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(By Email only)

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

15 April 2025

Dear [REDACTED],

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

### **Deadline 6 Summary**

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 6 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



Marine Licensing Case Officer

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# 1. The MMO's Closing Statement

## 1.1 General Comments

- 1.1.1 The Applicant has engaged with the MMO throughout the process with the aim to agree as much as possible, there are a number of points of disagreement between the MMO and the Applicant.

# 2. The MMO's Position on the Environmental Statement (ES)

## 2.1 Benthic Ecology

- 2.1.1 No outstanding issues.

## 2.2 Coastal Processes

- 2.2.1 No outstanding issues.

## 2.3 Underwater Noise

- 2.3.1 The MMO understands that the Applicant intends to refine mitigation regarding underwater noise through the finalisation of the Marine Mammal Mitigation Protocol (MMMP) and Underwater Sound Management Strategy (UWSMS).

## 2.4 Shellfisheries

- 2.4.1 No outstanding issues.

## 2.5 Fisheries

- 2.5.1 The MMO requested a seasonal piling restriction to be placed on the DCO/DML and be included in the UWSMS for cod (15 February to 31 March (inclusive)). The Applicant has now included a without prejudice piling restriction on the DML through Condition 20(3), the MMO considers if this is maintained within the DML in the consenting decision then there are no outstanding issues.

# 3. Comments on the Draft Development Consent Order (DCO) and Deemed Marine Licence (DML)

## 3.1 Decommissioning

- 3.1.1 The MMO notes CO28 of the commitments register (REP5-050) is for a decommissioning programme, has been updated as requested. The MMO is content given the update to the commitments register.

## 3.2 Dropped Objects Condition

- 3.2.1 The MMO is content with the updates to this condition.

## 3.3 Marine Noise Registry Condition 19

- 3.3.1 The MMO is content with the updates to Condition 19.

## 3.4 Chemicals

- 3.4.1 The MMO has requested a small amendment to the wording and the Applicant is updating this at Deadline 6.



### **3.5 Transfer of the benefit of the order Article 7**

3.5.1 The MMO strongly disagrees with the purpose of the inclusion of the DML as set out in previous representations (REP5-075) and this is not agreed – material impact.

### **3.6 Schedule 2 Requirement 1 – Time limits/Lifespan**

3.6.1 The MMO previously highlighted (REP5-075) to the ExA and SoS that there may be a benefit to including an end date of the Operation and Maintenance phase. The MMO maintains its original comment, but this is not agreed – no material impact.

### **3.7 Adaptive Management**

3.7.1 As outlined in the MMO's Statement of Common Ground (SoCG) with the Applicant, the MMO is not in agreement with the Applicant on this point but considers it to be of no material impact.

### **3.8 Force Majeure Condition 8**

3.8.1 The MMO maintains that this condition be removed as detailed in section 7.4 of REP5-075. The removal of this condition is requested due to the liability and enforcement issues post-consent and the ambiguity of 'any other causes' within the condition wording, even with the inclusion of 'unforeseeable' the MMO still requests this is removed.

### **3.9 7.10 Part 1, Paragraph 2a and Paragraph 4 and Part 2, Condition 7 (5) – Disposal sites**

3.9.1 The MMO maintains that the reference number of the disposal site should be included within the DML but this is not agreed – no material impact.

### **3.10 Underwater Sound Management Strategy Condition 20**

3.10.1 The Applicant has included the condition 20 on the DML which is a piling restriction. The MMO is content with this condition.

## **4. Comments on the Applicant's Deadline 5 Submissions**

### **4.1 Comments on The Applicant's Comments on Deadline 4 Submissions by Interested Parties (REP-060)**

4.1.1 The MMO considers the Applicant's response to 1HRA28 appropriate and has no other comments to raise.

### **4.2 Comments on 9.49. Outline Construction Method Statement (Tracked) – Revision 02 (Volume 9) (REP5-057)**

4.2.1 The MMO notes that the Applicant has added a commitment to include details of the source of rock materials to be used should rock berm be chosen as the scour and cable protection method. The MMO agrees with this inclusion.

4.2.2 The MMO also welcome the Applicants commitment (in Section 9 of the Outline CMS document referenced in paragraph 7) to demonstrate that the final design of the Project falls within the Project Development Envelope (PDE) through presenting a tabulated comparison of the final design in the CMS with the PDE as set out in the Environmental Statement.





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

### 5.1 Multiple documents

5.1.1 The MMO is content with the following documents:

- Chapter 11 Marine Mammals
- Chapter 7 Marine Geology, Oceanography and Physical Processes
- Schedule of Mitigation
- Commitments Register
- Outline Project Environmental Management Plan (PEMP)
- Fishing Liaison Coexistence Plan (FLCP)
- Outline Vessel Management Plan (OVMP)
- Draft Marine Mammal Mitigation Protocol (MMMP)

5.1.2 The MMO notes a number of the updates were from NE and notes that these updates may have resolved some issues and other than ornithology assessments these will likely be amber not red on their risk and issues log.

### 5.2 Comments on the In Principle Monitoring Plan (IPMP)

5.2.1 The MMO notes updates have been made to benthic, marine mammal, ornithological and bats sections and are content with these updates – noting NE raised these issues.

5.2.2 The Applicant has also drafted additional without prejudice conditions for benthic, ornithology, marine mammal and bat monitoring but does not consider these conditions of additional monitoring to be necessary for consent. The Applicant shared these conditions with the MMO in a meeting held on 7 April 2025.

5.2.3 The MMO is content with the proposed conditions and requests that the recommendation and decision are clear on what monitoring is required.

### 5.3 Comments on the Outline Underwater Sound Management Strategy (UWSMS)

5.3.1 The MMO notes several updates have been made to the UWSMS, primarily within Table 3.1 which outlines how consultation responses regarding the UWSMS have been addressed by the Applicant. Overall, the MMO is content with the updates to the UWSMS provided that NE is also content.

## 6. Comments on The Applicant's Comments on Deadline 5 Submissions by Interested Parties and Comments on responses to ExQ2s

### 6.1 General comments

6.1.1 The MMO provided comments on this document and most issues have been resolved or are for NE to clarify at Deadline 6.



## 7. Comments on The Applicant's Comments on ExAs Written Questions 3

### 7.1 3BEM5 Decommissioning Plan

7.1.1 The MMO acknowledges the Applicant's response. The MMO has no further comments

### 7.2 3BEM12 Noise Abatement Systems

7.2.1 The MMO acknowledges the Applicant's response to 3BEM12. The MMO notes that the draft MMMP has been updated regarding breaks in piling. The MMO is content that the requirement for breaks in piling would be confirmed through the finalisation of the MMMP. The MMO defers to NE for further comment.

7.2.2 Regarding the seasonal restriction and cod spawning, the MMO maintains that further evidence would be required for the removal of the seasonal piling restriction.

## 8. Response to the Rule 17 Letter

### 8.1 R17.2.4

8.1.1 The MMO maintains its original position that the Transfer of the Benefit should be removed.

Yours sincerely

[Redacted Signature]

[Redacted Name]

Marine Licensing Case Officer

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