



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

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

Dogger Bank South Offshore Wind Farms

**Schedule of Changes to Draft DCO
(To Revision 13)**

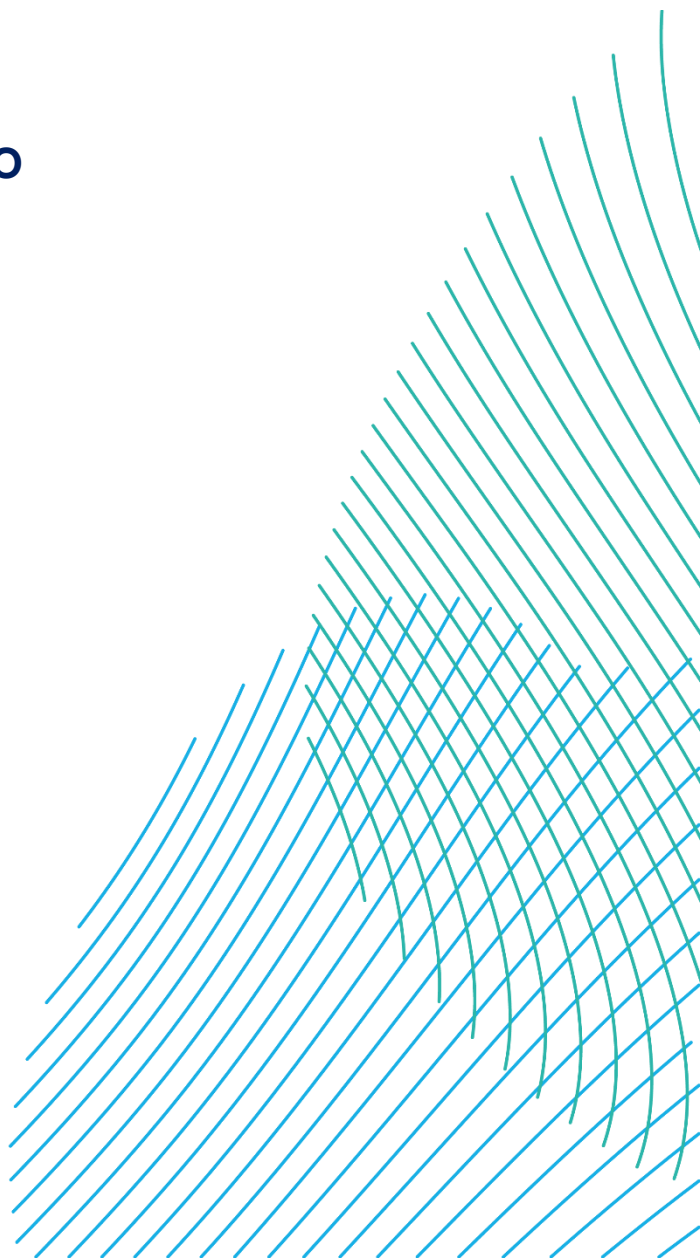
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Rev No.	Date	Status/Reason for Issue	Author	Checked by	Approved by
01	December 2024	Pre-examination Submission	Burges Salmon	RWE	RWE
02	January 2025	Project Change Requests 1 and 2	Burges Salmon	RWE	RWE
03	January 2025	Submission at Deadline 1	Burges Salmon	RWE	RWE
04	March 2025	Submission at Deadline 3	Burges Salmon	RWE	RWE
05	April 2025	Submission at Deadline 4	Burges Salmon	RWE	RWE

06	May 2025	Submission at Deadline 5	Burges Salmon	RWE	RWE
07	June 2025	Submission at Deadline 6	Burges Salmon	RWE	RWE
08	June 2025	Submission at Deadline 7	Burges Salmon	RWE	RWE
09	July 2025	Submission at Deadline 8	Burges Salmon	RWE	RWE
10	July 2025	Submission at Deadline 9	Burges Salmon	RWE	RWE
11	December 2025	Request for Information 1	Burges Salmon	RWE	RWE

Revision Change Log

Rev No.	Page	Section	Description
01	11	Table 1-1	Table 1-1 explains changes to the draft DCO from Revision 02 to Revision 03
02	71	Table 1-2	Table 1-2 explains changes to the draft DCO from Revision 03 to Revision 04 for the purposes of Project Change Requests 1 and 2
03	101	Table 1-3	Table 1-3 explains changes to the draft DCO from Revision 04 to Revision 05, which is being submitted at Deadline 1.
04	135	Table 1-4	Table 1-4 explains the changes to the draft DCO from Revision 05 to Revision 06, which is being submitted at Deadline 3.
05	159	Table 1-5	Table 1-5 explains the changes to the draft DCO from Revision 06 to Revision 07, which is being submitted at Deadline 4.
06	182	Table 1-6	Table 1-6 explains the changes to the draft DCO from Revision 07 to Revision 08, which is being submitted at Deadline 5.
07	192	Table 1-7	Table 1-7 explains the changes to the draft DCO from Revision 08 to Revision 09, which is being submitted at Deadline 6.
08	200	Table 1-8	Table 1-8 explains the changes to the draft DCO from Revision 09 to Revision 10, which is being submitted at Deadline 7.
09	254	Table 1-9	Table 1-9 explains the changes to the draft DCO from Revision 10 to Revision 11, which is being submitted at Deadline 8.
10	273	Table 1-10	Table 1-10 explains the changes to the draft DCO from Revision 11 to Revision 12, which is being submitted at Deadline 9.
11	276	Table 1-11	Table 1-11 explains the changes to the draft DCO from Revision 12 to Revision 13, which is being submitted post-examination in response to the Request for Information from the Secretary of State dated 6 November 2025.

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Glossary

Term	Definition
Project Change Request 1	The proposed changes to the DCO application for the Projects set out in Project Change Request 1 - Offshore & Intertidal Works [document reference 10.49].
Project Change Request 2	The proposed changes to the DCO application for the Projects set out in Project Change Request 2- Onshore Substation Zone [document reference 10.53].
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Dogger Bank South (East) Limited	RWE Renewables UK Dogger Bank South (East) Limited (DBSEL), company number 13656240, whose registered office is Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB.
Dogger Bank South (West) Limited	RWE Renewables UK Dogger Bank South (West) Limited (DBSWL), company number 13656525, whose registered office is Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB.
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).

Acronyms

Term	Definition
DBS	Dogger Bank South
DBSEL	RWE Renewables UK Dogger Bank South (East) Limited
DBSWL	RWE Renewables UK Dogger Bank South (West) Limited
DCO	Development Consent Order
DML	Deemed Marine License
EIA	Environmental Impact Assessment
EPS	European Protected Species
ES	Environmental Statement
ESP	Electrical Switching Platform
ExA	Examination Authority
HDD	Horizontal Directional Drill
HRA	Habitats Regulation Assessment
IPMP	In principal Monitoring Plan
JNCC	Joint Nature Conservation Committee
kg	Kilogram
Km	Kilometre
MCZ	Marine Conservation Zone
MA	Monitoring Area
MMMP	Marine Mammal Mitigation Protocol
MCAA	Marine and Coastal Access Act

Term	Definition
MMO	Marine Management Organisation
NE	Natural England
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OWF	Offshore Wind Farm
PAD	Principle of Disagreement
SAC	Special Area of Conservation
SIP	Site Integrity Plan
SNCB	Statutory Nature Conservation Body
SOCG	Statement of Common Ground
SoS	Secretary of State

1 Schedule of Changes

1.1 Introduction

1. This Schedule of Changes is intended to provide a comprehensive record of updates that the Applicants have made to the **Draft DCO (application ref: 3.1)** since submission of the DCO application. It includes tables that correspond to each Revision of the Draft DCO, with each table setting out the changes that were made in the relevant revision and the reason for each change.
2. **Table 1-1** sets out the changes that were made in Revision 3 of the Draft DCO [AS-120]. Revision 3 was submitted in December 2024 during the pre-examination stage to address comments made in section 51 advice and the section 55 checklist, relevant representations and supplementary agenda questions raised by the ExA.
3. **Table 1-2** sets out the changes that were made in Revision 4 of the Draft DCO [AS-130]. Revision 4 was submitted in January 2025 during the pre-examination stage and includes changes in relation to Project Change Requests 1 and 2 which were accepted into examination by the Examining Authority on the 21st January 2025.
4. **Table 1-3** sets out the changes that have been made in Revision 5 of the Draft DCO. Revision 5 is being submitted on 29th January 2025 at Deadline 1 and includes changes resulting from ongoing engagement with stakeholders and points raised during ISH1 and ISH2 hearings.
5. **Table 1-4** sets out the changes that have been made in Revision 6 of the Draft DCO. Revision 6 is being submitted on 19th March 2025 at Deadline 3 and includes changes resulting from written representations and the Examining Authority's First Written Questions [PD-014] as well ongoing engagement with stakeholders.
6. **Table 1-5** sets out the changes that have been made in Revision 7 of the Draft DCO. Revision 7 is being submitted on 25th April 2025 at Deadline 4 and includes changes resulting from ongoing engagement with stakeholders and updates to the **Book of Reference (Revision 6) (application ref: 4.2)**.
7. **Table 1-6** sets out changes that have been made in Revision 8 of the Draft DCO. Revision 8 is being submitted on 23rd May 2025 at Deadline 5 and includes changes resulting from ongoing engagement with stakeholders, responses to Deadline 4 submissions and the Examining Authority's Second Written Questions [PD-022].

8. **Table 1-7** sets out changes that have been made in Revision 9 of the Draft DCO. Revision 9 is being submitted on 13th June 2025 at Deadline 6 and includes changes resulting from ongoing engagement with stakeholders, responses to Deadline 5 submissions and responses to ISH6 action points.
9. **Table 1-8** sets out the changes that have been made in Revision 10 of the Draft DCO. Revision 10 is being submitted on 26th June 2025 at Deadline 7 and includes changes resulting from ongoing engagement with stakeholders, responses to Deadline 6 submissions and the Examining Authority's recommended changes to the Draft DCO.
10. **Table 1-9** sets out the changes that have been made in Revision 11 of the Draft DCO. Revision 11 is being submitted on 3rd July 2025 at Deadline 8 and includes changes resulting from ongoing engagement with stakeholders and responses to Deadline 7 submissions, as well as the correction of minor validation errors.
11. **Table 1-10** sets out the changes that have been made in Revision 12 of the Draft DCO. Revision 12 is being submitted on 10th July 2025 at Deadline 9 and includes changes resulting from ongoing discussion with the MMO, corrections to previous minor errors and updates to Schedule 19 to add PINS examination library references for documents submitted at Deadline 8 and reflect the submission of updated revisions of documents at Deadline 9.
12. **Table 1-11** sets out the changes that have been made in Revision 13 of the Draft DCO. Revision 13 is being submitted on 6th December 2025 post-examination in response to the Secretary of State's request for information dated 6th November 2025 and to reflect amendments agreed with stakeholders and interested parties during the post-examination period.

1.2. Draft DCO Revision 3

13. **Table 1-1** below sets out the schedule of changes to the **Draft DCO (Revision 3) (application ref: 3.1)**, submitted in December 2024 (pre-examination).

Table 1-1 Table of amendments submitted to the **Draft Development Consent Order (Revision 3)**

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

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

Article/Paragraph/Schedule Number	Amendment	Reason
Paragraph 5 of preamble.	Amendments have been made to remove reference to special category land and replace it with open space land: <i>[The Secretary of State is satisfied that special category open space land comprised within the Order land,</i>	To address comments raised by the ExA (supplementary agenda question ISH1.G.02) [EV4-001].
Paragraph 7 of preamble.	Section 122 has been added to the list of references to the 2008 Act: Accordingly, the Secretary of State, in exercise of the powers in sections [114, 115, 120(1), <u>122</u> , 123, 140 and 149A] of the 2008 Act, makes the following Order:	To address comments raised by the ExA (supplementary agenda question ISH1.G.04) [EV4-001].
Article 2, Interpretation	The definition of “authorised project” has been amended to: “authorised project” <u>means the authorised development and ancillary works authorised by this Order.</u> means the authorised development and the ancillary works;	To address comments raised by the ExA (supplementary agenda question ISH1.A.02) [EV4-001].
Article 2, Interpretation	The following definitions have been inserted:	To address comments raised by the ExA (supplementary

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

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

Article/Paragraph/Schedule Number	Amendment	Reason
	together with physical protection measures including rock placement or other cable protection;	
Article 2, Interpretation	<p>The following address details have been provided:</p> <p>“Environment Agency” means the Environment Agency, <u>Horizon House, Deanery Road, Bristol, BS1 5AH</u> and any successor in name or function;</p> <p>“MCA” means the Maritime and Coastguard Agency, <u>Navigation Safety Branch, Bay 2/20, Spring Place, 105 Commercial Road, Southampton, SO15 1EG</u>;</p> <p>“statutory historic body” means Historic England, <u>4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA</u> or its successor in function;</p> <p>“Trinity House” means the Corporation of Trinity House of Deptford Strond, <u>Tower Hill, London EC3N 4DH</u>;</p>	To address comments raised by the ExA (supplementary agenda question ISH1.A.06) [EV4-001].
Article 2, Interpretation	<p>The definition of “jacket foundation” has been updated to:</p> <p>“jacket foundation” <u>means a lattice type structure constructed of steel which is fixed to the seabed at 3 or more points with steel pin piles and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms</u>means a lattice type structure constructed of steel, which may include scour protection and</p>	To address comments raised by the MMO in their relevant representation (Table 1, row 4) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
	additional equipment such as J-tubes, corrosion protection systems and access platforms;	
Article 2, Interpretation	The definition has been updated to: “maintain” includes inspect, upkeep, repair, adjust, alter, and further includes remove, reconstruct and replace (including replenishment of cable protection), but does not include the removal, reconstruction or replacement of foundations associated with the authorised project, to the extent assessed in the environmental statement; and “maintenance” any derivation of “maintain” must be construed accordingly;	To address comments raised by the ExA (supplementary agenda question ISH1.A.07) [EV4-001].
Article 2, Interpretation	The following definitions has been deleted: “HAT” means highest astronomical tide; “National Grid substation connection works” means Work Nos. 34A and 34B; “outline communications and public relations procedure” means Appendix B of the document certified by the Secretary of State as the outline code of construction practice for the purposes of this Order under Article 42 and referenced in Schedule 19 ;by the Secretary of State under article 42;	To address comments raised by the ExA (supplementary agenda question ISH1.A.09, ISH1.A.10 and ISH1.A.13) [EV4-001] as these are no longer used in the Draft DCO.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>“outline soil management plan” means Appendix A of the document certified by the Secretary of State as the outline code of construction practice for the purposes of this Order under Article 42 and referenced in Schedule 19;</p> <p>“strategic road network” means any part of the road network including trunk roads, special roads or streets for which National Highways is the highway authority;</p>	
Article 2, Interpretation	<p>The following definition has been deleted:</p> <p>“Natural England” means Natural England and any successor in name or function;</p>	To address comments raised by Natural England in their relevant representation (NE A5) [RR-039] as it is no longer used in the Draft DCO.
Article 2, Interpretation	<p>Reference to the Environmental Statement has been removed from the following definitions:</p> <p>“offshore collector platform” means a structure described in the environmental statement as an offshore collector platform...”</p> <p>“offshore converter platform” means a structure described in the environmental statement as an offshore converter platform...”</p> <p>“offshore switching platform” means a structure described in the environmental statement as an offshore switching platform...”</p>	To address comments raised by the MMO in their relevant representation (Table 1, rows 40, 41 and 42) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
Article 2, Interpretation	The definition of “transition piece” has been updated to: <i>“transition piece” means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and may includes additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment;</i>	To address comments raised by the MMO in their relevant representation (Table 1, row 38) [RR-030].
Article 2, Interpretation	This article has been amended as follows: <i>“All <u>distances, directions and lengths referred to in this Order are approximate, save in respect of the parameters referred to in—</u></i> <i>a) <u>requirements 2 to 6 in Part 1 of Schedule 2 (requirements);</u></i> <i>b) <u>conditions 1 to 5 in Part 2 of Schedule 10 (conditions);</u></i> <i>c) <u>conditions 1 to 5 in Part 2 of Schedule 11 (conditions);</u></i> <i>d) <u>conditions 1 to 3 in Part 2 of Schedule 12 (conditions);</u></i> <i>e) <u>conditions 1 to 3 in Part 2 of Schedule 13 (conditions); and</u></i> <i>f) <u>condition 1 in Part 2 of Schedule 14 (conditions).</u></i> <i>distances, directions, and lengths referred to in this Order are approximate and distances between points on a work</i>	To address comments raised by the MMO in their relevant representation (Table 1, row 9) [RR-030].

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

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

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>"the temporary closurestopping up, restriction, alteration or diversion of a street by the undertaker under article 10 (temporary stopping upclosure of streets);"</i>	question ISH1.A.20) [EV4-001].
Article 10(2), Temporary closure of streets	This has been amended to refer to the authorised development: <i>"Without limiting paragraph (1), the undertaker may <u>for the purpose of carrying out the authorised development</u> use any street temporarily closed or restricted under the powers conferred by this article as a temporary working site."</i>	To address comments raised by the ExA (supplementary agenda question ISH1.A.22) [EV4-001].
Article 11(6) and (7), Closure and diversion of public rights of way	This has been amended to correct "stopping up" to "closure": <i>"(6) Subject to paragraphs (7) and (8), the undertaker may in connection with the carrying out of the authorised project stop upclose each of the public rights of way specified in column (2) of Part 2 (public rights of way to be permanently diverted) of Schedule 5 (closure and diversion of public rights of way) to the extent specified in column (3), by reference to the letters shown on the public rights of way plan.</i> <i>(7) No public rights of way may be stopped upclosed under this article until a temporary alternative route for the passage of such traffic as could have used the public right of way has been provided and subsequently maintained by the undertaker until a permanent alternative has been provided and open to public use, which temporary alternative route must be provided to the reasonable</i>	To address comments raised by the ExA (supplementary agenda question ISH1.A.23) [EV4-001].

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>satisfaction of the relevant highway authority, between the points specified in column (4) of Part 2 of Schedule 5."</i>	
Article 12(2), Power to alter layout, etc. of streets	Amended to include operation: <i>"Without limitation on the specific powers conferred by paragraph (1), but subject to paragraph (4), the undertaker may, for the purposes of constructing, <u>operating</u> and maintaining the authorised project, permanently or temporarily alter the layout of any street (and carry out works ancillary to such alterations) whether or not within the Order limits and the layout of any street having a junction with such a street and, without limiting the scope of this paragraph, the undertaker may..."</i>	To address comments raised by the ExA (supplementary agenda question ISH1.A.24) [EV4-001].
Article 18(1)(b), Authority to survey and investigate land onshore	Reference to bore holes has been added: <i>"without limiting sub-paragraph (a), make trial holes <u>and bore holes</u> in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil and groundwater and remove soil and groundwater samples;"</i>	To address comments raised by the ExA (supplementary agenda question ISH1.A.27) [EV4-001].
Article 19(a), Removal of human remains	Article 19(a) has been updated as follows:	To address comments raised by the MMO in their relevant representation (Table 1, row 12) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>"In this article, "specified land" means the land within the <u>onshore</u> Order limits <u>as shown on the onshore order limits and grid coordinates plan and is in reference to land onshore only.</u>"</i>	
Article 20(1) and (2), Compulsory acquisition of land	<p>Articles 20(1) and (2) have been updated as follows:</p> <p><i>"—a. DBSEL, with the consent of DBSWL such consent not to be unreasonably withheld, may acquire compulsorily so much of the Order land as is required for the DBS East works, or to facilitate, or is incidental to, the construction, <u>operation</u> and maintenance of the DBS East works.</i></p> <p><i>DBSWL, with the consent of DBSEL such consent not to be unreasonably withheld, may acquire compulsorily so much of the Order land as is required for the DBS West works, or to facilitate, or is incidental to, the construction, <u>operation</u> and maintenance of the DBS West works".</i></p>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.02) [EV3-001].
Article 20(4), Compulsory acquisition of land	<p>This article has been amended to include reference to Schedule 15:</p> <p><i>"(e) article 41 (crown rights); <u>and</u></i></p> <p><i>(f) <u>Schedule 15 (protective provisions):-</u>"</i></p>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.04) [EV3-001].
Article 23(1)(a), Private rights over land	This has been amended to refer to the grant of a lease by agreement:	To address comments raised by the ExA (supplementary

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>“from the date of acquisition of the land by the undertaker, whether compulsorily, or by agreement <u>or through the grant of a lease of the land by agreement</u>; or”</i>	agenda question CAH1.SA.07) [EV3-001].
Article 23(2)(b), Private rights over land	Article 23(2)(b) has been updated as follows: <i>“on the date of entry on the land by the undertaker under section 11(1) (<u>powers of entry</u>) of the 1965 Act <u>in pursuance of the right</u>,”</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.09) [EV3-001].
Article 23(3), Private rights over land	Article 23(3) has been updated as follows: <i>“Subject to the provisions of this article, all private rights <u>or restrictive covenants</u> over land of which the undertaker takes temporary possession under this Order are suspended and unenforceable, in so far as their continuance would be inconsistent with the purpose for which temporary possession is taken, for as long as the undertaker remains in lawful possession of the land.”</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.10) [EV3-001].
Article 23(6)(b), Private rights over land	Article 23(6)(b) has been updated as follows: <i>“any agreement made at any time between the undertaker and the person in or to whom the right <u>or restrictive covenant</u> in question is vested or belongs.”</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.12) [EV3-001].

Article/Paragraph/Schedule Number	Amendment	Reason
Article 23(7)(a), Private rights over land	Article 23(7)(a) has been updated as follows: <i>"is made with a person in or to whom the right <u>or restrictive covenant</u> is vested or belongs; and"</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.13) [EV3-001].
Article 25(3), Statutory authority to override easements and other rights	Article 25(3) has been updated as follows: <i>"The interests and rights to which this article applies are any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land, including any natural right to support <u>and any restrictions as to the use of land arising by virtue of a contract.</u>"</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.14) [EV3-001].
Article 30(4)(b), Temporary use of land for carrying out the authorised project	Reference to culverts added: <i>"remove any drainage works <u>including culverts</u> installed by the undertaker under this article;"</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.20) [EV3-001].
Article 30(4)(c), Part 5, temporary use of land for carrying out the authorised project	Article 30 (4)(c) has been updated as follows: <i>"remove any new road surface or other improvements carried out under this article to any street specified in Schedule 3 (streets subject to street works) <u>or any new footpath surface or other enhancements</u></i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.20) [EV3-001].

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

Article/Paragraph/Schedule Number	Amendment	Reason
	a) <i>acquire compulsorily, or acquire new rights or impose restrictive covenants over, the land belonging to statutory undertakers shown on the land plans within the Order limits <u>and as described in the book of reference</u>; and</i>	agenda question CAH1.SA.24) [EV3-001].
Article 32(1)(b), Part 5, Statutory undertakers	Article 32(1)(b) has been updated as follows: b) <i>extinguish <u>or suspend</u> the rights of <u>or the restrictions for the benefit of</u> or, and remove, <u>relocate</u> or reposition apparatus belonging to, statutory undertakers, <u>over or</u> within the Order limits.</i>	To address comments raised by the ExA (supplementary agenda question CAH1.SA.25) [EV3-001].
Article 48(1), Requirements, appeals, etc.	This has been amended as follows: “Where an application is made to, or a request is made of, the relevant planning authority or any other relevant person for any agreement or approval required or contemplated by any of the provisions of this Order, <u>such application must be made in writing and</u> such agreement or approval must, if given, be given in writing and must not be unreasonably withheld or delayed.”	To address comments raised by the ExA (supplementary agenda question ISH1.S2.02) [EV4-001].
Article 50, Inconsistent planning permissions	Article 50 has been updated as follows: “As from the date on which the authorised project is commenced any conditions of a planning permission <u>granted pursuant to Part 3 (Control over Development) of the 1990 Act (whether express or otherwise)</u> which relate to land within the Order limits or land adjacent	To address comments raised by the MMO in their relevant representation (Table 1, row 18) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>to the Order limits cease to have effect to the extent they are inconsistent with the authorised project or with anything done or approved under the requirements in Part 1 (requirements) of Schedule 2.</p> <p>As from the date of this Order where planning permission (whether express or otherwise) is granted (whether prior to the date of this Order or after) pursuant to Part 3 of the 1990 Act in respect of land within the Order limits for development not forming part of the authorised project, the carrying out of development pursuant to such planning permission is not to operate to prevent the undertaker from carrying out further works for the development of the authorised project pursuant to the terms of this Order. —</p> <p>Nothing in this Order restricts the undertaker from seeking or implementing, or the relevant planning authority from granting, planning permission for development within the Order limits.</p> <p>Any development, or any part of a development within the Order limits which is constructed or used under the authority of a planning permission pursuant to Part 3 of the 1990 Act (whether express or otherwise) following the coming into force of this Order is to be disregarded at all times for the purposes of ascertaining whether or not an offence has been committed under the provisions of sections</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>160 (offences) or 161 (breach of terms of order granting development consent) of the 2008 Act.</p> <p><u>In this article “planning permission” means a planning permission granted pursuant to Part 3 (control over development) of the 1990 Act (whether express or otherwise). “</u></p>	
Schedules		
Changes made throughout the Schedules	Various minor amendments have been made to the Schedules to correct cross-referencing errors and typos.	In response to section 55 advice and to address comments raised by the MMO in their relevant representation (3.16.3) [RR-030].
Schedule 1, Part 1, paragraph 1	<p>The description of Work No. 3A(c) has been amended:</p> <p><i>“up to three temporary pits for trenchless cable installation at landfall seaward of MLWS and up to three additional temporary pits <u>(if required)</u> for trenchless cable installation at landfall seaward of MLWS for the DBS West Project within the area shown on the works plans;”</i></p>	In response to comments raised by the ExA (supplementary agenda question ISH1.S1.02) [EV4-001].
Schedule 1, Part 1, paragraph 1	The description of Work No. 3B(c) has been amended:	In response to comments raised by the ExA

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>"up to three temporary pits for trenchless cable installation at landfall seaward of MLWS and up to three additional temporary pits (if required) for trenchless cable installation at landfall seaward of MLWS for the DBS East Project within the area shown on the works plans;"</i>	(supplementary agenda question ISH1.S1.02) [EV4-001].
Schedule 2, Requirement 3(1)	This has been amended: <i>"Wind turbine generator foundations must be of one or more of the following foundation options; piled monopile <u>foundation</u>; and/or piled jacket foundation."</i>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.04) [EV4-001].
Schedule 2, Requirement 10(2)	This has been amended: <i>"Each landscaping scheme<u>landscape management plan</u> must include details of all proposed hard and soft landscaping works, including—"</i>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.08) [EV4-001].
Schedule 2, Requirement 11(1)	This has been amended: <i>"All landscaping works must be carried out in accordance with a landscape management plan approved under requirement 10 (provision of landscaping) and in accordance with the relevant recommendations of appropriate British Standards."</i>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.09) [EV4-001]. The outline plan already references the relevant British Standards and Industry Guidance.

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

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Requirement 14(1)	<p>This has been amended as follows:</p> <p><i>“Any phase of the onshore works may<u>must not be</u> commenced until a construction traffic management plan (which must be in accordance with the outline construction traffic management plan) has for that phase been submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and National Highways or Hull City Council <u>on matters related to their respective functions as specified in the outline construction traffic management plan (if appropriate).</u>”</i></p>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.01) [EV4-001] and by Hull City Council in their relevant representation [RR-024].
Schedule 2, Requirement 16(1), (2), (3) and (5)	<p>This has been updated as follows:</p> <p><i>“Each of Work Nos. 22A, 22B, 25A or 26A, and 26B<u>Any phase of the onshore works</u> must not be<u>be</u> commenced until a written plan for drainage during construction of the relevant work<u>phase</u> has been submitted to and approved by the relevant planning authority; following<u>in</u> consultation with the lead local flood authority and the Environment Agency.</i></p> <p><i>Each of Work Nos. 22A, 22B, 25A or 26A, and 26B<u>Any phase of the onshore works</u> must not be<u>be</u> commenced until a written plan for drainage during operation of the relevant work, has been submitted to and approved by the relevant planning authority, following<u>in</u></i></p>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.14 and ISH1.S2.15) [EV4-001].

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

Article/Paragraph/Schedule Number	Amendment	Reason
	No Any phase of the onshore works may must not be commenced operation until written details of the foul water drainage system (if any) (including means of pollution control) for the operation of that phase of the onshore works have , after consultation with the relevant sewerage and drainage authorities and the Environment Agency, been submitted to and approved by the <u>relevant drainage and sewerage authorities in consultation with the</u> lead local flood authority <u>and the Environment Agency.</u> "	
Schedule 2, Requirement 18(1)	Requirement 18(1) has been updated as follows: "No Any phase of the onshore works may must not be commenced until a written scheme of archaeological investigation for that phase (which must accord with the outline onshore written scheme of investigation) has, after consultation with the statutory historic body, been submitted to and approved by the relevant planning authority <u>in consultation with the statutory historic body.</u> "	To address comments raised by the ExA (supplementary agenda question ISH1.S2.17) [EV4-001].
Schedule 2, Requirement 19(1)	This has been amended as follows: "No Any phase of the onshore works may must not be commenced until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority <u>following in</u> consultation as appropriate with the Environment Agency,	To address comments raised by the ExA (supplementary agenda questions ISH1.S2.01 and ISH1.S2.19) [EV4-001] and by Natural England in their relevant

Article/Paragraph/Schedule Number	Amendment	Reason
	Natural England <u>the relevant statutory nature conservation body</u> and; if applicable, the MMO <u>where required.</u>	representation (NE A7) [RR-039].
Schedule 2, Requirement 19(4)	Requirement 19(4) has been updated as follows: <i>"Any temporary fencing must be removed on completion of the relevant phase of the onshore works unless otherwise approved by the relevant planning authority <u>following consultation with the relevant statutory nature conservation body.</u>"</i>	To address comments raised by Natural England (NE A7) [RR-039].
Schedule 2, Requirement 20(1)	This has been amended as follows: <i>"Construction work for the onshore works must only take place between 0700 hours and 1900 hours Monday to Saturday, with no activity on Sundays, <u>bank holidays</u> or public holidays, except as specified in sub-paragraphs (2) to (4)."</i>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.21) [EV4-001].
Schedule 2, Requirement 22(3)	The following has been inserted at Requirement 22(3): <i>"Any scheme approved under sub-paragraphs (1) or (2) must be implemented as approved <u>and thereafter operated and maintained in accordance with the approved details.</u>"</i>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.23) [EV4-001]. To ensure enforceability this has been included.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Requirement 23(2) and (3)	<p>This has been amended as follows:</p> <p><i>“(2) Where a European protected species is shown to be present, the relevant phase of the onshore works must not commence until after consultation with Natural England and the relevant planning authority, a scheme of protection and mitigation measures has been submitted to and approved by the relevant planning authority or a European protected species licence <u>has been</u> granted by Natural England <u>the relevant statutory nature conservation body</u>.</i></p> <p><i>(3) The onshore works must be carried out in accordance with the approved scheme <u>any approved European protected species licence</u>”</i></p>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.24) [EV4-001].
Schedule 2, Requirement 26(1)	<p>The name and wording of Requirement 26 has been updated as follows:</p> <p>Local Skills and employment</p> <p><i><u>Any</u> phase of the onshore works may <u>must not be</u> commenced until a skills and employment strategy <u>in respect of that phase</u> (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by the relevant planning authority.”</i></p>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.25) [EV4-001].
Schedule 2, Requirement 32(1)	Requirement 32(1) has been updated as follows:	To address comments raised by the ExA (supplementary

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>"No Any phase of the onshore works may must not be commenced until a biodiversity net gain strategy (in accordance with the biodiversity gain strategy forming Appendix 18-10 of the environmental statement) in relation to that phase has been submitted and approved by the relevant planning authority in consultation with the <u>relevant</u> statutory nature conservation body."</i></p>	<p>agenda question ISH1.S2.27) [EV4-001].</p>
Schedule 2, Requirement 35	<p>Requirement 35 has been updated as follows:</p> <p><i>"DBSEL and DBSWL must—</i></p> <ul style="list-style-type: none"> <i>(a) before submitting any plan or document required to be submitted for approval under the requirements <u>to the relevant discharging authority</u>, provide a copy of the plan or document to the other undertaker to enable the other undertaker to provide comments on the relevant plans and documentation; and</i> <i>(b) when submitting any plan or document referred to in sub-paragraph (a) for approval, submit <u>to the relevant discharging authority</u> any comments duly received from the other undertaker or a statement confirming that no such comments were received."</i> 	<p>To address comments raised by the ExA (supplementary agenda question ISH.S2.28) [EV4-001].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 5, Part 1, Public rights of way to be temporarily closed or restricted	<p>Row 5 of the table has been updated as follows:</p> <div> <div>East Riding of Yorkshire</div> <div> <p>Proposed BridelwayBridleway in the parishes of Catwich and Leven</p> </div> <div> <p>Change the colour of the Public Rights of Way plan. Between reference points 15a and 15b marked with a dashed solid purple line on sheet 15 of the Public Rights of Way plan.</p> </div> </div>	To address comments raised by the ExA (supplementary agenda question ISH1.S2.31) [EV4-001].
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p>	<p>Removal of definitions.</p> <p>“commercial operation” means in relation to any part of the authorised scheme, the exporting, transmission or conversion, on a commercial basis, of electricity;</p> <p>“jointing bay” means an underground structure located at regular intervals along the cable route to join sections of cable and facilitate installation of the cable into the buried cable ducts;</p> <p>“land plans” means the plans certified as the land plans by the Secretary of State under article 42 of the Order;</p> <p>“offshore works” means Work Nos 1A to 9A and any other authorised development associated with those works;</p> <p>“onshore works” means Work Nos 10A to 34A and any other authorised development associated with those works;</p>	Definitions not used.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>"Order land" means the land shown on the land plans which is within the limits of land to be acquired or used and described in the book of reference;</i>	
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	<p>Removal of definitions.</p> <p><i>"authorised project" means the development and associated development described in Part 1 of Schedule 1 (authorised development) of the Order and any other development authorised by the Order that is development within the meaning of section 32 (meaning of "development") of the 2008 Act;</i></p> <p><i>"in principle Site Integrity Plan for the Southern North Sea Special Area of Conservation" means the document certified as the in principle Site Integrity Plan for the Southern North Sea Special Area of Conservation by the Secretary of State under article 42 (certification of documents and plans, etc.) of the Order;</i></p> <p><i>"inter platform cable corridor disposal site" means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance to be located within Work Nos. 5A and 5B;</i></p> <p><i>"LAT" means lowest astronomical tide;</i></p>	Definitions not used.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>“monopile foundation” means a steel pile driven or drilled into the seabed and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms and equipment;</p> <p>“outline marine mammal mitigation protocol” means the document certified as the outline marine mammal mitigation protocol by the Secretary of State under article 42 (certification of documents and plans, etc.) of the Order;</p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p>	<p>Definition of “Annex I sandbank” amended.</p> <p>“Annex I <u>sandbank subtidal habitat</u>” means a <u>sandbank subtidal habitat</u> of a type listed in Annex I to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;</p>	<p>To address comments raised by Natural England in their relevant representation (C52) [RR-039].</p>

