

PROPOSED SOUTH EAST ANGLIA LINK (SEA LINK) DEVELOPMENT CONSENT ORDER

PINS REFERENCE: EN020026

LONDON GATEWAY PORT LIMITED (LGPL) (IP REF: [REDACTED])

DEADLINE 3: LGPL'S RESPONSES TO THE EXAMINING AUTHORITY'S WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION (ExQ1) ISSUED ON 17 DECEMBER 2025 [PD-017]

ExQ1	Question to:	Question	LGPL Comment / Response
<b>1. General and Cross-topic Questions</b>			
1GEN7.	Applicant	<b>Errata within the REAC</b>  The measures listed under the heading of shipping and navigation in the REAC [CR1-043] in several cases are identified incorrectly in terms of the potential changes and effects in column (3). For example SN21 and SN22 do not relate to the Sunk. Review column (3) and provided an updated version of the REAC.	<p>LGPL looks forward to reviewing the updated Register of Environment Actions and Commitments in due course.</p> <p>LGPL also has concerns that a number of the commitments listed in the Shipping and Navigation section of the REAC are described (in column (7) as being secured under the Outline Offshore Construction Environment Management Plan (CEMP) [APP-339], but there is no relevant provision in the CEMP in relation to the point raised in the commitment. For example, SN31 relates to the routing of the project cable no closer than 151m to the Sunk W1 buoy but there is nothing on this point in the CEMP. SN30 relates to cable burial depth and protection and the need for this to be taken into account in design and construction. Section 1.11.32 of the CEMP indicates that this may be dealt with in the Navigational Installation Plan (NIP), but provides little other detail. In reviewing the updated REAC, the Applicant should also review and verify the references in column (7) for all the potential effects listed within the Shipping and Navigation section.</p> <p>LGPL also notes the measures / mitigation proposed will need to be updated to recognise LGPL's dredge depths at the Sunk Pilot Boarding Area, North East Spit and Long Sand Head (i.e. 22 or 12.5 metres below Chart Datum (CD) respectively with the necessary 0.5 metre tolerance for over-dredging) and generally in light of negotiations with stakeholders in respect of protective provisions and the terms of the deemed marine licence.</p>
<b>20. Shipping and navigation</b>			
1SN1.	Applicant	<b>Baseline depths</b>  Provide the relevant Admiralty chart extracts at a resolution that shows baseline depths.	LGPL looks forward to reviewing the charts that will be provided by the Applicant.
1SN2.	Applicant	<b>Depth of lowering (DoL) in the Sunk</b>  Provide a timescale for the assessment of the engineering implications of the additional cable DoL set out in [REP1A-038] paragraph 2.3.9 that may be required in the areas of the Sunk Pilot Boarding area that are already shallower than the 22m safeguard level, including the submission of updated documents.	LGPL looks forward to receiving clarification on the engineering implications of the additional depth of lowering at the earliest opportunity to ensure there is sufficient time during the Examination for the parties to exchange considered responses. It is LGPL's understanding that engineering solutions are available to achieve the necessary dredge depth (i.e. to dredge to 22 metres below CD across the Sunk Pilot Boarding Area (with an allowance of 0.5 metres for over dredging)).

