

SCHEDULE 1

Article 3

Authorised project

PART 1

Authorised development

1. A nationally significant infrastructure project as defined in sections 14 and 15 of the 2008 Act approximately 7 kilometres off the north Wirral coast, 8.5 kilometres from Crosby beach and 12.2 kilometres off the coast of Point of Ayr, Wales, being an extension to the existing Burbo Bank offshore wind farm located on the bed of Liverpool Bay, comprising—

*Work No. 1 –*

- (a) an offshore wind turbine generating station with a gross electrical output capacity of up to 259 MW comprising up to 69 wind turbine generators each fixed to the seabed by one of three foundation types (namely steel monopile foundation, gravity base foundation or jacket foundation), fitted with rotating blades and situated within the Order limits and further comprising (b) below;
- (b) a network of cables laid underground within the Order limits between the WTGs and Work No. 2, for the transmission of electricity and electronic communications between those different structures;

and associated development within the meaning of section 115(2) of the 2008 Act comprising—

*Work No. 2 –* up to one offshore substation fixed to the seabed by one of three foundation types (namely steel monopile foundation, gravity base foundation or jacket foundation), within the Order limits;

*Work No. 3 –* a grid connection from Work No. 2 consisting of up to two cables laid along routes within the Order limits, including one or more cable crossings, to Welsh territorial waters at grid coordinates 53° 25.82'/-3° 21.97' and 53° 25.99'/-3° 22.32';

and in connection with such Works No. 1 to 3 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project and which fall within the scope of the work assessed by the environmental statement and the provisions of the deemed marine licences.

2. The grid coordinates for the Order limits are specified below—

**Coordinates for the Order limits (WGS 1984)**

<i>Point</i>	<i>Latitude (DD)</i>	<i>Longitude (DD)</i>	<i>Point</i>	<i>Latitude (DD)</i>	<i>Longitude (DD)</i>
A	53.502373	-3.376542	F	53.463623	-3.305973
B	53.502832	-3.220001	G	53.465333	-3.309167
C	53.494704	-3.223993	H	53.468333	-3.314667
D	53.470225	-3.179047	I	53.433167	-3.372000
E	53.463884	-3.196287	J	53.430333	-3.366167

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## PART 2

### Ancillary works

Works within the Order limits which have been subject to an environmental impact assessment recorded in the environmental statement comprising—

- (a) temporary offshore landing places or other means of accommodating vessels in the construction and/or maintenance of the authorised development; and
- (b) buoys, beacons, fenders and other navigational warning or ship impact protection works.

## PART 3

### Requirements

#### Time limits

1. The authorised development shall commence no later than the expiration of five years beginning with the date this Order comes into force.

2. Detailed design parameters

3.—(1) Subject to sub-paragraph (2), no wind turbine generator forming part of the authorised development shall—

- (a) exceed a height of 223 metres when measured from MHWS to the tip of the vertical blade;
- (b) exceed a height of 123 metres when measured from MHWS to the height of the centreline of the generator shaft forming part of the hub;
- (c) exceed a rotor diameter of 200 metres;
- (d) be less than 700 metres from the nearest WTG or be greater than 1,960 metres from the nearest WTG in either direction;
- (e) have a distance of less than 22 metres between the lowest point of the rotating blade of the wind turbine and MHWS.

(2) References to the location of a wind turbine generator are references to the centre point of the tower of that turbine.

4.—(1) The total number of offshore substations forming part of the authorised development shall not exceed one.

(2) The dimensions of the offshore substation forming part of the authorised development (excluding helihoist facilities, towers, masts and cranes) shall not exceed 50 metres in height when measured from LAT, 40 metres in length and 30 metres in width.

(3) The offshore substation shall have no more than one supporting foundation.

5. The total length of the cables comprising Work No. 1(b) must not exceed 65 kilometres and the total length of the cables comprising Work No. 3 must not exceed 17 kilometres.

6.—(1) Each steel monopile foundation forming part of the authorised development (excluding scour protection) shall not have a diameter which is greater than 8 metres.

(2) Each gravity base foundation forming part of the authorised development (excluding scour protection) must not have—

- (a) a diameter at the level of the seabed which is greater than 35 metres;

- (b) in the case of the WTGs, a base height which is greater than 6 metres above the level of the seabed;
  - (c) in the case of the offshore substation, a base height which is greater than 16 metres above the level of the seabed and less than 1 metre below LAT;
  - (d) in the case of the WTGs, a column diameter of greater than 9 metres.
- (3) Each jacket foundation forming part of the authorised development (excluding scour protection) must not have—
- (a) a width spacing between each leg at the level of the seabed which is greater than 35 metres;
  - (b) a leg diameter which is greater than 3 metres;
  - (c) a width spacing between each leg at MHWS which is greater than 35 metres;
  - (d) a pile sleeve height which is greater than 18 metres above the level of the seabed;
  - (e) a pile diameter which is more than 3 metres;
  - (f) more than one pile per leg, save in the case of the offshore substation where it shall not have more than four piles per leg;
  - (g) more than four legs;
  - (h) in the case of the offshore substation only, a suction caisson per leg which is greater than 15 metres in diameter.
- (4) To reduce potential impacts on adult salmon migration—
- (a) no more than 69 steel monopile foundations with a pile diameter of 6 metres or less (excluding scour protection) shall be installed as part of the authorised development;
  - (b) no more than 65 steel monopile foundations with a pile diameter between 6 metres and 6.5 metres (excluding scour protection) shall be installed as part of the authorised development;
  - (c) no more than 55 steel monopile foundations with a pile diameter between 6.5 metres and 7.5 metres (excluding scour protection) shall be installed as part of the authorised development;
  - (d) no more than 45 steel monopile foundations with a pile diameter between 7.5 metres and 8 metres (excluding scour protection) shall be installed as part of the authorised development.

