



Application by Morecambe Offshore Wind Limited for Morecambe Offshore Windfarm Generation Assets

The Examining Authority's additional written questions and requests for information (ExQ3)

Issued on 25 March 2025

The following table sets out the Examining Authority's (ExA) further written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Appendix C to the [Rule 6 letter](#) of 23 September 2024 and are in a similar order to those from the ExA's initial questions (ExQ1 [\[PD-011\]](#)) and further questions (ExQ2 [\[PD-015\]](#)). Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 3 (indicating that it is from ExQ3) and then has an issue code and a question number. For example, the first question on General and Cross-Topic issues is identified as ExQ3GEN1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact MorecambeOffshoreWindProject@planninginspectorate.gov.uk and include 'Morecambe Offshore Windfarm Generation Assets ExQ3' in the subject line of your email.

Responses are due by Deadline 5A: Tuesday 8 April 2025.

Please note at the same time the ExA has issued both its Report on the Implications for European Sites (RIES) and associated questions and its commentary on, or schedule of changes to, the draft DCO. Parties are asked to refer to these documents as well and to respond to the points made. Where appropriate, below, references are to Environmental Impact Assessment matters rather than Habitats Regulations Assessment (HRA) matters since these are covered in the RIES.



Abbreviations used:

Abbreviation	Description
ADD	Acoustic Deterrent Devices
AfL	Agreement for Lease
AMC	Alternative Means of Compliance
BML	Bodorgan Marine Limited
CAA	Civil Aviation Authority
CEA	Cumulative Effects Assessment
CI V	Copenhagen Infrastructure Partners fifth flagship fund
(d)DCO	(Draft) Development Consent Order
DF	Direction Finding
DIO	Defence Infrastructure Organisation
(d)DML	(Draft) Deemed Marine Licence
ES	Environmental Statement
ExA	Examining Authority
GBBG	Great black backed gull
GHG	Greenhouse gas
HRA	Habitats Regulations Assessment
IMC	Instrument Meteorological Conditions
iPCOD	Interim Population Consequences of Disturbance
IPMP	In Principal Monitoring Plans

Abbreviation	Description
km	Kilometre
LBBG	Lesser Black-backed Gull
MMO	Marine Management Organisation
NAS	Noise Abatement System(s)
NE	Natural England
NFFO	National Federation of Fisherman's Organisations
nm	nautical mile
NPS	National Policy Statement
NPS EN-1	Overarching NPS for Energy
NPS EN-3	NPS for Renewable Energy Infrastructure
oFCLP	Outline Fisheries Liaison and Co-Existence Plan
OSP	Offshore Substation Platform
OSPAR	Convention for the Protection of the Marine Environment of the North-East Atlantic
OWF	Offshore Wind Farm
PTS	Permanent Threshold Shift
s	Section
SoS	Secretary of State
SPA	Special Protection Area
TCE	The Crown Estate



Abbreviation	Description
UHF	Ultra High Frequency
UK	United Kingdom
VHF	Very High Frequency

Abbreviation	Description
VMC	Visual Meteorological Conditions
WTG	Wind Turbine Generator

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[EN010121-000408-Morecambe Offshore Wind Farm - Examination Library.pdf](#)

It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ3GEN1 – refers to question 1 in this table.



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ExQ3	Question to:	Question:
1. General and Cross-topic Questions (GEN)		
Funding		
3GEN1.	The applicant TCE	<p>Funding</p> <p>In its response to ExQ2GEN1 the applicant explains the current situation as regards the takeover of the proposed development by Copenhagen Infrastructure Partners fifth flagship fund (CI V), indicating that CI V will assume all funding obligations.</p> <p>Table 2.1 of the National Policy Statements Accordance Report [REP3-010] indicates that the Round 4 leasing process from TCE evaluated the financial capability of bidders.</p> <p>Could the applicant and TCE comment further in relation to the financial arrangements in light of the potential acquisition of the undertaker by CI V and, in the case of TCE, what, if any, arrangements are affected within the AfL?</p>
Cross-topic		
3GEN2.	The applicant TCE	<p>Liverpool Bay SPA buffer</p> <p>In the applicant's response to our written question ExQ2HRA6 at D5 [REP5-070], the applicant states "A 7km buffer would reinstate 13 of the 14 notional infrastructure locations, representing a loss of one notional WTG location...." and that "...to accommodate an increased buffer from the original Liverpool Bay SPA would have the potential to impact upon the viability of the Project to deliver the agreed capacity of 480MW of renewable energy into the UK power grid".</p> <p><u>The applicant:</u></p> <ul style="list-style-type: none"> a) noting that the generating capacity of the proposed development is not defined within the dDCO and that 480MW is described as being the 'nominal' capacity within the ES, please explain what is meant by "agreed capacity of 480MW"? b) can the applicant please provide further explanation or evidence to support its position that the potential loss of a single WTG as result of a 7km buffer from the original Liverpool Bay SPA (or any other reduction in WTG numbers) would affect the viability of the proposed development? <p><u>The applicant and TCE:</u></p> <ul style="list-style-type: none"> c) do the terms of the AfL contain any provisions or conditions such as requiring a minimum generating capacity to be delivered as part of the proposed development and, if so, what is this in megawatts?

