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MMO Reference: DCO/2022/00008
Planning Inspectorate Reference: EN020026
Identification Number: [REDACTED]

13 April 2026

Dear Sir or Madam,

Planning Act 2008, National Grid Electricity Transmission, Proposed Sea Link Project - Deadline 6 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 6.

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,

[REDACTED]
Marine Licensing Case Officer

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1. Responses to ExQ3

ExQ3	Question	Response
3GEN28	<p>Draft Deemed Marine Licence (dDML) Part 2 Condition 4</p> <p>Confirm whether the Marine Management Organisation (MMO) agrees with Natural England's (NE) suggested additional wording for Condition 4 (1) (a) an intertidal works methodology and mitigation plan [REP5-199]. If so, confirm whether the suggested wording is satisfactory or explain why not and, where relevant provide alternative wording.</p>	<p>The MMO agrees with the need for the plan to be included within the pre-construction documents to be approved. The MMO also agrees with the proposed wording from NE in [REP5-199].</p> <p><i>"DML Part 2 Condition 4 (1) (a) an intertidal works methodology and mitigation plan".</i></p>
3PE1	<p>Designated dredge disposal area</p> <p>Provide suggested dDML wording to secure a defined dredge disposal area.</p>	<p>The MMO notes that Condition 8 (4) of the dDML states:</p> <p><i>(4) The undertaker must ensure that only inert material of natural origin, drilling mud and dredged material, produced during the landfall installation or seabed preparation works is disposed of within the disposal site reference(s) to be provided by the MMO within the extent of the Order limits seaward of MHWS.</i></p> <p>The MMO has been working with the Applicant and our advisors at the Centre for Environment, Fisheries, and Aquaculture Science (Cefas) with the aim to designate the disposal site within the order limits. For the reasons given in Section 2.2 below, the MMO requires additional information. However, the MMO is content that designating the site can be done post consent and prior to commencement of the activities if required as has been done with other developments.</p> <p>The MMO also notes that in order to satisfy Condition 8 (5) which is for OSPAR reporting, a designated site will be required. The MMO will continue to work with the Applicant outside of the examination process to designate the site. Should the outstanding issues in Section 2.2 be resolved and the site designated prior to the end of examination, the MMO will provide the reference.</p>

<p>3PE4</p>	<p>Outline Offshore CEMP [REP5-066] provision MPE06 Confirm whether the beach profile and erosion rates monitoring provision in MPE06 should be subject to the caveat 'where rock bags are planned to be placed' and if not, suggest alternative wording.</p>	<p>The MMO is aware that Natural England originally raised this in their response to MPE06 in REP5-020 and that the MMO has had no involvement in the discussion around this.</p> <p>The MMO therefore defers to other bodies, including Natural England on this issue.</p>
<p>3PE6</p>	<p>Outline Offshore CEMP [REP5-066] provision MPE09 Should the need for further monitoring after five years in MPE09 be subject to agreement with relevant stakeholders?</p>	<p>The MMO agrees that monitoring post year 5 may be necessary and that consultation with the MMO and SNCB will be required to determine the need and scope of the monitoring.</p> <p>The MMO requests that this is included as a condition within the DML and not the REACC for the reasons given in its answer to 2BE9 as part of ExQ2 in its Deadline 5 response [REP5-175].</p>
<p>3BE2</p>	<p>Benthic surveys Within the outline Cable Specification and Installation Plan (oCSIP) [REP5-117] under section 3.2 it states that the applicant would undertake pre-construction surveys. For benthic ecology it suggests the use of drop-down video or remotely operated vehicle.</p> <p>MMO and NE: Are these suitable forms of potential pre-construction benthic surveys? Should pre-construction benthic surveys be secured with a condition within the DML? If so, how should this be worded and would the details of the survey need to be agreed prior to the undertaking of these surveys?</p>	<p>The MMO defers to Natural England over the suitability of the proposed monitoring.</p> <p>However, the MMO agrees that the pre-construction benthic surveys should be secured within the DML.</p> <p>However, the MMO will not provide wording on this for the DML as it is the Applicants responsibility to draft the dDCO/dDML and then for the MMO or other bodies to discuss the suitability of the conditions.</p> <p>The MMO suggests that the Applicant review the conditions within the East Anglia Two offshore Windfarm.</p>
<p>3BE3</p>	<p>Final cable route condition If the final route of the offshore cable (including micro-siting) should be agreed prior to installation (informed by a pre-installation survey) then how should this be secured? If it is considered that a condition within the DML is most suitable, provide wording for this.</p>	<p>The MMO agrees that this should be agreed prior to construction.</p> <p>The MMO's preferred option is for a micro-siting report to be submitted pre-construction and used to inform the final micro-sited route. The final route will require approval from the MMO (in consultation with relevant bodies it deems appropriate) prior to construction commencing.</p> <p>The MMO therefore proposes the following wording:</p> <p><i>"The licensed activities or any part of those activities must not commence until details of the final cable route, including coordinates,</i></p>

