

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Awel y Môr Offshore
Windfarm Ltd

Company Number 12270928

Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire
SN5 6PB

Connection between the Awel y Môr
Offshore Windfarm and Gwynt y Môr
Offshore Windfarm

Licence Number:
ORML2233L

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Installation of subsea cables between the Awel y Môr Offshore Windfarm and the Gwynt y Môr Offshore Windfarm

Marine Licence number: ORML2233L

Introductory note

This introductory note does not form a part of the marine licence

The main features of the marine licence are as follows.

Installation of subsea cables between the Awel y Môr Offshore Windfarm and the Gwynt y Môr Offshore Windfarm

The status log of the marine licence sets out the marine licence history, including any subsequent marine licence variation(s)

Status log of this marine licence		
Description	Date	Comments
Application	Duly made on 20 June 2022	Application received and considered to be duly made
Date licence determined	15 November 2023	Determination date

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
ORML2233T	Issued 15 November 2023	Marine Licence for the transmission asset of the Awel y Môr offshore windfarm project
ORML2233G	Issued 15 November 2023	Marine Licence for the generating assets of Awel y Môr offshore windfarm
ORML2233C	Issued 15 November 2023	Marine Licence for directional drilling and cable laying under the Clwyd Estuary.

End of introductory note.

Licence Number: ORML2233L

MARINE LICENCE, NUMBER ORML2233L

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **ORML2233** and duly made on **20 June 2022** and authorises the Licence Holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009, (2009 Act). This licence should be interpreted in accordance with **Section 4**.

1.2 Licence Holder

The Licence Holder is the company set out below:

Company name: Awel y Môr Offshore Windfarm Ltd

Company number: 12270928

Address: Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, SN5 6PB

1.3 Licence Validity

Licence Start Date	15 November 2023
Licence End Date	31 December 2065
Licence Issue Date	15 November 2023

1.4 Conditions

This licence is subject to the conditions set out in **Section 3**.

Signed:



Dr. Emmer Litt – Marine Licensing Team Leader

For and on behalf of the Licensing Authority

Licence Number: ORML2233L

2 LICENSED ACTIVITIES

2.1 Project

Installation, maintenance and decommissioning of subsea cables between the Awel y Môr Offshore Windfarm and the Gwynt y Môr Offshore Windfarm including alteration to the existing scour protection, cable protection and cable crossings.

The following Licensed Activities can be conducted within the Licence Period, within the Licensed Area and in accordance with the Approved Application and the Approved Supporting Documents:

Table 1 Licensed Activities

Activity 1 Installation, maintenance and decommissioning of subsea cables between Awel y Môr Offshore Windfarm and the Gwynt y Môr Offshore Windfarm	
Type of Licensed Activity	Deposit/Removal/Construction
Description	<p>Installation, maintenance and decommissioning of subsea cables between the Awel y Môr Offshore Windfarm and the Gwynt y Môr Offshore Windfarm including alteration to the existing scour protection, cable protection and cable crossings.</p> <p>In connection with the above, the following licensable activities may be carried out in line with the scope assessed in the Environmental Statement:</p> <ul style="list-style-type: none">• cable protection measures such as rock placement and the placement of rock and/or concrete mattresses, with or without frond devices• cable installation seabed preparation including pre-lay grapnel runs, sandwave and boulder clearance, and Mass or Controlled Flow Excavation.• creation and use of temporary vessel laydown areas• removal of static fishing equipment• marking buoys and lighting.
Material types to be removed or deposited	(a) iron and steel, copper and aluminium (b) stone and rock (c) concrete (d) sand and gravel

Licence Number: ORML2233L

	(e) plastic and synthetic (f) material extracted during cable installation preparation works (g) marine coatings, other chemicals and timber
Quantities/Dimensions	The offshore works must be constructed in accordance with the parameters assessed in the Environmental Statement, as detailed within Category 6: Environmental Statement <i>Volume 2, Chapter 1 : Offshore Project Description Revision B</i> submitted 31 May 2022; <i>Marine Licence Parameters Revision A</i> document dated 30 January 2023, and as set out in Appendix 1.
Activity 2 Ground investigation works	
Type of Licensed Activity	Removal
Description	The removal of sediment samples for the purposes of informing environmental monitoring under this licence during pre-construction, construction, operation and decommissioning in line with the approved Environmental Monitoring Plan detailed in condition 3.28
Material types to be removed or deposited	Seabed sediment - Stone/rock/sand/gravel
Activity 3 Removal of accidentally dropped objects pursuant to condition 3.7	
Type of Licensed Activity	Removal
Description, material types and quantities/dimensions	As approved by the Licensing Authority under condition 3.7