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

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)</p>	<p>More precise definitions of the habitat types and habitat designations added.</p> <p><u><i>“habitats of principal importance” means a habitat designated as being of principal importance in accordance with section 41 (biodiversity lists and action (England)) of the Natural Environment and Rural Communities Act 2006;</i></u></p>	<p>To address comments raised by Natural England in their relevant representation (C52) [RR-039].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p>	<p>Definition of “jacket foundation” amended.</p> <p><u><i>“jacket foundation” means a lattice type structure constructed of steel which is fixed to the seabed at 3 or more points with steel pin piles and associated equipment including scour protection, J-tubes, corrosion protection systems and access platforms. means a lattice type</i></u></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 4) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p>	<p>structure constructed of steel, which may include scour protection and additional equipment such as J-tubes, corrosion protection systems and access platforms;</p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraphs 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p>	<p>Definitions added and amended the deemed marine licences relating to the definition of “offshore accommodation platform”.</p> <p><u>“offshore collector platform” means an offshore collector platform with equipment to collect the HVAC power generated at the wind turbine generators, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering equipment and</u></p>	<p>To address comments raised by ExA in their Supplementary Agenda Additional Questions for ISH1 (ISH1.DML.02) [EV4-001] and to address comments made by the MMO (Table 1, rows 41 and 42) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)	<p><u>control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u></p> <p><u>“offshore converter platform” means an offshore converter platform with equipment to convert the HVAC power generated at the wind turbine generators into HVDC power, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u></p> <p><u>“offshore switching platform” means an offshore switching platform with equipment to facilitate and alter the inter-connection and onward transmission of power from two or more power transmission systems, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform,</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<u>containing electrical equipment required to switch, transform, convert electricity to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</u>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraphs 1(1) and Part 2, Condition 15(1)(c)(ii)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1) and Part 2, Condition 15(1)(c)(ii)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1) and Part 2, Condition 13(1)(c)(ii)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph</p>	<p>New wording added to condition and new definition added.</p> <p><u>“outline scour protection plan” means the document certified by the Secretary of State as the outline scour protection plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</u></p> <p><u>(ii) a scour protection plan (in accordance with the outline scour protection plan) including details of</u> scour protection and cable protection including details of the need, type, sources, quantity and installation methods for scour protection and cable protection, with details updated and resubmitted for approval if changes to it are proposed following cable laying operations;</p>	<p>Required due to updated wording in outline scour protection plan [AS-080].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
1(1) and Part 2, Condition 13(1)(c)(ii) Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1) and Part 2, Condition 11(1)(c)(ii)		
Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1) Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1) Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1) Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)	Definition of “ <i>transition piece</i> ” amended. “ <i>transition piece</i> ” <u>means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and includes additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment;</u> means a metal structure attached to the top of a foundation where the base of a wind turbine generator is connected and may include additional equipment such as J-tubes, corrosion protection systems, boat access systems, access platforms, craneage, electrical transmission equipment and associated equipment;	To address comments raised by the MMO in their relevant representation (Table 1, row 38) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Conditions 1-5</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Conditions 1-5</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Conditions 1-3</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Conditions 1-3</p>	<p>Wording of deemed Marine Licence conditions amended for certainty and enforceability.</p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 48) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 6</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 6</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 4</p>	<p>The “Phases of authorised scheme” condition has been amended.</p> <p><u>(1) The authorised scheme must not commence until an offshore works phasing scheme setting out the phases of construction of the authorised scheme has been submitted to and approved in writing by the MMO.</u></p> <p><u>(2) The authorised scheme must be submitted at least 4 months prior to the proposed commencement of the works.</u></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 51) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 4</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 2</p>	<p>(3) Any subsequent amendments to the offshore works phasing scheme submitted for approval under sub-paragraph (1) must be submitted to the MMO for approval in writing.</p> <p>(4) The offshore works phasing scheme submitted for approval under sub-paragraph (1) must be implemented as approved. The approved details shall be taken to include any amendment that may subsequently be approved by the MMO in accordance with sub-paragraph (3). The authorised scheme must not be commenced until a written scheme setting out the phases of construction of the authorised scheme has been submitted to and approved in writing by the MMO.</p> <p>Any subsequent amendments to the written scheme submitted for approval under sub-paragraph (1) must be submitted to, and approved in writing by, the MMO.</p> <p>The written scheme submitted for approval under sub-paragraph (1) must be implemented as approved. The approved details shall be taken to include any amendment that may subsequently be approved in accordance with sub-paragraph (2).</p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 7</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 7</p>	<p>The “Maintenance of the authorised scheme” condition has been amended.</p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 52) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 5</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 5</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 3</p>	<p><i>(1) The undertaker may at any time maintain the authorised scheme, except to the extent that this licence or an agreement made under this licence provides otherwise.</i></p> <p><i>(2) Maintenance works include but are not limited to—</i></p> <p><i>(a) Routine maintenance of wind turbine generators, offshore accommodation platform, and their respective foundations;</i></p> <p><i>(b) Major wind turbine component or offshore accommodation platform replacement;</i></p> <p><i>(c) Painting and applying other coatings to wind turbine generators or offshore accommodation platforms;</i></p> <p><i>(d) Bird waste and marine growth removal;</i></p> <p><i>(e) Surveys/inspections of cables;</i></p> <p><i>(f) Cable remedial burial;</i></p> <p><i>(g) Cable protection replenishment;</i></p> <p><i>(h) Cable repairs and replacement;</i></p> <p><i>(i) Access ladder and boat landing replacement;</i></p> <p><i>(j) Wind turbine generator and offshore accommodation platform anode replacement; and</i></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(k) J-tube repair/replacement.</p> <p>(3) An offshore operations and management plan substantially in accordance with the outline offshore operations and management plan must be submitted to the MMO for approval in writing at least four months prior to commencement of the operation of licensed activities and must provide for review and resubmission every three years during the operational phase of the licensed activities. Operation of the licensed activities must not commence until an offshore operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance plan has been submitted to and approved in writing by the MMO. The operations and maintenance plan must include, but is not limited to—</p> <p>(a) a list of maintenance activities within the marine environment that are planned for the lifetime of the licensed activities;</p> <p>(b) details of the typical construction plant, machinery and personnel requirements for each maintenance activity and any requirements for detailed method statements;</p> <p>(c) details of the typical frequency and timing of each maintenance activity; and</p> <p>(d) details of controls and mitigation that will be in place in order to protect the marine environment.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(4) The offshore operations and maintenance plan must be reviewed every three years commencing from the date on which the plan was approved, unless otherwise agreed by the MMO, to ensure the details of the maintenance activities remain accurate. The conclusions of that review must be submitted to and approved by the MMO in writing.</u></p> <p><u>(5) The offshore operations and maintenance plan must be implemented as approved by the MMO.</u></p> <p><u>(6) Unless otherwise agreed in writing with the MMO, the undertaker must submit—</u></p> <p><u>(a) the first offshore operations and maintenance plan at least 4 months prior to the operation of the licensed activities;</u></p> <p><u>(b) any revised offshore operations and maintenance plan submitted in accordance with sub-paragraph (4) at least 4 months before such revised plan is required to be put in place; and</u></p> <p><u>(c) where additional maintenance activities are identified that are not included in the approved offshore operations and maintenance plan, or any revised plan approved in accordance with sub-paragraph (4), an updated offshore operations and maintenance plan including the additional maintenance activities must be submitted to and approved by the MMO in writing as soon as possible after the need for such additional maintenance activities is identified.</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	All operation and maintenance activities must be carried out in accordance with the approved plan.	
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 9(11)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 9(11)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 7(11)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 7(11)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 5(11)</p>	<p>The “Notifications and inspections” condition has been amended.</p> <p><i>(11) In case of damage to, or destruction or decay of, the authorised scheme or any part thereof, excluding the exposure of cables, the undertaker must as soon as reasonably practicable and no later than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify the MMO, <u>the MMO Local Office</u>, MCA, Trinity House, the Kingfisher Information Service of Seafish and UKHO.</i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 61) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 11</p>	<p>The “Colouring of Structures” condition has been amended.</p> <p><u><i>The undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to the height</i></u></p>	<p>To address comments raised by the MMO in their relevant</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 11</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 9</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 9</p>	<p><i><u>agreed in writing with Trinity House. The undertaker must paint the remainder of the structures grey (colour code RAL 7035). Requests to change the colouring of the structure must be submitted to the MMO in writing and must not be undertaken unless approved in writing by the MMO. Except as otherwise required by Trinity House, the undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035).</u></i></p>	<p>representation (Table 1, row 63) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 13(3)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 13(3)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11(3)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 11(3)</p>	<p>The “Chemicals, drilling and debris” condition has been amended for clarity.</p> <p><i>(3) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including bunding of 110 percent of the total volume of all reservoirs and containers.</i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 67) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 9(3)		
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 13(4)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 13(4)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11(4)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 11(4)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 9(4)</p>	<p>The “<i>Chemicals, drilling and debris</i>” condition has been amended to refer to providing a null return to the MMO.</p> <p><i>(4) The undertaker must inform the MMO in writing of the location and quantities of material disposed of each month under this <u>deemed</u> marine licence by submission of a disposal return by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive <u>and must provide a null return if no activity has taken place during the reporting period.</u></i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 68) [RR-030].</p>
Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)	<p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to refer to the relevant statutory nature conservation body as a consultee.</p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 70) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(1)</p>	<p><i>(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA, <u>the relevant statutory nature conservation body</u> and UKHO as appropriate —</i></p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(a)(v)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(a)(v)</p>	<p>The “Pre-construction plans and documentation” condition has been amended to refer to glacial till.</p> <p><i>(v) any exclusion zones or micro-siting requirements identified pursuant to [15/13/11](1)(e)(i) or relating to any habitats of principal importance, <u>Annex I subtidal habitats or surficial deposits of glacial till</u> identified as part of surveys undertaken in accordance with condition 20;</i></p>	<p>To address comments raised by Natural England in their relevant representation (C45) [RR-039].</p>

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

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(c)(iv)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(1)(c)(iv)</p>		
<p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11(4) and (5)</p>	<p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to reduce the period from six months to four months.</p> <p><i>“(4) Each programme, statement, plan, protocol or scheme required to be approved under condition 11 must be submitted for approval at least sixfour months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</i></p> <p><i>(5) The MMO must determine an application for approval made under condition 11 within a period of sixfour months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.”</i></p>	<p>To align with the equivalent conditions in other Deemed Marine Licences.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(d)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(d)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(1)(d)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(1)(d)</p>	<p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to confirm the project environmental management plan covers the period of operation.</p> <p><i>(d) a project environmental management plan (in accordance with the outline project environmental management plan) covering the period of construction <u>and operation</u> to include details of—</i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 73) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15(1)(i)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15(1)(i)</p>	<p>The “<i>Pre-construction plans and documentation</i>” condition has been amended to refer to a final cable statement.</p> <p><i><u>(i) a final cable statement (in accordance with the cable statement).</u></i></p>	<p>To reflect updates to the cable statement [AS-078].</p>

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

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>pursuant to the deemed marine licences granted under Schedules [10/11/12/13] of the Order within the same 24 hour period must not exceed:</u></p> <p><u>(a) 4 monopile foundations;</u></p> <p><u>(b) 12 pin pile foundations;</u></p> <p><u>(c) 3 monopile foundations and 3 pin pile foundations;</u></p> <p><u>(d) 2 monopile foundations and 6 pin pile foundations; or</u></p> <p><u>(e) 1 monopile foundation and 9 pin pile foundations.</u></p> <p><u>(10) The number of piled foundations installed concurrently when combined with the number of piled foundations installed concurrently pursuant to the deemed marine licences granted under Schedules [10/11/12/13] must not exceed:</u></p> <p><u>(a) where only monopile foundations are being installed concurrently exceed 2 monopile foundations;</u></p> <p><u>(b) where only pin pile foundations are being installed concurrently exceed 3 pin pile foundations; and</u></p> <p><u>(c) where a combination of monopile foundations and pin pile foundations are being installed concurrently exceed 1 monopile foundation and 1 pin pile foundation.</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 16(3)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 16(3)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 14(3)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 14(3)</p>	<p>The “<i>Site Integrity Plan</i>” condition has been amended to refer to submission no later than six months prior to commencement of piling activities.</p> <p>(3) <i>The SIP must be submitted in writing to the MMO no later than four <u>six</u> months prior to the commencement of piling activities.</i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 81) [RR-030] and to address comments raised by Natural England in their relevant representation (A13) [RR-039].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 17</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 17</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 15</p>	<p>A new heading has been added for this condition which was previously omitted.</p> <p><u>“Approval of programmes, statements etc”</u></p>	<p>To address an omission.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 15		
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20(2)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20(2)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18(2)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18(2)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 14(2)</p>	<p>The “<i>Pre-construction monitoring and surveys</i>” condition has been amended for consistency with the MMO’s requested wording.</p> <p><i>(2) The survey proposals submitted under sub-paragraph (1) must be in general accordance with the principles set out in the in principle monitoring plan and must specify each survey’s objectives and explain how it will assist in either informing a useful and valid comparison with the post-construction position and/or will enable the validation or otherwise of key predictions in the environmental statement.</i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 84) [RR-030].</p>
Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20(4)	The “ <i>Pre-construction monitoring and surveys</i> ” condition has been amended for clarity and to refer to glacial till.	To address comments raised by the MMO in their relevant representation (Table 1, rows

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20(4)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18(4)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18(4)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 14(4)</p>	<p>(4) <i>The pre-construction surveys referred to in sub-paragraph (1) must, unless otherwise agreed <u>in writing</u> with the MMO, have due regard to include, but not be limited to, the need to undertake—</i></p> <p>(a) an appropriate <i>survey to determine the location, extent and composition of any habitats of principal importance, <u>Annex I subtidal habitat</u> or habitat with suitability for sandeel <u>or surficial deposits of glacial till</u> in the parts of the Order limits in which it is proposed to carry out construction works;</i></p>	<p>85 and 86) [RR-030] and Natural England in their relevant representation (C45) [RR-039].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 20</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 20</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 18</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 18</p>	<p>The “Pre-construction monitoring and surveys” condition has been amended to refer to when the results of surveys should be submitted and that works will not commence until the survey report has been approved by the MMO.</p> <p><i><u>(6) When any surveys are carried out in accordance with sub-paragraph (5) a survey report must be submitted to the MMO following completion of the relevant survey. Any report submitted under this sub-paragraph must be submitted prior to the commencement of licensed activities for the relevant stage.</u></i></p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 83) [RR-030].</p>

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

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 22(3)(e)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 20(3)(e)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 20(3)(e)</p>	<p>(e) <u>undertake any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition [15/13](1)(g)</u>undertake or contribute to any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition 15(1)(h).</p>	<p>representation (Table 1, row 93) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 23</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 23</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 21</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 21</p>	<p>The “Reporting on scour and cable protection” condition has been amended for clarity and to refer to the submission of an updated report.</p> <p>(1) No more than four months following completion of the construction of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature conservation bodies with a report setting out details of the cable protection and scour protection used for the authorised scheme.</p> <p>(2) The report must include the following information—</p> <p>(a) the location of cable protection and scour protection;</p>	<p>To address comments raised by the MMO in their relevant representation (Table 1, row 95) [RR-030] and Natural England in their relevant representation (A3) [RR-039].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 17	<p>(b) the volume of cable protection and scour protection; and</p> <p>(c) any other information relating to the cable protection and scour protection as agreed between the MMO and the undertaker.</p> <p><u>(3) Where any cable protection or scour protection is replenished following completion of construction the undertaker must submit an updated report in accordance with sub-paragraph (2) in writing to the MMO and the relevant statutory nature conservation bodies no more than four months following completion of the relevant replenishment being deposited.</u></p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, paragraph 1(1) and Part 2, Condition 26</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, paragraph 1(1) and Part 2, Condition 26</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, paragraph 1(1) and Part 2, Condition 25</p>	<p>A new definition and condition dealing with “Reporting of impact pile driving” has been added.</p> <p><u>“Marine Noise Registry” means the database developed and maintained by JNCC on behalf of Defra to record the spatial and temporal distribution of impulsive noise generating activities in UK seas;</u></p> <p><u>(1) Only when driven or part-driven pile foundations are proposed to be used as part of the foundation installation the undertaker must provide the following information to the Marine Noise Registry—</u></p> <p><u>(a) prior to the commencement of each phase of construction of the licensed activities, information on the expected location, start and end</u></p>	To address comments raised by the MMO in their relevant representation (3.17) [RR-030].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 1, paragraph 1(1) and Part 2, Condition 25	<p><u>dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements:</u></p> <p><u>(b) at six-month intervals following the commencement of pile driving or by 25 March for works which take place in the preceding year January to December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements; and</u></p> <p><u>(c) within 12 weeks of completion of impact pile driving or by 25 March for works which take place in the preceding year January to December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements.</u></p> <p><u>(2) The undertaker must notify the MMO in writing of the successful submission of Forward Look or Close Out data pursuant to paragraph (1) above within seven days of the submission.</u></p> <p><u>(3) For the purpose of this condition, "Forward Look" and "Close Out" mean the requirements as set out in the UK Marine Noise Registry Information Document Version 1 (July 2015) as amended, updated, or superseded from time to time.</u></p>	
Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 27	A new condition dealing with "Maintenance reporting" has been added.	To address comments raised by the MMO in their relevant

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 27</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 26</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 26</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 20</p>	<p><u>(1) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.</u></p> <p><u>(2) The report must provide a record of the licensed activities undertaken as set out in condition 7 during the preceding year, the timing of activities and methodologies used.</u></p> <p><u>(3) Every fifth year, the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report, which will—</u></p> <p><u>(a) include a review of licensed activities undertaken during the preceding five years with reference to the reports submitted in accordance with condition [27/26/20] (1) of this licence.</u></p> <p><u>(b) reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.</u></p>	<p>representation (3.18) [RR-030].</p>
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 28</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 28</p>	<p>A new condition dealing with “Sediment Sampling” has been added.</p> <p><u>(1) The undertaker must submit a sample plan request in writing to the MMO for written approval of a sample plan.</u></p> <p><u>(2) The sample plan request must be made—</u></p>	<p>To address comments raised by the MMO in their relevant representation (3.21.5) [RR-030].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 27</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 27</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 21</p>	<p><u>(a) for capital dredging, at least six months prior to the commencement of any capital dredging; or</u></p> <p><u>(b) for maintenance dredging, at least six months prior to the end of every third year from the date of the previous sediment sample analysis.</u></p> <p><u>(3) The sample plan request must include details of—</u></p> <p><u>(a) the volume of material to be dredged;</u></p> <p><u>(b) the location of the area to be dredged;</u></p> <p><u>(c) details of the material type proposed for dredging;</u></p> <p><u>(d) the type and dredging methodology (including whether it is a capital or maintenance dredge, depth of material to be dredged and proposed programme for the dredging activities); and</u></p> <p><u>(e) the location and depth of any supporting samples.</u></p> <p><u>(4) Unless otherwise agreed by the MMO, the undertaker must undertake the sampling in accordance with the approved sample plan.</u></p>	
<p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13(5)</p>	<p>The “Pre-construction plans and documentation” condition has been amended to prevent anchoring of vessels within designated areas.</p> <p><u>(5) Anchoring of vessels must not occur within the Holderness Inshore Marine Conservation Zone or within the Smithic Bank, unless otherwise</u></p>	<p>To address comments raised by Natural England in their relevant representation (B59) [RR-039].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13(5)	<i><u>agreed in writing with the MMO following consultation with the relevant statutory nature conservation body and</u> in the event that jack-up vessels are proposed to be used for cable installation or maintenance, their legs must not be deployed within the Holderness Inshore Marine Conservation Zone or within the Smithic Bank, being the area bounded by the following coordinates, unless otherwise agreed in writing with the MMO following consultation with Natural England <u>the relevant statutory nature conservation body. For the purposes of this sub-paragraph the “Holderness Inshore Marine Conservation Zone” and the “Smithic Bank” means the area bounded by the following coordinates:</u></i>	
Schedule 17, Hedgerows	The tables included in Part 1 and Part 2 of Schedule 17 have been updated to include reference to all relevant hedgerows.	To reflect changes to the Tree Preservation Order and Hedgerow Plan [AS-026].
Explanatory note, paragraph 2	Paragraph 2 has been updated as follows: “This Order also grants deemed marine licences under Part 4 of the Marine and Coastal Access Act 2009 in connection with the wind farms. The <u>deemed</u> marine licences impose conditions in connection with the deposits and works for which they grant consent <u>marine licensable activities.</u> ”	To address comments raised by the MMO in their relevant representation (Table 1, row 29) [RR-030].

1.3. Draft DCO Revision 4

14. **Table 1-2** below sets out the schedule of changes to the **Draft DCO (Revision 4) (application ref: 3.1)**, submitted in January 2025 (pre-examination). An additional column has been added to indicate whether the change relates to Project Change Request 1 or Project Change Request 2.

Table 1-2 Table of amendments submitted to the **Draft Development Consent Order (Revision 4)**

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Changes made throughout the Draft DCO	References to Work Nos. 6A and 6B have been removed throughout and these Works are now listed as “not used”.	To address the removal of the Electrical Switching Platform (ESP) from the Projects’ design envelope, as set out in Project Change Request 1.	1
Changes made throughout the Draft DCO	Reference to ‘offshore electrical installation’ has been amended to ‘offshore converter platform’ throughout.	To address the removal of other offshore electrical installations, as set out in Project Change Request 1.	1
Article 2, Interpretation Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1	The following definition has been deleted: <i>“gravity base structure foundation” means a structure principally of steel, concrete, or steel and concrete which rests on the seabed either due to its own weight with or without added ballast, skirts or</i>	To address the removal of Gravity Based Structure (GBS) foundations from the Projects’ design envelope,	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
<p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1</p> <p>Schedule 12 (Deemed Marine Licence 3) Part 1, Paragraph 1</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1</p>	<p>other additional fixings, and associated equipment including scour protection, J-tubes, corrosion protection systems, access platforms and equipment and separate topside connection structures or integrated transition pieces;</p>	<p>as set out in Project Change Request 1.</p>	
<p>Article 5, Benefit of the Order</p>	<p>Article 5(8)(d) has been deleted:</p> <p>(c) the transferee or lessee is Northern Powergrid (Yorkshire) PLC (company number 04112320, whose registered office is at Lloyds Court, 78 Grey Street, Newcastle Upon Tyne, NE1 6AF) for the purpose of undertaking Work No. 22A or 22B; or</p> <p>(d) the transferee or lessee is Yorkshire Water Services Limited (company number 02366682, whose registered office is at Western House, Halifax Road, Bradford, West Yorkshire, BD6 2SZ) for the purpose of undertaking Work No. 24A(j), 24B(j), 28A or 28B; or</p>	<p>To address the removal of the Yorkshire Water main diversion from the Projects' design envelope as part of Project Change Request 2.</p>	<p>2</p>

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	(e)(d) the time limits for claims for compensation in respect of the acquisition of land or effects upon land under this Order have elapsed and—		
Schedule 1, Part 1, Work No. 24A	The following sub-paragraph has been removed: (j) diversion of Yorkshire Water main and works;	To address the removal of the Yorkshire Water main diversion from the Projects' design envelope as part of Project Change Request 2.	2
Schedule 1, Part 1, Work No. 28A	Work No. 28A has been amended: Diversion of Yorkshire Water main and works to facilitate this including: (a) construction of temporary haul roads; and (b) temporary construction working areas and laydown areas <u>Not Used.</u>	To address the removal of the Yorkshire Water main diversion from the Projects' design envelope as part of Project Change Request 2.	2
Schedule 1, Part 1, Work No. 30A	Work No. 30A has been amended: <u>Creation of construction temporary access routes from Work No. 24A to Work No. 27A and Work No. 29A for construction and maintenance of permanent landscaping to and to allow access across existing</u>	To address the reduction in footprint of the onshore converter stations and associated changes to landscaping and other	2

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>utilities to Work No. 27A and Work No. 29A for construction and maintenance including:</p> <p>(a) construction of temporary haul roads <u>during construction and for maintenance purposes during operation (if required); if required for maintenance;</u> and</p> <p>(b) temporary construction working areas and laydown areas <u>to facilitate the protection (if required) of the high pressure gas and water pipelines existing utilities located in Works No.30A from heavy vehicles using the access, should protection be required by the asset owners.</u></p>	works as part of Project Change Request 2.	
Schedule 1, Part 1, Work No. 24B	<p>The following sub-paragraph has been removed:</p> <p>(j) diversion of Yorkshire Water main and works;</p>	To address the removal of the Yorkshire Water main diversion from the Projects' design envelope as part of Project Change Request 2.	2
Schedule 1, Part 1, Work No. 28B	<p>Diversion of Yorkshire Water main and works to facilitate this including:</p> <p>(a) construction of temporary haul roads; and</p>	To address the removal of the Yorkshire Water main diversion from the Projects'	2

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	(b) temporary construction working areas and laydown areas <u>Not Used.</u>	design envelope as part of Project Change Request 2.	
Schedule 1, Part 1, Work No. 30B	<p>Work No. 30B has been amended:</p> <p><u>Creation of access routes from Work No. 24B to Work No. 27B and Work No. 29B for construction and maintenance of permanent landscaping and to allow access across existing utilities including:</u></p> <p><u>(a) construction of temporary haul roads during construction and for maintenance purposes during operation (if required), if required for maintenance; and</u></p> <p><u>(b) temporary working areas and laydown areas to facilitate the protection (if required) of the high pressure gas and water pipelines existing utilities located in Works No. 30B from heavy vehicles using the access, should protection be required by the asset owners.</u></p> <p>Creation of construction temporary access to allow access across utilities to Work No. 27B for construction and maintenance including:</p>	To address the reduction in footprint of the onshore converter stations and associated changes to landscaping and other works as part of Project Change Request 2.	2

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	(a) construction of temporary haul roads; and (b) temporary construction working areas and laydown areas.		
Article 2, Interpretation Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1 Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1	The following definition has been deleted: “offshore electrical installations” means the offshore collector platforms, offshore converter platforms and offshore switching platform forming part of the authorised project;	To address the removal of other offshore electrical installations, as set out in Project Change Request 1.	1
Article 2, Interpretation Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1 Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1	The following definition has been deleted: “offshore collector platform” means an offshore collector platform with equipment to collect the HVAC power generated at the wind turbine generators, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity generated at the	To address the removal of offshore collector platforms in the Projects’ Design envelope, as set out in Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 12 (Deemed Marine Licence 3) Part 1, Paragraph 1 Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1	wind turbine generators to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, substation auxiliary systems and low voltage distribution; instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems; facilities to support operations and maintenance;		
Article 2, Interpretation Schedule 12 (Deemed Marine Licence 3) Part 1, Paragraph 1 Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1	The following definition has been deleted: “offshore electrical platform” means an offshore collector platform, an offshore converter platform and/or an offshore switching platform;	To address the removal of other offshore electrical installations, as set out in Project Change Request 1.	1
Article 2, Interpretation Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1	The following definition has been deleted: “offshore switching platform” means an offshore switching platform with equipment to facilitate and alter the inter-connection and onward transmission of power from two or more power transmission	To address the removal of the offshore switching platforms from the Projects’ design envelope,	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
<p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph</p> <p>Schedule 12 (Deemed Marine Licence 3) Part 1, Paragraph 1</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1</p>	<p>systems, being a structure above LAT and attached to the seabed by means of a foundation, with one or more decks and open with modular equipment or fully clad and may include a helicopter platform, containing electrical equipment required to switch, transform, convert electricity to a higher voltage and provide reactive power compensation, including but not limited to high voltage power transformers, high voltage switchgear and busbars, auxiliary systems and low voltage distribution, instrumentation, metering equipment and control systems, standby generators, shunt reactors, auxiliary and uninterruptible power supply systems, facilities to support operations and maintenance;</p>	<p>as set out in Project Change Request 1.</p>	
<p>Schedule 1 (Authorised project), Part 1, Work No. 2A</p> <p>Schedule 1 (Authorised project), Part 1, Work No. 2B</p> <p>Schedule 12 (Deemed Marine License 3), Part 1, Paragraph 3</p>	<p>Works No. 2A and 2B have been amended:</p> <p>(a) up to three one offshore electrical platform offshore converter platforms fixed to the seabed by jacket or monopile foundations within the area shown on the works plans;</p>	<p>To address the reduction in the number of offshore platforms in the Projects' Design envelope, as set out in Project Change Request 1.</p>	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 13 (Deemed Marine License 4), Part 1, Paragraph 3			
Schedule 1 (Authorised project), Part 1, Work No. 6A Schedule 1 (Authorised project), Part 1, Work No. 6B Schedule 12 (Deemed Marine License 3), Part 1, Paragraph 3 Schedule 13 (Deemed Marine License 4), Part 1, Paragraph 3	Work No. 6A and 6B have been amended: Up to one electrical switching platform connected to the electrical system and fixed to the seabed by gravity base, jacket or monopile foundations, within the area shown on the works plans; Not used;	To address the removal of the ESP from the Projects' Design envelope, as set out in Project Change Request 1.	1
Schedule 1 (Authorised project), Part 1, Work No. 8A Schedule 1 (Authorised project), Part 1, Work No. 8B	Work No. 8A and 8B have been amended: (c) creation of up to three temporary pits for trenchless installation techniques seaward of MHWS and up to three additional temporary pits for trenchless installation techniques seaward of MHWS for the DBS West Project;	To address the removal of short trenchless crossing at landfall, as set out in Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 12 (Deemed Marine License 3), Part 1, Paragraph 3 Schedule 13 (Deemed Marine License 4), Part 1, Paragraph 3	(d) cable trenching works; (e) installation of up to three cable duct extensions from below MLWS to any temporary pits created for trenchless installation situated between MHWS and MLWS, up to three additional cable duct extensions (if required) for the DBS West Project from MLWS to any temporary pits created for trenchless cable installation situated between MHWS and MLWS; (c) temporary construction working areas <u>for emergency works;</u> (d) and cable installation vessel anchoring <u>for emergency works;</u>		
Schedule 1 (Authorised project), Part 1, Work No. 9A Schedule 1 (Authorised project), Part 1, Work No. 9B	Work No. 9A and 9B have been amended: (f) disposal of drill arisings in connection with any foundation drilling up to a total of 37,917 <u>35,791</u> cubic metres;	To address the reduction in offshore structures, as set out in Project Change Request 1.	1
Schedule 2, Requirement 4	Requirement 4 has been amended: Offshore electrical installation <u>Offshore converter platform dimensions</u>	To address the reduction in the number of offshore platforms in the Projects' Design envelope, as set out	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>4.—(1) The total number of offshore electrical installations<u>converter platforms</u> and offshore accommodation platforms in respect of the authorised project must not exceed eight<u>two</u>, consisting of <u>one offshore converter platform and one offshore accommodation platform</u>. a combination of no more than:—</p> <p>(a) six offshore collector platforms and/or offshore converter platforms, one offshore accommodation platform and one offshore switching platform in respect of the authorised project;</p> <p>(b) three offshore collector platforms and/or offshore converter platforms, one offshore accommodation platform or one offshore switching platform in respect of the DBS East Project offshore works; or</p> <p>(c) three offshore collector platforms and/or offshore converter platforms, one offshore accommodation platform or one offshore switching platform in respect of the DBS West Project offshore works.</p> <p>(1) The dimensions of any offshore electrical installation<u>offshore converter platform</u> (excluding</p>	in Project Change Request 1.	

