

Our Reference
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By e-mail

16 October 2026

Dear Sir

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by National Grid Electricity Transmission plc ("the Applicant") for an Order granting Development Consent for the proposed Sea Link project ("the Proposed Development")

ALL INTERESTED PARTIES – INVITATION TO COMMENT

We write further to your letter issued on 22nd September 2026 indicating that:

1. The Secretary of State has received responses from the Applicant and other Interested Parties to her information request dated 28 August 2026.
2. The Secretary of State now invites all Interested Parties to comment on the responses provided which have been published on the Sea Link Project Page.

We are instructed by the Port of London Authority ("**the PLA**") and we write to respond to the following updated Post Examination documents submitted by the Applicant:

- (a) The Applicant's Post Examination draft Development Consent Order (Document 3.1 version K) ("**Post ExAdDCO**")
- (b) The Applicant's Post Examination Outline Offshore Construction Environment Plan (Document 7.5.2 version F) ("**Post ExA ooCEMP**")
- (c) The Applicant's Post Examination Register of Environmental Actions and Commitments (Document 9.84 version G) ("**Post ExA REAC**")

2 COMMENTS ON POST EXAMINATION DRAFT DEVELOPMENT CONSENT ORDER

- 2.1 We note that there have been various minor amendments to the Protective Provisions that appear in Part 9 of Schedule 15 for the Protection of the Port of London Authority (Offshore). The PLA has no comments on the specific changes made.

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- 2.2 The Applicant has also updated the Deemed Marine Licence which appears at Schedule 16 of the Post ExAdDCO, the PLA would note, however, that the Post ExAdDCO does not address the following recommendations of the ExA in their Schedule of ExA's recommended amendments to the applicant's dDCO [PD-024]:
- (a) Condition 4(1) changes: *"a Cable Specification and Installation Plan document in respect of those licensed activities, which is in substantial accordance"* - deletion of the word "substantial".
 - (b) *"an Offshore Construction Environment Management plan which is in substantial accordance with the principles set out in the outline Offshore Construction Environment Management Plan"* - deletion of the word "substantial".
 - (c) The same is applicable to the Navigation and Installation Plan.
- 2.3 The PLA at deadline 6 marked up a copy of the DML at Appendix 1 of [REP6-140] and at Deadline 7 the PLA noted a number of changes to the Deemed Marine Licence that continued to be sought [REP7-279]. The Post ExAdDCO responds to some of the changes including the change requested to Condition 4(1)(a)(v).
- 2.4 The following changes have not, however, been addressed regarding water depths:
- (a) Condition 1(3)(d): the PLA would expect wording to be included at (d) that links back to the Areas of Safeguarded Water Depth Plan and the exclusion area for the Sea Link crossing with GridLink i.e. "No part of Work No.6, including any associated development or ancillary works, is to be installed within the Sea Link Exclusion Area as shown on the Areas of Safeguarded Water Depth Plan".
 - (b) Condition 4(5) the PLA requested the following amendment:

"In undertaking the licensed activities,

(i) within the Areas of Safeguarded Water Depths the undertaker must not reduce existing water depths by more than 5% of navigable depth referenced to Chart Datum or below the depths required by Requirement 17 in Schedule 3 (whichever results in the greatest water depth); and

(ii) outside these areas the undertaker may not reduce existing depths by more than 5% of navigable depth referenced to Chart Datum unless the MMO agrees a depth greater than 5% in writing in consultation with the MCA and Trinity House." (emphasis added)

The underlined wording above is important because there will be locations within the Areas of Safeguarded Water Depth where if the Applicant simply followed the Areas of Safeguarded Water Depth requirement reductions in water depth of greater than 5% could occur. For example, in the North East Spit if the seabed is currently deeper than 13.7m Chart Datum then the maximum 5% maximum reduction would need to apply rather than the 13m absolute safeguarded depth.

The above drafting was agreed with the MCA and London Gateway.
 - (c) In Condition 12(3), again the Applicant has not taken forward the PLA's amendments which mirrored the PLA's condition 4(5) requirements, namely:

"In undertaking activities under condition 12(2):

(i) within the Areas of Safeguarded Water Depths, the undertaker must not reduce existing water depths by more than 5% of navigable depth referenced to Chart Datum or below

the depths required by Requirement 17 in Schedule 3 (whichever results in the greatest water depth); and

(ii) outside these areas, the undertaker may not reduce existing depths by more than 5% of navigable depth by reference to Chart Datum unless the MMO, the PLA, London Gateway Port Limited, MCA and Trinity House all agree to the additional reduction."

