



MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Schedule of Changes to the Draft Development Consent Order including Draft Deemed Marine Licences



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1 Schedule of Changes of the draft Development Consent Order following Section 51

Table 1: Table of amendments submitted to the draft Development Consent Order (Revision 02) following Section 51 Advice

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation and grammatical errors including corrections to ensure the term mini-or-micro-tunnels is used consistently throughout.	For clarity and consistency
Contents page	A contents page has been inserted at the front of the dDCO.	As requested by the Secretary of State in the Section 51 advice, to help readers navigate the dDCO.
Articles		
Part 1, Paragraph 2, Interpretation	The definition of “Marine Management Organisation” has been removed as follows: “Marine Management Organisation” means the body created under the 2009 Act which is responsible for the regulation of this licence or any successor of that function and “MMO” must be construed accordingly;	Removed to correct a duplication of the definition.
Part 5, Article 29, Temporary use of land for carrying out the authorised project	Paragraph (6)(d) has been amended as follows: <i>(d) restore the land on which any works (including ground strengthening works) have been constructed under paragraph (1)(e) by Morgan or paragraph 2(e) by Morecambe insofar as the works relate to environmental mitigation works;</i>	To correct a typographical error.
Part 5, Article 45, Requirements, appeals, etc.	Paragraph (2)(c) has been amended as follows: <i>(c) after sub-section (1), insert the following—</i> <i>“(1A) Where the appeal under sub-section (1) relates to a decision by the Secretary of State, the appeal will be decided by a Secretary of State who would not be responsible for determining an application for development consent with</i>	To correct a grammatical error.

	the subject matter of the Morgan Offshore Wind Project and Morecambe Offshore Windfarm: Transmission Assets Order 202[.] as if section 103(1) of the 2008 Act applied.”												
Part 5, Article 46, Arbitration	Paragraph (3) has been amended as follows: (3) Sections 78 (right to appeal against planning decisions and failure to take such decisions) and 79 (determination of appeals) of the 1990 Act have effect in relation to any appeal under the terms of this article except that the Secretary of State in question is the Secretary of State who would be responsible for determining an application for development consent with the subject matter of this Order as if section 103(1) (Secretary of State is to decide applications) of the 2008 Act applied.			To correct a grammatical error.									
Schedules													
Schedule 5A	Column 3 has been amended as follows: <table><tr><td><i>Flyde Council</i></td><td><i>Bridleway 5-5-BW 16</i></td><td><i>Between point MG_08A and point MG_08B on Sheet 12 of the Public Rights of Way Plan</i></td></tr></table>			<i>Flyde Council</i>	<i>Bridleway 5-5-BW 16</i>	<i>Between point MG_08A and point MG_08B on Sheet 12 of the Public Rights of Way Plan</i>	Amends in response to s.51 advice to review related management plan for consistency and minor errors.						
<i>Flyde Council</i>	<i>Bridleway 5-5-BW 16</i>	<i>Between point MG_08A and point MG_08B on Sheet 12 of the Public Rights of Way Plan</i>											
Schedule 5A	<table><tr><td colspan="3">The following rows have been inserted into the table as follows:</td></tr><tr><td>Flyde</td><td>Bridleway 5-5-BW 16</td><td>Between point MG 14A and point MG 14B on Sheet 12 of the Public Rights of Way Plan</td></tr><tr><td>Fylde</td><td>Bridleway 5-5-BW 16</td><td>Between point MG 15A and point MG 15B on Sheet 12 of the Public Rights of Way Plan</td></tr></table>			The following rows have been inserted into the table as follows:			Flyde	Bridleway 5-5-BW 16	Between point MG 14A and point MG 14B on Sheet 12 of the Public Rights of Way Plan	Fylde	Bridleway 5-5-BW 16	Between point MG 15A and point MG 15B on Sheet 12 of the Public Rights of Way Plan	Amends in response to s.51 advice to review related management plan for consistency and minor errors.
The following rows have been inserted into the table as follows:													
Flyde	Bridleway 5-5-BW 16	Between point MG 14A and point MG 14B on Sheet 12 of the Public Rights of Way Plan											
Fylde	Bridleway 5-5-BW 16	Between point MG 15A and point MG 15B on Sheet 12 of the Public Rights of Way Plan											
Schedule 5A	<table><tr><td colspan="3">The following rows have been inserted into the table as follows:</td></tr><tr><td>South Ribble</td><td>Footpath (Ribble Way) 7-9-FP 5</td><td>Between point MGMC 15A and point MGMC 15B on Sheet 18</td></tr></table>			The following rows have been inserted into the table as follows:			South Ribble	Footpath (Ribble Way) 7-9-FP 5	Between point MGMC 15A and point MGMC 15B on Sheet 18	Amends in response to s.51 advice to review related management plan for consistency and minor errors.			
The following rows have been inserted into the table as follows:													
South Ribble	Footpath (Ribble Way) 7-9-FP 5	Between point MGMC 15A and point MGMC 15B on Sheet 18											

	of the Public Rights of Way Plan									
	South Ribble	Footpath 7-9-FP 7	Between point MGMC 16A and point MGMC 16B on Sheet 18 of the Public Rights of Way Plan							
Schedule 5B	The following rows have been inserted into the table as follows: <table><tr><td>South Ribble</td><td>Footpath (Ribble Way) 7-9-FP 5</td><td>Between point MGMC 15A and point MGMC 15B on Sheet 18 of the Public Rights of Way Plan</td></tr><tr><td>South Ribble</td><td>Footpath 7-9-FP 7</td><td>Between point MGMC 16A and point MGMC 16B on Sheet 18 of the Public Rights of Way Plan</td></tr></table>			South Ribble	Footpath (Ribble Way) 7-9-FP 5	Between point MGMC 15A and point MGMC 15B on Sheet 18 of the Public Rights of Way Plan	South Ribble	Footpath 7-9-FP 7	Between point MGMC 16A and point MGMC 16B on Sheet 18 of the Public Rights of Way Plan	Amends in response to s.51 advice to review related management plan for consistency and minor errors.
South Ribble	Footpath (Ribble Way) 7-9-FP 5	Between point MGMC 15A and point MGMC 15B on Sheet 18 of the Public Rights of Way Plan								
South Ribble	Footpath 7-9-FP 7	Between point MGMC 16A and point MGMC 16B on Sheet 18 of the Public Rights of Way Plan								
Schedules 7A & 7B	The plots in Schedules 7A and 7B have been updated in line with the track change Book of Reference.			To align to changes made to the Land Plan – onshore following s.51 advice.						
Schedule 8A & Schedule 8B	The plots in Schedules 8A and 8B have been updated in line with the track change Book of Reference.			To align to changes made to the Land Plan – onshore following s.51 advice.						
Schedule 18, Table 11, Documents to be certified	The description of row J17 has been amended as follows: <table><tr><td>J17</td><td>Outline Offshore Written Scheme of investigation for archaeology and protocol for Archaeological Discoveries</td><td>September 2024</td></tr></table>			J17	Outline Offshore Written Scheme of investigation for archaeology and protocol for Archaeological Discoveries	September 2024	This amendment has been made to reflect the correct document name for document J17, as referenced in the Application Guide and Environmental Statement.			
J17	Outline Offshore Written Scheme of investigation for archaeology and protocol for Archaeological Discoveries	September 2024								

2 Schedule of Changes of the draft Development Consent Order for Deadline 1

Table 2: Table of amendments submitted to the draft Development Consent Order (Revision 03) following relevant representations and in response to hearing action points due for Deadline 1

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation and grammatical errors including corrections to ensure the term mini-or-micro-tunnels is used consistently throughout.	For clarity and consistency
Articles		
Part 1, Article 2, Interpretation	The definition of commence has been amended as follows: <i>“commence” means—</i> <i>(a) in relation to the offshore works <u>any activities licensed by licence 1 or licence 2</u>, the first carrying out of any licensed marine activities authorised by the deemed marine licences; <u>those activities save for operations consisting of offshore site preparation activities pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance</u> approved under <u>licence 1 or licence 2</u> the deemed marine licences;</i> <i>(b) in respect of any other works, the first carrying out of any material operation (as defined in section 155 of the 2008 Act) forming part of the authorised project except for onshore site preparation works and the words “commence” and “commencement” must be construed accordingly;</i>	In accordance with the Applicant’s response to Natural England’s Relevant Representation (RR-1601.A.1 in PDA-015) and to reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR 1414.2 in PDA-013).
Part 1, Article 2, Interpretation	The definition of crown land plan has been amended as follows: <i>“crown land plan – onshore <u>and offshore</u>” means the document certified as the crown land plan - onshore by the Secretary of State under article 42 for the purposes of this Order;</i>	The change has been made to reflect the correct, full name of the document.

Part 1, Article 2, Interpretation	The following definition has been added: <u><i>“deemed marine licenses” means licence 1, licence 2, licence 3 and licence 4;</i></u>	For clarity/cross-referencing and in accordance with the Applicant’s response to Natural England’s comment in their Relevant Representation (RR-1601.A.1 in PDA-015).
Part 1, Article 2, Interpretation	The following definition has been added: <u><i>“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance;</i></u>	To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR 1414.2 in PDA-013).
Part 1, Article 2, Interpretation	The following definitions have been added: <u><i>“licence 1” means the marine licence set out in Schedule 14 (Marine Licence 1: Morgan Offshore Wind Project Transmission Assets);</i></u> <u><i>“licence 2” means the marine licence set out in Schedule 15 (Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets);</i></u> <u><i>“licence 3” means the marine licence set out in Schedule 16 (Marine Licence 3: Morgan Offshore Wind Project Transmission Assets - River Ribble);</i></u> <u><i>“licence 4” means the marine licence set out in Schedule 17 (Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets - River Ribble);</i></u>	For clarity and cross-referencing and in accordance with the Applicant’s response to Natural England’s comment in their Relevant Representation (RR-1601.A.1 in PDA-015).
Part 1, Article 2, Interpretation	The following definition has been added: <u><i>“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance.</i></u>	To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR-1414.2 in PDA-013).
Part 1, Article 2, Interpretation	The definition of “maintain” has been amended as follows:	In accordance with the Applicant’s response to Natural England’s comment

	<i>“maintain” includes inspect, keep, repair, adjust and alter the authorised project, and further includes remove, reconstruct, re-cover and replace any part of the authorised project, provided that such works do not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement to the extent assessed in the environmental statement, and any derivative of “maintain” shall be construed accordingly;</i>	in their Relevant Representation (RR-1601.A.3 in PDA-015).
Part 1, Article 2, Interpretation	The definition of “Morecambe” has been amended as follows: <i>“Morecambe” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at 12 Alva Street, Edinburgh, Scotland EH2 4QG C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL;</i>	To provide a missing definition.
Part 1, Article 2, Interpretation	The definition of “offshore site preparation activities” has been deleted.	To reflect amendments to the definition of “commence” as committed to in the Applicants’ response to Natural England’s relevant representation (RR-1601.A.1 in PDA-015).
Part 1, Article 2, Interpretation	The following definition has been added: <i><u>“stage” means-</u></i> <i><u>(a) For Project A, a part of the Project A onshore works identified as a stage in a written scheme approved under requirement 3 of Schedule 2A; and</u></i> <i><u>(b) For Project B, a part of the Project B onshore works identified as a stage in a written scheme approved under requirement 3 of Schedule 2B;</u></i>	This Amendment has been made in response to Hearing Action Point (HAP) ISH1_23.
Part 1, Article 2, Interpretation	The definition of “works plans” has been updated: <i>“works plans” means the works plans – offshore, <u>the works plans – onshore and offshore</u> and the works plans – onshore and intertidal;”</i>	The change has been made to reflect the correct, full name of the document.
Part 1, Article 2, Interpretation	The definition of “works plans – onshore and intertidal” has been updated:	The change has been made to reflect the correct, full name of the document.

	<i>“works plans – onshore and intertidal” means the plans certified as the works plans - onshore <u>and intertidal</u> by the Secretary of State under article 42 for the purposes of this Order: <u>and</u>”</i>	
Part 1, Article 2, Interpretation	The definition of “works plans – onshore and offshore” has been inserted: <i><u>“works plans – onshore and offshore” means the plans certified as the works plans - onshore and offshore by the Secretary of State under article 42 for the purposes of this Order.”</u></i>	To change has been made to ensure the full list of works plans is provided.
Part 2, Article 6(12), Benefit of the Order	Sub-paragraph (12) has been amended as follows: <i>Section 72(7) and (8) of the 2009 Act do not apply to a transfer or grant of the benefit of the provisions of any deemed marine licences to another person by the undertaker pursuant to an agreement under this article, <u>save that the MMO may amend any deemed marine licence granted under Schedules 14, 15, 16 or 17 of the Order to correct the name of the undertaker to the name of a transferee or lessee under this Article 6 (benefit of the Order).</u></i>	This amendment has been made in response to the MMO’s relevant representation (RR-1414.6 in PDA-013) and to correct a typographical error.
Part 4, Article 17(4), Authority to survey and investigate the land	<i>(4) <u>Under this article, nNo trial holes are to be made under this articlein, and no equipment may be placed or left on or removed from—</u></i> <i>(a) in land located within the highway boundary without the consent of the highway authority; or</i> <i>(b) in a private street without the consent of the street authority;</i> <i>but such consent must not be unreasonably withheld or delayed</i>	This amendment has been made in response to the National Highways’ relevant representation (RR-1599.26 in PDA-007).
Part 5, Article 22(4), Compulsory Acquisition Rights	Paragraph (4) has been removed.	This is to remove unnecessary duplication with Article 20(1).
Part 5, Article 29(1), Temporary use of land for carrying out the authorised project	Sub-paragraph (a)(ii) has been amended as follows: <i>(ii) any other Order land <u>as is identified for acquisition by Morgan in the book of reference, and as</u> is required for Project A or to facilitate, or is incidental to, the</i>	This amendment has been added for clarity to ensure it is clear that, in addition to the land listed in Schedule 7A for Morgan OWL or Schedule 7B for

	construction and maintenance of Project A in respect of which no notice of entry has been served by Morgan under section 11 (powers of entry) of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made by Morgan under section 4 (execution of declaration) the 1981 Act;	Morecambe OWL, each undertaker only has temporary possession powers over the land it is seeking to acquire or secure permanent rights over.
Part 5, Article 29(2), Temporary use of land for carrying out the authorised project	Sub-paragraph (a)(ii) has been amended as follows: (ii) any other Order land as is identified for acquisition by Morecambe in the book of reference, and as is required for Project B or to facilitate, or is incidental to, the construction and maintenance of Project B in respect of which no notice of entry has been served by Morecambe under section 11 (powers of entry) of the 1965 Act (other than in connection with the acquisition of rights only) and no declaration has been made by Morecambe under section 4 (execution of declaration) of the 1981 Act;	This amendment has been added for clarity to ensure it is clear that, in addition to the land listed in Schedule 7A for Morgan OWL or Schedule 7B for Morecambe OWL, each undertaker only has temporary possession powers over the land it is seeking to acquire or secure permanent rights over.
Schedules		
Schedule 2A, Requirements – Project A, Requirement 3, Stages of authorised project	Sub-paragraph (2) has been amended as follows: (2) The Project A onshore works and Project A intertidal works may not be commenced until details of the stages of the Project A onshore works and Project A intertidal works have been submitted to and approved by the relevant planning authority.	This Amendment has been made in response to Hearing Action Point (HAP) ISH1_23.
Schedule 2B, Requirements – Project B, Requirement 3, Stages of authorised project	Sub-paragraph (2) has been amended as follows: (2) The Project B onshore works and Project B intertidal works may not be commenced until details of the stages of the Project B onshore works and Project B intertidal works have been submitted to and approved by the relevant planning authority.	This Amendment has been made in response to Hearing Action Point (HAP) ISH1_23.
Schedule 2A, Requirements – Project A, Requirement 3, Stages of authorised project	Sub-paragraph (4) has been inserted as follows: (4) The stages of construction referred to in sub-paragraph (2) will not permit Project A to be constructed in more than one overall phase.	This Amendment has been made in response to Hearing Action Point (HAP) ISH1_23.
Schedule 2B, Requirements – Project B, Requirement 3, Stages of authorised project	Sub-paragraph (4) has been inserted as follows:	This Amendment has been made in response to Hearing Action Point (HAP) ISH1_23.

	<u>(4) The stages of construction referred to in sub-paragraph (2) will not permit Project B to be constructed in more than one overall phase.</u>	
Schedule 2A, Requirements – Project A, Requirement 5, Detailed design parameters onshore	Sub-paragraphs 1 (a), (b) and (d) have been amended as follows: 5.—(1) In relation to Work No. 21A— (a) the highest part of any building must not exceed 15m above <u>finished ground level</u> Ordnance Datum; (b) the highest part of any external electrical equipment, excluding lightning rods, must not exceed 15m above <u>finished ground level</u> Ordnance Datum; (c) the total area of the fenced compound (excluding its accesses) must not exceed 80,000m²; and (d) the total number of lightning rods within the fenced compound area must not exceed 14 and the height of any lightning rod must not exceed 30m above <u>finished ground level</u> Ordnance Datum.	This amendment has been made in response to the BAE Systems' relevant representation (RR-208.14 in PDA-008)
Schedule 2B, Requirements – Project A, Requirement 5, Detailed design parameters onshore	Sub-paragraphs 1 (a), (b) and (d) have been amended as follows: 5.—(1) In relation to Work No. 21B— (a) the highest part of any building must not exceed 13m above <u>finished ground level</u> Ordnance Datum; (b) the highest part of any external electrical equipment, excluding lightning rods, must not exceed 12m above <u>finished ground level</u> Ordnance Datum; (c) the total area of the fenced compound (excluding its accesses) must not exceed 29,700m²; and (d) the total number of lightning rods within the fenced compound area must not exceed 14 and the height of any lightning rod must not exceed 30m above <u>finished ground level</u> Ordnance Datum.	
Schedule 2A, Requirements – Project A, Requirement 8(3), Code of construction practice	Sub-paragraph (3) has been amended as follows: (3) The code of construction practice approved in relation to the relevant stage of the Project A onshore works <u>and Project A intertidal works</u> must be followed in relation to that stage of the Project A onshore works <u>and Project A intertidal works</u>.	This amendment has been made in response to various relevant representations from the general public (see PDA-005).

Schedule 2B, Requirements – Project B, Requirement 8(3), Code of construction practice	Sub-paragraph (3) has been amended as follows: <i>(3) The code of construction practice approved in relation to the relevant stage of the Project B onshore works and Project B intertidal works must be followed in relation to that stage of the Project A onshore works and Project B intertidal works.</i>	
Schedule 2A, Requirements – Project A, Requirement 15, Fencing and other means of enclosure	Requirement 15 has been amended as follows: <i>15.—(1) Work No. 20A and Work No. 21A must not commence until details of all proposed permanent fences, walls or other means of enclosure for those works have been submitted to and approved by the relevant planning authority.</i> <i>(2) Any approved permanent fencing must be completed before Work No. 21A is brought into use.</i> <i>(3) Permanent fencing, walls and other means of enclosure approved under sub-paragraphs (1) and (2) must be provided and maintained in accordance with the approved details until the onshore works to which they relate are decommissioned in accordance with the onshore decommissioning plan approved under requirement 22 (onshore decommissioning).</i>	This amendment has been made in response to various relevant representations from the general public (see PDA-005).
Schedule 2B, Requirements – Project B, Requirement 15, Fencing and other means of enclosure	Requirement 15 has been amended as follows: <i>15.—(1) Work No. 20B and Work No. 21B must not commence until details of all proposed permanent fences, walls or other means of enclosure for those works have been submitted to and approved by the relevant planning authority.</i> <i>(2) Any approved permanent fencing must be completed before Work No. 21B is brought into use.</i> <i>(3) Permanent fencing, walls and other means of enclosure approved under sub-paragraphs (1) and (2) must be provided and maintained in accordance with the approved details until the onshore works to which they relate are decommissioned in accordance with the onshore decommissioning plan approved under requirement 22 (onshore decommissioning).</i>	

Schedule 2A, Requirements – Project A, Requirement 16, Restoration of land used temporarily for construction	Requirement 16 has been amended as follows: <i>16. Any land landward of MLWS which is used temporarily for construction of the Project A onshore works and Project A intertidal works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months following completion of the relevant stage of the Project A onshore works or Project A intertidal works in accordance with details approved by the relevant planning authority.</i>	This amendment has been made in response to various relevant representations from the general public (see PDA-005).
Schedule 2B, Requirements – Project B, Requirement 16, Restoration of land to be used temporarily	Requirement 16 has been amended as follows: <i>16. Any land landward of MLWS which is used temporarily for construction of the Project B onshore works and Project B intertidal works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months following completion of the relevant stage of the Project B onshore works or Project B intertidal works in accordance with details approved by the relevant planning authority.</i>	
Schedule 10, Protective Provisions	Schedule 10 has been updated as follows: Part 3 has been renamed to: <i>For the pProtection of SABIC the pipeline corridor and protected crossings</i> A new Part 11 has been added for the protection of the Canal and River Trust A new Part 12 has been added for the protection of SP Manweb	These amendments have been made to reflect progress in discussions with statutory undertakers regarding protective provisions. The new Part 11 and Part 12 will remain as placeholders in the draft DCO until the content of the protective provisions are agreed, or with the agreement of that statutory undertaker, an updated draft can be provided.
Schedule 10, Protective Provisions	Part 6 has been updated to reflect the significant progress made between the parties, noting that negotiations are ongoing.	
Schedule 10, Protective Provisions	A new Part 11 has been added to Schedule 10 to the draft DCO to provide protection to SP Manweb, as noted by the Applicants in their response to SP Energy Networks' Relevant Representation (Table 2.137 of PDA-007).	
Schedule 14, Part 1, Paragraph 1, Interpretation	The definition of commence has been amended as follows:	In accordance with the Applicant's response to Natural England's Relevant Representation (RR-1601.A.1 in PDA-

Schedule 15, Part 1, Paragraph 1, Interpretation	<i>“commence” means the first carrying out of any licensed <u>marine</u> activities, save for offshore site preparation activities<u>activities consisting of pre-construction surveys, monitoring surveys, unexploded ordnance surveys and clearance of low order unexploded ordnance</u>, approved under this licence and “commenced” and “commencement” must be construed accordingly;</i>	015) and to reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR 1414.2 in PDA-013).
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The following definition has been added: <i><u>“high order unexploded ordnance clearance” means an unexploded ordnance clearance method which intentionally seeks to detonate the unexploded ordnance.</u></i>	To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR-1414.2 in PDA-013).
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The following definition has been added: <i><u>“low order unexploded ordnance clearance” means an unexploded ordnance clearance method which does not seek to detonate the unexploded ordnance;</u></i>	To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO’s relevant representation (RR-1414.2 in PDA-013).
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 16, Part 1, Paragraph 1	The following definition has been added: <i><u>“Morgan” means Morgan Offshore Wind Limited (company registration number 13497271) whose registered office is at Chertsey Road, Sunbury On Thames, Middlesex, TW16 7BP;</u></i>	To add a missing definition to the deemed marine licences.
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of maintain has been amended as follows: <i><u>“maintain” includes inspect, upkeep, repair, adjust, alter, remove, reconstruct and replace, any part of the authorised scheme, provided that such works do not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement to the extent assessed in the <u>environmental statement</u> and “maintenance” must be construed accordingly;</u></i>	In accordance with the Applicant’s response to Natural England’s comment in their Relevant Representation (RR-1601.A.3 in PDA-015).

Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of “offshore site preparation activities” has been deleted.	To reflect amendments made to the definition of “commence” as committed to in the Applicants’ response to Natural England’s relevant representation (RR-1601.A.1 in PDA-015).
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of order has been inserted as follows: <u><i>“Order” means The Morgan Offshore Wind Project and Morecambe Offshore Windfarm Transmission Assets Order 202[●];</i></u>	To add a missing definition to the deemed marine licences.
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of order limits has been inserted: <u><i>“Order limits” means the limits shown on the indicative extent of marine licences and grid coordinates plan within which the authorised project may be carried out, whose grid coordinates are set out in paragraph 5 of this licence;</i></u>	To add a missing definition to the deemed marine licences.
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of works plans has been updated: <i>“works plans” means the <u>works plans – offshore</u>, works plans – <u>onshore and offshore</u> and the works plans – onshore and intertidal;</i>	To improve clarity.
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of works plans – onshore and offshore has been inserted as follows: <u><i>“works plans – onshore and offshore” means the plans certified as the works plans - onshore and offshore by the Secretary of State under article 42 for the purposes of this Order;</i></u>	To improve clarity.
Schedule 14, Deemed Marine Licence 1, Part 1, Paragraph 2, Details of licensed marine activities	Paragraph 2 has been updated as follows: <i>2. Subject to the conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act—</i>	To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the

Schedule 15, Deemed Marine Licence 1, Part 1, Paragraph 2, Details of licensed marine activities	(a) the deposit at sea of the substances and objects specified in paragraph 4 below; (b) the construction of works in or over the sea or on or under the sea bed; (c) dredging for the purposes of seabed preparation for cable works; (d) the removal of sediment samples for the purposes of informing environmental monitoring under this licence during pre-construction, construction and operation; (e) low order unexploded ordnance clearance; (e) site clearance and preparation works including clearance of unexploded ordnance, debris, boulder clearance and the removal of out of service cables and static fishing equipment; and (f) the disposal of up to 1,080,000 cubic metres of inert material of natural origin within the Order limits produced during seabed preparation for cable works and boulder clearance works at disposal site references to be provided to the MMO within the Order limits.	MMO's relevant representation (RR-1414.2 in PDA-013).
Schedule 14, 1, Part 1, Paragraph 3 Schedule 15, 1, Part 1, Paragraph 3	Paragraph 3(1) has been updated as follows: 3(1) Such licensed activities are authorised in relation to the construction, maintenance and operation of the authorised scheme being –	This has been amended to reflect the definition of 'licensed activities'.
Schedule 14, Part 2, Condition 18 Schedule 15, Part 2, Condition 18	Condition (18)(1) has been amended as follows: 18(1) (a) a design plan at a scale of between 1:25,000 and 1:50,000, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the— (i) proposed layout of all cables; (ii) location and specification of all other aspects of the authorised scheme; and (iii) any archaeological exclusion zones or environmental micro-siting requirements	In accordance with the Applicant's response to Natural England's comment in their Relevant Representation (RR-1601.A.8 in PDA-015).
Schedule 14, Part 2, Condition 19, Pre-construction plans and documentation Schedule 15, Part 2, Condition 18, Pre-construction plans and documentation	Condition 19 has been amended as follows: 19. (1) Each programme, statement, plan, protocol or scheme required to be approved under condition 18 must be submitted for approval at least four six months before the intended commencement of licensed activities, except where otherwise stated or unless otherwise agreed in writing by the MMO.	In accordance with the Applicant's response to the MMO's comment in their Relevant Representation (RR-1414.20 in PDA-013).

**Schedule 14, Part 2, Condition 20,
Low order unexploded ordnance
clearance**

Condition 20 has been updated as follows:

Low order unexploded ordnance ~~UXO~~ clearance

20.—(1) No removal or detonation of low order unexploded ordnance can take place until the following have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—

- a) a method statement for unexploded ordnance clearance which must include—
 - i. methodologies for—
 - ~~(ii)~~ (aa) identification and investigation of potential unexploded ordnance targets;
 - ~~(iii)~~ (bb) ~~low order clearance of unexploded ordnance clearance;~~
 - ~~(iv)~~ (cc) removal and disposal of large debris;
 - ii. a plan showing the area in which clearance activities are proposed to take place;
 - iii. a programme of works; and
 - iv. any exclusion zones and/or environmental micro-siting requirements;
- b) a marine mammal mitigation protocol in accordance with the outline marine mammal mitigation protocol, the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body.

(2) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iii)) and the marine mammal mitigation protocol must be submitted to the MMO for approval at least three months prior to the date on which low order unexploded ordnance clearance activities are intended to begin.

(3) The MMO must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.

(4) Any low order unexploded ordnance clearance activities must be undertaken in accordance with the method statement and marine mammal mitigation protocol approved under sub-paragraph (1).

(5) Subject to sub-paragraph (6), a ~~an~~ low order unexploded ordnance close-out report must be submitted to the MMO and the relevant statutory nature conservation body within three months following the end of the unexploded

To reflect amendments to the draft DCO and DML that remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licence, in response to the MMO's relevant representation (RR-1414.2 in PDA-013).

Further, a typographical error in the draft DCO concerning the indents previously labelled (ii), (iii) and (iv) has been corrected to reflect that these are sub points related to (i).

ordnance clearance activity and must include the following for each *clearance detonation* undertaken—

- a) co-ordinates, depth, current speed, charge utilised and the date and time of each *clearance detonation*; and
- b) whether any mitigation was deployed including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available.

(6) Should there be more than one *low order* unexploded ordnance clearance activity, the report required under paragraph (5) will be provided at intervals agreed with the MMO.

(7) The total number of low order unexploded ordnance clearances authorised by this licence must not exceed 22.

(8) No high order unexploded ordnance clearance is permitted by this licence.

**Schedule 15, Part 2, Condition 20,
Low order unexploded ordnance
clearance**

Condition 20 has been updated as follows:

Low order unexploded ordnance ~~UXO~~ **clearance**

20.—(1) No removal or detonation of low order unexploded ordnance can take place until the following have been submitted to and approved in writing by the MMO in consultation with the relevant statutory nature conservation body and, in respect of the method statement, the MCA—

- c) a method statement for unexploded ordnance clearance which must include—
 - v. methodologies for—
 - ~~(ii)~~ (aa) identification and investigation of potential unexploded ordnance targets;
 - ~~(iii)~~ (bb) ~~low order clearance of unexploded ordnance clearance~~;
 - ~~(iv)~~ (cc) removal and disposal of large debris;
 - vi. a plan showing the area in which clearance activities are proposed to take place;
 - vii. a programme of works; and
 - viii. any exclusion zones and/or environmental micro-siting requirements;
- d) a marine mammal mitigation protocol in accordance with the outline marine mammal mitigation protocol, the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body.

(2) The method statement (excluding the information required under sub-paragraphs (1)(a)(ii) and (1)(a)(iii)) and the marine mammal mitigation protocol must be submitted to the MMO for approval at least three months prior to the date on which low order unexploded ordnance clearance activities are intended to begin.

(3) The MMO must determine an application for approval made under this condition within a period of four months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.

(4) Any low order unexploded ordnance clearance activities must be undertaken in accordance with the method statement and marine mammal mitigation protocol approved under sub-paragraph (1).

	(5) Subject to sub-paragraph (6), a <u>low order</u> unexploded ordnance close-out report must be submitted to the MMO and the relevant statutory nature conservation body within three months following the end of the unexploded ordnance clearance activity and must include the following for each <u>clearance</u> detonation undertaken— c) co-ordinates, depth, current speed, charge utilised and the date and time of each <u>clearance</u> detonation; and d) whether any mitigation was deployed including feedback on practicalities of deployment of equipment and efficacy of the mitigation where reasonably practicable, or justification if this information is not available. (6) Should there be more than one <u>low order</u> unexploded ordnance clearance activity, the report required under paragraph (5) will be provided at intervals agreed with the MMO. <u>(7) The total number of low order unexploded ordnance clearances authorised by this licence must not exceed 3.</u> <u>(8) No high order unexploded ordnance clearance is permitted by this licence.</u>	
Schedule 14, Part 2, Condition 21, Marine Noise Registry Schedule 15, Part 2, Condition 21, Marine Noise Registry	Condition 21 has been deleted and marked 'Not used'.	In response to the MMO's relevant representation (RR-1414.2 in PDA-013), the ability to undertake high order unexploded ordnance clearance has been removed from the deemed marine licence. This change is consequential to the removal of high order unexploded ordnance clearance from the deemed marine licence.
Schedule 14, Part 2, Condition 17, Force majeure	Condition 17 across all deemed marine licences has been amended as follows:	This amendment has been made in response to the MMO's relevant

Schedule 15, Part 2, Condition 17, Force majeure Schedule 16, Part 2, Condition 15, Force majeure Schedule 17, Part 2, Condition 15, Force majeure	17.-(1) <i>If, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.</i> <i>(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.</i>	representation (RR-1414.20 in PDA-013).
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of direct pipe has been inserted as follows: <i>“direct pipe” refers to a cable installation technique which involves the use of a mini-or-micro tunnel boring machine and a hydraulic (or other) thruster rig to directly install a steel pipe between two points;</i>	This amendment has been made to correct an error. This reflects the definition in Schedule 14.
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of electronic transmission has been inserted: <i>“electronic transmission” means a communication transmitted—</i> <i>(a) by means of an electronic communications network; or</i> <i>(b) by other means but while in electronic form;</i>	This amendment has been made to correct an error. This reflects the definition in Schedule 14.
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of environmental statement has been inserted as follows: <i>“environmental statement” means the document certified as the environmental statement by the Secretary of State under article 42 (certification of documents and plans etc.) of the Order;</i>	This amendment has been made to correct an error. This reflects the definition in Schedule 14.
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of environment agency has been inserted as follows: <i>“environment agency” means the Environment Agency or any successor body to its functions;</i>	This amendment has been made to correct an error. This reflects the definition in Schedule 14.
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of Historic England has been inserted as follows: <i>“Historic England” means Historic England or its successor in function;</i>	This amendment has been made to correct an error. This reflects the definition in Schedule 14.

Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of Morecambe has been inserted: <i><u>“Morecambe” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL</u></i>	To provide a missing definition.
Schedule 15, Part 1, Paragraph 1, Interpretation	The definition of Project B offshore works has been amended as follows: <i>“Project B offshore works” means Work Nos. 1B to 3B together with any related further associated development in connection with those works <u>and related ancillary works</u>;</i>	To align this definition with the definition of “Project A offshore works” in Schedule 14.
Schedule 16, Part 1, Title Schedule 17, Part 1, Title	The titles of Schedules 16 and 17 have been updated as follows: <i>PART 1</i> <i>Licensed marine activities</i>	For clarity and to align with the definition of “commence”.
Schedule 16, Part 1, Paragraph 1, Interpretation) Schedule 17, Part 1, Paragraph 1, Interpretation)	The definition of “licensed marine activities” has been updated as follows: <i>“licensed marine activities” means those activities detailed in under article paragraph 2 of this licence <u>Schedule 16 (deemed marine licence)</u>;</i> <i>“licensed marine activities” means those activities detailed in under article paragraph 2 of this licence <u>Schedule 17 (deemed marine licence)</u>;</i>	For clarity and to align with the definition of “commence”.
Schedule 16, Part 1, Paragraph 1, Interpretation Schedule 17, Part 1, Paragraph 1, Interpretation	The definition of works plans – offshore has been deleted.	The definition is not used in these schedules.

Schedule 16, Part 1, Paragraph 1, Interpretation Schedule 17, Part 1, Paragraph 1, Interpretation	The definition of works plans has been updated: <i>“works plans” means the works plans – onshore and offshore and the works plans – onshore and intertidal;</i>	The change has been made to reflect the correct, full name of the document.
Schedule 16, Part 1, Paragraph 1, Interpretation Schedule 17, Part 1, Paragraph 1, Interpretation	The definition of works plans – onshore and offshore has been inserted as follows: <i>“works plans – onshore and offshore” means the plans certified as the works plans - onshore and offshore by the Secretary of State under article 42 for the purposes of this Order;</i>	To improve clarity.
Schedule 16, Part 1, Paragraph 2, Details of licenced marine activities	Paragraph 2 has been amended as follows: <i>Details of licensed marine activities</i> <i>2. Subject to the conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act—</i> <i>a) Construction of works in, on or under the river;</i> <i>b) Deposit in the river of substances specified in paragraph 4 below.</i> <i>3. Such activities are authorised in relation to the construction, maintenance and operation of the authorised scheme being—</i> <i>a) Work No. 28A Morgan 400kV connection to National Grid and River Ribble crossing works between MHWS on the northern and southern riverbanks including up to two cable circuits in cable ducts laid underground by trenchless installation technique works or alternative trenchless installation technique works; and”</i>	For clarity to align with the definition of “commence” and to correct a typographical error.
Schedule 17, Part 1, Paragraph 2, Details of licenced marine activities	Paragraphs 2 and 3 have been amended as follows: <i>Details of licensed marine activities</i> <i>2. Subject to the conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act—</i> <i>a) Construction of works in, on or under the river;</i> <i>b) Deposit in the river of substances specified in paragraph 4 below.</i>	

	3. Such activities are authorised in relation to the construction, maintenance and operation of the authorised scheme being— a) Work No. 28A Morgan 400kV connection to National Grid and River Ribble crossing works between MHWS on the northern and southern riverbanks including up to two cable circuits in cable ducts laid underground by trenchless installation technique works or alternative trenchless installation technique works.	
Schedule 17, Part 1, Paragraph 1, Interpretation	The definition of “Morecambe” has been inserted: <u>“Morecambe” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL</u>	To provide a missing definition.

3 Schedule of Changes of the draft Development Consent Order for Deadline 2

Table 3: Table of amendments submitted to the draft Development Consent Order (Revision 04) following written representations and local impact reports for Deadline 2

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation and grammatical errors including corrections to ensure the term mini-or-micro-tunnels is used consistently throughout.	For clarity and consistency
Articles		
Part 1, Article 2, Interpretation	The following definitions have been inserted: <u>“BAE” means BAE Systems plc (company registration number 01470151) whose registered office is at 6 Carlton Gardens, London, SW1Y 5AD;</u> <u>“BAOL” means Blackpool Airport Operations Limited (company registration number 09307995) whose registered office is at Number One Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH;</u>	Definitions added as a result of updates to requirements following ongoing discussions with Blackpool Airport and BAE Systems plc (BAE) including referencing Blackpool Airport as a consultee in Requirement 8, 10 and 12 and BAE as consultee in Requirement 12 as referenced in the Applicants’

	<u><i>“outline wildlife hazard management plan” means the document at Appendix E of the outline ecological management plan;</i></u>	Response to Written Representations from Statutory Consultees [S_D2_3].
Part 1, Article 2, Interpretation	The following definition has been inserted: <u><i>“outline hydrogeological risk assessment” means the document certified as the outline hydrogeological risk assessment by the Secretary of State under article 42 for the purposes of the Order;</i></u>	This change has been made in response to point 076.7 of the Environmental Agency’s Written Representation [REP1-076]. This is noted in the Applicants’ Response to Written Representations from Statutory Consultees [S_D2_3].
Part 2, Article 6, Benefit of the Order	Article 6(4) has been amended as follows: <i>(4) The Secretary of State shall consult <u>must notify</u> the MMO <u>and must have regard to any response received from the MMO within 28 days of notification</u> before giving consent to the transfer or grant to another person of the benefit of the provisions of the deemed marine licences.</i>	This change has been made following recent precedent in the Rampion 2 DCO and in response to point 086.58 of the Marine Management Organisation’s Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants’ Response to WRs from Statutory Consultees: Marine Management Organisation [S_D2_3.2].
Part 2, Article 6, Benefit of the Order	Article 6(5)(b) has been amended as follows: <i>(b) the transferred benefit shall <u>is to</u> reside exclusively with the transferee or, as the case may be, the lessee and the transferred benefit shall not be enforceable against the undertaker <u>save in the case of a deemed marine licence transferred or granted in respect of any breach of an obligation by the undertaker which occurs prior to such transfer or grant or which occurs as a result of any activity carried out by the undertaker on behalf of the transferee;</u> and</i>	This change has been made following recent precedent in the Rampion 2 DCO and in response to point 086.58 of the Marine Management Organisation’s Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants’ Response to WRs from Statutory Consultees: Marine Management Organisation [S_D2_3.2].
Part 3, Article 13, Temporary restriction of use of streets	Article 13(8) has been amended as follows: <i>(8) If a street authority fails to notify the undertaker of its decision within 28 days of receiving an application for consent under paragraph (6) <u>(5)</u>(b), that street authority is deemed to have granted consent.</i>	This change has been made in response to point 195.12 of SABIC’s Written Representation [REP1-195]. This is noted in the Applicants’ Response to Written Representations from Statutory Consultees [S_D2_3].

Part 6, Article 46, Arbitration

Article 46(1) has been amended as follows:

(1) Subject to Article 38 (saving provisions for Trinity House) aAny difference under any provision of this Order, unless otherwise provided for, is to be referred to and settled in arbitration in accordance with the rules at Schedule 13 (arbitration rules) of this Order, by a single arbitrator to be agreed upon by the parties, within 14 days of receipt of the notice of arbitration, or if the parties fail to agree within the time period stipulated, to be appointed on application of either party (after giving written notice to the other) by the Secretary of State.

This change has been made in response to point 209.1 of the Corporation of Trinity House Deptford Strond's Written Representation [REP1-209]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].

Part 6, Article 47, Inconsistent planning permissions

Article 47 has been replaced with the following text:

47.—(1) If planning permission is granted under the powers conferred by the 1990 Act for development any part of which is within the Order limits following the coming into force of this Order that is—

(a) not itself a nationally significant infrastructure project under the 2008 Act or part of such a project; or

(b) required to complete or enable the use or operation of any part of the development authorised by this Order,

then the construction, maintenance, use or operation of that development under the terms of the planning permission does not constitute a breach of the terms of this Order.

(2) To the extent any development carried out or used pursuant to a planning permission granted under section 57 (Planning permission required for development) of the 1990 Act or compliance with any conditions of that permission is inconsistent with the exercise of any power, right or obligation under this Order or the authorised development—

(a) that inconsistency is to be disregarded for the purposes of establishing whether any development which is the subject matter of that planning permission is capable of physical implementation; and

(b) in respect of that inconsistency, no enforcement action under the 1990 Act may be taken in relation to development carried out or used pursuant to that planning permission, or compliance with any conditions of that permission, whether inside or outside the Order limits.

(3) Any development, or any part of a development within the Order limits which is constructed or used under the authority of a planning permission granted under section 57 of the 1990 Act including permissions falling under paragraphs (1) or

This change has been made in response to points raised by Renesola Hercules Energy 2 Limited (see 192.10 of their Written Representation [REP1-192] and in response to point 8.2.11 and 14.2.4 of Blackpool Borough Council's Local Impact Report [REP1-0681-]. This is noted in the Applicants' Response to People with an interest in Land (PWILS) [S_D2_2]. The explanatory memorandum has been updated accordingly [C3/F04].

(2) or otherwise is deemed not to be a breach of, or inconsistent with, this Order and does not prevent the authorised development being carried out or used or any other power or right under this Order being exercised.

(4) In paragraph (2), “enforcement action” means any enforcement action provided for under Part 7 of the 1990 Act.

Schedules

Schedule 1, Part 1, Authorised Development

The following amend has been made at the start of Part 1, Authorised Development:

Development for which, in accordance with a direction made by the Secretary of State on 4 October 2022 under section 35 of the 2008 Act, development consent is required on the bed of the east Irish Sea up to approximately 29 kilometres from the northwest coast of England and in the County of Lancashire comprising works to be carried out in the areas shown on the works plans—

This change has been made in response to point 1.6 of the Newton with Clifton and Freckleton Written Representation [REP1-183]. This has been noted in Annex 3.4 to the Applicants' Response to WRs Newton with Clifton and Freckleton Parish Councils [S_D2_3.4]

Schedule 1, Authorised Project

References throughout Schedule 1 to 'including' have been amended to 'consisting of' where relevant.

This change has been made in response to point 4.3.2 of Fylde Council's Local Impact Report [REP1-078] to provide clarity concerning the extent of works authorised under Schedule 1. This is noted in the Applicants' Response to Fylde Council Local Impact Report [S_D2_5].

Schedule 1, Authorised Project

These changes in Schedule 1 have been made as follows:

Work No. 14A – Morgan temporary working area and permanent access at Blackpool Airport consisting of including—

- (a) construction compounds of up to 20,000m²;*
- (b) construction access; and*
- (c) ~~(b)~~ permanent access.*

Work No. 14B – Morecambe temporary working area and permanent access at Blackpool Airport ~~including~~ consisting of—

This change has been made in response to point 4.3.2 of Fylde Council's Local Impact Report [REP1-078] to provide clarity concerning the extent of works authorised under Schedule 1. This is noted in the Applicants' Response to Fylde Council Local Impact Report [S_D2_5].

- (a) construction compounds of up to 20,000m²;
- (b) construction access; and
- (c) ~~(b)~~ permanent access.

Work No. 18A– Morgan construction compounds ~~including~~ consisting of—

- (a) creation and laying out of construction compounds;
- (b) construction access;
- (c) ~~(b)~~ creation of and improvement of temporary access to the highway; and
- (d) ~~(e)~~ temporary works to visibility splays.

Work No. 18B – Morecambe construction compounds ~~including~~ consisting of—

- (a) creation and laying out of construction compounds;
- (b) construction access;
- (c) ~~(b)~~ creation of and improvement of temporary access to the highway;
and
- (d) ~~(e)~~ temporary works to visibility splays

Work No. 38A – temporary construction working area to facilitate Project A landfall works consisting of ~~including~~ parking and welfare facilities and construction access.

Work No. 38B – temporary construction working area to facilitate Project B landfall works consisting of ~~including~~ parking and welfare facilities and construction access.

Work No. 48A – Morgan 400kV connection to National Grid temporary working area ~~including~~ consisting of construction compounds and construction access.

Work No. 48B – Morecambe 400kV connection to National Grid temporary working area ~~including~~ consisting of construction compounds and construction access.

	Work No. 50A – Morgan onshore cable temporary working area including <u>consisting of construction compounds and construction access</u> .	
Schedule 2A, Requirement 8, Code of Construction Practice	Requirement 8(1) has been amended as follows: (1) <i>No stage of the Project A onshore works or Project A intertidal works may commence until for that stage a code of construction practice has been submitted to and approved by the relevant planning authority following consultation as appropriate with—</i> <i>(a) Lancashire County Council;</i> <i>(b) Natural England;</i> <i>(c) the Environment Agency;</i> <i>(d) in relation to the Project A intertidal works or, if applicable to the Project A offshore works, the MMO; and</i> <i>(e) in relation to the Project A Blackpool Airport works, BAOL to the extent specified in the outline code of construction practice.</i>	This change has been made in response to point 115.9 of Blackpool Airport Operations Limited and Blackpool Airport Properties Limited 's Written Representation [REP1-115]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [R_D2_3].
Schedule 2B, Requirement 8, Code of Construction Practice	Requirement 8(1) has been amended as follows: (2) <i>No stage of the Project B onshore works or Project B intertidal works may commence until for that stage a code of construction practice has been submitted to and approved by the relevant planning authority following consultation as appropriate with—</i> <i>(a) Lancashire County Council;</i> <i>(b) Natural England;</i> <i>(c) the Environment Agency;</i> <i>(d) in relation to the Project A intertidal works or, if applicable to the Project A offshore works, the MMO; and</i> <i>(e) in relation to the Project B Blackpool Airport works, BAOL to the extent specified in the outline code of construction practice.</i>	
Schedule 2A, Requirement 8, Code of Construction Practice	The following sub-paragraph has been added to Requirement 8(2): <i>(o) hydrogeological risk assessment for trenchless installation beneath Lytham St Annes SSSI (in accordance with the outline hydrogeological risk assessment).</i>	This change has been made in response to point 076.7 of the Environmental Agency's Written

Schedule 2B, Requirement 8, Code of Construction Practice		Representation [REP1-076]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [R_D2_3].
Schedule 2A, Requirement 10, Highway Access	Requirement 10(1) has been amended as follows: <i>(1) No stage of the Project A onshore works may be commenced until for that stage written details (which accord with the outline highway access management plan) of the siting, design, layout, sequencing and timing and any access management measures for any new permanent or temporary means of access to a highway to be used by vehicular traffic, or any alteration to an existing means of access to a highway, have been submitted to and approved by the highway authority, and in relation to the Project A Blackpool Airport works, BAOL to the extent specified in the outline highway access management plan.</i>	This change has been made in response to point 7.1 of Blackpool Airport Operation Limited and Blackpool Airport Properties Limited's Written Representation [REP1-115]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 2B, Requirement 10, Highway Access	Requirement 10(1) has been amended as follows: <i>(1) No stage of the Project B onshore works may be commenced until for that stage written details (which accord with the outline highway access management plan) of the siting, design, layout, sequencing and timing and any access management measures for any new permanent or temporary means of access to a highway to be used by vehicular traffic, or any alteration to an existing means of access to a highway, have been submitted to and approved by the highway authority, and in relation to the Project B Blackpool Airport works, BAOL to the extent specified in the outline highway access management plan.</i>	
Schedule 2A, Requirement 12, Ecological management plan Schedule 2B, Requirement 12, Ecological management plan	Requirement 12(1) has been amended as follows: <i>(1) No stage of the Project A onshore works or Project A intertidal works may commence until for that stage a written ecological management plan in accordance with the outline ecological management plan as appropriate for the relevant stage, has, following consultation with— (a) Natural England; (b) the Environment Agency where works have the potential to impact wetland habitats; and (c) BAE and BAOL in respect of the outline wildlife hazard management plan.</i> <i>been submitted to and approved by the relevant planning authority.</i>	This change has been made in response to point 0677.2 of the Environmental Agency's Written Representation [REP1-076], point 112.7 of BAE's Written Representation [REP1-112], point 115.4 of Blackpool Airport Operations Limited and Blackpool Properties Limited's Written Representation [REP1-115] and point 076.5 of the Environmental Agency's Written Representation [REP1-076]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].