ExQ3	Question to:	Question:										
3GEN3.	The applicant	<p>Liverpool Bay SPA and Oil and Gas Platform Buffers</p> <p>Whilst the ExA notes the caveats stated in the applicant’s response to ExQ2HRA6 at D5 [REP5-070], to further demonstrate and support the applicant’s position:</p> <p>a) please can the applicant provide individual plans to demonstrate the impact that each of the incrementally smaller buffers from the original Liverpool Bay SPA would have on the layout and number of WTGs that could be accommodated within the site (i.e. 10km, 9km, 8km, 7km and so no buffer associated with the SPA affects the site) - with all other existing buffers/ corridors as shown on [REP5-007] unchanged.</p> <p>b) in Spirit Energy’s response to ExQ2CAR5 at D5 [REP5-090] it advises a buffer distance of 1.9nm is the minimum acceptable requirement for safe landing and take-off in daytime VMC and for night VMC this distance would be 2.4nm. In light of this could the applicant provide plans for each alternative SPA buffer scenario in (a) plus each of the increased buffer scenarios from the Calder and CCP1 platforms as set out in the following table.</p> <table><tr><th><u>CPP1 WTG and OSP Aviation Buffer</u></th><th><u>Calder WTG and OSP Buffer</u></th></tr><tr><td>1.9nm</td><td>1.9nm</td></tr><tr><td>2.4nm</td><td>1.9nm</td></tr><tr><td>1.9nm</td><td>2.4nm</td></tr><tr><td>2.4nm</td><td>2.4nm</td></tr></table> <p>c) any additional comments or further information the applicant wishes to provide on the implications of each of the above scenarios (noting the applicant’s previous response [REP5-070], EXQ2HRA3 and 2HRA6].</p> <p>The ExA is seeking a complete set of alternative scenarios shown on plans, so that, whatever the SoS may determine, if they felt it was appropriate they could include the relevant plan within any final DCO without having to revert to the applicant for that plan. Each should therefore have a different drawing number.</p>	<u>CPP1 WTG and OSP Aviation Buffer</u>	<u>Calder WTG and OSP Buffer</u>	1.9nm	1.9nm	2.4nm	1.9nm	1.9nm	2.4nm	2.4nm	2.4nm
<u>CPP1 WTG and OSP Aviation Buffer</u>	<u>Calder WTG and OSP Buffer</u>											
1.9nm	1.9nm											
2.4nm	1.9nm											
1.9nm	2.4nm											
2.4nm	2.4nm											
3GEN4.	The applicant	<p>Design Statement - Cabling</p> <p>Could the applicant please explain why (former) provision DC15 relating to use of the most direct/ efficient cabling route to minimise cutting has been deleted from the post-consent design code in Table 6.1 of the Design Statement [REP5-008] and [REP5-009].</p>										