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 seaward of the north-east coast of Wales bounded by the coordinates specified in Table 2 and as indicated in the plan attached at Appendix 2:

Table 2 Coordinates

Latitude	Longitude
53.4563	-3.6777
53.4547	-3.6735
53.4559	-3.6655
53.4512	-3.6622
53.4493	-3.6569
53.4504	-3.6494
53.4453	-3.6450

Licence Number: ORML2233L

53.4446	-3.6435
53.4436	-3.6381
53.4407	-3.6246
53.4387	-3.6215
53.4364	-3.6212
53.4341	-3.6244
53.4312	-3.6263
53.4279	-3.6536
53.4320	-3.6641
53.4326	-3.6657
53.4332	-3.6673
53.4331	-3.6691
53.4331	-3.6710
53.4333	-3.6728
53.4336	-3.6745
53.4276	-3.7100
53.4217	-3.7460
53.4326	-3.7983
53.4452	-3.8592
53.4452	-3.8592
53.4452	-3.8592
53.4452	-3.8592
53.4454	-3.8592
53.4455	-3.8593
53.4455	-3.8593
53.4459	-3.8593
53.4666	-3.8598
53.4714	-3.8599
53.4744	-3.8600
53.4847	-3.8603
53.4863	-3.8603
53.4880	-3.8604
53.4907	-3.6105
53.4853	-3.6269
53.4783	-3.6467
53.4754	-3.6550
53.4681	-3.6756
53.4615	-3.6818
53.4614	-3.6818
53.4563	-3.6777

In the event of any discrepancy between the coordinates set out above and the plan attached at Appendix 2, the coordinates shall take precedence.

2.3 Approved Supporting Documents

Title/Description of Document	Date Submitted
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Licence Number: ORML2233L

Marine Licence Application Form Final update - 160622	17 June 2022
Category 6: Environmental Statement Volume 2, Chapter 1 : Offshore Project Description Revision B	31 May 2022
Marine Licence Plan Area Maps – Document Reference ML-2.13	31 May 2022
Schedule of Mitigation and Monitoring Deadline 8 Date 15 March 2023 Revision G. Document Reference 8.12	22 March 2023
Marine Licence Parameters Revision A	30 January 2023
Category 6: Environmental Statement Volume 4 Annex 9.1 Navigational Risk Assessment	31 May 2022

Licence Number: ORML2233L

3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1 The Licence Holder must notify the Licensing Authority no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.2 The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.3 The Licence Holder must ensure that local mariners and fishermen's organisations, HM Coastguard and UKHO are made fully aware of the Licensed Activities through local notices to mariners **10 days** prior to the commencement of the Licensed Activities, or an individual phase of the Licensed Activities is expected to commence. The notice should detail the start date of the works and expected vessel routes from the port to the location.
- 3.1.4 The Licence Holder must ensure that local notifications to marine users are updated and reissued at weekly intervals while construction activities are ongoing and at least **5 days** before any planned operations and maintenance works. This must be supplemented with VHF radio broadcasts agreed with the Maritime and Coastguard Agency.
- 3.1.5 The Licence Holder must notify The Kingfisher Information Service of Seafish no less than **14 days** prior to the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence. The notice should detail the start date of the works and expected vessel routes from the port to the location.

3.2 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Licensed Activities are submitted to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of the Licensed Activities.

3.3 Notification of Agents/Contractors/Sub-contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority at least **24 hours** prior to the commencement of Licensed Activities.

