

## SCHEDULE 2

### Deemed licence under the Marine and Coastal Access Act 2009

## PART 1

### Licensed Marine Activities

#### Interpretation

1.—(1) In this licence—

“the 2004 Act” means the Energy Act 2004<sup>(1)</sup>;

“the 2008 Act” means the Planning Act 2008<sup>(2)</sup>;

“the 2009 Act” means the Marine and Coastal Access Act 2009<sup>(3)</sup>;

“Annex 1 Habitat” means such habitat as defined under the EU Council [Directive 92/43/EEC](#)<sup>(4)</sup> on the Conservation of Natural Habitats and of Wild Fauna and Flora;

“authorised deposits” means the substances and articles specified in paragraph 2(3);

“authorised scheme” means Work Nos. 1 and 2 and any associated development described in paragraph 2 of this licence or any part of those works but does not include works (c) or (d) in sub-paragraph (2) of paragraph 2 of this licence;

“cable armouring” means measures to protect cables and prevent loss of seabed sediment by use of grout bags, protective aprons, mattresses, flow energy dissipation (frond) devices or rock and gravel dumping;

“Cefas” means the Centre of Environment, Fisheries and Aquaculture Science;

“collector substation” means a platform (either singly or as part of a combined substation) with one or more decks housing or incorporating high voltage alternating current electrical switchgear and/or electrical transformers and other equipment to enable power from multiple WTGs to be collected and electronically converted for transmission including permanent accommodation for operations and maintenance staff, helicopter landing facilities, craneage, access equipment, J-tubes, marking and lighting, and other associated equipment and facilities;

“combined substation” means a single platform comprising a collector substation combined with either an HVDC substation or with a large HVDC substation;

“commence” means beginning to carry out any material operation (as defined in section 155 of the 2008 Act) forming part of the authorised project other than operations consisting of site clearance, archaeological investigations, environmental surveys, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions and “commencement” shall be construed accordingly;

“concrete monopile foundations” means a concrete or steel reinforced concrete pile, typically cylindrical, drilled into the seabed, and associated equipment including scour protection, J-tube, corrosion protection systems and access-related equipment;

“condition” means a condition in Part 2 of this licence and references in this licence to numbered conditions are to the conditions with those numbers in Part 2;

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(1) 2004 c. 20.

(2) 2008 c. 29.

(3) 2009 c. 23.

(4) OJ No L 206, 22.7.93, p7.

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“enforcement officer” means a person authorised to carry out enforcement duties under Chapter 3 of the 2009 Act;

“the environmental statement” means the document (Reference 05/01) certified as the environmental statement by the Secretary of State for the purposes of the Order and submitted with the application on 31 January 2012;

“gravity base foundation” means a structure principally of steel, concrete or steel and concrete which rests on the seabed either due to its own weight with or without added ballast or additional steel skirts and associated equipment including scour protection, J-tube, corrosion protection systems and access platforms and equipment;

“HVDC substation” means a platform (either singly or as part of a combined substation or linked by bridge to a collector substation) with one or more decks housing or incorporating high voltage direct current electrical switchgear and/or electrical transformers and other equipment to enable HVDC transmission to be used to convey the power output of the multiple WTGs to shore including permanent accommodation for operations and maintenance staff, helicopter landing facilities, craneage, access equipment, J-tubes, marking and lighting and other associated equipment and facilities;

“jacket foundation” means a metal jacket/lattice type structure constructed of steel or reinforced concrete which is fixed to the seabed at two or more points with driven or pre-installed piles or with suction cans and associated equipment including scour protection, J-tube, corrosion protection systems and access platforms and equipment;

“JNCC” means the Joint Nature Conservation Committee;

“the Kingfisher Fortnightly Bulletin” means the bulletin published by the Humber Seafood Institute or such other alternative publication approved in writing by the MMO for the purposes of this licence;

“large HVDC substation” means an HVDC substation (either singly or as part of a combined substation) whose maximum dimensions exceed those of an HVDC substation as set out in condition 3(3) in Part 2 of this licence;

