



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 13 –
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 13 of the Rampion Offshore Wind Farm Order 2014.

NOTICE IS HEREBY GIVEN that the MMO varies DML 13 in relation to each of the provisions specified in the first column of the table in the Annex 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

DML provision*	Previous text	Substituted, deleted or inserted text
Part 1 – 1.(1) Interpretation	"array" means Work Nos.1 and 2, as set out in paragraph 2(2) of this licence;	"array" means Work No. 1, as set out in paragraph 2(2) of this licence;
Part 1 – 1.(1) Interpretation	"authorised scheme" means Work Nos, 1 and 2 described in paragraph 2 of this licence or any part of that work;	"authorised scheme" means Work No.1 described in paragraph 2 of this licence or any part of that work;
Part 1 – 1.(1) Interpretation	"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;	Delete the text in column 2
Part 1 – 1.(1) Interpretation	"undertaker" means E.ON Climate & Renewables UK Rampion Offshore Wind Limited;	"undertaker" means Rampion Offshore Wind Limited;
Part 1 – 1.(1) Interpretation	None	Insert new definition as follows: "Work No.2" means the work of that number authorised by Part 1 of Schedule 1 to the Order;
Part 1 – 2.(1)(d) Details of	(d) the dredging of the seabed and the	d) the dredging of the seabed and the disposal of

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licensed marine activities	disposal of 167,995m ³ of inert material of natural origin, to include no more than 50,400m ³ 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 W1117 Rampion OWF, whose coordinates are specified below—	165,995m ³ of inert material of natural origin, to include no more than 50,400m ³ of chalk, produced during the drilling installation of or seabed preparation for foundations for Work No. 1 at disposal site reference W1117 Rampion OWF, whose coordinates are specified below—
Part 1 – 2. (2) Details of licensed marine activities	<p>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;</p> <p>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;</p> <p>and in connection with such Work Nos 1 and 2, works comprising- (...)</p>	<p>and associated development within the meaning of section 115(2) of the 2008 Act;</p> <p>and in connection with such Work No. 1 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. 1, works comprising – (...)</p>

DML provision*	Previous text	Substituted, deleted or inserted text
Part 2		
Part 2 – 1.(3) Design parameters	(3) The layout of all wind turbine generators and offshore substations within the Order limits shall comprise an overall contiguous arrangement of offshore structures, and within such overall contiguous arrangement there shall be no more than three contiguous groupings each comprising wind turbine generators of a similar size, and each such grouping shall be laid out in a regular pattern such that along each row axis within the grouping there is an approximately equal distance between wind turbine generators.	3) The layout of all wind turbine generators within the Order limits shall comprise an overall contiguous arrangement of offshore structures, and within such overall contiguous arrangement there shall be no more than three contiguous groupings each comprising wind turbine generators of a similar size, and each such grouping shall be laid out in a regular pattern such that along each row axis within the grouping there is an approximately equal distance between wind turbine generators.
Part 2 – 1.(5) Design parameters	(5) No wind turbine generator or offshore substation forming part of the authorised scheme shall be erected within the area hatched black on the works plan (the "exclusion zone for wind turbine generators and offshore substations"), whose coordinates are specified below-	(5) No wind turbine generator forming part of the authorised scheme shall be erected within the area hatched black on the works plan (the "exclusion zone for wind turbine generators and offshore substations"), whose coordinates are specified below-
Part 2 – 2. Design parameters	(1) The total number of offshore substations forming part of the authorised scheme shall not exceed two.	Delete the entirety of condition 2 and re-number the subsequent paragraphs accordingly.

