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Newcastle Upon Tyne
NE4 7YH

Hornsea Project Two Offshore Wind Farm – Deemed Marine Licence Variation Request

29 October 2018

Our ref. [00298743_A]

Dear Emma,

Further to our recent conversations regarding potential variations required to the Hornsea Project Two Offshore Wind Farm Deemed Marine Licences (DMLs), please find this letter as a formal request for a variation to cover the following:

1. Inclusion of the Condition pertaining to construction ornithological monitoring to Schedule 10, Marine Licence B1 which was accidentally removed;
2. Removal of License Conditions 6(6) and 6(7) within the four DMLs which set out the requirement for a vessel audit sheet;
3. Request to transfer the benefit of the generation DMLs to two additional undertakers under the existing consent.

Further detail on the transfer of benefit request and rationale is provided in the proceeding sub-sections.

Construction Ornithological Monitoring

Hornsea Project Two was previously granted a variation to remove construction ornithological monitoring that had accidentally been included in the Project's Transmission DMLs (Schedule 9, Marine Licence A2 and Schedule 11, Marine Licence B2). It is during this variation that it is believed that the relevant Condition was inadvertently removed from Schedule 10, Marine Licence B1. Given that the Examining Authority (ExA) concluded that:

“To support a full life cycle approach to offshore ornithological monitoring. The ExA notes that construction stage monitoring could be helpful in identifying whether the construction stage per se is the cause of ornithological changes and whether effects persist during operational stage.”

Hornsea Project Two therefore proposes that DML B1 Condition 14(2) should be amended to include part (c) and should read as follows (suggested addition has been included in **bold**):

14(2) Subject to receipt from the undertaker of specific proposals pursuant to this Condition, so far as applicable, the construction monitoring must comprise, in outline—

- (a) unless the MMO agrees otherwise in writing, measurements of noise generated by the installation of the first 4 foundations of each discrete foundation type to be constructed under this licence where driven or part-driven pile foundations are used;*
- (b) recording of any visual sightings or acoustic detection of marine mammals where required as part of the marine mammal mitigation protocol under Condition 8(2)(e); and*
- (c) any ornithological monitoring required by the ornithological monitoring plan submitted in accordance with Condition 8(2)(k).*

Audit Sheets

Based on regular catch-up teleconferences with the Hornsea Project Two Case Manager and Case Officer, as well as discussions with other Projects, the relevance of Conditions 6(6) and 6(7), which are contained in DMLs A1, A2, B1 and B2 were discussed and it was agreed that these Conditions are largely redundant and have been removed from other offshore wind farm DMLs. Hornsea Project Two therefore proposes, as discussed with the MMO, that this Condition be removed from the DMLs as the requirements are largely covered elsewhere within the DMLs.

Transfer of Benefit

Following a change in the Hornsea Project Two company structure, the Project has sought agreement from the Secretary of State to transfer the benefit of the DCO and DMLs to Soundmark Limited and Sonningmay Limited who have, along with Breesea Limited, become named undertakers in the DCO. All the relevant Conditions under the Generation Assets DMLS (Schedule 8, Marine Licence A1 and Schedule 10, Marine Licence B1) shall be jointly discharged by the three undertakers. As such, it is proposed that the two further undertakers are added under Part 1 (Licensed activities) of both Generation DMLs (Schedule 8, Marine Licence A1 and Schedule 10 Marine Licence B1) as follows (additions to be made in the relevant order shown in bold):

Interpretation

1(1) - In this licence—

*“undertaker” means Breesea Limited (company number 07883217), **Sonningmay Wind Limited (company number 10722635)** and **Soundmark Wind Limited (company number 10721881)** or, to the extent that the benefit of the provisions of the Order and related statutory rights in relation to Work No. 1B and such associated development or ancillary works has been transferred under article 35 of the Order to another person, that other person*

The MMO have been consulted as part of the process of transferring the benefit of the DCO with the Secretary of State approval and have been formally notified on 5th September 2018 by electronic letter as part of that process.

We trust that this provides all the information required to make the relevant changes however, if you have any queries on the above, please do not hesitate to contact me.

Yours sincerely,



Natalia Lopez

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