

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

PINS REFERENCE: EN020026

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

DEADLINE 3: (A) LGPL'S COMMENTS ON APPLICANT'S THEMATIC RESPONSES TO RELEVANT REPRESENTATIONS [REP2-024]

Reference	Summary of relevant representation	Applicant's response	LGPL Comment / Response
7.22.1	Concerns over the impact of the construction of the marine cable on existing marine traffic. Concern over cable crossing for shipping and navigation in the area.	<p>As part of the Environmental Impact Assessment undertaken for the Proposed Project, the Applicant undertook an assessment of the potential impacts on shipping and navigation, Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation, submitted at Deadline 1. The assessment recommended the establishment of communication plans with clear protocols to ensure effective communication and coordination between all relevant shipping and navigation stakeholders as a key mitigation for minimising shipping and navigation impacts during the construction phase.</p> <p>During construction and operation, the Applicant will develop a well-coordinated communication strategy, and proactive planning of operations, to ensure safe and efficient operations with minimal disruption to shipping and navigation. A Navigation Installation Plan is being produced post-DCO application submission to provide a mechanism to achieve this. The Applicant has submitted a draft Outline NIP to PINS on 1st September 2025, as part of the Applicant's response to the ExA's s89(3) letter dated 5 August 2025.</p> <p>The Proposed Project currently routes south of the Sunk Deep-Water Anchorage and north of the Sunk W1 Buoy to be further from the Sunk Pilot Station in accordance with requirements of the Harwich Haven Authority, avoiding potential disruption to this navigational feature during the construction phase.</p>	<p>We refer to LGPL's Written Representations [REP1-142] where the point is made the measures proposed in Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [APP-080] focus on safety only. They do not consider impacts (including economic impacts) due to the authorised development preventing future deeper draught vessels from accessing the Port altogether.</p> <p>LGPL notes the Applicant has not yet committed to a deadline for the provision of the NIP and looks forward to receiving a draft at the earliest opportunity to ensure there is sufficient time during the Examination for the parties to exchange considered responses.</p>
7.22.2	Query as to how inspection and maintenance of the marine cable will be undertaken Concern over permanent and temporary impacts of installation and repair / maintenance of the cable.	<p>The cable system has been designed to maintain its integrity without the need for routine maintenance. However, monitoring may reveal specific sections that require attention. While cable repairs can occur at any time, they are anticipated to be infrequent. During the operational lifetime of the cable several inspections to examine integrity are foreseen.</p> <p>This is expected to take place annually via remote operated vehicle (ROV)/autonomous underwater vehicle (AUV) in the early stages of the operation moving to every 2 – 5 years once suitable functional/operational stability is established.</p>	<p>LGPL notes the draft DML within the draft development consent order [CR1-027] provides maintenance will be governed by the cable specification and installation plan document which is to be submitted to and approved by the MMO prior to the commencement of Works No. 6 (rather than pursuant to a separate plan).</p>
7.22.4	Suggestion that no cable joints should be in the Sunk area to protect existing shipping movements. Requests for no cable joints to be located in the Sunk area due to navigational safety concerns.	<p>This suggestion has been factored into routing and noted in Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation and Application Document 6.3.4.7.A (B) ES Appendix 4.7.A Navigational Risk Assessment, both submitted at Deadline 1. As stated in the NRA, the Proposed Project has committed to avoiding disruption to the Sunk anchorage area and Sunk pilot boarding area during construction by minimising time spent in this region during construction and avoiding cable joints in this area where possible.</p> <p>The number of campaigns is currently projected to be 2, each of c. 60 km. The jointing point of the cables will aim as far as practicable to be outside the Sunk area and the higher risk area to the cables in this heavily trafficked portion of the route. If a single lay campaign is proposed by the Installation Contractor, there will be no need for a joint (only if the cable is accidentally damaged</p>	<p>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".</p> <p>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 Pilot Boarding Area (with an allowance of 0.5 metres for over dredging) (and the other relevant depths in the other areas of</p>