Schedule 2A, Requirement 20, Operational Drainage Management Plan Schedule 2B, Requirement 20, Operational Drainage Management Plan	Requirement 20(1) has been amended as follows: <i>(1) Work No. 21A must not commence until, for that work, an operational drainage management plan (in accordance with the outline operational drainage management plan) has, been submitted to and approved by the lead local flood authority and the relevant highway authority Lancashire County Council in consultation with the Environment Agency as appropriate. The operational drainage management plan must be substantially in accordance with the principles set out in the outline operational drainage management plan.</i>	This change has been made in response to point 11.18 in the Lancashire County's Local Impact Report [REP1-085]. This is noted in the Applicants' Response to Lancashire County Council Local Impact Report [S_D2_6].
Schedule 3A, Streets subject to street works – Project A Schedule 3B, Streets subject to street works – Project B Schedule 4A, Streets to be temporarily closed or restricted – Project A Schedule 4B, Streets to be temporarily closed or restricted – Project B	A new row 1 has been inserted as the top row into each of the tables at Schedules 3A, 3B, 4A and 4B as follows: Blackpool Borough Council Squires Gate Lane Between points MGMC HA 1A and MGMC HA 1B on Sheet 1 of the Street Works Plan	This change has been made in response to point 14.2.7 of Blackpool Borough Council's Local Impact Report [REP1-068]. This is noted in the Applicants' Response to Blackpool Borough Council Local Impact Report [S_D2_7].
Schedule 12, Part 1, Paragraph 5	Paragraph 5 of Schedule 12 has been amended as follows: 5.—(1) (1) Any consultee who receives a consultation under paragraph 24(3) must respond to that request within 10 days from receipt unless sub-paragraph (2) of this paragraph applies, or a longer period is agreed with both the undertaker and the discharging authority. (2) Where any consultee requests further information in accordance with the timescales set out in paragraph 24(3) then they must respond to the consultation within 10 working days from the receipt of the further information requested, or a longer period is agreed with both the undertaker and the discharging authority.	This change has been made in response to point 076 of the Environment Agency's Written Representation [REP1-076]. This is noted in the Applicants' response To Written Representations from Statutory Consultees [S_D2_3].
Schedule 14, Part 1, Paragraph 1, Interpretation	The following definitions have been inserted: "chemicals" comprise both substances and preparations;	This change has been made in response to point 086.65 of the Marine Management Organisations Written Representation [1-068]. This is noted in

Schedule 15, Part 1, Paragraph 1, Interpretation	<u>"pathway to the marine environment" means open systems or closed systems that require top up;</u> <u>"preparation" means a mixture or solution composed of two or more substances;</u> <u>"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;</u>	Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees: Marine Management Organisation [S_D2_3.2].
Schedule 15, Part 1, Paragraph 1, Interpretation Schedule 17, Part 1, Paragraph 1, Interpretation	The definition of 'undertaker' has been updated as follows: <u>"undertaker" means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, 12 Alva Street, Edinburgh, Scotland United Kingdom EH2 1EL-4QG;</u>	To align with the registered office in the definition of Morecambe.
Schedule 14, Part 1, Paragraph 1, Interpretation Schedule 15, Part 1, Paragraph 1, Interpretation Schedule 16, Part 1, Paragraph 1, Interpretation Schedule 17, Part 1, Paragraph 1, Interpretation	Paragraph 1(4)(f) has been amended as follows: (f) Maritime and Coastguard Agency Navigation Safety Branch UK <u>Technical Services Navigation</u> Bay 2/20 Spring Place 105 Commercial Road Southampton SO15 1EG Tel: 020 3817 2433 <u>Email: navigationsafety@mcga.gov.uk</u>	This change has been made in response to point 88.9 of to the Marine Conservation Agency's Written Representation [REP1-088]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 14, Part 2, Condition 11, Maintenance of the authorised scheme	The following sub-paragraphs have been inserted: <u>(5) An annual maintenance report must be submitted to the MMO within one month following the first anniversary of the date of first operation of the authorised</u>	This change has been made in response to point 086.63 of the Marine Management Organisation's Written Representation [REP1-086]. This is

Schedule 15, Part 2, Condition 11, Maintenance of the authorised scheme	<u>development (notified in accordance with Condition 28 (Completion of construction)) and every year thereafter until the permanent cessation of operation.</u> <u>(6) The annual maintenance report in sub-paragraph (5) must provide a record of the licensed activities during the preceding year, the timing of activities and methodologies used.</u> <u>(7) Every fifth year, the undertaker must submit to the MMO, within one month of the anniversary of the date of first operation of authorised development (notified in accordance with Condition 28 (Completion of construction)), a consolidated maintenance report which will—</u> a) <u>include a review of licensed activities undertaken during the preceding five years with reference to the reports submitted in accordance with sub-paragraph (5) of this licence; and</u> b) <u>reconfirm the applicability of the methodologies and frequencies of the licensed activities permitted by this licence for the duration of this licence.</u>	noted in Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation.
Schedule 14, Part 2, Condition 14, Notifications and inspections Schedule 15, Part 2, Condition 14, Notifications and inspections	Condition 14(6) has been amended as follows: <i>(6) The undertaker must inform the MMO Local Office in writing at least fourteen^{five} days prior to the commencement of the licensed activities or any part of them and within five days of the completion of the licensed activities.</i>	This change has been made in response to point 86.64 of the Marine Management Organisation's Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation
Schedule 14, Part 2, Condition 14, Notifications and inspections Schedule 15, Part 2, Condition 14, Notifications and inspections	Condition 14(7) has been updated as follows: <i>(7) The undertaker must inform the Kingfisher Information Service of Seafish by email to kingfisher@seafish.co.uk ^{must be informed} of details of the vessel routes, timings and locations relating to the construction of the authorised scheme or relevant part thereof by including the information in a notice via their portal (https://kingfisherbulletin.org/submit-notice) and sent to kingfisher@seafish.co.uk—</i> <i>(a) at least 14 days prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data; and</i> <i>(b) as soon as reasonably practicable and no later than 24 hours after completion of the authorised scheme</i>	This change has been made in response to point 86.64 of the Marine Management Organisation's Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation

	and confirmation of notification must be provided to the MMO within five days.	
Schedule 14, Part 2, Condition 14, Notifications and inspections Schedule 15, Part 2, Condition 14, Notifications and inspections	Condition 14(9) has been amended as follows: <i>(9) The undertaker must ensure that local notifications to mariners are updated and reissued at weeklyregular intervals during construction activities and at least fivefourteen days before any planned operations and maintenance works (or otherwise agreed) and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme and monitoring plan approved under conditions 18(1)(c) and 18(1)(d). Copies of all notices must be provided to the MMO and UKHO within five days.</i>	This change has been made in response to point 88.10 of the MCA's Written Representation [REP1-88] and point 86.64 of the Marine Management Organisation's Written Representation [REP1-086]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3] and Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation
Schedule 14, Condition 16, Chemicals, drilling and debris Schedule 15, Condition 16, Chemicals, drilling and debris	Condition 16(1) has been removed as follows: <i>(1) Unless otherwise agreed in writing by the MMO, the carriage and use of chemicals in the construction of the authorised scheme must comply with the International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997.</i>	This change has been made in response to point 086.65 MMTA Response to Marine Management Organisation [REP1-086].
Schedule 14, Condition 16, Chemicals, drilling and debris Schedule 15, Condition 16, Chemicals, drilling and debris	The following sub-paragraphs have been added to condition 16: <i><u>(9) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (0334 382 0570), and the UK Hydrographic Office email: navwarnings@btconnect.com.</u></i> <i><u>(10) All dropped objects including those in sub-paragraph (9), must be reported to the MMO using athe dDropped eObject pProcedure fForm (including any updated form as provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, unless otherwise agreed in writing with the MMO.</u></i> <i><u>(11) On receipt of a-notification of the dDropped eObject pProcedure fForm 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</u></i>	This change has been made in response to point 086.67 of the Marine Management Organisation's Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation.

	be removed from the seabed marine environment at the undertaker's expense if reasonable to do so.	
Schedule 14, Part 2, Condition 18, Pre-construction plans and documentation Schedule 15, Part 2, Condition 18, Pre-construction plans and documentation	Condition 18(1)(b) has been amended as follows: <i>(b) an aids to navigation management plan to be agreed in writing by the MMO following appropriate consultation with Trinity House specifying how the undertaker will ensure compliance with condition 145 from the commencement of construction of the authorised scheme to the completion of decommissioning of the authorised scheme;</i>	This change has been made in response to point 209.2 of the Corporation of Trinity House Deptford Strond's Written Representation [REP1-209]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 14, Condition 18, Pre-construction plans and documentation Schedule 15, Condition 18, Pre-construction plans and documentation	Condition 18(1)(f)(ii) has been amended as follows: <i>(ii) a chemical risk assessment, including information regarding how and when all chemicals are to be used, stored and transported in accordance with recognised best practice guidance and standards;</i> <i>(iii) a site specific chemical risk assessment for all chemicals that have a pathway to the marine environment and are used for the licensed activities (with the exception of any chemicals used in the course of normal navigation), which is to be submitted to the MMO for approval at least ten weeks prior to the use of such chemicals, including—</i> <i>(aa) the function of the chemical;</i> <i>(bb) the quantities being used and the frequency of use; and</i> <i>(cc) the physical, chemical, and ecotoxicological properties of the chemical (save for any 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));</i>	This change has been made in response to point 086.65 MMTA Response to Marine Management Organisation [REP1-086]. This is noted in Appendix 3.2 to the Applicant's Response to Written Representations from Statutory Consultees: Marine Management Organisation [S_D2_3.2]
Schedule 14, Condition 23, Reporting of engaged agents, contractors and vessels Schedule 15, Condition 23, Reporting of engaged agents, contractors and vessels	Condition 23(2) has been amended as follows: <i>(2) The undertaker must notify the MMO in writing of any vessel being used to carry on any licensed activity listed in this licence on behalf of the undertaker. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity, unless otherwise agreed in writing with the MMO. Notification must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.</i>	This change has been made in response to point 086.70 of the Marine Management Organisation's Written Representation [REP1-086]. This is noted in Annex 3.2 to the Applicants' Response to WRs from Statutory Consultees [S_D2_3.2]: Marine Management Organisation.

Schedule 14, Part 2, Condition 24, Pre-construction monitoring and surveys Schedule 15, Part 2, Condition 24, Pre-construction monitoring and surveys	Condition 24(4)(a) has been amended as follows: <i>(a) a swath-bathymetry survey to IHO Order 1a standard that meets the requirements of MGN654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers, which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications, and side scan sonar, of the area(s) within the Order limits in which it is proposed to carry out construction works including an appropriate buffer area around the location of each work.</i>	This change has been made in response to point 88.10 of the MCA's Written Representation [REP1-088]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 14, Part 2, Condition 26, Post-construction monitoring Schedule 15, Part 2, Condition 26, Post-construction monitoring	Condition 26(3)(a) has been amended as follows: <i>(a) undertake, within 12 months of completion of construction of the authorised scheme, a full sea floor coverage swath-bathymetry survey that meets the requirements of MGN 654 and its supporting Hydrographic Guidelines for Offshore Renewable Energy Developers, which includes the requirement for the full density data and reports to be delivered to the MCA and the UKHO for the update of nautical charts and publications, and side scan sonar, of the area(s) within the Order limits in which construction works were carried out to assess any changes in bedform topography and such further monitoring or assessment as may be agreed to ensure that cables (including fibre optic cables) have been buried or protected;</i>	This change has been made in response to point 88.10 of the MCA's Written Representation [REP1-88]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 14 Part 2, Condition 28, Completion of Construction Schedule 15, Part 2, Condition 28, Completion of Construction	Condition 28(1) has been amended as follows: <i>(1) The undertaker must submit a close out report to the MMO, MCA, UKHO and the relevant statutory nature conservation body within three^{four} months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details—</i>	This change has been made in response to point 88.10 of the MCA's written representation [REP1-088]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 16, Part 1, Paragraph 2, Details of licenced marine activities Schedule 17, Part 1, Paragraph 2, Details of licenced marine activities	Paragraph 2 has been amended as follows: <i>Details of licensed activities</i> <i>2. Subject to the conditions, this licence authorises the undertaker (and any agent or contractor acting on their behalf) to carry out the following licensable activities under section 66(1) (licensable marine activities) of the 2009 Act—</i> <i>a) Construction of works in, on or under the river;</i> <i>b) Deposit in the river of substances specified in paragraph 4 below.</i>	To align with amends made at deadline 1.

Schedule 16, Part 2, Condition 12, Notifications and inspections Schedule 17, Part 2, Condition 12, Notifications and inspections	Condition 12(8) has been amended as follows: <i>(8) The undertaker must ensure that local notifications to mariners are updated and reissued at weeklyregular intervals during maintenance or repair activities and at least five days before any planned operations and maintenance works (or otherwise agreed). Copies of all notices must be provided the MMO and UKHO within five days.</i>	This change has been made in response to point 88.14 of the MCA's Written Representation [REP1-088]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 16, Part 2, Condition 14, Chemicals, drilling and debris Schedule 17, Part 2, Condition 14, Chemicals, drilling and debris	Condition 14 has been amended as follows: 14. (1) Unless otherwise agreed in writing by the MMO, the carriage and use of chemicals in the construction of the authorised scheme must comply with the International Convention for the Prevention of Pollution from Ships. (2)<u>(1)</u> The undertaker must ensure that any coatings and treatments are suitable for use in the marine environment and are used in accordance with guidelines approved by the Health and Safety Executive and the Environment Agency Pollution Prevention Control Guidelines. (3)<u>(2)</u> 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 bunding of 110 percent of the total volume of all reservoirs and containers. (3) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO within 48 hours of becoming aware of the spill. <u>(4) Debris or dropped objects which are considered a danger or hazard to navigation must be reported as soon as reasonably practicable but no later than six hours from the undertaker becoming aware of an incident, to the relevant HM Coastguard Maritime Rescue Co-ordination Centre by telephone (0334 382 0570), and the UK Hydrographic Office email: navwarnings@btconnect.com.</u> <u>(5) All dropped objects including those in sub-paragraph (4) must be reported to the MMO using the a Dropped Object Procedure Form (including any updated form as provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident, unless otherwise agreed in writing with the MMO.</u> (5)<u>(6)</u> On receipt of notification of the a 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	This change has been made in response to point 086.65 MMTA Response to Marine Management Organisation [REP1-086]. This is noted in Appendix 3.2 to the Applicant's Response to Written Representations from Statutory Consultees: Marine Management Organisation [S_D2_3.2]

	be removed from the seabed marine environment at the undertaker's expense if reasonable to do so.	
Schedule 16, Part 2, Condition 18, Completion of Construction Schedule 17, Part 2, Condition 18, Completion of Construction	Condition 18(1) has been amended as follows: <i>(1) The undertaker must submit a close out report to the MMO, MCA, UKHO and the relevant statutory nature conservation body within threefour months of the date of completion of construction. The close out report must confirm the date of completion of construction and must include the following details—</i>	This change has been made in response to point 88.14 of the MCA's Written Representation [REP1-088]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].
Schedule 18, Documents to be certified	The following document has been added to the list of documents to be certified: Outline Hydrogeological Risk Assessment	This change has been made in response in response to point 076.7 of the Environmental Agency's Written Representation [REP1-076]. This is noted in the Applicants' Response to Written Representations from Statutory Consultees [S_D2_3].

4 Schedule of Changes of the draft Development Consent Order for Deadline 3

Table 4: Table of amendments submitted to the draft Development Consent Order (Revision 04) following written representations and the ExA's written questions for Deadline 3

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation, typographical, grammatical errors and cross referencing	For clarity and consistency
Articles		
Part 1, Article 2, Interpretation	The definition of "authorised development" has been amended as follows: <i>"authorised development" means—</i>	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).

	a. <i>in relation to Project A, the development and associated development described in Chapter 1 and Chapter 3 of Part 1 of Schedule 1 (authorised development) and any other development authorised by this Order that is development within the meaning of section 32 of the 2008 Act; and</i> b. <i>in relation to Project B, the development and associated development described in Chapter 2 and Chapter 3 of Part 1 of Schedule 1 (authorised development) and any other development authorised by this Order that is development within the meaning of section 32 of the 2008 Act;</i> For the following articles, references to “authorised project” have been replaced with “Project A”: 9(1) (Street works), 12(1) (Temporary closure of public rights of way), 14(1) (Access to works), 17(1) (Authority to survey and investigate the land), 30(1) (Temporary use of land for maintaining the authorised project). For the following articles, references to “authorised project” have been replaced with “Project B”: 9(2) (Street works), 12(2) (Temporary closure of public rights of way) and 14(2) (Access to works).	
Part 1, Article 2, Interpretation	The definition of “bank holiday” has been amended as follows: <i>“bank holiday” means Christmas Day, Good Friday, New Year’s Day, the First Monday in May and any other bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971 a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971;</i>	This change has been made in response to Q2.1.2 of the Examining Authority’s Written Questions (PD-008).
Part 1, Article 2, Interpretation	The definition of “construction compound” has been amended as follows: <i>“construction compound” means a construction site associated with the Project A onshore works, Project B onshore works, Project A intertidal works or and Project B intertidal works including (as required) but not limited to hardstanding, ground preparation, lay down and storage areas for construction materials, plant and equipment, fuel storage, areas for spoil, areas comprising water and bentonite tanks, pumps and pipes, waste management, bunded generators, temporary fencing, lighting, workshop facilities, areas for welfare facilities including site offices, canteen and washroom facilities, wheel washing facilities, areas for vehicular parking, or any other means of enclosure or areas required for construction purposes;</i>	This change has been made in response to Q2.1.1. of the Examining Authority’s Written Questions (PD-008).

Part 1, Article 2, Interpretation	The definition of “intertidal works” has been removed as follows: <i>“intertidal works” means the Project A intertidal works and the Project B intertidal works;</i>	This change has been made in response to Q2.1.1. of the Examining Authority’s Written Questions (PD-008).
Part 1, Article 2, Interpretation	The definition of “maintain” has been amended as follows: <i>“maintain” includes inspect, <u>up</u>keep, repair, adjust and alter the authorised project, and further includes remove, reconstruct, re-cover and replace any part of the authorised project, to the extent assessed in the environmental statement and any derivative of “maintain” shall be construed accordingly;</i>	This change has been made in response to Q2.1.4 of the Examining Authority’s Written Questions (PD-008).
Part 1, Article 2, Interpretation	The definition of “Natural England” has been removed. Updates have been made throughout to amend references to Natural England to SNCB.	In response to RI_A4 in Annex 3.3 to Applicants’ Response to WRs: Response to Natural England’s Risk and Issues Log (S_D3_2.3).
Part 1, Article 2, Interpretation	The definition of “offshore works” has been removed as follows: <i>“offshore works” means the Project A offshore works and the Project B offshore works;</i>	This change has been made in response to Q2.1.1 of the Examining Authority’s Written Questions (PD-008).
Part 1, Article 2, Interpretation	The definition of “onshore site preparation works” has been amended as follows: <i>“onshore site preparation works” means operations consisting of site clearance, demolition, early planting of landscaping works, archaeological investigations, environmental surveys, environmental mitigation <u>works</u>, biodiversity benefit works, removal of hedgerows and trees, surveys and investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, the diversion and laying of utilities and services, site security works, the erection of any temporary means of enclosure, the erection of temporary hard standing, the erection of welfare facilities and compounds for welfare facilities, creation of site accesses, substation preparatory ground works and the temporary display of site notices or advertisement;</i>	This change has been made in response to Q2.1.5 of the Examining Authority’s Written Questions (PD-008) and to align correctly to definitions included in Article 2 of the dDCO.
Part 1, Article 2, Interpretation	The definition of “onshore works” has been removed as follows: <i>“onshore works” means the Project A onshore works and the Project B onshore works;</i>	This change has been made in response to Q2.1.1 of the Examining Authority’s Written Questions (PD-008).
Part 2, Principal Powers, 3. Development consent etc. granted by the Order	Paragraph 3 has been amended as follows: <i>3.— Subject to the provisions of this Order including the requirements—</i>	This change has been made in response to Q2.1.1 of the Examining Authority’s Written Questions (PD-008).

	a. Morgan is granted development consent for Project A <u>to be carried out within the Order limits identified for Project A on the works plans</u>; and b. Morecambe is granted development consent for Project B <u>to be carried out within the Order limits identified for Project B on the works plans</u>. to be carried out within the Order limits.	
Part 2, Principal Powers, 5. Power to maintain the authorised project	Paragraph 5 has been amended as follows: 5.— (1) Subject to paragraph (2) <u>—</u>, a. Morgan the undertaker may at any time maintain the authorised pProject A, except to the extent that this Order or an agreement made under this Order provides otherwise; <u>and</u> b. <u>Morecambe may at any time maintain Project B, except to the extent that this Order or an agreement made under this Order provides otherwise.</u> (2) The power to maintain conferred under paragraph (1) does not relieve the undertaker of any requirement to obtain any further licence under Part 4 (marine licensing) of the 2009 Act for licensable activities not authorised by the deemed marine licences.	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraphs (2) and 3 have been amended as follows: (2) Subject to paragraphs (3) and (68), <u>Morgan</u> the undertaker may with the written consent of the Secretary of State— (a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order (excluding the deemed marine licences) <u>in relation to Project A</u> and such related statutory rights as may be agreed between the undertaker <u>Morgan</u> and the transferee; and (b) grant to another person (“the lessee”) for a period agreed between the undertaker <u>Morgan</u> and the lessee any or all of the benefit of the provisions of this Order (excluding the deemed marine licences) <u>in relation to Project A</u> and such related statutory rights as may be so agreed. (3) Subject to paragraph (46), the undertaker <u>Morgan</u> may with the written consent of the Secretary of State— (a) where an agreement has been made in accordance with paragraph 2(a), transfer to the transferee the whole of the relevant deemed marine licence <u>1 or</u>	This change has been made in response to Q2.1.7 of the Examining Authority's Written Questions (PD-008).

	<u>licence 3</u> and such related statutory rights as may be agreed between the undertaker <u>Morgan</u> and the transferee; and (b) where an agreement has been made in accordance with paragraph 2(b), grant to the lessee for the duration mentioned in paragraph (2)(b), the whole of the relevant deemed marine licence <u>1 or licence 3</u> and such related statutory rights as may be so agreed, except where paragraph (6)<u>8</u> applies, in which case the consent of the Secretary of State is not required.	
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraphs (4)-(5) have been added as follows: <u>(4) Subject to paragraphs (5) and (8), Morecambe may with the written consent of the Secretary of State—</u> <u>(a) transfer to another person (“the transferee”) any or all of the benefit of the provisions of this Order (excluding the deemed marine licences) in relation to Project B and such related statutory rights as may be agreed between Morecambe and the transferee; and</u> <u>(b) grant to another person (“the lessee”) for a period agreed between Morecambe and the lessee any or all of the benefit of the provisions of this Order (excluding the deemed marine licences) in relation to Project B and such related statutory rights as may be so agreed.</u> <u>(5) Subject to paragraph (6), Morecambe may with the written consent of the Secretary of State—</u> <u>(a) where an agreement has been made in accordance with paragraph 4(a), transfer to the transferee the whole of licence 2 or licence 4 and such related statutory rights as may be agreed between Morecambe and the transferee; and</u> <u>(b) where an agreement has been made in accordance with paragraph 4(b), grant to the lessee for the duration mentioned in paragraph (4)(b), the whole of licence 2 or licence 4 and such related statutory rights as may be so agreed, except where paragraph (8) applies, in which case the consent of the Secretary of State is not required.</u>	This change has been made in response to Q2.1.7 of the Examining Authority’s Written Questions (PD-008).
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraph (7) (previously (5)) has been amended as follows: (5)<u>(7)</u> Where <u>Morgan or Morecambe</u> the undertaker <u>has</u>es transferred any benefit, or for the duration of any period during which the undertaker <u>Morgan or</u>	This change has been made in response to Q2.1.7 of the Examining Authority’s Written Questions (PD-008).