3.4 Notification of HM Coastguard

The Licence Holder must ensure that HM Coastguard is made aware of the Licensed Activities at least **24 hours** prior to commencement by contacting The National

Licence Number: ORML2233L

Maritime Operations Centre at zone32@hmcg.gov.uk and renewables@hmcg.gov.uk.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

3.6 Notification of Completion

3.6.1 The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities, or an individual phase of the Licensed Activities.

3.6.2 The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities, or an individual phase of the Licensed Activities.

3.6.3 The Licence Holder must notify the UK Hydrographic Office of the Licensed Area and the Licensed Activities within **10 days** of the completion of the Licensed Activities or an individual phase of the Licensed Activities.

3.6.4 The Licence Holder must notify The Kingfisher Information Service of Seafish as soon as reasonably practicable and no later than **24 hours** after completion of the Licensed Activities or an individual phase of the Licensed Activities.

3.7 Accident or Emergency

3.7.1 If, by reason of force majeure any substances or articles are deposited otherwise than as permitted as part of the Licensed Activities or in the Licensed Area full details of the circumstances shall be notified to the Licensing Authority, Trinity House and the Maritime and Coastguard Agency within **48 hours** of the incident occurring.

3.7.2 If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

3.7.3 The Licence Holder must submit a Dropped Object Plan (DOP) to the Licensing Authority for written approval at least **4 months** prior to commencement of Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.7.4 The Licence Holder must ensure that any actions outlined in the DOP detailed in condition 3.7.3 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the action outlined in

Licence Number: ORML2233L

the document must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority under condition 3.3 and
- The Masters of any vessels and transport managers responsible for the vehicles employed in accordance with this Licence whose details have been submitted to the Licensing Authority under condition 3.2.

3.9 Inspection of Documents

Copies of this Licence shall be made available at the following locations:

- at the address of the Licence Holder specified in section 1.2;
- at any site office, located at or adjacent to the Licensed Area, used by the Licence Holder or its agent(s), contractor(s) or sub-contractor(s) responsible for the loading transportation or deposit of any substances or articles permitted as part of the Licensed Activities;
- on board each vessel or vehicle carrying out Licensed Activities.

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Vessels, Plant and Equipment

3.10 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or vehicles whose details have been notified to the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) in writing prior to any such agent, contractor, subcontractors or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

3.11 Equipment, Structures and Access

The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the Licensed Activities are removed on completion of the Licensed Activities.

Safety

3.12 Removal of Deposited Material

Licence Number: ORML2233L

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit specified by the Licensing Authority or Marine Enforcement Officers within one month of notice being given by the Licensing Authority, or as otherwise agreed, and shall not replace such material until the Licensing Authority has given its written approval.

Pollution control

3.13 Pollution Prevention

The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number **0300 065 3000**.

3.14 Spillage of Pollutants

The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. Secondary containment must be used with a capacity of **no less than 110%** of the container's storage capacity

3.15 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine environment. Such material must be removed immediately and be disposed of appropriately.

Activity-specific Conditions

3.16 Project Parameters

3.16.1 The Licence Holder must ensure the Licensed Activities fall within the parameters detailed within Category 6: Environmental Statement *Volume 2, Chapter 1: Offshore Project Description Revision B* submitted 31 May 2022, detailed within *Marine Licence Parameters Revision A* document dated 30 January 2023, and as set out in Appendix 1.

3.17 Cable Specification and Installation Plan

3.17.1 The Licence Holder must submit a Cable Specification and Installation Plan (CSIP) to the Licensing Authority for written approval at least **4 months** prior to commencement of the cable construction and deposit works outlined in Table 1 or an individual phase of cable construction and deposit work. No deposit of cable and cable protection may be undertaken prior to written agreement from the Licensing Authority. The CSIP must include the following information unless otherwise approved by the Licensing Authority (parameter envelopes should be provided if necessary).

