



Marine  
Management  
Organisation

**MARINE AND COASTAL ACCESS ACT 2009  
SECTION 72**

**DEEMED MARINE LICENCE - NOTICE OF VARIATION**

**THE RAMPION OFFSHORE WIND FARM ORDER 2014 - SCHEDULE 14 –  
DEEMED MARINE LICENCE**

**AUTHORISED DEVELOPMENT:**

Rampion Offshore Wind Farm

**LICENCE HOLDER:**

Rampion Offshore Wind Ltd  
Westwood Way  
Westwood Business Park  
Coventry  
West Midlands  
CV4 8LG

**DATE:**

26 April 2017

**VARIATION:**

1

**PREVIOUS VARIATION:**

N/A

The Marine Management Organisation (MMO) received a request on 23 January 2017 from Rampion Offshore Wind Limited for a variation to Deemed Marine Licence (DML) within Schedule 14 of the Rampion Offshore Wind Farm Order 2014.

NOTICE IS HEREBY GIVEN that the MMO varies DML 14 in relation to each of the provisions specified in the first column of the table in Annex 1 attached to this notice.

This variation has immediate effect from the date of this notice.

In accordance with regulation 3 of The Marine Licensing (Notices Appeals) Regulations 2011, you may appeal the notice of variation to the First-tier Tribunal. If you wish to appeal then in accordance with Rule 22(1)(b) of the Tribunal Procedure (First-tier Tribunal)(General Regulatory Chamber) Rules 2009 (SI 2009/1976) you have 28 days from the date of the sending of this notice to send or deliver a notice of appeal to the First-tier Tribunal.

Signed: *Heather Hamilton*

Name and Position: Heather Hamilton, Marine Licensing Case Officer

Date: 26 April 2017

## Annex 1

<b>DML provision</b>	<b>Previous text</b>	<b>Replacement, deleted or inserted text</b>
Part 1 – 1.(1) Interpretation	“array” means Work Nos. 1 and 2, as set out in paragraph 2(2) of Schedule 13 to the Order;	“array” means Work No.1, as set out in paragraph 2(2) of Schedule 13 to the Order;
Part 1 – 1.(1) Interpretation	“authorised scheme” means Work No 3A described in paragraph 2 of this licence or any part of that work;	“authorised scheme” means Work Nos. 2 and 3A described in paragraph 2 of this licence or any part of that work;
Part 1 – 1.(1) Interpretation	None	Insert new definition as follows:  “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;
Part 1 – 1.(1) Interpretation	None	Insert new definition as follows:  “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

DML provision	Previous text	Replacement, deleted or inserted text
		side, access and work platforms and equipment;
	None	<p>Insert wording as follows:</p> <p>"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;</p>
Part 1 – 1.(1) Interpretation	None	<p>Insert wording as follows:</p> <p>"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;</p>
Part 1 – 1.(1) Interpretation	None	<p>Insert wording as follows:</p> <p>"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;</p>
Part 1 – 1.(1) Interpretation	None	<p>Insert wording as follows:</p> <p>"piling restriction plan" means the plan certified as the piling restriction plan by the Secretary of State for the</p>

DML provision	Previous text	Replacement, deleted or inserted text																								
		purposes of the Order;																								
Part 1 – 1.(1) Interpretation	"undertaker" means E.ON Climate & Renewables UK Rampion Offshore Wind Limited;	"undertaker" means Rampion Offshore Wind Limited;																								
Part 1 – 2. (1) Details of licensed marine activities	None	<p>Insert after the end of sub-paragraph (c) a new sub-paragraph (d) as follows:</p> <p>(d) the dredging of the seabed and the disposal of 2000m<sup>3</sup> of inert material of natural origin produced during the drilling installation of or seabed preparation for foundations for Work No. 2 at disposal site reference W1117 Rampion OWF, whose coordinates are specified below—</p> <table border="1" data-bbox="1171 810 1704 1453"> <thead> <tr> <th data-bbox="1171 810 1272 890">Point</th> <th data-bbox="1272 810 1480 890">Latitude (DMS)</th> <th data-bbox="1480 810 1704 890">Longitude (DMS)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1171 890 1272 970">1</td> <td data-bbox="1272 890 1480 970">50° 41' 11.35 N</td> <td data-bbox="1480 890 1704 970">000° 21' 55.86 W</td> </tr> <tr> <td data-bbox="1171 970 1272 1050">2</td> <td data-bbox="1272 970 1480 1050">50° 42' 24.83 N</td> <td data-bbox="1480 970 1704 1050">000° 13' 45.70 W</td> </tr> <tr> <td data-bbox="1171 1050 1272 1129">5</td> <td data-bbox="1272 1050 1480 1129">50° 38' 34.92 N</td> <td data-bbox="1480 1050 1704 1129">000° 09' 02.89 W</td> </tr> <tr> <td data-bbox="1171 1129 1272 1209">6</td> <td data-bbox="1272 1129 1480 1209">50° 37' 08.17 N</td> <td data-bbox="1480 1129 1704 1209">000° 15' 42.14 W</td> </tr> <tr> <td data-bbox="1171 1209 1272 1289">7</td> <td data-bbox="1272 1209 1480 1289">50° 38' 13.35 N</td> <td data-bbox="1480 1209 1704 1289">000° 16' 17.09 W</td> </tr> <tr> <td data-bbox="1171 1289 1272 1369">8</td> <td data-bbox="1272 1289 1480 1369">50° 37' 03.36 N</td> <td data-bbox="1480 1289 1704 1369">000° 20' 36.10 W</td> </tr> <tr> <td data-bbox="1171 1369 1272 1453">19</td> <td data-bbox="1272 1369 1480 1453">50° 40' 55.07 N</td> <td data-bbox="1480 1369 1704 1453">000° 05' 50.01 W</td> </tr> </tbody> </table>	Point	Latitude (DMS)	Longitude (DMS)	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
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Part 1 – 2. (2) Details of	None	After the words "The works referred to in (1)(b)																								