ExQ3	Question to:	Question:
2. Biodiversity, Ecology and Marine Processes (BEM)		
General		
3BEM1.	NE	<p>Outstanding matters – general</p> <p>NE has set out various matters in the latest version of the Risk and Issues Log [REP5-083] as yellow – unlikely to make a material difference to decision making. The applicant has previously provided responses to many of these issues as identified in The Applicant's Comments on Natural England's Risk and Actions Log at Deadline 4 - Revision 01 (Volume 9) [REP5-061]</p> <p>Please can NE review those responses and confirm whether, in its view, any of these matters are now resolved and provide an update.</p>
3BEM2.	NE	<p>Outstanding matters – pre- and post-construction monitoring</p> <p>NE is asked to review the applicant's response to its Relevant Representation [PD1-011] at reference RR-061-25 in respect of its request for pre- and post-construction monitoring of benthic, marine mammal or ornithological interests, with particularly reference to the latest versions of the IPMP [REP5-026] and the draft Marine Mammal Mitigation Protocol (MMMP) [REP5-028] to ensure that its Risk and Issues Log [REP5-083] is fully up-to-date. If NE is not content with the current drafting, then this reasoning needs to be fully set out.</p>
3BEM3.	NE	<p>Pre- and post-construction monitoring</p> <p>Can NE signpost to any made DCOs for other offshore windfarms that incorporate pre- or post-construction monitoring for benthic, marine mammals and ornithology as a standard requirement, regardless of the level of significance of ecological effects assessed?</p> <p>It would also assist the ExA if NE could identify specifically where such monitoring has been required and the level of effect on significance assessed.</p>
3BEM4.	The applicant	<p>Offshore impacts on bats over the Irish Sea [REP4-055]</p> <p>In its Risk and Issues Log [REP5-083] at tab I, NE refers to the applicant's technical note [REP4-055]. Recognising both the paucity of evidence and that implementing measures to improve the evidence base is outside the scope of this examination, it advises that</p> <ul style="list-style-type: none"> • the technical note should be updated to include evidence from other OWF projects; and • there is evidence on the role of barotrauma, that has not been considered in the technical note and which should be included.

ExQ3	Question to:	Question:
		Please could the applicant respond.
3BEM5.	NE The applicant MMO	Decommissioning Plan NE indicates it requires an outline Decommissioning Plan to be provided and removal of infrastructure at end of life, in line with OSPAR requirements. Could NE please explain the specific OSPAR provisions that require this outcome to be secured and explain whether: <ul style="list-style-type: none"> i) the exception to dumping at Article 1 g(iii) could apply, or ii) a derogation as outlined in paragraph 3 of the OSPAR 98/3 decision could apply? The applicant and MMO are also asked to comment.
3BEM6.	The applicant	In Principle Monitoring Plan The IPMP [REP5-026] section 1.3 commits the Applicant to “ <i>consider the application of standardisation where widely recognised agreed standards for monitoring already exist</i> ”. Could the applicant explain why it should not simply follow agreed standard methods where they exist? Can the IPMP be updated to reflect this?
Benthic ecology		
3BEM7.	The applicant	Correction/ errata – ES Chapter 9: Benthic ecology Paragraph 9.373 of ES Chapter 9 [REP3-014] requires revision as this refers to conclusions in respect of underwater noise and vibration and not from the introduction and spread of invasive non-native species. Please could the applicant check and amend as necessary.
3BEM8.	The applicant	Identification of microsites Under condition 9(1)(ii) of the DML it may be necessary to micro-site WTGs or OSPs to take account of features of nature conservation importance. Could the applicant please set out how these are to be identified, if appropriate surveys are not specifically referenced in the IPMP?
3BEM9.	The applicant	Boulder clearance The applicant’s response to Natural England’s Risk and Issues Log [REP5-061] row RI_E11] states that should boulders be encountered during construction it is likely these would be lifted and moved aside within the seabed preparation areas allowed for WTG/ OSPs and inter-array and platform link cables. The ExA notes that in its version of the Log submitted at D5, [REP5-083] NE has commented whilst it understands this is the case this should be specified within a named plan.