- i. Technical specifications;
- ii. Location, including outlines of cable crossings, burial, and surface laid sections;
- iii. Timings, including duration of works;

- iv. Burial risk assessment to ascertain burial depths and cable laying techniques including cable protection. The assessment should identify any cable protection that exceeds 5% of navigable depth referenced to chart datum. In the event that any area of cable protection exceeding 5% of navigable depth is identified, the details of any steps to be taken to ensure existing and future safe navigation is not compromised, should be presented;
- v. Proposed locations, types, and quantities of cable protection to be deposited;
- vi. Installation and cable laying techniques;
- vii. Cable crossing armouring methodology;
- viii. Installation machinery failure contingency plan;
- ix. Transport management plan;
- x. Location, type, and quantity of any wet-stored cabling and/or cable protection and the proposed duration of the wet storage;
- xi. Proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised scheme which includes a risk based approach to the management of unburied or shallow buried cables, and
- xii. Specific consideration to be given to the choice of cable protection material that can be demonstrated to maximise environmental biodiversity benefits, whilst meeting technical need.

3.17.2 The Licence Holder must ensure that any actions outlined in the CSIP detailed in condition 3.17.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.18 Programme of Works

3.18.1 The Licence Holder must submit a Programme of Works for each individual phase of the Licensed Activities to the Licensing Authority for written approval at least **4 months** prior to commencement. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.18.2 The Programme of Works for each individual phase of the Licensed Activities must include:

- i. The planned timetable for each of the Licensed Activities.
- ii. A plan for notifying the Licensing Authority, Maritime and Coastguard Agency and Trinity House of the commencement and completion of each phase of licensed activities and of any changes to the planned timetable.
- iii. A full list of materials to be deposited and removed from the marine environment

3.18.3 The Licence Holder must ensure that any actions outlined in the Programme of Works detailed in condition 3.18.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and

Licence Number: ORML2233L

approved in writing by the Licensing Authority prior to any changes being enacted.

3.19 Operations and Maintenance Plan (OMP)

3.19.1 The Licence Holder must submit a OMP to the Licensing Authority for written approval at least **4 months** prior to operation. Operation may not commence prior to written approval from the Licensing Authority. The OMP must include detail of the methodology for operation and maintenance of infrastructure, and must include a timescale for the periodic review of the document.

3.19.2 The Licence Holder must ensure that any actions outline in the OMP detailed in condition 3.19.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.20 Installed Cable Report

3.20.1 The Licence Holder must provide to the Licensing Authority the following information within **4 months** of completion of the Licensed Activities for written approval:

- i. The final locations (in WGS84) and technical specifications of the cables;
- ii. The final locations (in WGS84) of buried and surface-laid sections of the cables;
- iii. The final locations (in WGS84), types, and quantities of cable protection used, deposited, or installed, and
- iv. Identification of potential dangers to navigation.

3.20.2 In the event that any potential danger to navigation is identified following the completion of the Licensed Activities, the Licence Holder must propose measures to ensure the safety of navigation in writing to the Licensing Authority for written approval. The measures must be implemented as approved by the Licensing Authority.

3.21 Project Environmental and Management Plan (PEMP)

3.21.1 The Licence Holder must submit a PEMP to the Licensing Authority for written approval at least **6 weeks** prior to commencement of the Licensed Activities. The PEMP must include a Marine Pollution Contingency Plan. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.21.2 The Licence Holder must ensure that any actions outlined in the PEMP detailed in condition 3.21.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.22 Lighting and Marking

Licence Number: ORML2233L

- 3.22.1** The Licence Holder must submit a Lighting and Marking Plan to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority. The Lighting and Marking Plan must consider all stages of the Licensed Activities and provide details on location and specification of all infrastructure and aspects of the Project, navigation lights and marking of infrastructure, in addition to any additional aids to navigation required.
- 3.22.2** The Licence Holder must ensure that any actions outlined in the Lighting and Marking Plan detailed in condition 3.22.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.
- 3.22.3** The Licence Holder must provide reports to Trinity House on the availability of aids to navigation in accordance with the frequencies set out in the Lighting and Marking Plan using the reporting system provided by Trinity House.
- 3.22.4** The Licence Holder must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning, notify the Licensing Authority and Trinity House of any failure of the aids to navigation and the timescales and plans for remedying such failures, as soon as possible and no later than **24 hours** following the undertaker becoming aware of any such failure.
- 3.22.5** The Licence Holder must ensure that the Licensed Activities exhibit such lights, marks, sounds, signals and other aids to navigation and to take such steps for the prevention of danger to navigation as directed by Trinity House.

