

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

Schedule of Change to the draft Development Consent Order

Deadline: 5

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Image of an offshore wind farm

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

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Burges Salmon		Morgan Offshore Wind Limited.			

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

Table 1.1: Table of amendments submitted to the draft Development Consent Order (Revision 02) following Section 51 Advice

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Schedules		
Schedule 1, Part 1 and Part 2	Various sub-paragraphs deleted from the definition of 'Associated Development' in Part 1 of Schedule 1, where these were also included under Part 2 of Schedule 2 (Ancillary Works)	In accordance with s51 advice to clarify what works constitute Associated Development and what constitutes Ancillary Works.

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

Table 2.1: Table of amendments submitted to the draft Development Consent Order (Revision 03) for Deadline 1

Article/Paragraph/Schedule Number	Amendment	Reason						
Changes made throughout the dDCO	Various minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency						
Articles								
Article 13 (Requirements, appeals etc.)	This article has been deleted.	As per the Applicant's response to the comment from the MMO in their Relevant Representation (RR-020.6)						
Schedules								
Schedule 1, paragraph 2, sub-paragraph (3)	The following new sub-paragraph has been added: “(3) References to the location of an offshore surface structure in Table 1 is a reference to the centre point of that structure.”	In response to action point 2 of the Examining Authority's actions from ISH1.						
Schedule 2, Paragraph 2, Table 1	A new parameter has been added to the table as follows: <table><tr><td>Maximum rotor swept area (m²)</td><td>5,468,884</td></tr></table>	Maximum rotor swept area (m²)	5,468,884	In response to action point 2 of the Examining Authority's actions from ISH1.				
Maximum rotor swept area (m²)	5,468,884							
Schedule 2, Paragraph 2, Table 1	New parameters have been added to the table as follows: <table><tr><td>Maximum volume of scour protection for wind turbine generators (m3)</td><td>1,701,998</td></tr><tr><td>Maximum volume of scour protection for offshore substation foundations (m3)</td><td>58,361</td></tr><tr><td></td><td></td></tr></table>	Maximum volume of scour protection for wind turbine generators (m3)	1,701,998	Maximum volume of scour protection for offshore substation foundations (m3)	58,361			As per the Applicant's response to the comment from Natural England in their Relevant Representation (RR-026.A.7)
Maximum volume of scour protection for wind turbine generators (m3)	1,701,998							
Maximum volume of scour protection for offshore substation foundations (m3)	58,361							

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Schedule 3, Paragraph 2, sub-paragraph (g)	Sub-paragraph (2)(g) has been amended as follows: “(g) the disposal of up to 18,236,920 15,694,606 cubic metres of inert material of natural origin within the Order limits produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the Order limits.”	As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.D.9)						
Schedule 3, paragraph 10, sub-paragraph (2)	The following new sub-paragraph has been added: “(3) References to the location of an offshore surface structure in Table 1 is a reference to the centre point of that structure.”	In response to action point 2 of the Examining Authority’s actions from ISH1.						
Schedule 3, Paragraph 10, Table 2	A new parameter has been added to the table as follows: <table><tr><td>Maximum rotor swept area (m²)</td><td>5,468,884</td></tr></table>	Maximum rotor swept area (m²)	5,468,884	In response to action point 2 of the Examining Authority’s actions from ISH1.				
Maximum rotor swept area (m²)	5,468,884							
Schedule 3, Paragraph 10, Table 2	New parameters have been added to the table as follows: <table><tr><td>Maximum volume of scour protection for wind turbine generators (m3)</td><td>1,701,998</td></tr><tr><td>Maximum volume of scour protection for offshore substation foundations (m3)</td><td>58.361</td></tr><tr><td></td><td></td></tr></table>	Maximum volume of scour protection for wind turbine generators (m3)	1,701,998	Maximum volume of scour protection for offshore substation foundations (m3)	58.361			As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.A.7)
Maximum volume of scour protection for wind turbine generators (m3)	1,701,998							
Maximum volume of scour protection for offshore substation foundations (m3)	58.361							
Schedule 3, Paragraph 13, sub-paragraph (4)	Sub-paragraph (4) has been amended as follows: “(4) All operation and maintenance activities must be carried out in accordance with the approved plan approved under sub-paragraph (3).”	For clarity and consistency						
Schedule 3, Paragraph 15, sub-paragraph (7)(a)	Sub-paragraph (7)(a) has been amended as follows: (7) The Kingfisher Information Service of Seafish must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or part thereof by email to kingfisher@seafish.co.uk — (a) at least seven 10 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data;	To increase the period for notifications to be given.						

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Schedule 3, Paragraph 15, sub-paragraph (8)	Sub-paragraph (8) has been amended as follows: <i>“(8) The undertaker must ensure that a local notification to mariners is issued at least seven 10 days prior to the commencement of the authorised scheme or any part thereof advising of the start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA Trinity House and UKHO within five days.”</i>	To increase the period for notifications to be given.		
Schedule 3, Paragraph 20, sub-paragraph (1)(d)(iv)	The following new sub-paragraph has been added in respect of detail to be included in the offshore construction method statement: <i>“(iv) piling methodology, in the event that driven or part-driven pile foundations are proposed to be used;”</i>	As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.A8)		
Schedule 3, Paragraph 22, sub-paragraph (1)	Sub-paragraph (1) has been amended as follows: <i>“22.—(1) No piling activities or detonation of unexploded ordnance must commence can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body.”</i>	In response to action point 8 of the Examining Authority’s actions from ISH1.		
Schedule 4, Paragraph 2, sub-paragraph (g)	Sub-paragraph (2)(g) has been amended as follows: <i>“(g) the disposal of up to 3,796,229 1,253,915 cubic metres of inert material of natural origin within the Order limits produced during construction drilling or seabed preparation for foundation works, cable works and boulder clearance works at disposal site references to be provided to the MMO within the Order limits.”</i>	As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.D.9)		
Schedule 3, paragraph 10, sub-paragraph (2)	The following new sub-paragraph has been added: <i>“(3) References to the location of an offshore surface structure in Table 1 is a reference to the centre point of that structure.”</i>	In response to action point 2 of the Examining Authority’s actions from ISH1.		
Schedule 3, Paragraph 10, Table 3	A new parameter has been added to the table as follows: <table><tr><td>Maximum rotor swept area (m²)</td><td>5,468,884</td></tr></table>	Maximum rotor swept area (m²)	5,468,884	In response to action point 2 of the Examining Authority’s actions from ISH1.
Maximum rotor swept area (m²)	5,468,884			