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		or suffers a technical failure within the Sunk area (i.e. post installation campaign) will a repair joint will be required).	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.
7.22.5	Requirement for cable installation (and associated works) to be north of both the Storm Buoy and the W1 buoy, and south of the charted Sunk deepwater anchorage. - Concerns over proximity to Sunk due to possible restrictions on access requirements. - Requests of cable to be north of both the Storm Buoy and the W1 buoy, and south of the charted Sunk deepwater anchorage, due to navigational safety concerns.	Through discussion with Harwich Haven Harbour Authority, the route has been refined to route north of the Sunk W1 buoy and south of the Sunk deep-water anchorage, as requested, to minimise disruption to the Sunk pilot boarding station during the construction phase. This is discussed in Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation and Application Document 6.3.4.7.A (B) ES Appendix 4.7.A Navigational Risk Assessment, both submitted at Deadline 1.	None.

(B) LGPL RESPONSES TO THE APPLICANT'S COMMENTS ON WRITTEN REPRESENTATIONS [REP2-034]

Reference	Matter	Points Raised	Applicant's Comments	LGPL Response / Comment
2.14	North East Spit & Long Sand Head	Vessels bound for the Port regularly use the North East Spit pilot station with vessels transiting from the pilot station via Prices Channel or the DWRs. For these routes to remain viable, a depth of -12.5m CD must be maintained.	This is noted by the Applicant. The Applicant has been in ongoing discussions with ports including the Port of London Authority and London Gateway Port regarding water depth safeguarding requirements in this area. Further information on this matter is provided in Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038].	<p>We refer to LGPL's comments on Application Document 9.74 Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note submitted at Deadline 2 [REP2-055] contained in Part B of LGPL's response in respect of the PLA's North East Spit Area.</p> <p>We also refer to our comments in LGPL's responses to the ExA's Written Questions and Requests for Information (ExQ1) [PD-017] submitted at Deadline 3 which summarise recent discussions with the Applicant in respect of securing water depths.</p>
3.6	Energy Policy	The Proposed Route therefore runs through IMO designated routes and it is clear from the East Inshore and East Offshore Marine Plan proposals significantly reducing UKC are not permitted. However, the Applicant's Marine Plan Policy Assessment [APP-298, Table 1.1] states that Policy PS1 is 'screened in' but that: "Under-keel clearance also not likely to significantly reduce and has been considered within Application Document 6.2.4.8 Part 4 Marine Chapter 8 Commercial Fisheries." On the basis that "A risk based burial approach will be used where cables will be buried to a minimum DOL to the top of the cable of 0.5 m (in areas of bedrock), with a target DOL for the Proposed Project of approximately 1 m to 2.5 m, assessing cable protection risk factors such as sediment type, shallow geology, sediment mobility, fishing activity, shipping movements and anchor deployment along the route", it is concluded that the proposed project is in accordance with the policy objectives of PS1. It is LGPL's position it is not.	<p>This is noted by the Applicant. The Applicant is in ongoing discussions with ports including London Gateway Port regarding under-keel clearance and water depth safeguarding requirements.</p> <p>Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059]</p>	LGPL looks forward to reviewing the updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059] which will be provided at Deadline 4.
3.8	Energy Policy	For reasons set out below, the dDCO (in its current form) will interfere with current activity and the opportunity to expand the Port. However, the Applicant's Marine Plan Policy Assessment [APP-298, Table 1.1] states that Policy PS3 is 'screened in' but that <i>"Impacts to Shipping and Navigation from the Offshore Scheme are either broadly acceptable or tolerable if as low as reasonably practicable (ALARP). The Proposed Project does not interfere with the expansion of ports and harbours in the Study Area. As such, the risks and therefore any significant effects are considered to be tolerable and ALARP. A detailed assessment is presented in Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation."</i> (our emphasis). On that basis <i>"Timely and efficient communication will be given to sea users in the area via Notices to Mariners (NtM), Kingfisher Bulletins, Navigational Telex (NAVTEX), and Navigational Areas (NAVAREA) warnings."</i> , and it is concluded that the proposed project is in	<p>This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders. An updated draft DML will be provided at Deadline 3.</p> <p>The Applicant is in ongoing discussions with ports including London Gateway Port regarding concerns surrounding potential impacts to shipping and navigation, in particular, surrounding safeguarding water depth and future access to ports.</p> <p>Further detailed response will be provided at Deadline 4, when the Applicant will provide an updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059].</p>	LGPL looks forward to reviewing the updated version of Application Document 6.2.4.7 (B) Part 4 Marine Chapter 7 Shipping and Navigation [REP1-059] which will be provided at Deadline 4 as well as the updated draft DML which will be provided at Deadline 3.

