



Marine  
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Mr Kinmond  
NATIONAL GRID ELECTRICITY TRANSMISSION PLC  
4th Floor, Cross Gates House  
Cross Gates  
Leeds  
LS15 8DU  
Registered No.: 02366977

Case reference: MLA/2022/00273

28th July 2023

Dear Mr Kinmond,

## **Marine and Coastal Access Act 2009 Application for a marine licence (Ref: MLA/2022/00273)**

The Marine Management Organisation (MMO), is the Licensing Authority for the purpose of Part 4 of the Marine and Coastal Access Act 2009. You applied to us on 30 June 2022 for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 to undertake the construction of a subsea High Voltage Direct Current (HVDC) link between Peterhead in Aberdeenshire and Drax in North Yorkshire.

We have considered all the information that has been provided to us as well as any representations made to us by interested parties. We have granted a licence to you, the licence is enclosed with this letter. Our decision has been taken in accordance with the North East Marine Plan.

The licence we have granted contains a number of conditions, including conditions requiring mitigation or monitoring measures which can be found in section 5 of the marine licence.

### **Terms and Conditions**

#### General

This licence is your statutory consent to carry out the activity authorised by the licence. You must comply with the terms and conditions of the licence in full, these are binding on you and any agent or subcontractor undertaking the activity on your behalf. If you fail to comply with all the conditions in the licence we may vary, suspend or revoke your licence, and we may also take enforcement action against you.

Please read the licence carefully before you carry out the activity authorised by the licence





## Post Consent Returns

Where the conditions of the licence require you to submit returns to us, you must ensure these are submitted in accordance with the timescales set out in the licence and via the Marine Case Management System: [http://bit.ly/MMO\\_MCMS](http://bit.ly/MMO_MCMS).

You must ensure that you discharge all the conditions of the licence before the licence expires.

Where we are required to carry out post consent monitoring of the licence, including any review or approval that is required, then we may charge you a fee for that work. Where we propose to charge you such a fee we will provide you with an estimated cost before proceeding with consideration of your return.

## Fees

Where we do charge a fee, we will invoice you in respect of that fee. We expect full payment to be made for any licence charges **within 28 days** of the date of the invoice we send to you and non-payment of the invoice within the 28 days may result in us suspending or revoking the licence. Our terms and conditions relating to charging can be found here: [http://bit.ly/MMO\\_Terms\\_and\\_Conditions](http://bit.ly/MMO_Terms_and_Conditions).

## Variations

Any requests for a variation to this licence should be made **at least 3 months** before change is required or at least 3 months before the licence end date as specified in section 1.3 of the licence. Any request for a variation which does not allow sufficient time for us to fully consider and process the request before the licence expires will be rejected. We cannot vary a licence once the licence end date has passed.

## **Additional consents**

You may require permissions and consents from other organisations or persons before you can carry on the activity authorised by this licence and a marine licence issued by us does not absolve you from the need to hold these other consents or approvals before you carry out the licensed activities. For example, planning consent is often necessary for works to be undertaken above the low water mark and consent from the landowner may also be required. In some cases, approval from the Environment Agency may be necessary (e.g. where the activities involve a discharge or have implications for flood defences) or consent might be required from Natural England where your activities have the potential to affect a Site of Specific Scientific Interest [http://bit.ly/MMO\\_SSSI](http://bit.ly/MMO_SSSI). These examples are not intended to be an exhaustive list of other permissions that





may be required, you will need to make your own enquiries as to what, if any, other authorisations and permissions are required.

## Other Matters

### Advisory Notes

No radio beacon or radar beacon operating in the Marine frequency bands should be installed or used on the works without prior written approval by OFCOM.

Any jack up barges / vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.

Part of the site - Landfall in Seaham- is within port limits and approval/agreement should be gained of the responsible local navigation authority or the Harbour Authority/ Commissioners/Council. In this case to Victoria Group Ltd. You should issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.

There is legal obligation, under part 9 of the Merchant Shipping Act 1995, to report all recoveries of wreck material to the Receiver of Wreck. This must be done within 28 days of recovery. Failure to report the recovery of wreck material to the Receiver is a criminal offence. Additional information and a report of wreck and salvage form can be found at [gov.uk/guidance/wreck-and-salvage-law](http://gov.uk/guidance/wreck-and-salvage-law).

If in the opinion of the Secretary of State the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the failure to mark and light the works as required by the consent or to maintain the works in good order or from the drifting or wreck of the works, the owner of the works may be liable for any expense incurred in securing such assistance.

The Crown Estate is affected by the proposed activity and landowner's consent is required. You should contact Simon Goodwin on 0207 851 5264, [Simon.Goodwin@thecrownestate.co.uk](mailto:Simon.Goodwin@thecrownestate.co.uk) regarding landowner's consent for the proposed activity.

Ongoing collaboration should be undertaken with relevant developers where simultaneous operations may occur to mitigate and prevent suspended sediment plumes interacting. This should be informed by industry guidance including the International Marine Contractors Associated guidance on SIMOPS.





Statutory Nature Conservation Bodies have advised bundling the cable in the nearshore where possible, resulting in just one cable installation.

Waste should be properly classified in order to meet the objectives of the waste hierarchy and obligations under the applicants duty of care. Some waste (e.g. excavated soil and stone) may be either a hazardous or non-hazardous waste depending upon contamination.

The MMO recommend using a management and reporting system to minimise and track the fate of construction wastes. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.

Designated bathing waters within the vicinity of the Filey and Flamborough SPAs and the Flamborough Head SAC should be taken account of when considering the potential effects of the installation and the relevant mitigation.

No works should conflict with the current Shoreline Management Plan, and the "No Active Intervention" policy for this section of the coastline.

Cables should be installed at a sufficient depth to account for coastal change, ensuring that the pipes do not become exposed as a result of sediment movement (including beach level) over its lifetime.

The MMO recommend the developer considers the rate of coastal erosion over the lifetime of the development, and factor in sufficient distance to account for uncertainties, both horizontally from the coastline and vertically around beach activities. Further guidance may be found at Flood risk and coastal change - GOV.UK ([www.gov.uk](http://www.gov.uk)). The MMO also recommend that the applicant contacts East Riding of Yorkshire Council as the lead Coastal Risk Management Authority, and to obtain the latest data regarding coastal change in the landfall area.

### Appealing a decision

You may appeal our decision to grant the licence subject to conditions, any provision within the licence and or the period of time over which the licence is granted. You have **6 months** from the date of our decision to make your appeal. Your notice of Appeal should be sent to the Planning Inspectorate (PINS) who will manage and decide any appeal against our licensing decision.

Further guidance is available here: <https://www.gov.uk/guidance/make-a-marine-licence-application#after-a-decision-is-made>





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## Your feedback

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We are committed to providing excellent customer service and continually improving our service and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey: [http://bit.ly/MMO\\_Survey](http://bit.ly/MMO_Survey).

Finally, if you have any queries or require clarification of any of the terms or conditions of the licence, please do not hesitate to contact me using the contact details below.

Yours Sincerely,

Harriet Tyley  
+44 (0)77215 86323  
[harriet.tyley@marinemanagement.org.uk](mailto:harriet.tyley@marinemanagement.org.uk)