“LAT” means lowest astronomical tide;

“licensed activities” means the activities specified in Part 1 of this licence;

“major storm event” means a greater than 1 in 10 year wave event within the Order limits seaward of MHWS in terms of wave height;

“the MMO” means the Marine Management Organisation” or the body created under the 2009 Act which is responsible for the monitoring and enforcement of this licence;

“MCA” means the Maritime and Coastguard Agency;

“mean high water springs” or “MHWS” means the highest level which spring tides reach on average over a period of time;

“meteorological station” means a lattice tower housing or incorporating equipment to measure wind speed and other wind characteristics, including a service platform housing electrical switchgear and communication equipment and associated equipment, oceanographic equipment and connecting cable to be sited within 300 metres of the mast, and marking and lighting;

“monopile foundation” means a concrete monopile foundation or a steel monopile foundation;

“notice to mariners” includes any notice to mariners which may be issued by the Admiralty, Trinity House, Queen’s harbourmasters, government departments and harbour and pilotage authorities;

“offshore substation” means either a collector substation or HVDC substation;

“the Order” means the Triton Knoll Offshore Wind Farm Order 2013;

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“the Order limits” means the limits shown on the Works plan as the limits within which the authorised scheme may be carried out, whose grid coordinates are set out in paragraph 2(2) of Part 1 of this licence;

“scour protection” means measures to prevent loss of seabed sediment around foundation bases by use of protective aprons, mattresses, flow energy dissipation (frond) devices or rock and gravel dumping;

“steel monopile foundation” means a steel pile, typically cylindrical, driven and/or drilled into the seabed and associated equipment including scour protection, J-tube, corrosion protection systems and access platforms and equipment;

“suction bucket monopod foundation” means a tubular metal structure which partially penetrates the seabed and remains in place using its own weight and a hydrostatic pressure differential and associated equipment, including scour protection, bracing, J-tube, corrosion protection systems and access platforms and equipment;

“suction can” means a large diameter steel cylinder which is fixed to the base of the foundation and partially penetrates the seabed and remains in place using its own weight and hydrostatic pressure differential;

“Trinity House” means The Corporation of Trinity House of Deptford Strond;

“tripod foundation” means a metal jacket/lattice type structure consisting of three main legs linked by cross-braces supporting a single central support for the transition piece and turbine, constructed of steel or reinforced concrete which is fixed to the seabed with driven or pre-installed piles or suction cans, and associated equipment including scour protection, J-tube, corrosion protection systems and access platforms and equipment;

“undertaker” means Triton Knoll Offshore Wind Farm Limited;

“vessel” means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle and any other thing constructed or adapted for movement through, in, on or over water and which is at the time in, on or over water;

“wind turbine generator” or “WTG” means a structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tubes, transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation;

“the Works plan” means the plan submitted with the application (02/03/v3 dated 11 December 2012) and certified as the Works plan by the Secretary of State for the purposes of the Order.

(2) Unless otherwise indicated, in this licence —

- (a) all times shall be taken to be Greenwich Mean Time (GMT);
- (b) all co-ordinates shall be taken to be latitude and longitude degrees and minutes to two decimal places.

(3) Except where otherwise notified in writing by the relevant organisation, the primary point of contact with the organisations listed below and the address for returns and correspondence shall be—

- (a) Marine Management Organisation
  - Offshore Licensing Team
  - Lancaster House
  - Hampshire Court
  - Newcastle Business Park
  - Newcastle upon Tyne

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NE4 7YH

Tel: 0300 123 1032;

(b) Trinity House

Tower Hill

London

EC3N 4DH

Tel: 020 7481 6900;

(c) The United Kingdom Hydrographic Office

Admiralty Way

Taunton

Somerset

TA1 2DN

Tel: 01823 337 900;

(d) Marine and Coastguard Agency

Navigation Safety Branch

Bay 2/04

Spring Place

105 Commercial Road

Southampton

SO15 1EG

Tel: 023 8032 9191;