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Schedule 3, Paragraph 10, Table 3	<p>A new parameter has been added to the table as follows:</p> <table><tr><td><i>Maximum volume of scour protection for offshore substation foundations (m3)</i></td><td><i>58,361</i></td></tr></table>	<i>Maximum volume of scour protection for offshore substation foundations (m3)</i>	<i>58,361</i>	As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.A.7)
<i>Maximum volume of scour protection for offshore substation foundations (m3)</i>	<i>58,361</i>			
Schedule 3, Paragraph 15, sub-paragraph (7)(a)	<p>Sub-paragraph (7)(a) has been amended as follows:</p> <p><i>(7) The Kingfisher Information Service of Seafish must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or part thereof by email to kingfisher@seafish.co.uk —</i></p> <p><i>(a) at least seven 10 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data;</i></p>	To increase the period for notifications to be given.		
Schedule 3, Paragraph 15, sub-paragraph (8)	<p>Sub-paragraph (8) has been amended as follows:</p> <p><i>“(8) The undertaker must ensure that a local notification to mariners is issued at least seven 10 days prior to the commencement of the authorised scheme or any part thereof advising of the start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA Trinity House and UKHO within five days.”</i></p>	To increase the period for notifications to be given.		
Schedule 3, Paragraph 20, sub-paragraph (1)(d)(iv)	<p>The following new sub-paragraph has been added in respect of detail to be included in the offshore construction method statement:</p> <p><i>“(iv) piling methodology, in the event that driven or part-driven pile foundations are proposed to be used;”</i></p>	As per the Applicant’s response to the comment from Natural England in their Relevant Representation (RR-026.A8)		
Schedule 3, Paragraph 22, sub-paragraph (1)	<p>Sub-paragraph (1) has been amended as follows:</p> <p><i>“22.—(1) No piling activities or detonation of unexploded ordnance must commence can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body.”</i></p>	In response to action point 8 of the Examining Authority’s actions from ISH1.		

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

Table 3.1: Table of amendments submitted to the draft Development Consent Order (Revision 04) for Deadline 2

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 2 (interpretation)	Deletion of the definition of “business days”	Term not used in DCO
Schedules		
Schedule 3, paragraph 1	Deletion of the definition of “business days”	Term not used in Schedule 3
Schedule 3, paragraph 1	Addition of a new definition of “layout principles”	To reflect updates to condition 20(1)(a)
Schedule 3, paragraph 1(4)	Address for Historic England updated	As requested by Historic England
Schedule 3, paragraph 1(4)	Address for Maritime and Coastguard Agency updated	As requested by the Maritime and Coastguard Agency
Schedule 3, paragraph 9	<p>Paragraph 9 has been updated as follows:</p> <p><i>“9. Any amendments to or variations from the approved details, plans or schemes must be in accordance with the principles and assessments set out in the environmental statement, and approval for an amendment or variation statements. Such agreement may only be given where it has been demonstrated to the satisfaction of the MMO that it is unlikely to will not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”</i></p>	To respond to comments in the Marine Management Organisation Written Representation [REP1-048].

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Schedule 3, paragraph 13(3)	Sub-paragraph (3) has been updated as follows: <i>“(3) An operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance 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.”</i>	To respond to comments in the Marine Management Organisation Written Representation [REP1-048].
Schedule 3, Paragraph 15, sub-paragraph (7)(a)	Sub-paragraph (7)(a) has been amended as follows: <i>(7) The Kingfisher Information Service of Seafish must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or part thereof by email to kingfisher@seafish.co.uk — (a) at least 40 14 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data;</i>	To respond to comments from the Maritime and Coastguard Agency and Trinity House.
Schedule 3, paragraph 20(1)(a)	Sub-paragraph (1)(a) has been amended as follows: <i>“20.—(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate— (a) a design plan at a scale of between 1:25,000 and 1:50,000 in accordance with the layout principles, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the...”</i>	To secure the layout principles set out within Environmental Statement - Volume 1, Chapter 3 Project description [APP-010]
Schedule 3, paragraph 20(2)	Sub-paragraph (2) has been amended as follows: <i>“(2) Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific outline written scheme of investigation (which must accord with the details set out in the outline offshore written scheme of investigation), which has been submitted to and approved by the MMO.”</i>	To address a typographical error identified by Historic England
Schedule 4, paragraph 1	Deletion of the definition of “business days”	Term not used in Schedule 4

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Schedule 4, paragraph 1	Addition of a new definition of “layout principles”	To reflect updates to condition 20(1)(a)
Schedule 4, paragraph 1(4)	Address for Historic England updated	As requested by Historic England
Schedule 4, paragraph 1(4)	Address for Maritime and Coastguard Agency updated	As requested by the Maritime and Coastguard Agency
Schedule 4, paragraph 9	<p>Paragraph 9 has been updated as follows:</p> <p><i>“9. Any amendments to or variations from the approved details, plans or schemes must be in accordance with the principles and assessments set out in the environmental statement, and approval for an amendment or variation statements. Such agreement may only be given where it has been demonstrated to the satisfaction of the MMO that it is unlikely to will not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”</i></p>	To respond to comments in the Marine Management Organisation Written Representation [REP1-048].
Schedule 4, paragraph 13(3)	<p>Sub-paragraph (3) has been updated as follows:</p> <p><i>“(3) An operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance 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.”</i></p>	To respond to comments in the Marine Management Organisation Written Representation [REP1-048].
Schedule 4, Paragraph 15, sub-paragraph (8)	<p>Sub-paragraph (8) has been amended as follows:</p> <p><i>“(8) The undertaker must ensure that a local notification to mariners is issued at least 10 14 days prior to the commencement of the authorised scheme or any part thereof advising of the start date and the expected vessel routes from the construction ports to the relevant location. Copies of all notices must be provided to the MMO, MCA Trinity House and UKHO within five days.”</i></p>	To respond to comments from the Maritime and Coastguard Agency and Trinity House.