3.23 Navigational Safety

- 3.23.1** The Licence Holder must ensure a regular programme of monitoring of structure condition. In case of damage, destruction or decay of any structure or part of a structure, excluding the exposure of cables, the Licence Holder shall, as soon as possible and no later than **24 hours** after becoming aware of such damage, destruction or decay, notify Trinity House, Maritime and Coastguard Agency, Kingfisher Information Service or Seafish, UKHO and the Licensing Authority.
- 3.23.2** In the event of buried cables becoming exposed on or above the seabed, the Licence Holder must issue a notice to mariners and notify the Kingfisher Information Service of the location and extend of exposure no later than **3 days** following its identification. Copies of all said notices must be provided to the Licensing Authority, Trinity House and Maritime and Coastguard Agency within **5 days**.

Licence Number: ORML2233L

3.23.3 No part of the Licensed Activities may commence prior to written approval from the Licensing Authority in consultation with the MCA that a Search and Rescue checklist has been agreed and is in place in line the requirements of MGN654 "Offshore Renewable Energy Installations *OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response (or any successor document)

3.24 Depth Reduction

The Licence Holder must ensure that any depth reductions resulting from cable protection activity do not compromise safe navigation and that there is no more than 5% reduction in surrounding depth referenced to Chart Datum at any location within the Licensed Area without prior written approval from the Licensing Authority.

3.25 Offshore Construction Method Statement (CMS)

3.25.1 The Licence Holder must submit a CMS to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.25.2 The Licence Holder must ensure that any actions outlined in the CMS detailed in condition 3.25.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.26 Biosecurity Plan

3.26.1 The Licence Holder must submit a Biosecurity Plan to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.26.2 The Licence Holder must ensure that any actions outlined in the Biosecurity Plan detailed in condition 3.26.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.27 Vessel Traffic Management Plan

3.27.1 The Licence Holder must submit a Vessel Traffic Management Plan to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.27.2 The Licence Holder must ensure that any actions outlined in the Vessel Traffic Management Plan detailed in condition 3.27.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.28 Environmental Monitoring Plan

3.28.1 The Licence Holder must submit an Environmental Monitoring Plan (EMP) including the specification of the Pre-construction, construction and Post construction Monitoring to the Licensing Authority for written approval. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

The EMP must include but not limited to, specification for:

- i. monitoring, including methodologies and timings;
- ii. physical and ecological pre- and post- construction monitoring surveys to take place across the construction area;
- iii. monitoring surveys designed to ensure minimal disturbance to, and loss of key benthic habitats and species during the construction including the identification of areas for micro-sitting where possible;
- iv. underwater noise monitoring to measure noise generated from piled foundations;
- v. ornithological monitoring plan, and
- vi. timetable for related reporting

3.28.2 The Licence Holder must ensure that any actions outlined in the EMP detailed in condition 3.28.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.28.3 The pre-construction monitoring EMP required under condition 3.28.1 must be submitted to the Licensing Authority for written approval at least **4 months** before surveys commence.

3.28.4 The construction monitoring EMP required under condition 3.28.1 must be submitted to the Licensing Authority for written approval at least **4 months** prior to construction.

3.28.5 The post construction monitoring EMP required under condition 3.28.1 must be submitted to the Licensing Authority for written approval at least **4 months** prior to operation.

3.28.6 The Licence Holder must submit environmental monitoring reports for approval to the Licensing Authority in accordance with the timetable approved within the Environmental Monitoring Plan.

3.29 Scour Protection Management Plan

Licence Number: ORML2233L

- 3.29.1** The Licence Holder must submit a Scour Protection Management Plan to the Licensing Authority for written approval at least **4 months** prior to commencement of any Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.29.2** The Licence Holder must ensure that any actions outlined in the Scour Protection Management Plan detailed in condition 3.29.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.30 Marine Archaeology