	<u>Morecambe</u> has^{ve} granted any benefit, under paragraphs (2) or (3) <u>or under paragraphs (4) or (5) respectively</u> — (a) the benefit transferred or granted (“the transferred benefit”) shall include any rights that are conferred, and any obligations that are imposed, by virtue of the provisions to which the benefit relates; (b) the transferred benefit is to reside exclusively with the transferee or, as the case may be, the lessee and the transferred benefit shall not be enforceable against the <u>relevant</u> undertaker save in the case of a deemed marine licence transferred or granted in respect of any breach of an obligation by the <u>relevant</u> undertaker which occurs prior to such transfer or grant or which occurs as a result of any activity carried out by the <u>relevant</u> undertaker on behalf of the transferee; and (c) the exercise by a person of any benefits or rights conferred in accordance with any transfer or grant under paragraph (2) or (3) <u>or under paragraphs (4) or (5)</u> is subject to the same restrictions, liabilities and obligations as would apply under this Order if those benefits or rights were exercised by the <u>relevant</u> undertaker.	
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraphs (9) and (11) (previously (7) and (8)) have been amended and paragraph (10) has been added as follows: (7) <u>(9) Except in paragraph (5), wwhere an agreement has been made in accordance with paragraph (2) or (3) references in this Order to the undertaker or <u>Morgan</u> will include references to the transferee or lessee <u>as appropriate</u>.</u> <u>(10) Except in paragraph (5), where an agreement has been made in accordance with paragraphs (4) or (5) references in this Order to the undertaker or <u>Morecambe</u> will include references to the transferee or lessee as appropriate.</u> (8) <u>(11) Prior to any transfer or grant under this article taking effect the <u>relevant</u> undertaker must give notice in writing to the Secretary of State, the other undertaker (as appropriate), and if such transfer or grant relates to the exercise of powers in their area, to the MMO and the relevant planning authority.</u>	This change has been made in response to Q2.1.7 of the Examining Authority’s Written Questions (PD-008).
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraphs (12)-(13) (previously (9)-(10)) have been amended as follows: (12) A notice required under paragraph 8 <u>(11)</u> must— a. state— i. the name and contact details of the person to whom the benefit of the provisions will be transferred or granted;	This change has been made in response to Q2.1.7 of the Examining Authority’s Written Questions (PD-008).

	ii. subject to paragraph (139), the date on which the transfer will take effect; iii. the provisions to be transferred or granted; iv. the restrictions, liabilities, and obligations that, in accordance with sub-paragraph (57)(c), will apply to the person exercising the powers transferred or granted; and v. where paragraph (68) does not apply, confirmation of the availability and adequacy of funds for compensation associated with the compulsory acquisition of the Order land; b. be accompanied by— i. where relevant, a plan showing the works or areas to which the transfer or grant relates; and ii. a copy of the document effecting the transfer or grant signed by the <u>relevant</u> undertaker and the person to whom the benefit of the powers will be transferred or granted. (10) (13) The date specified under paragraph (912)(a)(ii) in respect of a notice served under paragraph (812) must not be earlier than the expiry of fourteen days from the date of the receipt of the notice.	
Part 2, Principal Powers, Article 6, Benefit of the order	Paragraphs (13)-(14) (previously (11)-(12)) have been amended as follows: (14)(13) The notice given under paragraph (128) must be signed by the <u>relevant</u> undertaker and the person to whom the benefit of the powers will be transferred or granted as specified in that notice. (12)(14) Section 72(7) and (8) of the 2009 Act do not apply to a transfer or grant of the benefit of the provisions of any deemed marine licence to another person by the undertaker <u>either Morgan or Morecambe</u> pursuant to an agreement under this article, save that the MMO may amend <u>licence 1, licence 2, licence 3 or licence 4</u> any deemed marine licence granted under Schedules 14, 15, 16 or 17 of this Order to correct the name of the <u>relevant</u> undertaker to the name of a transferee or lessee under this Article 6 (benefit of the Order).	This change has been made in response to Q2.1.7 of the Examining Authority's Written Questions (PD-008).
Part 3, Streets, Article 13, Temporary restriction of use of streets	Article 13 has been amended as follows: (4) Without limiting paragraph (1), Morgan may temporarily close, alter, manage or divert the streets specified in Schedule 4A (streets to be temporarily stopped up or restricted – Project A) to the extent specified in column (3) <u>of that Schedule</u>, by reference to the letters and numbers shown on the street works plan.	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).

	(5) Without limiting paragraph (1), Morecambe may temporarily close, alter, manage or divert the streets specified in Schedule 4B (streets to be temporarily stopped up or restricted – Project B) to the extent specified in column (3) <u>of that Schedule</u>, by reference to the letters and numbers shown on the street works plan. (6) The undertaker <u>Morgan</u> must not temporarily close or use as a temporary working site— a. any street referred to in paragraph (4) or (5) without first consulting the street authority; and b. any other street without the consent of the street authority, which may attach reasonable conditions to the consent. <u>(7) Morecambe must not temporarily close or use as a temporary working site—</u> a. <u>any street referred to in paragraph (5) without first consulting the street authority; and</u> b. <u>any other street without the consent of the street authority, which may attach reasonable conditions to the consent.</u>	
Part 4, Supplemental Powers, Article 17, Authority to survey and investigate the land	Article 17 has been amended as follows: 17. — (1) Morgan The undertaker may for the purposes of this Order enter on any land shown within the Order limits <u>identified for Project A</u> or any land which may be affected by the authorised project <u>Project A</u> and— a. survey or investigate the land; b. without prejudice to the generality of sub-paragraph (a), make trial holes or boreholes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil and groundwater and remove soil and groundwater samples; c. without prejudice to the generality of sub-paragraph (a), carry out ecological or archaeological investigations on such land; and d. place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes, boreholes or trenches. <u>(2) Morecambe may for the purposes of this Order enter on any land shown within the Order limits identified for Project B or any land which may be affected by Project B and—</u>	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).

	a. <u>survey or investigate the land;</u> b. <u>without prejudice to the generality of sub-paragraph (a), make trial holes or boreholes in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil and groundwater and remove soil and groundwater samples;</u> c. <u>without prejudice to the generality of sub-paragraph (a), carry out ecological or archaeological investigations on such land; and</u> d. <u>place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes, boreholes or trenches.</u> (2)(3) No land may be entered or equipment placed or left on or removed from the land under paragraphs (1) <u>or (2)</u> unless at least 14 days' notice has been served on every owner and occupier of the land. If the undertaker proposes to do any of the following, the notice must include details of what is proposed—	
Part 5, Powers of acquisition, Article 21, Time limit for exercise of authority to acquire land compulsorily	Paragraph (3) has been deleted as follows: (3) If proceedings are begun to challenge the validity of this Order before the end of the period referred to in sub-paragraph (1) the period must be extended by one year.	This change has been made in response to Q2.1.12 of the Examining Authority's Written Questions (PD-008).
Part 5, Powers of acquisition, Article 22, Compulsory acquisition of rights	Article 22(1) has been amended as follows: 22. —(1) Subject to paragraphs (2) and (3) —, <u>(a) Morgan the undertaker may acquire compulsorily such rights over the Order land, by creating them as well as by acquiring rights already in existence, or impose restrictions as may be required for any purpose for which that land may be acquired under paragraph (1) of article 20 (compulsory acquisition of land); and</u> <u>(b) Morecambe may acquire compulsorily such rights over the Order land, by creating them as well as by acquiring rights already in existence, or impose restrictions as may be required for any purpose for which that land may be acquired under paragraph (2) of article 20 (compulsory acquisition of land).</u>	This change has been made in response to Q2.1.13 of the Examining Authority's Written Questions (PD-008).
Part 5, Powers of acquisition, Article 24, Private rights	References in Article 24(1) and 24(3) to “undertaker” have been replaced with “Morgan” References in Article 24(2) and 24(4) to “undertaker” have been replaced with “Morecambe”	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).

Part 5, Powers of acquisition, Article 29, Temporary use of land for carrying out the authorised project	Article 29(11) has been amended as follows: <i><u>(11) Morgan may not compulsorily acquire under this Order the land referred to in paragraph 1(a)(i).</u></i> <i><u>(12) Morecambe may not compulsorily acquire under this Order the land referred to in paragraph 2(a)(i).</u></i>	This change has been made in response to Q2.1.15(b) of the Examining Authority's Written Questions (PD-008).
Part 5, Powers of acquisition, Article 30, Temporary use of land for maintaining the authorised project	A new Article 30(2) has been added and Articles 30(3)-(10) (previously 30(2)-30(9)) have been amended as follows: <i><u>(2) Subject to paragraph (3), at any time during the maintenance period relating to any part of Project B, Morecambe may—</u></i> <i><u>(a) enter on and take temporary possession of any land within the Order land if such possession is reasonably required for the purpose of maintaining Project B;</u></i> <i><u>(b) enter on any of the Order land for the purpose of gaining such access as is reasonably required for the purposes of maintaining Project B; and</u></i> <i><u>(c) construct such temporary works (including the provision of means of access) and buildings on the land as may be reasonably necessary for that purpose.</u></i> (2)<i><u>(3) Paragraphs (1) and (2) does not authorise the undertaker to take temporary possession of—</u></i> <i><u>(a) any house or garden belonging to a house; or</u></i> <i><u>(b) any building (other than a house) if it is for the time being occupied.</u></i>	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Part 6, Miscellaneous and general, Article 35, Felling or lopping of trees and removal of hedgerows	Paragraph (1) has been amended as follows: 35. —<i><u>(1) Subject to article 36 (trees subject to tree preservations orders) the undertaker may fell or lop, or cut back the roots of, any tree or shrub within, overhanging or encroaching upon land within the Order limits or near any part of the authorised project if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub from—</u></i>	This change has been made in response to Q2.1.16 of the Examining Authority's Written Questions (PD-008).

Part 6, Miscellaneous and general, Article 36, Trees subject to tree preservation orders	Paragraph (1) has been amended as follows: <i>36. —(1) The undertaker may fell or lop, or cut back the roots, of any tree within, overhanging or encroaching upon land within the Order limits that is subject to a tree preservation order if it reasonably believes it to be necessary to do so in order to prevent the tree—</i>	This change has been made in response to Q2.1.17 of the Examining Authority's Written Questions (PD-008).
Part 6, Miscellaneous and general, Article 37, Abatement of works abandoned or decayed	Article 37 has been amended as follows: <i>37. —(1) Where the works comprised in Project A or any part of them are abandoned or allowed to fall into decay the Secretary of State may, following consultation with Morgan, issue a written notice requiring Morgan at its own expense either to repair, make safe and restore one or any of those works, or any relevant part of them, or to remove the Project A offshore works or any relevant part, without prejudice to any notice served under section 105(2) (requirement to prepare decommissioning programmes) of the 2004 Act(a). The notice may also require the restoration of the site of the relevant part(s) of the Project A offshore works.</i> <i>(2) Where the works comprised in Project B or any part of them are abandoned or allowed to fall into decay the Secretary of State may, following consultation with Morecambe, issue a written notice requiring Morecambe at its own expense either to repair, make safe and restore one or any of those works, or any relevant part of them, or to remove the Project B offshore works or any relevant part, without prejudice to any notice served under section 105(2) (requirement to prepare decommissioning programmes) of the 2004 Act. The notice may also require the restoration of the site of the relevant part(s) of the Project B offshore works.</i>	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).

Schedules

Schedule 1, Authorised Project, Part 1, Authorised Development	Chapter 1 has been added as follows: CHAPTER 1	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
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	Project A Authorised Development	
Schedule 1, Authorised Project, Part 1, Authorised Development	Chapter 2 has been added as follows: CHAPTER 2 Project B Authorised Development	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedule 1, Authorised Project, Part 1, Authorised Development	Chapter 3 has been added as follows: CHAPTER 3 Associated Development	This change has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedule 1, Part 1, Authorised Development, Chapter 3, Associated Development	Sub-sections (l)-(m) have been amended as follows: <i>(l) fencing or other means of enclosure; and (m) temporary and permanent drainage; and (n)(m) such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project.</i>	This amend has been made in response to Q2.2.1 of the Examining Authority's Written Questions (PD-008).
Schedule 2A, Requirements – Project A and Schedule 8A, Land in which only new rights etc. may be acquired – Project A	References throughout Schedules 2A and 8A to 'the authorised project' have been amended to 'Project A'.	This amend has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedules 2B, Requirements – Project B and Schedule 8B, Land in which only new rights etc. may be acquired – Project B	References throughout Schedules 2B and 8B to 'the authorised project' have been amended to 'Project B'.	This amend has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedule 2A, Requirements – Project A, 2. Project A offshore works design parameters	The heading to Requirement 2 has been amended as follows: Project A O ffshore works design parameters	This amend has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedule 2B, Requirements – Project B, 2. Project B offshore works design parameters	The heading to Requirement 2 has been amended as follows: Project B O ffshore works design parameters	

Schedule 2A, Requirements – Project A, 3. Stages of Project A (previously Stages of authorised project)	The heading to Requirement 3 has been amended as follows: Stages of authorised pProject A	This amend has been made in response to Q2.1.1 of the Examining Authority's Written Questions (PD-008).
Schedule 2B, Requirements – Project B, 3. Stages of Project B (previously Stages of authorised project)	The heading to Requirement 3 has been amended as follows: Stages of authorised projectProject B	
Schedule 2A, Requirements – Project A Schedule 2B, Requirements – Project B	In the following requirements, the word “substantially” has been removed from the phrase “substantially in accordance with”: 4 (Substation works), 19 (Employment and skills plan), 20 (Operational Drainage Management Plan).	These changes have been made in response to Q2.3.1 of the Examining Authority's Written Questions (PD-008).
Schedule 2A, Requirements – Project A, 14. Construction hours	14. has been amended as follows: <i>—(1) Except for site set up and close down works and as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project A onshore works and Project A intertidal works, and construction-related traffic movements to or from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to Saturday, with no activity on Sundays or bank holidays.</i> <i>(2) Subject to paragraph (3), construction of the Project A onshore works and Project A intertidal works, and construction-related traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified works including—</i> <i>(a) where continuous periods of construction are required, for works such as concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation technique works and alternative trenchless installation technique works, and dewatering pumps;</i> <i>(b) for the delivery and unloading of abnormal loads;</i> <i>(c) for the Project A landfall works;</i> <i>(d) for the Project A Blackpool Airport works;</i> <i>(e) for the Project A River Ribble works;</i> <i>(f) for any other time-critical element of the Project A onshore works; and</i> <i>(g) emergency works; <u>and</u></i>	This change has been made in response to Q16.1.2 and Q14.1.10 of the Applicants' Response to Examining Authority's Written Questions (PD-008).

(h) mobilisation activities, which may take place one hour immediately prior to and one hour immediately after the hours specified in paragraph (1).

...

(3) Except as provided in sub-paragraph (4) and in relation to emergency works, the undertaker must notify the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified in sub-paragraph (1) ~~must be agreed~~ by giving at least 48 hours' notice in advance of the works and activities and those works and activities must not be undertaken outside the hours specified in sub-paragraph (1) until the relevant planning authority has agreed ~~to the relevant planning authority.~~

In respect of trenchless installation technique works and alternative trenchless installation technique works, where continuous 24-hour working is required and has been assessed in the environmental statement, the undertaker must notify the relevant planning authority in advance of such works.

...

(6) For the purposes of this requirement—

(a) "mobilisation activities" include personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries excluding heavy goods vehicle movements, movement to place of work, general preparation and site maintenance work but does not include operation of heavy machinery or operation of generators or flood lights. ~~site set up and close down works include the mobilisation of construction traffic for the daily start up and shut down of construction works at the site;~~ and

(b) "emergency" means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.

Schedule 2B, Requirements – Project B, 14. Construction hours

14. has been amended as follows:

—(1) Except ~~for site set up and close down works and~~ as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project B onshore works and Project A intertidal works, and construction-related traffic movements to or from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to Saturday, with no activity on Sundays or bank holidays.

(2) Subject to paragraph (3), construction of the Project B onshore works and Project B intertidal works, and construction-related traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified works including—

(a) where continuous periods of construction are required, for works such as concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation technique works and alternative trenchless installation technique works, and dewatering pumps;

(b) for the delivery and unloading of abnormal loads;

(c) for the Project B landfall works;

(d) for the Project B Blackpool Airport works;

(e) for the Project B River Ribble works;

(f) for any other time-critical element of the Project B onshore works; ~~and~~

(g) emergency works; and

(h) mobilisation activities, which may take place one hour immediately prior to and one hour immediately after the hours specified in paragraph (1).

3) Except as provided in sub-paragraph (4) and in relation to emergency works, the undertaker must notify the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified in sub-paragraph (1) ~~must be agreed~~ by giving at least 48 hours' notice in advance of the works and activities and those works and activities must not be undertaken outside the hours specified in sub-paragraph (1) until the relevant planning authority has agreed ~~to the relevant planning authority.~~

(6) For the purposes of this requirement—

	(a) <i><u>“mobilisation activities” include personnel briefings, inspections, tool-box talks, inductions, health and safety works, deliveries excluding heavy goods vehicle movements, movement to place of work, general preparation and site maintenance work but does not include operation of heavy machinery or operation of generators or flood lights. site set up and close down works include the mobilisation of construction traffic for the daily start up and shut down of construction works at the site; and</u></i> (b) <i>“emergency” means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.</i>	
Schedule 2A, Requirements – Project A, 15. Fencing and other means of enclosure	Paragraph (3) has been amended as follows: <i>(3) Permanent fencing, walls and other means of enclosure approved under subparagraphs (1) and (2) must be provided and maintained in accordance with the approved details until the Project A onshore works to which they relate are decommissioned in accordance with the onshore decommissioning plan approved under requirement 22 (onshore decommissioning).</i>	These changes have been made in response to Q2.1.1 of the Examining Authority’s Written Questions (PD-008).
Schedule 2B, Requirements – Project B, 15. Fencing and other means of enclosure	Paragraph (3) has been amended as follows: <i>(3) Permanent fencing, walls and other means of enclosure approved under subparagraphs (1) and (2) must be provided and maintained in accordance with the approved details until the Project B onshore works to which they relate are decommissioned in accordance with the onshore decommissioning plan approved under requirement 22 (onshore decommissioning).</i>	
Sch 2A, Requirements – Project A, 19. Outline Employment and Skills Plan	Requirement 19 has been updated as follows: <i>19. —(1) No stage of the Project A onshore works may commence within a relevant planning authority’s area until, after consultation has taken place with the</i>	This change has been made in response to Q15.1.1 of the Examining Authority’s Written Questions (PD-008).

	relevant authorities, an employment and skills plan has <i>been submitted to and approved in writing by Lancashire County Council on behalf of the relevant authorities</i> been notified in writing to the relevant planning authority. (2) The employment and skills plan must be substantially in accordance with the outline employment and skills plan and must be implemented <i>as approved</i> and maintained for the duration of the construction of the Project A onshore works. (3) For the purposes of this requirement the “relevant authorities” are <i>South Ribble Borough Council, Fylde Borough Council, Preston City Council and Blackpool Borough Council</i>.	
Schedule 2B, Requirements – Project B, 19. Outline Employment and Skills Plan	Requirement 19 has been updated as follows: 19. —(1) No stage-of-the Project B onshore works may commence within a relevant planning authority’s area until, after consultation has taken place with the relevant authorities, an employment and skills plan <i>has been submitted to and approved in writing by Lancashire County Council on behalf of the relevant authorities</i> been notified in writing to the relevant planning authority. (2) The employment and skills plan must be substantially in accordance with the outline employment and skills plan and must be implemented <i>as approved</i> and maintained for the duration of the construction of the Project B onshore works. (3) For the purposes of this requirement the “relevant authorities” are <i>South Ribble Borough Council, Fylde Borough Council, Preston City Council and Blackpool Borough Council</i>.	
Schedule 2A, Requirements – Project A, 25. Onshore collaboration	Requirement 25 has been added as follows: <u>(25) Onshore collaboration</u> <u>25. —(1) In the event of sequential or concurrent construction of Project A and Project B, Morgan must—</u> <u>(a) before submitting any plan, scheme, details or document required to be submitted for approval under the requirements, provide a copy of the plan or document to Morecambe to enable Morecambe to provide comments on the relevant plans and documentation; and</u> <u>(b) when submitting any plan or document referred to in sub-paragraph (a) for approval, submit any comments duly received from Morecambe or a statement confirming that no such comments were received.</u>	These changes have been made in response to Q1.1.7 of the Examining Authority’s Written Questions (PD-008).

