

SCHEDULE 13

Deemed licence under Marine and Coastal Access Act 2009 – array

PART 1

Licensed marine activities

1.—(1) In this licence—

“the 2008 Act” means the Planning Act 2008;

“the 2009 Act” means the Marine and Coastal Access Act 2009;

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

“array” means Work Nos. 1 and 2, as set out in paragraph 2(2) of this licence;

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

“authorised scheme” means Work Nos. 1 and 2 described in paragraph 2 of this licence or any part of that work;

“commence” means the first carrying out of any part of the licensed activities, save for pre-construction surveys and monitoring;

“condition” means a condition in Part 2 of this licence;

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

“environmental statement” means the document certified as the environmental statement by the Secretary of State for the purposes of this Order and submitted with the application on 1 March 2013;

“gravity base foundation” means a structure principally of concrete, steel or steel and concrete which rests on the seabed either due to its own weight with or without added ballast or skirts, including associated sea bed preparation, scour protection, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side and work platforms and equipment;

“IBGS foundation” means an Inward Battered Guide Structure foundation, a jacket-type concrete, steel or steel and concrete structure which is pre-fabricated with three tubular raking legs, which is installed over a pre-driven central pile, with up to three smaller diameter raking piles driven through the legs to pin the foundation to the seabed, including associated scour protection, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side, access and work platforms and equipment;

“jacket foundation” means a jacket/lattice type structure constructed of concrete, steel or steel and concrete which is fixed to the seabed at three or more points with driven or pre-installed piles or suction cans, including associated scour protection, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side, access and work platforms and equipment;

“JNCC” means the Joint Nature Conservation Committee;

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

(1) O.J. L206, 22.7.1992, p.7, last amended by Council Directive 2013/17/EU (OJ No. L 158, 10.06.2013, p.193).

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“LAT” means lowest astronomical tide;

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

“maintain” includes inspect, repair, adjust and alter, and further includes remove, reconstruct and replace any of the ancillary works and any component part of any wind turbine generator or offshore substation described in Part 1 of Schedule 1 (authorised development) to the Order to the extent assessed in the environmental statement; and “maintenance” shall be construed accordingly;

“Marine Management Organisation” or “MMO” means the body created under the Marine and Coastal Access Act 2009 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;

“monopile foundation” means a steel, concrete, or steel and concrete large diameter pile, typically cylindrical, driven and/or drilled into the seabed, including associated scour protection, transition piece, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side, access and work platforms and equipment;

“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 an offshore platform constructed of steel or concrete or steel and concrete with single or multiple decks housing major electrical equipment including high voltage transformers, switchgear, control rooms, cabling and busbars, lightning protection masts, communications masts, cable management, back-up generators, fuel storage, emergency accommodation, workshops and stores, helihoist facilities, cranes and other associated electrical and ancillary equipment;

“the Order” means the Rampion Offshore Wind Farm Order 2014;

“Order limits” means the limits shown on the works plan within which the authorised scheme may be carried out, whose grid coordinates seaward of MHWS are set out in paragraph 3 of Part 1 of this licence;

“outline cable specification and installation plan” means the document certified by the Secretary of State as the outline cable specification and installation plan for the purposes of the Order;

“outline diver mitigation plan” means the document certified by the Secretary of State as the outline diver mitigation plan for the purposes of the Order;

“outline fisheries liaison strategy” means the document certified by the Secretary of State as the outline fisheries liaison strategy for the purposes of the Order;

“outline offshore written scheme of archaeological investigation” means the document certified as the outline offshore written scheme of archaeological investigation by the Secretary of State for the purposes of the Order;

“piling restriction plan” means the plan certified as the piling restriction plan by the Secretary of State for the purposes of the Order;

“suction can” means a steel cylindrical structure 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;

“suction caisson foundation” means a large diameter steel cylindrical structure which partially penetrates the seabed and remains in place using its own weight and a hydrostatic pressure differential, attached to a vertical central column which supports the transition piece, including associated scour protection, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side, access platform(s) and equipment;

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

“tripod foundation” means a steel or concrete or steel and concrete jacket/lattice type structure consisting of three main legs linked by cross-braces supporting a single central support for the transition piece which is fixed to the seabed with driven or pre-installed piles or suction cans, including associated scour protection, J-tubes, corrosion protection systems, boat landings comprising an access ladder with vertical boat fenders fitted either side, access and work platforms and equipment;

“undertaker” means E.ON Climate & Renewables UK Rampion Offshore Wind Limited;

“vessel” includes every description of vessel, however propelled or moved, and includes a jack-up barge, floating crane, 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 horizontal axis blades connected at the hub, nacelle containing mechanical and electrical equipment, ancillary equipment including access ladders and platforms, lifts, cables, corrosion protection systems, maintenance equipment, helihoist facilities and other associated equipment, fixed to a foundation;

“works plan” means the plan certified as the works plan by the Secretary of State for the purposes of the Order.

(2) A reference to any statute, order, regulation or similar instrument shall be construed as a reference to a statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

(3) Unless otherwise indicated—

- (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.