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>helidecks, lightning protection, towers, masts and cranes) must not exceed:</p> <p>(a) 125 metres in length;</p> <p>(b) 100 metres in width; or</p> <p>(c) 105 metres in height above LAT.</p>		
Schedule 2, Requirement 5	<p>Requirement 5 has been amended:</p> <p>Offshore electrical installation<u>Offshore converter platform</u> foundations</p> <p>5.—(1) Offshore converter platforms and offshore accommodation platform foundations must be of one or more of the following foundation options: piled monopile, or piled jacket.</p> <p>(2) Offshore switching platform foundations must be of one or more of the following foundation options: piled monopile, piled jacket, gravity based foundation. If the offshore switching platform is within the Dogger Bank SAC it must not have a gravity based foundation.</p> <p>(2) No offshore electrical installation<u>offshore converter platform</u> or offshore accommodation</p>	<p>To address the reduction in the number of offshore platforms and cabling and the removal of GBS foundations in the Projects' Design envelope, as set out in Project Change Request 1.</p>	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>platform piled monopile foundation or offshore switching platform may have a pile diameter exceeding 15 metres.</p> <p>(3) No offshore electrical installation <u>offshore converter platform</u> or offshore accommodation platform piled jacket foundation may:</p> <p>(a) have more than eight legs;</p> <p>(b) have more than eight piles; or</p> <p>(c) have a pile diameter exceeding 3.8 metres.</p> <p>(4) No offshore electrical installation <u>offshore converter platform</u> or offshore accommodation platform foundation may:</p> <p>(a) have a seabed footprint (including scour protection) exceeding 5,411 square metres for piled monopile or piled jacket foundations, or 56,410 square metres for gravity based foundations; or</p> <p>(b) have a seabed footprint (excluding scour protection) exceeding 177 square metres for piled monopile or piled jacket foundations, or 3,317 square metres for gravity based foundations.</p>		

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(5) No offshore switching platform gravity base structure foundation may—</p> <p>(a) have a seabed base plate exceeding 65 metres in diameter; or</p> <p>(b) have a gravel footing exceeding 268 metres in diameter.</p> <p>(6) Within Work Nos. 2A and 2B, the offshore converter platforms and/or offshore collector platforms foundations must not have:</p> <p>(a) a total combined seabed footprint (including scour protection) exceeding 10,822<u>32,466</u> square metres; or</p> <p>(b) a total combined amount of scour protection exceeding 31,404<u>10,468</u> square metres.</p> <p>(9) Within Work Nos. 6A and 6B, the offshore switching platform foundations must not have:—</p> <p>(a) a total combined seabed footprint (including scour protection) exceeding 56,410 square metres; or</p> <p>(b) a total combined amount of scour protection exceeding 53,092 square metres.</p>		

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	(7) The total volume of scour protection for wind turbine generators, offshore electrical installation <u>offshore converter platforms</u> and offshore accommodation platforms must not exceed 1,236,823 <u>1,067,840</u> cubic metres.		
Schedule 2, Requirement 6 Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 5 Schedule 11 (Deemed Marine Licence 1), Part 2, Condition 5	Work Nos. 1A and 1B have been amended: (a) exceed 325 <u>350</u> kilometres in length; (b) exceed 1520 cable crossings; (c) have cable protection (including cable crossings) exceeding 349,710 <u>375,800</u> square metres in area; or (d) have cable protection (including cable crossings) exceeding 203,925 <u>219,115</u> cubic metres in volume.	To reflect increases required due to re-evaluation of cable allowances undertaken as part of the net cable reductions brought forward within Project Change Request 1.	1
Schedule 2, Requirement 6 Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 3 Schedule 13 (Deemed Marine Licence 1), Part 2, Condition 5	Work Nos. 2A and 2B have been amended: (a) exceed 41 in number; (b) exceed 115 <u>23</u> kilometres in length; (c) exceed 41 cable crossings;	To address the reduction of cabling within the Array Areas, plus associated seabed preparation and cable protection as set out in Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(d) have cable protection (including cable crossings) exceeding 43,203207,812 square metres in area; or</p> <p>(e) have cable protection (including cable crossings) exceeding 39,207188,545 metres in volume.</p>		
<p>Schedule 2, Requirement 6</p> <p>Schedule 14 (Deemed Marine Licence 14), Part 2, Condition 1</p>	<p>Work Nos. 5A and 5B have been amended:</p> <p>(a) exceed 3 in number;</p> <p>(b) exceed 98138 kilometres in length;</p> <p>(c) exceed 9 cable crossings;</p> <p>(d) have cable protection (including cable crossings) exceeding 286,808211,248 square metres in area; or</p> <p>(e) have cable protection (including cable crossings) exceeding 260,234187,280 cubic metres in volume.</p>	<p>To reflect increases required due to re-balancing of cable allowances across licences following the overall cabling reductions brought forward as part of the Project Change Request 1 process.</p>	1
<p>Schedule 7 (Land in which only new rights, etc. may be acquired), Cable rights and restrictive covenants</p>	<p>The following plots have been added to row 2:</p> <p><u>18-010a, 18-014a, 18-027</u></p>	<p>To include new plots created resulting from the amended layout of the onshore substation zone forming part of Project Change Request 2.</p>	2

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 7 (Land in which only new rights, etc. may be acquired), Cable rights and restrictive covenants under existing infrastructure	The following plots have been removed from row 3: 18-026, 18-033, 18-034, 18-036, 18-037	Plots removed to reflect the amended layout of the onshore substation zone forming part of Project Change Request 2.	2
Schedule 7 (Land in which only new rights, etc. may be acquired), Mitigation work areas access rights, mitigation rights and restrictive covenants	The following plots have been added to row 4: <u>18-010a, 18-014a, 18-015, 18-021, 18-022a and 18-025a.</u>	To include new plots created resulting from the amended layout of the onshore substation zone forming part of Project Change Request 2.	2
Schedule 7 (Land in which only new rights, etc. may be acquired), Mitigation work areas access rights, mitigation rights and restrictive covenants	Paragraph 2(e) has been inserted: <u>(e) carry out works required to facilitate the protection of utilities apparatus.</u>	To reflect amendments to Work Nos 30A/B as a result of the amended layout of the onshore substation zone forming part of Project Change Request 2.	2
Schedule 9 (Land of which only temporary possession may be	The following row has been amended:	To include new plots created resulting from the amended layout of the onshore substation zone	2

Article/Paragraph/Schedule Number	Amendment			Reason	Project Change Request Number
taken), in the District of East Riding of Yorkshire	<u>18-027a</u> , 18-045, 18-046, 18-049, 18-051, 18-053, 19-006, 20-001	Temporary use as a construction of haul road, construction working area and laydown areas and for access to facilitate construction of Work No 31A/B	Work No 18A/B	forming part of Project Change Request 2.	
Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 2	Paragraph 2(a) has been amended: <i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site by the deemed marine licence granted under Schedule 12 of the Order, of up to <u>569,916541,482</u> cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin</i>			To reflect increases required due to re-evaluation of cable allowances undertaken as part of the net cable reductions brought forward within Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<i>produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site;</i>		
<p>Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 15</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15</p> <p>Schedule 12 (Deemed Marine License 3), Part 3, Condition 13</p> <p>Schedule 13 (Deemed Marine License 4), Part 2, Condition 13</p>	<p>Condition [15/13] has been amended:</p> <p><i>(8) The maximum number of main vessels engaged at any time in activities related to piling for the licensed activities when combined with the number of main vessels engaged in piling activities authorised by the deemed marine licences granted under Schedules [10 / 11 / 12 / 13] must not exceed 32 vessels.</i></p> <p><i>(9) The number of piled foundations installed within a 24 hour period when combined with the number of piled foundations installed pursuant to the deemed marine licences granted under Schedules [10 / 11 / 12 / 13] of the Order within the same 24 hour period must not exceed:</i></p> <p><i>(a) 4 monopile foundations;</i></p> <p><i>(b) 128 pin pile foundations;</i></p>	<p>To address the reduction in offshore structures, as set out in Project Change Request 1.</p>	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(c) 3 monopile foundations and 32 pin pile foundations;</p> <p>(d) 2 monopile foundations and 64 pin pile foundations; or</p> <p>(e) 1 monopile foundation and 96 pin pile foundations.</p> <p>(10) The number of piled foundations installed concurrently when combined with the number of piled foundations installed concurrently pursuant to the deemed marine licences granted under Schedules [10 / 11 / 12 / 13] must not exceed:</p> <p>(a) where only monopile foundations are being installed concurrently exceed 2 monopile foundations;</p> <p>(b) where only pin pile foundations are being installed concurrently exceed 32 pin pile foundations; and</p> <p>(c) where a combination of monopile foundations and pin pile foundations are being installed concurrently exceed 1 monopile foundation and 1 pin pile foundation.</p>		

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 2	Paragraph 2(a) has been amended: <i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site by the deemed marine licence granted under Schedule 10 of the Order, of up to 33,148,90333,282,843 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site;</i>	To address the reduction in number of electrical platforms and inter-platform cabling from the Projects' design envelope as set out in Project Change Request 1.	1
Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 1 Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 1	Condition 1 has been amended: Offshore electrical installation <u>Offshore converter platform</u> dimensions 1.—(1) The total number of offshore electrical installations <u>converter platforms</u> in respect of the authorised scheme must not exceed four <u>one</u> . consisting of a combination of no more than:—	To address the reduction in the number of offshore platforms in the Projects' Design envelope, as set out in Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(a) three offshore converter platforms or offshore collector platforms in respect of the authorised scheme; and</p> <p>(b) one offshore switching platform in respect of the authorised scheme.</p> <p>(2) The dimensions of any offshore electrical installation<u>offshore converter platform</u> (excluding helidecks, lightning protection, towers, masts and cranes) must not exceed:</p> <p>(a) 125 metres in length;</p> <p>(b) 100 metres in width; or</p> <p>(c) 105 metres in height above LAT.</p>		
Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 2	<p>Condition 2 has been amended:</p> <p>Offshore electrical installation<u>Offshore converter platform</u> foundations</p> <p>2.—(1) Offshore converter platform or offshore collector platform foundations must be of one or more of the following foundation options: piled monopile or piled jacket foundation.</p>	To address the reduction in number of offshore platforms in the Projects' Design envelope including reductions in associated seabed preparation and scour protection, and the removal of Gravity Based Structure (GBS)	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(2) Offshore switching platform foundations must be of one or more of the following foundation options: piled monopile, piled jacket, or gravity based foundation. If the offshore switching platform is within the Dogger Bank SAC it must not have a gravity based foundation</p> <p>(2) The pile diameter of any offshore electrical installation<u>offshore converter platform</u> piled monopile foundation must not exceed 15 metres.</p> <p>(3) Any offshore electrical installation<u>offshore converter platform</u> piled jacket foundation must not:</p> <p>(a) have more than eight legs;</p> <p>(b) have more than eight piles; or</p> <p>(c) have a pile diameter exceeding 3.8 metres.</p> <p>(5) Any offshore switching platform gravity base structure foundation must not:—</p> <p>(a) have a seabed base plate exceeding 65 metres in diameter; or</p> <p>(b) have a gravel footing exceeding 268 metres in diameter.</p>	foundations, as set out in Project Change Request 1.	

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(4) Any offshore electrical installation<u>offshore converter platform</u> foundation must not:</p> <p>(a) have a seabed footprint (including scour protection) exceeding 5,411<u>56,410</u> square metres; or</p> <p>(b) have a seabed footprint (excluding scour protection) exceeding 1773,317 square metres.</p> <p>(5) Within Work No. 2A, the offshore converter platforms or offshore collector platforms foundations must not have:</p> <p>(a) A total combined seabed footprint (including scour protection) exceeding 16,233<u>5,411</u> square metres; or</p> <p>(b) a total combined amount of scour protection exceeding 15,702<u>5,234</u> square metres.</p> <p>(8) Within Work No. 6A, the offshore switching platform foundations must not have:—</p> <p>(a) a total combined seabed footprint (including scour protection) exceeding 56,410 square metres; or</p>		

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(b) a total combined amount of scour protection exceeding 53,092 square metres.</p> <p>(6) The total volume of scour protection for offshore electrical installationoffshore converter platforms in respect of the authorised scheme must not exceed 9,450131,150 cubic metres.</p>		
<p>Schedule 12 (Deemed Marine Licence 3) Part 2, Condition 13(3)</p> <p>Schedule 13 (Deemed Marine License 4), Part 2, Condition 13(3)</p>	<p>The following wording has been removed:</p> <p>(3) In the event that piled foundations are proposed to be used for the electrical switching platform, installation of the piled foundation must not occur concurrently with installation of any piled foundations being installed pursuant to the deemed marine licences granted under Schedules 10 and 11 of the Order.</p> <p>(4) Within Work No. 8A, the temporary pits for trenchless installation techniques must not be located within 50 metres seaward of the beach cliffs.</p>	To address the removal of the Electrical Switching Platform from the Projects' design as set out in Project Change Request 1.	1
Schedule 12 (Deemed Marine Licence 3) Part 2, Condition 24	<p>The following condition has been removed:</p> <p>Seasonal Restriction</p>	To address the removal of the ESP from the Projects' Design envelope, as set out	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 24	<p>24.—(1) The undertaker must not carry out any piling activities within the electrical switching platform search area within the restricted period.</p> <p>(2) For the purpose of this condition—</p> <p>“electrical switching platform search area” means the area shown on the works plans for Work Nos. 6A and 6B; and</p> <p>“restricted period” means the period between 1 August and 31 March inclusive.</p>	in Project Change Request 1	
Schedule 13 (Deemed Marine Licence 4) Part 1, Paragraph 2	<p>Paragraph 2 has been amended:</p> <p>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site by the deemed marine licence granted under Schedule 11 of the Order, of up to 29,330,003477,915 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance</p>	To address the removal of the ESP from the Projects' Design envelope, as set out in Project Change Request 1.	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<i>works at disposal site references to be provided to the MMO within the array area disposal site;</i>		
Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 2	<p>Condition 2 has been amended:</p> <p>Offshore electrical installation<u>Offshore converter platform</u> foundations</p> <p>2.—(1) Offshore converter platform or offshore collector platform foundations must be of one or more of the following foundation options: piled monopile or piled jacket foundation.</p> <p>(2) Offshore switching platform foundations must be of one or more of the following foundation options: piled monopile, piled jacket, or gravity based foundation. If the offshore switching platform is within the Dogger Bank SAC it must not have a gravity based foundation</p> <p>(2) The pile diameter of any offshore electrical installation<u>offshore converter platform</u> piled monopile foundation must not exceed 15 metres.</p> <p>(3) Any offshore electrical installation<u>offshore converter platform</u> piled jacket foundation must not:</p>	To address the removal of the ESP, the removal of GBS foundations, the reduction of offshore platforms and reduction in cabling from the Projects' Design envelope set out in Project Change Request 1	1

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(a) have more than eight legs;</p> <p>(b) have more than eight piles; or</p> <p>(c) have a pile diameter exceeding 3.8 metres.</p> <p>(5) Any offshore switching platform gravity base structure foundation must not:—</p> <p>(a) have a seabed base plate exceeding 65 metres in diameter; or</p> <p>(b) have a gravel footing exceeding 268 metres in diameter.</p> <p>(4) Any offshore electrical installation<u>offshore converter platform</u> foundation must not:</p> <p>(a) have a seabed footprint (including scour protection) exceeding 5,411<u>56,410</u> square metres; or</p> <p>(b) have a seabed footprint (excluding scour protection) exceeding 3,317 square metres.</p> <p>(5) Within Work No. 2A, the offshore converter platforms or offshore collector platforms foundations must not have:</p>		

Article/Paragraph/Schedule Number	Amendment	Reason	Project Change Request Number
	<p>(a) A total combined seabed footprint (including scour protection) exceeding 16,233<u>5,411</u> square metres; or</p> <p>(b) a total combined amount of scour protection exceeding 15,702<u>5,234</u> square metres.</p> <p>(8) Within Work No. 6A, the offshore switching platform foundations must not have:—</p> <p>(a) a total combined seabed footprint (including scour protection) exceeding 56,410 square metres; or</p> <p>(b) a total combined amount of scour protection exceeding 53,092 square metres.</p> <p>(6) The total volume of scour protection for offshore electrical installation<u>offshore converter platforms</u> in respect of the authorised scheme must not exceed 9,450<u>131,150</u> cubic metres.</p>		
Schedule 14 (Deemed Marine Licence 5) Part 1, Paragraph 2	<p>Paragraph 2 has been amended:</p> <p>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and of up to 116,438<u>98,972</u> cubic metres (being a maximum, not an approximate</p>	To address the reduction of cabling within the Array Areas, plus associated seabed preparation and cable protection as set out	1

Article/Paragraph/Schedule Number	Amendment					Reason	Project Change Request Number
	upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site;					in Project Change Request 1.	
Schedule 19 (Documents to be certified), Table 1	Row 7 has been amended:					To ensure that the updated assessments as part of Project Change Requests 1 and 2 are treated as part of the environmental statement.	1 and 2
	7.0 – 7.30.30.3; <u>and 10.49 – 10.53</u>		Environmental Statement <u>(including Project Change Request 1 – Offshore & Intertidal Works and appendices; and Project Change Request 2 – Onshore Substation Zone and appendices)</u>		<u>June 2024 and January 2025</u>		

1.4. Draft DCO Revision 5

15. **Table 1-3** below sets out the schedule of changes to the **Draft DCO (Revision 5) (application ref: 3.1)**, submitted at Deadline 1.

*Table 1-3 Table of amendments submitted to the **Draft Development Consent Order (Revision 5)***

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the Draft DCO	Various minor amendments have been made to the Draft DCO to correct cross-referencing errors and typos.	For clarity and consistency.
Article 2, Interpretation Schedule 10, Deemed Marine Licence 1 – Part 1, Interpretation Schedule 11, Deemed Marine Licence 2– Part 1, Interpretation Schedule 12, Deemed Marine Licence 3– Part 1, Interpretation Schedule 13, Deemed Marine Licence 4– Part 1, Interpretation Schedule 14, Deemed Marine Licence 5– Part 1, Interpretation	Various amendments have been made to the order of the definitions to put them in the correct alphabetical order.	For clarity and consistency.

Article/Paragraph/Schedule Number	Amendment	Reason
Article 2, Interpretation	The following definition has been moved from Part 4 of Schedule 15 and added to Article 2: <i><u>“drainage authority” means in relation to an ordinary watercourse, the drainage board concerned within the meaning of section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991();</u></i>	The defined term is now used in the main body of the Draft DCO, in addition to Part 4 of Schedule 15.
Article 8(1), street works	Article 8(1) has been amended: <i>8.—(1) The undertaker may, for the purposes of the authorised project, enter on so much of any of the streets specified in Part 1 (streets subject to permanent street works) of Schedule 3 (streets subject to street works) as is within the Order limits and may—</i>	This has been amended to clarify that these provisions apply to both temporary and permanent street works.
Article 12(1), Power to alter layout, etc. of streets	Article 12(1) has been amended: <i>12.—(1) The undertaker may for the purposes of carrying out the authorised <u>project permanently alter the layout of, or carry out any works in, a street specified in column (2) (2) of Part 1 (streets subject to permanent street works) and may</u> temporarily alter the layout of, or carry out any works in, a street specified in column (2) of Part 2 (streets subject to temporary street works) of Schedule 3 (streets subject to street works) in the manner specified in relation to that street in column (3).</i>	The wording has been updated to clarify that these provisions allow both permanent and temporary alterations and to correct an incorrect reference to column (3).

Article/Paragraph/Schedule Number	Amendment	Reason
Article 13, Access to works	<p>Article 13 has been amended:</p> <p><i>13.—(1) The undertaker may, <u>with the approval of the relevant planning authority after consultation with the highway authority in accordance with requirement 15 (highway accesses)</u>, for the purposes of the authorised project—</i></p> <p>(a) form, lay out and maintain means of access, or improve or maintain existing means of access, in the locations specified in Schedule 6 (access to works); and</p> <p>(b) with the approval of the relevant planning authority after consultation with the highway authority in accordance with requirement 15 (highway accesses), form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised project.</p> <p>(2) If the relevant planning authority fails to notify the undertaker of its decision within 28 days of receiving an application for approval under paragraph s (1)(a) or (b) that relevant planning authority is deemed to have granted approval.</p>	<p>This has been amended to make clear that Requirement 15 applies to both (1)(a) and (b) of Article 13.</p>
Article 16, Discharge of water	<p>Article 16(10) has been added:</p>	<p>This amendment has been made as requested by the Internal Drainage Board in their submission</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>(10) This article is subject to the protective provisions in Part 4 of Schedule 15 (Protective Provisions) where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority.</i>	dated 16 December 2024 [AS-123].
Article 19, Removal of human remains	<p>Article 19 has been removed and amended to 'not used':</p> <p><u>Removal of human remains Article not used</u></p> <p><u>19- (1) Not used</u></p> <p>19. In this article, "specified land" means the land within the onshore Order limits as shown on the onshore order limits and grid coordinates plan.</p> <p>(1) Before the undertaker carries out any development or works that disturb or may disturb any human remains in the specified land, it must remove the human remains from the specified land, or cause them to be removed, in accordance with the following provisions of this article.</p> <p>(2) Subject to paragraph (12), before any such remains are removed from the specified land, the undertaker must give notice of the intended removal, describing the specified land and</p>	This article has been removed and amended to "not used" in response to ISH1 Action Point 5.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>stating the general effect of the following provisions of this article, by—</i></p> <p><i>(a) — publishing a notice in two successive weeks in a newspaper circulating in the area of the authorised project; and</i></p> <p><i>(b) — displaying a notice in a conspicuous place on or near to the specified land.</i></p> <p><i>(3) As soon as reasonably practicable after the first publication of a notice under paragraph (3), the undertaker must send a copy of the notice to the relevant planning authority.</i></p> <p><i>(4) At any time within 56 days after the first publication of a notice under paragraph (3), any person who is a personal representative or relative of any deceased person whose remains are interred in the specified land may give notice in writing to the undertaker of that person's intention to undertake the removal of the remains.</i></p> <p><i>(5) Where a person has given notice under paragraph (5), and the remains in question can be identified, the person must cause such remains to be—</i></p> <p><i>(a) — removed and re-interred in any burial ground or cemetery in which burials may legally take place; or</i></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(b) — removed to, and cremated in, any crematorium; and the person must, as soon as reasonably practicable after such re-interment or cremation, provide to the undertaker a certificate for the purpose of enabling compliance with paragraph (11).</p> <p>(6) If the undertaker is not satisfied that any person giving notice under paragraph (5) is the personal representative or relative as that person claims to be, or that the remains in question can be identified, the question must be determined on the application of either party in a summary manner by the county court, and the court may make an order specifying who must remove the remains and as to the payment of the costs of the application.</p> <p>(7) The undertaker must pay the reasonable expenses of removing and re-interring or cremating the remains of any deceased person under this article.</p> <p>(8) If —</p> <p>(a) — within the period of 56 days referred to in paragraph (5) no notice under that paragraph is given to the undertaker in respect of any remains in the specified land;</p> <p>(b) — notice under paragraph (5) is given and no application is made under paragraph (7) within 56 days after the giving of the</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>notice, but the person who gave the notice fails to remove the remains within a further period of 56 days;</p> <p>(c) — within 56 days after any order is made by the county court under paragraph (7) any person, other than the undertaker, specified in the order fails to remove the remains; or</p> <p>(d) — it is determined that the remains to which a notice under paragraph (5) relates cannot be identified;</p> <p>subject to paragraph (10), the undertaker must remove the remains and cause them to be re-interred in such burial ground or cemetery in which burials may legally take place as the undertaker thinks suitable for the purpose; and, so far as possible, remains from individual graves are to be re-interred in individual containers which are to be identifiable by a record prepared with reference to the original position of burial of the remains that they contain.</p> <p>(9) If the undertaker is satisfied that any person giving notice under paragraph (5) is the personal representative or relative as the person claims to be and that the remains in question can be identified, but the person does not remove the remains, the undertaker must comply with any reasonable request that the person makes in relation to the removal and re-interment or cremation of the remains.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(10) On the re-interment or cremation of any remains under this article—</p> <p>(a) —a certificate of re-interment or cremation must be sent to the Registrar General by the undertaker giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated; and</p> <p>(b) —a copy of the certificate of re-interment or cremation and of the record mentioned in paragraph (9) must be sent by the undertaker to the relevant planning authority.</p> <p>(11) No notice is required under paragraph (3) before the removal of any human remains where the undertaker is satisfied—</p> <p>(a) —that the remains were interred more than 100 years ago; and</p> <p>(b) —that no relative or personal representative of the deceased is likely to object to the remains being removed in accordance with this article.</p> <p>(12) In the case of remains in relation to which paragraph (12) applies, the undertaker—</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(a) — may remove the remains;</p> <p>(b) — must apply for direction from the Secretary of State for Justice under paragraph (14) as to their subsequent treatment; and</p> <p>(c) — must deal with the remains such manner, and subject to such conditions, as the Secretary of State directs.</p> <p>(13) The removal of the remains of any deceased person under this article must be carried out in accordance with any directions given by the Secretary of State.</p> <p>(14) Any jurisdiction or function conferred on the county court by this article may be exercised by the district judge of the court.</p> <p>(15) — Section 25 (offence of removal of body from burial ground) of the Burial Act 1857() does not apply to a removal carried out in accordance with this article.</p>	
Schedule 1 (Authorised project), Part 1, paragraph 1	<p>Paragraph 1 has been amended:</p> <p>1. Nationally significant infrastructure projects as defined in sections 14 (nationally significant infrastructure projects: general) and 15 (generating stations) of the 2008 Act located in the North Sea approximately <u>120 kilometres and 142 kilometres</u></p>	Updated to add further details of the project location in response to ISH1 Action Point 8.

Article/Paragraph/Schedule Number	Amendment	Reason
	100 kilometres and 122 kilometres to the <u>north</u> -east of the Skipsea on the East Riding of Yorkshire coast, comprising—	
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 1A	<p>Work No. 1A has been amended:</p> <p>Work No. 1A—</p> <p>(a) An offshore wind turbine generating station <u>with a gross electrical output of over 100 megawatts</u> comprising up to 100 wind turbine generators each fixed to the seabed by monopile or jacket foundations;</p> <p>(b) a network of HVAC subsea cables connecting the wind turbine generators and Work No.2A within the area shown on the works plans, including cable crossings and cable protection;</p>	This has been amended in response to ISH1 Action Point 7 and to align with other recently made offshore wind farm DCOs.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 25A	<p>Work No. 25A has been amended:</p> <p>Work No. 25A—</p> <p>Construction of electrical converter station infrastructure for the DBS East Project, including:</p> <p>(a) a compound for electrical works necessary for the onward transmission of electricity (the “converter station compound”) containing (but not limited to) switchgear and electrical equipment including high voltage reactors, converter</p>	This has been updated to specify the number of lightning masts (up to 10) to address ISH2 Action Point 4 (onshore).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>valves and coolers, power transformers, reactive compensation equipment, filters, cooling equipment, control and welfare buildings, <u>up to ten</u> lightning mastsrods, internal rods, security fencing and other associated equipment, structures and buildings including noise attenuation works; and</p> <p>(b) permanent security fencing and security gate.</p>	
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 26A	<p>Work No. 26A has been amended:</p> <p>Work No 26A –</p> <p>Construction of electrical convertor station infrastructure for the DBS East Project, including:</p> <p>(a) a compound for electrical works necessary for the onward transmission of electricity (the “converter station compound”) containing (but not limited to) switchgear and electrical equipment including high voltage reactors, converter valves and coolers, power transformers, reactive compensation equipment, filters, cooling equipment, control and welfare buildings, <u>up to ten</u> lightning mastsrods, internal rods, security fencing and other associated equipment, structures and buildings including noise attenuation works; and</p> <p>(b) permanent security fencing and security gate.</p>	<p>This has been updated to specify the number of lightning masts (up to 10) to address ISH2 Action Point 4 (onshore).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 29A	<p>Work No. 29A has been amended:</p> <p><i>Work No. 29A—</i></p> <p><i>Permanent landscaping for screening of converter stations(s) comprising enhancement and management of Ancient Woodland and Local Wildlife Site and works to facilitate these landscaping works including:</i></p> <p>(a) construction of temporary haul <u>outside the Ancient Woodland</u>; and</p> <p>(b) temporary construction working areas and laydown areas <u>outside the Ancient Woodland</u>.</p>	The wording has been amended in response to ISH1 Action Point 9 to make it clear that the temporary construction compound and temporary haul road are not located within the Ancient Woodland.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 1B	<p>Work No. 1B has been amended:</p> <p><i>Work No. 1B—</i></p> <p>(a) An offshore wind turbine generating station <u>with a gross electrical output of over 100 megawatts</u> comprising up to 100 wind turbine generators each fixed to the seabed by monopile or jacket foundations;</p>	This has been amended in response to ISH1 Action Point 7 and to align with other recently made offshore wind farm DCOs.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 26B	<p>Work No. 26B has been amended:</p> <p><i>Work No. 26B—</i></p>	This has been updated to specify the number of lightning masts (up

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>Construction of electrical convertor station infrastructure for the DBS West Project, including:</i></p> <p>(a) <i>a compound for electrical works necessary for the onward transmission of electricity (the “converter station compound”) containing (but not limited to) switchgear and electrical equipment including high voltage reactors, converter valves and coolers, power transformers, reactive compensation equipment, filters, cooling equipment, control and welfare buildings, <u>up to ten</u> lightning masts<u>rods</u>, internal rods, security fencing and other associated equipment, structures and buildings including noise attenuation works; and</i></p> <p>(b) <i>permanent security fencing and security gate.</i></p>	to 10) to address ISH2 Action Point 4 (onshore).
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.29B	<p>Work No. 29B has been amended:</p> <p>Work No. 29B—</p> <p><i>Permanent landscaping for screening of converter stations(s) comprising enhancement and management of Ancient Woodland and Local Wildlife Site and works to facilitate these landscaping works including:</i></p> <p>(a) <i>construction of temporary haul roads <u>outside the Ancient Woodland</u>; and</i></p>	The wording has been amended in response to ISH1 Action Point 9 to make it clear that the temporary construction compound and temporary haul road are not located within the Ancient Woodland.

Article/Paragraph/Schedule Number	Amendment	Reason
	(b) temporary construction working areas and laydown areas <u>outside the Ancient Woodland</u> .	
Schedule 2, Part 1 (requirements), requirement 9, detailed design parameters onshore	<p>Requirement 9 has been amended:</p> <p>9.—(1) Construction of Work No. 25A or 26A (as appropriate in accordance with requirement 8) must not commence until the details specified under sub-paragraph (3) have been submitted to and approved in writing by the relevant planning authority.</p> <p>(2) Construction of Work No. 26B must not commence until the details specified under sub-paragraph (3) have been submitted to and approved in writing by the relevant planning authority.</p> <p>(3) The details required for approval in accordance with either sub-paragraphs (1) or (2) are:</p> <p>(a) layout;</p> <p><u>(b) scale, which must not exceed:</u></p> <p><u>(i) 24 metres in height; and</u></p> <p><u>(ii) a maximum footprint of 32,208 square metres for each onshore converter station;</u></p> <p>(b)(c) proposed finished ground levels;</p> <p>(e)(d) external appearance and materials;</p>	<p>The changes to (b) have been added to address comments raised in ERYC's Local Impact Report [PDC-007].</p> <p>Subparagraphs (5) and (6) have been moved to a new requirement 36 for ease of requirement discharge in response to ISH1 Action Point 12.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(d)(e) hard surfacing materials;</p> <p>(e)(f) vehicular and pedestrian access and parking areas;</p> <p>(f)(g) minor structures, such as furniture, refuse or other storage units, signs and external lighting; and</p> <p>(g)(h) proposed and existing functional services above and below ground, including drainage, power and communications cables and pipelines, manholes and supports.</p> <p>(4) The details submitted under sub-paragraphs (1) or (2) and under requirement 13 (Permanent fencing and other means of enclosure) must be in accordance with the design and access statement.</p> <p>(5) Work Nos. 25A or 26A and 26B must be carried out in accordance with the details approved under sub-paragraphs (1) or (2) for each work.</p> <p>(6) The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter station must not commence until details of its precise location and width have been submitted to and approved in writing by the relevant planning authority.</p> <p>(7) The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	station must be carried out in accordance with the details approved under sub-paragraph (6).	
Schedule 2, Part 1 (requirements), requirement 10, Provision of landscaping	<p>Requirement 10 has been amended:</p> <p><i>Provision of landscaping</i></p> <p>10.—(1) Any phase of the onshore works must not be commenced until a written landscape management plan (which accords with the outline landscape management plan) for that phase has been submitted to, and approved by, the relevant planning authority.</p> <p><u>(2) Pre-commencement early planting of landscaping works must only take place in accordance with a specific written landscape management plan for early planting of landscaping works (which accords with the relevant details for early planting of landscaping works in the outline landscape management plan) that has been submitted to and approved by the relevant planning authority.</u></p> <p>(9)(3) Each landscape management plan must include details of all proposed hard and soft landscaping works, including—</p> <p>(a) surveys, assessments and method statements;</p>	To clarify the procedure for approval of any early landscape planting undertaken as part of pre-commencement works.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(b) location, number, species, size and planting density of any proposed planting;</p> <p>(c) cultivation, treatment of materials and other operations to ensure plant establishment;</p> <p>(d) proposed finished ground levels;</p> <p>(e) details of existing trees and hedges to be removed and details of existing trees and hedges to be retained, with measures for their protection during the construction period where applicable and the details provided should be in accordance with British Standard 5837:2012 "Trees in relation to design, demolition and construction" and the Hedgerow Regulations 1997; and</p> <p>(f) implementation timetables for all landscaping works, including proposals for reinstatement.</p> <p>(10)(4) A landscape management plan submitted under sub-paragraph (1) may cover one or more phase of the onshore works.</p> <p>(11)(5) Each landscape management plan must be implemented as approved.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Part 1 (requirements), requirement 11, Implementation and maintenance of landscaping	<p>Requirement 11 has been amended:</p> <p><i>Implementation and maintenance of landscaping</i></p> <p>10. 11.—(1) All landscaping works must be carried out in accordance with a landscape management plan approved under requirement 10 (provision of landscaping).</p> <p>(2) Any tree or shrub planted as part of an approved landscape management plan that, within five years after planting (<u>save in relation to Work Nos. 24A, 24B, 27A, 27B, 29A and 29B, for which the relevant period is the operational lifetime of the authorised development</u>), is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the next planting season with a specimen of the same species and size as that originally planted, unless otherwise agreed by the relevant planning authority.</p>	This has been updated to secure the long-term management of landscaping works at the onshore converter stations site and in response to ISH1 Action Point 13.
Schedule 2, Part 1 (requirements), requirement 25, Restoration of land used temporarily for construction	<p>Requirement 25 has been amended:</p> <p>24. 25. Subject to article 30 (temporary use of land for carrying out the authorised project), any land landward of MLWS within the Order limits that is used temporarily for construction of the onshore works, and not ultimately incorporated in permanent works or approved landscaping, must be reinstated to its former condition, or such condition as the relevant planning authority</p>	This has been updated to address concerns raised at hearings by the Internal Drainage Board.