Schedule 2B, Requirements – Project B, 25. Onshore collaboration	Requirement 25 has been added as follows: <u>(25) Onshore collaboration</u> <u>25. —(1) In the event of sequential or concurrent construction of Project A and Project B, Morecambe must—</u> <u>(a) before submitting any plan, scheme, details or document required to be submitted for approval under the requirements, provide a copy of the plan or document to Morgan to enable Morgan to provide comments on the relevant plans and documentation; and</u> <u>(b) when submitting any plan or document referred to in sub-paragraph (a) for approval, submit any comments duly received from Morgan or a statement confirming that no such comments were received.</u>							
Schedule 5A, Public rights of way to be temporarily closed or restricted – Project A	After the row where column 3 reads ‘Between point MGMC_08A and point MGMC_08B on Sheet 14 of the Public Rights of Way Plan’, the following rows have been added to Schedule 5A: <table border="1"> <tr> <td><u>Preston City Council</u></td><td><u>King Charles III England Coast Path</u></td><td><u>Between point MG KC 01 A and point MG KC 01 B on Sheet 15 of the Public Rights of Way Plan</u></td></tr> <tr> <td><u>Preston City Council</u></td><td><u>King Charles III England Coast Path</u></td><td><u>Between point MG KC 02 A and point MG KC 02 B on Sheet 15 of the</u></td></tr> </table>	<u>Preston City Council</u>	<u>King Charles III England Coast Path</u>	<u>Between point MG KC 01 A and point MG KC 01 B on Sheet 15 of the Public Rights of Way Plan</u>	<u>Preston City Council</u>	<u>King Charles III England Coast Path</u>	<u>Between point MG KC 02 A and point MG KC 02 B on Sheet 15 of the</u>	These amendments have been made as a result of points raised by the Public Right of Way officer at Lancashire County Council.
<u>Preston City Council</u>	<u>King Charles III England Coast Path</u>	<u>Between point MG KC 01 A and point MG KC 01 B on Sheet 15 of the Public Rights of Way Plan</u>						
<u>Preston City Council</u>	<u>King Charles III England Coast Path</u>	<u>Between point MG KC 02 A and point MG KC 02 B on Sheet 15 of the</u>						

		<i>Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC KC 01 A and point MGMC KC 01 B on Sheet 15 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MG KC 03 A and point MG KC 03 B on Sheet 16 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC KC 02 A and point MGMC KC 02 B on Sheet 16 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC KC 03 A and point MGMC KC 03 B on Sheet 16 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC KC 04 A and point MGMC KC 04 B on Sheet 16 of the Public Rights of Way Plan</i>

After the row where column 3 reads 'Between point MGMC_10A and point MGMC_10B on Sheet 16 of the Public Rights of Way Plan', the following rows have been added to Schedule 5A:

<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC KC 05 A and point</i>
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		MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan	
Schedule 5B, Public rights of way to be temporarily closed or restricted – Project B	After the row where column 3 reads ‘Between point MGMC_08A and point MGMC_08B on Sheet 14 of the Public Rights of Way Plan’, the following rows have been added to Schedule 5B:		These amendments have been made as a result of points raised by the Public Right of Way officer at Lancashire County Council.
Preston City Council	King Charles III England Coast Path	Between point MC KC 01 A and point MC KC 01 B on Sheet 15 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MC KC 02 A and point MC KC 02 B on Sheet 15 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 01 A and point MGMC KC 01 B on Sheet 15 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MC KC 03 A and point MC KC 03 B on Sheet 16 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 02 A and point MGMC KC 02 B on Sheet 16 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 03 A and point MGMC KC 03 B on Sheet 16 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 04 A and point MGMC KC 04 B on Sheet 16 of the Public Rights of Way Plan	

	After the row where column 3 reads 'Between point MGMC_10A and point MGMC_10B on Sheet 16 of the Public Rights of Way Plan', the following rows have been added to Schedule 5B: <table border="1"> <tr> <td>Preston City Council</td><td>King Charles III England Coast Path</td><td>Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan</td></tr> <tr> <td>Preston City Council</td><td>King Charles III England Coast Path</td><td>Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan</td></tr> </table>	Preston City Council	King Charles III England Coast Path	Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan	Preston City Council	King Charles III England Coast Path	Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan	
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan						
Preston City Council	King Charles III England Coast Path	Between point MGMC KC 05 A and point MGMC KC 04 B on Sheet 17 of the Public Rights of Way Plan						
Schedule 12, Approval of matters specified in requirements, Paragraph 5, Provision of information by Consultees	Paragraph 5 has been amended as follows: 5. — <i>Any consultee who receives a consultation under paragraph 4(3) must respond to that request within 15¹⁰ business days from receipt unless sub-paragraph (2) of this paragraph applies, or a longer period is agreed with both the undertaker and the discharging authority.</i>	This change has been made in light of the Applicants' response to the EA's point REP2-056.8 of REP2-056 (S_D3_2) and the Applicants' response to Natural England's point R1_A13 of the NE Risk and Issues Log (S_D3_2.3)).						
Schedule 12, Approval of matters specified in requirements	Schedule 12 has been updated to refer to 'business days' instead of 'working days'.	To correct an error, so that Schedule 12 uses the correct defined term in Article 2.						
Schedule 12, Approval of matters specified in requirements, Paragraph 7, Appeals	Paragraphs 7(2)(d)-(f) have been amended as follows: (d) <i>the relevant discharging authority and any consultee required to be consulted pursuant to the requirement which is the subject of the appeal must submit written representations to the appointed person in respect of the appeal within 15 business¹⁰ ten working days of the start date and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;</i> (e) <i>the appeal parties must make any counter-submissions to the appointed person within 15 business¹⁰ ten working days of receipt of written representations pursuant to sub-paragraph (2)(c); and</i>	These changes have been made in response to Q2.4.3 of the Examining Authority's Written Questions (PD-008).						

	(f) <i>the appointed person must make their decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable and in any event within thirty workingbusiness days of the deadline for the receipt of counter-submissions pursuant to sub-paragraph (2)(d).</i>	
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Condition 18 Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Wind Project Transmission Assets, Condition 18	Condition 18(1)(a)(iii) has been amended as follows: <i>(iii) any archaeological exclusion zones or environmental micro-siting requirements <u>identified pursuant to condition 20(2)(d) or relating to any benthic habitats of conservation, ecological or economic importance constituting reef habitats of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006;</u></i>	These changes have been made in response to RI_A7 in Annex 3.3 to Applicants' Response to WRs: Response to Natural England's Risk and Issues Log (S_D3_2.3).
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 1 – 1. Interpretation Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 1 – 1. Interpretation	The definition of “bank holiday” has been removed.	Definition not used.
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project	The definition of “Natural England” has been removed.	In response to RI_A4 in Annex 3.3 to Applicants' Response to WRs:

Transmission Assets, Part 1 – 1. Interpretation Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 1 – 1. Interpretation Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets, Part 1 – 1. Interpretation Schedule 17, Marine Licence 4 Morecambe Offshore Windfarm Transmission Assets, Part 1 – 1. Interpretation		Response to Natural England's Risk and Issues Log (S_D3_2.3).
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 1 – 1. Interpretation Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 1 – 1. Interpretation	A new definition has been added to Schedule 14: <i>“Project B offshore and intertidal works” means Work Nos. 1B to 4B described in Part 1, Schedule 1 of the Order together with any related further associated development in connection with those works and related ancillary works;</i> A new definition has been added to Schedule 15: <i>“Project A offshore and intertidal works” means Work Nos. 1A to 4A described in Part 1, Schedule 1 of the Order together with any related further associated development in connection with those works and related ancillary works;</i>	These changes have been made in response to Q1.1.7 of the Examining Authority's Written Questions (PD-008).
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 18. Pre-construction plans and documentation Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 2, 18. Pre-	Condition 18 has been amended as follows: <i>(1)— The licensed activities or any stage of those activities must not commence until the following (insofar as relevant to that activity or stage of activity) have been submitted to and approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate—</i> <i>(a) a design plan at a scale of between 1:25,000 and 1:50,000, including detailed representation on the most suitably scaled admiralty chart, to be approved in writing by the MMO in consultation with Trinity House and the MCA setting out proposed details of the authorised scheme, including the—</i>	In response to RI_A7 in Annex 3.3 of Applicants' Response to WRs: Response to Natural England's Risk and Issues Log (S_D3_2.3).

construction plans and documentation	i. <i>proposed layout of all cables;</i> ii. <i>location and specification of all other aspects of the authorised scheme; and</i> iii. <i>any archaeological exclusion zones or environmental micro-siting requirements <u>identified pursuant to condition 2018(1)(g2)(div) or relating to any benthic habitats of conservation, ecological or economic importance constituting reef habitats of principal importance as listed under Section 41 of the Natural Environment and Rural Communities Act 2006</u>.</i>	
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 18. Pre-construction plans and documentation Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 2, 18. Pre-construction plans and documentation	Condition 18(1)(g) has been amended as follows: <i>(g) an offshore written scheme of investigation for archaeology in relation to the Order limits, which must accord with the outline offshore written scheme of investigation for archaeology and industry good practice, in consultation with <u>Lancashire County Council (in relation to those parts of the offshore Order limits landwards of MLWS) and the statutory historic body to include—</u></i>	These changes have been made in response to point 16 of Historic England's Written Representation (REP1-082).
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, 21. Collaboration	Condition 21 has been added as follows: Not used. <u>21. Collaboration</u> <u>21.— (1) In the event of sequential or concurrent construction of the authorised scheme and the Project B offshore and intertidal works, prior to submission of any programme, statement, plan, protocol or scheme required to be submitted to the MMO for approval in accordance with conditions 18 and 19, the undertaker must provide a copy of the relevant programme, statement, plan, protocol or scheme to Morecambe to enable Morecambe to provide any comments on the programme, statement, plan, protocol or scheme to the undertaker.</u> <u>(2) Each programme, statement, plan, protocol or scheme submitted to the MMO for approval in accordance with conditions 18 and 19 must be accompanied by any comments received by the undertaker from Morecambe in accordance with</u>	These changes have been made in response to Q1.1.7 of the Examining Authority's Written Questions (PD-008).

	<u>sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.</u>	
Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets, Part 2, 21. Collaboration	Condition 21 has been added as follows: Not used. 21. Collaboration <u>21.— (1) In the event of sequential or concurrent construction of the authorised scheme and the Project A offshore and intertidal works, prior to submission of any programme, statement, plan, protocol or scheme required to be submitted to the MMO for approval in accordance with conditions 18 and 19, the undertaker must provide a copy of the relevant programme, statement, plan, protocol or scheme to Morgan to enable Morgan to provide any comments on the programme, statement, plan, protocol or scheme to the undertaker.</u> <u>(2) Each programme, statement, plan, protocol or scheme submitted to the MMO for approval in accordance with conditions 18 and 19 must be accompanied by any comments received by the undertaker from Morgan in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.</u>	
Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets – River Ribble, Part 2, 20. Collaboration	<u>Condition 20 has been added as follows:</u> <u>20.— (1) In the event of sequential or concurrent construction of the authorised scheme and Work No. 28B of the Order, prior to submission of the construction programme required to be submitted to the MMO for approval in accordance with conditions 16 and 17, the undertaker must provide a copy of the construction programme to Morecambe to enable Morecambe to provide any comments on the construction programme to the undertaker.</u> <u>(2) The construction programme submitted to the MMO for approval in accordance with conditions 16 and 17 must be accompanied by any comments received by the undertaker from Morecambe in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.</u>	These changes have been made in response to Q1.1.7 of the Examining Authority's Written Questions (PD-008).

Schedule 17, Marine Licence 4:
Morecambe Offshore Windfarm
Transmission Assets – River Ribble,
Part 2, 20. Collaboration

Condition 20 has been added as follows:

20.— (1) In the event of sequential or concurrent construction of the authorised scheme and Work No. 28A of the Order, prior to submission of the construction programme required to be submitted to the MMO for approval in accordance with conditions 16 and 17, the undertaker must provide a copy of the construction programme to Morgan to enable Morgan to provide any comments on the construction programme to the undertaker.

(2) The construction programme submitted to the MMO for approval in accordance with conditions 16 and 17 must be accompanied by any comments received by the undertaker from Morgan in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.

5 Schedule of Changes of the draft Development Consent Order for Deadline 4

Table 5: Table of amendments submitted to the draft Development Consent Order (Revision 05) for Deadline 4

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation, typographical, grammatical errors and cross referencing.	For clarity and consistency.
Articles		
Part 1, Article 2 (Interpretation)	The definition of “BAE” has been amended as follows: “BAE” means BAE Systems ple <u>(Operations) Ltd</u> (company registration number 01470154<u>01996687</u>) whose registered office is at 6 Carlton Gardens, London, SW1Y 5AD <u>Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX;</u>	This change has been made in response to paragraph 2.7 of BAE System’s Comments on the Applicant’s Submissions made at Deadline 2 (REP3-074).

Part 1, Article 2 (Interpretation)	The definition of maintain has been updated as follows: <i>“maintain” includes inspect, upkeep, repair, adjust and alter the authorised project, and further includes remove, reconstruct and replace any part of the authorised project (excluding removal, reconstruction or replacement of whole buildings associated with the onshore substations), to the extent assessed in the environmental statement and any derivative of “maintain” shall be construed accordingly;</i>	This amend has been made further to Hearing Action Point (HAP) ISH3_3.
Part 1, Article 2 (Interpretation)	The following definitions have been updated as follows: <i>“Morgan generation assets” means the Morgan offshore wind farm generating assets for which separate development consent is being sought by Morgan pursuant to application reference EN010136;</i> <i>“Morecambe generation assets” means the Morecambe offshore windfarm generating assets for which separate development consent is being sought by Morecambe pursuant to application reference EN010121;</i>	This amend has been made further to HAP ISH3_5. The Applicants have added the relevant application numbers to the definitions to provide clarity as to which specific application the definitions relate to.
Part 1, Article 2 (Interpretation)	The definition of Onshore site preparation works has been updated as follows: <i>“onshore site preparation works” means operations consisting of site clearance, demolition, early planting of landscaping works, archaeological investigations, environmental surveys, environmental mitigation works, biodiversity benefit works, removal of hedgerows and trees, surveys and investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, the diversion and laying of utilities and services, site security works, the erection of any temporary means of enclosure, the erection of temporary hard standing, the erection of welfare facilities and compounds for welfare facilities, creation of site accesses and the temporary display of site notices or advertisement;</i>	Following discussions at Issue Specific Hearing 3 (ISH 3) the Applicants have amended the definition of Onshore site preparation works to remove reference to removal of hedgerows and trees.
Part 4, Article 17 (Authority to survey and investigate the land)	Article 17(5) has been amended as follows: <i>(5) Under this article, no trial holes, boreholes or trenches are to be made in, and no equipment may be placed or left on or removed from—</i>	This amendment has been made further to the representations made by National Highways (REP3-089) and further to discussions with National Highways.

	(a) land located within the highway boundary without the consent of the highway authority; or (b) a private street without the consent of the street authority; but and such consent <u>may be subject to such conditions as are reasonably required but</u> must not be unreasonably withheld or delayed.	
Part 4, Article 19 (Removal of human remains)	Article 19 has been removed and replaced with 'Not used.'	This removal is further to HAP ISH3_9. The Applicants will consider any consequential updates to be made to the Outline Onshore and Intertidal Written Scheme of Investigation at D5.
Part 5, Article 29 (Temporary use of land for carrying out the authorised project)	Article 29(4) and 29(5) have been amended as follows: (4) Morgan must not, without the agreement of the landowner, remain in possession of land under this article <u>for longer than is reasonably necessary and in any event, without the agreement of the landowner, remain in possession of any land under this article—</u> ... (5) Morecambe must not, without the agreement of the landowner, remain in possession of land under this article <u>for longer than is reasonably necessary and in any event, without the agreement of the landowner, remain in possession of any land under this article—</u>	This amendment has been made following discussions at ISH3.
Part 6, Article 45 (Requirements, appeals, etc.)	Subparagraphs (2) and (3) Article 45 has been removed as follows 45.—(1) Schedule 12 (Approval of matters specified in requirements) has effect in relation to all agreements or approvals granted, refused or withheld in relation to requirements included in Part 1 of that Schedule. (2) Save to the extent that the requirements are already subject to Schedule 12, sub-section (1) of section 78 (right to appeal against planning decisions and failure to take such decision) of the 1990 Act applies to the development consent granted by this Order and to the requirements except that it is modified so as to read for the purposes of this Order only as follows—	This amend has been made further to discussions during ISH3 and further to HAP ISH3_13 following a review of the Mona Offshore Wind Farm Order decision.

~~(a) after “local planning authority” insert “or Secretary of State”;~~
~~(b) after sub-section (b) insert the following —~~
~~“refuse or fails to determine an application for any consent, agreement or approval of that authority required by a requirement imposed on a grant of development consent or contained in a development consent order, or grant it subject to conditions”; or (c) after sub-section (1), insert the following —“(1A) Where the appeal under sub-section (1) relates to a decision by the Secretary of State, the appeal will be decided by a Secretary of State who would not be responsible for determining an application for development consent with the subject matter of the Morgan Offshore Wind Project and Morecambe Offshore Windfarm: Transmission Assets Order 202[.] as if section 103(1) of the 2008 Act applied.”~~
~~(3) Sections 78 (right to appeal against planning decisions and failure to take such decisions) and 79 (determination of appeals) of the 1990 Act have effect in relation to any appeal under the terms of this article except that the Secretary of State in question is the Secretary of State who would be responsible for determining an application for development consent with the subject matter of this Order as if section 103(1) (Secretary of State is to decide applications) of the 2008 Act applied.~~

Schedules

Schedule 2A, Requirements – Project A, Requirement 5. Detailed design parameters onshore

Requirement 5(1) has been updated as follows:

5. (1) *In relation to Work No. 21A-*

(a) the highest part of any building must not exceed [30.2m above ordnance datum](#) ~~15m above finished ground level~~;

(b) the highest part of any external electrical equipment, excluding lightning rods, must not exceed [30.2m above ordnance datum](#) ~~15m above finished ground level~~;

(c) the total area of the fenced compound (excluding its accesses) must not exceed 80,000 m² ; and

In response to comments from BAE and as discussed at Issue Specific Hearing 2 (ISH2) Day 1.

	(d) the total number of lightning rods within the fenced compound area must not exceed 14 and the height of any lightning rods must not exceed <u>45.2m above ordnance datum</u> 30m above finished ground level.	
Schedule 2B, Requirements – Project B, Requirement 5. Detailed design parameters onshore	Requirement 5(1) has been updated as follows: 5. (1) In relation to Work No. 21B- (a) the highest part of any building must not exceed <u>23.2m above ordnance datum</u> 15m above finished ground level; (b) the highest part of any external electrical equipment, excluding lightning rods, must not exceed <u>22.2m above ordnance datum</u> 15m above finished ground level; (c) the total area of the fenced compound (excluding its accesses) must not exceed 29,700m²; and (d) the total number of lightning rods within the fenced compound area must not exceed 8 and the height of any lightning rods must not exceed <u>40.2m above ordnance datum</u> 30m above finished ground level.	
Schedules 2A and 2B, Requirements, Article 7. Implementation and maintenance of landscaping	This Requirement has been renamed as follows: Implementation and maintenance <u>establishment</u> of landscaping	This amendment has been made to reflect discussions during ISH3.
Schedule 2A, Requirements – Project A, Requirement 8. Code of Construction Practice	Requirement 8(2) has been updated as follows: (n) contaminated land and groundwater discovery strategy (in accordance with the outline contaminated land and groundwater discovery strategy); and (o) hydrogeological risk assessments <u>s</u> for trenchless installation beneath <u>the Lytham St Annes SSSI and the River Ribble crossing</u> (in accordance with the outline hydrogeological risk assessment); and	This change has been made to reflect a new document submitted to the examination at Deadline 4 and to ensure it is suitably secured. The amendment to subparagraph (2)(o) is further to the Environment Agency's

Schedule 2B, Requirements – Project B, Requirement 8. Code of Construction Practice	<i>(p) onshore construction method statement (in accordance with the outline onshore construction method statement).</i> A definition of outline onshore construction method statement has been added to article 2 as follows: <i>“outline onshore construction method statement” means the document certified as the outline onshore construction method statement by the Secretary of State under article 42 for the purposes of the Order;</i>	written representation (REP3-079 and REP3-081).
Schedule 2A, Requirements – Project A, Requirement 9. Traffic and Transport	Requirement 9(1) has been amended as follows: <i>9 .—(1) No stage of the Project A onshore works may commence until for that stage a construction traffic management plan (which must be in accordance with the outline construction traffic management plan), as appropriate for the relevant stage, has for that stage been submitted to and approved by the relevant highway authority in consultation with National Highways or in respect of the strategic road network in consultation with National Highways.</i> A new sub-paragraph (4) has been added as follows: <i>(4) Onshore site preparation works must only take place in accordance with the relevant details set out in the outline construction traffic management plan.</i>	This amend has been made further to comments made by the ExA during ISH3.
Schedule 2B, Requirements – Project B, Requirement 9. Traffic and Transport	Requirement 9(1) has been amended as follows: <i>9 .—(1) No stage of the Project B onshore works may commence until for that stage a construction traffic management plan (which must be in accordance with the outline construction traffic management plan), as appropriate for the relevant stage, has for that stage been submitted to and approved by the relevant highway authority in consultation with National Highways or in respect of the strategic road network in consultation with National Highways.</i> A new sub-paragraph (4) has been added as follows: <i>(4) Onshore site preparation works must only take place in accordance with the relevant details set out in the outline construction traffic management plan.</i>	

Schedule 2A, Requirements – Project A, Requirement 10. Highway accesses	Requirement 10 has been replaced with new drafting and now reads as follows: <u>10.—(1) No new temporary or permanent means of access to a highway to be used by vehicular traffic, or any temporary or permanent alteration to an existing means of access to a highway used by vehicular traffic, may be formed for the Project A onshore works or Project A intertidal works until a highways access management plan for that access has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority, and in relation to the Project A Blackpool Airport works, BAOL to the extent specified in the outline highway access management plan.</u> <u>(2) Each highways access management plan must accord with the outline highways access management plan.</u> <u>(3) The highway accesses must be implemented as approved.</u>	This amend has been made further to discussions with Lancashire County Council and their request to sign off detailed highways access drawings. The wording of the requirement has been updated to reflect the drafting of the requirement in the made Mona Offshore Wind Farm Order.
Schedule 2B, Requirements – Project B, Requirement 10. Highway accesses	Requirement 10 has been replaced with new drafting and now reads as follows: <u>10.—(1) No new temporary or permanent means of access to a highway to be used by vehicular traffic, or any temporary or permanent alteration to an existing means of access to a highway used by vehicular traffic, may be formed for the Project B onshore works or Project B intertidal works until a highways access management plan for that access has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority, and in relation to the Project B Blackpool Airport works, BAOL to the extent specified in the outline highway access management plan.</u> <u>(2) Each highways access management plan must accord with the outline highways access management plan.</u> <u>(3) The highway accesses must be implemented as approved.</u>	
Schedule 2A, Requirements – Project A, Requirement 11. Onshore archaeology	Requirement 11(1) and (2) have been updated as follows: <i>(1) No stage of the Project A onshore works or Project A intertidal works may commence until for that stage <u>relevant site specific</u> an-archaeological written schemes of investigation, <u>which accord in accordance</u> with the outline onshore and intertidal written scheme of investigation, <u>have</u> has been submitted to and approved by Lancashire County Council, in consultation with Historic England.</i> <i>(2) <u>Onshore site preparation works</u> Pre-commencement surveys and investigations, including those necessary to allow production of any scheme</i>	This amendment has been made in response to HAP ISH3_25. The Applicants would note that the Applicants have not yet received drafting proposals from Lancashire County Council under HAP ISH3_24, so the Applicants have proposed drafting which they consider appropriate.

	required under sub-paragraph (1). must only take place in accordance with the applicable details set out in the outline onshore and intertidal written scheme of investigation as certified.	
Schedule 2B, Requirements – Project B, Requirement 11. Onshore archaeology	Requirement 11(1) and (2) have been updated as follows: (1) No stage of the Project B onshore works or Project B intertidal works may commence until for that stage <u>relevant site specific</u> an-archaeological written schemes of investigation, <u>which accord in accordance</u> with the outline onshore and intertidal written scheme of investigation, <u>have</u> has been submitted to and approved by Lancashire County Council, in consultation with Historic England. (2) <u>Onshore site preparation works</u> Pre-commencement surveys and investigations, including those necessary to allow production of any scheme required under sub-paragraph (1). must only take place in accordance with the applicable details set out in the outline onshore and intertidal written scheme of investigation as certified.	
Schedule 2A, Requirements – Project A, Requirement 12. Ecological management plan	Requirement 12(1)(c) has been updated as follows: 12.—(1) No stage of the Project A onshore works or Project A intertidal works may commence until for that stage a written ecological management plan in accordance with the outline ecological management plan as appropriate for the relevant stage, has, following consultation with — (a) the statutory nature conservation body; (b) the Environment Agency where works have the potential to impact wetland habitats; and (c) BAE and BAOL in respect of the outline <u>detailed</u> wildlife hazard management plan, been submitted to and approved by the relevant planning authority. (2) The <u>Each</u> ecological management plan submitted under sub-paragraph (1) <u>must accord with the outline ecological management plan</u> and must include an implementation timetable.	This amendment to (1)(c) has been made in response to BAE's deadline 3 submission (REP3-074) and as discussed at ISH3. The amendment to the remainder of the Requirement has been made further to HAP ISH3_27.

	(3) <u>Each ecological management plan submitted under sub-paragraph (1)</u> must be implemented as approved. (4) Onshore site preparation works must only take place in accordance with the relevant details set out in the outline ecological management plan.
Schedule 2B, Requirements – Project B, Requirement 12. Ecological management plan	Requirement 12(1)(c) has been updated as follows: 12.—(1) No stage of the Project B onshore works or Project B intertidal works may commence until for that stage a written ecological management plan in accordance with the outline ecological management plan as appropriate for the relevant stage, has, following consultation with — (a) the statutory nature conservation body; (b) the Environment Agency where works have the potential to impact wetland habitats; and (c) BAE and BAOL in respect of the outline <u>detailed</u> wildlife hazard management plan, been submitted to and approved by the relevant planning authority. (2) The <u>Each</u> ecological management plan submitted under sub-paragraph (1) <u>must accord with the outline ecological management plan</u> and must include an implementation timetable. (3) <u>Each ecological management plan submitted under sub-paragraph (1)</u> must be implemented as approved. (4) Onshore site preparation works must only take place in accordance with the relevant details set out in the outline ecological management plan.

Schedule 2A, Requirements – Project A, Requirement 14. Construction hours

Requirement 14(1) has been amended as follows:

14.—(1) Except for as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project A onshore works and Project A intertidal works, and construction-related traffic movements to or from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to ~~Friday~~Saturday, ~~and 0700 to 1300 on Saturday~~, with no activity on Sundays or bank holidays.