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1SN3.	Applicant and relevant stakeholders	<p><b>Depth of lowering</b></p> <p>Provide an update on reaching an agreement with the relevant stakeholders on safeguarding current and future navigable water depths. In responding, explain how DoL commitments can most effectively be secured in order to secure existing and reasonable future under keel clearance requirements. If this is to be through protective provisions, provide suggested wording for how this can be appropriately secured. Also explain any alterations or additions to the REAC, for example MPE02.</p>	<p>The Applicant confirmed at a meeting with shipping and navigation stakeholders on 19 December 2025 it is aiming to submit revised protective provisions to the Port of London Authority (PLA) in late December / early January 2026. LGPL understands the Applicant is seeking broad agreement on the PLA's protective provisions before drafting LGPL's and Harwich Harbour Authority's (HHA) protective provisions in order to maintain continuity across approaches where possible. LGPL would receive a draft of its protective provision at the same time as the PLA and would emphasise it provided the Applicant with example wording for a protective provision on 21 November 2025. LGPL therefore looks forward to receiving copies of both the PLA's and LGPL's protective provisions at the earliest opportunity and with sufficient time during the Examination for the parties to exchange considered responses.</p> <p>The Applicant has confirmed the draft protective provisions currently cover water depth and consultation rights and the Applicant has noted the request to move the water depth requirements to either the DCO or deemed marine licence (DML) and this will be incorporated into the next draft.</p> <p>However, for the avoidance of doubt, LGPL's clear position is that the potential for future dredge depths must be secured by a Requirement.</p> <p>The requirement not to preclude the specified dredge depth is a fundamental parameter to, or restriction on, the carrying out of the authorised development – it is in a sense akin to an upwards limit of deviation. It is for the Order itself to specify such a restriction – this is in accordance with the <i>Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project</i> [Paragraph 003, Reference ID 04-003-20240430 and Paragraph 008, Reference ID 04-008-20240430] and would follow accepted practice across other development consent orders and harbour orders under the Harbours Act 1964. It is also consistent with the Five Estuaries Offshore Wind Farm Order 2025 (Requirement 2(3) of Schedule 2 to that Order).</p>
1SN4.	Applicant	<p><b>National Policy Statement for Ports (January 2012)</b></p> <p>Consider whether the National Policy Statement for Ports (January 2012) (Ports NPS) is an important and relevant matter in relation to the proposed development. If so, provide a summary of which aspects of the Ports NPS are important and relevant and a summary assessment of the proposed development in relation to those aspects as an update to the Planning Statement [AS-057].</p>	<p>LGPL looks forward to considering the Applicant's analysis of the Ports NPS and the updated planning statement.</p> <p>LGPL is clear that the Ports NPS is an important and relevant matter within the meaning of s.104(2)(d) of the Planning Act 2008.</p> <p>Should it assist, we refer to paragraph 3.16 to 3.19 of LGPL's Written Representation [REP1-142] where LGPL set out the NPS' recognition of the importance of shipping to the UK economy across both the current and 2025 consultation versions. We also refer to paragraph 3.3 of LGPL's Written Representations which refers to paragraph 4.2.15 of National Policy Statement EN-1 which makes clear impacts which present an unacceptable risk to, or unacceptable interference with offshore navigation are excluded from the presumption that residual impacts are unlikely to outweigh the need for energy infrastructure. We note the same position has been carried across in paragraph 4.2.2 of the updated EN-1 published on 6 January 2026.</p> <p>To note, the Written Representations also set out the relevant parts of the appropriate marine policy documents within the meaning of s.104(2)(aa) of the Planning Act 2008 to which the Secretary of State must have regard (and which are the subject of question 1SN5 below).</p>

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1SN5.	Applicant	<b>East Inshore and East Offshore Marine Plan</b>  Respond to LGP's assessment [REP1-142] that the proposed development is in conflict with policies PS1, PS3, DD1 of the East Inshore and East Offshore Marine Plan. Provide an explanation of how the conflict, if any, can be overcome.	LGPL looks forward to considering the Applicant's response.
1SN6.	Applicant	<b>Consultation with the Coastguard</b>  Can the applicant provide assurance that His Majesty's Coastguard will be engaged in discussions which impact their jurisdiction in relation to the delivery of the Sunk Vessel Traffic Services, which has been raised by the Maritime and Coastguard Agency (MCA) [REP2-063].	None.
1SN7.	Relevant stakeholders including London Gateway Port Ltd (LGP), Maritime and Coastguard Agency (MCA), Port of London Authority (PLA), Harwich Haven Authority (HHA)	<b>Cable burial risk assessment (CBRA)</b>  Provide comments on the submitted CBRA [PDA-039].	The CBRA must be reviewed and reissued in respect of those locations where the Depth of Lowering presently specified would not permit the future dredge depths in the Sunk, NE Spit and Long Sand Head Areas of Interest that LGPL requires to ensure that it does not undermine or preclude the necessary dredge depths. Furthermore, the reduction in DOL to 0.5m where competent bedrock subcrops or outcrops the seabed or where there is a thin veneer, cannot apply to those 3 areas.
1SN8.	Applicant	<b>Pre and post construction surveys and activities</b>  Provide a detailed response to PLA's suggested restrictions in relation to pre and post construction surveys and activities in paragraph 7.1 of [REP1-155].	LGPL looks forward to considering the Applicant's response.
1SN9.	Applicant	<b>Wet storage</b>  In its deadline 2 comments on submissions received at deadline 1 and deadline 1A, PLA raised consistency with the ES Part 4, Chapter 6 Marine Archaeology [REP2-005] in relation to wet storage. Where relevant update or amend as necessary to ensure consistency.	None.
1SN10.	Applicant	<b>Sediment disposal management plan (SDMP)</b>  There is reference in the draft Statement of Common Ground between National Grid Electricity Transmission (NGET) and the PLA [REP1-082] to the submission of a sediment disposal management plan. Provide confirmation that relevant stakeholders will be engaged, including the PLA. Provide an explanation as to whether it should be secured by the dDCO as a certified document.	LGPL looks forward to considering the Applicant's response. LGPL notes that presently there is no reference to a sediment disposal management plan in the DML in Schedule 16 [CR1-027]
1SN11.	Applicant	<b>Cable joints in the areas of interest</b>  REAC commitments SN19 and SN20 indicate that cable joints in the Sunk would be avoided where possible and where practicable. Provide a response to the request from the PLA that there would be no planned cable joints within the Areas of Interest due to the disruption to heavily trafficked routes.	The Applicant confirmed at a meeting with shipping and navigation stakeholders on 19 December 2025 there are no planned cable joints within the Sunk area of interest however it is still in early design stages and this will need to be confirmed at final design stage. The Applicant has confirmed it can agree in principle to "no cable joints within the areas of interest".  However, LGPL wishes to reiterate that its principal concern is that the approach adopted by the Applicant should not preclude LGPL's ability to dredge to 22 metres below CD across the Sunk