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<p>Schedule 4, paragraph 20(1)(a)</p>	<p>Sub-paragraph (1)(a) has been amended as follows:</p> <p><i>“20.—(1) The licensed activities or any phase of those activities must not commence until the following (insofar as relevant to that activity or phase of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate—</i></p> <p><i>(a) a design plan at a scale of between 1:25,000 and 1:50,000 in accordance with the layout principles, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the...”</i></p>	<p>To secure the layout principles set out within Environmental Statement - Volume 1, Chapter 3 Project description [APP-010]</p>
<p>Schedule 4, paragraph 20(2)</p>	<p>Sub-paragraph (2) has been amended as follows:</p> <p><i>“(2) Pre-commencement surveys and archaeological investigations and pre-commencement material operations which involve intrusive seabed works must only take place in accordance with a specific outline written scheme of investigation (which must accord with the details set out in the outline offshore written scheme of investigation), which has been submitted to and approved by the MMO.”</i></p>	<p>To address a typographical error identified by Historic England</p>

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

Table 4.1: Table of amendments submitted to the draft Development Consent Order (Revision 05) for Deadline 3

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 2 (interpretation)	The definition of “maintain” has been amended as follows: <i>“maintain” includes inspect, upkeep, repair, adjust or alter the authorised development, and remove, reconstruct or replace any part of the authorised development, provided that such works do not give rise to any materially new or materially different environmental effects to those identified to the extent assessed in the environmental statement; and any derivative of “maintain” is to be construed accordingly</i>	In response to the Examining Authority’s first written question reference DCO 1.1.
Article 7 (benefit of the Order), paragraph (4)	Paragraph (4) has been amended as follows: <i>(4) The Secretary of State shall must consult the MMO before giving consent to the transfer or grant to another person of the benefit of the provisions of licence 1 or licence 2.</i>	In response to the Examining Authority’s first written question reference DCO 1.2.
Article 7 (benefit of the Order), paragraph (11)	Paragraph (11) has been amended as follows: <i>(11) Section 72(7) and (8) of the 2009 Act do not apply to a transfer or grant of the benefit of the provisions of licence 1 or licence 2 to another person by the undertaker pursuant to an agreement under this article. save that the MMO may amend any deemed marine licence granted under Schedule 3 or Schedule 4 of the Order to correct the name of the undertaker to the name of a transferee or lessee under this article 7 (benefit of the Order).</i>	In response to the Examining Authority’s first written question reference DCO 1.2.
Schedules		
Schedule 2, Requirement 2	The following paragraph has been added as a new paragraph (2): <i>(2) No part of any wind turbine generators to be constructed as part of the authorised development shall extend beyond the Order limits.</i> All other paragraphs have been re-numbered accordingly.	In response to the Examining Authority’s first written question reference DCO 1.6.

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Schedule 2, Requirement 2	<p>A new sub-paragraph (3) has been added to condition 10:</p> <p><i>(3) In the event that driven or part-driven pile foundations are proposed to be used, the hammer energy used to drive or part-drive the pile foundations must not exceed—</i></p> <p><i>(a) 4,000kJ in respect of pin pile foundations at up to 16 locations; and</i></p> <p><i>(b) 3,000kJ in respect of any other foundations.</i></p>	In response to the Examining Authority’s first written question reference DCO 1.3.										
Schedule 2, Requirement 2, table 1	<p>The following new parameters have been added to table 1:</p> <table><tr><td><i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i></td><td><i>26</i></td></tr><tr><td><i>Maximum number of wind turbines on jacket pin-pile foundations</i></td><td><i>64</i></td></tr><tr><td><i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i></td><td><i>490,000</i></td></tr><tr><td><i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i></td><td><i>852,600</i></td></tr><tr><td><i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i></td><td><i>548,800</i></td></tr></table>	<i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i>	<i>26</i>	<i>Maximum number of wind turbines on jacket pin-pile foundations</i>	<i>64</i>	<i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i>	<i>490,000</i>	<i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i>	<i>852,600</i>	<i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i>	<i>548,800</i>	In response to the Examining Authority’s first written question reference DCO 1.8 and representations by Natural England and the MMO.
<i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i>	<i>26</i>											
<i>Maximum number of wind turbines on jacket pin-pile foundations</i>	<i>64</i>											
<i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i>	<i>490,000</i>											
<i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i>	<i>852,600</i>											
<i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i>	<i>548,800</i>											
Schedule 3, paragraph 1	<p>The definition of “maintain” has been amended as follows:</p> <p><i>“maintain” includes inspect, upkeep, repair, adjust or alter the authorised development, and remove, reconstruct or replace any part of the authorised development, provided that such works do not give rise to any materially new or materially different environmental effects to those identified to the extent assessed in the environmental statement; and any derivative of “maintain” is to be construed accordingly</i></p>	In response to the Examining Authority’s first written question reference DCO 1.1.										
Schedule 3, paragraph 1	<p>The following definition has been added:</p> <p><i>“UXO” means unexploded ordinance;</i></p>	In response to representations by the MMO.										