		<i>have been submitted to and approved in writing by the MMO”.</i>
3BE5	<p>Benthic Mitigation Plans and monitoring conditions Should the Benthic Mitigation Plans referred to with within the oCEMP [REP5-066] and the subsequent IPMP (BE05 and BE06 of the REAC [REP5-115]) be secured as a condition within the DML? If so, provide wording for the condition.</p> <p>Furthermore, should there be an agreement with MMO or NE as to whether a Benthic Mitigation Plan and associated IPMP is necessary, based on pre-installation surveys and the proposed final cable route? If so, incorporate this into your suggested wording.</p>	<p>The MMO agrees that both should be conditioned within the DML as the MMO made previous comments in DL5 [REP5-175] regarding hindrances with our regulatory function with regards to measures outlined in the REAC.</p> <p>The MMO notes that following a meeting with the Applicant on 09 April 2026 and subsequent emails following this, that the provision of an IPMP is now included under Condition 4 (i).</p>
3BE7	<p>Cable protection removal In the applicant’s response to ExA question 2BE7 [REP5-135] in relation to the removal of cable protection at decommissioning stage, the applicant states that removability of cable protection can be a factor in the final choice of cable protection used for the proposed development in some cases, although engineering and other sea users will also be a key factor in cable protection decisions. For example, the applicant states that to protect cable integrity at cable crossings, cable protection may not be removed at these locations. With the applicant committed to having removability of cable protection as a factor at decommissioning, is this a satisfactory approach?</p>	<p>The MMO considers this approach as satisfactory. However, we also note our previous comments in DL5 [REP5-175] regarding decisions taken now for the decommissioning phase:</p> <p><i>“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”.</i></p>
3BE8	<p>Drill fluid management Within the offshore CEMP [REP5-066] the applicant has included details of drilling fluid management. From a benthic ecology perspective, does this address any concerns about potential drill fluid impacts to benthic ecology?</p>	<p>The MMO has been in discussions with the Applicant regarding Chemicals, Drilling and Debris and the inclusion of additional and updated conditions in the DML.</p> <p>The wording for these conditions are provided in Section 2.1 below. The MMO has passed this wording onto the Applicant outside of the Examination process and we understand that they are happy to update the DML to reflect these updates.</p> <p>The MMO defers to Natural England for consideration on impacts from fluids on benthic ecology.</p>