- 3.30.1** The Licence Holder must submit a Protocol for Archaeological Discoveries (PAD) to the Licensing Authority for written approval at least **4 months** prior to commencement of any Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.30.2** The Licence Holder must ensure that any actions outlined in the PAD detailed in condition 3.30.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.
- 3.30.3** The Licence Holder must submit an Offshore Written Scheme of Investigation (Offshore WSI) to the Licensing Authority for written approval at least **4 months** prior to commencement of any Licensed Activities or an individual phase of Licenced Activities. The Offshore WSI must be in accordance with the outline Offshore WSI (Application Reference 8.3 Outline Offshore Archaeological Written Scheme of Investigation). No Licensed Activities may be undertaken prior to written approval from the Licensing Authority. The Offshore WSI must detail the archaeological assessment and mitigation works offshore and within the inter-tidal area including providing the position and extent of Archaeological Exclusion Zones and establish methods for their monitoring.
- 3.30.4** The Licence Holder must ensure that any actions outlined in the Offshore WSI detailed in condition 3.30.3 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.31 Fisheries Co-Existence and Liaison Plan

- 3.31.1** The Licence Holder must submit a Fisheries Co-Existence and Liaison Plan to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities or an individual phase

Licence Number: ORML2233L

of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.31.2 The Licence Holder must ensure that any actions outlined in the Fisheries Co-Existence and Liaison Plan detailed in condition 3.31.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.32 Chemical Risk Assessment (CRA)

The Licence Holder must produce and implement a CRA report. The Licence Holder must ensure that the CRA report is available for inspection at all reasonable times at the location detailed in paragraph 3.9 by the Licensing Authority and/or Marine Enforcement Officers.

The CRA must include details of:

- i. how and when chemicals are used, stored and transported;
- ii. best practice guidelines for the equipment/techniques used, and
- iii. an assessment of the integrity of the equipment and the risk of spills.

3.33 Navigation Monitoring Specification

3.33.1 The Licence Holder must ensure that a Navigation Monitoring Specification for construction and post construction navigation monitoring survey is submitted to the Licensing Authority for written approval at least **4 months** prior to commencement of any Licensed Activities or an individual phase of Licenced Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority. Unless otherwise approved by the Licensing Authority, the Navigation Monitoring Specification must include:

- i. Detailed swath bathymetric survey to IHO Order 1a of the Licensable Area extending to appropriate buffer around the site.
- ii. All proposed cable routes.
- iii. Vessel traffic monitoring by automatic identification system (AIS) for the duration of the construction period and for three consecutive years following the completion of the construction of the authorised project, unless otherwise agreed with the Licensing Authority.
- iv. Detail of the programme/timetable of monitoring and reporting.
- v. Proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised scheme which includes a risk based approach to the management of unburied or shallow buried cables.
- vi. Compliance with MGN 654 (Safety of Navigation: Offshore Renewable Energy Installations (OREIs) - Guidance on UK Navigational Practice, Safety and Emergency Response), (or

Licence Number: ORML2233L

any successor document) and its supporting 'Hydrographic Guidelines for Offshore Renewable Energy Developer including the submission of full density data and reports to the Maritime and Coastguard Agency and the UK Hydrographic Office for the update of nautical charts and publications.

- 3.33.2** The Licence Holder must ensure that any actions outlined in the Navigation Monitoring Specifications detailed in condition 3.33.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.
- 3.33.3** The Licence Holder must submit a report to the Licensing Authority for written approval in line with timetable agreed in the Navigation Monitoring Specification.
- 3.33.4** In accordance with condition 3.33.1, the Licence Holder must complete hydrographic surveys of the Licensed Area, or subsections thereof, to the IHO Order 1a survey standard. On completion of these surveys the results and corresponding report of survey must be submitted to the UK Hydrographic Office, with notification to the Maritime and Coastguard Agency.

3.34 Decommissioning Programme

- 3.34.1** The Licence Holder must submit a Decommissioning Programme for the approval of the Licensing Authority at least **4 months** prior to commencement of any Licensed Activities or an individual phase of Licensed Activities.
- 3.34.2** The Decommissioning Programme must include a timetable and decommissioning method statement. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.34.3** The Licence Holder must review and submit an updated Decommissioning Programme for the approval of the Licensing Authority at least **4 months** prior to any decommissioning work taking place. No decommissioning work can take place prior to written approval from the Licensing Authority.
- 3.34.4** The Licence Holder must ensure that any actions outlined in the Decommissioning Programme detailed in condition 3.34.3 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.
- 3.34.5** The Licence Holder must ensure that all structures and cables are decommissioned prior to the Licence End Date unless otherwise approved by the Licensing Authority.