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Schedule 3, paragraph 2, sub-paragraphs (e) and (f)	<p>Sub-paragraphs (e) and (f) have been updated as follows:</p> <p><i>(e) site clearance and preparation works including clearance of unexploded ordnance, debris, boulder clearance and the removal of out of service cables and static fishing equipment;</i></p> <p><i>(f) UXO clearance works;</i></p> <p>Other sub-paragraphs have been re-numbered accordingly.</p>	In response to representations by the MMO.										
Schedule 2, condition 10, table 2	<p>The following new parameters have been added to table 2:</p> <table><tr><td><i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i></td><td><i>26</i></td></tr><tr><td><i>Maximum number of wind turbines on jacket pin-pile foundations</i></td><td><i>64</i></td></tr><tr><td><i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i></td><td><i>490,000</i></td></tr><tr><td><i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i></td><td><i>852,600</i></td></tr><tr><td><i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i></td><td><i>548,800</i></td></tr></table>	<i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i>	<i>26</i>	<i>Maximum number of wind turbines on jacket pin-pile foundations</i>	<i>64</i>	<i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i>	<i>490,000</i>	<i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i>	<i>852,600</i>	<i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i>	<i>548,800</i>	In response to the Examining Authority's first written question reference DCO 1.8 and representations by Natural England and the MMO.
<i>Minimum distance from HAT to the lowest point of the rotating blade for each turbine (m)</i>	<i>26</i>											
<i>Maximum number of wind turbines on jacket pin-pile foundations</i>	<i>64</i>											
<i>Maximum total volume of extracted seabed material to be used in gravity base foundations (m3)</i>	<i>490,000</i>											
<i>Maximum volume of cable protection (inter- array and interconnector) (m3)</i>	<i>852,600</i>											
<i>Maximum total seabed footprint area for cable protection (inter-array and interconnector) (m2)</i>	<i>548,800</i>											
Schedule 3, condition 20(1)(a)(ii)	<p>Sub-paragraph (ii) has been updated as follows:</p> <p><i>(ii) the proposed layout of all wind turbine generators (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes) and offshore substation platforms, including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 125m 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House;</i></p>	In response to the Examining Authority's first written question reference DCO 1.19 and representations by the MCA.										

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Schedule 3, condition 20(1)(a)(v)	Sub-paragraph (v) has been updated as follows: <i>(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex I reef habitats identified as part of surveys undertaken in accordance with condition 27</i>	In response to representations by Natural England.
Schedule 3, condition 23, sub-paragraph (6)	A new sub-paragraph (6) has been added as follows: <i>(6) The total number of UXO cleared as part of the authorised scheme in this licence and the authorised scheme in licence 2 taken together must not exceed 13 (whether undertaken under this licence or licence 2).</i>	In response to representations by the MMO.
Schedule 3, condition 29, sub-paragraph (5)	Sub-paragraph (5) has been updated as follows: <i>(5) Following the installation of cables, details of cable monitoring required under 20(1)(d)(i) must be updated with the results of the post installation surveys. The statement must be implemented until the authorised scheme is implemented and reviewed as specified within the statement, following cable burial surveys, or as instructed by the MMO.</i>	In response to the Examining Authority's first written question reference DCO 1.11.
Schedule 4, paragraph 1	The definition of "maintain" has been amended as follows: <i>"maintain" includes inspect, upkeep, repair, adjust or alter the authorised development, and remove, reconstruct or replace any part of the authorised development, provided that such works do not give rise to any materially new or materially different environmental effects to those identified to the extent assessed in the environmental statement; and any derivative of "maintain" is to be construed accordingly</i>	In response to the Examining Authority's first written question reference DCO 1.1.
Schedule 4, paragraph 1	The following definition has been added: <i>"UXO" means unexploded ordinance;</i>	In response to representations by the MMO.

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Schedule 4, paragraph 2, sub-paragraphs (e) and (f)	<p>Sub-paragraphs (e) and (f) have been updated as follows:</p> <p>(e) <i>site clearance and preparation works including clearance of unexploded ordnance, debris, boulder clearance and the removal of out of service cables and static fishing equipment;</i></p> <p>(f) <i>UXO clearance works;</i></p> <p>Other sub-paragraphs have been re-numbered accordingly.</p>	In response to representations by the MMO.				
Schedule 4, condition 10, table 3	<p>The following new parameters have been added to table 3:</p> <table><tr><td><i>Maximum volume of cable protection (interconnector) (m3)</i></td><td><i>210,000</i></td></tr><tr><td><i>Maximum total seabed footprint area for cable protection (interconnector) (m2)</i></td><td><i>130,000</i></td></tr></table>	<i>Maximum volume of cable protection (interconnector) (m3)</i>	<i>210,000</i>	<i>Maximum total seabed footprint area for cable protection (interconnector) (m2)</i>	<i>130,000</i>	In response to the Examining Authority's first written question reference DCO 1.8 and representations by Natural England and the MMO.
<i>Maximum volume of cable protection (interconnector) (m3)</i>	<i>210,000</i>					
<i>Maximum total seabed footprint area for cable protection (interconnector) (m2)</i>	<i>130,000</i>					
Schedule 4, condition 20(1)(a)(ii)	<p>Sub-paragraph (ii) has been updated as follows:</p> <p><i>(ii) the proposed layout of all wind turbine generators (which shall provide for two lines of orientation and otherwise be in accordance with the recommendations for layout contained in MGN654 and its annexes) and offshore substation platforms, including grid coordinates of the centre point of the proposed location for each wind turbine generator and offshore substation platform subject to up to 125m 55m micro-siting in any direction unless otherwise agreed in writing with the MMO in consultation with the MCA and Trinity House;</i></p>	In response to the Examining Authority's first written question reference DCO 1.19 and representations by the MCA.				
Schedule 4, condition 20(1)(a)(v)	<p>Sub-paragraph (v) has been updated as follows:</p> <p><i>(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex I reef habitats identified as part of surveys undertaken in accordance with condition 27</i></p>	In response to representations by Natural England.				
Schedule 4, condition 23, sub-paragraph (6)	<p>A new sub-paragraph (6) has been added as follows:</p> <p><i>(6) The total number of UXO cleared as part of the authorised scheme in this licence and the authorised scheme in licence 1 taken together must not exceed 13 (whether undertaken under this licence or licence 1).</i></p>	In response to representations by the MMO.				

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Schedule 3, condition 29, sub-paragraph (5)	Sub-paragraph (5) has been updated as follows: <i>(5) Following the installation of cables, details of cable monitoring required under 20(1)(d)(i) must be updated with the results of the post installation surveys. The statement must be implemented until the authorised scheme is implemented and reviewed as specified within the statement, following cable burial surveys, or as instructed by the MMO.</i>	In response to the Examining Authority's first written question reference DCO 1.1.
Schedule 5	Schedule 5 of the draft DCO has been updated.	To include an updated list of documents to be certified.