Article/Paragraph/Schedule Number	Amendment	Reason
	may approve in consultation with, where appropriate, the MMO, <u>and where reinstatement works affect a watercourse, the relevant drainage authority</u> , as soon as reasonably practicable and in any event within 12 months of completion of the relevant phase of the onshore works, or such other period as the relevant planning authority may approve.	
Schedule 2, Part 1 (requirements), requirement 27, Onshore decommissioning	<p>Requirement 27 has been amended:</p> <p>27.—(1) Within six months of the permanent cessation of commercial operation of the DBS East Project onshore works, an onshore decommissioning plan must be submitted by DBSEL to the relevant planning authority for approval unless otherwise agreed in writing by the relevant planning authority.</p> <p>(2) Within six months of the permanent cessation of commercial operation of the DBS West Project onshore works, an onshore decommissioning plan must be submitted by DBSWL to the relevant planning authority for approval unless otherwise agreed in writing by the relevant planning authority.</p> <p>(3) The relevant planning authority must provide its decision on Any onshore decommissioning plan submitted under sub-paragraphs (1) or (2) <u>must be approved by the relevant planning authority prior to any decommissioning works commencing within three months of submission of each plan</u> unless otherwise</p>	This has been amended in response to ISH2 Action Point 10 (onshore).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>agreed in writing between the relevant planning authority and the undertaker.</i></p> <p><i><u>(4) If the relevant planning authority fails to notify the undertaker of its decision within 56 days of receiving a request for approval under sub-paragraphs (1) or (2) the relevant planning authority is deemed to have given its approval.</u></i></p> <p><i><u>(5) Any decommissioning plan approved under this requirement must be implemented as approved.</u></i></p>	
Schedule 2, Part 1 (requirements), requirement 36, permanent access road to onshore converter stations	<p>A new requirement 36 has been inserted:</p> <p><u>Permanent access road to onshore converter stations</u></p> <p><i><u>36. (1) The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter station must not commence until details of its precise location and width have been submitted to and approved in writing by the relevant planning authority.</u></i></p> <p><i><u>(2) The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter station must be carried out in accordance with the details approved under sub-paragraph (1).</u></i></p>	This text has been moved from requirement 9 in response to ISH1 Action Point 12.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 10 (Deemed Marine Licence 1) Part 1, paragraph 3, Work No.1A	<p>Work No. 1A(a) has been amended:</p> <p>Work No. 1A—</p> <p>(a) An offshore wind turbine generating station <u>with a gross electrical output of over 100 megawatts</u> comprising up to 100 wind turbine generators each fixed to the seabed by monopile or jacket foundations;</p>	This has been amended in response to ISH1 Action Point 7 and to align with other recently made offshore wind farm DCOs.
Schedule 10 (Deemed Marine Licence 1) Part 2, condition 9(8)	<p>Condition 9(8) has been amended:</p> <p>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised scheme or any part thereof advising of the start date of each of Work Nos. 1A, and 4A and 7A and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</p>	This has been amended to ensure the notification requirements apply to all of the relevant Work Nos.
Schedule 10 (Deemed Marine Licence 1) Part 2, condition 15(1)(b)	<p>Condition 15(1)(b) has been amended:</p> <p>(b) a construction programme and monitoring plan (which accords with the in principle monitoring plan) which, save in respect information submitted pursuant to sub-paragraph (b)(iii)(aa), is to be submitted to the MMO at least six months prior</p>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>to commencement of licensed activities and to include details of—</p> <ul style="list-style-type: none"> (i) the proposed construction start date; (ii) proposed timings for mobilisation of plant delivery of materials and installation works; (iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction surveys and monitoring and related reporting in accordance with conditions 20, 21 and 22 to be submitted to the MMO in accordance with the following (unless otherwise agreed in writing with the MMO): <ul style="list-style-type: none"> (aa) at least four<u>six</u> months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed pre-construction monitoring; (bb) at least four months<u>six months</u> prior to construction, detail on construction monitoring; and 	

Article/Paragraph/Schedule Number	Amendment	Reason
	(cc) at least four months <u>six months</u> prior to commissioning, detail of post-construction (and operational) monitoring;	
Schedule 10 (Deemed Marine Licence 1) Part 2, condition 17	<p>Condition 17 has been amended:</p> <p>17.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 15 must be submitted in writing for approval at least four months<u>six months</u> prior to the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(2) The MMO must determine an application for approval made under conditions 15 and 16 within a period of four months<u>six months</u> commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</p> <p>(3) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under conditions 15 and 16, unless otherwise agreed in writing by the MMO.</p>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 11 (Deemed Marine Licence 2), Part 1, paragraph 3, Work No. 1B	<p>Work No. 1B has been amended:</p> <p><i>Work No. 1B—</i></p> <p>(a) <i>An offshore wind turbine generating station <u>with a gross electrical output of over 100 megawatts</u> comprising up to 100 wind turbine generators each fixed to the seabed by monopile or jacket foundations;</i></p> <p>(b) <i>a network of HVAC subsea cables connecting the wind turbine generators and Work No. 3 within the area shown on the works plans, including cable crossings and cable protection;</i></p>	This has been amended in response to ISH1 Action Point 7 and to align with other recently made offshore wind farm DCOs.
Schedule 11 (Deemed Marine Licence 2), Part 2, condition 9	<p>Condition 9(8) has been amended:</p> <p><i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised scheme or any part thereof advising of the start date of each of Work Nos. 1B, and 4B <u>and 7B</u> and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</i></p>	This has been amended to ensure the notification requirements apply to all of the relevant Work Nos.
Schedule 11 (Deemed Marine Licence 2), Part 2, condition 15	Condition 15(1)(b) has been amended:	This has been updated in response to the MMO's comments in their

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(b) a construction programme and monitoring plan (which accords with the in principle monitoring plan) which, save in respect information submitted pursuant to sub-paragraph (b)(iii)(aa), is to be submitted to the MMO at least six months prior to commencement of licensed activities and to include details of—</p> <ul style="list-style-type: none"> (i) the proposed construction start date; (ii) proposed timings for mobilisation of plant delivery of materials and installation works; (iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction surveys and monitoring and related reporting in accordance with conditions 20, 21 and 22 to be submitted to the MMO in accordance with the following (unless otherwise agreed in writing with the MMO): <ul style="list-style-type: none"> (aa) at least four<u>six</u> months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed pre-construction monitoring; 	relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(bb) at least four months<u>six months</u> prior to construction, detail on construction monitoring; and</p> <p>(cc) at least four months<u>six months</u> prior to commissioning, detail of post-construction (and operational) monitoring;</p>	
Schedule 11 (Deemed Marine Licence 2), Part 2, condition 17	<p>Condition 17 has been amended:</p> <p>17.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 15 must be submitted in writing for approval at least four months<u>six months</u> prior to the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(2) The MMO must determine an application for approval made under conditions 15 and 16 within a period of four months<u>six months</u> commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</p> <p>(3) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under conditions 15 and 16, unless otherwise agreed in writing by the MMO.</p>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 12 (Deemed Marine Licence 3), Part 2, condition 13(1)(b)	<p>Condition 13(1)(b) has been amended:</p> <p>(b) <i>a construction programme and monitoring plan (which accords with the in principle monitoring plan) which, save in respect information submitted pursuant to sub-paragraph (b)(iii)(aa), is to be submitted to the MMO at least six months prior to commencement of licensed activities and to include details of—</i></p> <p>(i) <i>the proposed construction start date;</i></p> <p>(ii) <i>proposed timings for mobilisation of plant, delivery of materials and installation works;</i></p> <p>(iii) <i>proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction surveys and monitoring and related reporting in accordance with conditions 18, 19 and 20 to be submitted to the MMO in accordance with the following (unless otherwise agreed in writing with the MMO)—</i></p> <p>(aa) <i>at least foursix months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed pre-construction monitoring;</i></p>	<p>This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(bb) at least four months<u>six months</u> prior to construction, detail on construction monitoring; and</p> <p>(cc) at least four months<u>six months</u> prior to commissioning, detail of post-construction (and operational) monitoring;</p>	
Schedule 12 (Deemed Marine Licence 3), Part 2, condition 15	<p>Condition 15 has been amended:</p> <p>15.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 13 must be submitted for approval at least four months<u>six months</u> before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(2) The MMO must determine an application for approval made under conditions 13 and 14 within a period of four months<u>six months</u> commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</p> <p>(3) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under conditions 13 and 14, unless otherwise agreed in writing by the MMO.</p>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 2, condition 13(1)(b)	<p>Condition 13(1)(b) has been amended:</p> <p>(b) <i>a construction programme and monitoring plan (which accords with the in principle monitoring plan) which, save in respect information submitted pursuant to sub-paragraph (b)(iii)(aa), is to be submitted to the MMO at least six months prior to commencement of licensed activities and to include details of—</i></p> <p>(i) <i>the proposed construction start date;</i></p> <p>(ii) <i>proposed timings for mobilisation of plant, delivery of materials and installation works;</i></p> <p>(iii) <i>proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction surveys and monitoring and related reporting in accordance with conditions 18, 19 and 20 to be submitted to the MMO in accordance with the following (unless otherwise agreed in writing with the MMO)—</i></p> <p>(aa) <i>at least foursix months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed pre-construction monitoring;</i></p>	<p>This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(bb) at least four months<u>six months</u> prior to construction, detail on construction monitoring; and</p> <p>(cc) at least four months<u>six months</u> prior to commissioning, detail of post-construction (and operational) monitoring;</p>	
Schedule 13 (Deemed Marine Licence 4), Part 2, condition 15	<p>Condition 15 has been amended:</p> <p>15.—(1) Each programme, statement, plan, protocol or scheme required to be approved under condition 13 must be submitted for approval at least four months<u>six months</u> before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(2) The MMO must determine an application for approval made under conditions 13 and 14 within a period of four months<u>six months</u> commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</p> <p>(3) The licensed activities must be carried out in accordance with the plans, protocols, statements, schemes and details approved under conditions 13 and 14, unless otherwise agreed in writing by the MMO.</p>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 5(8)	Condition 5(8) has been amended: <i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised scheme or any part thereof advising of the start date of each of Work Nos. 5A, and 5B, 7A and 7B and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</i>	This has been amended to ensure the notification requirements apply to all of the relevant Work Nos.
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 11(1)(b), (4), and (5)	Condition 11(1)(b), (4), and (5) have been amended: <i>(b) a construction programme and monitoring plan (which accords with the in principle monitoring plan) which, save in respect information submitted pursuant to sub-paragraph (b)(iii)(aa), is to be submitted to the MMO at least six months prior to commencement of licensed activities and to include details of— (i) the proposed construction start date; (ii) proposed timings for mobilisation of plant, delivery of materials and installation works; (iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-</i>	This has been updated in response to the MMO's comments in their relevant representation [RR-030 5.4.1].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>construction surveys and monitoring and related reporting in accordance with conditions 16, 17 and 18 to be submitted to the MMO in accordance with the following (unless otherwise agreed in writing with the MMO)—</p> <p>(aa) at least four<u>six</u> months prior to the first survey, detail of the pre-construction surveys and an outline of all proposed pre-construction monitoring;</p> <p>(bb) at least four months<u>six months</u> prior to construction, detail on construction monitoring; and</p> <p>(cc) at least four months<u>six months</u> prior to commissioning, detail of post-construction (and operational) monitoring;</p> <p>(4) Each programme, statement, plan, protocol or scheme required to be approved under condition 11 must be submitted for approval at least four months<u>six months</u> before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(5) The MMO must determine an application for approval made under condition 11 within a period of four months<u>six months</u> commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15 (Protective Provisions), Part 4, paragraph 2, interpretation	The definition of 'drainage authority' has been deleted.	This has been moved to Article 2 (definitions) as it is now also used in the main body of the Draft DCO.
Schedule 15 (Protective Provisions), Part 4, paragraph 2, interpretation	The definition of 'specified works' has been amended: "specified work" means so much of the authorised development any work or operation authorised by this Order as is in, on, under over or within 9 metres of a drainage work and is otherwise likely to affect the flow of water in and which comprises any of the following works carried out in relation to or which may affect any ordinary watercourse, including—	This amendment has been made as requested by the Internal Drainage Board in their submission dated 16 December 2024 [AS-123].
Schedule 15 (Protective Provisions), Part 4, paragraph 3(1)	Paragraph 3(1) has been amended: <i>3.—(1) Before commencing construction of a specified work, the undertaker must submit to the drainage authority plans of the specified work, including an independent review (if requested by the drainage authority) and such further particulars available to it as the drainage authority may within 14 days of the submission of the plans reasonably request.</i>	This amendment has been made as requested by the Internal Drainage Board in their submission dated 16 December 2024 [AS-123].
Schedule 17 (Hedgerows), Part 1	The following has been deleted from the 'Removal of hedgerows' table:	This change has been made to reflect a correction of the Tree Preservation Order (TPO) and

Article/Paragraph/Schedule Number	Amendment		Reason
	<i>East Riding of Yorkshire District</i>	<i>The hedgerow marked H0036 on sheet 12 of the Tree Preservation Order and Hedgerow Plan</i>	Hedgerow Plan [AS-026] where this hedgerow was mistakenly shown as being removed in response to ISH2 Supplementary Agenda Item 12.1.
Schedule 17 (Hedgerows), Part 1	The following definitions have been amended:		This change has been made to reflect a correction of the Tree Preservation Order (TPO) and Hedgerow Plan [AS-026] where this hedgerow was mistakenly shown as being removed in response to ISH2 Supplementary Agenda Item 12.1.
	<i>East Riding of Yorkshire District</i>	<i>The line of treeshedgerow marked H0044 on sheet 16 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The line of treeshedgerow marked H0045 on sheet 16 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The line of treeshedgerow marked H0046 on sheet 16 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The line of treeshedgerow marked H0047 on sheet 16 of the Tree Preservation Order and Hedgerow Plan</i>	

1.5. Draft DCO Revision 6

16. **Table 1-4** below sets out the schedule of changes to the **Draft DCO (Revision 6) (application ref: 3.1)**, submitted at Deadline 3.

Table 1-4 Table of amendments submitted to the **Draft Development Consent Order (Revision 6)**

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the Draft DCO	Various minor amendments have been made to the Draft DCO to correct cross-referencing errors and typos.	For clarity and consistency.
Part 1, Article 2, Interpretation	“MCA” means the Maritime and Coastguard Agency, <u>UK Technical Services Navigation Navigation Safety Branch, Bay 2/20, Spring Place, 105 Commercial Road, Southampton, SO15 1EG;</u>	This has been updated to address the Maritime and Coastguard Agency’s Written Representation at point 43
Part 1, Article 2, Interpretation Schedule 10, Deemed Marine Licence 1, Part 1, Interpretation Schedule 11, Deemed Marine Licence 2, Part 1, Interpretation Schedule 12, Deemed Marine Licence 3, Part 1, Interpretation	“MHWS” or “mean high water springs” means the <u>average throughout the year of two successive high waters during a 24-hour period in each month when the range of the tide is at its greatest (Spring tides).</u> highest level that spring tides reach on average over a period of time;	This has been updated to address the Marine Management Organisation’s submission at Deadline 2 (REP2-061.A6)

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13, Deemed Marine Licence 4, Part 1, Interpretation Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation		
Part 1, Article 2, Interpretation	<i>“Order limits” means the limits shown on the works plans within which the authorised project may be carried out, whose <u>offshore</u> grid coordinates seaward of MHWS are set out in Part 1 of Schedule 1 (authorised project) of this Order;</i>	This has been updated to address the Marine Management Organisation’s submission at Deadline 2 (REP2-061.A6)
Part 2, Article 7, Defence to proceedings in respect of statutory nuisance	<i>(2) For the purposes of paragraph (1) above, compliance with the controls and measures relating to noise, vibration, dust or artificial light described in the outline code of construction practice or approved pursuant to the requirements in Schedule 2 of this Order will be sufficient, but not necessary, to show that an alleged nuisance could not reasonably be avoided.</i>	This has been updated to avoid duplicate drafting, as suggested in the ExA’s First Written Questions (DCO 1.6)
Part 3, Article 11, Closure and diversion of public rights of way	<i>(5) If a highway authority which receives an application for confirmation that an alternative public right of way is satisfactory under paragraph (2) fails to notify the undertaker of its decision before the end of the period of <u>2856</u> days beginning with the date on which the application</i>	This has been updated to align with the time period for consent for footpath diversions pursuant to the outline PROW management

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>was received by that highway authority, it is deemed to have granted consent.</i>	plan [Appendix C to REP1-025].
Part 3, Article 14, Agreements with street authorities	(2) Such an agreement may, <u>without prejudice to the generality of</u> without limiting paragraph (1):—	This has been updated to address the ExA's First Written Questions (DCO 1.9)
Part 4, Article 23, Private rights over land	<p>(6) Paragraphs (1) to (3) have effect subject to—</p> <p>(a) any notice given by the undertaker before—</p> <ul style="list-style-type: none"> (i) the completion of the acquisition of the land or the acquisition of rights or the imposition of restrictive covenants over or affecting the land; (ii) the undertaker's appropriation of the land; (iii) the undertaker's entry onto the land; or (iv) the undertaker's taking temporary possession of the land; <p>that any or all of those paragraphs do not apply to any right specified in the notice; or</p> <p>(b) any agreement made at any time between the undertaker and the person in or to whom the right or restrictive covenant in question is vested or belongs <u>or benefits</u>.</p>	This has been updated to address the ExA's First Written Questions (DCO 1.12) relating to an earlier omission in the DCO.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(7) If an agreement referred to in paragraph (6)(b)—</p> <p>(a) is made with a person in or to whom the right or restrictive covenant is vested or belongs <u>or benefits</u>; and</p> <p>(b) is expressed to have effect also for the benefit of those deriving title from or under that person;</p>	
Schedule 1, Part 1, Article 1, DBS West Project, Offshore Works, Further Associated Development	The grid coordinates for that part of the authorised project which is seaward of MHW <u>the DBS East Project offshore works and the DBS West Project offshore works</u> are specified below:—	This has been updated to address the Marine Management Organisation's submission at Deadline 2 (REP2-061.A6)
<p>Schedule 2, Part 1 (Requirements), Requirement 3, Wind turbine generator foundations</p> <p>Schedule 10, Deemed Marine Licence 1, Part 1, Condition 2</p> <p>Schedule 11, Deemed Marine Licence 2, Part 1, Condition 2</p>	<p>(2) No w <u>Wind turbine generator piled monopile foundations</u> may <u>must</u> not have a pile diameter exceeding 15 metres.</p>	<p>This has been updated to align with the wording in the Deemed Marine License.</p> <p>This has been updated to align with the Marine Management Organisation's submission at Deadline 2 (REP2-061:48)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Part 1 (Requirements), Requirement 5, Offshore converter platform foundations	<p>5--(1) Offshore converter platforms and offshore accommodation platform foundations must be of one or more of the following foundation options: piled monopile, or piled jacket.</p> <p>(2) No-Any offshore converter platform or offshore accommodation platform piled monopile foundation may<u>must not</u> have a pile diameter exceeding 15 metres.</p> <p>(3) No-Any offshore converter platform or offshore accommodation platform piled jacket foundation may<u>must not</u>:—</p> <ul style="list-style-type: none"> (a) have more than eight legs; (b) have more than eight piles; or (c) have a pile diameter exceeding 3.8 metres. <p>(4) No-Any offshore converter platform or offshore accommodation platform foundation may<u>must not</u>:—</p>	This has been updated to align with the drafting in the Deemed Marine Licenses
Schedule 10, Deemed Marine Licence 1, Part 1, Interpretation	<p>“DBS East array area disposal site” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance to be located within the array area;</p>	This has been updated to address the amendments to the Disposal Site Characterisation Report (Revision 2) (REP2-035)

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Deemed Marine Licence 1, Part 1, Interpretation</p> <p>Schedule 11, Deemed Marine Licence 2, Part 1, Interpretation</p> <p>Schedule 12, Deemed Marine Licence 3, Part 1, Interpretation</p> <p>Schedule 13, Deemed Marine Licence 4, Part 1, Interpretation</p> <p>Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation</p>	<p>The following new definitions have been added to the relevant DMLs:</p> <p><u><i>“disposal ground 1 (DBS East)” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS East Project offshore works as shown on the Disposal Site Plan;</i></u></p> <p><u><i>“disposal ground 2 (DBS West)” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS West offshore works as shown on the Disposal Site Plan;</i></u></p> <p><u><i>“disposal ground 3 (Export Cable)” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS East Project offshore works as shown on the Disposal Site Plan;</i></u></p> <p><u><i>“Disposal Site Plan” means the plan certified by the Secretary of State as the Disposal Site Plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</i></u></p>	<p>To address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Deemed Marine Licence 1, Part 1, Interpretation</p> <p>Schedule 11, Deemed Marine Licence 2, Part 1, Interpretation</p> <p>Schedule 12, Deemed Marine Licence 3, Part 1, Interpretation</p> <p>Schedule 13, Deemed Marine Licence 4, Part 1, Interpretation</p> <p>Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation</p>	<p>The following amendment has been made:</p> <p><i>“intrusive activities” means activities including anchoring of vessels, jacking up of vessels, temporary deposits and temporary wet storage areas;</i></p>	<p>This has been updated to address the Marine Management Organisation’s submission at Deadline 2 (REP2-061:A33)</p>
<p>Schedule 10, Deemed Marine Licence 1, Part 1, Interpretation</p> <p>Schedule 11, Deemed Marine Licence 2, Part 1, Interpretation</p> <p>Schedule 12, Deemed Marine Licence 3, Part 1, Interpretation</p> <p>Schedule 13, Deemed Marine Licence 4, Part 1, Interpretation</p>	<p>(d) Maritime and Coastguard Agency</p> <p>Navigation Safety Branch <u>UK Technical Services Navigation</u></p> <p>Bay 2/20, Spring Place</p> <p>105 Commercial Road</p> <p>Southampton</p> <p>SO15 1EG</p> <p>Tel: 020 3817 2433</p>	<p>This has been updated to address the Maritime and Coastguard Agency’s Written Representation at point 43</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation	Email: navigationsafety@mcga.gov.uk	
Schedule 10, Deemed Marine Licence 1, Part 1, paragraph 2	<i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 12 and 14 of the Order, of up to 4,533,587,569,916 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site disposal ground 1 (DBS East);</i>	This has been updated to address the amendments to the Disposal Site Characterisation Report (Revision 2) (REP2-035)
Schedule 10, Deemed Marine Licence 1, Part 2, Condition 6 Schedule 11, Deemed Marine Licence 2, Part 2, Condition 6 Schedule 12, Deemed Marine Licence 3, Part 2, Condition 4	<i>(2) The authorised scheme must be submitted at least 64 months prior to the proposed commencement of the works.</i>	This has been updated to address the MMO's submission at Deadline 2 (REP2-061:51)

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13, Deemed Marine Licence 4, Part 2, Condition 4 Schedule 14, Deemed Marine Licence 5, Part 2, Condition 2		
Schedule 10, Deemed Marine Licence 1, Part 2, Condition 7(6) Schedule 11, Deemed Marine Licence 2, Part 2, Condition 7(6) Schedule 12, Deemed Marine Licence 3, Part 2, Condition 5(6) Schedule 13, Deemed Marine Licence 4, Part 2, Condition 5(6) Schedule 14, Deemed Marine Licence 5, Part 2, Condition 3(6)	(a) the first offshore operations and maintenance plan at least 4 <u>6</u> months prior to the operation of the licensed activities; (b) any revised offshore operations and maintenance plan submitted in accordance with sub-paragraph (4) at least 4 <u>6</u> months before such revised plan is required to be put in place; and	This has been updated to address the MMO's submission at Deadline 2 (REP2-061:52) This has been updated to address the MCA's Written Representation at point 43.
Schedule 10, Deemed Marine Licence 1, Part 2, Condition 8 Schedule 11, Deemed Marine Licence 2, Part 2, Condition 8	8. Any time period given in this deemed marine licence to either the undertaker or the MMO may be extended with the agreement of the other party <u>in writing</u> , such agreement not to be unreasonably withheld or delayed.	This has been updated to address the MMO's submission at Deadline 2 (REP2-061:53)

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 6</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 6</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 4</p>		
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 9(1)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 9(1)</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 7(1)</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 7(1)</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 5(1)</p>	<p>(b) <u>the undertaker must confirm in writing to the MMO within 28 days of receipt of a copy of this deemed marine licence and any subsequent amendments or revisions to it being provided to the persons listed in sub-paragraph (1)(a) that the required information has been provided, those persons referred to in sub-paragraph (1)(a) must confirm receipt of this deemed marine licence in writing to the MMO.</u></p>	<p>This has been updated to address the Marine Management Organisation's submission at Deadline 2 (REP2-061:A55)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 9(7)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 9(7)</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 7(7)</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 7(7)</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 5(7)</p>	<p>(b) on completion of construction of the authorised schemes soon as reasonably practicable and no later than 24 hours of completion of the DBS East Project offshore works,</p>	<p>This has been updated to address the MCA's written representation at point 16</p>
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 9</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 9</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 7</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 7</p>	<p>(9) <i>The undertaker must ensure that local notifications to mariners are updated and reissued at weekly intervals during construction activities and at least five days before any planned operations (or unless otherwise agreed <u>in writing by the MMO</u>) and maintenance works and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme and monitoring plan approved under condition 15(1)(b). Copies of all notices must be provided to the MMO, and UKHO <u>and the MCA</u> within five days.</i></p>	<p>This has been updated to address the Marine Management's submission at Deadline 2 (REP2-061:59)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14, Deemed Marine Licence 5, Part 2, Condition 5		
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 9</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 9</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 7</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 7</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 5</p>	<p>(10) <i>The undertaker must notify UKHO <u>and the MCA</u> of the commencement (within fourteen days), progress and completion of construction (within fourteen days) of the licensed activities in order that all necessary amendments to nautical and aeronautical charts are made and the undertaker must send a copy of such notifications to the MMO within five days of the notification.</i></p>	<p>This has been updated to address the MCA's written representation at point 17</p>
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 15(1)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 15(1)</p>	<p>(f) <i>an aids to navigation management plan to be agreed in writing by the MMO following consultation with Trinity House, the MCA, <u>the Civil Aviation Authority</u> and UKHO specifying how the undertaker will ensure compliance with condition 10 from the commencement of construction of the authorised scheme to the completion of decommissioning;</i></p>	<p>To address a previous omission.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 13(1)</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 13(1)</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 11(1)</p>		
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 15</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 15</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 13</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 13</p>	<p>(4) Each programme, statement, plan, protocol or scheme required to be approved under condition 15 must be submitted for approval at least six months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(5) The MMO must determine an application for approval made under condition 15 within a period of six months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</p>	<p>This has been updated to address the Marine Management Organisation's submission at Deadline 2 (REP2-061:82)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	(6) The licensed activities must be carried out in accordance with the programmes, statements, plans, protocols or schemes approved under condition 15 unless otherwise agreed in writing by the MMO.	
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 22(3)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 22(3)</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 20(3)</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 20(3)</p> <p>Schedule 14, Deemed Marine Licence 5, Part 2, Condition 16(3)</p>	<p>(b) undertake, within 12 months of completion of the licensed activities, a full sea floor coverage swath-bathymetry survey <u>to IHO Order 1a standard</u> that meets the requirements of MGN654 and its annexes, and side scan sonar, of the area(s) within the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables (including fibre optic cables) have been buried or protected;</p>	<p>This has been updated to address the MCA's Written Representation at point 23</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 22(3)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 22(3)</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 20(3)</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 20(3)</p>	<p>(d) undertake post-construction <u>vessel</u> traffic monitoring <u>in accordance with the outline vessel traffic monitoring plan by automatic identification system for a duration of three consecutive years following the completion of construction of the authorised project, unless otherwise agreed in writing by the MMO, Trinity House and the MCA</u> in accordance with the outline vessel traffic monitoring plan, including the provision of reports on the results of that monitoring by automatic identification system to the MMO, MCA and Trinity House; and</p>	<p>This has been updated to address the MCA's Written Representation at point 24</p>
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 24(1)</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 24(1)</p>	<p>(a) the final number of installed <u>wind</u> turbine generators;</p>	<p>This has been updated to address the MCA's Written Representation at point 25</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Deemed Marine Licence 1, Part 2, Condition 26</p> <p>Schedule 11, Deemed Marine Licence 2, Part 2, Condition 26</p> <p>Schedule 12, Deemed Marine Licence 3, Part 2, Condition 24</p> <p>Schedule 13, Deemed Marine Licence 4, Part 2, Condition 24</p>	<p>(1) Only when<u>In the event that</u> driven or part-driven pile foundations are proposed to be used as part of the foundation installation the undertaker must provide the following information to the Marine Noise Registry—</p> <p>(a) prior to<u>no less than six months prior to</u> the commencement of each phase of construction of the licensed activities, information on the expected location, start and end dates of impact pile driving to satisfy the Marine Noise Registry's Forward Look requirements:</p> <p>(b) <u>within two weeks after commencement of each phase 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></p> <p>(c) at six-month intervals following the commencement of pile driving or by 25 March for works which take place in the preceding year January to December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements <u>by 7 April for winter season October to March inclusive and 7 October for summer season April to September inclusive or within 12 weeks of completion of impact pile driving whichever is earlier; and</u></p> <p>(d) within 12 weeks of completion of impact pile driving or by 25 March for works which take place in the preceding year January to</p>	<p>This has been updated to address the change suggested by the Marine Management Organisation in their Written Representation (RR-030:3.17)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	December (whichever is earlier), information on the locations and dates of impact pile driving to satisfy the Marine Noise Registry's Close Out requirements.	
Schedule 10, Deemed Marine Licence 1, Part 2, Condition 29 Schedule 11, Deemed Marine Licence 2, Part 2, Condition 29	<p><u>Ornithological monitoring</u></p> <p><u>29. (1) The licensed activities or any phase of those activities must not commence until an ornithological monitoring plan setting out the circumstances in which ornithological monitoring will be required and the monitoring to be carried out in such circumstances has been submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</u></p> <p><u>(2) The ornithological monitoring plan must be submitted in writing to the MMO no later than six months prior to the first pre-construction survey.</u></p> <p><u>(3) The undertaker must carry out any monitoring agreed under subparagraph (1) and provide the agreed reports to the MMO in the agreed format in accordance with the agreed timetable, unless otherwise agreed in writing with the MMO in consultation with the relevant statutory nature conservation body.</u></p>	This has been added as a standalone condition to address the request of the MMO in their Written Request at paragraph 34 (RR-030:3.17)
Schedule 11, Deemed Marine Licence 2, Part 1, Interpretation	"array area disposal site" means the site to be used for disposal of inert material of natural origin produced during construction drilling and	This has been updated to address amendments to the

Article/Paragraph/Schedule Number	Amendment	Reason
	seabed preparation for foundation works and cable sandwave clearance to be located within the array area;	Disposal Site Characterisation Report (Revision 2) [REP2-035]
Schedule 11, Deemed Marine Licence 2, Part 1, paragraph 2	(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site <u>disposal ground 2 (DBS West)</u> by the deemed marine licences granted under Schedules <u>13 and 14</u> of the Order, of up to <u>541,4823,940,125</u> cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site <u>disposal ground 2 (DBS West)</u> ;	This has been updated to address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035]
Schedule 11, Deemed Marine Licence 2, Part 2, Condition 15(1) Schedule 12, Deemed Marine Licence 3, Part 2, Condition 13(1)	(h) a navigation management plan to manage crew transfer vessels (including daughter craft) during the construction and operation of the authorised scheme; <u>(i) a final cable statement (in accordance with the cable statement).</u>	To address a previous omission.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13, Deemed Marine Licence 4, Part 2, Condition 13(1) Schedule 14, Deemed Marine Licence 5, Part 2, Condition 11(1)		
Schedule 12, Deemed Marine Licence 3, Part 1, Interpretation Schedule 13, Deemed Marine Licence 4, Part 1, Interpretation Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation	(a) <i>Historic England</i> <i>Brooklands</i> <i>37 Tanner Road</i> <i>York</i> <i>YO1 6WP</i>	This has been updated to correct the address of Historic England as per their Written Representation (REP1-059:2.14)
Schedule 12, Deemed Marine Licence 3, Part 1, paragraph 2	(a) <i>the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site disposal ground 1 (DBS East) by the deemed marine licences granted under Schedule 10 and 14 of the Order, of up to 4,533,587 33,148,903 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or</i>	This has been updated to address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site disposal ground 1 (DBS East)e;</p> <p>(b) <u>the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 3 (Export Cable) by the deemed marine licence granted under Schedule 13 of the Order, of up to 55,315,523.13 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 3 (Export Cable);</u></p>	
Schedule 13, Deemed Marine Licence 4, Part 1, paragraph 2	<p>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within the array area disposal site disposal ground 2 (DBS West) by the deemed marine licences granted under Schedule 11 <u>and 14</u> of the Order, of up to <u>3,940,125</u> 29,330,003 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be</p>	To address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>provided to the MMO within the array area disposal site <u>disposal ground 2 (DBS West)</u>;</p> <p><u>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 3 (Export Cable) by the deemed marine licence granted under Schedule 12 of the Order, of up to 55,315,523.13 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 3 (Export Cable);</u></p>	
Schedule 14, Deemed Marine Licence 5, Part 1, Interpretation	<p>“outline vessel traffic monitoring plan” means the document certified by the Secretary of State as the outline vessel traffic monitoring plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</p>	This has been updated to remove the definition that had been added in error to the Deemed Marine Licence
Schedule 14, Deemed Marine Licence 5, Part 1, paragraph 2	<p><u>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 10 and 12 of the Order, and of up to 4,533,587</u>116,438<u> cubic metres (being a</u></p>	To address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the array area disposal site disposal ground 1 (DBS East);</p> <p><u>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 11 and 13 of the Order, of up to 3,940,125 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 2 (DBS West);</u></p>	
Schedule 14, Deemed Marine Licence 5, Part 2, Condition 15	<p>Construction monitoring must include vessel traffic monitoring in accordance with the outline vessel traffic monitoring plan, including the provision of reports on the results of that monitoring by automatic identification system at the end of each year of the construction period to the MMO, MCA and Trinity House.</p>	This has been updated to remove a provision that had been added to the Deemed Marine License in error

Article/Paragraph/Schedule Number	Amendment		Reason
Schedule 14, Deemed Marine Licence 5, Part 2, Condition 16	(d) undertake post-construction traffic monitoring in accordance with the outline vessel traffic monitoring plan, including the provision of reports on the results of that monitoring by automatic identification system to the MMO, the MCA and Trinity House; and		This has been updated to remove a provision that had been added to the Deemed Marine License in error
Schedule 17, Part 1, Removal of Hedgerows	The following hedgerows have been deleted from Part 1:		To reflect updates to the Tree Preservation Order and Hedgerow Plan [document reference 2.18]
	East Riding of Yorkshire District	The hedgerow marked H0145 on sheet 36 of the Tree Preservation Order and Hedgerow Plan	
Schedule 17, Part 2, Removal of important hedgerows	The following amendments have been made to Part 2:		To reflect updates to the Tree Preservation Order and Hedgerow Plan [document reference 2.18]
	East Riding of Yorkshire District	The hedgerow marked H0144 b on sheet 36 of the Tree Preservation Order and Hedgerow Plan	
	East Riding of Yorkshire District	The hedgerow marked H0146 on sheet 36 of the Tree Preservation Order and Hedgerow Plan	

Article/Paragraph/Schedule Number	Amendment		Reason
	<i>East Riding of Yorkshire District</i>	<i>The hedgerow marked H0147 on sheet 36 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The hedgerow marked H0149 on sheet 36 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The hedgerow marked H0151 on sheet 36 of the Tree Preservation Order and Hedgerow Plan</i>	
	<i>East Riding of Yorkshire District</i>	<i>The hedgerow marked H0155 on sheet 37 of the Tree Preservation Order and Hedgerow Plan</i>	
Schedule 19, Document to be certified, row 7	The Disposal Site Plan has been added to the list of documents to be certified		This has been updated to address amendments to the Disposal Site Characterisation Report (Revision 2) [REP2-035]

1.6. Draft DCO Revision 7

17. **Table 1-5** below sets out the schedule of changes to the **Draft DCO (Revision 7) (application ref: 3.1)**, submitted at Deadline 4.

Table 1-5 Table of amendments submitted to the **Draft Development Consent Order (Revision 7)**

Article/Paragraph/Schedule Number	Amendment	Reason
Part 3 (Streets), Article 9 Application of the 1991 Act	<p>Article 9(4) has been amended:</p> <p><i>(4) The following provisions of the 1991 Act do not apply in relation to any works executed under the powers conferred by this Order—</i></p> <p><i>section 56 (power to give directions as to timing of street works);</i></p> <p>(a) <i>section 56A (power to give directions as to placing of apparatus);</i></p> <p>(b) <i>section 58 (restriction on works following substantial road works);</i></p> <p>(c) <i>section 58A (restriction on works following substantial street works);</i></p> <p>(d) <i>section 61 (protected streets); and</i></p> <p>(e) <i>schedule 3A (restriction on works following substantial street works).</i></p>	Amended following ERYC's request in ERYC Deadline 3 Responses (DCO1.7).

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 3A	Work No. 3A has been amended: <i>(b) up to one <u>two</u> cables for the transmission of fibre optic communications laid between Work Nos. 2A and 8A consisting of cables along routes within the area shown on the works plans including cable crossings and cable protection;</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 8A	Work No. 8A has been amended: <i>(a) Installation of up to two HVDC subsea export cables and up to one <u>two</u> cables for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No. 3A and Work No. 12A and up to three landfall cable ducts (if required) for the DBS West Project between Work No. 3B and Work No. 12B;</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 12A	Work No. 12A has been amended: <i>Installation of up to two HVDC onshore export cables and up to one <u>two</u> cables for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No. 8A and Work No. 13A and up to three landfall cable ducts (if required) for the</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>DBS West Project between Work No. 8B and Work No. 13B; including trenchless installation technique works.</i>	
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 13A	<p>Work No. 13A has been amended:</p> <p><i>Installation of up to two HVDC subsea export cables, up to two HVDC onshore export cables, up to one earthing cable and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within up to three landfall cable ducts (if required) and up to three landfall cable ducts (if required) for the DBS West Project; and</i></p> <p>...</p> <p>(g) <i>Installation of up to two HVDC onshore export cables, up to one earthing cable and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within cable ducts (if required) including installation of cable ducts and additional ducts for the DBS West Project; cable trenching works;</i></p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 14A	<p>Work No. 14A has been amended:</p> <p><i>Installation of up to two HVDC onshore export cables, up to one earthing cable and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within cable ducts (if required) between Work No. 13A and Work Nos. 24A including:</i></p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order

Article/Paragraph/Schedule Number	Amendment	Reason
		to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No. 24A	Work No. 24A has been amended: (j) <i>installation of up to two HVDC onshore export cables, up to one earthing cable and up to onetwo cables for the transmission of fibre optic communications within cable ducts (if required);</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.3B	Work No. 3B has been amended: (b) <i>up to one two cables for the transmission of fibre optic communications laid between Work Nos. 2B and 8B consisting of cables along routes within the area shown on the works plans including cable crossings and cable protection;</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.8B	Work No. 8B has been amended: (a) <i>Installation of up to two HVDC subsea export cables and up to onetwo cables for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No.</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>3B and Work No. 12B and up to three landfall cable ducts (if required) for the DBS East Project between Work No. 3A and Work No. 12A;</i>	to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.12B	<p>Work No. 12B has been amended:</p> <p><i>Installation of up to two HVDC onshore export cables and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No. 8B and Work No. 13B and up to three landfall cable ducts (if required) for the DBS East Project between Work No. 8A and Work No. 13A; including trenchless installation technique works.</i></p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.13B	<p>Work No. 13B has been amended:</p> <p><i>Installation of up to two HVDC subsea export cables, up to two HVDC onshore export cables, up to one earthing cable and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within up to three landfall cable ducts (if required) and up to three landfall cable ducts (if required) for the DBS East Project; and –</i></p> <p><i>(g) Installation of up to two HVDC onshore export cables, up to one earthing cable and up to one<u>two</u> cables<u>s</u> for the transmission of fibre optic communications within cable ducts (if required) including</i></p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>installation of cable ducts and additional ducts for the DBS East Project; cable trenching works;</i>	
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.14B	Work No. 14B has been amended: <i>Installation of up to two HVDC onshore export cables, up to one earthing cable and up to onetwo cables for the transmission of fibre optic communications within cable ducts (if required) between Work No. 13B and Work Nos. 24B including:</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 1 (Authorised project), Part 1, paragraph 1, Work No.24	Work No. 24B has been amended: <i>(j) installation of up to two HVDC onshore export cables, up to one earthing cable and up to onetwo cables for the transmission of fibre optic communications within cable ducts (if required);</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 2, Part 1, Requirements, Cables and cable protection, requirement 6	Requirements 6(5) and 6(6) have been amended: <i>(5) Within Work Nos. 3A, the offshore export cables must not, in total:— (a) exceed 2 in number;</i>	To reflect the Applicants' commitment to cable bundling.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(b) exceed 376 kilometres in length;</p> <p>(c) exceed 1224 cable crossings;</p> <p>(d) have cable protection (including cable crossings) exceeding 576,0211,147,415 square metres in area; or</p> <p>(e) have cable protection (including cable crossings) exceeding 522,6151,041,142 cubic metres in volume.</p> <p>(6) Within Work Nos. 3B the offshore export cables must not, in total:—</p> <p>(a) exceed 2 in number;</p> <p>(b) exceed 306 kilometres in length;</p> <p>(c) exceed 1224 cable crossings;</p> <p>(d) have cable protection (including cable crossings) exceeding 470,350936,074 square metres in area; or</p> <p>(e) have cable protection (including cable crossings) exceeding 426,747849,406 cubic metres in volume.</p>	
Schedule 2, Part 1, Requirements, Highway accesses, requirement 15	<p>Requirement 15(2) has been amended:</p> <p>(2) <i>The access plan must include details of the siting, design, layout, visibility splays, access management measures, lighting, signing,</i></p>	Amended following ERYC's request in response to ExQ1 REP3-037: DCO 1.16.

