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Sea Link Case Team

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(By Email only)

MMO Reference: DCO/2022/00008

Planning Inspectorate Reference: EN020026

Identification Number: [REDACTED]

10 March 2026

Dear Sir or Madam,

**Planning Act 2008, National Grid Electricity Transmission, Proposed Sea Link Project -
Deadline 5 Submission**

On 23 April 2025, the Marine Management Organisation (the MMO) received notice under section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by National Grid Electricity Transmission, (the Applicant) for determination of a development consent order (“DCO”) for the construction, maintenance and operation of the proposed Sea Link Project (the DCO Application), (MMO ref: DCO/2022/00008 PINS ref:EN020026). The DCO includes a Deemed Marine Licence (DML) in Schedule 16.

The Applicant seeks authorisation for the construction, operation, and maintenance of the Sea Link interconnector, comprising of approximately 122 kilometres (km) High Voltage Alternating Current (HVAC) cable between the Suffolk landfall location (between Aldeburgh and Thorpeness) and the Kent landfall location at Pegwell Bay (the Project).

This document comprises the MMO’s submission for Deadline 5.

This written representation is submitted without prejudice to any future representation the MMO may make about the Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval, or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.



Yours sincerely,



Marine Licensing Case Officer



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1. Responses to ExQ2

ExQ2	Question	MMO Response
2PE1	<p>Pneumatic casing installation The applicant's response to ExQ 1PE5 [REP2-034] explains that there are currently 'no plans' to use pneumatic casing as part of the trenchless technique installation method and its use has not been included in any noise modelling.</p> <p>However, paragraph 2.2.2 of the outline Cable Specification and Installation Plan (oCSIP) [REP4-090] references temporary casing as part of the installation methodology.</p> <p>Should use of pneumatic casing be excluded from the working methods secured in the dDCO/deemed marine licence (DML) or be subject to some form of control in the event that plans were to change and if not, why not?</p>	<p>The MMO's position is that pneumatic casing installation should either:</p> <ul style="list-style-type: none"> • Be fully assessed and its use included as part of the working methods secured in the dDCO/dDML. • Be removed from the oCSIP in its entirety. <p>Should the method be removed from the oCSIP, any changes to the methodology can only be permitted once a full assessment of the impacts has been completed (along with consultation with the relevant agencies/bodies) and secured via a DML variation.</p> <p>The MMO has further comments on the oCSIP at Section 4.</p>
2BE8	<p>In principle monitoring plan for benthic The applicant states [REP4-241] that given that no likely significant effects had been identified for benthic ecology, and there are no requirements for additional mitigation or any areas of uncertainty/data gaps, no specific offshore receptors have been identified at this stage that would require further monitoring.</p> <p>The applicant therefore considered that an outline in principle (IPMP) is not required for benthic ecology.</p>	<p>The MMO notes that there is the potential for sensitive benthic features to be impacted. If it is established that the feature/s cannot be micro-sited around, then post consent monitoring surveys must be undertaken. Similar provisions for monitoring have been used on DCO/DML for offshore windfarm cable routes.</p> <p>However, as this question is related to nature conservation, the MMO defers to Natural England on whether IPMP will be required.</p>

	Do you agree with these points made by the applicant? If not please explain why.	
2BE9	<p>Benthic mitigation Under BE05 and BE06 of the REAC [REP4-235] it is understood that where benthic habitats of principal importance are identified during pre-construction surveys and there is potential for an impact on these habitats, the applicant would prepare a Benthic Mitigation Plan and an IPMP.</p> <p>For NE and MMO:</p> <ul style="list-style-type: none"> • These commitments state that these plans would be prepared in consultation with the MMO and Statutory Nature Conservation Body (SNCB) but does not require any agreement from MMO and/or a SNCB. Is such agreement on these plans necessary or would a consultation suffice? • If an IPMP records impacts worse than anticipated with the ES assessment, should there be a requirement for adaptive management, and how should this be secured? 	<p>The MMO disagrees with the use of the REAC to secure the Benthic Mitigation Plan and IPMP.</p> <p>The MMO position is that these must be secured via licence conditions on the DML as the MMO cannot exercise its compliance and enforcement duties set out under the Marine and Coastal Access Act 2009 for measures outlined in the REAC.</p> <p>The MMO is also concerned that the wording in the commitment reduces the MMO's role as a regulator and instead reduces its role to that of consultee. The MMO is the regulatory body for any activity that is licensable and therefore any changes, amendments, or plans and documents that apply to activities within its jurisdiction will require agreement from the MMO (in consultation with the SNCB).</p> <p>The MMO defers to Natural England (NE) over whether a requirement for adaptive management is required.</p>
2BE10	<p>Final cable route Is it necessary for MMO and NE to agree on the final proposed cable route prior to installation, including areas of micro-routing where necessary? If so, how would this be secured?</p>	<p>The MMO considers it necessary for the MMO (in consultation with NE) to agree on the final proposed cable route. The information currently held is insufficient with regards to the need for micro-routing to avoid conservation/heritage features.</p>
2BE11	<p>Baseline benthic surveys Do the submitted subtidal and intertidal surveys submitted (including, for example, [APP-196] [APP-198], [AS006], [APP-197]) by the applicant provide sufficient</p>	<p>The MMO has no concerns regarding the submitted subtidal and intertidal surveys submitted and considers that they provide sufficient coverage at this stage.</p>