5 Schedule of Changes of the draft Development Consent Order (Revision F06)

Table 5.1: Table of amendments submitted to the draft Development Consent Order (Revision 06) for Deadline 4

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 2 (interpretation)	A new definition of “outline environmental management plan” has been added as follows: <i>“outline environmental management plan” plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;</i>	The Applicant has submitted an Outline Environmental Management Plan as part of the Examination. This is now reflected in conditions 20(1)(e) of each DML that require approval of an offshore environmental management plan and this definition has been added accordingly.
Schedules		
Schedule 3, paragraph 1 (interpretation)	A new definition of “outline environmental management plan” has been added as follows: <i>“outline environmental management plan” plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;</i>	The Applicant has submitted an Outline Environmental Management Plan as part of the Examination. This is now reflected in conditions 20(1)(e) of each DML that require approval of an offshore environmental management plan and this definition has been added accordingly.
Schedule 3, condition 15	A new sub-paragraph (13) has been added as follows: <i>(13) The undertaker must ensure that the MMO, the MMO Local Office, local fishermen’s organisations, and the Source Data Receipt Team at the UKHO Taunton, Somerset, TA1 2DN (sdr@ukho.gov.uk) are notified within five days of each instance of cable repair, replacement or protection replenishment activity.</i>	In response to representations by the MMO.

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Schedule 3, condition 20(1)(a)(v)	<p>Sub-paragraph (v) has been updated as follows:</p> <p><i>(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex I reef habitats identified as part of surveys undertaken in accordance with condition 27</i></p>	To clarify that the micro-siting requirement is specific to benthic habitats constituting Annex I reef habitats.
Schedule 3, condition 20(1)(d)(i)(bb)	<p>Sub-paragraph (dd) has been added as follows:</p> <p><i>(dd) a detailed cable specification and installation plan for the authorised scheme, incorporating a cable burial risk assessment encompassing the identification of. The detailed cable specification and installation plan will identify the risk of needing any cable protection that exceeds may exceed 5 percent of navigable depth referenced to Chart Datum and, in. In the event that any area of cable protection exceeding 5 percent of navigable depth is identified, the cable specification and installation plan will set out details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection;</i></p>	To improve clarity of the condition
Schedule 3, condition 20(1)(e)	<p>Sub-paragraph (e) has been amended as follows:</p> <p><i>(e) an offshore environmental management plan covering the period of construction and operation (which accords with the outline environment management plan) to include details of—</i></p>	To reflect that an outline environmental management plan has been submitted by the Applicant to the Examination.
Schedule 3, condition 20(2)	<p>The condition that was previously condition 20(1)(f) has been amended such that it is a new standalone sub-paragraph (2) and subject to minor text amendments as below. Other sub-paragraphs have been re-numbered accordingly.</p> <p><i>(2) (f) an offshore The authorised scheme must not commence until a written scheme of archaeological investigation for archaeology in relation to the Order limits, which must accord has been submitted to and approved by the MMO following consultation with the statutory historic body, in accordance with the outline offshore written scheme of investigation, and in accordance with industry good practice, in following consultation with the statutory historic body to include—</i></p>	In response to representations by the MMO.

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Schedule 4, paragraph 1 (interpretation)	<p>A new definition of “outline environmental management plan” has been added as follows:</p> <p><i>“outline environmental management plan” plan means the document certified as the outline environmental management plan by the Secretary of State under article 11 (certification of plans, etc.) of this Order;</i></p>	<p>The Applicant has submitted an Outline Environmental Management Plan as part of the Examination. This is now reflected in conditions 20(1)(e) of each DML that require approval of an offshore environmental management plan and this definition has been added accordingly.</p>
Schedule 4, condition 15	<p>A new sub-paragraph (13) has been added as follows:</p> <p><i>(13) The undertaker must ensure that the MMO, the MMO Local Office, local fishermen’s organisations, and the Source Data Receipt Team at the UKHO Taunton, Somerset, TA1 2DN (sdr@ukho.gov.uk) are notified within five days of each instance of cable repair, replacement or protection replenishment activity.</i></p>	<p>In response to representations by the MMO.</p>
Schedule 4, condition 20(1)(a)(v)	<p>Sub-paragraph (v) has been updated as follows:</p> <p><i>(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex I reef habitats identified as part of surveys undertaken in accordance with condition 27</i></p>	<p>To clarify that the micro-siting requirement is specific to benthic habitats constituting Annex I reef habitats.</p>
Schedule 4, condition 20(1)(d)(i)(bb)	<p>Sub-paragraph (dd) has been added as follows:</p> <p><i>(dd) a detailed cable specification and installation plan for the authorised scheme, incorporating a cable burial risk assessment encompassing the identification of. The detailed cable specification and installation plan will identify the risk of needing any cable protection that exceeds may exceed 5 percent of navigable depth referenced to Chart Datum and, in. In the event that any area of cable protection exceeding 5 percent of navigable depth is identified, the cable specification and installation plan will set out details of any steps (to be determined following consultation with the MCA and Trinity House) to be taken to ensure existing and future safe navigation is not compromised or similar such assessment to ascertain suitable burial depths and cable laying techniques, including cable protection;</i></p>	<p>To improve clarity of the condition</p>

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Schedule 3, condition 20(1)(e)	Sub-paragraph (e) has been amended as follows: <i>(e) an offshore environmental management plan covering the period of construction and operation (which accords with the outline environment management plan) to include details of—</i>	To reflect that an outline environmental management plan has been submitted by the Applicant to the Examination.
Schedule 4, condition 20(2)	The condition that was previously condition 20(1)(f) has been amended such that it is a new standalone sub-paragraph (2) and subject to minor text amendments as below. Other sub-paragraphs have been re-numbered accordingly. <i>(2) (f) an offshore The authorised scheme must not commence until a written scheme of archaeological investigation for archaeology in relation to the Order limits, which must accord has been submitted to and approved by the MMO following consultation with the statutory historic body, in accordance with the outline offshore written scheme of investigation, and in accordance with industry good practice, in following consultation with the statutory historic body to include—</i>	In response to representations by the MMO.
Schedule 5	Schedule 5 of the draft DCO has been updated.	To include an updated list of documents to be certified.

