile foundations are proposed to be installed <u>used as part of the foundation installation</u>, the	In response to the MMO's Deadline 3 submission (REP3-085).

Article / Paragraph / Schedule Number	Amendment	Reason
Generation Assets), Part 2, Paragraph 19 (Marine Noise Registry)	undertaker must <u>provide the following information to the Marine Noise Registry—</u>at least 10 days prior to the commencement of those activities, submit details including the expected location of the activities and the start and end dates of the activities to the Marine Noise Registry to satisfy the forward look requirements and update that information as required if the expected location and start and end dates change. <u>(a) no less than four 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;</u> <u>(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; and</u> <u>(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 the winter season (October to March inclusive) and 7 October for the summer season (April to September inclusive) or within 12 weeks of completion of impact pile driving, whichever is earlier.</u> (4) Every six months following the commencement of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements until completion of those activities.	

Article / Paragraph / Schedule Number	Amendment	Reason
	(5) Within 12 weeks of the completion of pile driving, the undertaker must submit information on the locations and dates of those activities to the Marine Noise Registry to satisfy the close out requirements. (6) 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.	
Schedule 7, Part 1 (Compensation measures: Morecambe Bay and Duddon Estuary Special Protection Area and Ribble and Alt Estuaries Special Protection Area), Paragraph 4	Sub-paragraph (2)(a) has been amended as follows: (a) the required contribution to compensate for the reasonable worst-case scenario of adverse effect on the MBDE and RAE;	In response to comments from the ExA at ISH4.
Schedule 7, Part 2 (Compensation Measures – Liverpool Bay / Bar Lerpwl SPA)	A new Part 2 has been added to Schedule 7. The structure and wording of this Part largely replicates that used in Part 1, with different defined terms and other drafting changes to reflect the nature of the compensatory measures and the appropriate timescales for implementation.	To secure compensatory measures proposed, on a without prejudice basis, by the Applicant in respect of the red-throated diver qualifying feature of the Liverpool Bay / Bar Lerpwl SPA
Schedule 8 (Documents to be certified)	Table 5 has been amended to include Planning Inspectorate Reference numbers (i.e. Examination Library numbers) and to correct revision numbers and dates. The Applicant notes that this will require to be updated further at Deadline 6 to incorporate new versions and	For correctness.

Article / Paragraph / Schedule Number	Amendment	Reason
	documents submitted at Deadline 4 (and any relevant materials submitted at Deadline 5).	

5 Changes made to the draft DCO (Rev 05) – Deadline 5

Table 5.1 Changes made to the draft DCO (Rev 05) submitted at Deadline 5

Article / Paragraph / Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct formatting, numbering and grammar errors	For clarity and consistency
Changes made throughout the DCO	All uses of “and/or” have been amended to use the appropriate conjunction. Where it is considered unclear that the usage of “or” is to be taken inclusively or exclusively, further language has been added for clarity.	In response to ExQ2 [PD-015] 2DCO1 (The Applicant's Response to ExAs Written Questions 2 (Document Reference 9.60)).
Articles		
Article 2 (Interpretation)	The following definitions have been added: <u>“DF” means direction finding;</u> <u>“IFP” means instrument flight procedures;</u> <u>“MSA” means minimum sector altitude;</u> <u>“UHF” means ultra high frequency;</u> <u>“VHF” means very high frequency;</u>	To reflect defined terms used in new or amended aviation requirements. These have not been added to Schedule 6 (Deemed Marine Licences) as the terms are not used in that Schedule.
Schedules		
Schedule 2 (Requirements), Paragraph 6 (Operation of Walney Aerodrome)	This requirement has been replaced, as follows: <u>Operation of Walney Aerodrome</u> <u>6.—(1) No part of any wind turbine generator or any offshore substation platform shall be erected as part of the authorised development until—</u>	Following discussions with BAE Systems Marine Limited and to reflect proposed requirement wording included in the draft

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(a) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and</u> <u>(b) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that it is satisfied that the approved ATS mitigation scheme has been implemented by the undertaker in accordance with sub-paragraph (4)(a).</u> <u>(2) For the purposes of this requirement—</u> <u>(a) “approved ATS mitigation scheme” means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a);</u> <u>(b) “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—</u> <u>(i) the Aerodrome’s ability to provide and deliver, on an uninterrupted basis—</u> <u>(aa) national sovereign defence capabilities;</u> <u>(bb) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and</u> <u>(cc) any other operational requirements which are identified by the operator; and</u> <u>(ii) the Aerodrome’s IFP, MSA and VHF communication systems; and</u>	DCO for the Morgan Generation Assets project. While this wording is, for the most part, agreed, there remain elements (not included in the current draft DCO) that are under discussions between the parties. The parties will continue to discuss with a view towards presenting agreed requirement wording at Deadline 6.