	coverage at this stage for the assessment of impacts on benthic ecology?	
2MO2	<p>Red-Throated Diver Protocol</p> <p>Applicant: Should the RTD protocol be updated to:</p> <ul style="list-style-type: none"> • Reflect the need to restrict non-emergency operational and maintenance activities to NE and the MMO for the full duration of the seasonal restriction? • Confirm mitigation for the decommissioning phase? <p>Other parties: Comment.</p>	<p>Whilst the MMO ultimately defers to NE for ornithology impacts, the MMO does consider the restriction should be applied to non-emergency operational and maintenance activities. However, the MMO believes that any condition includes the wording: <i>“unless otherwise agreed in writing by the MMO (in consultation with the SNCB)”</i>, as there is some tolerance for impacts depending on the nature of the activity to be undertaken.</p> <p>With regards to decommissioning, the MMO cannot provide a response on this as it is dealing with a hypothetical activity 50 plus years in advance with too many uncertainties.</p>

2. Updated versions of principal areas of disagreement summary statements (PADSS)

- 1.0. The MMO has reviewed its PADSS submitted on 28 August 2025 and considers that the document has remained unchanged pending the submission of the updated Draft DCO and DML at Deadline 5. Please refer to AS-080 to view the MMO's PADSS. The MMO will review the PADSS following its review of the updated documents.

3. Notification of a wish to attend the ISH (if required) and CAH (if required) on the w/c 23 March 2026

- 3.1 The MMO notes the dates of the next ISH and CAH. Due to capacity issues within the case team, the MMO will not be attending these meetings, however we will review the minutes when issued and provide written comments on any relevant matters at a later deadline.

4. Comments on any further information/submissions received by Deadline 4

Applicant's Comments on Other Submissions Received at Deadlines 3 and 3A (Clean) [REP4-241]

- 1.1. The MMO has reviewed the Applicant's response to 1PE4 within REP4-241 and in the 'Applicant's Comments on Responses to First Written Questions' [REP4-083]. The MMO notes within REP4-241 that the Applicant states that they disagree "*with the need for a designated disposal site outside of the order limits for the Proposed Project*". The MMO notes the question did not relate to disposal sites outside of the order limits rather the designation of a disposal site in general. Material deposited within the order limits may still require the area be designated per the MMO's OSPAR reporting requirements.
- 1.2. The MMO has provided further comments relating to the need for a disposal site at point 1.89 below.

Trinity House Comments on any further information/submissions received by Deadline 3 – comments on draft Development Consent Order [REP4-205]

- 1.3. The MMO notes the requested amendments to the DCO by Trinity House with regards to the following:
 - Pre-construction plans and documentation
 - Aids to Navigation
 - Post construction
- 1.4. The MMO has no concerns with Trinity House requesting amendments to Schedule 16, Part 2 Conditions 4 and 14 regarding the pre and post construction documents.

- 1.5. With regards to the amendments to Condition 7 subsection (3)(a)-(c) *Aids to Navigation* in order to maintain consistency with the standard navigation conditions, the MMO requests that sub-section 3 be amended to state:

“(3) The undertaker must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning keep Trinity House and the MMO informed of progress of the authorised project including;”

This inclusion will align the condition with other DMLs previously consented and allow the MMO to ensure the Applicant is complying with the conditions.

- 1.6. The MMO notes the comments regarding the proposed inclusion of Trinity House and ExQ2 question 2SN5, as a recipient of the notification for unauthorised deposits as part of the Section 16, Part 2 Condition 9 (Force Majeure). The MMO does not agree with this section for the reasons outlined in Section 3.6 of the MMO’s Deadline 3 response [REP3-095] however, should this section remain within the consented DCO then the MMO has no issue with Trinity House, MCA or UKHO being notified alongside the MMO. The MMO further notes the Applicant’s response in REP4-241 that this section is currently under review by the Applicant and an updated version of the DCO will be submitted at a Deadline 5.