6 Schedule of Changes of the draft Development Consent Order (Revision F07)

Table 6.1: Table of amendments submitted to the draft Development Consent Order (Revision 07) for Deadline 5

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the dDCO	Minor amendments have been made to the dDCO to correct cross-referencing errors.	For clarity and consistency
Articles		
Article 2 (interpretation)	The definition of “commence” has been updated as follows: <i>“commence” means the first carrying out of any licensed activities authorised by licence 1 or licence 2, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance approved under licence 1 or licence 2, and “commenced” and “commencement” must be construed accordingly</i>	To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.
Article 2 (interpretation)	The following definition has been added: <i>“deemed marine licences” means the marine licences set out in Schedules 3 (Deemed Marine Licence under the 2009 Act – Licence 1: Wind Turbine Generators and Associated Infrastructure) and 4 (Deemed Marine Licence under the 2009 Act – Licence 2: Offshore Substation Platforms and Interconnector Cables);</i>	In response to Examining Authority question DCO 2.1
Article 2 (interpretation)	The following definition has been added: <i>“licensed activities” means the activities specified in Part 1 of the deemed marine licences;</i>	In response to Examining Authority question DCO 2.1
Schedules		
Schedule 2, Requirement 2, paragraph (5)(a)	Paragraph (5)(a) of requirement 2 has been updated as follows: <i>(a) 4,000kJ 4,400kJ in respect of pin pile foundations at up to 16 locations;</i>	To correct a typographical error and align the maximum hammer energy authorised by the DCO with what was assessed in the environmental statement.

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<p>Schedule 2, Requirement 5</p>	<p>A new requirement has been inserted as follows:</p> <p><i>Air traffic services at Warton Aerodrome</i></p> <p><i>5. —(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State, having consulted with the Ministry of Defence and the operator, confirms in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the operator to ensure that such appropriate mitigation is implemented.</i></p> <p><i>(2) For the purposes of this requirement—</i></p> <p><i>“appropriate mitigation” means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the operator’s ability to provide safe and efficient air traffic services for Warton Aerodrome during the life of the authorised development;</i></p> <p><i>“approved mitigation” means the appropriate mitigation measures confirmed by the Secretary of State in accordance with sub-paragraph (1);</i></p> <p><i>“Ministry of Defence” means as represented by Defence Infrastructure Organisation – Safeguarding, Kingston Road, Sutton Coldfield, B75 7RL or any successor body; and</i></p> <p><i>“operator” means BAE Systems (Operations) Limited incorporated under the Companies Act 2006</i></p> <p><i>(Company Number 01996687) whose registered office is Warwick House, PO Box 87, Farnborough Aerospace Centre, Farnborough, Hants, GU14 6YU or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Warton Aerodrome.</i></p> <p><i>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.</i></p>	<p>In response to Examining Authority question AR 2.2 requesting that any new requirements to secure mitigation for potential aviation and radar effects are included within the draft DCO at deadline 5.</p>
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<p>Schedule 2, Requirement 6</p>	<p>A new requirement has been inserted as follows:</p> <p><i>Air traffic services at Walney Aerodrome</i></p> <p><i>6. —(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State, having consulted with the Civil Aviation Authority and the Operator, confirms in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.</i></p> <p><i>(2) For the purposes of this requirement—</i> <i>“appropriate mitigation” means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe and efficient air traffic services for Walney Aerodrome during the life of the authorised development;</i> <i>“approved mitigation” means the appropriate mitigation measures confirmed by the Secretary of State in accordance with sub-paragraph (1); and</i> <i>“Operator” means BAE Systems Marine Limited incorporated under the Companies Act 2006 (Company Number 00229770) whose registered office is Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Walney Aerodrome.</i></p> <p><i>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.</i></p>	<p>In response to Examining Authority question AR 2.2 requesting that any new requirements to secure mitigation for potential aviation and radar effects are included within the draft DCO at deadline 5.</p>
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<p>Schedule 2, Requirement 7</p>	<p>A new requirement has been inserted as follows:</p> <p><i>Air traffic services at Isle of Man Airport</i></p> <p><i>7. (1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the operator and the Isle of Man Civil Aviation Administration, confirms in writing that either—</i></p> <p><i>(a) no appropriate mitigation is required in respect of the authorised development; or</i></p> <p><i>(b) an appropriate mitigation scheme will be implemented and maintained for the life of the authorised development.</i></p> <p><i>(2) For the purposes of this requirement—</i></p> <p><i>“appropriate mitigation scheme” means a scheme agreed with the operator which sets out measures taken to prevent or remove any adverse impacts of the authorised development on the Isle of Man Primary Surveillance Radar and air traffic management operations and the operator’s ability to provide safe and efficient air traffic services for Isle of Man Airport during the life of the authorised development; and</i></p> <p><i>“operator” means Isle of Man Airport or such other organisation as is licensed from time to time to provide air traffic services for Isle of Man Airport.</i></p> <p><i>(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.</i></p>	<p>In response to Examining Authority question AR 2.2 requesting that any new requirements to secure mitigation for potential aviation and radar effects are included within the draft DCO at deadline 5.</p>
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<p>Schedule 2, Requirement 8</p>	<p>A new requirement has been inserted as follows:</p> <p><i>VHF communication systems at Blackpool Airport</i></p> <p><i>8. —(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State, having consulted with the Operator and the CAA, confirms in writing that either—</i></p> <p><i>(a) no appropriate mitigation is required in respect of the authorised development, or</i></p> <p><i>(b) appropriate mitigation will be implemented and maintained for the life of the authorised development.</i></p> <p><i>(2) For the purposes of this requirement—</i></p> <p><i>“appropriate mitigation” means measures agreed with the Civil Aviation Authority and the Operator to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s VHF communications, navigation and surveillance systems during the life of the authorised development;</i></p> <p><i>“Operator” means Blackpool Airport Operations Limited (incorporated in England and Wales with company number 09307995 and whose registered office is Number One Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH), or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Blackpool Airport; and</i></p> <p><i>“VHF” means very high frequency.</i></p> <p><i>(3) The undertaker shall thereafter comply with all obligations contained within the approved appropriate mitigation for the life of the authorised development.</i></p>	<p>In response to Examining Authority question AR 2.2 requesting that any new requirements to secure mitigation for potential aviation and radar effects are included within the draft DCO at deadline 5.</p>
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Schedule 2, Requirement 9	<p>A new requirement has been inserted as follows:</p> <p>Blackpool Airport Minimum Sector Altitude and Instrument Flight Procedures</p> <p>9. —(1) <i>No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until the Secretary of State having consulted with the Operator is satisfied that the minimum sector altitude at Blackpool Airport has been increased and any necessary published instrument flight procedures updated to mitigate the effect of the wind turbine generators erected as part of the authorised development.</i></p> <p>(2) <i>In this requirement—</i></p> <p><i>“Operator” means Blackpool Airport Operations Limited (incorporated in England and Wales with company number 09307995 and whose registered office is Number One Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH), or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Blackpool Airport.</i></p>	<p>In response to Examining Authority question AR 2.2 requesting that any new requirements to secure mitigation for potential aviation and radar effects are included within the draft DCO at deadline 5.</p>
Schedule 3, paragraph 1 (interpretation)	<p>The definition of “commence” has been updated as follows:</p> <p><i>“commence” means the first carrying out of any licensed activities, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance, and “commenced” and “commencement” must be construed accordingly.</i></p>	<p>To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.</p>
Schedule 3, paragraph 1 (interpretation)	<p>The following definition has been added:</p> <p><i>“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;</i></p>	<p>To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.</p>
Schedule 3, paragraph 1 (interpretation)	<p>The following definition has been added:</p> <p><i>“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance;</i></p>	<p>To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.</p>
Schedule 3, paragraph 2 (details of licensed marine activities)	<p>Paragraph (f) has been updated as follows:</p> <p>(f) UXO low order unexploded ordnance clearance works;</p>	<p>To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.</p>

