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(by Email only)

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

08 April 2025

Dear Robert Jackson,

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

**Deadline 5a Summary 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 document comprises the MMO’s Deadline 5a Summary submission.

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]

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# 1. Comments on the Applicant's Deadline 5 Submissions

## 1.1 General Comments

- 1.1.1 The Applicant submitted a number of documents at Deadline 5.
- 1.1.2 The MMO notes a number of documents have been updated in response to Examiners written questions 2 – 2GEN3, the MMO welcomes these updates and has no comments to add.
- 1.1.3 The MMO is largely content with the documents and also notes that some documents will be updated at Deadline 5a on the back of further discussions with interested parties.

## 1.2 6.6.1 Outline Offshore Operation and Maintenance Plan (Tracked) - Revision 03 (Volume 6) (REP5-031)

- 1.2.1 The MMO welcomes the updates made to this document and has no further comments.

## 1.3 Comments on 9.49 Outline Construction Method Statement (REP5-056)

- 1.3.1 The MMO requests that the final Cable Installation Plan should address the reasons why cables may be buried to 3m depth (C002 of Table 5.3) when the target burial is 1.5m.

## 1.4 Comments on 9.57 The Applicant's Comments on Deadline 4 Submissions by Interested Parties (REP5-060)

- 1.4.1 The MMO has reviewed this document and considers most of the matters closed at Deadline 5 or a position of agreed to disagree has been decided upon.
- 1.4.2 With regards to representation 1BEM24, the MMO agrees with the proposed wording on the DML for the proposed piling restriction.
- 1.4.3 The MMO considers the Applicant's response to 1HRA28 sufficient.

## 1.5 Comments on 9.60 The Applicant's Response to ExAs Written Questions (REP5-070)

- 1.5.1 The MMO has reviewed the Applicant's response to Ex2 and has provided further comments where necessary.

## 1.6 Ex2 Question – The Outline Underwater Sound Management Strategy (2BEM1)

- 1.6.1 The MMO does not consider that there are other fish ecology scenarios for which the Applicant should be implementing Noise Abatement System (NAS) in the Underwater Sound Management Strategy (UWSMS).
- 1.6.2 The MMO does not consider that including different scenarios based on different sensitivities, species and times of year is of benefit to the assessment.
- 1.6.3 The MMO does not consider it appropriate for different criteria to be applied to the assessment during the cod spawning season versus other times of year.

## 1.7 Ex2 Question – Site Specific Fish/Shellfish Surveys (2BEM2)

- 1.7.1 The MMO considers this information provided by the Applicant to be sufficient, the Applicant has included relevant baseline information on shellfish species and identified species present within the area and no further information is required.





## 2. Response to Examiners Third Written Questions (ExQ3)

### 2.1 General Comments

2.1.1 The MMO has provided responses to ExQ3 where relevant below.

**2.2 Ex3 Question - Decommissioning Plan (3BEM5)** 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:

- 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.

2.2.1 The MMO has no comments to add at this time.

**2.3 Ex3 Question - Noise Abatement Systems (3BEM12)** 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?

2.3.1 The MMO believes that for breaks in piling if NAS was utilised for all this could change depending on the NAS utilised. For soft start procedures and ADD evidence would need to be provided to reduce or change any requirement.

2.3.2 In order to remove the requirement of a seasonal piling restriction further information on the NAS including modelling would be required. The MMO maintains that a seasonal temporal piling restriction during the cod spawning season is required as a licence condition if the DML is granted.

2.3.3 The MMO notes that the UWSMS will be used post-consent to ensure that appropriate NAS, supported by appropriate UWN modelling of the mitigated impact ranges for the NAS employed, should the Applicant seek to remove the piling restriction.

2.3.4 The MMO is also content that even with securing commitment to use NAS on a DML that any refinement to a seasonal restriction or change in mitigation would be presented as part of the Marine Mammal Mitigation Protocol (MMMP) or UWSMS.

## 3. Comments on the Examining Authority's (ExA) Consultation draft Development Consent Order (dDCO) (PD-019)

### 3.1 General Comments

3.1.1 The MMO notes the recommended changes to the draft DCO in relation to the DML Schedules outlined in Table 1 of its Deadline 5a Response.

3.1.2 The MMO notes a number of the points (1 – 5 and 13) are not within its remit

3.1.3 The MMO welcomes the updates notes in points 6, 7, 10 and 11.

3.1.4 The MMO maintains that Schedule 6, Part 2, condition 8 is removed.

3.1.5 With regard to Schedule 6, Part 2, condition 9, the MMO requests contact details are included in part 1(4).

3.1.6 The MMO notes the additional comments made by the ExA.



## 4. Comments on the Report on Implications for European Sites (RIES) (PD-017)

### 4.1 RIESQ14

- 4.1.1 The MMO notes updates have been made in relation to new noise policies with regards to the MMMP and the MMO is largely in agreement with the updates.
- 4.1.2 The MMO strongly advises that NAS will likely be required for all piling in the coming years but considers the UWSMS will be used to determine the specific mitigation requirements. The MMO defers to NE in relation to the worst case and commitment to NAS in the UWSMS and on the DCO.
- 4.1.3 The MMO notes the Applicant has provided a without prejudice condition for commitment to utilise NMS/NAS should the design require it, the MMO agrees with the wording.

## 5. Comments on the Draft Development Consent Order (DCO) (REP5-003)

### 5.1 General Comments

- 5.1.1 The Applicant shared an updated version of the draft DML with the MMO via email on 26 March 2025 (noting further general amendments may be made prior to Deadline 5a) with updated wording regarding the following conditions:
- Changes to timescales for the Offshore Operation and Maintenance Plan (OOMP), VTMP and PEMP (Condition 9(1))
  - Changes to the chemicals condition (Condition 9(1)(e))
  - Changes to the UWSMS (Condition 20)

### 5.2 Timescales Condition 9(1)

- 5.2.1 The MMO notes updates have been made to 9(1)(g) regarding six month time scales.
- 5.2.2 The MMO is content with this update.

### 5.3 Chemicals Condition 9(1)(e)

- 5.3.1 The MMO understands the Applicant has made some minor changes to the condition to align with their drafting style, the MMO requested a minor wording change to the Chemical Condition below and the Applicant has accepted this:

*(ii) a site specific chemical risk assessment for all chemicals that have a pathway to the marine environment and are used for the licensed activities outside the course of normal navigation, to include;*

*(aa) the function of the chemical;*

*(bb) the quantities being used and the frequency of use; and*

*(cc) the physical, chemical and ecotoxicological properties of the chemical*  
*Chemicals present on the OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR) are exempt from this requirement;*



## 5.4 Dropped Objects Condition 7(11)

5.4.1 The MMO has had discussions with the Applicant regarding the dropped object condition. The MMO has requested the following update is made to this condition:

*All dropped objects which are considered a danger or hazard to navigation or which, having regard to guidance issued by the MMO from time to time would be considered reportable, must be reported to the MMO using the Dropped Object Procedure Form (or any updated or replacement form provided by the MMO) as soon as reasonably practicable and in any event within 24 hours of the undertaker becoming aware of an incident (or such other timescale as agreed with the MMO in writing).*

Yours sincerely,

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