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

24 June 2025

Dear Wendy McKay,

Planning Act 2008, Proposed North Falls Offshore Wind Farm Project Order Deadline 6 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. Schedule 8 includes the deemed marine licence for generation assets. Schedule 9 Includes the deemed marine licence for transmission assets, and Schedule 10 includes the deemed marine licence for the offshore converter station element for the transmission assets, should that infrastructure be required.

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.

This document comprises the MMO's summary for the submission for Deadline 6.

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,



Marine Licensing Case Officer

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1. MMO Responses to Examining Authority's (ExA) Questions (ExQ2) Deferred to Deadline 6

1.1 MMO Responses to Examining Authority's (ExA) Questions (ExQ2)

- 1.1.1 The MMO provided responses to the Examining Authority's questions at Deadline 5. Several responses were deferred to Deadline 6 which are included in Table 1 of the Deadline 6 response. The MMO has also provided further clarification to several questions following a meeting with the Applicant held on 11 June 2025. The MMO hopes that most of the issues will be resolved, and parties will be able to reach an agreement before the end of examination.

2. Comments on Applicant's Response to Deadline 3 Submissions and Deferred Responses from Deadline 2 [REP4-027] deferred to Deadline 6

2.1 REP3-056_g – Q9.4.3 Condition 21 Pre-construction plans and documentation

- 2.1.1 The MMO is largely content with the information within the outline Cable Specification and Installation Plan. It would be beneficial to have the worst-case figures within table within the plan but notes this would be updated post consent to show the activities against the consented parameters.
- 2.1.2 We may provide further comments at Deadline 7.

3. Comments on Applicant's Response to the Marine Management Organisation Additional Submission [AS-051] [REP4-027]

Draft DCO DML

3.1 AS-051_h – MMO-68

- 3.1.1 The MMO has provided further clarification of their position on this point during a meeting held with the Applicant on 11 June 2025. The MMO explained that the reason that 14 day notification is required is to ensure that the coastal enforcement team have enough time to prepare a desk-based assessment with the post consent Applicant lead, with an understanding of the plans and schedule of works.
- 3.1.2 In addition to this the MMO requests a minor update to the condition to ensure all instances of activities are taken into account within the condition:
- '(6) The undertaker must inform the MMO Local Office in writing at least ~~five~~ 14 days prior to the commencement of the licensed activities **or any part of them** and within five days of the completion of ~~the~~ **each** licensed activity.'*

3.2 AS-051_h – MMO-72

- 3.2.1 The MMO discussed this requirement further during a meeting held with the Applicant on 11 June 2025. The MMO explained that the reason that 14-day notification is required is to ensure that the coastal enforcement team have enough time to prepare a desk-based assessment within the operational phase.

3.2.2 If there are concerns, then unless otherwise agreed in writing could be added to the condition to allow for a reduced timeline where required.

3.3 AS-051_h – MMO-77

3.3.1 The MMO has provided comments on the site characterisation report in Section 5 of this document. The MMO has received an updated shape file for the disposal site designation and continues to work with the Applicant on this process and is hopeful this will be resolved for the final DML.

3.4 AS-051_i – MMO-100

3.4.1 The MMO welcomes the updates to the Outline Fisheries Liaison and Coexistence Plan submitted at Deadline 4 and is content with these updates and this has resolved the original comments. The MMO will maintain a watching brief on any further updates.

3.5 AS-051_r – MMO-164

3.5.1 The MMO welcomes the commitment by the Applicant to a piling restriction to cover the Down herring spawning period from 1 November to 31 January. The MMO further discussed the wording for the final condition with the Applicant on 11 June 2025. The MMO understands the Applicant is going to update the DML at Deadline 6 to include the wording proposed in our response at Deadline 5. The MMO welcomes these updates.

4. Comments on Applicant's Response to the Marine Management Organisation's comments on any submissions received at the previous deadline [REP5-056]

4.1 REP4-079_e – 1.5 Comments on the Applicant's Response to Natural England's Comments on EXQ1 [REP2-054]

4.1.1 The MMO notes the Applicant's response and has no further comments.

4.2 REP4-079_g - Article 5 Transfer of benefit (Para 3.1.2-3.1.8)

4.2.1 The MMO is still preparing a response and will provide an update at Deadline 7.

4.3 REP4-079_i - 4.1 Comments on Applicant's Response to MMO comment regarding Underwater noise policy papers [REP3-039] (Para 4.1.1-4.1.4)

4.3.1 The MMO welcomes the update to the MMMP and SIP document.

4.3.2 The MMO notes that NE still requires further commitment within the DML and will continue to be part of any discussions on the condition wording.

