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(Email only)

MMO Reference: DCO/2022/00001  
Planning Inspectorate Reference: EN010121  
Identification Number: 20049449

22 January 2025

Dear Robert Jackson,

## **Planning Act 2008, Floatation Energy, Proposed Morecambe Offshore Windfarm Generation Assets**

### **Deadline 3 Submission**

On 27 June 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 Morecambe Offshore Windfarm Ltd (the “Applicant”) for determination of a development consent order for the construction, maintenance and operation of the proposed Morecambe Offshore Windfarm (the “DCO Application”) (MMO ref: DCO/2022/00001; PINS ref: EN010121).

The DCO Applicant seeks authorisation for the construction, operation and maintenance of Morecambe Offshore Generation Assets. The proposal is located 30 kilometres (km) from the Lancashire coast, England. The windfarm Agreement for Lease area awarded by The Crown Estate spans 125 km squared (km<sup>2</sup>). The proposed windfarm site development area has been reduced to approximately 87km<sup>2</sup>. All project infrastructure will be located within the 87km<sup>2</sup> windfarm site. The project consists of up to 35 Wind Turbine Generators (WTG), UP TO TWO Offshore substations (OST), their associated foundations and platform link cables. Inter-array cables. Scour protection around foundations and subsea cable protection where required.

One Deemed Marine Licence (DML) is included in the draft DCO. The DML relates to offshore (WTG) and Associated Infrastructure and Associated Development.

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 drafted in a deemed marine licence enable the MMO to fulfil these obligations.



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.

This document comprises the summary of the MMO's submission for Deadline 3.

Yours faithfully

[Redacted Signature]

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## Contents

|                                                                                                                  |   |
|------------------------------------------------------------------------------------------------------------------|---|
| 1. Responses to Examiner's Questions (ExQ1).....                                                                 | 4 |
| 2. Comments on PD1-011 Applicant's response to Relevant Representations from Marine Management Organisation..... | 5 |
| 2.1 General Comments.....                                                                                        | 5 |
| 3. Comments on Applicant's Deadline 2 Submissions .....                                                          | 6 |
| 3.1 General Comments.....                                                                                        | 6 |
| 3.2 DCO/DML Comments .....                                                                                       | 6 |
| 4. Comments on Stakeholders' Deadline 2 Submissions.....                                                         | 7 |
| 4.1 Natural England (REP2-037 and REP2-038).....                                                                 | 7 |
| 4.2 Maritime and Coastguard Agency (MCA) (REP2-036).....                                                         | 7 |
| 5. General Comments on other documents .....                                                                     | 7 |
| 5.1 IPMP (APP-148) .....                                                                                         | 7 |



## 1. Responses to Examiner's Questions (ExQ1)

- 1.1 The MMO has reviewed the Examiner's Questions and provided responses in Section 2 Table 1 of the MMO's Deadline 3 response.
- 1.2 The MMO has reviewed its internal systems and the Public Register to provide comments regarding the Barrow Offshore Wind Farm Marine Licence applications. The MMO met with Barrow Offshore Wind Limited and agreed that should works be required post 2030, a new Marine Licence application would be submitted for decommissioning activities.
- 1.3 With regards to European Protected Species Licensing, the MMO notes that a DEFRA policy paper has been published in relation to underwater noise, which Natural England or the MMO will provide into examination.
- 1.4 In relation to the disposal of sandwave material, the MMO notes that if disposal sites are not approved during examination the MMO will work with the Applicant to ensure there is a mechanism within the DML to confirm disposal sites post consent.
- 1.5 The MMO defers to NE on matters regarding ornithology and cumulative effects relating to Invasive Non-Native Species (INNS).
- 1.6 Where comment has not yet been provided the MMO will respond at Deadline 4.



