



Marine  
Management  
Organisation

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Mr Kinmond  
NATIONAL GRID ELECTRICITY TRANSMISSION PLC  
GRAND BUILDINGS 1-3  
STRAND  
LONDON  
WC2N 5EH  
Registered No.: 02366977

Case reference: MLA/2022/00231

20th July 2023

Dear Mr Kinmond,

## **Marine and Coastal Access Act 2009 Application for a marine licence (Ref: MLA/2022/00231)**

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 31 May 2022 for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 to undertake construction to lay a High Voltage Direct Current (HVDC) link between Torness in East Lothian and Hawthorn Pit in County Durham.

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

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. Simon Goodwin should be contacted on 0207 851 5264, [Simon.Goodwin@thecrownestate.co.uk](mailto:Simon.Goodwin@thecrownestate.co.uk) regarding landowner's consent for the proposed activity.

## 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.





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

### Your feedback

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,

Emma Shore  
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...ambitious for our  
seas and coasts

