

SCHEDULE 2

Deemed marine licence under the Marine and Coastal Access Act 2009 – generation assets

PART 2

Conditions

Pre-construction plans and documentation

10. No part of the works at paragraph 2(2) of Part 1 (licensed marine activities) of this licence shall commence until the following (as relevant to that part) have been submitted to and approved in writing by the MMO—

- (a) a design plan at a scale of between and including 1:25,000 and 1:50,000, including detailed representation on the most suitably scaled admiralty chart, to be agreed in writing with the MMO in consultation with Trinity House and the MCA which shows—
 - (i) the indicative proposed layout and location and choice of foundation of all wind turbine generators;
 - (ii) the height to the tip of the vertical blade; height to the centreline of the generator shaft forming part of the hub; rotor diameter and spacing of all wind turbine generators;
 - (iii) the length and arrangement of all cables comprising Work No. 1(b);
 - (iv) the dimensions of all gravity base foundations;
 - (v) the dimensions of all jacket foundations;
 - (vi) the dimensions of all steel monopile foundations;
 - (vii) in plan form, the indicative programming of particular works as set out in the indicative construction programme to be provided under sub-paragraph (b)(iv);
 - (viii) any exclusion zones or micro-siting requirements identified in any mitigation scheme pursuant to sub-paragraph (j);
 - (ix) any archaeological exclusion zones identified under sub-paragraph (h)(iv);to ensure conformity with the description of Work No. 1 and compliance with conditions 1 to 4 above;
- (b) a construction and monitoring programme to include details of—
 - (i) the proposed construction start date;
 - (ii) proposed timings for mobilisation of plant, delivery of materials and installation works;
 - (iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction monitoring and related reporting in accordance with sub-paragraph (h), and conditions 14, 15 and 16. The pre-construction survey programme and all pre-construction survey methodologies shall be submitted to the MMO for written approval by the MMO in consultation with Natural England at least four months prior to the start of any survey works detailed within; and
 - (iv) an indicative written construction programme for all wind turbine generators and cables comprised in the works at paragraph 2(2) of Part 1 (licensed marine activities) of this licence (insofar as not shown in (b) above);
- (c) a construction method statement in accordance with the construction methods assessed in the environmental statement and including details of—

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- (i) drilling methods and disposal of drill arisings;
 - (ii) WTG location and installation, including scour protection;
 - (iii) cable installation;
 - (iv) contractors;
 - (v) vessels and vessels transit corridors;
 - (vi) associated works; and
 - (vii) proposed mitigation measures;
- (d) a project environmental management and monitoring plan to include details of—
- (i) a marine pollution contingency plan to address the risks, methods and procedures to deal with any spills and collision incidents during construction and operation of the authorised scheme in relation to all activities carried out;
 - (ii) a chemical risk assessment to include information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance;
 - (iii) waste management plan and disposal arrangements; and
 - (iv) the appointment and responsibilities of a fisheries liaison officer and an environmental liaison officer;
- (e) a scour protection management and cable armouring plan providing details of the need, type, sources, quantity and installation methods for scour protection and cable armouring for cable crossings;
- (f) in the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol to be agreed in writing with the MMO in consultation with Natural England and following current best practice as advised by the statutory nature conservation agencies, to include—
- (i) identification of a Marine Mammal Monitoring Zone (MMMZ);
 - (ii) appointment of an appropriate number of suitably qualified marine mammal observer(s);
 - (iii) methods for the detection of marine mammals within the MMMZ whether visually (by the marine mammal observer(s)) or acoustically using passive acoustic monitoring equipment or other means of detection;
 - (iv) a reporting methodology to enable efficient communication between the marine mammal observer(s) and the person responsible for approving commencement of piling;
 - (v) an appropriate soft start procedure whereby piling activities do not commence until an agreed time has elapsed and during which marine mammals have not been detected within the MMMZ;
 - (vi) where appropriate, methods for the application of acoustic deterrent devices;
- (g) a cable specification and installation plan to be agreed in writing by the MMO, and to include—
- (i) technical specification of the offshore cables including a desk-based assessment of attenuation of electro-magnetic field strengths, shielding and cable burial depth in accordance with industry good practice; and
 - (ii) a detailed cable laying plan, incorporating a burial risk assessment to ascertain suitable burial depths and cable laying techniques;

- (h) a written scheme of archaeological investigation (WSI) in relation to the Order limits in accordance with industry best practice and to be approved in writing by the MMO in consultation with English Heritage to include—
 - (i) details of responsibilities of the undertaker, archaeological consultant and contractor;
 - (ii) a methodology for any further site investigation including any specifications for geophysical, geotechnical and diver or remotely operated vehicle investigations;
 - (iii) analysis and reporting of survey data, and timetable, which is to be submitted to the MMO within four months of any survey being completed;
 - (iv) delivery of any mitigation including, where necessary, archaeological exclusion zones including all spatial data for the extent and location of archaeological exclusion zones;
 - (v) monitoring during and post construction, including a conservation programme for finds;
 - (vi) archiving of archaeological material, inclusive of any completed and agreed archaeological reports produced through the WSI which are to be deposited by the undertaker within a public archive in accordance with the OASIS (Online Access to the Index of archaeological investigations) system; and
 - (vii) a reporting and recording protocol, including reporting of any wreck or wreck material during construction, operation and decommissioning of the authorised scheme;
- (i) a vessel traffic management plan during construction and operation of the authorised scheme, to include vessel routing for any vessels operating from the Port of Barrow such that all such vessels avoid the area of the Liverpool Bay SPA plus a 2 kilometre buffer from the boundary of the SPA during the period October to March and in the area north of grid reference 53.683333 (DD, WGS 1984) in order to avoid the disturbance of wintering aggregations of common scoter at, and in the vicinity of, the Shell Flat;
- (j) a mitigation scheme for any Annex 1 features identified by the survey referred to in condition 14(2)(a).