



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

DEEMED MARINE LICENCE - NOTICE OF VARIATION

THE HORNSEA TWO OFFSHORE WIND FARM ORDER 2016, SCHEDULE 8

VARIATION NUMBER:

3

AUTHORISED DEVELOPMENT:

Hornsea Two Offshore Wind Farm

LICENCE HOLDER:

Orsted Power (UK) Limited
5 Howick Place,
London
SW1P 1WG
United Kingdom

DATE:

22 August 2019

COMPANY REGISTRATION NUMBER:

Optimus Wind Limited – 07883284
Breesea Limited – 07883217
Soundmark Wind Limited - 10721881
Sonningmay Wind Limited –10722635

PREVIOUS VARIATIONS:

26 September 2017- Variation 1
23 August 2018- Variation 2

The Marine Management Organisation (“MMO”) received a request on 29 October 2018 and a further request on 8 July 2019 from Orsted Power (UK) Limited for a variation to the deemed marine licences (“DMLs”) contained within Schedules 8-11 of The Hornsea Two Offshore Wind Farm Order 2016 (“the Order”).

NOTICE IS HEREBY GIVEN that the MMO varies the DMLs in relation to each of the provisions of the DMLs specified in the first column of the table in the Annex to this notice, by replacing the words set out in the second column of that table with the words set out in the third column of that table, in accordance with section 72(3) (d) of the Marine and Coastal Access Act 2009.

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:



Name and Position: Shanna Paterson, Marine Licensing Case Officer

Date: 22 August 2019

Annex 1

<i>Provision</i>	<i>Previous text</i>	<i>Replacement text</i>
DML A1, Schedule 8, Part 2 Condition 3(1)	3(1) No part of the authorised scheme seaward of MHWS may commence until the MMO, in consultation with the MCA, has given written approval for an emergency response co-operation plan which includes full details of the emergency co-operation plans for the construction, operation and decommissioning phases of that part of the authorised scheme in accordance with the MCA recommendations contained within MGN 371 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues"(a).	3(1) No part of the authorised scheme seaward of MHWS may commence until the MMO, in consultation with the MCA, has given written approval for an emergency response co-operation plan which includes full details of the emergency co-operation plans for the construction, operation and decommissioning phases of that part of the authorised scheme in accordance with the MCA recommendations contained within MGN 543 "Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues"(a).
DML, Schedule 8, Part 2 Footnote (a)	(a) See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441130/371.pdf .	(a) See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/502021/MGN_543.pdf

DML A1, Schedule 8, Part 2 Condition 3(2)	(2) No part of the authorised scheme seaward of MHWS may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the development, adequately addressed all MCA recommendations as appropriate to the authorised scheme contained within MGN 371 “Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” (including its annexes).	(2) No part of the authorised scheme seaward of MHWS may commence until the MMO, in consultation with the MCA, has confirmed in writing that the undertaker has taken into account and, so far as is applicable to that stage of the development, adequately addressed all MCA recommendations as appropriate to the authorised scheme contained within MGN 543 “Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response Issues” (including its annexes).
DML A1, Schedule 8, Part 2 Condition 6(6)	(6) At least 10 days before the commencement of the licensed activities, the undertaker must submit to the MMO an audit sheet covering all aspects of the construction of the authorised scheme, and no works may commence until the audit sheet content has been agreed with the MMO. The audit sheet must include details of— (a) loading facilities; (b) vessels; (c) equipment; (d) shipment routes; (e) working schedules; and (f) all components and materials to be used in the construction of the authorised scheme.	Condition Removed
DML A1, Schedule 8, Part 2 Condition 6(7)	(7) The audit sheet must be maintained throughout the construction of the authorised scheme, and the MMO must be notified of any changes on a	Condition Removed

DML A1, Schedule 8, Part 1 1(1)	fortnightly basis. “undertaker” means Optimus Wind Limited (company number 07883284) or, to the extent that the benefit of the provisions of the Order and related statutory rights in relation to Work No. 1A and such associated development or ancillary works has been transferred under article 35 of the Order to another person, that other person	“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
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