

SCHEDULE 1

Authorised project

PART 3

Requirements

Time limits

1. The authorised development must be commenced on or before 6th September 2021.

Commencement Information

- II** Sch. 1 Pt. 3 para. 1 in force at 7.9.2016, see [art. 1\(2\)](#)

Detailed design parameters

- 2.—(1) No wind turbine generator forming part of Work No. 1A or 1B may—
 - (a) be more than 151 metres from LAT to the turbine hub;
 - (b) exceed a height of 276 metres from LAT to the upper tip of the vertical blade;
 - (c) exceed a rotor diameter of 241.03 metres;
 - (d) be less than 34.97 metres from LAT to the lowest point of the rotating blade;
 - (e) be less than 810 metres from the nearest wind turbine generator in all directions.(2) In this Requirement, references to the location of a wind turbine generator are references to the centre point of the turbine.
- (3) No offshore accommodation platform forming part of Work No. 1A or 1B may—
 - (a) exceed 64 metres in height above LAT;
 - (b) have a platform that at its greatest extent exceeds 3,600 square metres in area or 60 metres in width.
- (4) No offshore HVAC collector substation forming part of Work No. 2A or 2B may—
 - (a) exceed 64 metres in height above LAT;
 - (b) have a platform that at its greatest extent exceeds 3,600 square metres in area or 60 metres in width.
- (5) No offshore HVDC converter substation forming part of Work No. 2A or 2B may—
 - (a) exceed 110 metres in height above LAT;
 - (b) have a platform that at its greatest extent exceeds 16,200 square metres in area or 180 metres in width.
- (6) No offshore reactive compensation substation comprised in Work No. 3A or 3B may—
 - (a) exceed 64 metres in height above LAT; or
 - (b) have a platform that at its greatest extent exceeds 3,600 square metres in area or 60 metres in width.
- (7) The diameter of the electrical cables comprising the electrical circuits must not exceed—
 - (a) within Work Nos. 1A and 1B, 170 millimetres;

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- (b) within Work Nos. 2A and 2B, 300 millimetres;
- (c) within Work Nos. 4A, 4B, 5A and 5B—
 - (i) 190 millimetres, where the mode of transmission is HVDC; and
 - (ii) 300 millimetres, where the mode of transmission is HVAC.
- (8) The combined total length of the connections in the form of electrical circuits between the structures comprised in Work Nos. 1A and 1B must not exceed 685 kilometres.
- (9) The combined total length of the connections in the form of electrical circuits between the structures comprised in Work Nos. 2A and 2B must not exceed 300 kilometres.
- (10) The combined total length of the electrical circuits comprised in Work Nos. 4A, 4B, 5A and 5B seaward of MHWS must not exceed 1,200 kilometres.
- (11) The combined total area of cable protection for the electrical circuits comprising Work Nos. 1A and 1B must not exceed 1,246,700 square metres.
- (12) The combined total area of cable protection for the electrical circuits comprising Work Nos. 2A and 2B must not exceed 546,000 square metres.
- (13) The combined total area of cable protection for the electrical circuits comprising Work Nos. 4A and 4B located outside the Humber Estuary Special Area of Conservation must not exceed 2,055,200 square metres.
- (14) The combined total area of cable protection for the electrical circuits comprising Work Nos. 4A and 4B located within the Humber Estuary Special Area of Conservation must not exceed 44,800 square metres.
- (15) The combined total volume of cable protection for the electrical circuits comprising Work Nos. 1A and 1B must not exceed 712,400 cubic metres.
- (16) The combined total volume of cable protection for the electrical circuits comprising Work Nos. 2A and 2B must not exceed 312,000 cubic metres.
- (17) The combined total volume of cable protection for the electrical circuits comprising Work Nos. 4A and 4B located outside the Humber Estuary Special Area of Conservation must not exceed 1,174,400 cubic metres.
- (18) The combined total volume of cable protection for the electrical circuits comprising Work Nos. 4A and 4B located within the Humber Estuary Special Area of Conservation must not exceed 25,600 cubic metres.
- (19) The electrical circuits comprised in Work Nos. 1A, 1B, 2A, 2B, 4A and 4B must be installed by use of, or a combination of, ploughing, trenching, jetting, rock-cutting, dredging, surface laying with post-lay burial and, where ground conditions make burial impracticable, by surface laying.
- (20) The electrical circuits comprised in Work Nos. 5A and 5B must be installed by use of, or a combination of, a trenchless technique, ploughing, trenching and jetting, with the exception that, where the electrical circuits comprised in Work Nos. 5A and 5B cross under the existing sea wall, they must be installed using a trenchless technique.
- (21) The combined total area in which the underground electrical circuit transition joint bays comprised in Work Nos. 6A and 6B may be contained must not exceed 2,000 square metres, and no underground electrical circuit transition joint bay within that area may individually exceed 25 metres in length or 10 metres in width.
- (22) The diameter of the cables within Work Nos. 7A, 7B, 9A and 9B must not exceed 180 millimetres.
- (23) No main building forming part of Work No. 8A or 8B may—
 - (a) where the mode of transmission is HVDC, exceed—
 - (i) 40 metres in height;