As confirmed at ISH3, this change has been made following further consideration of Q14.1.10 of the Examining Authority's Written Questions (PD-008) and further to the responses from the following councils to the same: Preston City Council (REP3-105), South Ribble Borough Council (REP3-109), Blackpool Borough Council (REP3-076) and Fylde Council (REP3-082).

Schedule 2B, Requirements – Project B, Requirement 14. Construction hours

Requirement 14(1) has been amended as follows:

14.—(1) Except for as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project B onshore works and Project B intertidal works, and construction-related traffic movements to or from the site of the relevant work may take place only between the hours of 0700 and 1900 from Monday to ~~Friday~~Saturday, ~~and 0700 to 1300 on Saturday~~, with no activity on Sundays or bank holidays.

Schedule 2A, Requirements – Project A, Requirement 15. Fencing and other means of enclosure	Requirement 15 has been updated as follows: 15(2) Any approved permanent fencing, <u>walls or other means of enclosure</u> must be completed before Work No.21A is brought into use.	This amend has been made further to discussions during ISH3, and to align with the drafting elsewhere in the rest of the article.
Schedule 2B, Requirements – Project B, Requirement 15. Fencing and other means of enclosure	Requirement 15 has been updated as follows: 15(2) Any approved permanent fencing, <u>walls or other means of enclosure</u> must be completed before Work No.21B is brought into use.	
Schedule 2A, Requirements – Project A, Requirement 16. Restoration of land used temporarily for construction	Requirement 16 has been updated as follows: 16. —(1) Any land landward of MLWS which is used temporarily for construction of the Project A onshore works and Project A intertidal works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months following completion of the relevant stage of the Project A onshore works or Project A intertidal works in accordance with details <u>submitted to and approved pursuant to Requirements 6, 8 and 12 in respect of reinstatement, unless alternative or additional details in relation to that land are agreed in writing by the relevant planning authority.</u> <u>(2) Reinstatement under paragraph (1) must take place within 12 months following completion of the relevant stage of Project A onshore works or Project A intertidal works unless otherwise agreed with the relevant planning authority.</u>	This amend has been made further to HAP ISH3_16. This amend allows for flexibility in timescales in a sequential construction scenario as discussed at ISH2 and ISH3.

Schedule 2B, Requirements – Project B, Requirement 16. Restoration of land used temporarily for construction	Requirement 16 has been updated as follows: 16. —(1) Any land landward of MLWS which is used temporarily for construction of the Project B onshore works and Project B intertidal works and not ultimately incorporated in permanent works or approved landscaping or ecological works must be reinstated within 12 months following completion of the relevant stage of the Project B onshore works or Project B intertidal works in accordance with details <u>submitted to and approved pursuant to Requirements 6, 8 and 12 in respect of reinstatement, unless alternative or additional details in relation to that land are agreed in writing by the relevant planning authority.</u> <u>(2) Reinstatement under paragraph (1) must take place within 12 months following completion of the relevant stage of Project B onshore works or Project B intertidal works unless otherwise agreed with the relevant planning authority.</u>	
Schedule 2A, Requirements – Project A, Requirement 17. Control of operational artificial light emissions	Requirement 17 has been amended as follows: 17. —(1) Work No. 21A must not be brought into operation until a written scheme providing details of artificial light emissions during the operation of Work No. 21A, including measures for the management and mitigation of internal and external artificial light emissions from Work No. 21A has been submitted to and approved by the relevant planning authority. (2) Any scheme approved under sub-paragraph (1) must be implemented as approved <u>and maintained during the operation of Work No. 21A.</u>	This amend has been made in response to HAP ISH3_21 and ISH_30.
Schedule 2B, Requirements – Project B, Requirement 17. Control of operational artificial light emissions	Requirement 17 has been amended as follows: 17. —(1) Work No. 21B must not be brought into operation until a written scheme providing details of artificial light emissions during the operation of Work No. 21B, including measures for the management and mitigation of internal and external artificial light emissions from Work No. 21B has been submitted to and approved by the relevant planning authority. (2) Any scheme approved under sub-paragraph (1) must be implemented as approved <u>and maintained during the operation of Work No. 21B.</u>	

Schedule 2A, Requirements – Project A, Requirement 18. Control of noise during operational stage	Requirement 18 has been replaced with the following wording: <u>18.—(1) The noise rating level for the operational lifetime of Work No. 21A must not exceed 34db at Freshfield Farm (343215, 431180) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</u> <u>(2) The noise levels set out in sub-paragraph (1) are to be measured—</u> <u>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</u> <u>(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface).</u>	This amendment has been made following further consideration of ExQ14.1.1 and as confirmed by the Applicants at Issue Specific Hearing 3.
Schedule 2B, Requirements – Project B, Requirement 18. Control of noise during operational stage	<u>18.—(1) The noise rating level for the operational lifetime of Work No. 21B must not exceed 36db at Marybank Farm (343592, 429757) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</u> <u>(2) The noise levels set out in sub-paragraph (1) are to be measured—</u> <u>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</u> <u>(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface).</u>	

Schedule 2A, Requirements – Project A, Requirement 20. Operational Drainage Management Plan	Requirement 20(2) has been updated as follows: <i>(2) The operational drainage management plan must be implemented in accordance with the approved details, prior to final commissioning of Work No. 21A <u>and must be maintained during the operation of Work No. 21A.</u></i>	This amend has been made further to HAP ISH3_30.
Schedule 2B, Requirements – Project B, Requirement 20. Operational Drainage Management Plan	Requirement 20(2) has been updated as follows: <i>(2) The operational drainage management plan must be implemented in accordance with the approved details, prior to final commissioning of Work No. 21B <u>and must be maintained during the operation of Work No. 21B.</u></i>	
Schedule 2A, Requirements– Project A, Requirement 24. Amendments to approved details Schedule 2B, Requirements– Project B, Requirement 24. Amendments to approved details	Requirement 24 has been amended as follows: <i>24. With respect to any requirement which requires Project B to be carried out in accordance with the details approved under this Schedule, the approved details are taken to include any amendments that may subsequently be approved or agreed by the Secretary of State, the relevant planning authority or another person <u>and which fall within the scope of work assessed by the environmental statement.</u></i>	This amendment has been made following discussions at ISH3.
Schedule 2A, Requirements– Project A, Requirement [26]. Biodiversity Benefit	New definitions and a new requirement 26 have been added on a without prejudice basis as follows: <i><u>["biodiversity metric" means Biodiversity Metric 4.1 as published by Natural England in November 2023;]</u></i> <i><u>["onshore biodiversity benefit statement" means the document certified as the onshore biodiversity benefit statement by the Secretary of State under article 42 for the purposes of this Order;]</u></i>	This addition has been inserted in light of HAP ISH2_13 that the Applicants would insert a without prejudice requirement.

	<u>[Biodiversity Benefit</u> <u>26. Unless otherwise agreed with the relevant planning authority, written evidence (in the form of the outputs of the biodiversity metric) demonstrating how biodiversity benefit in accordance with the onshore biodiversity benefit statement is to be delivered as part of Project A must be submitted to the relevant planning authority no later than the date on which Project A is first brought into commercial operation.]</u>	
Schedule 2B, Requirements– Project B, Requirement [26]. Biodiversity Benefit	New definitions and a new requirement 26 have been added on a without prejudice basis as follows: <u>["biodiversity metric" means Biodiversity Metric 4.1 as published by Natural England in November 2023;]</u> <u>["onshore biodiversity benefit statement" means the document certified as the onshore biodiversity benefit statement by the Secretary of State under article 42 for the purposes of this Order;]</u> <u>[Biodiversity Benefit</u> <u>26. [Unless otherwise agreed with the relevant planning authority, written evidence (in the form of the outputs of the biodiversity metric) demonstrating how biodiversity benefit in accordance with the onshore biodiversity benefit statement is to be delivered as part of Project B must be submitted to the relevant planning authority no later than the date on which Project B is first brought into commercial operation.]</u>	

Schedule 3A, Streets subject to street works – Project A

Schedule 3B, Streets subject to street works – Project B

The first two rows and the fourth and fifth rows of the table have been removed as follows:

Blackpool Borough Council	Squire s-Gate Lane	Between points MGMC_HA_1A and MGMC_HA_1B on Sheet 1 of the Street Works Plan
Fylde Council	Squire s-Gate Lane	Between points MGMC_HA_1A and MGMC_HA_1B on Sheet 1 of the Street Works Plan
Fylde Council	Squires Gate Lane	Between points MGMC_HA_35A and MGMC_HA_35B on Sheet 1 of the Street Works Plan
Fylde Council	Private Access	Between points MGMC_PA_1A and MGMC_PA_1B on Sheet 1 of the Street Works Plan

This change has been made as part of ongoing discussions with Blackpool Borough Council as noted during ISH2 and ISH3.

Schedule 4A, Streets to be temporarily closed or restricted – Project A

Schedule 4B, Streets to be temporarily closed or restricted – Project B

The first two rows and the fourth and fifth rows of the table in Schedule 4A, and the first three rows and fifth row of the table in Schedule 4B have been removed as follows:

Blackpool Borough Council	Squire s-Gate Lane	Between points MGMC_HA_1A and MGMC_HA_1B on Sheet 1 of the Street Works Plan
Fylde Council	Squire s-Gate Lane	Between points MGMC_HA_1A and MGMC_HA_1B on Sheet 1 of the Street Works Plan
Fylde Council	Squires Gate Lane	Between points MGMC_HA_35A and MGMC_HA_35B on Sheet 1 of the Street Works Plan
Fylde Council	Private Access	Between points MGMC_PA_1A and MGMC_PA_1B on Sheet 1 of the Street Works Plan

This change has been made as part of ongoing discussions with Blackpool Borough Council as noted during ISH2 and ISH3.

Schedule 5A, Public rights of way to be temporarily closed or restricted – Project A Schedule 5B, Public rights of way to be temporarily closed or restricted – Project B	The title of Schedule 5A has been updated as follows: <i>Public rights of way to be temporarily closed or restricted, <u>altered, or diverted</u> – Project A</i> The title of Schedule 5B has been updated as follows: <i>Public rights of way to be temporarily closed or restricted, <u>altered, or diverted</u> – Project B</i>	This amend has been made in response to HAP ISH3_7.
Schedule 5A, Public rights of way to be temporarily closed or restricted – Project A Schedule 5B, Public rights of way to be temporarily closed or restricted – Project B	Column 2 of the table in Schedule 5A has been updated to read as follows: <i>(2) Public right of way to be temporarily closed or restricted, <u>altered, or diverted</u></i> Column 2 of the table in Schedule 5B has been updated to read as follows: <i>(2) Public right of way to be temporarily closed or restricted, <u>altered, or diverted</u></i>	This amend has been made in response to HAP ISH3_7.

Schedule 12, 3 (Applications made under requirements)	Paragraph 3(1) has been amended as follows: 3.—(1) <i>Where an application has been made to the relevant discharging authority for any agreement or approval required pursuant to a requirement included in this Order, the relevant discharging authority must give notice to the undertaker of their decision, including the reasons, on the application, within a period of eight^{ten} weeks beginning with—</i> <i>(a) the day immediately following that on which the application is received by the relevant planning authority; or</i> <i>(b) such other longer period as may be specified <u>in a requirement or otherwise</u> agreed by the undertaker and the relevant planning authority.</i>	This amend at has been made in response to a request from Fylde Borough Council (REP3-082) and as confirmed by the Applicants at ISH3. The Applicants made amends to paragraph 3(1)(b) following discussing during ISH3 in relation to Requirement 22(2). The Applicants have captured this as a post hearing note in the Issue Specific Hearing 3 hearing summary (S_D4_7).
Schedule 12, 4 (Further information)	Paragraph 4(2) has been amended as follows: <i>(2) If the discharging authority considers further information is needed, and the requirement does not specify that consultation with a requirement consultee is required, it must, within 15⁹ <u>business</u> days of receipt of the application, notify the undertaker in writing specifying the further information required.</i>	This amend at has been made in response to a request from Fylde Borough Council (REP3-082) and as confirmed by the Applicants at ISH3.
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 1, 1. Interpretation	The definition of Morgan generation assets has been updated as follows: <i>“Morgan generation assets” means the Morgan offshore wind farm generating assets for which separate development consent is being sought by Morgan <u>pursuant to application reference EN010136</u>;</i>	This amend has been made further to HAP ISH3_5. The Applicants have added the relevant application numbers to the definitions to provide clarity as to which specific application the definitions relate to.
Schedule 15, Marine Licence 2: Morecambe Offshore Wind Project Transmission Assets, Part 1, 1. Interpretation	The definition of Morecambe generation assets has been updated as follows: <i>“Morecambe generation assets” means the Morecambe offshore windfarm generating assets for which separate development consent is being sought by Morecambe <u>pursuant to application reference EN010121</u>;</i>	This amend has been made further to HAP ISH3_5. The Applicants have added the relevant application numbers to the definitions to provide clarity as to which specific application the definitions relate to.

Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 11. Maintenance of the authorised scheme	Condition 11(3) and 11(4) have been updated as follows <i>(3) An operations and maintenance plan substantially in accordance with the outline offshore operations and maintenance plan must be submitted to the MMO for approval in writing at least four six months prior to commencement of the operation of licensed activities and must provide for review and resubmission every three years during the operational phase.</i>	The amendment to remove 'substantially' is amend has been made further to discussions had during ISH3 and further to Hearing Action Point ISH3_37. The amendment from four to six months has been made following ongoing discussions with the MMO.
Schedule 15, Marine Licence 1: Morecambe Offshore Wind Project Transmission Assets, Part 2, 11. Maintenance of the authorised scheme	<i>(4) The MMO must determine an application for approval made under this condition within a period of four six months commencing on the sate the application is received by the MMO, unless otherwise agreed in writing with the undertaker. All operations and maintenance activities must be varied out in accordance with the approved plan.</i>	
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 14. Notifications and inspections	Condition 14(1)(b) has been amended as follows: <i>(b) Within 28 days of providing receipt of a copy of this licence to those persons referred to in paragraph (a) the undertaker must confirm receipt of this licence in writing to the MMO that a copy of this licence has been so provided.</i>	This amend has been made further to ongoing discussions had with the MMO further to their comments at section 10.6.1 of their representation (REP3-085).
Schedule 15, Marine Licence 2: Morecambe Offshore Wind Project Transmission Assets, Part 2, 14. Notifications and inspections		
Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets, Part 2, 12. Notifications and inspections	Condition 12(1)(b) has been amended as follows:	

Schedule 17, Marine Licence 4: Morecambe Offshore Wind Project Transmission Assets, Part 2, 12. Notifications and inspections	(b) Within 28 days of providing receipt of a copy of this licence to those persons referred to in paragraph (a) the undertaker must confirm receipt of this licence in writing to the MMO that a copy of this licence has been so provided .	
Schedule 14 Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 18. Pre- construction plans and documentation	Condition 18(1)(e)(i) has been amended as follows: (i) Cable specification, installation and monitoring (in accordance with the outline offshore cable specification and installation plan) including confirmation that rock dump will not be used as cable protection within the Fylde Marine Conservation Zone ;	This amendment has been made following ongoing discussions with Natural England.
Schedule 15, Marine Licence 2: Morecambe Offshore Wind Project Transmission Assets, Part 2, 18. Pre- construction plans and documentation		
Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets, Part 2, 19. Pre- construction plans and documentation	Condition 19(2) has been updated as follows: (2) The MMO must determine an application for approval made under condition 18 within a period of four six months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.	The amendment from four to six months has been made following ongoing discussions with the MMO.
Schedule 15, Marine Licence 2: Morecambe Offshore Wind Project Transmission Assets, Part 2, 19. Pre- construction plans and documentation		
Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets, Part 2, 17. Pre-	Condition 17(1) and 17(2) have been updated as follows:	

construction plans and documentation	(1) Each programme, statement, plan, protocol or scheme required to be approved under Condition 16 must be submitted for approval at least four <u>six</u> months before the intended commencement of licensed activities, unless otherwise agreed in writing by the MMO.	
Schedule 17, Marine Licence 4: Morecambe Offshore Wind Project Transmission Assets, Part 2, 17. Pre-construction plans and documentation	(2) The MMO must determine an application for approval made under condition 16 within a period of four <u>six</u> months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.	

6 Schedule of Changes of the draft Development Consent Order for Deadline 5

Table 6: Table of amendments submitted to the draft Development Consent Order (Revision 06) for Deadline 5

Article/Paragraph/Schedule Number	Amendment	Reason
Changes made throughout the DCO	Various minor amendments have been made to the dDCO to correct punctuation, typographical, grammatical errors and cross referencing.	For clarity and consistency.
Articles		
Part 1, Article 2 (Interpretation)	The definition of “Ministry of Defence” has been inserted: <u>“Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – DIO Safeguarding, DIO Head Office, St George’s House, DMS Whittington, Litchfield, Staffordshire, WS14 9PY or any successor body;</u>	Further to the introduction of a separate requirement for the wildlife hazard management plan and the introduction of MoD as a consultee under that requirement.
Part 1, Article 2 (Interpretation)	The definition of “Morecambe” has been amended as follows: <u>“Morecambe” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at Morecambe Offshore Windfarm Ltd, 4th Floor, 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN</u> C/O	To reflect a change to company information.

	Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL;	
Part 1, Article 2 (Interpretation)	The definition for Morgan generation assets has been amended: <i>“Morgan generation assets” means the Morgan offshore wind farm generating assets for which separate development consent has been granted further to the Morgan Offshore Wind Project Generation Assets Order 2025 is being sought by Morgan pursuant to application reference EN010136;</i>	To reflect that the Morgan Generation Offshore Wind Farm Order was granted. Further to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.1) (PD-012).
Part 1, Article 2 (Interpretation)	The definition for Morgan offshore substation platforms has been amended: <i>“Morgan offshore substation platforms” means the offshore substation platforms forming part of the Morgan generation assets authorised by the Morgan Offshore Wind Project Generation Assets Order 20255f;</i>	To reflect that the Morgan Generation Offshore Wind Farm Order was granted. Further to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.1) (PD-012).
Part 1, Article 2 (Interpretation)	A definition of outline arboricultural method statement has been added to article 2 as follows: <i>“outline arboricultural method statement” means the document certified as the outline arboricultural method statement by the Secretary of State under article 42 for the purposes of the Order;</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q2:1.8.1) (PD-012) whereby the Applicants reviewed and updated the list of documents to be certified.
Part 1, Article 2 (Interpretation)	The definition of “onshore crossing schedule” has been inserted: <i>“onshore crossing schedule” means the document certified as the onshore crossing schedule by the Secretary of State under article 42 for the purposes of this Order;</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.6) (PD-012).
Part 1, Article 2 (Interpretation)	A definition of outline landfall construction method statement has been added to article 2 as follows:	In response to the Examining Authority's Second Written Questions on the draft DCO (Q2:1.8.1) (PD-012)

	<u>"outline landfall construction method statement" means the document certified as the outline landfall construction method statement by the Secretary of State under article 42 for the purposes of the Order;</u>	whereby the Applicants reviewed and updated the list of documents to be certified.
Part 1, Article 2 (Interpretation)	The definition of "outline wildlife hazard management plan" has been amended: <i>"outline wildlife hazard management plan" means the document at Appendix E of the ecological management plan <u>certified as the outline wildlife hazard management plan by the Secretary of State under article 42 for the purposes of this Order;</u></i>	To reflect that a separate requirement for the wildlife hazard management plan has been added and therefore the outline plan will be treated as a standalone certified document.
Part 2, Article 6 (Benefit of the Order)	Paragraph (6) has been amended as follows: <i>The Secretary of State must consult <u>notify</u> the MMO and must have regard to any response received from the MMO within 28 days of notification before giving consent to the transfer or grant to another person of the benefit of the provisions of the relevant deemed marine licence.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.2) (PD-012).
Part 2, Article 8 (Defence to proceedings in respect of statutory nuisance)	Paragraph (1)(a) has been amended as follows: <i>(a) relates to premises used by the undertaker for the purposes of or in connection with the construction; or maintenance or decommissioning of the authorised project and is attributable to the carrying out of the authorised project in accordance with a notice served under section 60 (control of noise on construction sites), or a consent given under section 61 (prior consent for work on construction sites), of the Control of Pollution Act 1974(f);</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.4) (PD-012).
Part 3, Article 12 (Temporary closure, alteration or diversion of public rights of way)	Article 12 has been amended as follows: <i>Temporary closure, <u>alteration or diversion</u> of public rights of way</i> <i>12— (1) Morgan may in connection with the carrying out of Project A, temporarily close, alter or divert each of the public rights of way specified in column (2) of Schedule 5A (public rights of way to be temporarily closed, <u>altered or diverted</u> – Project A) to the extent specified in column (3), by reference to the letters shown on the public rights of way plan.</i> <i><u>(2) The public rights of way specified in Schedule 5A (public rights of way to be temporarily closed, altered or diverted - Project A) may not be temporarily closed, altered or diverted under this article unless a diversion for the closed section of that</u></i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.6) (PD-012).

	<u>right of way is first provided by Morgan to the standard defined in the public rights of way management plan forming part of the code of construction practice to be approved in accordance with the requirements set out in Schedule 2A, to the reasonable satisfaction of the relevant planning authority.</u> (2) (3) Morecambe may in connection with the carrying out of Project B, temporarily close, alter or divert each of the public rights of way specified in column (2) of Schedule 5B (public rights of way to be temporarily closed, <u>altered or diverted</u> – Project B) to the extent specified in column (3), by reference to the letters shown on the public rights of way plan. <u>(4) The public rights of way specified in Schedule 5B (public rights of way to be temporarily closed, altered or diverted - Project B) may not be temporarily closed, altered or diverted under this article unless a diversion for the closed section of that right of way is first provided by Morecambe to the standard defined in the public rights of way management plan forming part of the code of construction practice to be approved in accordance with the requirements set out in Schedule 2B to the reasonable satisfaction of the relevant planning authority.</u> <u>(5) The relevant diversion route provided under paragraph (2) or (4) will be subsequently maintained by the relevant undertaker until the re-opening of the relevant right of way specified in paragraph (1) or (3) as appropriate.</u>	
Part 3, Article 13 (Temporary restriction of use of streets)	Paragraphs (4) and (5) have been amended as follows: <i>(4) Without limiting paragraph (1), Morgan may temporarily close, alter, manage or divert the streets specified in Schedule 4A (streets to be temporarily stopped-up <u>closed</u> or restricted – Project A) to the extent specified in column (3) of that Schedule, by reference to the letters and numbers shown on the street works plan.</i> <i>(5) Without limiting paragraph (1), Morecambe may temporarily close, alter, manage or divert the streets specified in Schedule 4B (streets to be temporarily stopped-up <u>closed</u> or restricted – Project B) to the extent specified in column (3) of that Schedule, by reference to the letters and numbers shown on the street works plan.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.7) (PD-012).
Part 3, Article 15 (Agreements with street authorities)	Paragraph 1(b) has been amended as follows: <i>(b) the carrying out in the street of any of the works referred to in article 9 (street works) <u>or article 10 (Power to alter layout etc. of streets).</u></i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.5) (PD-012).

Part 4, Article 17 (Authority to survey and investigate the land)	Paragraph (3) has been amended as follows: <i>(3) No land may be entered or equipment placed or left on or removed from the land under paragraphs (1) or (2) unless at least 14 days' notice has been served on every owner and occupier of the land. If the undertaker proposes to do any of the following, the notice must include details, timing and a location plan of what is proposed—</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.8) (PD-012).
Part 5, Article 30 (Temporary use of land for maintaining the authorised project)	Paragraph (12) has been amended as follows: <i>(12) In this article “the maintenance period”, in relation to any part of the authorised project means the period of five years beginning with the date on which the authorised development is brought into commercial operation during which the authorised project exports electricity to the national electricity transmission network.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.11) (PD-012).
Part 5, Article 31 (Statutory undertakers)	Paragraph (2) has been removed as follows: <i>31.—(1) Subject to the provisions of Schedule 10 (protective provisions) the undertaker may—</i> <i>(a) acquire compulsorily, or acquire new rights or impose restrictive covenants over, the land belonging to statutory undertakers shown on the land plan - onshore within the Order land and described in the book of reference; and</i> <i>(b) extinguish or suspend the rights of, or restrictions for the benefit of, or remove, relocate, or reposition the apparatus belonging to statutory undertakers over or within the Order land.</i> <i>(2) In this article “statutory undertaker” means—</i> <i>(a) a person falling within section 127(8) (statutory undertakers' land) of the 2008 Act; and</i> <i>(b) a public communications provider.</i>	To remove unnecessary duplication. Statutory undertaker is already defined in Article 2.