(e) Centre of Environment, Fisheries and Aquaculture Science

Pakefield Road

Lowestoft

Suffolk

NR33 0HT

Tel: 01502 562 244;

(f) Natural England

Foundry House

3 Millsands

Riverside Exchange

Sheffield

S3 8NH

Tel: 0300 060 4911;

(g) JNCC

Inverdee House

Baxter Street

Aberdeen

AB11 3EH

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Tel: 01224 266550;

(h) English Heritage  
Eastgate Court  
195-205 High Street  
Guildford  
GU1 3EH

Tel: 01483 252 057.

(4) For information only, the details of the local MMO office to the authorised scheme are—  
Marine Management Organisation – Lowestoft District Office

Pakefield Road

Lowestoft

Suffolk

NR33 0HT

Tel: 01502 573 149.

#### Details of licensed marine activities

2.—(1) Subject to the licence 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) of the 2009 Act,—

- (a) the deposit at sea of the substances and articles specified in sub-paragraph (3);
- (b) the construction of works set out in sub-paragraph (2) in or over the sea and/or on or under the seabed;
- (c) the removal of sediment samples for the purposes of informing environmental monitoring under this licence during pre-construction, construction and operation; and
- (d) the disposal of up to 1,058,968 metres<sup>3</sup> of inert material of natural origin produced during the drilling installation of monopiles or jacket pin foundations within the Order Limits to the extent assessed in the environmental statement.

(2) The works referred to in sub-paragraph (1)(b) comprise—

*Work No. 1* — an offshore wind turbine generating station with a gross electrical output capacity of up to 1200 MW comprising up to 288 wind turbine generators each fixed to the seabed by one of five foundation types (namely, monopile, jacket, tripod, suction bucket monopod or gravity base foundation), fitted with rotating blades and situated within the coordinates for the Order limits shown on the Works plan and specified below, and further comprising (a) to (c) below—

#### Coordinates for the Order limits (Datum: WGS 84)

<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>	<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>
1	53° 29' 12.732" N	0° 41' 28.839" E	2	53° 31' 42.626" N	0° 42' 58.367" E
3	53° 32' 16.234" N	0° 51' 40.692" E	4	53° 24' 31.248" N	0° 59' 39.385" E
5	53° 24' 31.234" N	0° 56' 1.766" E			

- (a) up to 4 collector substations fixed to the seabed by jacket or monopile foundations within the Order limits;

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- (b) up to 4 meteorological stations fixed to the seabed by monopile, jacket, tripod, suction bucket monopod or gravity base foundations within the Order limits;
- (c) a network of cables laid underground within the Order limits between the wind turbine generators, the meteorological stations, any collector substation and Work No. 2, for the transmission of electricity and electronic communications between these different structures, including one or more cable crossings;

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

*Work No. 2* — up to 4 HVDC substations or up to 2 large HVDC substations fixed to the seabed by gravity, jacket or monopile foundations, within the Order limits;

and in connection with such Work Nos. 1 to 2, to the extent that they do not otherwise form part of any such work—

- (a) further associated development within the Order Limits comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised scheme within the scope of the work assessed by the environmental statement; and
- (b) works comprising—
  - (i) temporary landing places, or other means of accommodating vessels in the construction and/or maintenance of the authorised scheme; and
  - (ii) buoys, beacons, fenders and other navigational warning or ship impact protection works.

(3) The substances or articles authorised for deposit at sea are—

- (a) iron/steel;
- (b) stone and rock;
- (c) concrete;
- (d) sand and gravel;
- (e) plastic/synthetic;
- (f) material extracted from within the offshore Order limits during construction drilling; and
- (g) marine coatings, other chemicals and timber.

**3.** This licence shall remain in force until the authorised scheme has been decommissioned in accordance with a programme approved by the Secretary of State under section 106 of the 2004 Act, including any modification to the programme under section 108, and the completion of such programme has been confirmed by the Secretary of State in writing.