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- (ii) 69.5 metres in width;
- (iii) 135 metres in length; or
- (b) where the mode of transmission is HVAC, exceed—
 - (i) 15 metres in height;
 - (ii) 18.5 metres in width;
 - (iii) 82.5 metres in length.

(24) The combined total area of the site of Work Nos. 8A and 8B must not exceed 35,672 square metres, excluding any area of land required for landscaping and mitigation.

(25) The electrical circuits comprised in Work Nos. 7A and 7B must be installed by use of a trenchless technique where crossing under a main river.

(26) The width of the corridor occupied by the connection comprised in Work Nos. 7A and 7B following completion of construction of those works must not exceed 30 metres, except where those works overlap with Work No. 5A, 5B, 6A or 6B in which case the width of the corridor occupied by the connection comprising Work Nos. 7A and 7B must not exceed 150 metres.

Commencement Information

I2 Sch. 1 Pt. 3 para. 2 in force at 7.9.2016, see [art. 1\(2\)](#)

Colour and lighting

3. Except as otherwise required by Trinity House under Condition 4 of each of the deemed marine licences, the undertaker must exhibit such lights, with such shape, colour and character as required by the Air Navigation Order 2009(1) or as otherwise directed by the Civil Aviation Authority or the Secretary of State for Defence.

Commencement Information

I3 Sch. 1 Pt. 3 para. 3 in force at 7.9.2016, see [art. 1\(2\)](#)

Foundation methods

4.—(1) The undertaker must in fixing to the seabed any structures comprised in Work Nos. 1A, 1B, 2A, 2B, 3A and 3B use one of the following methods—

- (a) monopile foundations;
- (b) jacket foundations supported by piles; or
- (c) gravity base foundations.

(2) The undertaker must not use the monopile foundation method or any other method that includes braced monopiles to fix to the seabed any offshore HVDC converter substation.

(3) The following parameters apply in respect of the foundation methods used to fix wind turbine generators to the seabed—

- (a) where monopile foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 1,963 square metres;