Part 6, Article 35 (Felling or lopping of trees and removal of hedgerows)

Paragraph (4) has been amended as follows:

(4) ~~The undertaker~~ Morgan may, for the purposes of carrying out the authorised project but subject to paragraph (2); ~~—~~

(a) remove any hedgerow within the Order limits including those specified in Part 1 of Schedules 11A and 11B; and

(b) only remove the important hedgerows within the Order limits and specified in Part 2 of Schedule 11A, unless otherwise agreed.

(5) Morecambe may, for the purposes of carrying out the authorised project but subject to paragraph (2) —

(a) remove any hedgerow within the Order limits including those specified in Part 1 of Schedule 11B; and

(b) only remove the important hedgerows within the Order limits and specified in Part 2 of Schedule 11B, unless otherwise agreed.

(6) ~~5~~ In this article “hedgerow” and “important hedgerow” ~~have~~ s the same meaning as in the Hedgerows Regulations 1997(a).

In response to comments from Fylde Borough Council at Deadline 4 (REP4-134), in response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.13) (PD-012) and to align further with the made Mona Offshore Wind Farm Order 2025.

Schedules

**Schedule 1, Chapter 1, Project A
Authorised Development**

Work No. 19A has been amended as follows

Work No. 19A – Morgan construction access which (excluding access at Starr Gate/Squires Gate Lane) includes (where required) ~~including~~—

(a) *creation of and improvement of temporary access to the highway; and*

(b) *temporary works to visibility splays.*

Further to discussions had with Blackpool Borough Council and in response to the Kings Counsel opinion submitted by Blackpool Borough Council at Deadline 4 (S_D5_2.2).

Schedule 1, Chapter 2, Project B Authorised Development	Work No. 19B has been amended as follows <i>Work No. 19B – Morecambe construction access <u>which (excluding access at Starr Gate/Squires Gate Lane) includes (where required) including</u> —</i> <i>(a) creation of and improvement of temporary access to the highway; and</i> <i>(b) temporary works to visibility splays.</i>	
Schedule 2A, Requirements – Project A, Requirement 3 (Stages of Project A)	Paragraphs (1) and (2) have been amended as follows: <i>(1) Subject to paragraphs (2) and (3), the Project A onshore works and Project A intertidal works may<u>must</u> not be commenced<u>commence</u> until notification has been submitted to the relevant planning authority detailing whether the Project A onshore works and Project A intertidal works will be constructed—</i> <i>(a) in a single stage; or</i> <i>(b) in two or more stages.</i> <i>(2) The Project A onshore works and Project A intertidal works may<u>must</u> not be commenced<u>commence</u> until details of the stages of the Project A onshore works and Project A intertidal works have been submitted to and approved by the relevant planning authority.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.2) (PD-012).
Schedule 2B, Requirements – Project B, Requirement 3 (Stages of Project B)	Paragraphs (1) and (2) have been amended as follows: <i>3.—(1) Subject to paragraphs (2) and (3), the Project B onshore works and Project B intertidal works may<u>must</u> not be commenced<u>commence</u> until notification has been submitted to the relevant planning authority detailing whether the Project B onshore works and Project B intertidal works will be constructed—</i> <i>(a) in a single stage; or</i> <i>(b) in two or more stages.</i> <i>(2) The Project B onshore works and Project B intertidal works may<u>must</u> not be commenced<u>commence</u> until details of the stages of the Project B onshore works and Project B intertidal works have been submitted to and approved by the relevant planning authority.</i>	

Schedule 2A, Requirements – Project A, Requirement 4 (Substation Works)	Paragraph (1) has been updated as follows: <i>(1) Construction of Work Nos. 21A and 23A must not commence until details of ...</i> <i>have been submitted to and approved by the relevant planning authority <u>and in respect of sub-paragraph (1)(g) in consultation with Lancashire County Council as the local highway authority.</u></i>	In response to paragraph 2.2 of Fylde Borough Council's Deadline 4 submission (REP4-134) and the Examining Authority's Second Written Questions on the draft DCO (Q1:3.5) (PD-012).
Schedule 2B, Requirements – Project B, Requirement 4 (Substation Works)	Paragraph (1) has been updated as follows: <i>(1) Construction of Work Nos. 21B and 23B must not commence until details of ...</i> <i>have been submitted to and approved by the relevant planning authority <u>and in respect of sub-paragraph (1)(g) in consultation with Lancashire County Council as the local highway authority.</u></i>	
Schedule 2A, Requirements – Project A, Requirement 5 (Detailed design parameters onshore)	Paragraph (6) has been amended as follows: <i>(6) Neither Work No. 32A nor<u>and</u> Work No. 37A can be commenced <u>must not commence</u> until notification has been submitted to the relevant planning authority confirming whether Morgan will construct either Work No. 32A or <u>Work No.</u> 37A to connect into the National Grid substation at Penwortham.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.6) (PD-012). Amends to Schedule 2B also include a correction to the original drafting.
Schedule 2B, Requirements – Project B, Requirement 5 (Detailed design parameters onshore)	Paragraph (6) has been amended as follows: <i>(6) Neither Work No. 32A<u>32B</u> nor<u>and</u> Work No. 37A<u>37B</u> can be commenced <u>must not commence</u> until notification has been submitted to the relevant planning authority confirming whether Morgan <u>Morecambe</u> will construct either Work No.</i>	

	32A <u>32B</u> or <u>Work No. 37B</u> 37A to connect into the National Grid substation at Penwortham.	
Schedule 2A, Requirements – Project A, Requirement 8 (Code of Construction Practice)	The following sub-paragraphs have been added to Requirement 8(2) as follows: <u>(g) landfall construction method statement (in accordance with the outline landfall construction method statement); and</u> <u>(r) arboricultural method statement (in accordance with the outline arboricultural method statement).</u>	To reflect the introduction of these documents into examination and ensure they are appropriately secured through the Development Consent Order.
Schedule 2B, Requirements – Project B, Requirement 8. Code of Construction Practice		
Schedule 2A, Requirements – Project A, Requirement 10 (Highway accesses)	Sub-paragraph 1 has been amended as follows: <i>10.—(1) No new temporary or permanent means of access to a highway to be used by vehicular traffic, or any temporary or permanent alteration to an existing means of access to a highway used by vehicular traffic, may be formed for the Project A onshore works or Project A intertidal works until a highways access management plan for that access has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority, and in relation to the Project A Blackpool Airport works, <u>in consultation with</u> BAOL to the extent specified in the outline highway access management plan.</i>	To reflect the original intention of the drafting and to rectify a drafting error made when updating the requirement at Deadline 4. Further, in response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.9) (PD-012).
Schedule 2B, Requirements – Project B, Requirement 10 (Highway accesses)	Sub-paragraph 1 has been amended as follows: <i>10.—(1) No new temporary or permanent means of access to a highway to be used by vehicular traffic, or any temporary or permanent alteration to an existing means of access to a highway used by vehicular traffic, may be formed for the Project B onshore works or Project B intertidal works until a highways access management plan for that access has been submitted to and approved in writing by the relevant planning authority in consultation with the relevant highway authority, and in relation to the Project B Blackpool Airport works, <u>in consultation</u></i>	

	<i>with</i> BAOL to the extent specified in the outline highway access management plan.	
Schedule 2B, Requirements – Project B, Requirement 11 (Onshore archaeology)	Paragraph (2) has been amended as follows: <i>(2) Onshore site preparation works, including those necessary to allow production of any scheme required under sub-paragraph (1), must only take place in accordance with the applicable details set out in the outline onshore and intertidal written scheme of investigation as certified.</i>	Deleted to align between schedules 2A and 2B. The wording is unnecessary as it duplicates the definition.
Schedule 2A, Requirements – Project A, Requirement 12 (Ecological management plan)	Sub-paragraph (1)(c) has been removed as follows: <i>12.—(1) No stage of the Project A onshore works or Project A intertidal works may commence until for that stage a written ecological management plan as appropriate for the relevant stage, has, following consultation with—</i> <i>(a) the statutory nature conservation body; and</i> <i>(b) the Environment Agency where works have the potential to impact wetland habitats; and</i> <i>(c) BAE and BAOL in respect of the detailed wildlife hazard management plan,</i> <i>been submitted to and approved by the relevant planning authority.</i>	To reflect that a new requirement has been added concerning the approval of the detailed wildlife hazard management plan.
Schedule 2B, Requirements – Project B, Requirement 12 (Ecological management plan)	Sub-paragraph (1)(c) has been removed as follows: <i>12.—(1) No stage of the Project B onshore works or Project B intertidal works may commence until for that stage a written ecological management plan as appropriate for the relevant stage, has, following consultation with—</i> <i>(a) the statutory nature conservation body; and</i>	

	<i>(b) the Environment Agency where works have the potential to impact wetland habitats; and</i> <i>(c) BAE and BAOL in respect of the detailed wildlife hazard management plan,</i> <i>been submitted to and approved by the relevant planning authority.</i>	
Schedule 2A, Requirements – Project A, Requirement 14 (Construction Hours)	Paragraph (1) has been amended as follows: <i>(1) Except as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project A onshore works and Project A intertidal works, and construction-related traffic movements to or from the site of the relevant work may<u>must</u> take place only between the hours of 0700 and 1900 from Monday to Friday, and 0700 to 1300 on Saturday, with no activity on Sundays or bank holidays.</i> <i>(2) Subject to paragraph (3), construction of the Project A onshore works and Project A intertidal works, and construction-related traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified works including<u>comprising</u>—</i> <i>(a) where continuous periods of construction are required, for works such as concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation technique works and alternative trenchless installation technique works, and dewatering pumps;</i> <i>(b) for the delivery and unloading of abnormal loads;</i> <i>(c) for the Project A landfall works;</i> <i>(d) for the Project A Blackpool Airport works;</i> <i>(e) for the Project A River Ribble works;</i> <i>(f)<u>(c)</u> for any other time-critical element of the Project A onshore works;</i> <i>(g)<u>(d)</u> emergency works; and</i> <i>(h)<u>(e)</u> mobilisation activities, which may take place one hour immediately prior to and one hour immediately after the hours specified in paragraph (1).</i> <i>(3) Except as provided in sub-paragraph (4) and in relation to emergency works, the undertaker must notify the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified in sub-paragraph (1) by giving at least 48 hours' notice in advance of the works and activities and those works and activities must not be undertaken outside the</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.12) (PD-012) and further to ongoing discussions with Fylde Borough Council.

hours specified in sub-paragraph (1) until the relevant planning authority has agreed.

(4) In respect of trenchless installation technique works and alternative trenchless installation technique works, where continuous 24-hour working is required and has been assessed in the environmental statement, the undertaker must notify the relevant planning authority in advance of such works.

(5) In the event of an emergency, notification of that emergency must be given to the relevant planning authority and the relevant highway authority as soon as reasonably practicable.

(6) Mobilisation activities must be undertaken in accordance with the construction noise and vibration management plan approved under requirement 8.

Schedule 2B, Requirements – Project B, Requirement 14 (Construction Hours)

Paragraph (1) has been amended as follows:

(1) Except as otherwise agreed in the code of construction practice and subject to sub-paragraphs (2) to (4), construction of the Project B onshore works and Project B intertidal works, and construction-related traffic movements to or from the site of the relevant work ~~may~~must take place only between the hours of 0700 and 1900 from Monday to Friday, and 0700 to 1300 on Saturday, with no activity on Sundays or bank holidays.

(2) Subject to paragraph (3), construction of the Project B onshore works and Project B intertidal works, and construction-related traffic movements arriving or departing from the site of the relevant work may take place outside the hours specified in sub-paragraph (1) for certain identified works ~~including~~comprising—

(a) where continuous periods of construction are required, for works such as concrete pouring and finishing, electrical circuit pulling and jointing and testing, trenchless installation technique works and alternative trenchless installation technique works, and dewatering pumps;

(b) for the delivery and unloading of abnormal loads;

~~*(c) for the Project B landfall works;*~~

~~*(d) for the Project B Blackpool Airport works;*~~

~~*(e) for the Project B River Ribble works;*~~

~~*(f)*~~*(c)* *for any other time-critical element of the Project B onshore works;*

~~*(g)*~~*(d)* *emergency works; and*

~~*(h)*~~*(e)* *mobilisation activities, which may take place one hour immediately prior to and one hour immediately after the hours specified in paragraph (1).*

(3) Except as provided in sub-paragraph (4) and in relation to emergency works, the undertaker must notify the relevant planning authority of all construction works and activities which are to be undertaken outside the hours specified in sub-paragraph (1) by giving at least 48 hours' notice in advance of the works and activities and those works and activities must not be undertaken outside the hours specified in sub-paragraph (1) until the relevant planning authority has agreed.

(4) In respect of trenchless installation technique works and alternative trenchless installation technique works, where continuous 24-hour working is required and has been assessed in the environmental statement, the undertaker must notify the relevant planning authority in advance of such works.

	(5) <i>In the event of an emergency, notification of that emergency must be given to the relevant planning authority and the relevant highway authority as soon as reasonably practicable.</i> <u>(6) Mobilisation activities must be undertaken in accordance with the construction noise and vibration management plan approved under requirement 8.</u>	
Schedule 2A, Requirements – Project A, Requirement 18 (Control of noise during operational stage)	Paragraphs (1) and (4) have been inserted as follows: <u>18.—(1) Work No. 21A must not commence operation until a scheme for the management and monitoring of noise during operation of Work No. 21A has been submitted to and approved by the relevant planning authority.</u> (4) <u>2</u> <i>The noise rating level for the operational lifetime of Work No. 21A must not exceed 34db at Freshfield Farm (343215, 431180) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</i> (2) <u>3</u> <i>The noise levels set out in sub-paragraph (4) <u>2</u> are to be measured—</i> <i>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</i>	Further to Examining Authority's Second Written Questions (Q1:3.15 of PD-012).

	(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface). <u>(4) The scheme must be implemented as approved unless otherwise agreed with the relevant planning authority.</u>	
Schedule 2B, Requirements – Project B, Requirement 18 (Control of noise during operational stage)	Paragraphs (1) and (4) have been inserted as follows: <u>18.—(1) Work No. 21B must not commence operation until a scheme for the management and monitoring of noise during operation of Work No. 21B has been submitted to and approved by the relevant planning authority.</u> (4) <u>2) The noise rating level for the operational lifetime of Work No. 21A must not exceed 34db at Freshfield Farm (343215, 431180) at a position representative of the façade, in free-field conditions, of any building authorised or lawfully occupied for residential or accommodation purposes at the date of the granting of this Order.</u> (2) <u>3) The noise levels set out in sub-paragraph (4) are to be measured—</u> <u>(a) in accordance with British Standard BS4142:2014+A1:2019, methods for rating and assessing industrial and commercial sound; and</u> <u>(b) with a microphone placed 1.5 metres above the ground in free-field conditions (being at least 3.5 metres from the nearest vertical reflecting surface).</u> <u>(4) The scheme must be implemented as approved unless otherwise agreed with the relevant planning authority.</u>	
Schedule 2A, Requirements – Project A, Requirement 19 (Employment and skills plan)	Paragraph (1) has been amended as follows: 19.—(1) No Project A onshore works may commence until, after consultation has taken place with the relevant authorities, an employment and skills plan has been submitted to and approved in writing by Lancashire County Council on behalf of the relevant authorities.	Further to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.16) (PD-012).

Schedule 2B, Requirements – Project B, Requirement 19 (Employment and skills plan)	Paragraph (1) has been amended as follows: 19.—(1) No Project B onshore works may commence until, after consultation has taken place with the relevant authorities, an employment and skills plan has been submitted to and approved in writing by Lancashire County Council on behalf of the relevant authorities.	
Schedule 2A, Requirements – Project A, Requirement 20 (Operational Drainage Management Plan)	Paragraph (1) has been amended as follows: (1) Work No. 21A must not commence until, for that work, an operational drainage management plan (in accordance with the outline operational drainage management plan) has been submitted to and approved by the <u>relevant local planning authority in consultation with the</u> lead local flood authority, the relevant highway authority, in consultation with <u>and</u> the Environment Agency as appropriate. The operational drainage management plan must be substantially in accordance with the principles set out in the outline operational drainage management plan.	Further to engagement with the LLFA following comments made in the LCC Deadline 4 submission and in response to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.17) (PD-012).
Schedule 2B, Requirements – Project B, Requirement 20 (Operational Drainage Management Plan)	Paragraph (1) has been amended as follows: (1) Work No. 21B must not commence until, for that work, an operational drainage management plan (in accordance with the outline operational drainage management plan) has been submitted to and approved by the <u>relevant local planning authority in consultation with the</u> lead local flood authority, and the relevant highway authority, in consultation with <u>and</u> the Environment Agency as appropriate. The operational drainage management plan must be substantially in accordance with the principles set out in the outline operational drainage management plan.	

Schedule 2A, Requirements – Project A, Requirement 25 (Onshore collaboration)	Requirement 25 has been updated as follows: 25. —(1) In the event of sequential or concurrent construction of Project A and Project B, Before submitting any plan, scheme, details or document required to be submitted for approval under the requirements, <u>Morgan must</u> provide a copy of the plan, <u>scheme, details</u> or document to Morecambe to enable Morecambe to provide comments on the relevant plans, <u>schemes, details</u> and or documentation; and (b) (2) When submitting any plan, <u>scheme, details</u> or document referred to in sub-paragraph (1a) for approval, <u>Morgan must</u> submit any comments duly received from Morecambe or a statement confirming that no such comments were received.	For clarity and consistency throughout the wording of the requirement and to better reflect the wording of the equivalent condition in the deemed marine licences. Paragraph (1) also amended further to Q1:3.19 of PD-012 to impose the obligation regardless of the construction scenario.
Schedule 2B, Requirements – Project B, Requirement 25 (Onshore collaboration)	Requirement 25 has been updated as follows: 25. —(1) In the event of sequential or concurrent construction of Project A and Project B, Morecambe must Before submitting any plan, scheme, details or document required to be submitted for approval under the requirements, <u>Morecambe must</u> provide a copy of the plan, <u>scheme, details</u> or document to Morgan to enable Morgan to provide comments on the relevant plans, <u>schemes, details</u> and or documentation; and (b) (2) When submitting any plan, <u>scheme, details</u> or document referred to in sub-paragraph (1a) for approval, <u>Morecambe must</u> submit any comments duly received from Morgan or a statement confirming that no such comments were received.	
Schedule 2A, Requirements – Project A, Requirement 27. Wildlife Hazard Management Plan	Requirement 27 has been inserted as follows: <u>Wildlife Hazard Management Plan</u> <u>27.—(1) The Project A construction activities must not be carried out until a detailed wildlife hazard management plan (in accordance with the outline wildlife hazard management plan) has been submitted to and approved by the relevant planning authority in consultation with the statutory nature conservation body, MOD, BAE and BAOL.</u>	Further to the Examining Authority's Second Written Questions on the draft DCO (Q1:3.11) (PD-012).

	<i>(2) Any wildlife hazard management plan approved under paragraph (1) must be implemented as approved.</i> <i>(3) For the purposes of this requirement only, 'Project A construction activities' means the works and activities set out in Table 1.1 of Appendix A (Wildlife Attractants Habitat Risk Assessment) of the outline wildlife hazard management plan.</i>					
Schedule 2B, Requirements – Project B, 27. Wildlife Hazard Management Plan	Requirement 27 has been inserted as follows: <i>Wildlife Hazard Management Plan</i> <i>27.—(1) The Project B construction activities must not be carried out until a detailed wildlife hazard management plan (in accordance with the outline wildlife hazard management plan) has been submitted to and approved by the relevant planning authority in consultation with the statutory nature conservation body, MOD, BAE and BAOL.</i> <i>(2) Any wildlife hazard management plan approved under paragraph (1) must be implemented as approved.</i> <i>(3) For the purposes of this requirement only, 'Project B construction activities' means the works and activities set out in Table 1.1 of Appendix A (Wildlife Attractants Habitat Risk Assessment) of the outline wildlife hazard management plan.</i>					
Schedule 3A, Streets subject to street works, Project A Schedule 3B, Streets subject to street works, Project B Schedule 4A, Streets to be temporarily closed or restricted – Project A Schedule 4B, Streets to be temporarily closed or restricted – Project B	Column 2 in the tables of each of these Schedules has been amended to replace references to <i>Lytham St Anne's Road with A584 – Clifton Drive North</i>. For example on row 15 of Schedule 3A: <table><tr><td>Fylde Council</td><td><i>Lytham St Anne's Road</i> <i>A584 – Clifton Drive North</i></td><td><i>Between points MG_HA_2A and MG_HA_2B on Sheet 5 of the Street Works Plan</i></td></tr></table>		Fylde Council	<i>Lytham St Anne's Road</i> <i>A584 – Clifton Drive North</i>	<i>Between points MG_HA_2A and MG_HA_2B on Sheet 5 of the Street Works Plan</i>	Further to a consistency review of the draft DCO.
Fylde Council	<i>Lytham St Anne's Road</i> <i>A584 – Clifton Drive North</i>	<i>Between points MG_HA_2A and MG_HA_2B on Sheet 5 of the Street Works Plan</i>				

Schedule 4B, Streets to be temporarily closed or restricted – Project B	The following row has been amended:			Further to a consistency review of the draft DCO and the Street Works Plan.
	(1) Area	(2) Streets <u>to be temporarily closed or restricted</u>	(3) Extent as shown on the street works plan	
Schedule 5A, Public rights of way to be temporarily closed, altered or diverted – Project A	Schedule 5A has been amended as follows:			Further to a consistency review of the draft DCO and the Public Rights of Way Plan. The second line has been removed on the basis of duplication.
	Fylde Council	National Cycle Route	Between point MG_NCN_01A and point MG MC _NCN_01B on Sheet 11 of the Public Rights of Way Plan	
	Preston City Council	King Charles III England Coast Path	Between point MGMC_KC_05A and point MGMC_KC_04B on Sheet 17 of the Public Rights of Way Plan	
	Preston City Council	King Charles III England Coast Path	Between point MGMC_KC_05A and point MGMC_KC_45B on Sheet 17 of the Public Rights of Way Plan	

Schedule 5B, Public rights of way to be temporarily closed, altered or diverted – Project B

Schedule 5B has been amended as follows:

Further to a consistency review of the draft DCO and the Public Rights of Way Plan. The second line has been removed on the basis of duplication.

<i>Fylde Council</i>	<i>National Cycle Route</i>	<i>Between point MC_NCN_01A and point MGMC_NCN_01B on Sheet 11 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC_KC_05A and point MGMC_KC_04B on Sheet 17 of the Public Rights of Way Plan</i>
<i>Preston City Council</i>	<i>King Charles III England Coast Path</i>	<i>Between point MGMC_KC_05_A and point MGMC_KC_045_B on Sheet 17 of the Public Rights of Way Pan</i>

Schedule 6A, Access to works – Project A

Starr Gate has been removed from rows 1 and 2 of Schedule 6A as follows:

Further to the Examining Authority's Second Written Questions (Q2:16.1.1) (PD-012).

<i>Fylde Council</i>	<i>Starr Gate (A584)</i>	<i>Vehicular access in the vicinity of marked point TAT_MGMC_1 on Sheet 1 of the Access to Works Plan</i>
<i>Fylde Council</i>	<i>Starr Gate (A584)</i>	<i>Vehicular access in the vicinity of marked point OAR_MGMC_1 on Sheet 1 of the Access to Works Plan</i>

**Schedule 6B, Access to works –
Project B**

Starr Gate has been removed from rows 1 and 2 of Schedule 6B as follows:

Fylde Council	Starr Gate (A584)	Vehicular access in the vicinity of marked point TAT_MGMC_1 on Sheet 1 of the Access to Works Plan
Fylde Council	Starr Gate (A584)	Vehicular access in the vicinity of marked point OAR_MGMC_1 on Sheet 1 of the Access to Works Plan

**Schedule 7A, Land of which only temporary possession may be taken –
Project A**

Row 6 of the table has been amended as follows:

02-002, 02-003, 02-006, 02-007, 02-008, 02-009, 02-010, 02-011, 02-012	Access to St Annes beach to facilitate construction of Project A landfall works, <u>with such access subject to the controls contained within the construction traffic management plan approved under Requirement 9 of Schedule 2A</u>	Work Nos. 3A, 4A, 5A, 6A, 7A and 19A
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Further to discussions had with Blackpool Borough Council and in response to the Kings Counsel opinion submitted by Blackpool Borough Council at Deadline 4 (S_D5_2.2).