9.7 (E) Schedule of Changes to the Draft Development Consent Order (Clean) [REP4-227]

- 1.7. The MMO has reviewed the above document and noted the changes made to the dDCO at Deadline 4. The MMO also acknowledges that this does not include other wider amendments to the dDML (Schedule 16) as these will be reflected in the updated dDCO being submitted at Deadline 5. The MMO will provide comments on the updated DML at a subsequent deadline.

Outline Cable Specification and Installation Plan (OSCIP) [REP4-090]

- 1.8. The MMO is currently reviewing the above plan with consideration to the Applicant’s response within REP4-241 regarding the need for a disposal site. The MMO is continuing to review the information and other representations including from the Port of London Authority (PLA) [REP4-198] and London Gateway Port Limited [REP4-188]. The MMO will provide further comments on the OSCIP at a future deadline.
- 1.9. Should a disposal site need to be designated the MMO will require that the outstanding sample analysis templates requested at Deadline 4 be representative of the cable route as a whole. Should this requirement be met, the Applicant will need to provide the disposal site by way of a shapefile. This should include any area where material is to be disposed of excluding the areas identified in REP4-198 and REP4-188. The area will then be designated with all dredged material disposal only permitted within the site.

- 1.10. The MMO received the updated sample templates requested at Deadline 4 on 03 March and are currently reviewing the information. in consultation with Cefas, to confirm whether the sample templates are appropriate. We will provide further information at Deadline 6.
- 1.11. The MMO will confirm the need for a disposal site at Deadline 6 and liaise with the Applicant over the information required.

Port of London Authority comments on further information/submission received by Deadline 3 [REP4-198]

- 1.12. The MMO has reviewed the above submission from the PLA, in particular the proposed amendments to Schedule 16 (dDML). The MMO notes the inclusion of two new defined terms “Areas of Interest” and “Safeguarded Dredging depths”. The MMO requests that Areas of Interest be amended to “*Safeguarded depth area*” as this is more accurate, the MMO has concerns over the level of detail within “Safeguarded Dredging Depths” and that the information relating to the dredge depths is not appropriate as part of the definition. The MMO would request that if the DCO is amended to include these definitions, then the information relating to the parameters of the dredge depth be included within any certified plan/document rather than within the text itself.
- 1.13. The PLA has proposed that Schedule 16, Part 2 Condition 4 (5) is amended to include “(provided that the MMO has consulted with any party that it was required to consult with in relation to a relevant plan, protocol, statement, or details pursuant to this condition 4)”. The MMO does not consider this amendment appropriate and notes Condition 4 has been re-worded during examination to include consultees including the MCA, EA and Cefas. The MMO has no issue with the inclusion of the PLA as part of the list of consultees as the MMO consult with the authority on activities that fall under their jurisdiction as standard practice.
- 1.14. The PLA has recommended that Part 2 Condition 4 (6) be amended to state “(6) *In undertaking the licensed activities, the undertaker must not reduce water depth by more than 5% unless agreed with the MMO in writing and within the areas of interest navigable depth may not be reduced to any extent*”. The MMO’s preference for the interest of clarity would be for this condition to be split, with 4(6) remaining as is, and a new section 4(7) be included stating that:
No reduction in navigable depth is permitted within the safeguarded depth area.
- The MMO requests that this change be replicated within Part 2 Condition 12 (3).
- 1.15. The MMO also notes the proposed request of a new condition from the PLA under the heading of “remediation”. The MMO requests that the Applicant liaises with the MMO regarding the wording of this condition as it will need to be reviewed by the MMO.

Deferred responses to Action Points arising from Issue Specific Hearing 2 (ISH2) [EV6-033]

1.16. The MMO deferred a response to AP 71 (Marine Physical Environment) at Deadline 4. The question was:

The MMO's DL2 response [REP2-056] highlighted a number of issues relating to the terminology associated with substances used in the marine environment (e.g. bentonite), emphasising the need for substances to be on the OSPAR pose little or no risk (PLONOR) list. Is there a need for the Deemed Marine Licence (DML) to explicitly secure that only substances from the OSPAR list are used in addition to the current provisions in Part 2, Condition 8 of the DML?

Following discussions with our scientific advisors at Cefas, the MMO considers that a condition be included within the DML that the OSPAR PLONOR list should be explicitly included. The MMO is aware that a new dDML will be provided at Deadline 5, however due to the need to review the changes as well as determine appropriate wording for the condition, the MMO will provide these together in a subsequent deadline.