(4) 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

NE4 7YH

Tel: 0300 123 1032

Email: marine.consents@marinemanagement.org.uk;

(b) Marine Management Organisation (Coastal Office)

South Eastern Coastal Office

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Shoreham Office
Pilots' Watch House
Basin Road South
Portslade
West Sussex
BN41 1WD
Tel: 01273 419 122
Email: shoreham@marinemanagement.org.uk;

- (c) Trinity House
Tower Hill
London
EC3N 4DH
Tel: 020 7481 6900;
- (d) The United Kingdom Hydrographic Office
Admiralty Way
Taunton
Somerset
TA1 2DN
Tel: 01823 337 900;
- (e) Maritime and Coastguard Agency
Navigation Safety Branch
Bay 2/04
Spring Place
105 Commercial Road
Southampton
SO15 1EG
Tel: 023 8032 9191;
- (f) Centre for Environment, Fisheries and Aquaculture Science
Pakefield Road
Lowestoft
Suffolk
NR33 0HT
Tel: 01502 562 244;
- (g) Natural England
Area 1C, Nobel House
17 Smith Square
London
SW1P 2AL
Tel: 0300 060 4911;

- (h) English Heritage
Eastgate Court
195-205 High Street
Guildford
GU1 3EH
Tel: 01483 252 057;
- (i) JNCC
Inverdee House
Baxter Street
Aberdeen
AB11 9QA
Tel: 01224 266 550.

Details of licensed marine activities

2.—(1) 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, subject to the conditions—

- (a) the deposit at sea of the substances and articles specified in sub-paragraph (3) below;
- (b) the construction of works in or over the sea and/or on or under the sea bed;
- (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 dredging of the seabed and the disposal of 167,995m³ of inert material of natural origin, to include no more than 50,400m³ of chalk, produced during the drilling installation of or seabed preparation for foundations for Work No. 1 and Work No. 2 at disposal site reference WI117 Rampion OWF, whose coordinates are specified below—

<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>
1	50° 41' 11.35 N	000° 21' 55.86 W
2	50° 42' 24.83 N	000° 13' 45.70 W
5	50° 38' 34.92 N	000° 09' 02.89 W
6	50° 37' 08.17 N	000° 15' 42.14 W
7	50° 38' 13.35 N	000° 16' 17.09 W
8	50° 37' 03.36 N	000° 20' 36.10 W
19	50° 40' 55.07 N	000° 05' 50.01 W

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

Work No. 1 –

- (a) an offshore wind turbine generating station with a gross electrical output capacity of up to 700 MW comprising up to 175 wind turbine generators each fixed to the seabed by one of six foundation types (namely, monopile foundation, tripod foundation, jacket foundation, IBGS foundation, gravity base foundation or suction caisson foundation), fitted with rotating blades and situated within the area hatched red on the works plan and further comprising (b) below;

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- (b) a network of cables laid underground within the area hatched red on the works plan between the WTGs, and Work No. 2, for the transmission of electricity and electronic communications between these different structures and 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 two substations fixed to the seabed by one of three foundation types (namely monopile foundation, gravity base foundation or jacket foundation) and situated within the area hatched red on the works plan;

and in connection with such Work Nos. 1 and 2 and to the extent that they do not otherwise form part of any such work, further associated development comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised project and which fall within the scope of the work assessed by the environmental statement and the provisions of this licence;

and in connection with such Work Nos. 1 and 2, works comprising—

- (c) temporary landing places or other means of accommodating vessels in the construction and/or maintenance of the authorised scheme; and
 - (d) buoys, beacons, fenders and other navigational warning or ship impact protection works.
- (3) The substances or articles authorised for deposit at sea are—
- (a) steel, copper and aluminium;
 - (b) stone and rock;
 - (c) concrete;
 - (d) sand and gravel;
 - (e) plastic and synthetic;
 - (f) material extracted from within the Order limits seaward of MHWS during construction drilling or seabed preparation;
 - (g) marine coatings, other chemicals (where in accordance with condition 9(1)) and timber.

3. The grid coordinates for the authorised scheme are specified below—

Coordinates for the Order limits seaward of MHWS

<i>Point</i>	<i>Latitude (DMS)</i>	<i>Longitude (DMS)</i>
1	50° 41' 11.35 N	000° 21' 55.86 W
2	50° 42' 24.83 N	000° 13' 45.70 W
3	50° 40' 39.19 N	000° 04' 26.23 W
4	50° 39' 31.72 N	000° 01' 28.06 W
5	50° 38' 34.92 N	000° 09' 02.89 W
6	50° 37' 08.17 N	000° 15' 42.14 W
7	50° 38' 13.35 N	000° 16' 17.09 W
8	50° 37' 03.36 N	000° 20' 36.10 W
9	50° 41' 23.11 N	000° 20' 37.74 W

4. 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 of that Act, and the completion of such programme has been confirmed by the Secretary of State in writing.

5. The provisions of Section 72 of the 2009 Act shall apply to this licence save that the provisions of Section 72(7) relating to the transfer of the licence shall only apply to a transfer not falling within article 7 of the Order (benefit of the Order).

6. Where the words ‘unless otherwise agreed’ or ‘unless otherwise stated’ appear in the conditions in Part 2, any such agreement or statement may only be given in relation to immaterial changes where it has been demonstrated to the satisfaction of MMO that the subject matter of the approval or agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.