4.4 REP4-079_j - 4.2 Comments on the updated Draft Marine Mammal Mitigation Protocol (MMMP) [REP3-014 – Tracked] (Para 4.2.1-4.1.17)

4.4.1 The MMO welcomes the update to the MMMP and SIP document.

4.4.2 The MMO highlights that for Dogger Bank A and Dogger Bank B piling they were able to provide further information as part of the final MMMP with detail on the design to agree an alternative soft start procedure. At this stage the guidance should be followed as standard and when the design and further information can be provided within the final MMMP post consent then this can be reviewed and amended as appropriate. This matter is still an area of disagreement.

4.4.3 The MMO is content with the plots for Comparable Hammer Strike Energies provided in Appendix B.

4.5 REP4-079_m - 5.3 Disposal Sites (Para 5.3.1-5.3.2)

4.5.1 The MMO has received the updated disposal site shapefile from the Applicant and is in the process of designating the site noting further information within the site characterisation report is required.

4.6 REP4-079_m - 5.3 Disposal Sites (Para 5.3.1-5.3.2)

4.6.1 The MMO has received the updated disposal site shapefile from the Applicant and is in the process of designating the site.

5. Comments on the updated Site Characterisation Report [REP4-013]

5.1 Comments

5.1.1 The MMO provided minor comments on the sediment contaminant analysis after review of this document.

5.1.2 The MMO requests updates to the document to include the use of the overlapping area of the disposal site alongside Five Estuaries.

6. MMO Additional Comments on the Draft Development Consent Order (dDCO) (Rev 6) [REP5-008]

6.1.1 The MMO has reviewed the dDCO submitted at deadline 5 and has provided further comments in Table 2 of the Deadline 6 submission.

7. MMO Responses to Interested Party (IP) Submissions at Deadline 5

7.1 MMO Responses to London Gateway Port Limited (LGPL) submission at Deadline 5 (REP5-096)

7.1.1 The MMO notes the principal concerns raised by LGPL in their submission that are detailed in [REP2-041]

7.1.2 The MMO notes that the LGPL fundamentally disagrees with the removal of Protective Provisions.

7.1.3 The MMO notes the comments made by LGPL in points 19-21 in relation to the MMO being the appropriate regulator. The MMO understands that the LGPL position that they request the right to approve plans such as the final CSIP and final NIP before they are submitted to the MMO for approval. The MMO would welcome this approach and would stress that the MMO believes the issues should be resolved at this stage as part of the consenting decision process and should be a matter of the SoS to make a decision, if there is no agreement.

7.2 MMO Responses to maritime and Coastguard Agency (MCZ) Responses to EXQ2 submission at Deadline 5 (REP50100)

7.2.1 The MMO notes the MCA's further clarifications relating to the use to the Galloper Recommended Route and the legal consequences of not formally removing it prior to the commencement of development.

7.3 MMO Responses to Natural England (NE) Appendix B5 submission at Deadline 5 (REP5-104)

7.3.1 The MMO understands that NE consider that if this additional information, interpretation of model results and/or clarification can be provided it will address the concerns raised in this document.

7.4 MMO Responses to Natural England (NE) Appendix E5 submission at Deadline 5 (REP5-106)

7.4.1 The MMO notes the comments made by NE in relation to [REP3-014] Draft MMMP. The MMO have provided their own comments above in section 4.4.

7.5 MMO Responses to Natural England (NE) Appendix F5 submission at Deadline 5 (REP5-107)

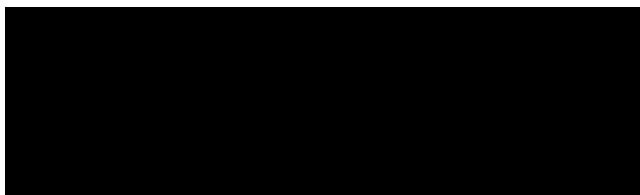
7.5.1 The MMO note the requests made by NE to re-submit updated in-combination assessments and re run Population Viability Analysis (PVA) results for guillemot and razorbill at the Flamborough Filey Coast Special Protection Area (FFC SPA), however like NE, recognise the limited time available in Examination.

7.6 MMO Responses to Natural England (NE) Appendix H5 submission at Deadline 5 (REP5-108)

7.6.1 The MMO notes that NE welcome that detailed design, and surveys will be undertaken post consent/pre construction. The MMO notes that NE considers that these should be secured within the DCO and acknowledge the suggestion made by NE that these may best sit within the Schedule for the compensatory measures.

7.6.2 The MMO notes the further considerations requested by NE specific to the HRA which the MMO would hope can be resolved by the end of examination.

Yours Sincerely,



Marine Licensing Case Officer

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