Article/Paragraph/Schedule Number	Amendment	Reason
	safety measures, <u>swept path analysis</u> and a maintenance programme relevant to the access it relates to.	
Schedule 2, Part 1, Requirements, Code of construction practice, requirement 19	<p>Requirement 19 has been amended:</p> <p>(4) <i>Pre-commencement screening and fencing works must only take place in accordance with a specific plan for such pre-commencement works which must accord with the relevant details for screening and fencing security set out in the outline code of construction practice, and which has been submitted to and approved by the relevant planning authority <u>following consultation with the relevant statutory nature conservation body.</u></i></p> <p>(5) <i>Any temporary fencing must be removed on completion of the relevant phase of the onshore works unless otherwise approved by the relevant planning authority following consultation with the relevant statutory nature conservation body.</i></p>	To address an update previously requested by Natural England that had been mistakenly made to the incorrect sub-paragraph (see Natural England's Risk and Issues Log REP3-060: A4)
Schedule 2, Part 1, Requirements, Ministry of Defence Radar Mitigation, requirement 31	<p>Requirement 31 has been amended:</p> <p>(1) <i>Where the layout plan for the DBS West Project approved under condition 15 of Deemed Marine Licence 2 would have unacceptable effects on the air defence radar capability of Remote Radar Head (RRH) Staxton Wold, no relevant wind turbine generator forming part of the DBS West Project is permitted to rotate its rotor blades on its</i></p>	Updated in line with MoD submission at DL3 [AS-175]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>horizontal axis until the Secretary of State, having consulted with the Ministry of Defence, confirms satisfaction <u>in writing</u> that appropriate mitigation will be implemented and maintained for the life of the authorised project and that arrangements have been put in place with the Ministry of Defence to ensure that the approved mitigation is implemented.</p> <p>(2) For the purposes of this requirement—</p> <p>“appropriate mitigation” means measures to prevent or remove any unacceptable <u>adverse</u> effects which the authorised project will have on <u>the</u> air defence radar(s) capability of at Remote Radar Head (RRH) Staxton Wold and the Ministry of Defence’s air surveillance and control operations that it supports;</p> <p>“approved mitigation” means the detailed Radar Mitigation Scheme (RMS) 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 <u>in writing</u> in accordance with sub-paragraph (1); and</p> <p>“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.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason			
Schedule 7 (Land in which only new rights, etc. may be acquired), Cable rights and restrictive covenants	The following plots have been added to row 2: <u>18-039a, 18-043a, 18-043b, 18-043c, 18-043d, 18-043e, 18-043f, 18-043g, 18-043h, 18-043i</u>	To reflect updates to the Book of Reference (Revision 6) [document reference 4.2].			
Schedule 7 (Land in which only new rights, etc. may be acquired), Cable rights and restrictive covenants under existing infrastructure	The following plots have been added to row 3: <u>18-040a, 18-040b</u>	To reflect updates to the Book of Reference (Revision 6) [document reference 4.2].			
Schedule 9 (Land of which only temporary possession may be taken), in the District of East Riding of Yorkshire	<div> <div>The following rows have been amended:</div> <table> <tr> <td><u>18-041, 18-042, 18-042a, 18-047c</u></td> <td><i>Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction of works 31A/B</i></td> <td>Work No 17A/B</td> </tr> </table> </div>	<u>18-041, 18-042, 18-042a, 18-047c</u>	<i>Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction of works 31A/B</i>	Work No 17A/B	To reflect updates to the Book of Reference (Revision 6) [document reference 4.2].
<u>18-041, 18-042, 18-042a, 18-047c</u>	<i>Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction of works 31A/B</i>	Work No 17A/B			

Article/Paragraph/Schedule Number	Amendment			Reason
	18-044, <u>18-044a</u>	Temporary use as a construction working area and laydown areas, and for access to facilitate construction of works 31A/B	Work No 16A/B	
	18-027a, 18-045, <u>18-045a</u> , <u>18-045b</u> , <u>18-045c</u> , 18-046, <u>18-046a</u> , <u>18-047a</u> , <u>18-047e</u> , 18-049, 18-051, 18-053, 19-006, 20-001	Temporary use as a construction of haul road, construction working area and laydown areas and for access to facilitate construction of Work No 31A/B	Work No 18A/B	
	18-047, <u>18-047b</u> , <u>18-047d</u> , 18-048, <u>18-048a</u> , <u>18-048b</u>	Temporary use as a construction of haul road, construction working area and laydown areas and for access to facilitate construction of Work No 31A/B	Work No 17A/B & 18A/B	

Article/Paragraph/Schedule Number	Amendment	Reason			
	<table border="1"> <tr> <td><u>18-055a</u>, 19-001, <u>19-001a</u>, <u>19-001b</u>, <u>19-001c</u>, 19-002</td><td>Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction off A1079 of works 31A/B</td><td>Work No 33A/B</td></tr> </table>	<u>18-055a</u> , 19-001, <u>19-001a</u> , <u>19-001b</u> , <u>19-001c</u> , 19-002	Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction off A1079 of works 31A/B	Work No 33A/B	
<u>18-055a</u> , 19-001, <u>19-001a</u> , <u>19-001b</u> , <u>19-001c</u> , 19-002	Temporary use as a construction working area and laydown areas, construction of haul road and for access to facilitate construction off A1079 of works 31A/B	Work No 33A/B			
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, condition 9</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, condition 9</p> <p>Schedule 12 (Deemed Marine Licence 3) Part 2, condition 7</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, condition 7</p> <p>Schedule 14 (Deemed Marine Licence 5, Part 2, condition 5</p>	<p>(10) The undertaker must notify UKHO and the MCA of the commencement (within tenfourteen days), progress and completion of construction (within tenfourteen days) of the licensed activities in order that all necessary amendments to nautical and aeronautical charts are made and the undertaker must send a copy of such notifications to the MMO within five days of the notification.</p>	<p>To address the MMO's request at row 60 of their Additional Submission at Deadline 3 [AS-169].</p>			

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, condition 11</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, condition 11</p> <p>Schedule 12 (Deemed Marine Licence 3) Part 2, condition 9</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, condition 9</p>	<p><u>(1) Except as otherwise required by Trinity House the undertaker must colour paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to the height directed by agreed in writing with Trinity House or must colour the structure as directed by Trinity House in writing from time to time. The undertaker must paint the remainder of the structures grey (colour code RAL 7035). Requests to change the colouring of the structure must be submitted to the MMO in writing and must not be undertaken unless approved in writing by the MMO.</u></p> <p><u>(2) Subject to sub-paragraph (1) above, unless the MMO otherwise directs in writing, the undertaker must paint the remainder of the structures submarine grey (colour code RAL 7035).</u></p>	<p>To reflect wording that has been agreed between the MMO and Trinity House.</p>
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, condition 13</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, condition 13</p>	<p><u>(10) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (add number), and the UK Hydrographic Office email: navwarnings@btconnect.com.</u></p> <p><u>(11) All dropped objects including those in sub-paragraph (10) must be reported to the MMO using the Dropped Object Procedure Form (including any updated form as provided by the MMO) as soon as</u></p>	<p>Updated as per MMO request at DL3 (REP3-045:1.10).</p> <p>Note that the Applicants are seeking the relevant telephone number from the MMO and this will be updated in due course.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12 (Deemed Marine Licence 3) Part 2, condition 11</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, condition 11</p> <p>Schedule 14 (Deemed Marine Licence 5) Part 2, condition 9</p>	<p><i>reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, <u>unless otherwise agreed in writing with the MMO.</u></i></p> <p>(10)<i>(12)</i>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 <u>seabed-marine environment</u> at the undertaker's expense if reasonable to do so.</p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, paragraph 2</p>	<p>Paragraph 2(a) has been amended:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 12 and 14 of the Order, of up to <u>4,240,424,533,587</u> cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East);</i></p>	<p>To reflect the Applicants' commitment to cable bundling.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 11 (Deemed Marine Licence 2) Part 1, paragraph 2	<p>Paragraph 2(a) has been amended:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 13 and 14 of the Order, of up to 2,256,2913,940,225 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 2 (DBS West);</i></p>	To reflect the Applicants' commitment to cable bundling.
Schedule 12 (Deemed Marine Licence 3) Part 1, paragraph 2	<p>Paragraph 2(a) and (b) have been amended:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 10 and 14 of the Order, of up to 4,240,424 4,533,587 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance</i></p>	To reflect the Applicants' commitment to cable bundling.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East);</i></p> <p><i>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 3 (Export Cable) by the deemed marine licence granted under Schedule 13 of the Order, of up to 26,025,965.27 55,315,523.13 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 3 (Export Cable);</i></p>	
Schedule 12 (Deemed Marine Licence 3) Part 1, paragraph 2, Work No. 3A	<p>Work No. 3A has been amended:</p> <p><i>(b) up to one <u>two</u> cables for the transmission of fibre optic communications laid between Work Nos. 2A and 8A consisting of cables along routes within the area shown on the works plans including cable crossings and cable protection;</i></p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 12 (Deemed Marine Licence 3) Part 1, paragraph 2, Work No. 8A	Work No. 8A has been amended: <i>(a) Installation of up to two HVDC subsea export cables and up to one <u>two</u> cables for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No. 3A and Work No. 12A and up to three landfall cable ducts (if required) for the DBS West Project between Work No. 3B and Work No. 12B;</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 12 (Deemed Marine Licence 3) Part 2, condition 3	(1) Within Work Nos. 3A, the offshore export cables must not, in total:— <i>(a) exceed 2 in number;</i> <i>(b) exceed 376 kilometres in length;</i> <i>(c) exceed <u>1224</u> cable crossings;</i> <i>(d) have cable protection (including cable crossings) exceeding <u>576,0211,147,415</u> square metres in area; or</i> <i>(e) have cable protection (including cable crossings) exceeding <u>522,6151,041,142</u> cubic metres in volume.</i>	To reflect the Applicants' commitment to cable bundling.
Schedule 13 (Deemed Marine Licence 4) Part 1, paragraph 2	Paragraph 2(a) and (b) have been amended: <i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when</i>	To reflect the Applicants' commitment to cable bundling.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 11 and 14 of the Order, of up to 2,256,2913,940,125 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 2 (DBS West);</p> <p>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 3 (Export Cable) by the deemed marine licence granted under Schedule 12 of the Order, of up to 26,025,965.2755,315,523.13 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 3 (Export Cable);</p>	
Schedule 13 (Deemed Marine Licence 4) Part 1, paragraph 2, Work No. 3B	<p>Work No.3B has been amended:</p> <p>(b) up to one two cables for the transmission of fibre optic communications laid between Work Nos. 2B and 8B consisting of</p>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>cables along routes within the area shown on the works plans including cable crossings and cable protection;</i>	may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 13 (Deemed Marine Licence 4) Part 1, paragraph 2, Work No. 8B	Work No. 8B has been amended: <i>(a) Installation of up to two HVDC subsea export cables and up to one <u>two</u> cables for the transmission of fibre optic communications within up to three landfall cable ducts (if required) between Work No. 3B and Work No. 12B and up to three landfall cable ducts (if required) for the DBS East Project between Work No. 3A and Work No. 12A;</i>	To reflect updates due to be made to ES Chapter 5: Project Description which will confirm that up to two fibre optic cables may be laid per Project in order to ensure cable resilience and security of supply.
Schedule 13 (Deemed Marine Licence 4) Part 2, condition 3	Condition 3 has been amended: <i>(1) Within Work Nos. 3B the offshore export cables must not, in total:— (a) exceed 2 in number; (b) exceed 306 kilometres in length; (c) exceed <u>1224</u> cable crossings; (d) have cable protection (including cable crossings) exceeding <u>470,350936,074</u> square metres in area; or</i>	To reflect the Applicants' commitment to cable bundling.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>(e) have cable protection (including cable crossings) exceeding 426,747,849,406 cubic metres in volume.</i>	
Schedule 14 (Deemed Marine Licence 5) Part 1, paragraph 2	<p>Paragraph 2(a) and (b) have been amended:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 10 and 12 of the Order, of up to 4,240,4244,533,587 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East);</i></p> <p><i>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 11 and 13 of the Order, of up to 2,256,2913,940,125;</i></p>	To reflect the Applicants' commitment to cable bundling.
Schedule 18, Compensation Measures, Part 2, Flamborough and Filey Coast	The definition of "kittiwake compensation plan" has been amended:	Amended to align with wording for other certified documents.

Article/Paragraph/Schedule Number	Amendment	Reason
Special Protection Area: Kittiwake Compensation Measures, paragraph 1	<i>“kittiwake compensation plan” means the document certified as the kittiwake compensation plan <u>by the Secretary of State</u> for the purposes of this Order by the Secretary of State under article 42 (certification of plans <u>and documents</u> etc.) <u>and referenced in Schedule 19 (documents to be certified)</u>;</i>	
Schedule 18, Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 1	A new definition for “outline kittiwake CIMP” is added: <i><u>“outline kittiwake CIMP” means the document certified as the outline kittiwake compensation implementation and monitoring plan by the Secretary of State and for the purposes of this Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified); and</u></i>	To reflect that an outline kittiwake CIMP has now been submitted into the Examination.
Schedule 18, Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 4	Paragraph 4 has been amended: <i>4. The Kittiwake CIMP must be <u>in accordance with the outline kittiwake CIMP and</u> based on the strategy for kittiwake compensation set out in the Kittiwake Compensation Plan and include—</i>	To reflect that an outline kittiwake CIMP has now been submitted into the Examination.
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast	The definition of “Guillemot [and Razorbill] CIMP” has been amended: <i>“Guillemot [and Razorbill] CIMP” means the guillemot [and razorbill] compensation implementation and monitoring plan for the delivery of</i>	Correcting a typographical error.

Article/Paragraph/Schedule Number	Amendment	Reason
Special Protection Area: Guillemot [and Razorbill] Compensation Measures, paragraph 1	<i>measures to compensate for the predicted loss of adult guillemots [and adult razorbills] from the FFC as a result of the authorised development;</i>	
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast Special Protection Area: Guillemot [and Razorbill] Compensation Measures, paragraph 1	The definition of the “guillemot [and razorbill] compensation plan” has been amended: <i>“guillemot [and razorbill] compensation plan” means the document certified as the guillemot [and razorbill] compensation plan <u>by the Secretary of State</u> for the purposes of this Order by the Secretary of State under article 42 (certification of plans and documents, etc.) <u>and referenced in Schedule 19 (documents to be certified)</u>;</i>	Amended to align with wording for other certified documents.
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast Special Protection Area: Guillemot [and Razorbill] Compensation Measures, paragraph 1	A new definition for the has been added: <i><u>“outline guillemot [and razorbill] CIMP” means the document certified as the outline guillemot [and razorbill] compensation implementation and monitoring plan by the Secretary of State for the purposes of this Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)</u>;</i>	To reflect that an outline guillemot [and razorbill] CIMP has now been submitted into the Examination.

Article/Paragraph/Schedule Number	Amendment	Reason								
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast Special Protection Area: Guillemot [and Razorbill] Compensation Measures, paragraph 4	Paragraph 4 has been amended: <i>The Guillemot [and Razorbill] CIMP must be <u>in accordance with the outline guillemot [and razorbill] CIMP and</u> based on the strategy for guillemot <u>[and razorbill]</u> compensation set out in the guillemot <u>[and razorbill]</u> compensation plan and include—</i>	To reflect that an outline guillemot [and razorbill] CIMP has now been submitted into the Examination.								
Schedule 19, Documents to be certified, Table 1	New documents to be certified have been added to Table 1: <table><tr><td><u>6.2.2.1</u></td><td><u>Outline guillemot [and razorbill] CIMP</u></td><td><u>1</u></td><td><u>April 2025</u></td></tr><tr><td><u>6.2.1.2</u></td><td><u>Outline kittiwake CIMP</u></td><td><u>1</u></td><td><u>April 2025</u></td></tr></table>	<u>6.2.2.1</u>	<u>Outline guillemot [and razorbill] CIMP</u>	<u>1</u>	<u>April 2025</u>	<u>6.2.1.2</u>	<u>Outline kittiwake CIMP</u>	<u>1</u>	<u>April 2025</u>	To reflect that an outline guillemot [and razorbill] CIMP and an outline kittiwake CIMP have now been submitted into the Examination.
<u>6.2.2.1</u>	<u>Outline guillemot [and razorbill] CIMP</u>	<u>1</u>	<u>April 2025</u>							
<u>6.2.1.2</u>	<u>Outline kittiwake CIMP</u>	<u>1</u>	<u>April 2025</u>							

1.7. Draft DCO Revision 8

18. **Table 1-6** below sets out the schedule of changes to the **Draft DCO (Revision 8) (application ref: 3.1)**, submitted at Deadline 5.

Table 1-6 Table of amendments submitted to the **Draft Development Consent Order (Revision 8)**

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the Draft DCO	Various minor amendments have been made to the Draft DCO to correct cross-referencing errors and typos.	For clarity and consistency.
Part 1, Article 2, Interpretation	<p>The definition of “pre-commencement works” has been amended as follows:</p> <p><i>“pre-commencement works” means site clearance, demolition, early planting of landscaping works, archaeological investigations, environmental surveys, ecological mitigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, the diversion and laying of services, the erection of any temporary screening and means of enclosure, site security works, creation of temporary hardstanding, erection of welfare facilities, creation of site accesses, and the temporary display of site notices or advertisements <u>and any drainage works required as a result of any other pre-commencement work</u>;</i></p>	This has been updated in response to the Examining Authority’s Second Written Questions HF 2.5.

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 1, Part 1, paragraph 1, DBS East Project, Further Associated Development</p> <p>Schedule 1, Part 1, paragraph 1, DBS West Project, Further Associated Development</p>	<p>Sub-paragraph (f) has been amended:</p> <p><i>(f) disposal of drill arisings in connection with any foundation drilling up to a total of 35,791<u>89</u> cubic metres;</i></p>	<p>Updated to reflect updates to the Disposal Site Characterisation Report (Revision 3) [document reference 8.18]</p>
<p>Schedule 2, Part 1, Requirement 2</p>	<p>Sub-paragraph (1)(a) has been amended:</p> <p><i>(a) exceed a height of <u>376.8</u>394.08 metres when measured from MHWS to the tip of the vertical blade;</i></p>	<p>To reflect a commitment made in the Applicants' response to the Examining Authority's Second Written Question OR 2.4.</p>
<p>Schedule 2, Part 1, Requirement 16</p>	<p>The following sub-paragraph has been inserted:</p> <p><i><u>(2) Any pre-commencement works that require associated drainage must not be commenced until a specific written plan for drainage for the relevant pre-commencement works has been submitted to and approved by the relevant planning authority in consultation with the lead local flood authority and the Environment Agency.</u></i></p>	<p>Added in response to the Examining Authority's Second Written Questions DCO 2.1.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1) Part 1, Paragraph 2</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 2</p> <p>Schedule 14 (Deemed Marine Licence 5) Part 1, Paragraph 2</p>	<p>Paragraph 2(a) has been amended as follows:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 12 and 14 of the Order, of up to 4,242,3274,240,424 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East);</i></p>	<p>Updated to reflect updates to the Disposal Site Characterisation Report (Revision 3) [document reference 8.18]</p>
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 1</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 1</p>	<p>Sub-paragraph 1(1)(a) has been amended as follows:</p> <p><i>(a) exceed a height of 394.08376.8 metres when measured from MHWS to the tip of the vertical blade;</i></p>	<p>To reflect a commitment made in the Applicants' response to the Examining Authority's Second Written Question OR 2.4.</p>
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 9</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 9</p>	<p>Paragraph (6) has been amended as follows:</p> <p><i>(6) The undertaker must inform the MMO Local Office in writing at least fourteenfive days prior to the commencement of the licensed</i></p>	<p>To address comments raised by the MMO in their Additional Submission at Deadline 3 [AS-169].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 7</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 7</p> <p>Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 5</p>	<p><i>activities or any part of them and within five days of the completion of the licensed activity.</i></p>	
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 12</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 12</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 10</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 10</p>	<p>Paragraph (2) has been amended as follows:</p> <p><i>(2) The undertaker must notify the Defence Infrastructure Organisation Safeguarding, the Civil Aviation Authority and the MMO, <u>as soon as reasonably practicable and</u> at least 14 days prior to the commencement of the authorised scheme, in writing of the following information–</i></p>	<p>To address concerns raised in the Civil Aviation Authority (CAA) responses to Action Points, ExQ1 and Rule 17 [AS-178] (AS-178: ARMC.1.1)</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 8		
Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 13 Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 13 Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11 Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 11 Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 9	Paragraph (1) has been removed: <i>Unless otherwise agreed in writing by the MMO, the carriage and use of chemicals in the construction of the authorised scheme must comply with the International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997.</i>	To address requests made in the MMO Deadline 3 response [REP3-045: 1.4]
Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 13	Paragraph (9) has been amended as follows: <i>(9) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably</i>	Updated to reflect telephone number agreed with the MCA through ongoing discussions.

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 13</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 11</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 11</p> <p>Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 9</p>	<p><i>practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (<u>0344 382 0580</u>add number), and the UK Hydrographic Office email: navwarnings@btconnect.com</i></p>	
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 15</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13</p>	<p>Sub-paragraph (1)(d)(ii) has been amended as follows:</p> <p><i>(ii) a chemical risk <u>assessment register</u>, including information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance <u>and standards</u>;</i></p>	<p>Updated to reflect request from MMO in REP3-045: 1.4.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 13 Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 11		
Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15 Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 15 Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13 Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 13	Sub-paragraph 1(g) has been amended as follows: <i>(g) in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation bodies <u>and which must include consideration of noise reduction methods and/or, deployment of noise mitigation systems or noise abatement systems that will be utilised to manage sounds from those piling activities and such protocol must include full details and justification for the mitigation chosen or excluded for deployment;</u></i>	To address comments made by the MMO in their Deadline 4 submission [REP4-115 point 3.5].

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 15</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 13</p> <p>Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 11</p>	<p>Sub-paragraph (1)(j) has been inserted as follows:</p> <p><u>(j) a site specific chemical risk assessment, which must be submitted no later than ten weeks prior to use of the relevant chemical, for all chemicals (with the exception of chemicals present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment) that have a pathway to the marine environment used for the marine licensed activities, outside the course of normal navigation, to include:</u></p> <p><u>(i) the function of the chemical,</u></p> <p><u>(ii) the quantities being used and the frequency of use; and</u></p> <p><u>(i) the physical, chemical, and ecotoxicological properties of the chemical.</u></p>	<p>To address requests made in the MMO Deadline 3 response [REP3-045: 1.4]</p>
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15</p>	<p>Paragraph (8) has been inserted as follows:</p> <p><u>(8) In sub-paragraphs 15(1)(d)(ii) and 15(1)(j) above:</u></p> <p><u>(a) pathway to the marine environment” means open systems or closed systems that require top up;</u></p>	<p>To address requests made in the MMO Deadline 3 response [REP3-045: 1.4]</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 14 (Deemed Marine Licence 5) Part 2, Condition 11</p> <p>Schedule 11 (Deemed Marine Licence 2) Part 2, Condition 15</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 2, Condition 13</p>	<p><u>(b) "chemicals" comprise both substances and preparations;</u></p> <p><u>(c) "preparation" means a mixture or solution composed of two or more substances; and</u></p> <p><u>(d) "substance" means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition.</u></p>	
<p>Schedule 11 (Deemed Marine Licence 2) Part 1, Paragraph 2</p> <p>Schedule 13 (Deemed Marine Licence 4) Part 1, Paragraph 2</p>	<p>Sub-paragraph (2)(a) has been amended as follows:</p> <p><i>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 13 and 14 of the Order, of up to 2,258,1942,256,291 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works</i></p>	<p>Updated to reflect updates to the Disposal Site Characterisation Report (Revision 3) [document reference 8.18]</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5) Part 1, Paragraph 2	<i>and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 2 (DBS West);</i>	
Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 2 Schedule 13 (Deemed Marine Licence 4) Part 1, Paragraph 2	Sub-paragraph (b) has been amended as follows: <i>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 3 (Export Cable) by the deemed marine licence granted under Schedule 13 of the Order, of up to 26,025,965.27 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 3 (Export Cable);</i>	Updated to reflect updates to the Disposal Site Characterisation Report (Revision 3) [document reference 8.18]
Schedule 13 (Deemed Marine Licence 4) Part 1, Work No. 7B	Sub-paragraph (f) has been amended as follows: <i>(f) disposal of drill arisings in connection with any foundation drilling up to a total of 2,815,704 cubic metres;</i>	Updated to reflect updates to the Disposal Site Characterisation Report (Revision 3) [document reference 8.18]

1.8. Draft DCO Revision 9

19. **Table 1-7** below sets out the schedule of changes to the **Draft DCO (Revision 9) (application ref: 3.1)**, submitted at Deadline 6.

Table 1-7 Table of amendments submitted to the **Draft Development Consent Order (Revision 9)**

Article/Paragraph/Schedule Number	Amendment	Reason
Part 1, Article 2, Interpretation	A new definition of 'haul road' has been added: <i><u>"haul road" means the track along the onshore export cable corridor used by traffic to facilitate access to the onshore export cable route for construction;</u></i>	To address comments raised by the Examining Authority in point 19 of the Action Points from ISH6 [EV11-002].
Schedule 2, Part 1, Requirement 3	Requirement 3(3) has been amended as follows: (3) Any <i>No</i> wind turbine generator piled jacket foundation <i>must not</i> may :— (a) have more than four legs; (b) have more than four piles; or (c) have a pile diameter exceeding four metres.	This corrected a previous omission in response to the MMO's Deadline 5 submission [REP5-049].
Schedule 2, Part 1, Requirement 14	Requirement 14(1) has been amended as follows: (1) <i>Any phase of the onshore works must not be commenced until a construction traffic management plan (which must be in</i>	This has been amended to reflect wording agreed with Hull City Council.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>accordance with the outline construction traffic management plan) has for that phase been submitted to and approved by the relevant planning authority in consultation with:</p> <p><u>(a) the relevant highway authority;</u> and <u>/or</u></p> <p><u>(b) National Highways;</u> and <u>/or</u></p> <p><u>(c) Hull City Council;</u></p> <p>on matters related to their respective functions as specified in the outline construction traffic management plan.</p>	
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)</p>	<p>The below definitions in Paragraph 1(1) have been amended as follows:</p> <p><i>“DBS East Project offshore works” means Work Nos. 1A to 9A8A and any other authorised development associated with those works;</i></p> <p><i>“DBS East Project onshore works” means Work Nos. 10A9A to 34A and any other authorised development associated with those works;</i></p> <p><i>“DBS West offshore works” means Work Nos. 1B to 9B8B and any authorised development associated with those works;</i></p>	<p>Updated to remove Work Nos 9A/B from the definition of offshore works in response to MMO Deadline 5 submission [REP5-049] Annex 1 row 2.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	<i>"DBS West Project onshore works" means Work Nos. 10B9B to 34B and any other authorised development associated with those works;</i>	
Schedule 10 (Deemed Marine Licence 1), Part 2, condition 2 Schedule 11 (Deemed Marine Licence 2), Part 2, condition 2	Condition 2 has been amended as follows: (3) Any <i>No</i> wind turbine generator piled jacket foundation <i>must</i> not <i>may</i> — (a) <i>have more than four legs;</i> (b) <i>have more than four piles; or</i> (c) <i>have a pile diameter exceeding four metres.</i>	This corrected a previous omission in response to the MMO's Deadline 5 submission [REP5-049].
Schedule 18 Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 1	The definitions in paragraph 1 have been amended: <i>"the <u>offshore</u> artificial nesting measure" means the offshore nesting structure(s);</i> <i><u>"the onshore artificial nesting structure" means the existing onshore artificial nesting structure owned by the undertaker known as the Kittiwakery and located adjacent to the south shore of the River Tyne in Gateshead (planning permission reference DC/22/01188/FUL);</u></i>	Updated to include reference to the onshore ANS in order to align with the Appendix 1 - Project-Level Kittiwake Compensation Plan - Report to Inform Appropriate Assessment (RIAA) - Habitats Regulations Assessment (Revision 6) [document reference 6.2.1]

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 18 Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 4	<p>Paragraph 4 has been amended as follows:</p> <p><i>4. The Kittiwake CIMP must be in accordance with the outline kittiwake CIMP and based on the strategy for kittiwake compensation set out in the Kittiwake Compensation Plan and include–</i></p> <p>(a) <i>where the <u>offshore</u> artificial nesting measure is proposed to be taken forward–</i></p> <p>(i) <i>details of the location(s) where the compensation measure will be delivered and details of any relevant seabed agreement(s);</i></p> <p>(ii) <i>details of the design of the <u>offshore</u> artificial nesting structure(s), including the projected number of nests that will be accommodated on the structure, and how risks from avian or mammalian predation and unauthorised human access will be mitigated;</i></p> <p>(iii) <i>an implementation timetable for the delivery of the <u>offshore</u> artificial nesting structure(s);</i></p> <p>(iv) <i>details of the maintenance schedule for the <u>offshore</u> artificial nesting structure(s);</i></p>	Updated to include reference to the onshore ANS in order to align with the Appendix 1 - Project-Level Kittiwake Compensation Plan - Report to Inform Appropriate Assessment (RIAA) - Habitats Regulations Assessment (Revision 6) [document reference 6.2.1]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(v) details of the proposed ongoing monitoring and reporting on the effectiveness of the measures, including: survey methods; success criteria; adaptive management measures; timescales for the monitoring and monitoring reports to be delivered; and details of the mechanism to determine the need for any alternative compensation measures and/or adaptive management measures;</p> <p>(vi) monitoring should include annual monitoring of the number of birds colonising the site including nesting attempts and nest productivity;</p> <p>(vii) provision for annual reporting to the Secretary of State, to include details of the use of the <u>offshore</u> artificial nesting structure(s) by breeding kittiwake to identify barriers to success and target any adaptive management measures in consultation with the KCSG; and</p> <p>(viii) recording of KCSG consultations; <u>and</u></p> <p><u>(ix) details of the proposed use (if any) of the onshore artificial nesting structure to support the compensation to be delivered by the offshore artificial nesting structure;</u></p> <p>(b) where the undertaker elects to pay a contribution to the Strategic Compensation Fund wholly or partly in substitution for</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>the <u>offshore</u> artificial nesting measure or as an adaptive management measure–</p> <p>(i) 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 KCSG.</p> <p>(c) where the undertaker elects to pay a financial contribution towards the establishment of compensation measures by another party wholly or partly in substitution for the <u>offshore</u> artificial nesting measure or as an adaptive management measure–</p> <p>(i) the technical specification of the compensation measure(s) to be agreed between the undertaker and the other party in consultation with the KCSG.</p> <p>(d) where the undertaker elects to collaborate with another party in the delivery of compensation measures wholly or partly in substitution for the <u>offshore</u> artificial nesting measure or as an adaptive management measure–</p> <p>(i) the technical specification of the compensation measure(s) to be agreed between the undertaker and the other party in consultation with the KCSG.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 18 Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 6	<p>Paragraph 6 has been amended as follows:</p> <p>6. <i>The undertaker must notify the Secretary of State of–</i></p> <p>(a) <i>completion of implementation of the <u>offshore</u> artificial nesting measure referred to in paragraph 4(a);</i></p> <p>(b) <i>payment into the Strategic Compensation Plan referred to in paragraph 4(b);</i></p> <p>(c) <i>payment of a financial contribution towards the establishment of compensation measures by another party referred to in paragraph 4(c); and</i></p> <p>(d) <i>completion of implementation of collaborative measures referred to in paragraph 4(d),</i></p>	Updated to reflect the new definition of “offshore artificial nesting structure” in order to align with the Appendix 1 - Project-Level Kittiwake Compensation Plan - Report to Inform Appropriate Assessment (RIAA) - Habitats Regulations Assessment (Revision 6) [document reference 6.2.1]
Schedule 18 Compensation Measures, Part 2, Flamborough and Filey Coast Special Protection Area: Kittiwake Compensation Measures, paragraph 7	<p>Paragraph 7 has been amended as follows:</p> <p>7. <i>The <u>offshore</u> artificial nesting measure must not be decommissioned without written approval of the Secretary of State in consultation with relevant statutory nature conservation body.</i></p>	Updated to reflect the new definition of “offshore artificial nesting structure” in order to align with the Appendix 1 - Project-Level Kittiwake Compensation Plan - Report to Inform Appropriate Assessment (RIAA) - Habitats

Article/Paragraph/Schedule Number	Amendment	Reason
		Regulations Assessment (Revision 6) [document reference 6.2.1]
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast Special Protection Area: Guillemot [and Razorbill] Compensation Measures	The title of Schedule 18, Part 3 has been amended as follows: <i>Flamborough and Filey Coast Special Protection Area <u>[and Farne Islands Special Protection Area]</u>: Guillemot [and <u>Flamborough and Filey Coast Special Protection Area</u>: Razorbill] Compensation Measures</i>	Updated to add the Farne Islands SPA for guillemot on a without prejudice basis as per the updated Guillemot [and Razorbill] Compensation Plan [document reference 6.2.2] which has been submitted at Deadline 6.
Schedule 18, Compensation Measures, Part 3, Flamborough and Filey Coast Special Protection Area: Guillemot [and Razorbill] Compensation Measures, paragraph 1	The following definitions have been amended: <i><u>“the Farne Islands SPA” means the site designated as the Farne Islands Special Protection Area”</u></i> <i>“Guillemot [and Razorbill] CIMP” means the guillemot [and razorbill] compensation implementation and monitoring plan for the delivery of measures to compensate for the predicted loss of adult guillemots [and adult razorbills] from the FFC <u>[and the predicted loss of adult guillemots from the Farne Islands SPA]</u> as a result of the authorised development;</i>	Updated to add the Farne Islands SPA for guillemot on a without prejudice basis as per the updated Guillemot [and Razorbill] Compensation Plan [document reference 6.2.2] which has been submitted at Deadline 6.