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	<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>	
<p>Part 2 – 3.(7), (8), (11) & (13) Design parameters</p>	<p>(7) No more than 156 monopile foundations shall be installed as part of the authorised scheme.</p> <p>(8) No more than 124 jacket foundations shall be installed as part of the authorised scheme</p> <p>(11) No more than 80 gravity base foundations shall be installed as part of the authorised scheme.</p> <p>(13) The total amount of scour protection for the WTG and offshore substations forming part of the authorised scheme shall not exceed 831,400 m³.</p>	<p>(7) No more than 154 monopile foundations shall be installed as part of the authorised scheme.</p> <p>(8) No more than 122 jacket foundations shall be installed as part of the authorised scheme.</p> <p>(11) No more than 78 gravity base foundations shall be installed as part of the authorised scheme.</p> <p>(13) The total amount of scour protection for the WTG forming part of the authorised scheme shall not exceed 831,400m³.</p>
<p>Part 2 – 4. (1) (a) Notifications and inspections</p>	<p>(i) all agents and contractors notified to the MMO in accordance with condition 13; and</p> <p>(ii) the masters and transport managers responsible for the vessels notified to the MMO in accordance with condition</p>	<p>(i) all agents and contractors notified to the MMO in accordance with condition 12; and</p> <p>(ii) the masters and transport managers responsible for the vessels notified to the MMO in accordance with condition 12;</p>

DML provision*	Previous text	Substituted, deleted or inserted text
	13;	
Part 2 – 4. (2) Notifications and inspections	(2) Only those persons and vessels notified to the MMO in accordance with condition 13 are permitted to carry out the licensed activities.	(2) Only those persons and vessels notified to the MMO in accordance with condition 12 are permitted to carry out the licensed activities.
Part 2 – 4 (6)	The undertaker shall inform the MMO coastal office in writing at least five working days prior to the commencement of the licenced activities or any part of them.	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.
Part 2 – 4(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 - 4.(8) Notifications and inspections	(8) The undertaker shall ensure that a notice to mariners is issued at least 10 working days prior to the commencement of the licensed activities or any part of them advising of the start date of Work Nos. 1 and 2 and the expected vessel routes from the local construction ports to the relevant location.	(8) The undertaker shall ensure that a notice to mariners is issued at least 10 working days prior to the commencement of the licensed activities or any part of them advising of the start date of Work No. 1 and the expected vessel routes from the local construction ports to the relevant location.

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Part 2 – 4. (9) Notifications and inspections	(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 11(1)(b), and copies of all notices shall be provided to the MMO.	(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 10(1)(b), and copies of all notices shall be provided to the MMO.
Part 2 – 4 (10)_	<p>The undertaker shall notify—</p> <p>(a) the Hydrographic Office of both the commencement (within two weeks), progress and completion (within two weeks) of the authorised scheme or any part of in order that all necessary amendments to nautical charts are made; and</p> <p>(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.</p>	<p>The undertaker shall notify—</p> <p>(a) the Hydrographic Office of both the commencement (within two weeks), progress and completion (within 10 days) of the authorised scheme or any part of in order that all necessary amendments to nautical charts are made; and</p> <p>Copies of all notices must be provided to the MMO within 5 days.</p> <p>(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.</p>
Part 2 – 4(11)	None	In case of damage to, or destruction or decay of, the authorised project or any part thereof the undertaker shall as soon as reasonably practicable and no later

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		than 24 hours following the undertaker becoming aware of any such damage, destruction or decay, notify MMO, MCA, Trinity House and the UKHO.
Part 2 – 5 (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>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 – 6 (1)	The undertaker shall at or near the 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	The undertaker shall during the whole period from 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.

DML provision*	Previous text	Substituted, deleted or inserted text
	for the prevention of danger to navigation, as Trinity House may from time to time direct.	
Part 2 – 6 (2)	(2) The undertaker shall ensure that timely and efficient notices to mariners and other navigational warnings of the position and nature of the authorised scheme seaward of MHWS, are issued during and after the period of construction, alteration, replacement or decommissioning of the authorised scheme, such information to be promulgated to mariners in the shipping and fishing industry as well as to recreational mariners in accordance with conditions 5(8) and (9).	(2) The undertaker shall ensure that timely and efficient notices to mariners and other navigational warnings of the position and nature of the authorised scheme seaward of MHWS, are issued during and after the period of construction, alteration, replacement or decommissioning of the authorised scheme, such information to be promulgated to mariners in the shipping and fishing industry as well as to recreational mariners in accordance with conditions 4(8) and (9).
Part 2 – 6 (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	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; <ul style="list-style-type: none"> a. notice of commencement of construction of the authorised project within 24 hours of commencement having occurred; b. notice within 24 hours of any aids to navigation being established by the undertaker; and c. notice within 5 days of completion of construction of the authorised project
Part 2 – 6 (4)	The undertaker shall provide reports on the availability of aids to navigation	The undertaker must report the availability of aids to navigation to Trinity House daily using the reporting system provided by Trinity House.