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(c) “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.</u> <u>(3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development.</u> <u>(4) The undertaker shall at its sole cost—</u> <u>(a) implement 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;</u> <u>(b) thereafter maintain, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development; and</u> <u>(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, work with the CAA and the operator in good faith to implement and thereafter maintain any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development.</u>	

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 2 (Requirements), Paragraph 7 (Operation of Warton Aerodrome)	This requirement has been replaced, as follows: <u>Operation of Warton Aerodrome</u> <u>7.—(1) No part of any wind turbine generator or any offshore substation platform shall be erected as part of the authorised development until—</u> <u>(a) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and</u> <u>(b) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that it is satisfied that the approved ATS mitigation scheme has been implemented by the undertaker in accordance with sub-paragraph (4)(a).</u> <u>(2) For the purposes of this requirement—</u> <u>(a) “approved ATS mitigation scheme” means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a);</u> <u>(b) “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—</u> <u>(i) the Aerodrome’s ability to provide and deliver, on an uninterrupted basis—</u> <u>(aa) national sovereign defence capabilities;</u> <u>(bb) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and</u>	Following discussions with BAE Systems (Operations) Limited and to reflect proposed requirement wording included in the draft DCO for the Morgan Generation Assets project. While this wording is, for the most part, agreed, there remain elements (not included in the current draft DCO) that are under discussions between the parties. The parties will continue to discuss with a view towards presenting agreed requirement wording at Deadline 6.

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(cc) any other operational requirements which are identified by the operator; and</u> <u>(ii) the Aerodrome's IFP, MSA, DF, UHF and VHF communication systems; and</u> <u>(c) "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 organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome.</u> <u>(3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development.</u> <u>(4) The undertaker shall at its sole cost—</u> <u>(a) implement 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;</u> <u>(b) thereafter maintain, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development; and</u> <u>(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, work with the CAA and the operator in good faith to implement and thereafter maintain any additional mitigation</u>	

Article / Paragraph / Schedule Number	Amendment	Reason
	measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development	
Schedule 2 (Requirements), Paragraph 8 (Warton Aerodrome Primary Surveillance Radar)	This requirement has been replaced as follows: Warton Aerodrome Primary Surveillance Radar 8.—(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) For the purposes of this requirement— (a) “approved radar mitigation scheme” means the radar mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1); (b) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George’s House, DIO Head Office, DMS Whittington, Lichfield, Staffordshire, WS14 9PY or any successor body; (c) “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 organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;	Following discussions with BAE Systems (Operations) Limited and the DIO and to reflect proposed requirement wording included in the draft DCO for the Morgan Generation Assets project. While this wording is, for the most part, agreed, there remain elements (not included in the current draft DCO) that are under discussions between the parties. The parties will continue to discuss with a view towards presenting agreed requirement wording at Deadline 6.

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(d) “PSR” means the primary surveillance radar at Warton Aerodrome or any upgrade thereto or replacement thereof;</u> <u>(e) “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</u> <u>(f) “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.</u> <u>(3) 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 confirming in writing that it is satisfied that—</u> <u>(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;</u> <u>(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</u> <u>(c) the approved radar mitigation scheme has been implemented by the undertaker in accordance with sub-paragraph (5)(a).</u>	

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>(4) 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).</u> <u>(5) The undertaker shall at its sole cost—</u> <u>(a) implement 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 horizontal axis;</u> <u>(b) thereafter maintain, 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</u> <u>(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 in the environmental statement on the operation of the PSR or the PSR air traffic control operations (or both), work with the Ministry of Defence and the operator in good faith to implement and thereafter maintain 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).</u>	