1.9. Draft DCO Revision 10

20. **Table 1-8** below sets out the schedule of changes to the **Draft DCO (Revision 10) (application ref: 3.1)**, submitted at Deadline 7.

Table 1-8 Table of amendments submitted to the **Draft Development Consent Order (Revision 10)**

Article/Paragraph/Schedule Number	Amendment	Reason
Part 1, Article 2, Interpretation	<p>The definition of “undertaker” has been amended as follows:</p> <p>“undertaker” means, subject to article 5 (benefit of Order),—</p> <p>(a) for the purposes of constructing, maintaining, and operating <u>and decommissioning</u> the DBS East works and any related ancillary works, DBSEL;</p> <p>(b) for the purposes of constructing, maintaining, and operating <u>and decommissioning</u> the DBS West works and any related ancillary works, DBSWL; and</p> <p>(c) in any other case, DBSEL and DBSWL;</p>	Amended in response to the Examining Authority’s recommended amendments to the Applicants’ Draft DCO [PD-028]
Part 4, Article 16(8) Discharge of water	<p>Article 16(8) has been amended as follows:</p> <p>(8) In this article—</p> <p>(a) “public sewer or drain” means a sewer or drain that belongs to the Environment Agency, a relevant drainage authority, <u>a</u></p>	Amended in response to the Examining Authority’s recommended amendments to the Applicants’ Draft DCO [PD-028]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>highway authority</u>, a local authority or a sewerage undertaker; and</p> <p>(b) other expressions, excluding watercourse, used both in this article and in the Water Resources Act 1991 have the same meaning as in that Act.</p>	
Part 7, Article 52, Modification of the Air Navigation Order 2016	<p>A new Article 52 has been added:</p> <p><u>Modification of the Air Navigation Order 2016</u></p> <p><u>52. Article 223 of the Air Navigation Order 2026(a) is modified so as to read for the purposes of this Order only as if there were inserted after paragraph (1)(b)—</u></p> <p><u>“(c) or which is situated in waters outside of the territorial sea designated as the Renewable Energy Zone by section 84(4) of the 2004 Act(b).”</u></p>	Added in response to the Civil Aviation Authority’s Response to the Examining Authority’s Second Written Questions [REP6-061].
Schedule 2, Part 1, Requirement 4, Offshore converter platform dimensions	<p>Requirement 4(2) has been amended as follows:</p> <p>(2) The dimensions of any offshore converter platform <u>and offshore accommodation platform</u> (excluding helidecks, lightning protection, towers, masts and cranes) must not exceed:—</p> <p>(a) 125 metres in length;</p> <p>(b) 100 metres in width; or</p>	Amended in response to the Examining Authority’s recommended amendments to the Applicants’ Draft DCO [PD-028].

Article/Paragraph/Schedule Number	Amendment	Reason
	(c) 105 metres in height above LAT.	
Schedule 2, Part 1, Requirement 5, Offshore converter platform foundations	Requirement 5 has been amended as follows: <i>5.—(1) Offshore converter platforms and offshore accommodation platform foundations must be of one or more of the following foundation options: piled monopile, <u>and</u>/or piled jacket.</i>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 2, Part 1, Requirement 9, Detailed design parameters onshore	Requirement 9(4) has been amended as follows: <i>(4) The details submitted under sub-paragraphs (1) or (2) and under requirement 13 (Permanent fencing and other means of enclosure) must be in accordance with the design and access statement.</i>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 2, Part 1, Requirement 10, Provision of landscaping	Requirement 10 has been amended as follows: <i><u>(4) The details submitted under sub-paragraphs (2) and (3) must be in accordance with the design and access statement.</u></i> <i>(4)(5) A landscape management plan submitted under sub-paragraph (1) may cover one or more phase of the onshore works.</i> <i>(5)(6) Each landscape management plan must be implemented as approved.</i>	In response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028].
Schedule 2, Part 1, Requirement 11,	Requirement 11(2) has been amended as follows:	Amended in response to the Examining Authority's

Article/Paragraph/Schedule Number	Amendment	Reason
Implementation and maintenance of landscaping	<i>(2) Any tree or shrub planted as part of an approved landscape management plan that, within five years after planting (save in relation to Work Nos. <u>22A(g), 22B(g)</u>, 24A, 24B, 27A, 27B, 29A and 29B, for which the relevant period is the operational lifetime of the authorised development), is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the next planting season with a specimen of the same species and size as that originally planted, unless otherwise agreed by the relevant planning authority.</i>	recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 2, Part 1, Requirement 13, Permanent fencing and other means of enclosure	<p>Requirement 13 has been amended as follows:</p> <p>13 -- (1) No phase of the onshore works may be brought into use until details of all proposed permanent fences, walls or other means of enclosure for that phase have been submitted to and approved by the relevant planning authority.</p> <p>(1)(2) <u>The details submitted under sub-paragraph (1) must be in accordance with the design and access statement.</u></p> <p>(2)(3) All permanent fencing, walls and other means of enclosure must be in accordance with the details approved under sub-paragraph (1).</p>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(3)(4) Any approved permanent fencing in relation to Work Nos. 25A or 26A and 26B must be completed before that work is brought into use.</p> <p>(4)(5) Any details submitted under sub-paragraph (1) may cover one or more phase of the onshore works.</p> <p>(5)(6) Permanent fencing, walls and other means of enclosure approved under sub-paragraph (1) must be provided and maintained until the onshore works to which they relate are decommissioned in accordance with the onshore decommissioning plan approved under requirement 27 (<i>onshore decommissioning</i>).</p>	
Schedule 2, Part 1, Requirement 16, Construction and Operational Drainage Strategy	<p>Requirement 16 has been amended as follows:</p> <p><u>Pre-commencement, Construction and Operational Drainage Strategy</u></p> <p>16.—(1) Any phase of the onshore works must not be commenced until a written plan for drainage during construction of the relevant phase has been submitted to and approved by the relevant planning authority in consultation with the lead local flood authority, <u>relevant drainage authority</u> and the Environment Agency.</p> <p>(2) Any pre-commencement works that require associated drainage must not be commenced until a specific written plan for drainage for the</p>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>relevant pre-commencement works has been submitted to and approved, <u>or agreed not required</u>, by the relevant planning authority in consultation with the lead local flood authority, <u>relevant drainage authority</u> and the Environment Agency.</p> <p>(3) Any phase of the onshore works must not be commenced until a written plan for drainage during operation of the relevant work, has been submitted to and approved by the relevant planning authority in consultation with the lead local flood authority, <u>relevant drainage authority</u> and the Environment Agency.</p> <p>(4) Each <u>pre-commencement drainage strategy</u>, construction drainage strategy and each operational drainage strategy must accord with the principles for the relevant phase set out in the outline drainage strategy, must include a timetable for implementation, and must include provision for the maintenance of any measures identified.</p> <p>(5) Each <u>pre-commencement drainage strategy</u>, construction drainage strategy and operational drainage strategy must be implemented as approved.</p> <p>(6) Any construction drainage strategy and operational drainage strategy submitted under sub-paragraphs (1) and (2) may cover one or more phases.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Part 1, Requirement 19, Code of construction practice	Requirement 19(6) has been added: <i><u>(6) Any pre-commencement screening and fencing works must be removed on completion of the relevant pre-commencement works unless otherwise approved by the relevant planning authority.</u></i>	Added in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 2, Part 1, Requirement 22, Control of artificial light emissions	Requirement 22 has been amended as follows: <i>22. – (1) Work No. 25A or 26A must not be brought into operation until a written scheme for the management and mitigation of artificial light emissions during the operation of that work has been submitted to and approved by the relevant planning authority.</i> <i>(2) Work No. 26B must not be brought into operation until a written scheme for the management and mitigation of artificial light emissions during the operation of that work has been submitted to and approved by the relevant planning authority.</i> <i><u>(3) The details submitted under sub-paragraphs (1) or (2) must be in accordance with the design and access statement.</u></i> <i><u>(3)(4) Any scheme approved under sub-paragraphs (1) or (2) must be implemented as approved and thereafter operated and maintained in accordance with the approved details.</u></i>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Part 1, Requirement 26, Skills and employment	<p>Requirement 26 has been amended as follows:</p> <p>26.—(1) Any phase of the onshore works<u>Any phase of the DBS East Project</u> must not be commenced until a skills and employment strategy in respect of that phase (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by the relevant planning authority.</p> <p>(2)<u>Any phase of the DBS West Project must not be commenced until a skills and employment strategy in respect of that phase (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by the relevant planning authority.</u></p> <p>(3)Each skills and employment strategy must be implemented as approved.</p> <p>(4) Any skills and employment strategy submitted under sub-paragraph (1) may cover one or more phases of the onshore works.</p>	In response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 2, Part 1, Requirement 32, Biodiversity net gain	<p>Requirement 32 has been amended as follows:</p> <p>32.—(1) Any phase of the onshore works must not be commenced until a biodiversity net gain strategy (in accordance with the biodiversity <u>net</u> gain strategy forming Appendix 18-10 of the environmental statement) in relation to that phase has been submitted and approved</p>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028].

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>by the relevant planning authority in consultation with the relevant statutory nature conservation body.</i>	
Schedule 2, Part 1, Requirement 36, Permanent access road to onshore converter stations	<p>Requirement 36 has been amended as follows:</p> <p>36.—(1) <i>The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter station must not commence until details of its precise location, and width, <u>the proposed finished ground levels and materials, along with any signage or lighting proposed at the entrance to the access road</u> have been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i><u>(2) The details submitted under sub-paragraph (1) must be in accordance with the design and access statement.</u></i></p> <p><i>(2)(3) The permanent access road to the onshore DBS East Project converter station and onshore DBS West Project converter station must be carried out in accordance with the details approved under sub-paragraph (1).</i></p>	Amended in response to the Examining Authority's recommended amendments to the Applicants' Draft DCO [PD-028]
Schedule 10 (Deemed Marine Licence 1) Part 1, Paragraph 1	<p>The definition for "disposal ground 1 (DBS East)" has been amended:</p> <p><i>"disposal ground 1 (DBS East)" means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable</i></p>	Amended in response to the MMO's Deadline 6 submission [REP6-069:1.6.2].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1 Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1	<i>sandwave clearance for the DBS East Project offshore works as shown on the Disposal Site Plan <u>and with MMO disposal site reference DG033</u>;</i>	
Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1 Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1 Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1	The definition of “disposal ground 2 (DBS) West)” has been amended: <i>“disposal ground 2 (DBS West)” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS West offshore works as shown on the Disposal Site Plan <u>and with MMO disposal site reference DG034</u>;</i>	Amended in response to the MMO’s Deadline 6 submission [REP6-069:1.6.2]).
Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1	The definition of “disposal ground 3 (Export Cable)” has been amended: <i>“disposal ground 3 (Export Cable)” means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works</i>	Amended in response to the MMO’s Deadline 6 submission [REP6-069:1.6.2]

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1	<i>and cable sandwave clearance for the DBS East Project offshore works as shown on the Disposal Site Plan <u>as "Dogger Bank South Cable A" and "Dogger Bank South Cable B" and with MMO disposal site reference DG035;</u></i>	
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15, Pre-construction plans and documentation</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15, Pre-construction plans and documentation</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13, Pre-construction plans and documentation</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13, Pre-construction plans and documentation</p>	<p>Condition 15, 13 (1)(d)(ii) has been amended as follows:</p> <p><i>(ii) a chemical risk registerassessment, including information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards;</i></p>	<p>Amended in response to the MMO's Deadline 6 submission [REP6-069: 2.2.10].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 2, Condition 11 Pre-construction plans and documentation		
<p>Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 15, Pre-construction plans and documentation</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 15, Pre-construction plans and documentation</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 13, Pre-construction plans and documentation</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 13, Pre-construction plans and documentation</p>	<p>Condition 15, 13(1)(g) has been amended as follows:</p> <p><i>(g) in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation bodies and which must include <u>consideration details</u> of noise reduction methods <u>through project design (primary measures)</u> and/or, deployment of noise mitigation systems or noise abatement systems <u>(secondary measures)</u> that will be utilised to manage sounds from those piling activities and such protocol must include full details and justification for the mitigation chosen or excluded for deployment;</i></p>	<p>Amended to reflect wording agreed with Natural England and the MMO.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 10 (Deemed Marine Licence 1) Part 2, Condition 30, [Noise restriction]	<p>A without prejudice [Noise restriction] condition has been added:</p> <p><u>[Noise restriction]</u></p> <p><u>30.—[(1) No piling activity can commence within Work Nos. 1A and 4A during the herring spawning season until a herring spawning piling restriction plan (in accordance with the herring spawning plan) is submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</u></p> <p><u>(2) The herring spawning piling restriction plan must be submitted to the MMO no later than six months prior to the commencement of the relevant activities unless otherwise agreed in writing by the MMO.</u></p> <p><u>(3) The herring spawning piling restriction plan must present updated underwater noise modelling, which must be based on final project parameters to be used to install piles and must include details of any mitigation measures to be employed.</u></p> <p><u>(4) If the updated underwater noise modelling referred to in sub-paragraph (3) above demonstrates that noise levels above 135 decibel from any piling area within Work Nos. 1A and/or 4A will impact the area shoreward of the Herring Spawning Noise Restriction Boundary during the herring spawning season then any piles located within that piling area must not be installed during the herring spawning season without written approval from the MMO.</u></p>	To reflect without prejudice wording agreed with MMO and Natural England.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(5) Any piling activity within Work Nos. 1A and 4A during the herring spawning season must be undertaken in accordance with the approved herring spawning piling restriction plan approved under sub-paragraph (1) or in accordance with any approval given by the MMO under sub-paragraph (4) above.</u></p> <p><u>(6) In this condition-</u></p> <p><u>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the herring spawning area plan, with the restricted area being the area shoreward of this boundary</u></p> <p><u>“herring spawning plan” means the document certified by the Secretary of State as the herring spawning plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)</u></p> <p><u>“herring spawning season” means 1 August to 31 October inclusive or such other period as agreed in writing with the MMO;</u></p> <p><u>“piling area” means any area within Work Nos. 1A and/or 4A within which one or more piled foundations is proposed to be installed.]</u></p>	
Schedule 11 (Deemed Marine Licence 2), Part 2, Part 2, Condition 30, [Noise restriction]	<p>A without prejudice [Noise restriction] condition has been added:</p> <p><u>[Noise restriction]</u></p>	To reflect without prejudice wording agreed with MMO and Natural England.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>30.—[(1) No piling activity can commence within Work Nos. 1B and 4B during the herring spawning season until a herring spawning piling restriction plan (in accordance with the herring spawning plan) is submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</u></p> <p><u>(2) The herring spawning piling restriction plan must be submitted to the MMO no later than six months prior to the commencement of the relevant activities unless otherwise agreed in writing by the MMO.</u></p> <p><u>(3) The herring spawning piling restriction plan must present updated underwater noise modelling, which must be based on final project parameters to be used to install piles and must include details of any mitigation measures to be employed.</u></p> <p><u>(4) If the updated underwater noise modelling referred to in subparagraph (3) above demonstrates that noise levels above 135 decibel from any piling area within Work Nos. 1B and/or 4B will impact the area shoreward of the Herring Spawning Noise Restriction Boundary during the herring spawning season then any piles located within that piling area must not be installed during the herring spawning season without written approval from the MMO.</u></p> <p><u>(5) Any piling activity within Work Nos. 1B and 4B during the herring spawning season must be undertaken in accordance with the approved herring spawning piling restriction plan approved under</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>sub-paragraph (1) or in accordance with any approval given by the MMO under sub-paragraph (4) above.</u></p> <p><u>(6) In this condition-</u></p> <p><u>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the herring spawning area plan, with the restricted area being the area shoreward of this boundary</u></p> <p><u>“herring spawning plan” means the document certified by the Secretary of State as the herring spawning plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)</u></p> <p><u>“herring spawning season” means 1 August to 31 October inclusive or such other period as agreed in writing with the MMO;</u></p> <p><u>“piling area” means any area within Work Nos. 1B and/or 4B within which one or more piled foundations is proposed to be installed.]</u></p>	
Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 27, [Noise restriction]	<p>A without prejudice [Noise restriction] condition has been added:</p> <p><u>[Noise restriction]</u></p> <p><u>27.—[(1) No piling activity can commence within Work No. 2A during the herring spawning season until a herring spawning piling restriction plan (in accordance with the herring spawning plan) is submitted to and</u></p>	To reflect without prejudice wording agreed with MMO and Natural England.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</u></p> <p><u>(2) The herring spawning piling restriction plan must be submitted to the MMO no later than six months prior to the commencement of the relevant activities unless otherwise agreed in writing by the MMO.</u></p> <p><u>(3) The herring spawning piling restriction plan must present updated underwater noise modelling, which must be based on final project parameters to be used to install piles and must include details of any mitigation measures to be employed.</u></p> <p><u>(4) If the updated underwater noise modelling referred to in sub-paragraph (3) above demonstrates that noise levels above 135 decibel from any piling area within Work No. 2A will impact the area shoreward of the Herring Spawning Noise Restriction Boundary during the herring spawning season then any piles located within that piling area must not be installed during the herring spawning season without written approval from the MMO.</u></p> <p><u>(5) Any piling activity within Work No. 2A during the herring spawning season must be undertaken in accordance with the approved herring spawning piling restriction plan approved under sub-paragraph (1) or in accordance with any approval given by the MMO under sub-paragraph (4) above.</u></p> <p><u>(6) In this condition-</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the outline herring spawning area plan, with the restricted area being the area shoreward of this boundary</u></p> <p><u>“herring spawning plan” means the document certified by the Secretary of State as the herring spawning plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)</u></p> <p><u>“herring spawning season” means 1 August to 31 October inclusive or such other period as agreed in writing with the MMO;</u></p> <p><u>“piling area” means any area within Work No. 2A within which one or more piled foundations is proposed to be installed.]</u></p>	
Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 27, [Noise restriction]	<p>A without prejudice [Noise restriction] condition has been added:</p> <p><u>[Noise restriction]</u></p> <p><u>27.—[(1) No piling activity can commence within Work No. 2B during the herring spawning season until a herring spawning piling restriction plan (in accordance with the herring spawning plan) is submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</u></p>	To reflect without prejudice wording agreed with MMO and Natural England.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(2) The herring spawning piling restriction plan must be submitted to the MMO no later than six months prior to the commencement of the relevant activities unless otherwise agreed in writing by the MMO.</u></p> <p><u>(3) The herring spawning piling restriction plan must present updated underwater noise modelling, which must be based on final project parameters to be used to install piles and must include details of any mitigation measures to be employed.</u></p> <p><u>(4) If the updated underwater noise modelling referred to in sub-paragraph (3) above demonstrates that noise levels above 135 decibel from any piling area within Work No. 2B will impact the area shoreward of the Herring Spawning Noise Restriction Boundary during the herring spawning season then any piles located within that piling area must not be installed during the herring spawning season without written approval from the MMO.</u></p> <p><u>(5) Any piling activity within Work No. 2B during the herring spawning season must be undertaken in accordance with the approved herring spawning piling restriction plan approved under sub-paragraph (1) or in accordance with any approval given by the MMO under sub-paragraph (4) above.</u></p> <p><u>(6) In this condition-</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the outline herring spawning area plan, with the restricted area being the area shoreward of this boundary</u></p> <p><u>“herring spawning plan” means the document certified by the Secretary of State as the herring spawning plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified)</u></p> <p><u>“herring spawning season” means 1 August to 31 October inclusive or such other period as agreed in writing with the MMO;</u></p> <p><u>“piling area” means any area within Work No. 2B within which one or more piled foundations is proposed to be installed.]</u></p>	
Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 28, Export cable restriction	<p>A new condition 28 has been added:</p> <p><u>Export cable restriction</u></p> <p><u>28.—(1) The cable installation works listed at sub-paragraphs (a) – (f) below must not be undertaken on the seabed within the restricted area during the restricted period, unless otherwise agreed in writing by the MMO:</u></p> <p><u>(a) pre-sweeping;</u></p> <p><u>(b) dredging;</u></p>	Added to reflect wording agreed with MMO.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(c) mechanical ploughing;</u></p> <p><u>(d) cutting;</u></p> <p><u>(e) water jetting; and</u></p> <p><u>(f) cable burial operations.</u></p> <p><u>(2) No later than sixteen weeks (or such other period as agreed by the MMO in writing) prior to the commencement of any licensed activities in sub-paragraph (1) within Work No. 3A, a Back Calculation Technical Report, which must include details of the restricted period, must be submitted to the MMO for approval.</u></p> <p><u>(3) The licensed activities in sub-paragraph (1) within Work No. 3A must not commence until the MMO has approved the Back Calculation Technical Report.</u></p> <p><u>(4) In this condition-</u></p> <p><u>“Back Calculation Technical Report” means an updated version of environmental statement Appendix 10-3, which must include evidence to support the restricted period;</u></p> <p><u>“cable installation works restricted area plan” means the plan certified by the Secretary of State as the cable installation works restricted area plan for the purposes of the Order under article 42 (certification</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</u></p> <p><u>“restricted area” means the area of seabed within Work No. 3A between KP20 and KP40 as shown on the cable installation works restricted area plan”;</u></p> <p><u>“restricted period” means 1 August to 31 October inclusive or such other period indicated by the Back Calculation Technical Report as the period when herring are most likely to have spawned and where eggs and newly hatched larvae should be undisturbed to avoid any adverse impacts to those eggs or larvae and any such alternative period must be agreed with the MMO in writing.</u></p>	
Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 28, Export cable restriction	<p>A new condition 28 has been added:</p> <p><u>Export cable restriction</u></p> <p><u>28.—(1) The cable installation works listed at sub-paragraphs (a) – (f) below must not be undertaken on the seabed within the restricted area during the restricted period, unless otherwise agreed in writing by the MMO:</u></p> <p><u>(a) pre-sweeping;</u></p> <p><u>(b) dredging;</u></p> <p><u>(c) mechanical ploughing;</u></p>	Added to reflect wording agreed with MMO.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(d) cutting;</u></p> <p><u>(e) water jetting; and</u></p> <p><u>(f) cable burial operations.</u></p> <p><u>(2) No later than sixteen weeks (or such other period as agreed by the MMO in writing) prior to the commencement of any licensed activities in sub-paragraph (1) within Work No. 3B, a Back Calculation Technical Report, which must include details of the restricted period, must be submitted to the MMO for approval.</u></p> <p><u>(3) The licensed activities in sub-paragraph (1) within Work No. 3B must not commence until the MMO has approved the Back Calculation Technical Report.</u></p> <p><u>(4) In this condition-</u></p> <p><u>“Back Calculation Technical Report” means an updated version of environmental statement Appendix 10-3, which must include evidence to support the restricted period;</u></p> <p><u>“cable installation works restricted area plan” means the plan certified by the Secretary of State as the cable installation works restricted area plan for the purposes of the Order under article 42 (certification of plans and documents, etc.) and referenced in Schedule 19 (documents to be certified);</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>“restricted area” means the area of seabed within Work No. 3B between KP20 and KP40 as shown on the cable installation works restricted area plan”;</u></p> <p><u>“restricted period” means 1 August to 31 October inclusive or such other period indicated by the Back Calculation Technical Report as the period when herring are most likely to have spawned and where eggs and newly hatched larvae should be undisturbed to avoid any adverse impacts to those eggs or larvae and any such alternative period must be agreed with the MMO in writing.</u></p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 1, Interpretation	<p>The following definitions have been amended in paragraph 1(2):</p> <p>“the Agency” means the Environment Agency;</p> <p>“construction” includes execution, placing, altering, replacing, relaying and removal and excavation and “construct” and “constructed” isshall be construed accordingly;</p> <p><u>“emergency” means an occurrence which presents a risk of—</u> <u>(a) serious flooding</u></p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(b) serious detrimental impact on drainage</u></p> <p><u>(c) serious harm to the environment</u></p> <p>“the fishery” means any waters containing fish and fish in, or migrating to or from, such waters and the spawn, spawning ground, habitat or food of such fish;</p> <p>“main river” <u>has the same meaning given in section 113 of the Water Resources Act 1991</u> means all watercourses shown as such on the statutory main river maps held by the Agency and the Department for Environment, Food and Rural Affairs including any structure or appliance for controlling or regulating the flow of water in or out of the channel;</p> <p>“non-tidal main river” <u>has the meaning given in paragraph 2(1) of Part 1 of Schedule 25 to the Environmental Permitting (England and Wales) Regulations 2016;</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>“plans” includes <u>plans</u>, sections, <u>elevations</u> drawings, specifications, <u>programmes</u>, <u>proposals</u>, calculations, and method statements <u>and</u> <u>descriptions</u>;</i></p> <p><i><u>“remote defence” means any berm, wall or embankment that is constructed for the purposes of preventing or alleviating flooding from, or in connection with, any main river;</u></i></p> <p><i><u>“sea defence” means any bank, wall, embankment (any berm, counterwall or cross-wall connected to any such bank, wall or embankment), barrier, tidal sluice and other defence, whether natural or artificial, against the inundation of land by sea water or tidal water, including natural or artificial high ground which forms part of or makes a contribution to the efficiency of the defences of the Agency’s area against flooding, but excludes any sea defence works which are for the time being maintained by a coast protection authority under the provisions of the Coast Protection Act 1949 or by any local authority or any navigation, harbour or conservancy authority;</u></i></p> <p><i>“specified work” means so much of any work or operation authorised by this Order as is in, on, under, over or within</i></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(a) 16 metres of the base of a sea defence which is likely to –</u></p> <p><u>i. endanger the stability of, cause damage or reduce the effectiveness of that sea defence, or</u></p> <p><u>ii. interfere with the Agency's access to or along that sea defence or the Agency's ability to undertake works to ensure the efficacy of that sea defence;</u></p> <p><u>(b) 8 metres of the base of a remote defence which is likely to –</u></p> <p><u>i. endanger the stability of, cause damage or reduce the effectiveness of that remote defence, or</u></p> <p><u>ii. interfere with the Agency's access to or along that remote defence;</u></p> <p><u>(c) 16 metres of a drainage work involving a tidal main river;</u></p> <p><u>(d) 8 metres of a drainage work involving a non-tidal main river;</u></p> <p><u>(e) any distance of a drainage work and is otherwise likely to</u> <u>—a drainage work or is otherwise likely to—</u></p> <p><u>(i) affect any drainage work or the volumetric rate of flow of water in or flowing to or from any drainage work;</u></p> <p><u>(ii) affect the flow, purity or quality of water in any main river</u> <u>watercourse or other surface waters or ground water;</u></p>	

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	<p><u>(iii)</u> cause obstruction to the free passage of fish or damage to any fishery;</p> <p><u>(iv)</u> affect the conservation, distribution or use of water resources.; or</p> <p><u>(v)</u> affect the conservation value of the main river and habitats in its immediate vicinity; or</p> <p><u>which involves:</u></p> <p><u>(f) an activity that includes dredging, raising or taking of any sand, silt, ballast, clay, gravel or other materials from or off the bed or banks of a drainage work (or causing such materials to be dredged, raised or taken), including hydrodynamic dredging or desilting; and</u></p> <p><u>(g) any quarrying or excavation within 16 metres of a drainage work which is likely to cause damage to or endanger the stability of the banks or structure of that drainage work;</u></p> <p><u>“tidal main river” has the meaning given in paragraph 2(1) of Part 1 of Schedule 25 to the Environmental Permitting (England and Wales) Regulations 2016.</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15 (Protective Provisions), Part 3, paragraph 2	<p>Paragraph 2 has been amended as follows:</p> <p><u>Submission and approval of plans</u></p> <p>2.—(1) Before beginning to construct any specified work, the undertaker must submit to the Agency plans of the specified work and such further particulars available to it as the Agency may within 28 days of the receipt of the plans reasonably request.</p> <p>(2) Any such specified work must not be constructed except in accordance with such plans as may be approved in writing by the Agency, or determined under paragraph 1<u>±</u>2.</p> <p>(3) Any approval of the Agency required under this paragraph—</p> <p>(a) must not be unreasonably withheld or delayed;</p> <p>(b) <u>subject to sub-paragraph (5)</u> is deemed to have been refused if it is neither given nor refused within 2 months of the submission of the plans or receipt of <u>such later date as is agreed between the Agency and the undertaker and if</u> further particulars if such particulars have been requested by the Agency for approval pursuant to sub paragraph (1) the period between the making of this request and the provision of further particulars in response to it shall not be taken into account in the calculation of the 2 months for the purposes of this sub-paragraph; and</p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

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	<p>(c) <i>may be given subject to such reasonable requirements as the Agency may have for the protection of any drainage work or the fishery or for the protection of water resources, or for the prevention of flooding or pollution or <u>for nature conservation or the preservation of environmental harm</u> in the discharge of its environmental duties.</i></p> <p>(4) <i>The Agency must use its reasonable endeavours to respond to the submission of any plans before the expiration of the period mentioned in sub-paragraph (3)(b).</i></p> <p>(5) <i>In the case of a refusal, if requested to do so the Agency must provide reasons for the grounds of that refusal.</i></p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 3	<p>A title has been added to paragraph 3:</p> <p><u>Construction of protective works</u></p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.
Schedule 15 (Protective Provisions), Part 3, paragraph 4	<p>Paragraph 4 has been amended as follows:</p> <p><u>Timing of works and service of notices</u></p> <p>4.—(1) <i>Subject to sub-paragraph (2), any specified work, and all protective works required by the Agency under paragraph 3, must be constructed—</i></p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

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	<p>(a) without unreasonable delay in accordance with the plans approved under this Part <u>of this Schedule</u>; and</p> <p>(b) to the reasonable satisfaction of the Agency, and the Agency shall be <u>is</u> entitled by its officer to watch and inspect the construction of such works.</p> <p>(2) The undertaker must give to the Agency not less than 14 days' notice in writing of its intention to commence construction of any specified work and notice in writing of its completion not later than 7 days after the date on which it is completed.</p> <p>(3) If the Agency reasonably requires, the undertaker must construct all or part of the protective works so that they are in place prior to the construction of any specified work <u>to which the protective works relate</u>.</p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 5	<p>Paragraph 5 has been amended as follows:</p> <p><u>Works not in accordance with this Schedule</u></p> <p><u>5.— (1) If there is any failure by the undertaker to obtain consent or comply with conditions imposed by the Agency in accordance with these protective provisions and where the Agency acting reasonably considers it necessary to avoid any of the risks specified in subparagraph (2), the Agency must first notify the undertaker in writing, providing a reasonable period to remedy the failure before requiring cessation of the works. The undertaker must use reasonable endeavours</u></p>	<p>Protective provisions have been updated to reflect wording agreed with the Environment Agency.</p> <p>The highlighted wording in subparagraphs (1) and (3) has been added to reflect the Applicants' preferred wording, pending agreement with the Environment Agency.</p>

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	<p><u>to remedy the failure within the specified period. If the undertaker fails to do so within the given timeframe, the Agency may then serve written notice requiring the undertaker to cease only such part of the specified works as is strictly necessary to mitigate the identified risk, for the minimum period reasonably required to address the risk all or part of the specified works as may be specified within the notice within the period specified in the notice, and the undertaker must cease constructing the specified works or part thereof until such time as it has obtained the consent or complied with the condition specified within the notice served.</u></p> <p><u>(2) The risks specified in sub-paragraph (1) are—</u></p> <ul style="list-style-type: none"> <u>(a) risk of flooding;</u> <u>(b) risk of harm to the environment;</u> <u>(c) risk of detrimental impact on drainage;</u> <u>(d) damage to the fishery.</u> <p><u>(3) If the undertaker disputes the necessity or extent of the cessation notice, the parties shall engage in good faith discussions to resolve the matter within [28] working days. If no resolution is reached, an expedited dispute resolution procedure shall apply subject to paragraph 12.</u></p>	

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	<p>(1)(4) If any part of a specified work or any protective work required by the Agency is constructed otherwise than in accordance with the requirements of this Part <u>of this Schedule</u>, the Agency may by notice in writing require the undertaker at the undertaker's own expense to comply with the requirements of this Part <u>of this Schedule</u> or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed) to remove, alter or pull down the work and, where removal is required, to restore the site to its former condition to such extent and within such limits as the Agency reasonably requires.</p> <p>(2)(5) Subject to sub-paragraph (6) and paragraph 9, if, within a reasonable period, being not less than 28 days beginning with the date when a notice under sub-paragraph (4) is served upon the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may execute the works specified in the notice, and any <u>reasonable</u> expenditure incurred by the Agency in so doing shall be <u>is</u> recoverable from the undertaker.</p> <p>(3)(6) In the event of any dispute as to whether sub-paragraph (4) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, the Agency <u>must</u> shall not, except in the case of an emergency, exercise the powers conferred by sub-</p>	

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	paragraph (4) until the dispute has been finally determined in accordance with paragraph 11 <u>12</u> .	
Schedule 15 (Protective Provisions), Part 3, paragraph 6	<p>Paragraph 6 has been amended as follows:</p> <p><u>Maintenance of works</u></p> <p>6.—(1) Subject to sub-paragraph (56) the undertaker must from the commencement of the construction of the specified works maintain in good repair and condition and free from obstruction any drainage work which is situated within the limits of deviation and on land held by the undertaker for the purposes of or in connection with the specified works, whether or not the drainage work is constructed under the powers conferred by this Order or is already in existence.</p> <p>(2) If any such drainage work which the undertaker is liable to maintain is not maintained to the reasonable satisfaction of the Agency, the Agency may by notice in writing require the undertaker to repair and restore the work, or any part of such work, or (if the undertaker so elects and the Agency in writing consents, such consent not to be unreasonably withheld or delayed), to remove the work and restore the site to its former condition, to such extent and within such limits as the Agency reasonably requires.</p> <p>(3) Subject to sub-paragraph (45) and paragraph 9, if, within a reasonable period, being not less than 28 days beginning with the date on which a notice in respect of any drainage work is served under sub-</p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

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	<p>paragraph (2) on the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, the Agency may do what is necessary for such compliance and any <u>reasonable</u> expenditure incurred by the Agency in so doing shall be <u>is</u> recoverable from the undertaker.</p> <p>(4) If there is any failure by the undertaker to obtain consent or comply with conditions imposed by the Agency in accordance with these Protective Provisions the Agency may serve written notice requiring the undertaker to cease all or part of the specified works and the undertaker must cease the specified works or part thereof until it has obtained the consent or complied with the condition unless the cessation of the specified works or part thereof would cause greater damage than compliance with the written notice.</p> <p>(5)(4) In the event of any dispute as to the reasonableness of any requirement of a notice served under sub-paragraph (2), the Agency shall <u>must</u> not, except in the case of an emergency, exercise the powers conferred by sub-paragraph (3) until the dispute has been finally determined in accordance with paragraph 11<u>2</u>.</p> <p>(6)(5) This paragraph does not apply to—</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(a) drainage works which are vested in the Agency, or which the Agency or another person is liable to maintain and is not proscribed by the powers of the Order from doing so; and</p> <p>(b) any obstruction of a drainage work expressly authorised in the approval of specified works plans and carried out in accordance with the provisions of this Part provided that any obstruction is removed as soon as reasonably practicable.</p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 7	<p>Paragraph 7 has been amended as follows:</p> <p><u>Remediating impaired drainage work</u></p> <p>7. Subject to paragraph 9 and paragraph 5(6)(b), if by reason of the construction of any specified work or of the failure of any such work, the efficiency of any drainage work for flood defence purposes is impaired, or that drainage work is otherwise damaged, such impairment or damage must be made good by the undertaker to the reasonable satisfaction of the Agency and if the undertaker fails to do so, the Agency may make good the impairment or damage and recover any expenditure incurred by the Agency in so doing from the undertaker.</p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.
Schedule 15 (Protective Provisions), Part 3, paragraph 8	<p>Paragraph 8 has been amended as follows:</p> <p><u>Agency access</u></p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>8.</u> If by reason of <u>the</u> construction of <u>any</u> the specified work <u>or the failure of any such work</u>, the Agency's access to flood defences or equipment maintained for flood defence purposes is materially obstructed, the undertaker must <u>notify the Agency immediately and</u> provide such <u>suitable</u> alternative means of access that will allow the Agency to maintain the flood defence or use the equipment no less effectively than was possible before the obstruction within 24 hours <u>occurred and such alternative access must be made available as soon as reasonably practicable after</u> of the undertaker becomes ing aware of such obstruction <u>except in the case of an emergency in which case the undertaker must provide such alternative means of access on demand.</u></p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 9	<p>Paragraph 9 has been amended as follows:</p> <p><u>Free passage of fish:</u></p> <p><u>8.9.—(1)</u> The undertaker must take all such measures as may be reasonably practicable to prevent any interruption of the free passage of fish in the fishery during the construction of any specified work.</p> <p><u>(2)</u> If by reason of—</p> <p>(a) the construction of any specified work; or</p> <p>(b) the failure of any such work,</p> <p>damage to the fishery is caused, or the Agency has reason to expect that such damage may be caused, the Agency may serve notice on the</p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