DML provision*	Previous text	Substituted, deleted or inserted text
	periodically as requested by Trinity House.	
Part 2 – 6 (6)	None	The undertaker must during the whole period from the commencement of construction of the authorised project to the completion of decommissioning notify Trinity House and the MMO 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.
Part 2 – 7.(1) and (2)	<p>(1) The undertaker shall colour all structures yellow from at least highest astronomical tide to a height directed by Trinity House, or shall colour the structure as directed by Trinity House from time to time.</p> <p>(2) Subject to paragraph (1) above, unless the Secretary of State otherwise directs, the undertaker shall ensure that the wind turbine generators shall be painted light grey (colour code RAL 7035).</p>	(1) Except as otherwise required by Trinity House the undertaker must paint all structures forming part of the authorised project yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures submarine grey (colour code RAL 7035).
Part 2 – 8.(13) Chemicals, drilling and debris	(13) The undertaker shall undertake the methods agreed under condition 11(1)(g)(iii) following the high resolution swath bathymetric survey referred to in condition 17(3)(f), and if	(13) The undertaker shall undertake the methods agreed under condition 10(1)(g)(iii) following the high resolution swath bathymetric survey referred to in condition 16(3)(f), and if any such obstructions resulting from burial of cables be

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	<p>any such obstructions resulting from burial of cables be identified which, in the reasonable opinion of the MMO, may be considered to interfere with fishing, the undertaker shall take such steps to remove them as the MMO in its reasonable opinion shall require.</p>	<p>identified which, in the reasonable opinion of the MMO, may be considered to interfere with fishing, the undertaker shall take such steps to remove them as the MMO in its reasonable opinion shall require.</p>
Part 2 – 10 (1)	<p>(1) 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—</p>	<p>(1) The authorised project shall not commence until the following have been submitted to and approved by the MMO. Each programme, statement, plan, protocol, 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.</p>
Part 2—10.(1)(b)(iii) Pre-construction plans and documentation	<p>(iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction monitoring and related reporting in accordance with conditions 11(1)(h), 15, 16 and 17; and</p>	<p>(iii) proposed pre-construction surveys, baseline report format and content, construction monitoring, post-construction monitoring and related reporting in accordance with conditions 10(1)(h), 14, 15 and 16; and</p>
Part 2 – 10.(1)(d)(v) Pre-construction plans and documentation	<p>(v) a fisheries liaison plan (in accordance with the outline fisheries liaison strategy) to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 5 and to address the interaction of the licensed activities with fishing activities</p>	<p>(v) a fisheries liaison plan (in accordance with the outline fisheries liaison strategy) to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 4 and to address the interaction of the licensed activities with fishing activities during</p>

DML provision*	Previous text	Substituted, deleted or inserted text
	during construction and operation;	construction and operation;
Part 2 - 10.(1)(g)(iii) Pre-construction plans and documentation	(iii) appropriate methods such as a trawl or drift net to be deployed along the offshore subsea cables between Work Nos. 1 and 2, following the survey referred to in condition 17(3)(f) to assess any seabed obstructions resulting from burial of the cables;	(iii) appropriate methods such as a trawl or drift net to be deployed along the offshore subsea cables between Work Nos. 1 and 2, following the survey referred to in condition 16(3)(f) to assess any seabed obstructions resulting from burial of the cables;
Part 2 -10.(1)(j) Pre-construction plans and documentation	(j) a mitigation scheme for any Annex 1 Habitat identified by the survey referred to in condition 15(2)(a)	(j) a mitigation scheme for any Annex 1 Habitat identified by the survey referred to in condition 14(2)(a)
Part 2 -10.(3)(b)(iii) Pre-construction plans and documentation	(iii) The height, length and width of all offshore substations;	Delete the text in column 2 and re-number the subsequent sub-paragraphs accordingly.
Part 2 -10.(3)(j) Pre-construction plans and documentation	(j) a mitigation scheme for any Annex 1 Habitat identified by the survey referred to in condition 15(2)(a)	(j) a mitigation scheme for any Annex 1 Habitat identified by the survey referred to in condition 14(2)(a)
Part 2 – 10. Pre-construction plans and documentation	(1) Any archaeological reports produced in accordance with condition 11(1)(h)(iii) are to be agreed with English	(1) Any archaeological reports produced in accordance with condition 10(1)(h)(iii) are to be agreed with English Heritage.