### **Lighting**

7. The undertaker must exhibit such lights, with such shape, colour and character as are required by the Air Navigation Order 2009(1) or as directed by the CAA.

### **Decommissioning**

8. No authorised development shall commence until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State pursuant to section 105(2) of the 2004 Act has been submitted to the Secretary of State for approval.

### **Navigational radar scheme at the Port of Liverpool**

9.—(1) No construction of any wind turbine generator forming part of the authorised development shall commence until the Secretary of State having consulted with the Operator is satisfied that appropriate mitigation will be implemented and maintained for the life of the authorised

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(1) [S.I. 2009/3015](#).

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development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.

(2) For the purposes of this requirement—

“appropriate mitigation” means a navigational radar scheme to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe navigation within the limits of the Port of Liverpool during the life of the authorised development;

“approved mitigation” means the appropriate mitigation measures agreed with the Operator authorised to provide safe navigation within the limits of the Port of Liverpool at the time the Secretary of State confirms in writing that he is satisfied in accordance with sub-paragraph (1);

“Operator” means Mersey Docks and Harbour Company Limited incorporated under the Companies Act (7438262) whose registered office is Maritime Centre, Port of Liverpool, Liverpool, Merseyside, L21 1LA or such other organisation as is authorised from time to time under Docks and Harbours Act 1972 to provide safe navigation within the limits of the Port of Liverpool.

(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.

#### **Air traffic services at Warton Aerodrome**

**10.**—(1) No construction of any wind turbine generator forming part of the authorised development shall commence until the Secretary of State, having consulted with the Ministry of Defence and the Operator, confirms in writing that he is satisfied that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.

(2) For the purposes of this requirement—

“appropriate mitigation” means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe and efficient air traffic services for Warton Aerodrome during the life of the authorised development;

“approved mitigation” means the appropriate mitigation measures agreed with the Ministry of Defence and the Operator at the time the Secretary of State confirms in writing that he is satisfied in accordance with sub-paragraph (1);

“Ministry of Defence” means as represented by Defence Infrastructure Organisation – Safeguarding, Kingston Road, Sutton Coldfield, B75 7RL or any successor body;

“Operator” means BAE Systems (Operations) Limited incorporated under the Companies Act (Company Number 01996687) whose registered office is Warwick House, PO Box 87, Farnborough Aerospace Centre, Farnborough, Hants, GU14 6YU or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Warton Aerodrome.

(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.

#### **Primary surveillance radars at Lytham St Annes and Great Dun Fell**

**11.**—(1) No construction of any wind turbine generator forming part of the authorised development shall commence until the Secretary of State in consultation with the Operator is satisfied that a primary radar mitigation scheme has been agreed in order to avoid the impact of the

development on the primary radar of the Operator located at St Annes and Great Dun Fell and on associated air traffic management operations.

(2) No construction of any wind turbine generator forming part of the authorised development shall commence until the Operator has confirmed to the Secretary of State that an approved primary radar mitigation scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved scheme.

(3) For the purposes of this requirement—

“Operator” means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants, PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act);

“primary radar mitigation scheme” means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the St Annes and Great Dun Fell primary radars and on air traffic management operations of the Operator.

#### **Air traffic services at Liverpool John Lennon Airport**

**12.**—(1) No construction of any wind turbine generator forming part of the authorised development shall commence until the Secretary of State having consulted with the Operator and the CAA is satisfied that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Operator to ensure that such appropriate mitigation is implemented.

(2) For the purposes of this requirement—

“appropriate mitigation” means measures to prevent or remove any adverse impacts which the operation of the authorised development will have on the Operator’s ability to provide safe and efficient air traffic services for Liverpool John Lennon Airport during the life of the authorised development;

“approved mitigation” means the appropriate mitigation measures agreed with the CAA and the Operator licensed to provide safe and efficient air traffic services for Liverpool John Lennon Airport at the time the Secretary of State confirms in writing that he is satisfied in accordance with sub-paragraph (1);

“Operator” means Liverpool Airport Limited incorporated under the Companies Act (2116704) whose registered office is Liverpool John Lennon Airport, Liverpool, L24 1YD or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services for Liverpool John Lennon Airport.

(3) The undertaker shall thereafter comply with all obligations contained within the approved mitigation for the life of the authorised development.

#### **Community liaison**

**13.**—(1) No installation of piled foundations shall commence until a community liaison scheme has been submitted to and approved by Wirral Metropolitan Borough Council.

(2) The community liaison scheme shall include—

- (a) details of how the undertaker will liaise with the local community to ensure residents are informed of how the installation of the piled foundations is progressing;
- (b) a mechanism for dealing with complaints from the local community; and

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- (c) a nominated representative of the undertaker who will have the lead role in liaising with local residents and Wirral Metropolitan Borough Council.
- (3) The undertaker shall comply with the approved community liaison scheme throughout the period during which piling is being undertaken.