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	<p>undertaker requiring it to take such steps as may be reasonably practicable to make good the damage, or, as the case may be, to protect the fishery against such damage <u>within the period specified in the notice</u>.</p> <p>(3) Subject to paragraph 9, if within such time as may be reasonably practicable for that purpose after the receipt of written notice from the Agency of any damage or expected damage to a fishery, if the undertaker fails to take such steps as are described in <u>the notice served under</u> sub-paragraph (2), the Agency may take those steps and any <u>reasonable</u> expenditure incurred by the Agency in so doing shall be <u>is</u> recoverable from the undertaker.</p> <p>(4) Subject to paragraph 9, in any case where immediate action by the Agency is reasonably required in order to secure that the risk of damage to the fishery is avoided or reduced, the Agency may take such steps as are reasonable for the purpose, and may recover from the undertaker any expenditure incurred in so doing provided that notice specifying those steps is served on the undertaker as soon as reasonably practicable after the Agency has taken, or commenced to take, the steps specified in the notice.</p>	
Schedule 15 (Protective Provisions), Part 3, paragraph 10	<p>Paragraph 10 has been amended as follows:</p> <p><u>Indemnity</u></p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>9.10. The undertaker shall indemnifyies the Agency in respect of all costs, charges and expenses which the Agency may incur—</p> <ul style="list-style-type: none"> (a) in the examination or approval of plans under this Part <u>of this Schedule</u>; (b) in the inspection of the construction of the specified works or any protective works required by the Agency under this Part <u>of this Schedule</u>; and (c) in the carrying out of any surveys or tests by the Agency which are reasonably required in connection with the construction of the specified works. 	
Schedule 15 (Protective Provisions), Part 3, paragraph 11	<p>Paragraph 11 has been amended as follows:</p> <p>10.11. (1)— The undertaker is responsible for and shall indemnifyies the Agency against all costs and losses, <u>liabilities, claims and demands</u> not otherwise provided for in this Part <u>Schedule</u> which may be <u>reasonably</u> incurred or suffered by the Agency by reason of, <u>or arising out of</u>—</p> <ul style="list-style-type: none"> (a) the construction, operation or maintenance of any specified works comprised within the authorised works development or the failure of any such works comprised within them; or (b) any act or omission of the undertaker, its employees, contractors or agents or others whilst engaged upon the 	Protective provisions have been updated to reflect wording agreed with the Environment Agency.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>construction, operation or maintenance of the authorised works-development or dealing with any failure of the authorised worksdevelopment.</p> <p>(2) For the avoidance of doubt, in sub-paragraph (1)—</p> <p>“costs” includes—</p> <ul style="list-style-type: none"> (a) expenses and charges; (b) staff costs and overheads; (c) legal costs; <p>“losses” includes physical damage.</p> <p>(3) The undertaker shall indemnify the Agency against all liabilities, claims and demands arising out of or in connection with the authorised works or otherwise out of the matters referred to in sub-paragraph (1)(a) and (1)(b).</p> <p>For the avoidance of doubt, in sub-paragraph (3)—</p> <p>“claims” and “demands” include as applicable—</p> <ul style="list-style-type: none"> (a) costs (within the meaning of sub-paragraph (2)) incurred in connection with any claim or demand; and (b) any interest element of sums claimed or demanded; 	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>"liabilities" includes—</p> <p>(a) contractual liabilities;</p> <p>(b) tortious liabilities (including liabilities for negligence or nuisance);</p> <p>(c) liabilities to pay statutory compensation or for breach of statutory duty;</p> <p>(d) liabilities to pay statutory penalties imposed on the basis of strict liability (but does not include liabilities to pay other statutory penalties).</p> <p>(5)<u>(3)</u> The Agency must give to the undertaker reasonable notice of any such claim or demand, and <u>must</u> not settlement or compromise shall be made <u>a claim</u> without the agreement of the undertaker which <u>and that</u> agreement shall <u>must</u> not be unreasonably withheld or delayed.</p> <p>(6)<u>(4)</u> The Agency must, at all times, take reasonable steps to prevent and mitigate any such claims, demands, proceedings, costs, damages, expenses or loss.</p> <p>(7)<u>(5)</u> The fact that any work or thing has been executed or done by the undertaker in accordance with a plan approved by the Agency, or to its satisfaction, or in accordance with any directions or award of an arbitrator, shall not relieve the undertaker from any liability under the provisions of this Part.</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	(8)(6) Nothing in this paragraph imposes any liability on the undertaker with respect to any costs, losses, claims, demands, or liabilities to the extent that they are attributable to the neglect or default of the Agency, its officers, servants, contractors or agents.	
Schedule 15 (Protective Provisions), Part 3, paragraph 12	<p>Paragraph 12 has been amended as follows:</p> <p><u>Dispute</u></p> <p><u>12.</u> Any dispute arising between the undertaker and the Agency under this Part <u>of this Schedule must</u> shall, if the parties agree, be determined by arbitration under article 47 (arbitration), but shall otherwise failing agreement be determined by the Secretary of State for Environment, Food and Rural Affairs or its successor and the Secretary of State for Energy Security and Net Zero or its successor acting jointly on a reference to them by the undertaker or the Agency, after notice in writing by one to the other.</p>	Protective provisions have been updated to reflect wording agreed with the Environment Agency.
Schedule 15 (Protective Provisions), Part 5, paragraph 2, Interpretation	<p>The definition of “asset protection agreement” has been amended:</p> <p><u>“basic</u> asset protection agreement” means an agreement to regulate the construction and maintenance of the specified work in a form prescribed from time to time by Network Rail;</p>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15 (Protective Provisions), Part 5, paragraph 2, Interpretation	<p>The definition of “railway property” has been amended:</p> <p><i>“railway property” means any railway belonging to Network Rail and-</i></p> <p>(a) any station, land, works, apparatus and equipment belonging to Network Rail or connected with any such railway; and</p> <p>(b) <i>any easement or other property interest held or used by Network Rail or a tenant or licensee of Network Rail <u>identified in the book of reference</u> for the purposes of such railway or works, apparatus or equipment; ;</i></p>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.
Schedule 15 (Protective Provisions), Part 5, paragraph 2, Interpretation	<p>A new definition has been added:</p> <p><u><i>“regulatory consents” means any consent or approval required under:</i></u></p> <p><u><i>(a) the Railways Act 1993;</i></u></p> <p><u><i>(b) the network licence; and/or</i></u></p> <p><u><i>(c) any other relevant statutory or regulatory provisions;</i></u></p> <p><u><i>by either the Office of Rail and Road or the Secretary of State for Transport or any other competent body including change procedures that may be required in relation to the authorised development;</i></u></p>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15 (Protective Provisions), Part 5, paragraph 2, Interpretation	The definition of “specified work” has been amended: <i>“specified work” means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or is reasonably likely to <u>may in any way</u> adversely affect, railway property;</i>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.
Schedule 15 (Protective Provisions), Part 5, paragraph 4	Paragraph 4 has been amended as follows: <i>4.—(1) The undertaker must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail <u>enter into a basic asset protection agreement prior to the carrying out of any specified work.</u></i> <i>The undertaker must not exercise the powers conferred by sections 271 or 272 of the 1990 Act, article 32 (statutory undertakers), article 25 (statutory authority to override easements and other rights), in relation to any right of access of Network Rail to railway property, but such right of access may be extinguished or diverted with the consent of Network Rail.</i> <i>The undertaker must not under the powers of this Order do anything which would directly result in railway property being incapable of being used or maintained or which would affect the safe running of trains on the railway.</i>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld but may be given subject to reasonable conditions</i>	
Schedule 15 (Protective Provisions), Part 5, paragraph 5	<p>Paragraph 5 has been amended as follows:</p> <p>(2) <i>The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld or delayed, and if by the end of the period of 28 days beginning with the date on which such plans have been supplied to Network Rail the engineer has not communicated disapproval of those plans and the grounds of such disapproval the undertaker may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 1428 days beginning with the date upon which the engineer receives written notice from the undertaker. If by the expiry of the further 2814 days the engineer has not communicated approval or disapproval, the engineer is deemed to have approved the plans as submitted.</i></p> <p>(3) <i>If by the end of the period of 2814 days beginning with the date on which written notice was served upon the engineer under sub-paragraph (2), Network Rail gives notice to the undertaker that Network Rail desires itself to construct any part of a specified work which in the reasonable opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker desires such part of the specified work to be constructed (together with any adjoining part of the specified</i></p>	Protective provisions have been updated to reflect the Applicants' preferred wording, pending agreement with Network Rail.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>work which the undertaker reasonably requires to be constructed with that work), Network Rail must construct it without unreasonable delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker provided that Network Rail must use its best endeavours to carry out the works in co-operation with the undertaker and to avoid any delay to the authorised development.</i>	
Schedule 15 (Protective Provisions), Part 5, paragraph 6	Paragraph 6(2) has been amended as follows: <i>(2) If any damage to railway property or any such interference or obstruction shall be caused by the carrying out of, <u>or in direct consequence of the construction of</u> a specified work, the undertaker must, notwithstanding any such approval, make good such damage and must pay to Network Rail all reasonable expenses properly incurred to which Network Rail may be put and compensation for any direct loss which it may sustain by reason of any such damage, interference or obstruction.</i>	Protective provisions have been updated to reflect the Applicants' preferred wording, pending agreement with Network Rail.
Schedule 15 (Protective Provisions), Part 5, paragraph 9	Paragraph 9(1) has been amended as follows: <i>9.—(1) If any permanent or temporary alterations or additions to railway property are reasonably necessary in consequence of the construction or completion of a specified work during a period of <u>24+2</u> months after the completion of that work in order to ensure the safety</i>	Protective provisions have been updated to reflect the Applicants' preferred wording, pending agreement with Network Rail.

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	of railway property or the continued safe operation of the railway of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the undertaker <u>56 days' reasonable</u> notice (or in the event of an emergency or safety critical issue such notice as is reasonable in the circumstances) of its intention to carry out such alterations or additions (which must be specified in the notice), the undertaker must pay to Network Rail the reasonable and proper cost of those alterations or additions including, in respect of any such alterations and additions as are to be permanent, a capitalised sum representing the increase of the costs which may be expected to be reasonably and properly incurred by Network Rail in maintaining, working and, when necessary, renewing any such alterations or additions.	
Schedule 15 (Protective Provisions), Part 5, paragraph 11	<p>A new paragraph 11 has been added:</p> <p><u>11.—(1) In this paragraph—</u></p> <p><u>“EMI” means, subject to sub-paragraph (2), electromagnetic interference with Network Rail apparatus generated by the operation of the authorised development where such interference is of a level which adversely affects the safe operation of Network Rail’s apparatus; and</u></p> <p><u>“Network Rail’s apparatus” means any lines, circuits, wires, apparatus or equipment (whether or not modified or installed as</u></p>	Protective provisions have been updated to reflect the Applicants’ preferred wording, pending agreement with Network Rail.

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	<p><u>part of the authorised development) which are owned or used by Network Rail for the purpose of transmitting or receiving electrical energy or of radio,</u></p> <p><u>telegraphic, telephonic, electric, electronic or other like means of signalling or other communications.</u></p> <p><u>(2) This paragraph applies to EMI only to the extent that such EMI is not attributable to any change to Network Rail's apparatus carried out after approval of plans under paragraph 5(1) for the relevant part of the authorised development giving rise to EMI (unless the undertaker has been given notice in writing before the approval of those plans of the intention to make such change).</u></p> <p><u>(3) Subject to sub-paragraph (5), the undertaker must in the design and construction of the authorised development take all measures necessary to prevent EMI and must establish with Network Rail (both parties acting reasonably) appropriate arrangements to verify their effectiveness.</u></p> <p><u>(4) In order to facilitate the undertaker's compliance with sub-paragraph (3)-</u></p> <p><u>(a) the undertaker must consult with Network Rail as early as reasonably practicable to identify all Network Rail's apparatus which may be at risk of EMI, and thereafter must continue to consult with Network Rail (both before and after formal</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>submission of plans under paragraph 5(1)) in order to identify all potential causes of EMI and the measures required to eliminate them;</u></p> <p><u>(b) Network Rail must make available to the undertaker all information in the possession of Network Rail reasonably requested by the undertaker in respect of Network Rail's apparatus identified pursuant to sub-paragraph (a); and</u></p> <p><u>(c) Network Rail must allow the undertaker reasonable facilities for the inspection of Network Rail's apparatus identified pursuant to sub-paragraph (a).</u></p> <p><u>(5) In any case where it is established that EMI can only reasonably be prevented by modifications to Network Rail's apparatus, Network Rail must not withhold its consent unreasonably to modifications of Network Rail's apparatus, but the means of prevention and the method of their execution must be selected in the reasonable discretion of Network Rail, and in relation to such modifications paragraph 5(1) has effect subject to the sub-paragraph.</u></p> <p><u>(6) The undertaker shall use reasonable endeavours not to allow the use or operation of the authorised development in a manner that causes EMI and which introduces an intolerable risk to the operation of the railway or the safety of the track workers (such intolerable risk would Include introducing exposure to electric and magnetic fields in excess of</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>the requirements of the Control of Electromagnetic field at Work Regulations 2016, unacceptable transferred voltage potentials and interference impacting the safe operation of the signalling equipment),until measures have been taken in accordance with this paragraph to reduce the risk to tolerable levels of EMI.</u></p> <p><u>(7) In the event of EMI having occurred –</u></p> <p><u>(a) the undertaker must afford reasonable facilities to Network Rail for access to the undertaker's apparatus in the investigation of such EMI;</u></p> <p><u>(b) Network Rail must afford reasonable facilities to the undertaker for access to Network Rail's apparatus in the investigation of such EMI;</u></p> <p><u>(c) Network Rail must make available to the undertaker any additional material information in its possession reasonably requested by the undertaker in respect of Network Rail's apparatus or such EMI; and</u></p> <p><u>(d) Where Network Rail approves modifications to Network Rail's apparatus pursuant to sub-paragraphs (5) or (6) –</u></p> <p><u>(i) Network Rail must allow the undertaker reasonable facilities for the inspection of the relevant part of Network Rail's apparatus;</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(ii) any modifications to Network Rail's apparatus approved pursuant to those sub-paragraphs must be carried out and completed by the undertaker in accordance with paragraph 6.</u></p> <p><u>(8) To the extent that it would not otherwise do so, the indemnity in paragraph 15(1) applies to the costs and expenses reasonably incurred or losses suffered by Network Rail through the implementation of the provisions of this paragraph (including costs incurred in connection with the consideration of proposals, approval of plans, supervision and inspection of works and facilitating access to Network Rail's apparatus) or in consequence of any EMI to which sub-paragraph (6) applies.</u></p> <p><u>(9) For the purpose of paragraph 10(a) any modifications to Network Rail's apparatus under this paragraph shall be deemed to be protective works referred to in that paragraph.</u></p> <p><u>(10) In relation to any dispute arising under this paragraph the reference in article 47 (Arbitration) to the Secretary of State shall be read as a reference to the Institution of Engineering and Technology.</u></p>	
Schedule 15 (Protective Provisions), Part 5, paragraph 15	<p>Paragraph 15 has been amended as follows:</p> <p>15.—(1) <i>The undertaker must pay to Network Rail all reasonable and properly incurred costs, charges, damages and expenses (but always excluding any consequential or indirect loss) not otherwise provided for in this Part of this Schedule (subject always to the remaining provisions</i></p>	Protective provisions have been updated to reflect the Applicants' preferred wording, pending agreement with Network Rail.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>of this paragraph and to article 51 (no double recovery)) which may be occasioned to or reasonably incurred by Network Rail—</p> <p>(a) by reason of the construction, maintenance or operation of a specified work or the failure thereof; or</p> <p><u>(b) by reason of any act or omission of the undertaker or of any person in its employ or of its contractors or others whilst engaged upon a specified work;</u></p> <p><u>(b)(c) in respect of costs incurred by Network Rail in complying with any railway operational procedures or obtaining any regulatory consents which procedures are required to be followed or consents obtained to facilitate the carrying out or operation of the authorised development;</u></p> <p>...</p> <p>(6) In this paragraph—</p> <p>“the relevant costs” means the costs, direct losses and expenses (including loss of revenue) properly and reasonably incurred by each train operator as a consequence of any <u>specified work including but not limited to any</u> restriction of the use of Network Rail’s railway network as a direct result of the construction, maintenance or failure of a specified work or any such act or omission as mentioned in subparagraph (1); and</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>"train operator" means any person who is authorised to act as the operator of a train by a licence under section 8 of the Railways Act 1993.</i>	
Schedule 15 (Protective Provisions), Part 5, paragraph 20	<p>A new paragraph 20 has been added:</p> <p><i><u>(20) The undertaker must give written notice to Network Rail if any application is proposed to be made by the undertaker for the Secretary of State's consent, under article 5 (benefit of Order) of this Order and any such notice must be given no later than 14 days before any such application is made and must describe or give (as appropriate)—</u></i></p> <p><i><u>(d) the nature of the application to be made;</u></i></p> <p><i><u>(e) the extent of the geographical area to which the application relates; and</u></i></p> <p><i><u>(e)(f) the name and address of the person acting for the Secretary of State to whom the application is to be made.</u></i></p>	Protective provisions have been updated to reflect the Applicants' preferred wording, pending agreement with Network Rail.
Schedule 15 (Protective Provisions), Part 6	A new Part 6 has been added for the protection of National Gas Transmission PLC as Gas Undertaker.	The Applicants' preferred form of protective provisions have been added for National Gas Transmission PLC, pending agreement with National Gas Transmission PLC.

Article/Paragraph/Schedule Number	Amendment	Reason					
Schedule 15 (Protective Provisions), Part 7	A new Part 7 has been added for the protection of National Grid Electricity Transmission PLC as Electricity Undertaker.	The Applicants’ preferred form of protective provisions have been added for National Grid Electricity Transmission PLC, pending agreement with National Grid Electricity Transmission PLC.					
Schedule 19, Document to be certified, Table 1	A new row has been added to Table 1: <table><tr><td>[X]</td><td></td><td>[Herring Spawning Plan]</td><td>1</td><td>[X]</td></tr></table>	[X]		[Herring Spawning Plan]	1	[X]	To reflect without prejudice position agreed with MMO.
[X]		[Herring Spawning Plan]	1	[X]			
Schedule 19, Document to be certified, Table 1	A new row has been added to Table 1: <table><tr><td>[X]</td><td></td><td>Cable installation works restricted area plan</td><td>1</td><td>[X]</td></tr></table>	[X]		Cable installation works restricted area plan	1	[X]	Added to reflect wording agreed with MMO.
[X]		Cable installation works restricted area plan	1	[X]			

1.10. Draft DCO Revision 11

21. **Table 1-9** below sets out the schedule of changes to the **Draft DCO (Revision 11) (application ref: 3.1)**, submitted at Deadline 8.

Table 1-9 Table of amendments submitted to the **Draft Development Consent Order (Revision 11)**

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the Draft DCO	Various minor amendments have been made to the Draft DCO to correct formatting errors identified during validation.	Amended to correct previous errors which have been identified while validating the DCO.
Changes made throughout the Draft DCO	Various minor amendments have been made throughout the DCO as a result of the creation of a new Deemed Marine Licence 6 (Schedule 14A). This includes removing Work Nos. 5B and 7B from Deemed Marine Licence 5 (Schedule 14) and removing DBSWL as an undertaker from Deemed Marine Licence 5 (Schedule 14). Work Nos. 5B and 7B now fall within Deemed Marine Licence 6 (Schedule 14A), for which DBSWL is the undertaker. Cross-references to Schedule 14A have also been added where appropriate throughout the Draft DCO. The changes to Schedule 14 have been added below but the minor changes throughout the remainder of the Draft DCO have not been individually listed.	To address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).

Article/Paragraph/Schedule Number	Amendment	Reason
Part 1, Article 2, Interpretation	<p>A new definition has been added as follows:</p> <p><u><i>"Deemed Marine Licence 6" means the deemed marine licence in Schedule 14A (Deemed Marine Licence 6: DBS West Project Offshore Transmission Work Nos. 5B and 7B);</i></u></p>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).
Schedule 1, Part 1, Authorised development	<p>Work No. 22A and Work No. 22B have been amended as follows:</p> <p><i>An access and drainage works area comprising:</i></p> <ul style="list-style-type: none"> <i>(b) temporary construction working areas and laydown areas;</i> <i>(c) temporary access roads and haul roads including temporary land re-profiling;</i> <i>(d) permanent access roads including permanent land re-profiling;</i> <i>(e) utilities connections;</i> <i>(f) diversion of Northern Power Grid 33kV overhead power line;</i> <i>(g) temporary and permanent drainage works including connection to existing drainage and creation of new</i> 	Amended to align with wording in the Outline Landscape Management Plan [REP4-044].

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>sustainable drainage system including appropriate attenuation (if required);</p> <p>(h) permanent landscaping limited to hedgerow <u>and trees</u> along permanent access track; and</p> <p>(i) permanent diversion of Walkington Footpath No.4.</p>	
Schedule 2, Part 1, Requirements, Ministry of Defence Radar Mitigation	<p>Requirement 31 has been amended as follows:</p> <p>31.—(a) Where the layout plan for the DBS West Project approved under condition 15 of Deemed Marine Licence 2 would have unacceptable effects on the air defence radar capability of Remote Radar Head (RRH) Staxton Wold, nNo wind turbine generator forming part of <u>Work No. 1B the DBS West Project</u> 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 in writing that appropriate mitigation will be implemented and maintained for the life of the authorised project <u>DBS West Project Offshore works</u> and that arrangements have been put in place with the Ministry of Defence to ensure that the approved mitigation is implemented.</p> <p>For the purposes of this requirement—</p>	Amended to reflect wording agreed with the MOD.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><i>“appropriate mitigation” means measures to prevent or remove any adverse effects which the <u>DBS West Project Offshore worksauthorised project</u> will have on the air defence radar(s) at Remote Radar Head (RRH) Staxton Wold, and the Ministry of Defence’s air surveillance and control operations;</i></p> <p><i>“approved mitigation” means the detailed Radar Mitigation Scheme (RMS) 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</i></p> <p><i>“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.</i></p> <p><i>The undertaker must thereafter comply with all other obligations contained within the approved mitigation for the life of the <u>DBS West Project Offshore worksauthorised project</u>.</i></p>	
Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 1(1)	<p>The following definition has been amended:</p> <p><i>“disposal ground 1 (DBS East)” means the site to be used for disposal of inert material of natural origin produced during</i></p>	Updated to reflect the amendment to MMO site disposal references as

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 1(1) Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	<i>construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS East Project offshore works as shown on the Disposal Site Plan and with MMO disposal site reference DG0363;</i>	indicated in the MMO's Deadline 7 submission [REP7-148].
Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1) Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1) Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	The following definition has been amended: <i>"disposal ground 2 (DBS West)" means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS West offshore works as shown on the Disposal Site Plan and with MMO disposal site reference DG0354;</i>	Updated to reflect the amendment to MMO site disposal references as indicated in the MMO's Deadline 7 submission [REP7-148].
Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 1(1)	The following definition has been amended: <i>"disposal ground 3 (Export Cable)" means the site to be used for disposal of inert material of natural origin produced during construction drilling and seabed preparation for foundation works and cable sandwave clearance for the DBS East Project</i>	Updated to reflect the amendment to MMO site disposal references as indicated in the MMO's Deadline 7 submission [REP7-148].

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 1(1)	offshore works as shown on the Disposal Site Plan as “Dogger Bank South Cable A” <u>(MMO disposal site reference DG033)</u> and “Dogger Bank South Cable B” and with (MMO disposal site reference DG03 <u>45</u>);	
Schedule 11 (Deemed Marine Licence 2), Part 2, condition 5	Condition 5(2) has been amended as follows: <i>(2) The array cables within Work No. 1B which fall within the Dogger Bank Special Area of Conservation must not have cable protection exceeding 10% of the length of such cables, when combined with the offshore export cables, array cables and inter-platform cables authorised by the deemed marine licences granted under Schedules <u>10, 11, and 12</u>– 14A of the Order.</i>	Amended to correct a previous error.
Schedule 12 (Deemed Marine Licence 3), Part 2, condition 3	Condition 3(2) has been amended as follows: <i>(2) The offshore export cables within Work No. 3A which fall within the Dogger Bank Special Area of Conservation must not have cable protection exceeding 10% of the length of such cables, when combined with the offshore export cables, array cables and inter-platform cables authorised by the deemed marine licences granted under Schedules <u>10, 11, and 12</u>–14A of the Order.</i>	Amended to correct previous error.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 13 (Deemed Marine Licence 4), Part 3, condition 3	Condition 3(2) has been amended as follows: <i>(2) The offshore export cables within Work No. 3B which fall within the Dogger Bank Special Area of Conservation must not have cable protection exceeding 10% of the length of such cables, when combined with the offshore export cables, array cables and inter-platform cables authorised by the deemed marine licences granted under Schedules 10-12, and 1-14-14A of the Order.</i>	Amended to correct previous error.
Schedule 14 (Deemed Marine Licence 5)	The title of Schedule 14 has been amended: <i>Deemed Marine Licence 5: DBS East Project and DBS West Project Offshore Transmission – Work Nos. 5A, 5B, and 7A and 7B</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	The definition of "authorised scheme" has been amended: <i>"authorised scheme" means Work No. 5A and 5B, 7A and 7B and the further associated development described in paragraph 3 of Part 1 of this deemed marine licence or any part of that work or development;</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to

Article/Paragraph/Schedule Number	Amendment	Reason
		the MMO's Deadline 5 submission [REP5-049]).
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	A new definition has been added: <i><u>"DBSEL" means RWE Renewables UK Dogger Bank South (East) Limited, company number 13656240, whose registered office is Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB;</u></i>	Added to address a previous omission.
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 1(1)	The definition of "undertaker" has been amended: <i>"undertaker" means DBSEL and DBSWL;</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 2	Paragraph 2 has been amended as follows: <i>Details of licensed marine activities</i> <i>2. Subject to the conditions this deemed marine licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>out the following licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act—</p> <p>(a) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 10 and 12 <u>and 14A</u> of the Order, of up to 4,242,327 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East);</p> <p>(b) the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 2 (DBS West) by the deemed marine licences granted under Schedules 11, and 13 <u>and 14A</u> of the Order, of up to 2,258,194 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site</p>	the MMO's Deadline 5 submission [REP5-049]].

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>references to be provided to the MMO within disposal ground 2 (DBS West);</i>	
Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 3	<p>Paragraph 3 has been amended as follows:</p> <p>3. <i>Such activities are authorised in relation to the construction, maintenance and operation of—</i></p> <p><i>Work No. 5A—</i></p> <p><i>Up to three HVAC subsea export cables linking Work Nos. 2A and 2B providing an electrical connection between Work Nos. 1A and 1B, including cable crossings and cable protection;</i></p> <p><i>Work No. 5B—</i></p> <p><i>Up to three HVAC subsea export cables linking Work Nos. 2A and 2B providing an electrical connection between Work Nos. 1A and 1B, including cable crossings and cable protection;</i></p> <p><i>Work No. 7A—</i></p> <p><i>A temporary work area associated with Work Nos. 1A to 5A for vessels to carry out intrusive activities and non-intrusive activities alongside Work Nos. 1A to 5A;</i></p> <p><i>Work No. 7B—</i></p>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>A temporary work area associated with Work Nos. 1B to 5B for vessels to carry out intrusive activities and non-intrusive activities alongside Work Nos. 1B to 5B;</p> <p>In connection with such Work Nos. 5A, 5B, and 7A and 7B and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised scheme and which fall within the scope of the work assessed by the environmental statement and the provisions of this licence, including:</p> <ul style="list-style-type: none"> (a) scour protection around the foundations of the offshore structures; (b) cable protection measures such as the placement of rock and/or concrete mattresses, with or without frond devices; (c) the removal of material from the seabed required for the construction of Work Nos. 5A; and 5B, 7A and 7B and the disposal of inert material of natural origin within the Order limits produced during construction drilling, seabed preparation for foundation works, cable installation preparation such as sandwave clearance, and boulder clearance; 	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14 (Deemed Marine Licence 5), Part 1, paragraph 5	Paragraph 5 has been amended as follows: <i>5. The grid coordinates for that part of the authorised scheme comprising Work Nos. 5A and 5B, 7A and 7B are specified below—</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 1	Condition 1 has been amended as follows: <i>(1) Within Work Nos. 5A and 5B the inter-platform cables must not, in total:—</i> <i>(a) exceed 3 in number;</i> <i>(b) exceed 138 kilometres in length;</i> <i>(c) exceed 12 cable crossings;</i> <i>(d) have cable protection (including cable crossings) exceeding 286,808 square metres in area; or</i> <i>(e) have cable protection (including cable crossings) exceeding 260,234 cubic metres in volume.</i> <i>(2) The inter-platform cables within Work No. 5A and 5B which fall <u>s</u> within the Dogger Bank Special Area of Conservation must not have</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]) and to correct previous error.

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>cable protection exceeding 10% of the length of such cables, when combined with the offshore export cables, array cables and inter-platform cables authorised by the deemed marine licences granted under Schedules 101 - 13, and 14A of the Order.</i>	
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 5	Condition 5(8) has been amended as follows: <i>(8) The undertaker must ensure that a local notification to mariners is issued at least 14 days prior to the commencement of the authorised scheme or any part thereof advising of the start date of each of Work Nos. 5A, 5B, and 7A and 7B and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA and UKHO within five days.</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 11	Condition 11(1)(a) has been amended as follows: <i>(a) A layout plan setting out proposed details of the authorised scheme, including the:</i> <i>(i) proposed layout of all cables;</i> <i>(ii) location and specification of all other aspects of the authorised scheme; and</i>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(iii) any exclusion zones or micro-siting requirements identified pursuant to 11(1)(e)(iv) or relating to any habitats of principal importance, Annex 1 subtidal habitat or surficial deposits of glacial till identified as part of surveys undertaken in accordance with condition 14;</p> <p>to ensure conformity with the description of Work Nos. 5A; 5B; and 7A and 7B and compliance with condition 1;</p>	
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 19	<p>Condition 19(3) and (4) have been deleted:</p> <p>19.—(1) Where DBSEL intend to submit plans and documentation required to be submitted to the MMO for approval in accordance with conditions 12 and 13, DBSEL must provide a copy of the relevant plans and documentation to DBSWL to enable DBSWL to provide any comments on the plans and documentation to DBSEL.</p> <p>(2) The plans and documentation submitted to the MMO for approval in accordance with conditions 12 and 13 must be accompanied by any comments received by the undertaker from DBSWL in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.</p> <p>(3) Where DBSWL intend to submit plans and documentation required to be submitted to the MMO for approval in accordance</p>	Amended as a result of the creation of a new DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>with conditions 12 and 13, DBSWL must provide a copy of the relevant plans and documentation to DBSEL to enable DBSEL to provide any comments on the plans and documentation to DBSWL.</p> <p>(4)The plans and documentation submitted to the MMO for approval in accordance with conditions 12 and 13 must be accompanied by any comments received by the undertaker from DBSEL in accordance with sub-paragraph (4) or a statement from the undertaker confirming that no such comments were received.</p>	
Schedule 14 (Deemed Marine Licence 5), Part 2, condition 22	<p>A new condition 22 has been added:</p> <p><u>Notification of works</u></p> <p><u>22.—(1) The licensed activities or any phase of those activities must not be commenced until notification has been submitted to the MMO by the undertaker as to whether DBSWL intends to commence development of Work Nos. 5B and 7B.</u></p> <p><u>If the notification submitted under sub-paragraph (1) gives notice that DBSWL does intend to commence development of Work Nos. 5B and 7B, the undertaker must not commence any of the licensed activities.</u></p>	<p>Added as a result of the addition of DML6 (Schedule 14A) to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]). This condition is intended to ensure that only Schedule 14 or Schedule 14A is implemented, but not both.</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 14A (Deemed Marine Licence 6)	A new Schedule 14A has been added for Deemed Marine Licence 6.	DML6 (Schedule 14A) has been added to address the MMO's concerns in relation to joint undertakers (row 39 of Annex 1 to the MMO's Deadline 5 submission [REP5-049]). DBSEL remains as the sole undertaker for DML5 (which now only covers Work Nos. 5A and 7A) and DBSWL is the sole undertaker for DML 6 (which covers Work Nos. 5B and 7B).
Schedule 15, Protective Provisions, Part 3, For the protection of the Environment Agency	<p>Paragraph 5 has been amended as follows:</p> <p>Works not in accordance with this Schedule</p> <p><i>5.—(1)If there is any failure by the undertaker to obtain consent or comply with conditions imposed by the Agency in accordance with these protective provisions and where the Agency acting reasonably considers it necessary to avoid any of the risks specified in sub-paragraph (2), the Agency must first notify the undertaker in writing, providing a reasonable period to remedy the failure before requiring cessation of the works. The undertaker must use reasonable endeavours to remedy the failure within the specified period. If the</i></p>	Amended to reflect wording agreed with the Environment Agency.

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>undertaker fails to do so within the given timeframe, the Agency may then serve written notice requiring the undertaker to cease only such part of the specified works as is strictly necessary to mitigate the identified risk, for the minimum period reasonably required to address the risk all or part of the specified works as may be specified within the notice within the period specified in the notice, and the undertaker must cease constructing the specified works or part thereof until such time as it has obtained the consent or complied with the condition specified within the notice served.</p> <p>(2) The risks specified in sub-paragraph (1) are—</p> <ul style="list-style-type: none"> (a) risk of flooding; (b) risk of harm to the environment; (c) risk of detrimental impact on drainage; (d) damage to the fishery. <p>(3) If the undertaker disputes the necessity or extent of the cessation notice, the parties shall engage in good faith discussions to resolve the matter within [28] working days. If no resolution is reached, an expedited dispute resolution procedure shall apply subject to paragraph (12).</p>	

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15, Protective Provisions, Part 16, For the protection of Network Rail Infrastructure Limited	<p>Paragraph 6(1) has been amended:</p> <p>6.—(1) <i>Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not appropriate or acquire or take temporary possession of any land interest held by National Gas or apparatus or appropriate, acquire, extinguish, interfere with or override any easement, other interest or right and/or apparatus of National Gas otherwise than by agreement (such agreement not to be unreasonably withheld or delayed).</i></p>	To correct a previous error.
Schedule 18, Compensation Measures, Part 1	<p>The title of Part 1 has been amended:</p> <p><i>Dogger Bank South Special Area of Conservation: Delivery of measures to compensate for sandbank loss</i></p>	To correct a previous error.
Schedule 18, Compensation Measures, Part 3	<p>Paragraph 4(a)(vi) has been amended as follows:</p> <p><i>(vi) details of the proposed ongoing monitoring and reporting on the effectiveness of the measures, including: survey methods; success criteria; adaptive management measures; timescales for the monitoring and monitoring reports to be delivered; details of the maintenance schedule for the measures (if any); and details of the mechanism to</i></p>	In response to the RSPB's Deadline 7 submission [REP7-159].