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licensed marine activities		<p>comprise-" insert new wording as follows:</p> <p>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;</p>
Part 1 – 2. (2) Details of licensed marine activities	<p>and in connection with such Work No 3A 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;</p> <p>and in connection with such Work No 3A, works comprising— (...)</p>	<p>and in connection with such Work Nos 2 and 3A 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;</p> <p>and in connection with such Work Nos 2 and 3A, works comprising— (...)</p>
<b>Part 2</b>		
Part 2 – 1. Design parameters	None	<p>After sub-paragraph 1(3) insert a new sub-paragraph (4) as follows:</p> <p>No offshore substation forming part of the authorised scheme shall be erected within the area hatched black on the works plan (the "exclusion zone for offshore substations"), whose coordinates are specified below-</p>

DML provision	Previous text	Replacement, deleted or inserted text			
		Point	Latitude (DMS)	Longitude (DMS)	
		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	
		19	50° 41' 23.11 N	000° 20' 37.74 W	
Part 2 – 1. Design parameters	None	<p>Insert new wording as a new paragraph 1A after paragraph 1:</p> <p>(1) The total number of offshore substations forming part of the authorised scheme shall not exceed two.</p> <p>(2) The dimensions of any offshore substation forming part of the authorised scheme (excluding masts) shall not exceed 45 metres in height when measured from LAT, 45 metres in length and 45 metres in width.</p> <p>(3) Each offshore substation shall have no more than one supporting foundation.</p>			
Part 2 – 2 (6) Notifications and inspections	(6) The undertaker shall inform the MMO In writing at least five working days prior to the commencement of the licensed activities or any part of them.	(6) The undertaker must inform the MMO Coastal Office in writing at least 5 days prior to the commencement of the authorised project or any part thereof, and within 5 days of completion of the authorised project.			

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Part 2 – 2 (7)	(7) Prior to the commencement of the licensed activities or any part of them the undertaker shall publish in the Kingfisher Fortnightly Bulletin details of the vessel routes, timings and locations relating to the construction of the authorised scheme or relevant part.	<p>(7) The Kingfisher Information Service of Seafish, must be informed of details of the vessel routes, timings and locations relating to the construction of the authorised project or any part thereof by email to kingfisher@seafish.co.uk :-</p> <p>a) at least 2 weeks prior to the commencement of offshore activities, for inclusion in the Kingfisher Fortnightly Bulletin and offshore hazard awareness data, and;</p> <p>b) as soon as reasonably practicable and no later than 24 hours of completion of all offshore activities.</p> <p>Confirmation of notification must be provided to the MMO within 5 days.</p>
Part 2 – 2 (8)	(8) The undertaker shall ensure that a notice to mariners is issued at least 10 working days prior to the commencement of Work No. 3 A and advising of the start date of Work No. 3A and the route of the subsea export cables.	<p>(8) The undertaker must ensure that a local notice to mariners is issued at least 10 days prior to the commencement of the authorised project or any part thereof advising of the start date of each Work No. 3 A and the route of the subsea export cables.</p> <p>Copies of all notices must be provided to the MMO and UKHO within 5 days.</p>
Part 2 - 2.(8A)	The undertaker shall ensure that a notice to mariners issued at least 10 working days prior to the commencement of Work No.2 advising of the start date of Work No.2 and the expected vessel routes from the local construction ports to the relevant location.	<p>The undertaker must ensure that a local notice to mariners is issued at least 10 days prior to the commencement of the authorised project or any part thereof advising of the start date of each Work No.2 and the expected vessel routes from the local construction ports to the relevant location.</p> <p>Copies of all notices must be provided to the MMO and UKHO within 5 days.</p>