ExQ3: Tuesday 25 March 2025**Responses due by Deadline 5: Tuesday 8 April 2025**

ExQ3	Question to:	Question:
		For the avoidance of doubt, could the applicant please update Table 9.2 of Chapter 9 of the ES (Impacts 1 and 2) and/ or the outline Construction Method Statement [REP5-056] and Commitments Register [REP5-050] to make it clear that any boulders removed during seabed preparation works would be deposited within the total disturbance widths as identified?
3BEM10.	NE	<p>Outstanding issues raised by NE relating to Benthic Ecology</p> <p>In its Risk and Issues Log [REP5-083] at tab F, NE highlights a number of issues in amber, namely items F6, F7, F9 and F11 (RAG Status Rel and Wri Rep) and item F12 in yellow (RAG Status D5).</p> <p>The applicant has previously provided responses to each of these issues as identified in 'The Applicant's Comments on Natural England's Risk and Actions Log at Deadline 4 - Revision 01 (Volume 9)' [REP5-061]</p> <p>Please can NE review those responses and confirm whether, in its view, these matters are now resolved and provide an update. Where in NE's view any issue remains unresolved, please can NE make clear whether it considers this would make a material difference to the outcome of the decision-making process.</p>
Marine mammals		
3BEM11.	The applicant	<p>Outstanding issues raised by NE</p> <p>In its Risk and Issues Log [REP5-083] at tab D, NE highlights unresolved issues in amber (RAG Status D5) relating to:</p> <ul style="list-style-type: none">• cumulative impact: use of worst-case numbers disturbed, not only the iPCoD modelling results (D28)• PTS risk – other relevant projects should be included in the CEA (D38)• piling mitigation (D45, D70)• a standalone vessel code of conduct (D51, D72)• monitoring to be included in the IPMP (D61)• precise mitigation measures relied upon to conclude no adverse effects from impact pathways (D67)• break procedure outlined in the draft MMMP (D68) <p>Please could the applicant provide an update. Where in its view any issue is resolved, please could the applicant direct the ExA to the relevant document(s), providing additional reasoning where necessary.</p>

ExQ3	Question to:	Question:
3BEM12.	NE MMO The applicant	Noise Abatement Systems If NAS were secured for all piling activity, would this affect the provisions relating to ADD, seasonal restrictions, breaks in piling or soft start procedures? For example, if NAS were secured, would there still need to be a temporal restriction during the cod spawning season?
3BEM13.	NE	Marine Mammal piling responses With reference to NE Risk and Issue Log [REP5-083], tab D, item RI_D61, could NE explain what method the applicant would need to adopt to monitor marine mammal responses to piling impacts.
Offshore Ornithology		
3BEM14.	The applicant NE	Outstanding issues raised by NE In its Risk and Issues Log [REP5-083] at tab B, NE highlights unresolved issues in amber (RAG Status D5) relating to <ul style="list-style-type: none"> • use of gap filling data in CEAs (B8, B24) • cumulative displacement effects: approach to gap-filling: guillemot (B14) • CEA: Collision impacts: little gull and herring gull (B16, B18, B37) • CEA: gap filling for LBBG (B19) • Great black-backed gull (GBBG): figures to be used in assessment (interim advice note to the applicant, April 2024) (B20) • GBBG: cumulative effects and further avoidance or mitigation measures (B21) • vessel management plan: ports and further mitigation (B31) Please could both the applicant and NE provide an update. The ExA notes that several of these issues are reported as “in progress”. Where in either party view any issue is resolved, please direct the ExA to the relevant document(s), providing additional reasoning where necessary.

ExQ3	Question to:	Question:
3. Civil and Military Aviation and Radar (CAR)		
Clarifications		
3CAR1.	The applicant	<p>Outstanding VHF, UHF and DF Assessments</p> <p>Please can the applicant provide copies of the VHF, UHF and DF assessments that the ExA understands were provided to the affected aviation stakeholders before Deadline 5 (as indicated in the applicant's response to ExQ2CAR2 [REP5-070])?</p>
3CAR2.	CAA	<p>Alternative Means of Compliance</p> <p>Paragraph 5.20 of Spirit's Comments on any other submissions received at Deadline 3 [REP4-069] states "<i>The Applicant has failed to recognise the crucial point that to obtain an AltMoC, the aviation operator would have to demonstrate an equivalent safety standard to the AMC.</i>" The applicant submits [REP5-064] in paragraph 155 that "<i>Spirit is wrong in this regard, and that the equivalent safety standard of the IMC Take-Off Corridor, as to unrestricted IMC access in certain wind directions, is exactly the basis of Anatec's position in proposing the IMC Take-Off Corridor.</i>"</p> <p>Could the CAA comment on these statements and, if it prefers one or the other, explain why setting out its reasoning.</p>
3CAR3.	CAA	<p>Alternative Means of Compliance</p> <p>a) Should the proposed CAA 'rule change' be brought in, this would restrict all flights within 3nm of a wind turbine generator to daytime VMC access only. In the event the new rules were to apply retrospectively upon their implementation, then for Spirit Energy to use the IMC aviation corridor proposed by the applicant as part of the proposed development, the ExA understands that it may still be necessary for Spirit Energy to secure a CAA dispensation under the AltMoC process. Can the CAA confirm the ExA's understanding of this is correct and if not advise?</p> <p>b) Should the new rule come into force, in cases where the separation distance between an offshore platform and wind turbine generator is less than 3nm, the ExA understands an AltMoC would not be required unless the aviation operator was seeking access other than under daytime VMC. Again, for the avoidance of doubt, please can the CAA confirm whether the ExA's understanding is correct or advise accordingly.</p>