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

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- (ii) the diameter of each foundation must not exceed 10 metres;
 - (b) where jacket foundations (driven/drilled piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 2,827 square metres;
 - (ii) the number of piles per jacket must not exceed 12;
 - (iii) the diameter of each pile must not exceed 6 metres;
 - (c) where jacket foundations (suction piles) are used—
 - (i) the area occupied by the foundations and scour protection for each individual structure must not exceed 12,596 square metres;
 - (ii) the number of piles per jacket must not exceed 4;
 - (iii) the diameter of each pile must not exceed 21.1 metres;
 - (d) where gravity base foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 7,543 square metres;
 - (ii) the seabed levelling diameter must not exceed 78 metres;
 - (iii) the cone diameter must not exceed 58 metres at its base.
- (4) The following parameters apply in respect of the foundation methods used to fix offshore accommodation platforms to the seabed—
- (a) where monopile foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 1,963 square metres;
 - (ii) the diameter of each foundation must not exceed 10 metres;
 - (b) where jacket foundations (driven/drilled piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 1,414 square metres;
 - (ii) the number of piles must not exceed 8;
 - (iii) the diameter of each pile must not exceed 3 metres;
 - (c) where jacket foundations (suction piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 6,362 square metres;
 - (ii) the number of piles per jacket must not exceed 4;
 - (iii) the diameter of each pile must not exceed 15 metres;
 - (d) where gravity base foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 6,362 square metres;
 - (ii) the seabed levelling diameter must not exceed 70 metres;
 - (iii) the cone diameter must not exceed 50 metres at its base.
- (5) The following parameters apply in respect of the foundation methods used to fix offshore HVAC collector substations to the seabed—
- (a) where monopile foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 1,963 square metres;

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- (ii) the diameter of each foundation must not exceed 10 metres;
 - (b) where jacket foundations (driven/drilled piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 1,924 square metres;
 - (ii) the number of piles per jacket must not exceed 8;
 - (iii) the diameter of each pile must not exceed 3.5 metres;
 - (c) where jacket foundations (suction piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 12,723 square metres;
 - (ii) the number of piles per jacket must not exceed 8;
 - (iii) the diameter of each pile must not exceed 15 metres;
 - (d) where gravity base foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 6,362 square metres;
 - (ii) the seabed levelling diameter must not exceed 70 metres;
 - (iii) the cone diameter must not exceed 50 metres at its base.
- (6) The following parameters apply in respect of the foundation methods used to fix offshore HVDC converter substations to the seabed—
- (a) where jacket foundations (driven/drilled piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 17,318 square metres;
 - (ii) the number of jacket foundations per topside must not exceed 4;
 - (iii) the number of piles per topside must not exceed 72;
 - (iv) the number of piles per jacket must not exceed 18;
 - (v) the diameter of each pile must not exceed 3.5 metres;
 - (b) where jacket foundations (suction piles) are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 50,894 square metres;
 - (ii) the number of jacket foundations per topside must not exceed 4;
 - (iii) the number of piles per topside must not exceed 32;
 - (iv) the number of piles per jacket must not exceed 8;
 - (v) the diameter of each pile must not exceed 15 metres;
 - (c) where gravity base foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 27,300 square metres;
 - (ii) the number of pontoons for each individual structure must not exceed 3;
 - (iii) the pontoons must not exceed 170 metres in length or 35 metres in width.
- (7) The following parameters apply in respect of the foundation methods used to fix the offshore reactive compensation substation to the seabed—
- (a) where monopile foundations are used—
 - (i) the area occupied by the foundations and the scour protection must not exceed 1,963 square metres;

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- (ii) the diameter of each foundation must not exceed 10 metres;
 - (b) where jacket foundations (driven/drilled piles) are used—
 - (i) the area occupied by the foundations and the scour protection must not exceed 1,414 square metres;
 - (ii) the number of piles per jacket must not exceed 8;
 - (iii) the diameter of each pile must not exceed 3 metres;
 - (c) where jacket foundations (suction piles) are used—
 - (i) the area occupied by the foundations and the scour protection must not exceed 6,362 square metres;
 - (ii) the number of piles per jacket must not exceed 4;
 - (iii) the diameter of each pile must not exceed 15 metres;
 - (d) where gravity base foundations are used—
 - (i) the area occupied by the foundations and the scour protection for each individual structure must not exceed 6,362 square metres;
 - (ii) the seabed levelling diameter must not exceed 70 metres;
 - (iii) the cone diameter must not exceed 50 metres at its base.
- (8) The combined total volume of scour protection for the wind turbine generators and the offshore accommodation platforms forming part of the authorised development must not exceed 4,761,555 cubic metres.