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			Pilot Boarding Area (with an allowance of 0.5 metres for over dredging) (and the other relevant depths in the other areas of interest). This should be secured by the Requirement. LGPL would also prefer no cable joints in the Areas of Interest due to consequential increased construction and maintenance activities and welcomes the Applicant's agreement in principle to no cable joints in the Areas of Interest. LGPL is happy to discuss the question of cable joints (and crossings) further with the Applicant.
1SN12.	Sizewell C Harbour Authority	<b>Engagement with Sizewell C Harbour Authority</b>  Provide comments on the updated Navigational Risk Assessment (NRA) [REP1-063] received at deadline 1.	None.
1SN13.	Harwich Haven Authority and London Gateway Port Ltd	<b>Safety zones</b>  Provide comments as to whether REAC commitment SN29 meets your requirements.	<p>The proposed rolling 500 metre radius Recommended Restricted Zones is consistent with Rule 2 of the COLREGs. However, in terms of the commitment actually set out in SN29 in relation to the practical implementation of that Zone, the degree of commitment is currently insufficient. LGPL requests that the commitment is bolstered to provide for far better liaison with the Applicant on the following basis:</p> <p>(a) two weeks prior to works starting in LGPL's Areas of Interest (being the Sunk, North East Spit and Long Sand Head), the Applicant will notify LGPL of that fact and LPGL will in turn provide the Applicant with its schedule of vessel calls. The Applicant will have regard to the schedule in relation to the timings of the presence of its vessels so as to avoid and minimise disruption to vessels navigating to and from London Gateway Port;(b) pre-commencement meetings between LGPL and the Applicant / the Applicant's relevant contractors will take place either one or two days before works begin in each of LGPL's Areas of Interest. Again, the Applicant will have regard to LGPL's representations at those meetings when carrying out activities in the Areas of Interest; and</p> <p>(c) the Applicant will provide LGPL with daily updates whilst activities in the Areas of Interest are carried out to inform LGPL's scheduling.</p> <p>These commitments should be secured in the NIP. LGPL would be happy to discuss the specific detail of these proposals with the Applicant.</p>
1SN14.	Applicant Harwich Haven Authority, London Gateway Port Ltd, Maritime and Coastguard Agency, Port of London Authority	<b>Exclusion zones</b>  The applicant has stated in section 7.3 of ES Part 4, Chapter 7 Shipping and Navigation [REP1-059] that exclusion zones will not be required. Does this need to be added to the REAC to be secured?	LGPL agrees with HHA that there should be no permanent exclusion zones anywhere within the Areas of Interest at the Sunk, NE Spit or Long Sand Head given the adverse effects that they would have on shipping. This should be referenced in the REAC, but secured in the NIP or other document approved under the DML.
1SN15.	Applicant Maritime and Coastguard Agency	<b>Magnetic compass deviation</b>  In the draft Statement of Common Ground with the MCA [REP1-081], the applicant states that a full update to the Electromagnetic Field report will be carried out once a	None.