## 2. Comments on PD1-011 Applicant's response to Relevant Representations from Marine Management Organisation

### 2.1 General Comments

2.1.1 MMO has added comments in Section 3, Table 2 of the MMO's Deadline 3 response.

2.1.2 With regards to the draft MMMP, the MMO is reviewing this and will provide comments as soon as possible.

2.1.3 The MMO notes that applying an EDR (Effective Deterrent Range) for harbour porpoise to other species is conservative. However, the MMO maintains that this would be a suitable precautionary option.

2.1.4 The MMO is still discussing the Underwater Sound Management Strategy and will provide updates at Deadline 4.

2.1.5 The MMO is largely content with the In Principle Monitoring Plan (IPMP) and will continue to review and support any requests from NE.

2.1.6 Currently, the MMO considers previous matters regarding marine geology, oceanography and physical processes closed.

2.1.7 With regards to marine sediment and water quality, the MMO will provide a response regarding the type of chemical analyses performed on samples, the location of samples that exceeded Action Level 2, and comparison against quality standards at Deadline 4.

2.1.8 The MMO considers matters in relation to benthic ecology closed.

2.1.9 The MMO will provide further comments regarding fish and shellfish ecology at Deadline 4.

2.1.10 Regarding marine mammals, the MMO will provide further comments at Deadline 4, specifically regarding the worse-case scenario presented in the underwater noise modelling assessment.

2.1.11 The MMO will maintain a watching brief on matters regarding commercial fisheries, shipping and navigation, marine archaeology and cultural heritage, seascape, landscape and visual impact assessment and offshore ornithology.





## 3. Comments on Applicant's Deadline 2 Submissions

### 3.1 General Comments

3.1.1 The MMO notes the Applicant has submitted a number of documents at Deadline 2.

3.1.2 Currently, the MMO has no comments on REP2-001, REP2-007, REP2-030, REP2-031, REP2-032 and REP-033.

3.1.3 Regarding, REP2-008, REP2-009, REP2-010, REP2-011, REP2-012, REP2-013, REP2-014, REP2-015, REP2-016, REP2-017, REP2-018, REP2-019, REP2-024, REP2-025, REP2-026, and REP2-028, the MMO is reviewing these revised documents alongside and will provide comments in due course.

3.1.4 In relation to REP2-027 the technical topics are currently being reviewed by our scientific advisors.

3.1.5 REP1-060 Draft Statement of Common Ground with the Marine Management Organisation – the MMO will continue to discuss the SoCG with the Applicant and make comments at future deadlines.

3.1.6 Regarding, REP2-002, REP2-003 and subsequently REP2-0006, the MMO thanks the Applicant for the amendments of these documents. The MMO will continue to review these documents throughout examination.

### 3.2 DCO/DML Comments

3.2.1 There is an ongoing discussion to come to agreement with the applicant regarding DML conditions.

3.2.2 The MMO does not believe there is new reasoning for the inclusion of the Transfer of the Benefit of the order Article 7.

3.2.3 The MMO request that Reporting of Maintenance is included on the DML conditions.

3.2.4 The MMO will provide an update in due course regarding the dropped objects condition 7(10) and the construction monitoring 15(1).

3.2.5 The MMO requests the reporting of engaged agents, contractors and vessels condition 13 and the chemicals, drilling and debris 7(1) conditions are updated.

3.2.6 The MMO request the updated marine noise registry 19(1) (2) (3) is included in the DMLs for piling.



## 4. Comments on Stakeholders' Deadline 2 Submissions

### 4.1 Natural England (REP2-037 and REP2-038)

4.1.1 The MMO notes that NE has raised concerns with regards to the IPMP.

4.1.2 The MMO notes NE comments regarding the Applicant not proposing monitoring for marine mammals within the Mitigation and Monitoring Schedule document and the Offshore IPMP.

### 4.2 Maritime and Coastguard Agency (MCA) (REP2-036)

4.2.1 The MMO notes there are a few outstanding points between the Applicant and MCA.

## 5. General Comments on other documents

### 5.1 IPMP (APP-148)

5.1.1 The MMO requires further information included within the IPMP regarding standardisation of monitoring and adhering to best practice.

Yours sincerely,



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