Article / Paragraph / Schedule Number	Amendment	Reason																				
Schedule 3 (Protective provisions), Part 2 (For the protection of Harbour Energy), Paragraph 2 (Interpretation)	New definitions have been added as follows: “offshore substation platform” means Work No. 2(a) from Part 1 of Schedule to the Order but excluding foundations; “wind turbine generator” means Work No. 1(a) from Part 1 of Schedule to the Order but excluding foundations;	For clarity																				
Schedule 3 (Protective provisions), Part 2 (For the protection of Harbour Energy), Paragraph 9 (Compensation)	Sub-paragraph (8) has been amended as follows: (8) The aggregate cap of the undertaker’s gross liability to pay compensation under the terms of this Part of this Schedule is limited to £2,000,000 (two million pounds) for all claims of compensation.	To provide an appropriate limitation of liability.																				
Schedule 3 (Protective provisions), Part 3 (For the protection of Spirit Energy Production UK Limited), Paragraph 2 (Interpretation)	New definitions have been added as follows: “offshore substation platform” means Work No. 2(a) from Part 1 of Schedule to the Order but excluding foundations; “well buffer zone” means a one hundred metre (100m) buffer zone around the following three legacy and relief well tophole locations listed in Table 3— Table 3 <table><tr><td>Well</td><td>UTM-X (m)</td><td>UTM-Y (m)</td><td>Latitude</td><td>Longitude</td></tr><tr><td>DP3 (C1)</td><td>463127.8</td><td>5963416.1</td><td>53°49'0.6155"N</td><td>3°33'36.1013"W</td></tr><tr><td>110/8-2</td><td>463380.9</td><td>5964662.3</td><td>53°49'40.9985"N</td><td>3°33'22.7997"W</td></tr><tr><td>110/8a-C5 (Relief)</td><td>462650</td><td>5964650</td><td>53°49'40.4140"N</td><td>3°34'2.7666"W</td></tr></table>	Well	UTM-X (m)	UTM-Y (m)	Latitude	Longitude	DP3 (C1)	463127.8	5963416.1	53°49'0.6155"N	3°33'36.1013"W	110/8-2	463380.9	5964662.3	53°49'40.9985"N	3°33'22.7997"W	110/8a-C5 (Relief)	462650	5964650	53°49'40.4140"N	3°34'2.7666"W	For clarity
Well	UTM-X (m)	UTM-Y (m)	Latitude	Longitude																		
DP3 (C1)	463127.8	5963416.1	53°49'0.6155"N	3°33'36.1013"W																		
110/8-2	463380.9	5964662.3	53°49'40.9985"N	3°33'22.7997"W																		
110/8a-C5 (Relief)	462650	5964650	53°49'40.4140"N	3°34'2.7666"W																		

Article / Paragraph / Schedule Number	Amendment	Reason
	<u>"wind turbine generator" means Work No. 1(a) from Part 1 of Schedule to the Order but excluding foundations;</u>	
Schedule 3 (Protective provisions), Part 3 (For the protection of Spirit Energy Production UK Limited), Paragraph 6 (Restriction on authorised development)	A new paragraph 6 has been added to this section of the protective provisions: <u>6. No wind turbine generator or offshore substation platform shall be erected in the well buffer zone unless otherwise agreed in writing between the owner and the undertaker.</u>	To secure a commitment to avoid placement of any WTGs or OSPs within 100m of well locations in connection with the proposed future Morecambe Net Zero project.
Schedule 3 (Protective provisions), Part 3 (For the protection of Spirit Energy Production UK Limited), Paragraph 10 (Compensation)	Sub-paragraph (8) has been amended as follows: (8) The aggregate cap of the undertaker's gross liability to pay compensation under the terms of this Part of this Schedule is limited to £8,000,000 (eight million £ pounds) for all claims of compensation.	To provide an appropriate limitation of liability.
Schedule 3 (Protective provisions), Part 4 (For the protection of Stena Line Limited)	Paragraph 2 has been amended as follows: "specified works" means any construction <u>or decommissioning</u> of the authorised development which is reasonably likely to be situated on, over, under or within 1.5 nautical miles measured in any direction of the Liverpool to Belfast route operated by Stena Line;	Following discussions with Stena Line. The Applicant would note that these remain under discussion. In particular, paragraph 5 (Indemnity) has been deleted from the draft DCO submitted at Deadline 5 as it is expected that this will be superseded by a Commercial Side Agreement between the parties.
	The placeholder paragraph 5 (Indemnity) has been deleted.	

Article / Paragraph / Schedule Number	Amendment	Reason
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 1, Paragraph 4	The contact details (email address) for the UK Hydrographic Office have been amended.	Following discussions with the MMO.
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 2 (Maintenance of the authorised project)	Sub-paragraph (1)(h) has been amended as follows: (h) <u>anode replacement in connection with any</u> wind turbine generator, and offshore substation platform and/or foundation anode replacement ; and	For clarity.
	Sub-paragraph (5) has been amended as follows: (5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of completion of construction of the authorised development (<u>notified in accordance with paragraph 18 (Completion of construction)</u>) and every year thereafter until the permanent cessation of operation.	In response to ExQ2 [PD-015] 2DCO3 (The Applicant's Response to ExAs Written Questions 2 (Document Reference 9.60)).
	Sub-paragraph (7) has been amended as follows: (7) Every fifth year, the undertaker must submit to the MMO in writing, within one month of the anniversary of the date of completion of construction of authorised development (<u>notified in accordance with paragraph 18 (Completion of construction)</u>), a consolidated maintenance report which will—	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2,	Sub-paragraphs (10), (11) and (12) have been amended as follows: (10) All <u>Debris or</u> dropped objects which may reasonably be expected to cause a <u>are considered a danger or</u> hazard <u>to navigation</u> in the marine	Following discussions with the MMO regarding dropped objects.