Commencement Information

I4 Sch. 1 Pt. 3 para. 4 in force at 7.9.2016, see [art. 1\(2\)](#)

Archaeology landward of mean low water springs

5.—(1) No part of the authorised development landward of MLWS may be commenced within the area of a local planning authority until a written scheme for the investigation of areas of archaeological interest landward of MLWS has been submitted to and approved by the local planning authority.

(2) The scheme must identify areas where field work or a watching brief (or both) are required and the measures to be taken to evaluate, protect, record or preserve any significant archaeological remains that may be found.

(3) Any archaeological works or watching brief must be carried out—

- (a) in accordance with the approved scheme;
- (b) by a suitably qualified person or body approved by the local planning authority.

(4) Staged reports of the measures taken to evaluate, protect, record or preserve any significant archaeological remains that are found must be submitted to and approved by the local planning authority before the commencement of any works that would affect those remains.

Commencement Information

I5 Sch. 1 para. 5 in force at 7.9.2016, see [art. 1\(2\)](#)

Ecological management plan landward of mean low water springs

6.—(1) No part of the authorised development landward of MLWS may be commenced within the area of a local planning authority until a ecological management plan relating to the land landward of MLWS based on the outline ecological management plan and reflecting the survey results and ecological mitigation measures included in the environmental statement has been submitted to and approved by the local planning authority in consultation with Natural England, the Environment Agency and, to the extent that the plan relates to the intertidal area, the MMO.

(2) The ecological management plan must include an implementation timetable and must be carried out as approved.

(3) The ecological management plan must be submitted for approval at least 4 months before the intended start of construction unless otherwise agreed by the local planning authority in consultation with Natural England.

Commencement Information

I6 Sch. 1 para. 6 in force at 7.9.2016, see [art. 1\(2\)](#)

Code of construction practice

7.—(1) No part of the authorised development landward of MLWS may be commenced within the area of a local planning authority until a code of construction practice relating to the Works landward of MLWS based on the outline code of construction practice has been submitted to and approved by the local planning authority.

(2) Before giving approval in the case of a construction traffic management plan referred to in sub-paragraph (3)(e) and a travel plan referred to in sub-paragraph (3)(1), the local planning authority must consult the highway authority and Highways England.

(3) The code of construction practice must include—

- (a) an external lighting scheme for the construction phase;
- (b) construction noise and vibration monitoring and management measures;
- (c) air quality and dust monitoring and management measures during construction;
- (d) a site waste management plan detailing sustainable site waste management measures;
- (e) a construction traffic management plan;
- (f) measures to prevent and control spillage of oil, chemicals and other potentially harmful liquids;
- (g) details of the storage of materials during construction;
- (h) measures for the protection of surface and ground water during construction;
- (i) a communication plan;
- (j) a health and safety plan, including details of how health and safety risks are to be identified and managed during construction;
- (k) details of screening and fencing to be installed during construction; and
- (l) a travel plan for the construction workforce to include details of—
 - (i) expected means of travel to and from the construction sites;
 - (ii) numbers of construction staff, working hours and modal split;
 - (iii) details of the number of car parking spaces to be provided on sites and if appropriate a car park management plan;

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- (iv) specification of measures to encourage sustainable travel to and from the construction site for construction staff;
 - (v) responsibility and timescales for implementing proposed measures;
 - (vi) targets for vehicle trips and modal splits;
 - (vii) formal monitoring regime for those targets; and
 - (viii) details of mess or canteen facilities for staff.
- (4) All construction works must be undertaken in accordance with the approved code.

Commencement Information

I7 Sch. 1 para. 7 in force at 7.9.2016, see [art. 1\(2\)](#)

Landscape scheme

8.—(1) No part of the authorised development landward of MLWS may be commenced within the area of a local planning authority until a landscape scheme has been submitted to and approved by the local planning authority.

(2) The landscape scheme must include the provisions of the outline landscape scheme and management plan, subject to any variation approved by the local planning authority, and, in addition details of—

- (a) cultivation, importing of materials and other operations to ensure plant establishment;
- (b) proposed finished ground levels;
- (c) hard surfacing materials; and
- (d) minor structures, refuse or other storage units, signs and lighting.