ExQ3	Question to:	Question:
4. Climate Change		
The ExA has no questions on this issue at this time.		
5. Commercial Fisheries (CF)		
Compliance with Policy		
3CF1.	TCE	<p>Subleasing of Agreement for Lease</p> <p>BML has requested that TCE consider allowing for underletting of its AfL to enable it to engage in commercial aquaculture. Can TCE please confirm:</p> <ol style="list-style-type: none"> whether, in its view, Part V of the United Nations Convention on the Law of the Sea 1982 allows TCE or any other body to issue a lease for aquaculture outside UK territorial waters (i.e. beyond 12nm) having regard to the applicant's response to ExQ2CF2 and Appendix A [REP5-070], confirm whether the terms of the applicant's AfL for the proposed development similarly does not allow for underletting to enable BML to engage in commercial aquaculture.
3CF2.	The applicant	<p>Outline Fisheries Liaison and Co-existence Plan (oFLCP)</p> <p>Paragraph 10 of the oFLCP [REP5-024] states that the plan would be “..periodically reviewed and updated throughout the lifetime of the Project as appropriate”. In its submission at D4 [REP4-073], the NFFO stated it was unclear on what is meant by “periodically reviewed”.</p> <p>Please can the applicant clarify what is meant by “periodically” (ie. reviewed each year, at set phases of the development, etc) and amend the oFLCP to make it clearer?</p>
3CF3.	The applicant	<p>NPS EN-3 – Paragraph 2.8.251</p> <p>Paragraph 2.8.251 of NPS EN-3 states that “<i>Mitigation should be designed to enhance, where reasonably possible, any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment</i>”.</p> <p>Whilst the ExA notes the content of the Environmental Benefit and Net Gain Statement [REP3-002] and comments identified within the National Policy Statements Accordance Report - Revision 03 (Volume 4) [REP3-011] in relation to paragraph 2.8.251, can the applicant please explain and summarise what, if any, specific ‘enhancement’ measures (as opposed to mitigation) are proposed in relation to the “..fishing industry, commercial fishing stock and marine environment” and therefore how this test has been met?</p>

ExQ3	Question to:	Question:
6. Cultural Heritage (including Marine Archaeology) (CH)		
The ExA has no questions on this issue at this time.		
7. Development Consent Order [REP5-002] (DCO)		
Schedule 2 - Requirements		
3DCO1.	CAA DIO The applicant	<p>Requirement 3 – Aviation Safety</p> <p><u>To the CAA and DIO</u></p> <p>a) In response to Action Point 26 [REP4-061] the applicant has provided a note as to the applicability of the Air Navigation Order 2016 to the application site, sited as it is outside territorial waters. The CAA and DIO are asked for their views as to the geographical extent of relevant provisions (articles 222 and 223) of the Air Navigation Order 2016.</p> <p>As the parties will be aware, s120 of the PA2008 allows for a DCO to include provision applying and/ or modifying a statutory provision which relates to any matter for which provision may be made in the DCO.</p> <p><u>To the CAA, DIO and the applicant</u></p> <p>b) If either the CAA or DIO takes the view that the geographical extent of the Air Navigation Order does not extend to the application site, should it be applied by express provision in the dDCO? The applicant is asked to liaise with the CAA and DIO in this regard.</p> <p>c) If the answer to (b) is yes, could the applicant consider whether, in addition to the current requirement 3 in Schedule 2, an additional article may be required to expressly apply relevant provisions of the Air Navigation Order (with modifications if necessary) to the dDCO. The applicant may find precedent provisions, for example article 22 of the Norfolk Boreas Offshore Wind Farm Order 2021, of use in drafting.</p>
3DCO2.	The applicant	<p>Potential additional requirement – bats</p> <p>Could the applicant provide, if necessary on a ‘without prejudice’ basis, drafting for an additional requirement to secure monitoring for the effects of the proposed development on bats, were the SoS to consider that such a provision were to be necessary.</p>