Schedule 7B, Land of which only temporary possession may be taken – Project B

Row 6 of the table has been amended as follows:

02-002, 02-003, 02-006, 02-007, 02-008, 02-009, 02-010, 02-011, 02-012	Access to St Annes to facilitate construction of Project B landfall works, with such access subject to the controls contained within the construction traffic management plan approved under Requirement 9 of Schedule 2B	Work Nos. 3B, 4B, 5B, 6B, 7B and 19B
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Schedule 8A, Land in which only new rights etc. may be acquired – Project A

The following plots have been removed from rights package 1 (cable rights and restrictive covenants) of Schedule 8A and 8B:

01-002, 01-003, 02-013, 02-014, 04-006, 04-007, ~~04-013, 04-014, 04-016~~, 04-023, 05-005, 05-006, 05-007, 05-008, 05-009, 05-010...

Schedule 8B, Land in which only new rights etc. may be acquired – Project B

Further to the Applicants' response to Hearing Action Point ISH2.35 (REP4-108).

Schedule 8A, Land in which only new rights etc. may be acquired – Project A

The numbering has been updated to better align with the Book of Reference.

Schedule 8B, Land in which only new rights etc. may be acquired – Project B

The numbering has been updated to better align with the Book of Reference.

Schedule 8A, Land in which only new rights etc. may be acquired – Project A

The rights package for cable rights at St Annes Old Links Golf Course and Blackpool Road Recreation Ground has been amended as follows:

01-015, 01-016, 02-023, 03-003, 03-004, 04-015	Cable rights at St Annes Old Links Golf Course and Blackpool Road Recreation Ground
...	

Further to the Applicants' response to Hearing Action Point ISH2.35 (REP4-108).

Restrictive covenants

A restrictive covenant over the land for the benefit of the remainder of the Order land to-

- (a) prevent anything to be done in or upon the land or any part thereof for the purpose of the erection of any buildings or construction, erection or works of any kind (including the foundations or footings thereto) without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A);*
- (b) prevent anything to be done by way of excavation of any kind in the land or any activities which would alter, increase or decrease ground cover or soil levels in any manner whatsoever without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A) or save as are reasonably required to be carried out by any statutory undertaker in order to exercise their statutory functions or rights in relation to their apparatus (if any) within the land or rights in relation any highway or railway infrastructure on the land (if any) and will not damage, undermine or interfere with the cables;*
- (c) prevent the planting or growing within the land of any trees, shrubs or underwood without the*

		consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood <u>are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of</u> the relevant part of Project A nor make it materially more difficult or expensive to access and maintain the relevant part of Project A); (d) prevent anything being done which may interfere with the free flow and passage of electricity or telecommunications through the cables or support for Project A; and (e) prevent carrying out operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage Project A.
Schedule 8B, Land in which only new rights etc. may be acquired – Project B	The rights package for cable rights at St Annes Old Links Golf Course and Blackpool Road Recreation Ground has been amended as follows:	
	01-015, 01-016, 02-023, 03-003, 03-004, 04-015	Cable rights at St Annes Old Links Golf Course and Blackpool Road Recreation Ground ... Restrictive covenants A restrictive covenant over the land for the benefit of the remainder of the Order land to- (a) prevent anything to be done in or upon the land or any part thereof for the purpose of the erection of any buildings or construction, erection or works of any kind (including the foundations or footings thereto) <u>without the consent in writing of the undertaker (such</u>

	<u>consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B);</u> (b) prevent anything to be done by way of excavation of any kind in the land or any activities which would alter, increase or decrease ground cover or soil levels in any manner whatsoever <u>without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B) or</u> save as are reasonably required to be carried out by any statutory undertaker in order to exercise their statutory functions or rights in relation to their apparatus (if any) within the land or rights in relation any highway or railway infrastructure on the land (if any) and will not damage, undermine or interfere with the cables; (c) prevent the planting or growing within the land of any trees, shrubs or underwood without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood <u>are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of</u> the relevant part of Project B nor make it materially more difficult or expensive to access and maintain the relevant part of Project B); (d) prevent anything being done which may interfere with the free flow and passage of
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		electricity or telecommunications through the cables or support for Project B; and (e) prevent carrying out operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage Project B.	
Schedule 8A, Land in which only new rights etc. may be acquired – Project A	A new rights package has been added to the final row of Schedule 8A as follows:		Further to the Applicants' response to Hearing Action Point ISH2.35 (REP4-108).
	<u>04-013, 04-014, 04-016</u>	<u>Rights for the purposes of the construction, installation, operation, maintenance and decommissioning of Project A to-</u> (a) <u>lay down, install, test, retain, adjust, alter, construct, operate, erect, use, maintain, repair, renew, upgrade, inspect, remove and replace the electricity cables (including the removal of materials including spoil) in, under, over and/or on the land, together with such telemetry and fibre-optic lines, ducting, jointing bays and other apparatus, protection measures, cable marker posts, chambers and manholes, manhole covers, cable clamping and other equipment which is ancillary to the purposes of transmitting electricity along such electricity cables (the "cables"), and in doing so, to use or resort to open cut trenching or trenchless installation techniques including (but not limited to) directional drilling;</u> (b) <u>enter, be on, break open and break up the surface of the land, restore and remain with or without plant, vehicles, machinery, apparatus and equipment which is ancillary to the purposes of transmitting electricity along the cables;</u>	

	<u>(c) to benefit from continuous vertical and lateral support for Project A;</u> <u>(d) pass and re-pass with or without vehicles, plant, machinery, apparatus, equipment and materials and to take plant and equipment on to adjoining land for the purposes of laying down, installing, adjusting, altering, constructing, using, maintaining, repairing, renewing, inspecting, removing, testing, upgrading and replacing the cables and for connection into any adjacent cables and associated works;</u> <u>(e) construct and install the cables and thereafter use the land for all necessary purposes for the construction, commissioning, repair, testing and maintenance of the cables in, on or under the land;</u> <u>(f) place and use plant, machinery, structures and temporary structures within the land for the purposes of the installation, construction, maintenance, repairing, renewing, upgrading, inspecting, removal, testing and replacing of the cables and to erect temporary signage and provide measures for the benefit of public and personnel safety;</u> <u>(g) erect fencing, gates, walls, noise or other barriers, or other means of enclosure, and create secure working areas and compounds including trenchless installation technique compounds and working areas;</u> <u>(h) construct, lay down, use and remove temporary access roads including any necessary hard standing and other surface materials including (but not</u>
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	<u>limited to) matting, aggregate, trackway, stone, tarmacadam, terram, temporary bridging, culverting or diversion of water courses and drains during any period during which construction, maintenance, repair or renewal is being carried out;</u> <u>(i) effect access to the highway including creation of temporary visibility splays;</u> <u>(j) make such investigations in or on the land as are required;</u> <u>(k) fell, lop, cut, or remove or coppice wood, uproot trees, hedges or shrubs which now or hereafter may be standing on the land or other land which if not felled, lopped, cut or removed would obstruct or interfere with the operation of the cables;</u> <u>(l) remove and discharge water from the land, and to install, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage waterflows in any drains, watercourses and culverts, install, use, inspect, maintain, adjust, alter, renew, repair, test or cleanse drainage schemes on the land or restore any existing drainage scheme on the land;</u> <u>(m) install, alter, re-lay, maintain, protect, adjust or remove pipes, cables or conduits or apparatus including but not limited to electricity poles, electricity pylons, electricity masts, overhead electricity lines, telecommunications cables and any ancillary equipment and apparatus public and private drains, watercourses, sewers, ponds or culverts, service media (including the</u>
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	<u>pipes, cables or conduits or apparatus of statutory undertakers);</u> <u>(n) remove fences and structures within the land during any period in which construction, maintenance, repair or renewal is being carried out (subject to erection of any temporary stock-proof fencing as is reasonably required and the re-instatement or suitable replacement of the fences or structures following the exercise of the rights);</u> <u>(o) store and stockpile materials (including excavated material);</u> <u>(p) create boreholes and trial excavation pits for the purposes of intrusively surveying the land and monitoring the use of any trenchless installation technique, to keep in place and monitor the same through construction, maintenance, repair, replacement or decommissioning and restoration of the land;</u> <u>(q) to excavate materials below ground level, including soils, and to store and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order; and</u> <u>(r) (in an emergency only when the cables are temporarily unusable) to lay down, install, use, maintain and inspect underground cables, telephone signalling and fibre-optic cables and ancillary equipment, associated works and other conducting media together</u>
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with conduits or pipes for containing the same in and under the land.

Restrictive covenants

A restrictive covenant over the land for the benefit of the remainder of the Order Land to -

- (a) prevent anything to be done in or upon the land or any part thereof for the purpose of the erection of any buildings or construction, erection or works of any kind (including the foundations or footings thereto) without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A);
- (b) prevent anything to be done by way of hard surfacing of the land with concrete of any kind or with any other material or surface whatsoever without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed surfacing is reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A);
- (c) prevent anything to be done by way of excavation of any kind in the land or any activities which would alter, increase or decrease ground cover or soil levels in any manner whatsoever without the

	<u>consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A) or save as are reasonably required to be carried out by any statutory undertaker in order to exercise their statutory functions or rights in relation to their apparatus (if any) within the land, without the consent in writing of the undertaker;</u> (d) <u>prevent the planting or growing within the land of any trees, shrubs or underwood without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A);</u> (e) <u>prevent anything being done which may interfere with the free flow and passage of electricity or telecommunications through the cables or support for Project A; and</u> (f) <u>prevent the carrying out of operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage Project A without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use</u>
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		<u>the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project A).</u>	
Schedule 8B, Land in which only new rights etc. may be acquired – Project B	A new rights package has been added to the final row of Schedule 8B as follows:		Further to the Applicants' response to Hearing Action Point ISH2.35 (REP4-108).
	<u>04-013, 04-014, 04-016</u>	<u>Rights for the purposes of the construction, installation, operation, maintenance and decommissioning of Project B to-</u> <u>(a) lay down, install, test, retain, adjust, alter, construct, operate, erect, use, maintain, repair, renew, upgrade, inspect, remove and replace the electricity cables (including the removal of materials including spoil) in, under, over and/or on the land, together with such telemetry and fibre-optic lines, ducting, jointing bays and other apparatus, protection measures, cable marker posts, chambers and manholes, manhole covers, cable clamping and other equipment which is ancillary to the purposes of transmitting electricity along such electricity cables (the "cables"), and in doing so, to use or resort to open cut trenching or trenchless installation techniques including (but not limited to) directional drilling;</u> <u>(b) enter, be on, break open and break up the surface of the land, restore and remain with or without plant, vehicles, machinery, apparatus and equipment</u>	

	<u>which is ancillary to the purposes of transmitting electricity along the cables;</u> <u>(c) to benefit from continuous vertical and lateral support for Project B;</u> <u>(d) pass and re-pass with or without vehicles, plant, machinery, apparatus, equipment and materials and to take plant and equipment on to adjoining land for the purposes of laying down, installing, adjusting, altering, constructing, using, maintaining, repairing, renewing, inspecting, removing, testing, upgrading and replacing the cables and for connection into any adjacent cables and associated works;</u> <u>(e) construct and install the cables and thereafter use the land for all necessary purposes for the construction, commissioning, repair, testing and maintenance of the cables in, on or under the land;</u> <u>(f) place and use plant, machinery, structures and temporary structures within the land for the purposes of the installation, construction, maintenance, repairing, renewing, upgrading, inspecting, removal, testing and replacing of the cables and to erect temporary signage and provide measures for the benefit of public and personnel safety;</u> <u>(g) erect fencing, gates, walls, noise or other barriers, or other means of enclosure, and create secure working areas and compounds including trenchless installation technique compounds and working areas;</u> <u>(h) construct, lay down, use and remove temporary access roads including any</u>
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	<u>necessary hard standing and other surface materials including (but not limited to) matting, aggregate, trackway, stone, tarmacadam, terram, temporary bridging, culverting or diversion of water courses and drains during any period during which construction, maintenance, repair or renewal is being carried out;</u> <u>(i) effect access to the highway including creation of temporary visibility splays;</u> <u>(j) make such investigations in or on the land as are required;</u> <u>(k) fell, lop, cut, or remove or coppice wood, uproot trees, hedges or shrubs which now or hereafter may be standing on the land or other land which if not felled, lopped, cut or removed would obstruct or interfere with the operation of the cables;</u> <u>(l) remove and discharge water from the land, and to install, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve sewers, drains, pipes, ducts, mains, conduits, flues and to drain into and manage waterflows in any drains, watercourses and culverts, install, use, inspect, maintain, adjust, alter, renew, repair, test or cleanse drainage schemes on the land or restore any existing drainage scheme on the land;</u> <u>(m) install, alter, re-lay, maintain, protect, adjust or remove pipes, cables or conduits or apparatus including but not limited to electricity poles, electricity pylons, electricity masts, overhead electricity lines, telecommunications cables and any ancillary equipment and apparatus public and private drains, watercourses, sewers, ponds or</u>
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	<u>culverts, service media (including the pipes, cables or conduits or apparatus of statutory undertakers);</u> <u>(n) remove fences and structures within the land during any period in which construction, maintenance, repair or renewal is being carried out (subject to erection of any temporary stock-proof fencing as is reasonably required and the re-instatement or suitable replacement of the fences or structures following the exercise of the rights);</u> <u>(o) store and stockpile materials (including excavated material);</u> <u>(p) create boreholes and trial excavation pits for the purposes of intrusively surveying the land and monitoring the use of any trenchless installation technique, to keep in place and monitor the same through construction, maintenance, repair, replacement or decommissioning and restoration of the land;</u> <u>(q) to excavate materials below ground level, including soils, and to store and re-use or dispose of the same, and in so excavating to undertake any works, including works of protection or removal of archaeological remains as may be required by any written scheme of investigation approved under this Order; and</u> <u>(r) (in an emergency only when the cables are temporarily unusable) to lay down, install, use, maintain and inspect underground cables, telephone signalling and fibre-optic cables and ancillary equipment, associated works and other conducting media together</u>
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with conduits or pipes for containing the same in and under the land.

Restrictive covenants

A restrictive covenant over the land for the benefit of the remainder of the Order Land to -

- (a) prevent anything to be done in or upon the land or any part thereof for the purpose of the erection of any buildings or construction, erection or works of any kind (including the foundations or footings thereto) without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B);
- (b) prevent anything to be done by way of hard surfacing of the land with concrete of any kind or with any other material or surface whatsoever without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed surfacing is reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B);
- (c) prevent anything to be done by way of excavation of any kind in the land or any activities which would alter, increase or decrease ground cover or soil levels in any manner whatsoever without the

	<u>consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B) or save as are reasonably required to be carried out by any statutory undertaker in order to exercise their statutory functions or rights in relation to their apparatus (if any) within the land, without the consent in writing of the undertaker;</u> (d) <u>prevent the planting or growing within the land of any trees, shrubs or underwood without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed provided that the proposed trees, shrubs or underwood are reasonably required to use the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B);</u> (e) <u>prevent anything being done which may interfere with the free flow and passage of electricity or telecommunications through the cables or support for Project B; and</u> (f) <u>prevent the carrying out of operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage Project B without the consent in writing of the undertaker (such consent not to be unreasonably withheld or delayed if the proposed activities are reasonably required to use</u>
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		the land for the purpose of recreation and would not cause damage to or prevent or impair the maintenance of the relevant part of Project B).	
Schedule 10, Part 10	The protective provisions for the Lead Local Flood Authority have been updated.	To reflect positive progress made between the parties, as set out in the SU negotiations tracker. For the avoidance of doubt, these are not yet the final agreed protective provisions for the protection of the Lead Local Flood Authority.	
Schedule 12, Paragraph 6	Paragraph 6 has been updated as follows: <i>6.—(1) Where an application is made to the relevant planning authority for agreement or approval in respect of a requirement the fee for the discharge of conditions as specified in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012(a) (or any regulations replacing the same), unless otherwise agreed with the relevant planning authority, is to be paid by the undertaker to the relevant planning authority in accordance with these regulations.</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:5.2) (PD-012).	
Part 1, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	The following definitions have been amended: <i>“Morgan generation assets” means the Morgan offshore wind farm generating assets for which separate development consent has been granted further to the Morgan Offshore Wind Project Generation Assets Order 2025 is being sought by Morgan pursuant to application reference EN010136;</i> <i>“Morgan offshore substation platforms” means the offshore substation platforms forming part of the Morgan generation assets authorised by the Morgan Offshore Wind Project Generation Assets Order 2025511;</i>	In response to the Examining Authority's Second Written Questions on the draft DCO (Q1:1.1) (PD-012).	
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	Condition 11(4) has been amended as follows: <i>(4) The MMO must determine an application for approval made under this condition within a period of six months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker. All</i>	Further to a consistency review against the Morgan Offshore Wind Project Generation Assets Order 2025 and in response to the Examining Authority's	

Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	operation and maintenance activities must be carried out in accordance with the approved plan.	Second Written Questions on the draft DCO (Q1:6.3) (PD-012).
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	Condition 17 has been updated as follows: <i>17.—(1) If, due to stress of weather or any other cause, <u>beyond the reasonable control of the master of a vessel, and which the master of a vessel by the exercise of reasonable diligence is unable to prevent, avoid or remove</u>, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.</i>	Further to a consistency review against the Morgan Offshore Wind Project Generation Assets Order 2025 and further to the Examining Authority's Second Written Questions on the draft DCO (Q1:6.2) (PD-012).
Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	<i>(2) The unauthorised deposits must be removed at the expense of the undertaker unless written approval is obtained from the MMO.</i>	
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	Condition 18(1)(f)(iii) has been updated as follows: <i>(iii) a site specific chemical risk assessment for all chemicals that have a pathway to the marine environment and are used for the licensed activities, <u>outside the course of normal navigation, and are not present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR)</u> (with the exception of any chemicals used in the course of normal navigation), which is to be submitted to the MMO for approval at least ten weeks prior to the use of such chemicals, including —</i>	Further to the Examining Authority's Second Written Questions on the draft DCO (Q1:7.2) (PD-012)
Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	<i>(aa) the function of the chemical; (bb) the quantities being used and the frequency of use; and (cc) the physical, chemical and ecotoxicological properties of the chemical (save for any 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));</i>	
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	Condition 19(2) has been removed as follows:	Further to a consistency review against the Morgan Offshore Wind Project Generation Assets Order 2025 and in

Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	(2) The MMO must determine an application for approval made under condition 18 within a period of six months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.	response to the Examining Authority's Second Written Questions on the draft DCO (Q1:6.3) (PD-012).
Part 2, Schedule 14, Marine Licence 1: Morgan Offshore Wind Project Transmission Assets	Condition 21(1) has been amended as follows: (1) In the event of sequential or concurrent construction of the authorised scheme and the Project B offshore and intertidal works, p Prior to submission of any programme, statement, plan, protocol or scheme required to be submitted to the MMO for approval in accordance with conditions 18 and 19, the undertaker must provide a copy of the relevant programme, statement, plan, protocol or scheme to Morecambe to enable Morecambe to provide any comments on the programme, statement, plan, protocol or scheme to the undertaker. (2) Each programme, statement, plan, protocol or scheme submitted to the MMO for approval in accordance with conditions 18 and 19 must be accompanied by any comments received by the undertaker from Morecambe in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.	Further to Q1:3.19 of PD-012 to impose the obligation regardless of the construction scenario. The definitions of Project A offshore and intertidal works and Project B offshore and intertidal works have been subsequently deleted.
Part 2, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	Condition 21(1) has been amended as follows: (1) In the event of sequential or concurrent construction of the authorised scheme and the Project A offshore and intertidal works, p Prior to submission of any programme, statement, plan, protocol or scheme required to be submitted to the MMO for approval in accordance with conditions 18 and 19, the undertaker must provide a copy of the relevant programme, statement, plan, protocol or scheme to Morgan to enable Morgan to provide any comments on the programme, statement, plan, protocol or scheme to the undertaker. (2) Each programme, statement, plan, protocol or scheme submitted to the MMO for approval in accordance with conditions 18 and 19 must be accompanied by any comments received by the undertaker from Morgan in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.	

Part 1, Schedule 15, Marine Licence 2: Morecambe Offshore Windfarm Transmission Assets	Paragraph 1 has been amended as follows: <i>“Morecambe” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at Morecambe Offshore Windfarm Ltd, 4th Floor, 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL</i>	To reflect the change to company information.
Part 1, Schedule 17, Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets	<i>“undertaker” means Morecambe Offshore Windfarm Ltd (company registration number SC734062) whose registered office is at Morecambe Offshore Windfarm Ltd, 4th Floor, 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN C/O Flotation Energy Limited, Hobart House, 80 Hanover Street, Edinburgh, United Kingdom, EH2 1EL;</i>	
Part 2, Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets	Condition 15 has been updated as follows: <i>15.—(1) If, due to stress of weather or any other cause, beyond the reasonable control of the master of a vessel, and which the master of a vessel by the exercise of reasonable diligence is unable to prevent, avoid or remove, the master of a vessel determines that it is necessary to deposit the authorised deposits within or outside of the Order limits because the safety of human life or of the vessel is threatened, within 48 hours the undertaker must notify full details of the circumstances of the deposit to the MMO.</i>	Further to a consistency review against the Morgan Offshore Wind Project Generation Assets Order 2025 and further to the Examining Authority's Second Written Questions on the draft DCO (Q1:6.2) (PD-012).
Part 2, Schedule 17, Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets		
Part 2, Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets	Condition 17(2) has been removed as follows: <i>(2) The MMO must determine an application for approval made under Condition 16 within a period of six months commencing on the date the application is received by the MMO, unless otherwise agreed in writing with the undertaker.</i>	Further to a consistency review against the Morgan Offshore Wind Project Generation Assets Order 2025 and in response to the Examining Authority's Second Written Questions on the draft DCO (Q1:6.3) (PD-012).
Part 2, Schedule 17, Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets		

Part 2, Schedule 16, Marine Licence 3: Morgan Offshore Wind Project Transmission Assets	Condition 20 has been amended as follows: (1) In the event of sequential or concurrent construction of the authorised scheme and Work No. 28B of the Order, p Prior to submission of the construction programme required to be submitted to the MMO for approval in accordance with conditions 16 and 17, the undertaker must provide a copy of the construction programme to Morecambe to enable Morecambe to provide any comments on the construction programme to the undertaker. (2) The construction programme submitted to the MMO for approval in accordance with conditions 16 and 17 must be accompanied by any comments received by the undertaker from Morecambe in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.	Further to Q1:3.19 of PD-012 to impose the obligation regardless of the construction scenario.
Part 2, Schedule 17, Marine Licence 4: Morecambe Offshore Windfarm Transmission Assets	Condition 20 has been amended as follows: (1) In the event of sequential or concurrent construction of the authorised scheme and Work No. 28A of the Order, p Prior to submission of the construction programme required to be submitted to the MMO for approval in accordance with conditions 16 and 17, the undertaker must provide a copy of the construction programme to Morgan to enable Morgan to provide any comments on the construction programme to the undertaker. (2) The construction programme submitted to the MMO for approval in accordance with conditions 16 and 17 must be accompanied by any comments received by the undertaker from Morgan in accordance with sub-paragraph (1) or a statement from the undertaker confirming that no such comments were received.	
Schedule 18, Documents to be certified	Schedule 18 has been updated to include the following documents: • Onshore Biodiversity Benefit Statement • Outline Onshore Construction Method Statement • Outline Wildlife Hazard Management Plan • Landfall Construction Method Statement • Outline Arboricultural Method Statement	