Commencement Information

I8 Sch. 1 para. 8 in force at 7.9.2016, see [art. 1\(2\)](#)

Implementation and maintenance of landscaping

9.—(1) Landscape works must be carried out in accordance with the relevant landscape scheme approved under Requirement 8.

(2) Any tree or shrub planted as part of an approved landscape scheme that within a period of 5 years after planting, is removed, dies or becomes, in the opinion of the local planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless alternative timing or a different specimen is otherwise approved by the local planning authority.

Commencement Information

I9 Sch. 1 para. 9 in force at 7.9.2016, see [art. 1\(2\)](#)

Offshore decommissioning

10. No part of the authorised development seaward of MLWS may be commenced until a decommissioning programme in compliance with any notice served on the undertaker by the

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Secretary of State under section 105(2) of the 2004 Act has been submitted to the Secretary of State for approval in relation to that part.

Commencement Information

I10 Sch. 1 para. 10 in force at 7.9.2016, see [art. 1\(2\)](#)

Highway accesses

11.—(1) No 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 used by vehicular traffic may be commenced until details of the design and layout of such works have been submitted to and approved by the local planning authority in consultation with the highway authority.

(2) The highway accesses must be constructed in accordance with the approved details.

Commencement Information

I11 Sch. 1 para. 11 in force at 7.9.2016, see [art. 1\(2\)](#)

Contaminated land and groundwater scheme

12.—(1) No part of the authorised development within the area of a local planning authority may be commenced until a scheme to deal with the contamination of any land (including groundwater) within the Order limits that is likely to cause significant harm to persons or pollution of controlled waters or the environment has been submitted to, and approved by, the local planning authority in consultation with the Environment Agency and, to the extent that the plan relates to the intertidal area, the MMO.

(2) The scheme must include an investigation and assessment report, prepared by a specialist consultant approved by the local planning authority, to identify the extent of any contamination and the remedial measures to be taken for that stage to render the land fit for its intended purpose, together with a management plan which sets out long-term measures with respect to any contaminants remaining on the site.

(3) No remedial work constituting a material operation (as defined in section 155 of the 2008 Act) in respect of contamination of any land (including groundwater) within the Order limits may be carried out until the scheme has been approved.

(4) In carrying out the works for the authorised development, the undertaker must not conduct trenchless technique operations unless the scheme includes a hydrogeological risk assessment demonstrating that such operations are unlikely to cause an unacceptable risk to groundwater quality.

(5) Remediation must be carried out in accordance with the approved scheme.

(6) In this Requirement, “controlled waters” has the meaning given in Part 3 of the Water Resources Act 1991(2).

Commencement Information

I12 Sch. 1 para. 12 in force at 7.9.2016, see [art. 1\(2\)](#)

(2) See section 104(1).

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Surface water drainage scheme

13.—(1) No part of any electrical transmission station may be commenced until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the electrical transmission station has been submitted to and approved by the local planning authority, in consultation with the drainage board concerned within the meaning of section 23 of the Land Drainage Act 1991.

(2) Construction of the electrical transmission station must be carried out in accordance with the approved scheme.

Commencement Information

I13 Sch. 1 para. 13 in force at 7.9.2016, see [art. 1\(2\)](#)

Colour and detailed design approval: electrical transmission stations

14.—(1) Unless otherwise agreed by the local planning authority, the electrical transmission stations must be coloured using one or more of the following colours—

- (a) bluebell (RAL Code 270 50 30);
- (b) lilac (RAL Code 270 60 25);
- (c) chalk blue (RAL Code 270 70 20);
- (d) Baltic blue (RAL Code 270 80 15);
- (e) white lilac (RAL Code 270 85 10);
- (f) blue white (RAL Code 270 90 05).

(2) Despite sub-paragraph (1), construction of Work No. 8A must not commence until details of the layout, scale and external appearance of that Work have been submitted to and approved by the local planning authority.