ExQ3	Question to:	Question:
Schedule 3 – Protective Provisions		
3DCO3.	Harbour Energy Spirit Energy	<p>Protective Provisions</p> <p>At D5, the applicant has provided two versions of the Protective Provisions, that is to say in the dDCO [REP5-002] and in the ‘Without Prejudice DCO Requirement and Schedule 3 Spirit and Harbour Alternative Protective Provisions’ [REP5-071].</p> <p>Spirit Energy and Harbour Energy are asked to review both these documents, providing commentary on them and indicating where they consider they should be amended, and provide them both in ‘clean’ and ‘tracked change’ for each document.</p> <p>If Spirit Energy or Harbour Energy feel unable to comment on these provisions, they should set out their own full set of protective provisions explaining in commentary why these are to be preferred on a provision by provision basis.</p>
Schedule 6 – Deemed Marine Licence		
3DCO4.	The applicant	<p>Conditions 2(5), 2(7) and 18</p> <p>In ExQ2DCO3 the ExA set out its concerns that if the trigger for the start of maintenance reports to the MMO was upon completion there could be delays in this regime starting if the applicant only constructed part of the development. In response the applicant noted that condition 18 relates to completion of development with a view to tying the requirements of conditions 2(5) and 2(7) to condition 18.</p> <p>The ExA remains concerned in relation to two matters:</p> <ul style="list-style-type: none"> • firstly, that it would be possible that the applicant may only construct, say, half of the proposed WTGs initially, and return to construct the remainder some years later, meaning that the triggers in conditions 2(5) and 2(7) would not be met and the maintenance reporting regime would not have commenced • secondly, it is unlikely that the applicant would build to the full extent of the maximum parameters set out in requirement 2 and condition 1 which could lead to uncertainty as to whether the proposed development was actually ‘complete’ or not. <p>The applicant is asked to look at these provisions again with a view to avoiding these issues.</p> <p>The ExA notes that when the close-out report under condition 18 is submitted no further construction activities can then take place, but this does not obviate the first concern.</p>

ExQ3: Tuesday 25 March 2025**Responses due by Deadline 5: Tuesday 8 April 2025**

ExQ3	Question to:	Question:
3DCO5.	The applicant	Condition 9 – Pre-construction plans and documentation Could the applicant please explain why, in condition 9(1)(a)(ii), the reference and commitment to two lines of orientation has been removed?
3DCO6.	The applicant	Potential additional condition Could the applicant provide, if necessary on a ‘without prejudice’ basis, drafting for additional condition(s) to secure pre- and post- construction monitoring for the effects of the proposed development on benthic, marine mammal and/ or ornithological monitoring, were the SoS to consider that such provision(s) were to be necessary. This would be in the event that the SoS were to consider the provisions in the IPMP were insufficient in relation to any matter.
Schedule 7 – Without prejudice compensation measures		
3DCO7.	The applicant	‘Without prejudice’ drafting Could the applicant please provide, if necessary on a ‘without prejudice’ basis, drafting for provisions within schedule 7 specifying the specific scheme. In other words, whether that be the Steep Holm vegetation clearance and maintenance or the Banks Marsh megafence compensation, so that either could be secured should the SoS consider only one or the other had the relevant level of certainty. In respect of the Steep Holm compensation measures, could the applicant provide additional drafting to ensure that the provisions include mitigation for the lifetime of the proposed development.

ExQ3	Question to:	Question:
8. Habitats Regulations Assessment (HRA)		
All HRA queries are covered in the Report on the Implications for European Sites issued concurrently with this document.		
9. Other offshore infrastructure (OOI)		
The ExA has no questions on this issue at this time.		
10. Seascape, Landscape and Visual (SLV)		
The ExA has no questions on this issue at this time.		
11. Shipping and Navigation (SN)		
Clarifications		
3SN1.	Spirit Energy	Radar Early Warning Systems Could Spirit Energy please confirm whether it accepts the findings in the updated ES Appendix 17.2 'Radar Early Warning System Technical Report' [REP3-034] submitted by the applicant at D3? The response in [REP4-069] indicates that it " <i>notes and welcomes</i> " it. If not, could Spirit Energy explain its position fully.
12. Socio-Economics, Tourism and Recreation (SETR)		
The ExA has no questions on this issue at this time.		
13. Traffic and Transport (TT)		
The ExA has no questions on this issue at this time.		