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Part 2 – 2 (9)	(9) The undertaker shall ensure that the notices to mariners are updated and reissued at weekly intervals during construction activities and within 5 days of any planned operations and maintenance works and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction programme approved under condition 7(1)(b), and copies of all notices shall be provided to the MMO.	(9) The undertaker must ensure that local notice to mariners are updated and reissued at weekly intervals during construction activities and at least 5 days before any planned operations and maintenance works and supplemented with VHF radio broadcasts agreed with the MCA in accordance with the construction and monitoring programme approved under deemed marine licence condition 7 (b)  Copies of all notices must be provided to the MMO and UKHO within 5 days.
Part 2 – 2 (10)	(10) The undertaker shall notify—  (a) the Hydrographic Office of both the commencement (within two weeks), progress and completion (within two weeks) of the authorised scheme in order that all necessary amendments to nautical charts are made; and  (b) the MMO, MCA and Trinity House within two weeks once the authorised scheme is completed and any required lighting or marking has been established.	(10) The undertaker shall notify—  (a) the Hydrographic Office of both the commencement (within two weeks), progress and completion (within 10 days) of the authorised project or any part thereof in order that all necessary amendments are made to nautical charts; and  (b) the MMO, MCA and Trinity House within two weeks once the authorised scheme is completed and any required lighting or marking has been established.
Part 2 – 2 (11)	None	(11) In case of damage to, or destruction or decay of,

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		<p>the authorised project or any part thereof the undertaker shall as soon as reasonably practicable and no later than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify MMO, MCA, Trinity House and the UKHO.</p>
Part 2 – 3 (1)	<p>(1) No part of the authorised scheme shall commence until the Secretary of State, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and adequately addressed all MCA recommendations contained within MGN 371 "Offshore Renewable Energy Installations (OREIs) - Guidance on UK Navigational Practice, Safety and Emergency Response Issues" and its annexes including full details of the Emergency Co-operation Plans (ERCoP) for the construction, operation and decommissioning as appropriate to the authorised scheme.</p>	<p>(1) No part of the authorised project may commence until the MMO, in consultation with the MCA, has given written approval for an Emergency Response Co-operation Plan (ERCoP) which includes full details of the emergency response co-operation plans for the construction, operation and decommissioning phases of that part of the authorised project in accordance with the MCA recommendations contained within MGN543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues".</p> <p>The ERCoP and associated guidance and requirements must be implemented as approved, unless otherwise agreed in writing by the MMO in consultation with the MCA.</p> <p>The document must be reviewed at least annually or whenever changes are identified, whichever is sooner, and any proposed changes must be submitted to the MMO in writing for approval, in consultation with MCA.</p>
Part 2 – 4 (1)	(1) The undertaker shall at or near the	(1) The undertaker shall during the whole period from

DML provision	Previous text	Replacement, deleted or inserted text
	<p>authorised scheme during the whole period of the construction, operation, alteration, replacement or decommissioning of the authorised scheme exhibit such lights, marks, sounds, signals and other aids to navigation, and take such other steps for the prevention of danger to navigation, as Trinity House may from time to time direct.</p>	<p>the commencement of construction of the authorised project to the completion of decommissioning exhibit such lights, marks, sounds, signals and other aids to navigation, and to take such other steps for the prevention of danger to navigation as Trinity House may from time to time direct.</p>
Part 2 – 4 (3)	<p>(3) The undertaker shall notify Trinity House, in writing, as soon as reasonably practicable of both the progress and completion of the authorised scheme seaward of MHWS and any aids for navigation established from time to time.</p>	<p>(3) The undertaker must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning keep Trinity House and the MMO informed of progress of the authorised project including;</p> <p>(a) notice of commencement of construction of the authorised project within 24 hours of commencement having occurred;</p> <p>(b) notice within 24 hours of any aids to navigation being established by the undertaker; and</p> <p>(c) notice within 5 days of completion of construction of the authorised project.</p>
Part 2 – 4 (4)	<p>(3)(4) The undertaker shall provide reports on the availability of aids to navigation periodically as requested by Trinity House.</p>	<p>(3)(4) The undertaker must report the availability of aids to navigation to Trinity House daily using the reporting system provided by Trinity House.</p>