Article / Paragraph / Schedule Number	Amendment	Reason
Paragraph 7 (Chemicals, drilling and debris)	environment must be reported to the MMO using the Dropped Object Procedure Form as soon as reasonably practicable and in any event within 24 <u>but no later than six</u> hours of the undertaker becoming aware of an incident. <u>to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone, and United Kingdom Hydrographic Office by email.</u> <u>(11) All dropped objects which are considered a danger or hazard to navigation or which, having regard to guidance issued by the MMO, Trinity House or the MCA from time to time, would be considered reportable, must be reported to the MMO using the Dropped Object Procedure Form (or any updated or replacement form provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident (or such other timescale as agreed with the MMO in writing).</u> (12) On receipt of <u>notification or</u> 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 seabed at the undertaker's expense if reasonable to do so.	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2, Paragraph 9 (Pre-construction plans and documentation)	Sub-paragraph (1)(a)(ii) has been amended as follows: (ii) the proposed layout of all wind turbine generators and offshore substation platforms (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes), including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform and providing that such centre point is	This commitment is in the Design Statement and, following the revision to Condition 9(1)(a) (to secure the Design Statement), no longer needs to be specifically listed here.

Article / Paragraph / Schedule Number	Amendment	Reason
	subject to a maximum up to 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House;	This amendment was agreed with MCA on 11 March 2025 and will be reflected in the final Statement of Common Ground with the MCA submitted at Deadline 6.
	Sub-paragraph (1)(d) has been amended as follows: (d) an offshore construction method statement <u>which is to be submitted at least six months before the intended commencement of licensed activities and is</u> in substantial accordance with the outline construction method statement and the construction methods assessed in the environmental statement, including details of—	To reflect discussions with the MMO regarding timescales for submission of materials to discharge conditions.
	Sub-paragraph (1)(d)(ii) has been amended as follows: (ii) scour protection management and cable protection management (which accords with the outline scour protection and cable protection plan) which is to be submitted at least four <u>six</u> months before the installation of any scour protection or cable protection including details of the need, type, sources, quantity and installation methods for scour protection and cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;	
Schedule 6 (Deemed Marine Licence under the 2009 Act: Morecambe Offshore Windfarm Generation Assets), Part 2,	Sub-paragraphs (2), (3) and (4) have been amended as follows: (2) The underwater sound management strategy must be submitted to the MMO no later than six months prior to the commencement of the	To reflect discussions with the MMO and in response to ExQ2 [PD-015] 2BEM3 (The Applicant's Response to ExAs

Article / Paragraph / Schedule Number	Amendment	Reason
Paragraph 20 (Underwater sound management strategy)	relevant activities <u>(or such other timescale as agreed with the MMO in writing)</u>; unless otherwise agreed in writing by the MMO. <u>(3) No piling activities associated with the authorised development shall be undertaken between 15 February and 31 March (inclusive), unless—</u> <u>(a) such activities are deemed necessary by the undertaker during this period;</u> <u>(a) any additional mitigation requirements for such activities are included in an underwater sound management strategy approved by the MMO under paragraph (1); and</u> <u>(b) such activities are thereafter undertaken with the additional mitigation requirements identified and approved by the MMO under sub-paragraph (3)(b).</u> (4) The piling activities must be carried out in accordance with the approved underwater sound management strategy <u>for the duration of such activities.</u>	Written Questions 2 (Document Reference 9.60)).
Schedule 7, Parts 1 and 2 (Compensation Measures), Paragraph 2	Sub-paragraph (1) has been amended as follows: 2.—(1) No later than {six} months prior to the commencement of the authorised development, the undertaker must advise the Secretary of State of the intention to provide compensation either—	In response to ExQ2 [PD-015] 2DCO5 (The Applicant's Response to ExAs Written Questions 2 (Document Reference 9.60)).
Schedule 8 (Documents to be certified)	Table 5 has been amended to include Planning Inspectorate Reference numbers (i.e. Examination Library numbers) and to correct revision numbers and dates. The Applicant notes that this will require to be updated further at Deadline 6 to incorporate new versions and documents submitted at Deadline 5.	For correctness.