Article/Paragraph/Schedule Number	Amendment	Reason
	<i>determine the need for any alternative compensation measures and/or adaptive management measures;</i>	
Schedule 19, Documents to be certified	The tables in Schedule 19 have been updated and re-formatted. It has not been possible to include examination library references for documents that are being submitted at Deadline 8.	Schedule 19 has been updated as per the ExA's request in The Examining Authority's Schedule of Recommended Amendments to the Applicant's draft Development Consent Order [PD-028].
Explanatory Note	<p>The Explanatory Note has been amended as follows:</p> <p><i>This Order grants development consent for, and authorises the construction, operation, and maintenance <u>and decommissioning</u> of two offshore generating stations located in the North Sea approximately 100km and 122km from the East Riding of Yorkshire coast together with associated development. The Order authorises the compulsory purchase of land and rights in land and the right to use land and to override easements and other rights.</i></p>	Added to correct a previous omission.

1.11. Draft DCO Revision 12

22. **Table 1-10** below sets out the schedule of changes to the **Draft DCO (Revision 12) (application ref: 3.1)**, submitted at Deadline 9.

Table 1-10 Table of amendments submitted to the **Draft Development Consent Order (Revision 12)**

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10 (Deemed Marine Licence 1), Part 1, Paragraph 2(a)</p> <p>Schedule 11 (Deemed Marine Licence 2), Part 1, Paragraph 2(a)</p> <p>Schedule 12 (Deemed Marine Licence 3), Part 1, Paragraph 2(a)</p> <p>Schedule 13 (Deemed Marine Licence 4), Part 1, Paragraph 2(a)</p> <p>Schedule 14 (Deemed Marine Licence 5), Part 1, Paragraph 2(a)</p>	<p>Paragraph 2(a) has been amended in the DMLs as follows:</p> <p>(a) <i>the deposit at sea within the Order limits seaward of MHWS of the substances and objects specified in paragraph 4 below and, when combined with the disposal authorised within disposal ground 1 (DBS East) by the deemed marine licences granted under Schedules 12, 14 and 14A of the Order, of up to 4,242,327 cubic metres (being a maximum, not an approximate upper figure) of inert material of natural origin produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within disposal ground 1 (DBS East) <u>and any other disposal sites approved in writing by the MMO</u>;</i></p>	<p>Updated in response to ongoing discussions with the MMO.</p>

Article/Paragraph/Schedule Number	Amendment	Reason					
Schedule 14A (Deemed Marine Licence 6), Part 1, Paragraph 2(a)							
Schedule 10 (Deemed Marine Licence 1), Part 2, Condition 30 Schedule 11 (Deemed Marine Licence 2), Part 2, Condition 30	Condition 30(6) has been amended as follows: <i>(6) In this condition-</i> <i>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the herring spawning area plan, with the restricted area being the area shoreward of this boundary</i>	Amended to correct a previous error.					
Schedule 12 (Deemed Marine Licence 3), Part 2, Condition 27 Schedule 13 (Deemed Marine Licence 4), Part 2, Condition 27	Condition 27(6) has been amended as follows: <i>(6) In this condition—</i> <i>“Herring Spawning Noise Restriction Boundary” means the boundary indicated by the red line on the outline-herring spawning area plan, with the restricted area being the area shoreward of this boundary</i>	Amended to correct a previous error.					
Schedule 19, Documents to be Certified, Part 2	Row 2 has been amended as follows: <table><tr><td>4.2</td><td>REP8-010</td><td>Book of reference</td><td>7</td><td>July 2025</td></tr></table>	4.2	REP8-010	Book of reference	7	July 2025	Updated to add PINS examination library reference.
4.2	REP8-010	Book of reference	7	July 2025			

Article/Paragraph/Schedule Number	Amendment	Reason					
Schedule 19, Documents to be Certified, Part 2	Row 4 has been amended as follows: <table><tr><td>8.6</td><td>REP7-101</td><td>Commitments register</td><td>43</td><td>July 2025</td></tr></table>	8.6	REP7-101	Commitments register	43	July 2025	Updated to reflect new revision of this document being submitted at Deadline 9.
8.6	REP7-101	Commitments register	43	July 2025			
Schedule 19, Documents to be Certified, Part 2	Row 37 has been amended as follows: <table><tr><td>[17.8]</td><td>REP7-135</td><td>[Herring Spawning Plan]</td><td>12</td><td>June July 2025</td></tr></table>	[17.8]	REP7-135	[Herring Spawning Plan]	12	June July 2025	Updated to reflect new revision of this plan being submitted at Deadline 9.
[17.8]	REP7-135	[Herring Spawning Plan]	12	June July 2025			
Schedule 19, Documents to be Certified, Part 2	Row 38 has been amended as follows: <table><tr><td>18.5</td><td>REP8-045</td><td>Cable installation works restricted area plan</td><td>1</td><td>July 2025</td></tr></table>	18.5	REP8-045	Cable installation works restricted area plan	1	July 2025	Updated to add PINS examination library reference.
18.5	REP8-045	Cable installation works restricted area plan	1	July 2025			

1.12. Draft DCO Revision 13

23. **Table 1-11** below sets out the schedule of changes to the **Draft DCO (Revision 13) (application ref: 3.1)**, submitted post examination.

Table 1-11 Table of amendments submitted to the **Draft Development Consent Order (Revision 13)**

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 2, Part 1, Requirement 37	<p>The following paragraph has been inserted:</p> <p><u>Wake effects</u></p> <p><u>37.(1) Work No. 1A must not be commenced until a wake effects plan relating to that part of the authorised project has been submitted to and approved by the Secretary of State.</u></p> <p><u>(2) Work No. 1B must not be commenced until a wake effects plan relating to that part of the authorised project has been submitted to and approved by the Secretary of State.</u></p> <p><u>(3) Any wake effects plan provided in accordance with sub-paragraph (1) or (2) must include details of the reasonable steps that have been taken or are proposed to be taken by the relevant undertaker to minimise wake effects on the relevant offshore wind farms whilst maximising the capacity and energy output of the authorised development within the identified technical, environmental and other constraints of the authorised development.</u></p>	<p>This has been included on a without prejudice basis in square brackets to reflect the wording suggested by the Applicants for a wake effects requirement if the Secretary of State is minded to include one in the DCO, as submitted in The Applicants' Response to the Mona DCO Decision with regards to wake effects [REP9-024].</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(4) The layout plan submitted to the MMO under condition 15(1)(a) of schedule 10 of this Order must be in accordance with any approved wake effects plan submitted in accordance with sub-paragraph (1) above.</u></p> <p><u>(5) The layout plan submitted to the MMO under condition 15(1)(a) of schedule 11 of this Order must be in accordance with any approved wake effects plan submitted in accordance with sub-paragraph (2) above.</u></p> <p><u>(6) Each approved wake effects plan submitted under this requirement must be implemented as approved.</u></p> <p><u>(7) For the purposes of this requirement— “relevant offshore wind farms” means the two offshore wind farms consented under the Dogger Bank Creyke Beck Offshore Wind Farm Order 2015 (SI2015/318) as amended at the date of this Order and known as Dogger Bank A and Dogger Bank B, the offshore wind farm consented under the Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (SI2015/1592) as amended at the date of this Order and known as Dogger Bank C, the offshore wind farm consented under the Hornsea One Offshore Wind Farm Order 2014 (SI2014/3334) as amended at the date of this Order, the offshore wind farm consented under the Hornsea Two Offshore Wind Farm Order 2016 (SI2016/844) as amended at the date of this Order and the offshore</u></p>	

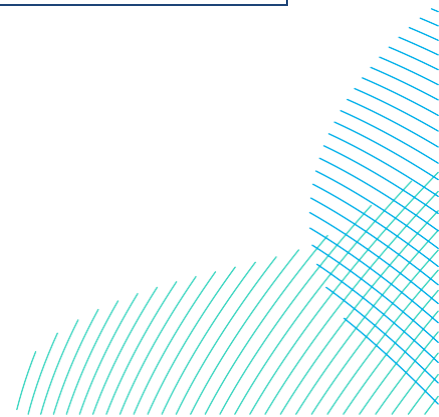
Article/Paragraph/Schedule Number	Amendment	Reason
	<i>wind farm consented under the Hornsea Three Offshore Wind Farm Order 2020 as amended at the date of this Order.</i>	
<p>Schedule 10, Part 2, Paragraph 15(1), Pre-construction plans and documentation</p> <p>Schedule 11, Part 2, Paragraph 15(1), Pre-construction plans and documentation</p> <p>Schedule 12, Part 2, Paragraph 13(1), Pre-construction plans and documentation</p> <p>Schedule 13, Part 2, Paragraph 13(1), Pre-construction plans and documentation</p> <p>Schedule 14, Part 2, Paragraph 11(1), Pre-construction plans and documentation</p> <p>Schedule 14A, Part 2, Paragraph 11(1), Pre-</p>	<p>Sub-paragraph (v) has been amended as follows:</p> <p>(v) a monitoring plan <i>for each topic identified, unless otherwise agreed in writing with the MMO</i>, setting out the circumstances in which monitoring will be required and the monitoring to be carried out in such circumstances;</p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
construction plans and documentation		
<p>Schedule 10, Part 2, Paragraph 20(4), Pre-construction monitoring and surveys</p> <p>Schedule 11, Part 2, Paragraph 20(4), Pre-construction monitoring and surveys</p>	<p>The following sub-paragraphs have been amended:</p> <p>(c) <i>undertake any monitoring required by the SIP submitted in accordance with condition 16; and</i></p> <p><u>(d) undertake or contribute to any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition 15(1)(g);.</u></p> <p><u>(e) any marine mammal monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b);</u></p> <p><u>(f) any sandeel monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b);</u></p> <p><u>(g) any benthic monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b); and</u></p> <p><u>(h) any marine processes monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b).</u></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>

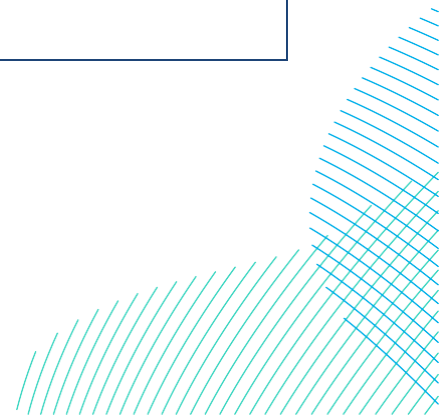
Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Part 2, Paragraph 22, Post-construction monitoring and surveys</p> <p>Schedule 11, Part 2, Paragraph 22, Post-construction monitoring and surveys</p> <p>Schedule 12, Part 2, Paragraph 20(3), Post-construction monitoring and surveys</p> <p>Schedule 13, Part 2, Paragraph 20(3), Post-construction monitoring and surveys</p>	<p>The following sub-paragraphs have been inserted:</p> <p><i>(d) undertake post-construction vessel traffic monitoring in accordance with the outline vessel traffic monitoring plan by automatic identification system for a duration of three consecutive years following the completion of construction of the authorised project, unless otherwise agreed in writing by the MMO, with provision for a report to be submitted annually to the MMO, Trinity House and the MCA; and</i></p> <p><i>(e) undertake any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition 15(1)(g);</i></p> <p><i><u>(f) any marine mammal monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b);</u></i></p> <p><i><u>(g) any sandeel monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b);</u></i></p> <p><i><u>(h) any benthic monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b); and</u></i></p> <p><i><u>(i) any marine processes monitoring required by the monitoring plan submitted in accordance with condition 15(1)(b).</u></i></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Part 2, Paragraph 20(7), Pre-construction monitoring and surveys</p> <p>Schedule 10, Part 2, Paragraph 21(8), Construction monitoring and surveys</p> <p>Schedule 10, Part 2, Paragraph 22(6), Post-construction monitoring and surveys</p> <p>Schedule 11, Part 2, Paragraph 20(7), Pre-construction monitoring and surveys</p> <p>Schedule 11, Part 2, Paragraph 21(8), Construction monitoring and surveys</p> <p>Schedule 11, Part 2, Paragraph 22(6), Post-construction monitoring and surveys</p>	<p>The following sub-paragraph has been inserted:</p> <p><u><i>All monitoring reports must be made publicly available and submitted to relevant evidence databases (as agreed with the MMO) no later than six months following written approval of the relevant report by the MMO under this condition, unless otherwise agreed in writing by the MMO.</i></u></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 12, Part 2, Paragraph 18(7), Pre-construction monitoring and surveys</p> <p>Schedule 12, Part 2, Paragraph 19(8), Construction monitoring and surveys</p> <p>Schedule 12, Part 2, Paragraph 20(6), Post-construction monitoring and surveys</p> <p>Schedule 13, Part 2, Paragraph 18(7), Pre-construction monitoring and surveys</p> <p>Schedule 13, Part 2, Paragraph 19(8), Construction monitoring and surveys</p> <p>Schedule 13, Part 2, Paragraph 20(6), Post-construction monitoring and surveys</p>		



Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 14, Part 2, Paragraph 14(7), Pre-construction monitoring and surveys</p> <p>Schedule 14, Part 2, Paragraph 15(4), Construction monitoring and surveys</p> <p>Schedule 14, Part 2, Paragraph 16(6), Post-construction monitoring and surveys</p> <p>Schedule 14A, Part 2, Paragraph 14(7), Pre-construction monitoring and surveys</p> <p>Schedule 14A, Part 2, Paragraph 15(4), Construction monitoring and surveys</p> <p>Schedule 14A, Part 2, Paragraph 16(6), Post-construction monitoring and surveys</p>		



Article/Paragraph/Schedule Number	Amendment	Reason
<p>Schedule 10, Part 2, Paragraph 29, Ornithological monitoring</p> <p>Schedule 11, Part 2, Paragraph 29, Ornithological monitoring</p>	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>29.—(1) The licensed activities or any phase of those activities must not commence until an ornithological monitoring plan in accordance with condition 15(1)(b) setting out the circumstances in which ornithological monitoring will be required and the monitoring to be carried out in such circumstances has been submitted to and approved in writing by the MMO, in consultation with the relevant statutory nature conservation body.</i></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>
<p>Schedule 10, Part 2, Paragraph 29, Ornithological monitoring</p> <p>Schedule 11, Part 2, Paragraph 29, Ornithological monitoring</p>	<p>Paragraph (4) has been inserted as follows:</p> <p><i>(4) All monitoring reports must be made publicly available and submitted to relevant evidence databases (as agreed with the MMO) no later than six months following written approval of the relevant report by the MMO under this condition, unless otherwise agreed in writing by the MMO, in consultation with Natural England.</i></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).</p>
<p>Schedule 10, Part 2, Paragraph 30(4), Noise restriction</p>	<p>The following sub-paragraphs have been amended:</p>	<p>This has been amended as outlined in The Applicants' Response to the Marine</p>

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 11, Part 2, Paragraph 30(4), Noise restriction	<p>(a) the area shoreward of the Herring Spawning Noise Restriction Boundary, <u>and/or</u></p> <p><u>(b) any area within 38km seaward of MHWS.</u></p>	Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).
<p>Schedule 12, Part 2, Paragraph 18(4), Pre-construction monitoring and surveys</p> <p>Schedule 13, Part 2, Paragraph 18(4), Pre-construction monitoring and surveys</p>	<p>The following sub-paragraphs have been inserted:</p> <p>(c) undertake any monitoring required by the SIP submitted in accordance with condition 14; and</p> <p>(d) undertake or contribute to any marine mammal monitoring referred to in the marine mammal mitigation protocol submitted in accordance with condition 13(1)(g);</p> <p><u>(e) any marine mammal monitoring required by the monitoring plan submitted in accordance with condition 13(1)(b);</u></p> <p><u>(f) any sandeel monitoring required by the monitoring plan submitted in accordance with condition 13(1)(b);</u></p> <p><u>(g) any benthic monitoring required by the monitoring plan submitted in accordance with condition 13(1)(b); and</u></p>	This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002).

Article/Paragraph/Schedule Number	Amendment	Reason
	<u>(h) any marine processes monitoring required by the monitoring plan submitted in accordance with condition 13(1)(b).</u>	
Schedule 12, Part 2, Paragraph 28(4), Export cable restriction Schedule 13, Part 2, Paragraph 28(4), Export cable restriction	Sub-paragraph (4) has been amended as follows: “Back Calculation Technical Report” means an updated version of environmental statement Appendix 10-3, which must include evidence to support the restricted period, <u>including reference to a period of settlement;</u>	This has been amended as outlined in The Applicants’ Response to the Marine Management Organisation’s Deadline 9 Document [application reference 20.2] (PID-002).
Schedule 14, Part 2, Paragraph 14(4), Pre-construction monitoring and surveys Schedule 14A, Part 2, Paragraph 14(4), Pre-construction monitoring and surveys	The following sub-paragraphs have been inserted: (a) a survey to determine the location, extent and composition of habitats of principal importance, Annex 1 subtidal habitat, habitat with suitability for sandeel or surficial deposits of glacial till in the parts of the Order limits in which it is proposed to carry out construction works; and (b) a swath-bathymetry survey to IHO Order 1a standard that meets the requirements MGN654 and its annexes, and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out	This has been amended as outlined in The Applicants’ Response to the Marine Management Organisation’s Deadline 9 Document [application reference 20.2] (PID-002).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>construction works including an appropriate buffer around the location of each work,;</p> <p><u>(c) any marine mammal monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b);</u></p> <p><u>(d) any sandeel monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b);</u></p> <p><u>(e) any benthic monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b); and</u></p> <p><u>(f) any marine processes monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b).</u></p>	
<p>Schedule 14, Part 2, Paragraph 16(3), Post-construction monitoring and surveys</p> <p>Schedule 14A, Part 2, Paragraph 16(3), Post-construction monitoring and surveys</p>	<p>The following sub-paragraphs have been amended:</p> <p><i>(b) undertake, within twelve months of completion of the licensed activities, a full sea floor coverage swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN654 and its annexes, and side scan sonar, of the area(s) within the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as</i></p>	<p>This has been amended as outlined in The Applicants' Response to the Marine Management Organisation's Deadline 9 Document [application reference 20.2] (PID-002) and to correct a previously incorrect reference to the</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>may be agreed to ensure that cables (including fibre optic cables) have been buried or protected; and</p> <p>undertake any monitoring required by the SIP submitted in accordance with condition 12.</p> <p><u>(c) any marine mammal monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b);</u></p> <p><u>(d) any sandeel monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b);</u></p> <p><u>(e) any benthic monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b); and</u></p> <p><u>(f) any marine processes monitoring required by the monitoring plan submitted in accordance with condition 11(1)(b).</u></p>	SIP (as there is no piling within DMLs 5 or 6).
Schedule 15, Protective Provisions, Part 5	A new Part 5 – For the Protection of Network Rail Infrastructure Limited has been added to Schedule 15 to replace the previous Part 5.	This has been updated to add in protective provisions as agreed between Network Rail and the Applicants.

Article/Paragraph/Schedule Number	Amendment	Reason
Schedule 15, Protective Provisions, Part 7, Paragraph 2	<p>The following definitions have been inserted:</p> <p><u><i>["access works" means any part of Work Nos. [33A/B, 18A/B] described in Schedule 1 of this Order (authorised development);]</i></u></p> <p><u><i>["Birkhill Wood Project" means [the proposed new substation to be known as Birkhill Wood Substation to be located at Creyke Beck in the East Riding of Yorkshire, construction of access road from the A1079, overhead line works, utilities and watercourse crossings and associated works to be undertaken by National Grid Electricity Transmission Plc and any temporary construction compounds and laydown areas for such Works;]</i></u></p> <p><u><i>["Birkhill Wood Site" includes (a) land on which any Birkhill Wood apparatus is situated; and (b) land on which Birkhill Wood apparatus is anticipated to be situated which is necessary for the construction, use or maintenance of the Birkhill Wood Project (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker);]</i></u></p> <p><u><i>["Dogger Bank South project works" means any part of Work Nos. 15A/B, 18A/B, 31A/B, 32A/B, 34A/B described in Schedule 1 of this Order (authorised development);]</i></u></p> <p><u><i>["shared area works" means:</i></u></p> <p><u><i>(a) the Dogger Bank South project works;</i></u></p>	<p>This has been updated to add the Applicants' suggested optional wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application reference 21.2] (PID-003C).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(b) the access works; and</u></p> <p><u>(c) any part of the authorised works taking place on any land associated with the Birkhill Wood and/or Wanlass Beck Project and/or any access thereto;]</u></p> <p><u>["Wanlass Beck Project" means [the proposed extension of the existing Wanlass Beck Substation, construction of access road from the A1079, overhead line works, utilities and watercourse crossings and associated works to be undertaken by National Grid Electricity Transmission Plc and any temporary construction compounds and laydown areas for such Works;]</u></p> <p><u>["Wanlass Beck Site" includes (a) land on which any Wanlass Beck apparatus is situated; and (b) land on which Wanlass Beck apparatus is anticipated to be situated which is necessary for the construction, use or maintenance of the Wanlass Beck Project (in so far as the same has been notified by National Grid Electricity Transmission Plc in writing to the undertaker);]</u></p>	
Schedule 15, Protective Provisions, Part 7, Paragraph 2	<p>The definition of "apparatus" has been amended as follows:</p> <p>"apparatus" means:</p>	<p>This has been updated to add the Applicants' suggested optional</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p>(a) electric lines or electrical plant as defined in the 1989 Act, belonging to or maintained by National Grid Electricity Transmission Plc together with any replacement apparatus; and</p> <p>(b) such other apparatus constructed pursuant to the Order that becomes operational apparatus of National Grid Electricity Transmission Plc for the purposes of transmission, distribution or supply and includes any structure in which apparatus is or will be lodged or which gives or will give access to apparatus.</p> <p><u>[(c) any electrical lines or electrical plant as defined in the 1989 Act, any mains, pipes, plant or other apparatus belonging to, operated or maintained by National Grid Electricity Transmission Plc for the purposes of the construction, operation and maintenance of the Birkhill Wood Project, whether temporary or permanent, and includes, where the context so requires, apparatus constructed as part of the authorised works and intended for the beneficial use by National Grid Electricity Transmission Plc ("Birkhill Wood apparatus")]</u></p> <p><u>[(d) any electrical lines or electrical plant as defined in the 1989 Act, any mains, pipes, plant or other apparatus belonging to, operated or maintained by National Grid Electricity Transmission Plc for the purposes of the construction, operation and maintenance of the Wanlass Beck Project, whether temporary or permanent, and includes, where the context</u></p>	<p>wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application reference 21.2] (PID-003C).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<u>so requires, apparatus constructed as part of the authorised works and intended for the beneficial use by National Grid Electricity Transmission Plc ("Wanlass Beck apparatus");]</u>	
Schedule 15, Protective Provisions, Part 7, Paragraph 3	<p>The following paragraph has been inserted:</p> <p><u>Interaction with the Birkhill Wood Project and/or the Wanlass Beck Project</u></p> <p><u>3. Without limiting any other provision of this Part of this Schedule, the undertaker must use reasonable endeavours to avoid any conflict arising between the construction, maintenance and operation of the authorised works and the Wanlass Beck and/or Birkhill Wood Project. For the purposes of this paragraph, "reasonable endeavours" means –</u></p> <p><u>(a) undertaking consultation on the detailed design and programming of the shared area works and all works associated with or ancillary to the shared area works to ensure that the design and programme for the Dogger Bank South project works does not unreasonably impede or interfere with the Wanlass Beck and/or Birkhill Wood Project;</u></p> <p><u>(b) having regard to the proposed programme of works for the Wanlass Beck and/or Birkhill Wood Project as may be made available to the undertaker by National Grid Electricity Transmission Plc and facilitating a</u></p>	<p>This has been updated to add the Applicants' suggested optional wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application reference 21.2] (PID-003C).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>co-ordinated approach to the programme, land assembly, and the carrying out of the shared area works and the Wanlass Beck and/or Birkhill Wood Project;</u></p> <p><u>(c) providing a point of contact for continuing liaison and co-ordination throughout the construction and operation of the authorised works; and</u></p> <p><u>(d) keeping National Grid Electricity Transmission Plc informed on the programme of works for the authorised works.]</u></p>	
Schedule 15, Protective Provisions, Part 7, Paragraphs 4 to 7	<p>The following paragraphs have been inserted:</p> <p><u>[Shared area works</u></p> <p><u>4. The undertaker must not except with the prior written agreement of National Grid Electricity Transmission Plc carry out the shared area works, or any part of it.</u></p> <p><u>5.— (1) Before beginning to construct any shared area works, or any part of it, the undertaker must submit to National Grid Electricity Transmission Plc plans of the relevant shared area works (or part of it) and such further particulars available to it as National Grid Electricity Transmission Plc may request within 21 days of receipt of the plans reasonably requested.</u></p>	<p>This has been updated to add the Applicants' suggested optional wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(2) Any shared area works must not be constructed except in accordance with such plans as may be approved in writing by National Grid Electricity Transmission Plc.</u></p> <p><u>6.—(1) Any approval of National Grid Electricity Transmission Plc required under this Schedule—</u></p> <p><u>(a) must not be unreasonably withheld or delayed;</u></p> <p><u>(b) in the case of a refusal must be accompanied by a statement of grounds or refusal; and</u></p> <p><u>(c) may only be refused or given subject to conditions on grounds that comprise reasonable requirements that National Grid Electricity Transmission Plc may have in connection with the safe, economic and efficient construction, commissioning, operation, maintenance and future decommissioning of the Wanlass Beck and/or Birkhill Wood Project or otherwise for the protection of the Wanlass Beck and/or Birkhill Wood Project apparatus.</u></p> <p><u>(d) provided always that in relation to a refusal under sub-paragraph (b) or any requirements requested pursuant to sub-paragraph (c) the undertaker shall be permitted to refer such matters to dispute resolution pursuant to paragraph [20]</u></p>	reference 21.2] (PID-003C).

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>(e) National Grid Electricity Transmission Plc must employ reasonable endeavours to respond to the submission of any plans within a period of 56 days from the date of submission of the plans. If National Grid Electricity Transmission Plc require further particulars, such particulars must be requested by National Grid Electricity Transmission Plc no later than 21 days from the submission of plans and thereafter National Grid Electricity Transmission Plc must employ reasonable endeavours to respond to the submission within 56 days from receipt of the further particulars.</u></p> <p><u>7.—(1) The undertaker must give to National Grid Electricity Transmission Plc not less than 14 days' notice in writing of its intention to commence construction of any shared area works and notice in writing of its completion not later than 7 days after the date on which it is completed and National Grid Electricity Transmission Plc will be entitled by its officer to watch and inspect the construction of such works.</u></p> <p><u>(2) If any part of the shared area works is constructed otherwise than in accordance with paragraph 5(2) above National Grid Electricity Transmission Plc may by notice in writing identify the extent to which the shared area works do not comply with the approved details and request the undertaker at the undertaker's own expense carry out remedial works so as to comply with the requirements of paragraph 5(2) of this Schedule</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>or such alternative works as may be agreed with National Grid Electricity Transmission Plc or as otherwise may be agreed between the parties.</u></p> <p><u>(3) Subject to sub-paragraph (4), if within a reasonable period, being not less than 28 days beginning with the date when a notice under sub-paragraph (2) is served upon the undertaker, the undertaker has failed to begin taking steps to comply with the requirements of the notice and has not subsequently made reasonably expeditious progress towards their implementation, National Grid Electricity Transmission Plc may execute the works specified in the notice and any reasonable expenditure incurred by National Grid Electricity Transmission Plc in so doing will be recoverable from the undertaker.</u></p> <p><u>(4) In the event of any dispute as to whether sub-paragraph (2) is properly applicable to any work in respect of which notice has been served under that sub-paragraph, or as to the reasonableness of any requirement of such a notice, National Grid Electricity Transmission Plc will not, except in the case of an emergency, exercise the powers conferred by sub-paragraph (3) until the dispute has been finally determined in accordance with paragraph [20].</u></p>	
Schedule 15, Protective Provisions, Part 7, Paragraph 11	<p>The following paragraph has been inserted:</p> <p><u>Acquisition of land</u></p>	This has been updated to add the Applicants' suggested optional wording for these

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>.11. - (1) Regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the undertaker may not (a) appropriate or acquire or take temporary possession of any land or apparatus or ((b) appropriate, acquire, extinguish, interfere with or override any easement, other interest or right and/or apparatus of National Grid Electricity Transmission Plc otherwise than by agreement.</u></p> <p><u>(2) Regardless of any provision in this Order or anything shown on the land plans, the undertaker must not unless otherwise agreed in writing with National Grid Electricity Transmission Plc appropriate, acquire or take temporary possession of any land forming part of the Wanlass Beck and/or Birkhill Wood Site (such agreement not to be unreasonably withheld or delayed) and/or any access thereto.</u></p> <p><u>(3) As a condition of an agreement between the parties in sub-paragraph (1), prior to the carrying out of any part of the authorised works (or in such other timeframe as may be agreed between National Grid Electricity Transmission Plc and the undertaker) that is subject to the requirements of this Part of this Schedule that will cause any conflict with or breach the terms of any easement or other legal or land interest of National Grid Electricity Transmission Plc or affect the provisions of any enactment or agreement regulating the relations between National Grid Electricity</u></p>	<p>protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application reference 21.2] (PID-003C).</p>

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>Transmission Plc and the undertaker in respect of any apparatus laid or erected in land belonging to or secured by the undertaker, the undertaker must as National Grid Electricity Transmission Plc reasonably requires enter into such deeds of consent upon such terms and conditions as may be agreed between National Grid Electricity Transmission Plc and the undertaker acting reasonably and which must be no less favourable on the whole to National Grid Electricity Transmission Plc unless otherwise agreed by National Grid Electricity Transmission Plc, and it will be the responsibility of the undertaker to procure and/or secure the consent and entering into of such deeds and variations by all other third parties with an interest in the land at that time who are affected by such authorised works.</u></p> <p><u>(4) Save where otherwise agreed in writing between National Grid Electricity Transmission Plc and the undertaker the undertaker and National Grid Electricity Transmission Plc agree that where there is any inconsistency or duplication between the provisions set out in this Part of this Schedule relating to the relocation and/or removal of apparatus (including but not limited to the payment of costs and expenses relating to such relocation and/or removal of apparatus) and the provisions of any existing easement, rights, agreements and licences granted, used, enjoyed or exercised by National Grid Electricity Transmission Plc and/or other enactments relied upon by National Grid Electricity Transmission Plc as of</u></p>	

Article/Paragraph/Schedule Number	Amendment	Reason
	<p><u>right or other use in relation to the apparatus, then the provisions in this Schedule shall prevail.</u></p> <p><u>(5) Any agreement or consent granted by National Grid Electricity Transmission Plc under paragraph 15 or any other paragraph of this Part of this Schedule, shall not be taken to constitute agreement under sub-paragraph (1).]</u></p>	
Schedule 15, Protective Provisions, Part 7, Paragraph 14(5)	<p>Sub-paragraph (a) has been amended as follows:</p> <p><i>(a) may be given subject to reasonable conditions for any purpose mentioned in sub-paragraphs (6) or (7) provided that any conditions are communicated to the undertaker within a period of 28 days beginning with the date on which a plan is submitted to National Grid Electricity Transmission Plc in accordance with sub-paragraph (1); and, <u>[may be given subject to such reasonable requirements as National Grid Electricity Transmission Plc may have in connection with the safe and efficient construction, commissioning, operation and maintenance of the Wanlass beck and/or Birkhill Wood Project; and]</u></i></p>	<p>This has been updated to add the Applicants' suggested optional wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application</p>

Article/Paragraph/Schedule Number	Amendment	Reason
		reference 21.2] (PID-003C).
Schedule 15, Protective Provisions, Part 7, Paragraph 19	<p>Paragraph 19 has been amended as follows:</p> <p><i>19. If in consequence of the [agreement reached in accordance with paragraphs 11(1) and 11(2) or the] powers granted under this Order the access to any apparatus [for the Wanlass Beck Site and/or Birkhill Wood Site] is materially obstructed, the undertaker must use reasonable endeavours to provide such alternative means of access over the Order land to such apparatus [for the Wanlass Beck Site and/or Birkhill Wood Site] as will enable National Grid Electricity Transmission Plc to access, maintain or use the apparatus [for the Wanlass Beck Site and/or Birkhill Wood Site] no less effectively than was possible before such obstruction.</i></p>	<p>This has been updated to add the Applicants' suggested optional wording for these protective provisions that has been submitted on a without prejudice basis and so is shown in square brackets, as set out in The Applicants' preferred Protective Provisions for National Grid Electricity Transmission [application reference 21.2] (PID-003C).</p>
Schedule 18, Compensation Measures, Part 1, Paragraph 5	<p>Paragraph 5 has been amended as follows:</p> <p><i>5. The undertaker must implement the measures set out in the Kittiwake CIMP approved by the Secretary of State, unless otherwise agreed in writing by the Secretary of State in consultation with the relevant</i></p>	<p>This has been amended to align with the Appendix 1 - Project Level Kittiwake Compensation Plan</p>

Article/Paragraph/Schedule Number	Amendment					Reason					
	<i>statutory nature conservation body and, where appropriate, the MMO. In particular, any turbine forming part of the authorised development must not begin operation until the specified number of full breeding seasons in the approved plan following the implementation of the measures set out in the Kittiwake CIMP have elapsed. For the purposes of this paragraph each breeding season is assumed to have commenced on 1 March^{April} in each year and ended on 31 August^{30 September}.</i>					(Revision 8) [application reference 6.2.1).					
Schedule 19, Part 1, Documents to be certified	<div>The following row has been inserted:</div> <table><tr><td>7.10.10.3</td><td></td><td>Environmental Statement Appendix 10-3 - Back calculation of the Peak Atlantic Herring Spawning Period</td><td>3</td><td>December 2025</td></tr></table>					7.10.10.3		Environmental Statement Appendix 10-3 - Back calculation of the Peak Atlantic Herring Spawning Period	3	December 2025	This has been added to correct a previous omission and include reference to the most up to date version of this document.
7.10.10.3		Environmental Statement Appendix 10-3 - Back calculation of the Peak Atlantic Herring Spawning Period	3	December 2025							

Article/Paragraph/Schedule Number	Amendment					Reason
Schedule 19, Part 2, Other documents to be certified	The following rows have been amended:					Updates have been made to include reference to the most up to date versions of documents, as some documents have been updated during the post-examination period.
	8.20	REP6-043	Cable statement	65	December June 2025	
	8.6		Commitments register	54	December July 2025	
	6.2.3	REP7-020	Dogger Bank compensation plan	54	October June 2025	
	6.2.2	REP6-012	Guillemot [and razorbill] compensation plan	86	December June 2025	
	8.23	REP7-115	In principle monitoring plan	75	December June 2025	

Article/Paragraph/Schedule Number	Amendment					Reason
	6.2.1		Kittiwake compensation plan	87	December July 2025	
	6.2.2.1	REP4-026	Outline guillemot [and razorbill] CIMP	42	December April 2025	
	6.2.1.2	REP4-023	Outline kittiwake CIMP	42	December April 2025	