(3) Despite sub-paragraph (1), construction of Work No. 8B must not commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the local planning authority.

(4) The construction of Work Nos. 8A and 8B must be carried out in accordance with the approved details.

Commencement Information

I14 Sch. 1 para. 14 in force at 7.9.2016, see [art. 1\(2\)](#)

Access road within plots 45 to 49

15.—(1) The undertaker must not use the access road along the crest of the sea defences within the plots numbered 45 to 49 on the land plans during the construction of Work Nos. 4A, 4B, 5A, 5B, 6A and 6B.

(2) Except in an emergency, the access road along the sea defences within the plots numbered 45 to 49 on the land plans must not be used by the undertaker following the construction of Work Nos. 4A, 4B, 5A, 5B, 6A and 6B until a scheme for the protection of the sea defences from use of the access road by the undertaker during the operation and maintenance of the authorised development has been submitted to and approved by the Environment Agency, such approval not to be unreasonably withheld or delayed.

(3) If the Environment Agency fails to notify the undertaker of its decision on whether to give approval within 2 months of receiving the scheme for approval, the Environment Agency is deemed to have given approval.

(4) The use of the access road must be in accordance with the approved scheme.

Commencement Information

I15 Sch. 1 para. 15 in force at 7.9.2016, see [art. 1\(2\)](#)

Port traffic management plan

16.—(1) No part of the authorised development seaward of MLWS (excluding ducting and related works which are an integral part of works landward of MLWS) may be commenced until—

- (a) a traffic management plan for the onshore port-related traffic to and from the selected base port or ports for construction or operation (or both) of that part of the authorised development has been submitted to and approved by the relevant planning authority in consultation with the relevant highway authority; or
- (b) the relevant planning authority has confirmed, after consultation with the relevant highway authority, that no traffic management plan is required for that part of the authorised development.

(2) All traffic management plans must be implemented as approved at all times specified within the relevant traffic management plan during the construction and operation of the authorised development.

(3) In this Requirement—

“relevant highway authority” means the highway authority in whose area the selected base port is located;

“relevant planning authority” means the local planning authority in whose area the selected base port is located;

“selected base port” means a port situated in England and/or Wales and used by management personnel for the construction or ongoing operational management of the authorised development (or both).

Commencement Information

I16 Sch. 1 para. 16 in force at 7.9.2016, see [art. 1\(2\)](#)

Employment and skills plan

17.—(1) No part of the authorised development may be commenced until an employment and skills plan based on the outline employment and skills plan has been submitted to and approved by North Lincolnshire Council in consultation with North East Lincolnshire Council, East Lindsey District Council and the Humber Local Enterprise Partnership.

(2) The plan must include—

- (a) proposals for the provision of information to the Humber Local Enterprise Partnership on the employment and supply chain opportunities associated with the construction, operation and maintenance of the authorised development including details of the core qualifications and skillsets required to access those opportunities;

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- (b) proposals for local advertising of employment and supply chain opportunities during the construction of the authorised development;
 - (c) proposals for the undertaker to provide outreach employment presentations during the period of construction of the authorised development at appropriate times and locations; and
 - (d) proposals for local advertising of employment and supply chain opportunities during the operation of the authorised development.
- (3) The approved employment and skills plan must be implemented and maintained during the construction and operation of the authorised development.
- (4) In this Requirement, “Humber Local Enterprise Partnership” means the local enterprise partnership established in June 2011 with the objective of promoting and developing the natural economic area surrounding the Humber estuary.

Commencement Information

I17 Sch. 1 para. 17 in force at 7.9.2016, see [art. 1\(2\)](#)

Offshore co-operation

18.—(1) Before submitting the pre-construction plans and documentation required to be submitted to the MMO for approval under Condition 8 of each of the deemed marine licences, the undertaker in respect of the relevant licence must provide a copy of the plans and documentation to the other undertaker under this Order.

(2) The other undertaker must provide any comments on the plans and documentation to the first undertaker within 14 days of receipt.