<p>3SN4</p>	<p>Cable burial Has the applicant's response in [REP5-132] to your concern in relation to cable burial depths from KP 96.343 to 113.83a [REP4-126] provided sufficient information? If not, what more do you require and why.</p>	<p>The MMO is minded to agree, however we defer to the Maritime Coastguard Agency (MCA) with regards to this question as it relates to the safeguarded water depth area.</p>
<p>3SN5</p>	<p>Outline Cable Specification and Installation Plan [REP4-090] In the MMO's comments in [REP4-126] it is stated that the oCSIP will need to be compared to the CBRA. Has the comparison been undertaken and what is the outcome? Provide details of any concerns the MMO (or other stakeholder) have and any suggested remedy.</p>	<p>The MMO has reviewed the reports and is content. We note that the MCA have reviewed the CBRA and have requested deeper burial between KP96.343 & 113.83 than recommended in Table 24.</p> <p>The MMO notes that the reports will also be submitted for approval prior to commencement and that the MMO will consult with the MCA who are named on the condition.</p>
<p>3SN6</p>	<p>Anchor strike risk Provide clarification as to whether concerns regarding anchor strike risk, particularly in relation to the Sunk anchorage would be adequately mitigated by the mitigation measures including the target depth of lowering and external cable protection details set out in the oCSIP [REP4-090]. If not, provide details of any remaining concerns and/ or additional measures that would be required</p>	<p>The MMO defers to the MCA as the navigational safety body but notes as with 3SN5 the final CBRA and CSIP will be submitted for approval post consent and this involves consultation with MCA.</p>
<p>3SN8</p>	<p>Post consent monitoring [REP3-033] indicates that the MMO's request for regular post-construction maintenance reports and a separate section in the DML to be included for post consent monitoring has not been agreed by the applicant. Provide an explanation for the request including the implications of not including provision for post-construction maintenance reports and monitoring, and if necessary suggested wording for a section in the DML in relation to shipping and navigation matters.</p>	<p>The MMO agrees that 5 yearly maintenance reports are required to enable the MMO to carry out its regulatory and enforcement duties. The DCO allows for specific quantities of material and Operation and Maintenance activities to be carried out post construction. Currently the MMO does not have a specific mechanism within the DCO/DML to monitor the frequency of these activities along with the activities carried out or additional quantities of material used (such as rock armouring and other protection).</p> <p>With regard to monitoring for benthic impacts and recovery, the MMO requests more regular annual monitoring (using the date of construction as a start point) up to year 5 (where the condition on further monitoring would be required). This will enable the MMO and SNCB to assess the recovery or impacts on sensitive benthic features such as reef.</p>

<p>3SN9</p>	<p>dDML conditions 4 and 12 Do conditions 4(6) and/ or 12(3) need to be amended to apply only to areas outside of the areas where the safeguarded depths are being agreed. If so, provide amended wording. If not, explain why not.</p>	<p>The MMO ultimately defers to MCA regarding this question.</p> <p>However, the 5% reduction in water depth applies to the whole cable route, in areas of agreed water depth- a maximum reduction of 5% or the agreed depth, whichever offers more depth should be considered. This is particularly applicable in the SW section of the NE spit.</p>
<p>3SN12</p>	<p>Planned cable crossing within North East Spit Provide your comments on the securing mechanisms included in requirement 17(2) [REP5-006] for safeguarding water depths in relation to the potential crossing with the planned GridLink cable.</p>	<p>The MMO is satisfied that the wording is acceptable, however we defer to MCA for any further comments.</p>
<p>3SN13</p>	<p>Cable crossings Provide your comments on the applicant's proposed mechanisms for safeguarding water depths at the point of cable crossings. If you consider that the proposed mechanism is not appropriate, provide a detailed explanation of why not, suggest a more appropriate mechanism and suggested wording, unless already provided.</p>	<p>The MMO notes that the Applicant, per condition 4(5) and 12(3) of the DML, is required to discuss with the MMO and MCA if they are unable to meet the 5% reduction in navigable depth. We consider this is an appropriate mechanism for reviewing any crossings and expect the 5% condition or agreed safeguarded depth to be maintained for crossings as applicable.</p> <p>The MMO defers to MCA for any further comments.</p>
<p>3SN14</p>	<p>Planned cable joints within the three areas of safeguarded depth (ASD) on plate 1.2 of [REP4-090] The oCSIP sets out in section 4.4 that there will be no planned cable joints in the three ASDs. Is this sufficient to minimise risks to shipping and navigation to ALARP and mitigate any likely significant effects on shipping. If not, explain the additional measures that are required, and if appropriate provide suggested wording.</p>	<p>The MMO defers to MCA regarding this question as it relates to the area of safeguarded depth.</p>
<p>3SN16</p>	<p>Unplanned cable joint repairs Condition 12 of the dDML [REP5-005] sets out that 'maintenance' includes cable repairs. REAC provision SN33 states that unplanned cable repair joints will be avoided in the Sunk, so far as practicable, but if such a scenario is unavoidable, the project shall consider potential collision risk and minimize time spent during maintenance in this region as much as possible. The oCSIP [REP4-090] sets out in section 4.4 further detail of the procedure for cable jointing and unforeseen repairs within the three areas of</p>	<p>The MMO defers to MCA regarding this question as it relates to risks regarding shipping and navigation.</p>

