



Marine Management Organisation

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North Falls Offshore Wind Farm Case
Team
Planning Inspectorate
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(Email only)

MMO Reference: DCO/2021/00002
Planning Inspectorate Reference: EN010119
Identification Number: 20051047

03 March 2025

Dear Wendy McKay,

Planning Act 2008, Proposed North Falls Offshore Wind Farm Project Order Deadline 2 Submission Summary

On 22 August 2024, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (the “PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by North Falls Offshore Wind Farm Ltd, (the “Applicant”) for determination of a development consent order for the construction, maintenance and operation of the proposed North Falls Offshore Wind Farm Project (the “DCO Application”) (MMO ref: DCO/2021/00002; PINS ref: EN010119).

The DCO Application seeks authorisation for the construction, operation and maintenance of North Falls Offshore Wind Farm (the ‘Project’ or ‘North Falls’): an offshore generation station with a capacity exceeding 100 megawatts (MW) comprising up to 57 wind turbine generators together with associated onshore and offshore infrastructure and all associated development.

Three Deemed Marine Licences (DML) are included in the draft DCO. One in relation to generation assets and two in relation to transmission assets. One in relation to Wind Turbine Generators (WTG) and Associated Infrastructure, and one for Offshore Substation Platforms and Interconnector Cables.

As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions are drafted in a DML that enable the MMO to fulfil these obligations.



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This document comprises the MMO's summary for the submission for Deadline 2. This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,

[Redacted Signature]

[Redacted Name]

Marine Licensing Case Officer

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1. Comments on Pre-Examination Procedural Deadline Submissions

1.1 The MMO's Deadline 2 Response contains detailed comments on the following documents provided by the applicant

- REP1-011 6.1 Draft Development Consent Order (Rev 2) (Clean)
- REP1-012 6.1 Draft Development Consent Order (Rev 2) (Tracked) - Late submission accepted at the discretion of the Examining Authority
- REP1-042 7.30 Schedule of Changes to the draft DCO (Rev 1)
- REP1-045 9.2 Applicant's Response to Relevant Representations from Statutory Consultees and Non-Prescribed Consultees (Rev 0)
- REP1-057 9.14 Further Information Regarding Marine Mammals

1.2 The MMO has reviewed these documents and provided a response in section 1 of the Deadline 2 submission. The majority of the MMO comments have been presented in a tabular format to improve the readability and understanding.

1.3 The MMO considers there to be several points that require amending within the dDCO and DML.

1.4 The MMO defers several comments to Deadline 3 following consultation with its technical advisors.

2. MMO comments on the updated DCO/DML (REP1-011)

2.1 The MMO acknowledges the revisions to the draft DCO (dDCO) which have been submitted by the Applicant in their Deadline 1 Submission. The MMO hopes to see further amendments to the dDCO during the examination process.

2.2 The MMO objects to the provisions relating to the process of transferring and/or granting the deemed marine licences set out in the dDCO at Article 5. The MMO has given a detailed response and requested amendments regarding Article 5 in section 2 of its Deadline 2 Submission.

2.3 The MMO has also raised comments regarding Schedules 8, 9 and 10 of the dDCO which relate to the DMLs. The MMO seeks changes to Part 1 paragraph 9 of all three DMLs regarding amendment to the text.

2.4 The MMO has previously requested the removal of condition 20 (Schedule 8, 10) and condition 21 (Schedule 9) relating to Force Majeure. That is because it unnecessarily duplicates the effect of section 86 of the Marine and Coastal Access Act, 2009 (the 2009 Act). If it is to be retained, then the relationship between this clause and section 86 of the 2009 Act should be clarified. The MMO welcomes the Applicant's comments regarding Force Majeure in point MMO-78 of document REP1-045 regarding the Applicant's response to Relevant Representations. The MMO is currently reviewing the Applicant's comments and will provide a response in due course.

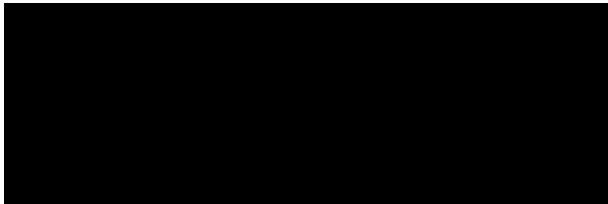
2.5 Regarding REP1-045, the MMO has provided a response in tabular format contained within the Deadline 2 submission which provides the MMO's stance on points regarding the dDCO and DML.

2.6 The MMO considers there to be several points that require amending within the dDCO and DML.

3. MMO comments on the Statement of Common Ground between North Falls Offshore Wind Farm Limited and the Marine Management Organisation

3.1 The MMO provided comments on the draft Statement of Common Ground via email on 11 February 2025. It is expected that the draft Statement of Common Ground will be provided for Examination at Deadline 3.

Yours Sincerely,



Marine Licensing Case Officer

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