(3) Each undertaker must participate in liaison meetings with the other undertaker as requested from time to time by the MMO in writing in advance; and the meetings must be chaired by the MMO and must consider such matters as are determined by the MMO relating to the efficient operation of a deemed marine licence where it has an impact on the efficient operation of any other deemed marine licence.

Commencement Information

I18 Sch. 1 para. 18 in force at 7.9.2016, see [art. 1\(2\)](#)

Compensation compounds

19.—(1) The undertaker may exercise the powers conferred by this Order in relation to the compensation compounds shown coloured green on the compensation compounds plan only where—

- (a) the undertaker exercises, or intends to exercise, the powers conferred by this Order in relation to the Order land shown hatched green on the compensation compounds plan; and
- (b) sub-paragraph (4) applies.

(2) The undertaker may exercise the powers conferred by this Order only in relation to the compensation compound access coloured pink and labelled 14-A1c on the compensation compounds plan only where the undertaker exercises, or intends to exercise, the powers conferred by this Order in relation to the compensation compound shown coloured green and labelled 14-C3 on the compensation compounds plan in accordance with sub-paragraph (1).

Status: Point in time view as at 07/09/2016.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Hornsea Two Offshore Wind Farm Order 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (3) Where the undertaker exercises the powers conferred by this Order in relation to—
- (a) the compensation compounds shown coloured green on the compensation compounds plan in accordance with sub-paragraph (1); or
 - (b) the compensation compound access coloured pink and labelled 14-A1c on the compensation compounds plan in accordance with sub-paragraph (2),

those powers may be exercised only for the benefit of the Hornsea Project One undertaker in connection with the carrying out of works authorised by the Hornsea One Offshore Wind Farm Order 2014.

- (4) This sub-paragraph applies where—
- (a) the carrying out of works authorised by this Order in the Order land shown hatched green on the compensation compounds plan would overlap temporally with the carrying out of works authorised by the Hornsea One Offshore Wind Farm Order 2014 in that land; or
 - (b) works authorised by this Order in the Order land shown hatched green on the compensation compounds plan are carried out and completed before the works authorised by the Hornsea One Offshore Wind Farm Order 2014 in that land commence.

Commencement Information

I19 Sch. 1 para. 19 in force at 7.9.2016, see [art. 1\(2\)](#)

Onshore decommissioning plan

20.—(1) Within 3 months of the cessation of commercial operation of the connection works, an onshore decommissioning plan must be submitted to the local planning authority for its approval.

- (2) The decommissioning plan must be implemented as approved.

Commencement Information

I20 Sch. 1 para. 20 in force at 7.9.2016, see [art. 1\(2\)](#)

North Coates airfield

21. No part of the authorised development may be commenced within half a mile of the perimeter of the North Coates airfield until a plan to secure its safe operation during the construction and operation of the authorised development has been submitted to and approved by the Secretary of State following consultation with the operator of North Coates airfield and the Civil Aviation Authority.

Commencement Information

I21 Sch. 1 para. 21 in force at 7.9.2016, see [art. 1\(2\)](#)

Control of noise during operational phase

22.—(1) The combined rating level (L_{Ar,Tr}) of the noise emitted during normal operation from the electrical transmission station, converter and associated plant, must not exceed 35 decibels at any residential property that has planning permission on 1st December 2014.

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(2) The assessment must be carried out in accordance with BS 4142:2014 “Methods for rating and assessing industrial and commercial sound”(3).

Commencement Information

I22 Sch. 1 para. 22 in force at 7.9.2016, see [art. 1\(2\)](#)

Onshore co-operation

23.—(1) Before submitting any plan or document required to be submitted for approval under the Requirements, the undertaker in respect of the works to which the plan or document relates must provide a copy of the plan or document to the other undertaker under this Order.

(2) The other undertaker must provide any comments on the plan or document to the first undertaker within 14 days of receipt.

(3) On submission of any plan or document referred to in sub-paragraph (1) for approval, the undertaker in respect of the works to which the plan or document relates must also submit any comments received from the other undertaker under sub-paragraph (2) or a statement confirming that no such comments were received.