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		full analysis update has been carried out pre-construction and will be shared with the consultee at the earliest opportunity. Can the applicant clarify whether this will be submitted to the examination or whether it intends for this to be post consent. Can the MCA comment as to whether it is necessary for this information to be made available prior to the decision being made on the DCO.	
1SN16.	Applicant MMO	<p><b>Consultation with MCA</b></p> <p>Provide confirmation that there would be provision for the MCA to be consulted on the discharge of relevant shipping and navigation related conditions in the DML.</p>	LGPL maintains the position set out in its Written Representations [REP1-142] that it requires approval rights over plans submitted pursuant to the DML.
1SN17.	Applicant and relevant stakeholders	<p><b>Vessel management plan (VMP)</b></p> <p>Several stakeholders have requested a VMP. Can the applicant confirm that their proposal is that this takes the form of a navigation and installation plan (NIP), for which an outline version has been submitted [AS-104]?</p> <p>Taking into account that section 1.2 of [AS-104] states that project activities outside of the three defined areas of interest are not covered by the NIP, can the applicant confirm that it does not consider that there is a need for a VMP with a wider geographical scope.</p> <p>Can the stakeholders provide comment as to whether they are satisfied that a separate VMP is not required.</p>	LGPL is of the view that such matters should be dealt with in the NIP and there is no value in an unnecessary proliferation of plans.
1SN18.	UK Chamber of Shipping	<p><b>Reputational risk</b></p> <p>The draft Statement of Common Ground [REP1-084] raises concerns about reputational risk. The applicant has updated the NRA [REP1-063] to deal with the commercial risk of a collision. Provide comments as to whether this is sufficient to overcome these concerns.</p>	None.
1SN19.	Applicant Port of Ramsgate	<p><b>Navigational Risk Assessment</b></p> <p>Port of Ramsgate to provide comments on the NRA [REP1-064] including in relation to potential future impacts on commercial ferries.</p> <p>Applicant to engage with the MCA in relation to their suggested additional risk mitigation measures [REP1-162] in relation to ensuring that the risk to shipping and safe navigation is As Low As Reasonably Practicable (ALARP).</p>	None.
<b>22. Other sea users</b>			
10SU1.	Applicant Relevant Stakeholders	<p><b>Cable crossings</b></p> <p><b>Applicant</b> - It is stated in the responses to the Supplementary Agenda Additional Questions [REP1A-033] ISH1.03 that the expectation is that there are no areas where the Sea Link cables cannot be buried, and that surveys indicate that existing in-service cables are buried, so that there would not be a scenario where Sea Link cables would cross over unburied cables. Each individual crossing location would be surveyed in</p>	As set out above, LGPL primary concern is that cable crossings in the areas of interest do not preclude LGPL's ability to dredge to 22 metres below CD across the Sunk Pilot Boarding Area (with an allowance of 0.5 metres for over dredging) and 12.5 metres below CD at North East Spit and Long Sand Head (again with a 0.5 metre over-dredge tolerance) . LGPL would also prefer no cable joints in its areas of interest due to consequential increased construction and maintenance activities affecting vessels. LGPL is happy to discuss its position with the Applicant.

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		<p>detail and would be agreed with each crossing agreement with the third-party asset owner. Provide an explanation of how this will be secured in the dDCO.</p> <p><b>Applicant</b> - Stakeholders such as London Gateway Port Ltd (LGP) and Port of London Authority (PLA) require that there are no cable crossings at all in the Sunk, Long Sand or North East Spit. Would it be appropriate to include a requirement or DML condition that prohibits cable crossings in these areas?</p> <p><b>Applicant and relevant stakeholders</b> - Cable crossing agreements with third-party asset owners have not been included in table 2.1 of the Consents and Agreements Position Statement [APP-010]. Give consideration as to whether they should be added.</p>	<p>As noted above, LGPL considers depths should be secured pursuant to a Requirement of the DCO rather than by way of condition of the DML. It is appropriate that these matters be secured by a Requirement as they should be seen as a fundamental parameter to, or restriction on the carrying out of the authorised development – it is in a sense akin to an upwards limit of deviation. It is for the Order itself to specify such a restriction – this is in accordance with the Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project [Paragraph 003, Reference ID 04-003- 20240430 and Paragraph 008, Reference ID 04-008-20240430] and would follow accepted practice across other development consent orders including the Five Estuaries Offshore Wind Farm Order made on 17 December 2025 and harbour orders under the Harbours Act 1964.</p>
1OSU2.	Applicant	<p><b>Cable crossings with third party assets</b></p> <p>Provide a full response to PLA's concerns expressed in <a href="#">[REP1-155]</a> about GridLink (KP 101.27) and Q&amp;E North (KP 100.151) in paragraph 6.3.</p>	<p>LGPL's principal concern is that the approach adopted by the Applicant should not preclude LGPL's ability to dredge to the specified depths in each Area of Interest. This should be secured by a Requirement. LGPL would also prefer no cable crossings in the Areas of Interest due to consequential increased construction and maintenance activities, and this would also be secured by Requirement or DML condition. LGPL would be happy to discuss the detail of this further with the Applicant once the response referred to is provided. .</p>

Addleshaw Goddard LLP  
9 January 2026