Licence Number: ORML2233L

3.34.6 Post Decommissioning the Licence Holder must conduct a swath bathymetric survey of the cable route and provide the data and survey report(s) to the Maritime and Coastguard Agency and UK Hydrographic Office.

3.35 Compliance Report

3.35.1 The Licence Holder must produce and submit a report on compliance with the conditions in this Marine Licence for the approval of the Licensing Authority at least **2 months** prior to commencement of the Licensed Activities or an individual phase of Licenced Activities.

3.35.2 The report must identify where the monitoring has been or is to be undertaken for each phase of construction and identify relevant plans and how conditions have been and are to be addressed. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

4 INTERPRETATION

In this Licence terms are as defined in section 115 of the Marine and Coastal Access Act unless otherwise stated.

- i. **“2009 Act”** means the Marine and Coastal Access Act 2009;
- ii. **“Approved Application”** means the Marine Licence Application Form together with the Approved Supporting Documents;
- iii. **“Approved Supporting Documents”** means the documents supporting, or supplementary to, the Approved Application, submitted prior to the Licence Issue Date, listed in the Table at paragraph 2.3 above;
- iv. **“Commencement”** means the first undertaking of any Licensed Activities;
- v. **“Force majeure”** may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the substances or articles because the safety of human life and/or of the vessel is threatened;
- vi. **“Licensed Activities”** means the activities authorised by this licence as specified in 2.1;
- vii. **“Licensed Area”** means the area within which Licensed Activities are authorised by this licence as specified in section 2.2;
- viii. **“Licence Holder”** means the person(s) or organisation(s) named in section 1.2 to whom this licence is granted;
- ix. **“Licence Period”** means the period beginning with the Licence Start Date and ending on the Licence End Date;
- x. **“Licensing Authority”** means Natural Resources Wales acting on behalf of the Welsh Ministers;
- xi. **“Maintain”** includes inspect, repair, adjust or alter the Licensable Activities, and remove, reconstruct, or replace any part, provided that such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement and any derivative of “maintain” is to be construed accordingly.
- xii. **“Marine Enforcement Officers”** means the relevant officers appointed by Welsh Ministers under section 235 of the 2009 Act, contact details for whom are provided in section 5;

Licence Number: ORML2233L

- xiii. **“Marine Licence Application Form”** means the application form forming part of the application referred to in paragraph 1.1;
- xiv. **“Method Statement”** means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;
- xv. **“Structure”** means anything constructed or deposited as authorised by this licence as specified in 2.1
- xvi. **“Works”** means any construction activities comprised in the Licensed Activities and, where the context permits, includes any plant, equipment or materials used to carry out those activities or operations but excludes monitoring, minor routine maintenance or other ongoing operational activities following completion of any construction activities;
- xvii. all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- xviii. all co-ordinates shall be taken to be latitude and longitude decimal degree (WGS 84)
- xix. in the event of any discrepancy between the coordinates listed in paragraph 2.2 and the plan attached at Appendix 2, the coordinates shall take precedence.

Licence Number: ORML2233L

5 CONTACTS

Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns, correspondence and requests for variations of the licence is:

Marine Licensing Team
Natural Resources Wales
Permitting Service
29 Newport Road
Cambria House
Cardiff
CF24 0TP

Tel: 0300 065 3000

Email: marinelicensing@naturalresourceswales.gov.uk

Welsh Government Marine Enforcement Officers may be contacted at:

Welsh Government
Suite 3
Cedar Court
Haven's Head Business Park
Milford Haven Pembrokeshire
SA73 3LS

Tel: 03000253500

Email: wfmccmpc@gov.wales

Licence Number: ORML2233L

Appendix 1 – Project Parameters

Parameter	Value
Maximum total length of cables (km)	10
Maximum volume of cable protection (m ³)	27,549
Maximum footprint of cable protection (m ²)	30,586
Maximum number of cable crossings	2
Maximum volume of natural material for deposit	950,625m ³ (1,901,250 T)

Licence Number: ORML2233L

Appendix 2 – Location of Licensed Area ORML2233L