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Part 2 – 5.(1) Chemicals, drilling and debris	(1) Unless otherwise agreed in writing by the MMO all chemicals used in the construction of the authorised scheme shall be selected from the List of Notified Chemicals approved for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002.	(1) Unless otherwise agreed in writing by the MMO all chemicals used in the construction of the authorised scheme, including any chemical agents placed within any monopile void, shall be selected from the List of Notified Chemicals approved for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002.
Part 2 – 5. Chemicals, drilling and debris	None	After sub-paragraph 5 (11) insert a new sub-paragraph 5(12) as follows:  (12) The undertaker shall inform the MMO of the location and quantities of material disposed of each month under the Order, by submission of a disposal return by 31 January each year for the months August to January inclusive, and by 31 July each year for the months February to July inclusive.
Part 2 – 5. Chemicals, drilling and debris	None	After the newly inserted sub-paragraph 5(12) insert a new sub-paragraph (13) as follows:  (13) The undertaker shall ensure that only inert material of natural origin, produced during the drilling installation of or seabed preparation for foundations and drilling mud shall be disposed of within the offshore Order limits (disposal site reference WI117 Rampion OWF), and that any other materials are screened out before disposal at this site.
Part 2 – 7 (1)	(1) No part of the works at paragraph 2(2) of Part 1 (licensed marine activities) of this licence shall commence until the	(1)The authorised project shall not commence until the following have been submitted to and approved by the MMO. Each programme, statement, plan, protocol,

DML provision	Previous text	Replacement, deleted or inserted text
	following (as relevant to that Part) have been submitted to and approved in writing by the MMO—	scheme or other detail required to be approved under this condition must be submitted to the MMO for approval at least 4 months prior to the commencement of the authorised project except where otherwise stated.
Part 2 - .7 (1)(c) Pre-construction plans and documentation	None	<p>After sub-paragraph 7(1)(c)(viii) insert the following sub-paragraphs:</p> <p>(ix) unless approved in writing by the MMO under paragraph 10 (1)(c)(i) of Part 2 of the deemed array marine licence, drilling methods and disposal of drill arisings and material extracted during seabed preparation for foundation works;</p> <p>(x) unless approved in writing by the MMO under paragraph 10 (1)(c)(ii) of Part 2 of the deemed array marine licence, offshore substations' location and installation, including scour protection;</p>
Part 2- 7.(1) Pre-construction plans and documentation	None	<p>After sub-paragraph 7(1) (h) insert the following sub-paragraph (i):</p> <p>(i) unless approved in writing by the MMO under paragraph 10(1)(a) of Part 2 of the deemed array marine licence, the design plan required to be approved under paragraph (1)(a) must show-</p> <ul style="list-style-type: none"> <li>(i) the height, length and width of all offshore substations;</li> <li>(ii) the dimensions of all monopile foundations;</li> <li>(iii) the dimensions of all gravity base foundations;</li> <li>(iv) the dimensions of all jacket foundations.</li> </ul> <p>to ensure conformity with the descriptions of Work Nos.2 and compliance with condition 1(4) above;</p>
Part 2- 7.(1) Pre-construction	None	After the newly inserted paragraph 7(1)(i) insert a new sub-paragraph (j) as follows:

DML provision	Previous text	Replacement, deleted or inserted text
plans and documentation		<p>(j) Unless approved in writing by the MMO under paragraph 10(1)(f) of Part 2 of the deemed array marine licence, 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 JNCC and following current best practice as advised by the statutory nature conservation agencies, to include—</p> <ul style="list-style-type: none"> <li>(i) identification of a Marine Mammal Monitoring Zone (MMMZ);</li> <li>(ii) appointment of an appropriate number of suitably qualified marine mammal observer(s);</li> <li>(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;</li> <li>(iv) a reporting methodology to enable efficient communication between the marine mammal observer(s) and the person responsible for approving commencement of piling;</li> <li>(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</li> </ul>

DML provision	Previous text	Replacement, deleted or inserted text
		<p>MMMZ;</p> <p>(vi) where appropriate, methods for the application of acoustic deterrent devices;</p>
<p>Part 2 – 7.(1) Pre-construction plans and documentation</p>	<p>None</p>	<p>After the newly inserted paragraph 7(1)(j) insert a new sub-paragraph (k) as follows:</p> <p>(k) Unless approved in writing by the MMO under paragraph 10(1)(i) of Part 2 of the deemed array marine licence, a diver mitigation plan, which accords with the outline diver mitigation plan, to include details of—</p> <p>(i) an appropriate soft start procedure;</p> <p>(ii) appointment of a diver liaison officer; and</p> <p>(iii) a diver communication plan, to include notification of the timing and duration of piling activities.</p>
<p>Part 2 – 13 (3)(a)(i)</p>	<p>None</p>	<p>The undertaker must conduct the swath bathymetric survey to IHO Order 1a of the installed export cable route and provide the data and survey report(s) to the MCA and UKHO,</p>