Reference	Matter	Points Raised	Applicant's Comments	LGPL Response / Comment
		accordance with the policy objectives of PS3. It is LGPL's position it is not		
4.18	LGPL CONCERNS Cable Crossings	The Applicant has not set out the points raised by LGPL here.	LGPL notes the Applicant has not commented on LGPL's concerns raised in paragraph 4.18.	LGPL made the point in its Written Representation [REP1-142] that there was no meaningful assessment of the impacts on shipping and navigation and that areas where cables are to be buried had not been identified. LGPL also noted the proposed mitigation measures were insufficient and would not preclude a scenario where vessels were prevented from accessing the Port during the construction phase as a consequence of reduction in depths. We note the Applicant has not commented on the concerns raised by LGPL here and presumably this omission was an error on the basis the Applicant provided the Shipping and Navigation Under-Keel Clearance Marine Engineering Technical Note [REP1A-038] at Deadline 1A which includes some analysis of seabed morphology at the Sunk Pilot Boarding Area and explains co-engineering and collaboration will be required to ensure 12.5 metres below Chart Datum can be realised at the North East Spit Area.
4.19	LGPL CONCERNS Cable Crossings	It is also significant that Chapter 10 of the Environmental Statement (Socio-Economics, Recreation and Tourism) does not address the offshore impacts on shipping and navigation but concentrates only on on-shore impacts.	The Applicant assumes that this comment related to Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-005]. This chapter forms part of the DCO application focusing on the onshore scheme. As such it only focuses on impacts associated with the onshore scheme. With regard to the offshore scheme, socio-economic effects are considered for individual sectors as part of the wider assessment of impacts on that industry. For example, for the offshore scheme, potential effects on the fisheries industry are assessed in detail in Application Document 6.2.4.8 (B) Part 4 Marine Chapter 8 Commercial Fisheries [REP1A-009] and potential effects on shipping and navigation are assessed in Application Document 6.2.4.7 (B) Shipping and Navigation [REP1-059]. Potential effects on other sea users including marine recreation and tourism activities are considered in Application Document 6.2.4.9 (B) Part 4 Marine Chapter 9 Other Sea Users [REP1-061].	The Applicant's assumption is incorrect as Application Document 6.2.2.10 (B) Part 2 Suffolk Chapter 10 Socio-Economics, Recreation and Tourism [REP1A-005] had not been produced by Deadline 1. The Applicant's suggestion the potential socioeconomic effects on shipping and navigation have been considered in Application Document 6.2.4.7 (B) Shipping and Navigation [REP1-059] is not correct as it does not assess the socioeconomic impact of vessels being precluded, now or in the future, from using navigation channels into the ports.
5.1	LGPL's ASKS	LGPL is of the view that a Requirement must be added to the dDCO [AS-087] to secure the necessary UKCs and safeguard pilotage activity.	This is noted by the Applicant. Consideration on the requirements and conditions of the DML are ongoing and will be subject to change upon further engagement with stakeholders.	LGPL looks forward to reviewing the updated draft DML and draft Protective Provisions

Reference	Matter	Points Raised	Applicant's Comments	LGPL Response / Comment
			An updated draft DML will be provided at Deadline 3. The Applicant is working with London Gateway Port and other ports to secure commitments in Protective Provisions.	

Addleshaw Goddard LLP
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