	<p>safeguarded water depth.</p> <p>Consider whether these provisions provide adequate safeguards to minimise risks to shipping and navigation to ALARP in this regard, and if not explain why not and suggest alternative or additional measures.</p>	
3SN21	<p>Schedule of outstanding matters</p> <p>Provide a schedule of outstanding matters with a clear explanation of the implications (likely significant effects or ALARP) in terms of shipping and navigation if these matters remain unresolved at the close of examination.</p> <p>Where DCO/DML drafting could resolve these matters please provide suggested wording.</p>	<p>The MMO defers to the MCA as responsible navigation authority for any outstanding matters relating to shipping and navigation.</p>
3OTH1	<p>Deposit of plastic and synthetics at sea</p> <p>Part 1(7)(e) of the dDML sets out that plastic and synthetics are authorised for deposit at sea. NPS EN-1 5.15.11 states that assessment should include other uses of material before disposal to sea.</p> <p>MMO/NE: Comment as to whether this is acceptable.</p>	<p>The MMO notes that the terms “deposit” and “disposal” are different with regards to marine licences.</p> <p>The use of plastic or synthetics as part of the construction, for example in rock bags, is authorised for deposit as part of the construction.</p> <p>NPS EN-1 5.15.11¹ relates to a circular economy and the use of recycled or reused sources which is not relevant.</p> <p>NPS EN-1.15.10 however, states that: <i>“5.15.10 If the applicant’s assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process.”</i></p> <p>This relates to the disposal of dredged material only, where the MMO would expect Applicants to consider the waste hierarchy before determining that sea disposal is the most appropriate option.</p>

¹ <https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1-2025/overarching-national-policy-statement-for-energy-en-1-2025-accessible-webpage#generic-impacts>

		<p>As outlined in 3PE1 the MMO considers that the cable route should be designated a disposal site due to the need for sandwave clearance and other activities which involve the physical removal of material and placing elsewhere but the NPS would not apply for the use of plastic or synthetics deposited as part of the construction for example in rock bags.</p>
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2. Comments on any Further information / Submissions received by Deadline 5

2.1. Comments relating to the Draft DCO and DML

Main DCO

Definitions

2.1.1. The MMO notes that the definition of “commence” has changed within the DML and that it now omits ‘trial trenching’ from the definition. The MMO is not aware of any rationale behind this change and is concerned that by omitting trial trenching from the definition, this can be carried out in areas such as Pegwell Bay with the mitigation and monitoring requirements no longer being adhered to. The MMO requests that this change be removed from both the main list of definitions and the list within Schedule 16 (Deemed Marine Licence).

Part 2 Principal Powers

6. Benefits of the Order & 7. Consent to Transfer benefit of the Order

2.1.2. The MMO notes that section 6 and 7 remain within the DCO. The MMO reiterated its position at point 3.3 in its Deadline 3 Submission [REP3-094]. The MMO will not duplicate our previously stated reasoning for this position within this response, however in summary the MMO raises objection in relation to:

- a) The procedure seeking to duplicate the existing statutory regime set out in s72 of the 2009 Act
- b) The proposed procedure being cumbersome, more administratively burdensome, slower and less reliable than the existing statutory regime set out in s72 of the 2009 Act;
- c) The power for an undertaker to grant a DML;
- d) The basis for disapplication of the need for Secretary of State’s consent to a transfer/grant for DML is unrelated to any matters relating to marine licensing.
- e) The overall effect on the ability of the MMO to enforce the marine licensing regime in respect of any transferred or granted DML.

