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MMO Reference: DCO/2021/00003
Planning Inspectorate Reference: EN010130
Identification Number: 20048765

01 September 2025

Dear John Wheadon,

**Planning Act 2008, GTR4 Limited, Proposed Outer Dowsing Offshore Windfarm Order
Secretary of State's Request for Information**

On 02 May 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 GTR4 Limited (the Applicant) for determination of a Development Consent Order (DCO) for the construction, maintenance and operation of the proposed Outer Dowsing Offshore Wind Farm (the DCO Application) (MMO ref: DCO/2021/00003; PINS ref: EN010130). The DCO includes Deemed Marine Licences (DMLs) in Schedules 10, 11, 12, 13, 14, 15 and 16.

The DCO Application seeks authorisation for the construction, operation and maintenance of Outer Dowsing offshore wind farm (OWF), comprising of up to 100 wind turbine generators together with associated onshore and offshore infrastructure and all associated development (the Project).

This document comprises comments in respect of the DCO Application, in response to the request for further information issued by the Secretary of State for Energy Security & Net Zero on 12 August 2025.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application. 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,



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Melissa Westerby
Marine Licensing Case Officer

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1 Request for Further Information Regarding the Deemed Marine Licence

51. The Secretary of State notes that the MMO had a number of issues with the drafting contained within the Deemed Marine Licence (“DML”) in Schedules 10 – 16 and believed that they should be removed. The Applicant and the MMO are therefore requested to provide an update on the status of these conditions.

- 1.1 With reference to paragraph 51 of the Request for Information from the Secretary of State for Energy Security and Net Zero dated 12 August 2025, the MMO and the Applicant engaged proactively throughout the Examination and the matters at issue between the MMO and the Applicant narrowed considerably throughout the process. The MMO and the Applicant most recently met on 20 August 2025. Following that meeting the MMO and the Applicant confirm that their respective positions are as set out in the submissions made at the close of Examination. For the avoidance of doubt, whilst differences of opinion remain as to the precise drafting of the conditions to be attached to the deemed marine licences in Schedules 10-16, it is not the MMO’s position that these deemed marine licences should be removed from the DCO. The points outstanding at Deadline 6 were relating to specific conditions contained within the deemed marine licences.
- 1.2 The MMO has used its expert judgment in examining the case specific details of this offshore wind farm, along with its knowledge of the post-consent development approvals process. It should not be taken as precedent that because a condition is included within a previous Project’s DML, that it should automatically be included moving forward. Decisions must take into account the most up to date evidence, and this includes evidence of why conditions do not work/cause difficulty post-consent. The DMLs must be enforceable and the MMO stresses that it is best placed to exercise its function in wording conditions specifically so that they are interpreted correctly by all stakeholders. Conditions must serve a defined purpose and where they do not, they must be amended/removed.
- 1.3 The table below summarises the outstanding comments which need to be addressed by the Secretary of State for Energy Security & Net Zero. For MMO’s full comments, please refer to the Deadline 6 submission, REP6-134. The MMO requests that a definitive decision is set out within the decision document so that there is no doubt in the post-consent phase as to what the determination on each issue is.



Table 1: Summary of outstanding DML concerns

DML topic	Summary of change required to DML	MMO position
Transfer of benefit	Amendment to Article 6.	The MMO strongly disagrees with the purpose of the inclusion of the DML in this transfer of benefit provision and our strongest preference remains for the DMLs not to be made subject to the Transfer of Benefit provisions in the main body of the order, in full or in part.
Lifespan	Addition.	The MMO considers that DMLs should have an end date included to keep them in line with other Marine Licences that include construction and maintenance activities.
Force Majeure/Notification of Unauthorised Deposits	Removal of the following: Schedule 10, Part 2, Condition 12. Schedule 11, Part 2, Condition 12. Schedule 12, Part 2, Condition 9. Schedule 13, Part 2, Condition 9. Schedule 14, Part 2, Condition 9. Schedule 15, Part 2, Condition 9. Schedule 16, Part 2, Condition 7.	The dropped object condition already serves as a notification to the MMO. This is unwanted duplication that moves the decision away from the regulator.
Determination Timescales	Removal of (6) within Schedule 10, part 2, Condition 22. The rest of condition 22 to remain. Removal of (4) and (6) within Schedule 10, Part 2, Condition 14. The rest of condition 14 to remain. Removal of (4) and (6) within Schedule 11, Part 2, Condition 14. The rest of condition 14 to remain.	The MMO maintains that the DML should not place determination timescales on the regulator.

Timescales of Marine Mammal Mitigation Protocol (MMMP) and Site Integrity Plans (SIPs) for Artificial Nesting Structures (ANS) and biogenic reef creation.	Amendment to timescale of the MMMP and SIP – all should be six months.	The MMO maintains its position that it must be six months for all MMMPs and SIPs regardless of the scale of the activity so that in-combination impacts can be fully assessed.
Decommissioning	Addition.	The MMO would welcome a commitment to review the decommissioning programme and all updated programmes prior to the SoS decision.
Chemicals	<p>Amendment to Schedule 10, Part 2, Condition 11.</p> <p>Amendment to Schedule 11, Part 2, Condition 11.</p> <p>Amendment to Schedule 12, Part 2, Condition 8.</p> <p>Amendment to Schedule 13, Part 2, Condition 8.</p> <p>Amendment to Schedule 14, Part 2, Condition 8.</p> <p>Amendment to Schedule 15, Part 2, Condition 8.</p> <p>Amendment to Schedule 16, Part 2, Condition 6.</p> <p>Addition of interpretations.</p>	The MMO believes the additional information will make it clear what is required at the post consent stage, with definitions to be included within the consents pertaining to the new condition wording.

Yours sincerely,

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Melissa Westerby
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