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Schedule 3, paragraph 13 (maintenance of the authorised scheme)	<p>The following new sub-paragraphs have been added:</p> <p><i>(5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.</i></p> <p><i>(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licenced activities during the preceding year, the timing of activities and methodologies used.</i></p> <p><i>(7) Every fifth year, the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report which will—</i></p> <p><i>(a) Include a review of licenced activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and</i></p> <p><i>(b) Reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.</i></p>	In response to a request from the MMO to the Applicant.
Schedule 3, paragraph 20(1)(a)(v) (pre-construction plans and documentation)	<p>Paragraph 20(1)(a)(v) has been updated as follows:</p> <p><i>any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex-I reef habitats identified as part of surveys undertaken in accordance with condition 27 of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006,</i></p>	In response to a request from Natural England, reference A7 in its Risk and Issues Log [REP4-043]
Schedule 3, paragraph 20(1)(d) (pre-construction plans and documentation)	<p>Paragraph 20(1)(d) has been updated as follows:</p> <p><i>(d) an offshore construction method statement (which accords with the outline offshore construction method statement) in accordance with the construction methods assessed in the environmental statement, including details of—</i></p>	In response to Examining Authority question DCO 2.9.
Schedule 3, paragraph 20(1)(g) (pre-construction plans and documentation)	<p>Paragraph 20(1)(g) has been updated as follows:</p> <p><i>(g) in the event that driven or part-driven pile foundations are proposed to be used or in the event that unexploded ordnance clearance is required, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body,</i></p>	In response to Examining Authority question DCO 2.10. The Applicant has separated conditions relating to UXO clearance from those relating to piling where mitigation is secured by condition.

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<p>Schedule 3, paragraph 22 (underwater sound management strategy)</p>	<p>Paragraph 22(1) has been updated as follows:</p> <p><i>(1) No piling activities or detonation of unexploded ordnance can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>
<p>Schedule 3, paragraph 22 (underwater sound management strategy)</p>	<p>Paragraph 22(4) has been updated as follows:</p> <p><i>(4) The piling activities or detonation of unexploded ordnance must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the MMO.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>
<p>Schedule 3, paragraph 23 (low order unexploded ordnance clearance)</p>	<p>Paragraph 23 has been amended throughout to make reference to “low order” unexploded ordnance clearance.</p> <p>The following new sub-paragraph (7) has been added:</p> <p><i>(7) No high order unexploded ordnance clearance is permitted by this marine licence.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>

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Schedule 3, paragraph 24 (marine noise registry)	Reference to “detonation of unexploded ordinance” has been deleted throughout this paragraph.	In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordinance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordinance clearance from the deemed marine licence.
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Schedule 3, paragraph 28 (construction monitoring)

Condition 28 has been updated as follows:

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

(2) *The construction monitoring must include:*

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

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

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

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

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

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

This condition has been updated in response to a request from the MMO that, in addition to undertaking noise monitoring for the first four piles, the undertaker also undertake noise monitoring for two piles that will have higher hammer energies.

The Applicant has added sub-paragraphs (2)(c) and (6) to address this and has made several other minor amendments.

The threshold of 3,000 kJ of hammer energy specified in paragraph (2)(c) and (6) aligns with that set out in Schedule 2, requirement 2(5) of the draft DCO.

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	<p>further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</p> <p><i>(6) The results of the any underwater sound measurements monitored in accordance with sub-paragraph (2)(c) must be provided to the MMO within six weeks of the installation of the first two piles that exceed 3,000kJ of hammer energy. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, any piling activity where the hammer energy is anticipated to exceed 3,000kJ must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</i></p> <p><i>(7) (5) The undertaker must carry out the surveys specified in the offshore monitoring plan in accordance with that plan, including any further underwater sound monitoring required in writing by the MMO under sub-paragraph (4), unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.</i></p>	
Schedule 3, paragraphs 13(3), 20(c), 21(1) and (2), 22(2) and (3), 23(2) and (4)	The timescale for various plans and management documents that require to be submitted to the MMO to discharge a condition has been updated from four months to six months.	As requested by the MMO and Natural England
Schedule 4, paragraph 1 (interpretation)	<p>The definition of “commence” has been updated as follows:</p> <p><i>“commence” means the first carrying out of any licensed activities, save for pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance, and “commenced” and “commencement” must be construed accordingly.</i></p>	To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.