Schedule 16 Deemed Marine Licence

Part 1 Licenced Marine Activities

2.1.3. The MMO notes that Section 9 of Part 1 refers to the benefit of the Order, for the reasons set out in 2.1.2 the MMO continues to strongly object to the inclusion of this.

2.1.4. The MMO notes the use of the word “*unlikely*” in Section 11:

“Any amendments to the details, plan or scheme must be in accordance with the principles and assessments set out in the environmental statement, and approval for an amendment may be given only where it has been demonstrated to the

satisfaction of the MMO that the amendment is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.”

The MMO considers the word “unlikely” to be too broad and introduces an unacceptable level of uncertainty regarding the potential for new or materially different environmental effects. The MMO, in order to ensure that any amendments are assessed against a robust threshold, requests that “unlikely” be replaced with “will not”. This also ensures consistency with the existing terminology used on Marine Licences.

Part 2 Conditions - Pre construction plans and documentation.

2.1.5. The MMO notes in Section 4 (a) that “in general accordance” has now been replaced with “in substantial accordance”. Section 4 of the MMO’s Deadline 4 response [REP4-126] for Issue Specific Hearing additional questions noted that:

“The MMO’s position is that “in general accordance” allows for there to be a margin of difference and we therefore request that the wording of this condition be changed to “in accordance with”.

The MMO therefore again requests that the wording be updated to “in accordance with”.

2.1.6. With regard to Section 4 (1)(a)(iv) the MMO requests that “intertidal” should be defined as “The area between mean high-water springs and low water springs”.

2.1.7. The MMO notes that for 4 (2) Historic England is referred to as “the Historic England”. The MMO considers that “the” can be removed.

2.1.8. The MMO notes the inclusion of Section 4 (6) and (7). The MMO provided comments around the terminology of these areas in Deadline 5 [REP5-175]. The MMO notes that the wording in 4 (7) of “Sunk Pilot Boarding area Area of interest” is somewhat poor and recommends that alternate wording be provided for clarity.

Part 2 Conditions - Reporting of engaged agents, contractors and vessels

2.1.9. The MMO requests that “any licensed activity” be amended to “any part of any licensed activity”.

2.1.10. The MMO notes that due to the examination timetable, changes previously requested in the previous deadline may not be reflected in any updated documents at the subsequent one. However the MMO wishes to make sure the Applicant is aware of the change requested in Deadline 5 [REP5-175] regarding the requested change to Condition 7 (3) (a)-(c), for reference this was that subsection 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.

Part 2 Conditions - Chemical, drilling and debris

2.1.11. The MMO has reviewed Condition 8 in relation to the chemical conditions and notes the proposed changes to Condition 4 (Pre-construction plans and documentation). The MMO proposes the following wording for both Condition 4 and Condition 8:

Condition 4:

4. (1) The licensed activities or any part of those activities under Work No. 6, save for trial trenching, must not commence until the following plans in respect of those activities have been submitted to and approved in writing by the MMO, such approval to be within a period of six months from submission (in consultation with Natural England, the JNCC, MCA, Environment Agency, PLA, Trinity House, UKHO and Cefas):

...

(l) Unless otherwise agreed in writing by the MMO, a chemical risk assessment, including (but not limited to) information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards, and in accordance with the conditions of this licence.

(m) Unless otherwise agreed in writing by the MMO, a site specific chemical risk assessment for any chemicals used for the licensed activities (outside the course of normal navigation) with a pathway to the marine environment, submissions should include;

- i. the function of the chemical, the quantities being used, the frequency of use, the location, and the estimated discharge;*
- ii. the management measures preventing the release into the marine environment; and*
- iii. the physical, chemical, and ecotoxicological properties of the chemical.*
- iv. Chemicals present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR), or chemicals where the MMO agree in writing that the management measures are sufficient to ensure no release into the marine environment, are exempt from (iii).*

Submissions for approval must take place no later than ten weeks prior to use.