Again these changes were agreed with the MCA and London Gateway.

- 2.5 In respect of Schedule 3, Requirement (5) as noted in paragraph 7.2 of the PLA's Deadline 6 submission [REP6-140],

"the REAC "has been developed to provide firm, precise commitments for measures that are not subject to amendment" however Requirement 5(1) of the dDCO allows for the relevant planning authority or other discharging authority to allow the works to be carried out not in compliance with the approved plan. This is concerning, particularly as it is not clear who would approve non-compliance with the offshore elements of the proposed Scheme or whether any consultation would take place before non-compliance was permitted or refused. The commitments provided for in the REAC and the requirement to carry out the works in accordance with the REAC should be absolute and Requirement 5 should be amended accordingly".

The PLA noted that Section 1 of the REAC is only listed in Requirement 5 and it is not referenced in the DML and therefore it would appear that the Marine Management Organisation has no powers to approve any non compliance with the offshore elements of the REAC. This has not been addressed.

- 2.6 The PLA ask that the Post Examination draft DCO is updated accordingly.

3 COMMENTS ON POST EXAMINATION OUTLINE OFFSHORE CONSTRUCTION ENVIRONMENT PLAN

- 3.1 Paragraph 1.10.13 of the Post ExA ooCEMP makes reference to emergency repairs. The PLA questioned in paragraph 4.1 of its Deadline 7 response [REP7-279] the scope of what constitutes an emergency and in particular the reference to "reasonably believed to be so". This means that an issue does not need to be happening, just the Applicant reasonably considers it could and would therefore potentially allow the Applicant to undertake all repairs under the emergency repair category. This concern has not been addressed.

4 COMMENTS ON THE POST EXAMINATION REGISTER OF ENVIRONMENTAL ACTIONS AND COMMITMENTS

- 4.1 Section 1 of the Post ExA REAC contains actions and commitments that the undertaker will comply with during the construction, operation or decommissioning of the proposed project. There is no reference to compliance during maintenance. The addition of a reference to maintenance would be consistent with the terminology used in Requirement 17 of the dDCO which requires Work No. 6 including any associated development or ancillary works, located within the Areas of Interest to be "designed, installed, operated and maintained" at a level.
- 4.2 In respect of the PLA's comments at paragraph 9.2 of the PLA's Deadline 7 response [REP7-279] on the Section 1 commitments the only Section 1 commitment that has been satisfactorily addressed is SN22 all the other comments made on behalf of the PLA remain outstanding.
- 4.3 In respect of the PLA's comments at paragraph 9.3 of the PLA's Deadline 7 response [REP7-279] on the Section 2 commitments the only Section 2 commitments that has been satisfactorily addressed are GM01, MPE02, SN02, SN03 all the other comments made on behalf of the PLA remain outstanding.
- 4.4 In respect of commitment SN38 Boulder relocation (on page 139) of the Post ExA REAC the PLA would note that the wording is not as definitive as it could be, the wording stating: "Unless agreed with

MMO and relevant Statutory Bodies, no boulders would be relocated by the Proposed Project to or within the three Areas of Safeguarded Water Depth which would impede water depths in accordance with Requirement 17 of the DCO (Application Document 9.104 Areas of Safeguarded Water Depth Plan)" The PLA would wish to see this as an absolute commitment with no boulders being relocated within the three Areas of Safeguarded Water Depth

5 OTHER OUTSTANDING MATTERS

5.1 In Section 7 of the PLA's Deadline 7 response [REP7-279] the PLA noted that it is essential to the efficient running of the Ports that simultaneous RAM operations are not permitted to occur within certain areas. This is currently secured in the oNIP [REP6-100] in relation to:

- (a) Simultaneous RAM operations within the Sunk Pilotage Concurrent RAM Activity Area
- (b) In combination concurrent RAM activities (with Five Estuaries and North Falls) within the Sunk Pilotage Concurrent RAM Activity and the Trinity Deep Water Route areas
- (c) In combination concurrent RAM activities (with Five Estuaries and North Falls) within the Outer Sunk East and the Outer Sunk Central

The PLA remains of the opinion that concurrent RAM activity should also be prohibited in the North East Spit and that this should be made clear in the Outline Navigation and Installation Plan and shown on plate 3.1. This still needs to be addressed.

The PLA do ask that the Applicant updates the relevant documents referred to in this response to respond to the outstanding matters outline above.

Yours faithfully

[Redacted Signature]

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