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	<p>Heritage.</p> <p>(2) Each programme, statement, plan, protocol or scheme required to be approved under condition 11 shall be submitted for approval at least four months prior to the intended start of construction, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(3) The licensed activities shall be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 11, unless otherwise agreed in writing by the MMO.</p>	<p>(2) Each programme, statement, plan, protocol or scheme required to be approved under condition 10 shall be submitted for approval at least four months prior to the intended start of construction, except where otherwise stated or unless otherwise agreed in writing by the MMO.</p> <p>(3) The licensed activities shall be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 10, unless otherwise agreed in writing by the MMO.</p>
Part 2 – 14.(1) Pre-construction monitoring and surveys	(1) The undertaker shall, in discharging condition 11(1)(b), submit details for written approval by the MMO in consultation with Natural England and JNCC of proposed pre-construction surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report;	(1) The undertaker shall, in discharging condition 10(1)(b), submit details for written approval by the MMO in consultation with Natural England and JNCC of proposed pre-construction surveys, including methodologies and timings, and a proposed format and content for a pre-construction baseline report;
Part 2 – 15.(1) Construction monitoring	(1) Unless otherwise agreed, the undertaker shall, in discharging condition 11(1)(b), submit details for approval by the MMO in consultation with Natural England and JNCC of any proposed surveys or monitoring, including	(1) Unless otherwise agreed, the undertaker shall, in discharging condition 10(1)(b), submit details for approval by the MMO in consultation with Natural England and JNCC of any proposed surveys or monitoring, including methodologies and timings, to be carried out during the construction of the

DML provision*	Previous text	Substituted, deleted or inserted text
	methodologies and timings, to be carried out during the construction of the authorised scheme.	authorised scheme.
Part 2 – 16.(1) Post construction surveys	(1) The undertaker shall, in discharging condition 11(1)(b), submit details for written approval by the MMO in consultation with Natural England and JNCC of proposed post-construction surveys, including methodologies and timings, and a proposed format, content and timings for providing reports on the results at least four months prior to the commencement of any survey works detailed within.	(1) The undertaker shall, in discharging condition 10(1)(b), submit details for written approval by the MMO in consultation with Natural England and JNCC of proposed post-construction surveys, including methodologies and timings, and a proposed format, content and timings for providing reports on the results at least four months prior to the commencement of any survey works detailed within.
Part 2 – 16.(3)(c) Post construction surveys	(c) dependent on the outcome of the survey undertaken in condition 15(2)(a) above, a survey(s) to determine the effects of construction activity on any benthic Annex 1 Habitat in whole or in part inside the area(s) within the Order limits;	(c) dependent on the outcome of the survey undertaken in condition 14(2)(a) above, a survey(s) to determine the effects of construction activity on any benthic Annex 1 Habitat in whole or in part inside the area(s) within the Order limits;
Part 2 – 16.(3)(d) Post construction surveys	(d) a survey(s) of the extent of fish and shellfish populations and spawning activity within the Order limits in which construction works were carried out, and any wider areas where appropriate, for comparison against the results of the baseline survey carried out under condition	(d) a survey(s) of the extent of fish and shellfish populations and spawning activity within the Order limits in which construction works were carried out, and any wider areas where appropriate, for comparison against the results of the baseline survey carried out under condition 14(2)(e);

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	15(2)(e);	

*References in this column to provisions of the DML refer to the provisions prior to the variations indicated in the third column. As a consequence of the deletion of condition 2 of in Part 2 of the DML conditions 3 to 22 are renumbered to run from condition 2 to 21.