Condition 8:

- (1) The undertaker must ensure that any coatings/treatments are suitable for use in the marine environment and are used in accordance with relevant guidelines approved by Health and Safety Executive and the Environment Agency.*
- (2) All chemicals used for the licensed activities should be selected with regard to their environmental impact, and approved for use by the MMO. Where less hazardous or non-toxic substitutes are available, these must be used in preference to more harmful substances.*
- (3) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including substances released by design or by degradation. This should include bunding of 110% of the total volume of all reservoirs and containers, unless otherwise agreed by the MMO in writing.*
- (4) The undertaker must ensure that only inert material of natural origin, drilling mud and dredged material, produced during the landfall installation or seabed preparation works is disposed of within the disposal site reference(s) to be provided by the MMO within the extent of the Order limits seaward of MHWS.*
- (5) The undertaker must inform the MMO of the location and quantities of material disposed of each month under the Order, by submission of a disposal return by 15th February each year for the months August to January inclusive, and by 15th August each year for the months February to July inclusive.*
- (6) The undertaker must ensure that any rock material used in the construction of the authorised scheme is from a recognised source free from contaminants and containing minimal fines.*
- (7) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team within 12 hours.*
- (8) All dropped objects must be reported to the MMO using the dropped object procedure form as soon as reasonably practicable and in any event within 6 hours of the undertaker becoming aware of an incident. Immediate notification must be made to HMCG via telephone where there is a perceived danger or hazard to navigation. On receipt of the dropped object procedure form, the MMO may require relevant surveys to be carried out by the undertaker (such as side scan sonar) if reasonable to do so and the MMO may require obstructions to be removed from the seabed at the undertaker's expense if reasonable to do so.*

The MMO has also requested the following definitions be added:

“pathway to the marine environment” open systems or closed systems that require top up.

"chemicals" comprise both substances and preparations (a mixture or solution composed of two or more substances).

"substance" means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition.

This wording has been shared with the Applicant outside the Examination process and the MMO understands that it will be included in the updated DCO to be submitted at Deadline 6.

Part 2 Conditions – Force Majeure

- 2.1.12. The MMO notes that Condition 9 remains within the DCO. The MMO reiterated its position at point 3.6 in its Deadline 3 Submission [REP3-094]. The MMO will not duplicate our previously stated reasoning for this position within this response, however in summary the MMO continues to object to condition 9 as Section 86 of Marine and Coastal Access Act 2009 (MCAA) provides a defence for action taken in an emergency in breach of any licence conditions. The MMO refers the ExA to the previously identified Deadline 3 response.

Part 2 Conditions – Red Throated Diver Protocol

- 2.1.13. The MMO has reviewed the Red Throated Diver Protocol submitted by the Applicant at Deadline 5 [REP5-080]. The MMO notes the provision under 1.5.9 that would require the Applicant to submit a report in the event that emergency Operation and Maintenance (O&M) activities are required. While the MMO defers to Natural England on the suitability of the Protocol with regards to mitigation against impacts on Divers, the MMO would request that 1.5.9 be amended to state that the document will be provided to the MMO who in consultation with NE will provide confirmation in writing.

Part 2 Conditions – Post construction

- 2.1.14. The MMO requests that the words “in writing” be added after “unless otherwise agreed with the MMO” in condition 14 (3).

Additional Points

- 2.1.15. The MMO has noted in the review of the DML that the format of references to timescales in particular days are inconsistent with some written numerically and others fully. The MMO requests that the formatting be amended to ensure consistency throughout the document.