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Schedule 4, paragraph 1 (interpretation)	The following definition has been added: <i>“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;</i>	To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.
Schedule 4, paragraph 1 (interpretation)	The following definition has been added: <i>“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance;</i>	To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.
Schedule 4, paragraph 2 (details of licensed marine activities)	Paragraph (f) has been updated as follows: (f) UXO <i>low order unexploded ordnance clearance works;</i>	To reflect amendments to the draft DCO and DML that removes the ability to undertake high order unexploded ordnance clearance from the deemed marine licence.
Schedule 4, paragraph 13 (maintenance of the authorised scheme)	The following new sub-paragraphs have been added: <i>(5) An annual maintenance report must be submitted to the MMO in writing within one month following the first anniversary of the date of commencement of operations, and every year thereafter until the permanent cessation of operation.</i> <i>(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licenced activities during the preceding year, the timing of activities and methodologies used.</i> <i>(7) Every fifth year, the undertaker must submit to the MMO in writing, within one month of that date, a consolidated maintenance report which will-</i> <i>(a) Include a review of licenced activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and</i> <i>(b) Reconfirm the applicability of the methodologies and frequencies of the licensable activities permitted by this licence for the remaining duration of this licence.</i>	In response to a request from the MMO to the Applicant.

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Schedule 4, paragraph 20(1)(a)(v) (pre-construction plans and documentation)	<p>Paragraph 20(1)(a)(v) has been updated as follows:</p> <p><i>(v) any archaeological exclusion zones or micro-siting requirements identified pursuant to 20(1)(f)(iv) or relating to any benthic habitats of conservation, ecological or economic importance constituting Annex I reef habitats identified as part of surveys undertaken in accordance with condition 27 of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006,</i></p>	<p>In response to a request from Natural England, reference A7 in its Risk and Issues Log [REP4-043]</p>
Schedule 4, paragraph 20(1)(d) (pre-construction plans and documentation)	<p>Paragraph 20(1)(d) has been updated as follows:</p> <p><i>(d) an offshore construction method statement (which accords with the outline offshore construction method statement) in accordance with the construction methods assessed in the environmental statement, including details of—</i></p>	<p>In response to Examining Authority question DCO 2.9.</p>
Schedule 4, paragraph 20(1)(g) (pre-construction plans and documentation)	<p>Paragraph 20(1)(g) has been updated as follows:</p> <p><i>(g) in the event that driven or part-driven pile foundations are proposed to be used or in the event that unexploded ordnance clearance is required, a marine mammal mitigation protocol (in accordance with the outline marine mammal mitigation protocol), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body;</i></p>	<p>In response to Examining Authority question DCO 2.10. The Applicant has separated conditions relating to UXO clearance from those relating to piling where mitigation is secured by condition.</p>
Schedule 4, paragraph 22 (underwater sound management strategy)	<p>Paragraph 22(1) has been updated as follows:</p> <p><i>(1) No piling activities or detonation of unexploded ordnance can take place until an underwater sound management strategy for those activities, which accords with the outline underwater sound management strategy, has been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>

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<p>Schedule 4, paragraph 22 (underwater sound management strategy)</p>	<p>Paragraph 22(4) has been updated as follows:</p> <p><i>(4) The piling activities or detonation of unexploded ordnance must be carried out in accordance with the approved underwater sound management strategy, unless otherwise agreed in writing by the MMO.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>
<p>Schedule 4, paragraph 23 (low order unexploded ordnance clearance)</p>	<p>Paragraph 23 has been amended throughout to make reference to “low order” unexploded ordnance clearance.</p> <p>The following new sub-paragraph (7) has been added:</p> <p><i>(7) No high order unexploded ordnance clearance is permitted by this marine licence.</i></p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>
<p>Schedule 4, paragraph 24 (marine noise registry)</p>	<p>Reference to “detonation of unexploded ordnance” has been deleted throughout this paragraph.</p>	<p>In response to points raised by Natural England and the Joint Nature Conservation Committee, the Applicant has removed the ability to undertake high order unexploded ordnance clearance from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.</p>

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Schedule 4, paragraph 28 (construction monitoring)

Condition 28 has been updated as follows:

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

(2) *The construction monitoring must include:*

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

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

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

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

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

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

This condition has been updated in response to a request from the MMO that, in addition to undertaking noise monitoring for the first four piles, the undertaker also undertake noise monitoring for two piles that will have higher hammer energies.

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The threshold of 3,000 kJ of hammer energy specified in paragraph (2)(c) and (6) aligns with that set out in Schedule 2, requirement 2(5) of the draft DCO.

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	<p>further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, all piling activity must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</p> <p><i>(6) The results of the any underwater sound measurements monitored in accordance with sub-paragraph (2)(c) must be provided to the MMO within six weeks of the installation of the first two piles that exceed 3,000kJ of hammer energy. The assessment of this report by the MMO will determine whether any further underwater sound monitoring is required. If, in the reasonable opinion of the MMO in consultation with the relevant statutory nature conservation body, the assessment shows significantly different underwater sound modelling results to those assessed in the environmental statement or failures in mitigation, any piling activity where the hammer energy is anticipated to exceed 3,000kJ must cease until an update to the marine mammal mitigation protocol and further monitoring requirements have been agreed.</i></p> <p><i>(7) (5) The undertaker must carry out the surveys specified in the offshore monitoring plan in accordance with that plan, including any further underwater sound monitoring required in writing by the MMO under sub-paragraph (4), unless otherwise agreed in writing by the MMO in consultation with the relevant statutory nature conservation body.</i></p>	
Schedule 4, paragraphs 13(3), 20(c), 21(1) and (2), 22(2) and (3), 23(2) and (4)	The timescale for various plans and management documents that require to be submitted to the MMO to discharge a condition has been updated from four months to six months.	As requested by the MMO and Natural England
Schedule 5	Schedule 5 of the draft DCO has been updated.	To include an updated list of documents to be certified.