(4) Each undertaker must participate in liaison meetings with the other undertaker as requested from time to time by the local planning authority in writing in advance; and the meetings must be chaired by the local planning authority and must consider such matters as are determined by the local planning authority relating to the efficient construction and operation of the Project A works and the shared works above MLWS where they have an impact on the efficient construction and operation of the Project B works and the shared works above MLWS (and vice versa).

Commencement Information

I23 Sch. 1 para. 23 in force at 7.9.2016, see [art. 1\(2\)](#)

Intertidal access management plan

24.—(1) No part of the authorised development within the intertidal area may be commenced until an intertidal access management plan setting out details of the access routes to the intertidal area, the methods for accessing the intertidal area, the expected number of vehicles that will be accessing the intertidal area and the expected number of vehicle trips to the intertidal area required in relation to that part of the authorised development has been submitted to and approved by the local planning authority in consultation with Natural England.

(2) The undertaker must not exercise the power to maintain under article 7 (maintenance of authorised project) in the intertidal area until an intertidal access management plan setting out details of the access routes to the intertidal area, the methods for accessing the intertidal area, the expected number of vehicles that will be accessing the intertidal area and the expected number of vehicle trips to the intertidal area required for such maintenance activities has been submitted to and approved by the local planning authority in consultation with Natural England.

(3) If the local planning authority fails to notify the undertaker of its decision on whether to give approval within 2 months of receiving an intertidal access management plan for approval, the local planning authority is deemed to have given approval.

(3) The document is available from:

(4) The intertidal access management plan must be implemented as approved, unless otherwise agreed by the local planning authority.

Commencement Information

I24 Sch. 1 para. 24 in force at 7.9.2016, see [art. 1\(2\)](#)

Navigational safety at Saturn, Mimas and Tethys offshore platforms

25.—(1) No construction of any wind turbine generator forming part of the authorised development may 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 development.

(2) In this Requirement—

“appropriate mitigation” means measures to mitigate any adverse impacts which the operation of the authorised development will have on the ability of the operator’s radar early warning system to ensure the safety of its Saturn, Mimas and Tethys offshore platforms during the life of the authorised development;

“operator” means ConocoPhillips (U.K.) Limited (company number 00524868) or successor operator of any of the Saturn, Mimas or Tethys offshore platforms;

“radar early warning system” means the radar early warning system used to monitor and track vessels proximate to the operator’s offshore facilities via radio and network links (which is comprised primarily of radars fitted on a number of operator’s offshore platforms and provides a multi-site, multi-sensor integrated marine surveillance system with logistic and emergency response co-ordination facilities).

(3) The undertaker must comply with all obligations contained within the appropriate mitigation for the life of the authorised development.

Commencement Information

I25 Sch. 1 para. 25 in force at 7.9.2016, see [art. 1\(2\)](#)

Requirement for written approval

26. Where the approval, agreement or confirmation of the Secretary of State, the local planning authority or another person is required under a Requirement, that approval, agreement or confirmation must be given in writing.

Commencement Information

I26 Sch. 1 para. 26 in force at 7.9.2016, see [art. 1\(2\)](#)

Amendments to approved plans, etc.

27.—(1) Where a Requirement requires the authorised development to be carried out in accordance with a plan, scheme, code or details approved by the local planning authority or any other person (the “approved plan”), the approved plan must be taken to include any amendments that may subsequently be approved by the local planning authority or other person.

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(2) Any amendments to the approved plan must be in accordance with the principles and assessments set out in the environmental statement; and approval for such amendments may be given only where it has been demonstrated to the satisfaction of the local planning authority or other person that the amendments are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

(3) Where the approved plan is required to be approved after consultation with another person, any amendments may be approved only after consultation with that person.

Commencement Information

I27 Sch. 1 para. 27 in force at 7.9.2016, see [art. 1\(2\)](#)

Status:

Point in time view as at 07/09/2016.

Changes to legislation:

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