2.2. Suspended Sediments and Contamination

- 2.2.1. As noted in Paragraph 1.11. of our Deadline 5 response [REP5-175] the MMO has reviewed the updated sample templates which it requested at Deadline 4. The MMO has reviewed the sample analysis and has liaised with the Applicant outside of the examination process to resolve further issues which were identified.
- 2.2.2. Following previous concerns raised by the MMO in regard to the sample results, we note that the Applicant has now provided an updated MMO Results template for MAR02534 with sample sites A to K and another with sample sites K to L. These have addressed the previous comments with the Marine Licence information appropriately filled out, and the location information updated to decimal degrees.
- 2.2.3. However, the MMO notes that the Applicant has not filled in the dredge area tonnages box which requires the estimated maximum tonnage in wet tonnes anticipated as a result of the works as requested. The MMO believes the maximum dredge volume to be 1,8000,000 m³, however the Applicant should confirm if this is not correct. Additionally, the Applicant has provided the sampling depths as water depth (m) at each location, however these should be the depths at which the samples were collected relative to the sediment surface (0 m). The MMO requests that this be amended and resubmitted as we have been unable to locate any further details regarding the sample depths, other than references to the samples having been collected at the surface, mid and max depths in each sample location. At present this is insufficient to be able to determine whether the samples are fully representative of the proposed cable area. It would be helpful if the Applicant is also able to please provide signposting to the design depths for the proposed sandwave clearance along the cable corridor with the requested sample depths.
- 2.2.4. The Applicant has completed the MMO templates with the laboratory which undertook the Particle Size Analysis (PSA), which confirms these were undertaken by Benthic Solutions Ltd., who are validated by the MMO to undertake this analysis in support of marine licences. The Applicant has also provided the relevant certificates of analysis for review to be able to have confidence in the results provided. We welcome this information and have no further comments on the PSA results at this time.
- 2.2.5. Upon reviewing the sample locations provided in the updated MMO Results templates for MAR02534, it appears the Applicant has only provided the 2024 sample results for a select number of vibrocore samples located off the Kent coast. Previous advice requested that the 2022 and 2024 physiochemical sample results (including any grab and vibrocore samples) should be provided in the correct format (i.e., the standard MMO template) for review. It is not clear why only the vibrocore results from only Area 5 have been provided in the MMO template, or why these samples in particular have been included within a separate report. The MMO requests that this is clarified.

- 2.2.6. Notwithstanding the comments above, it is possible that the sample results provided for the application overall are representative of the cable corridor. Although please note the MMO does not believe the 2024 vibrocore sample results provided are sufficiently representative of the cable corridor. Given the complex case history, it is not clear as to the chronology of which sediment sample data has been reviewed (and when) or if all major concerns have been adequately addressed.
- 2.2.7. The MMO has passed these comments onto the Applicant ahead of Deadline 6, and we have since received updated documents addressing the points above. The MMO is currently reviewing these, alongside our scientific advisors at Cefas, and will continue to liaise with the Applicant following our review.
- 2.2.8. With regard to the need for a designated disposal site, this is standard practice for dredge disposal and sandwave clearance activities in the marine environment and is to fulfil UK signatory obligations for OSPAR and London Protocol. The MMO confirms that in areas of pre-sweeping, these should be designated as disposal sites. The MMO is currently reviewing which areas will need designating as a disposal site in consultation with our advisors at Cefas, and we will continue to liaise with the Applicant regarding this.

2.3. Register of Environmental Actions and Commitments (REAC) [REP5-115]

- 2.3.1. The MMO has reviewed the REAC [REP5-115]. Notwithstanding the issues raised in our answer to 3PE6 and within the MMO's Deadline 5 response [REP5-175] the MMO notes the repeated references to the securing mechanism under DCO Schedule 3, requirement 6: "DCO Schedule 3, Requirement 6 Offshore Construction Environmental Management Plan" (CEMP).
- 2.3.2. The MMO notes that the CEMP is not a document listed within Schedule 6 requirement 6 but is a document identified in the dDML under Condition 4 (1) (b) as a pre-construction document. The MMO requests that this reference within the REAC be updated to signpost to this condition.