

# DLP Group Services

Re: 1733      Date: 16 January 2025

Application by Morgan Offshore Wind Limited

Morgan Offshore Wind Project: Generation Assets

The Examining Authority's written questions and requests for information (ExQ2)

Issued on Thursday 19 December 2024

Response on behalf of BAE Systems (BAE Systems Marine Limited – Walney and BAE Systems (Operations) Limited – Warton)

Responses are due by Deadline 5: Thursday 16 January 2025

EXQ2	Question to	Question	Response
AR Aviation and Radar			
AR 2.1	BAE Systems Blackpool Airport Defence Infrastructure Organisation/ Ministry of Defence Isle of Man Government Territorial Seas Committee (Ronaldsway Airport) NATS En-Route plc	<b>Aviation and Radar Mitigation Progress Report</b> The D4 update to the Aviation Mitigation Progress Report <a href="#">[REP4-028]</a> now includes 'next steps' and expected timescales for conclusion of agreement as requested by the ExA at ISH2.  Could all listed aviation and radar IPs confirm if the Applicant's summary of progress is correct and provide any necessary updates.	<b><u>BAE Systems Marine Limited, Walney and BAE Systems (Operations) Limited, Warton</u></b>  The Applicant and BAE Systems have now agreed that the process of securing any mitigation should be handled through appropriately worded Requirements (within the DCO). The Requirements could be detailed mitigation for specific impacts (for instance, on Instrument Flight Procedures at both Walney Aerodrome and Warton Aerodrome) but the preference of BAE Systems is for impacts to be captured by more general Requirements that relate to impacts on Air Traffic Services at both Walney Aerodrome and Warton

## DLP Group Services

			<p>Aerodrome.</p> <p><b><u>Walney</u></b></p> <p>BAE Systems Marine Limited understands that as of 14 January 2025, NATS, the approved APDO for Walney Aerodrome, had I not been contracted by the Morgan Project Team to undertake the IFP assessment and impact analysis for Walney approaches. The delay in this IFP report for Walney is causing impacts and delays on the other windfarm developments. The IFP reports from NATS for other current wind projects took circa 6 months to produce.</p> <p><b><u>Warton</u></b></p> <p>In relation to the Primary Surveillance Radar (PSR) the interests of BAE Systems at Warton Aerodrome are being channelled through the DIO. BAE Systems understands that the DIO will make separate representations.</p>
AR 2.4	Applicant Blackpool Airport Ronaldsway Airport BAE Systems for Walney and Warton Aerodromes	<p><b>Very High Frequency (VHF) Communications</b></p> <p>The Applicant and BAe notified the ExA at ISH2 that the matter of potential effects to VHF communications was a newly emerging issue since production of the ES, which has arisen from recent CAA advice relating to onshore wind farms.</p>	<p><b><u>BAE Systems Marine Limited, Walney and BAE Systems (Operations) Limited, Warton</u></b></p> <p>BAE Systems understands that NATS is to be commissioned to undertake an assessment of potential impacts on VHF and UHF communications at both</p>

## DLP Group Services

	<p>Defence Infrastructure Organisation Maritime and Coastguard Agency NATS En-Route plc</p>	<p>The Applicant is asked to:</p> <ul style="list-style-type: none"> <li>i) Clarify whether an assessment from NATS has now been commissioned (the progress report [<a href="#">REP4-028</a>] states it is 'commissioning' an assessment) and advise the likely timescale for its production and submission.</li> <li>ii) Clarify whether potential effects to VHF communications should be considered as part of the EIA process.</li> </ul> <p>The Applicant and the listed IPs are asked to:</p> <ul style="list-style-type: none"> <li>iii) Provide a summary of the ongoing discussions on this VHF matter.</li> <li>iv) Provide the wording of a preferred (without prejudice) DCO requirement in the event that the matter is not resolved and/or a commercial agreement is not reached before the end of the Examination. This should also be recorded in the final SoCGs.</li> </ul> <p>The MCA is asked to: Clarify if the VHF matter arising from recent CAA advice is an issue for search</p>	<p>Walney Aerodrome and Warton Aerodrome. The time-frame for the assessment is not yet confirmed. To date we have not had any response back from the Applicant with regard to the progress on the assessment or if a contract has been placed with NATS.</p> <p>The CAA has advised that due to the proliferation of windfarm assets near another Aerodrome, and issues they have had, the effect of the additional proposed windfarms should investigate the position to consider the potential blocking of VHF (and UHF as in the case for Warton) radio communications between aircraft and Air Traffic Services.</p> <p>The Requirements to address any impacts on VHF and UHF communications could be specific to this matter but the preference of BAE Systems is to capture these impacts in more general Requirements that relate to Air Traffic Services at both Walney Aerodrome and Warton Aerodrome.</p> <p><b><u>Walney</u></b></p> <p>A without prejudice preferred DCO wording is below at Appendix 1.</p>
--	---	---	---

## DLP Group Services

		and rescue operations and confirm this within the final version of your SoCG.	<p><b><u>Warton</u></b></p> <p>A without prejudice preferred DCO wording is set out below at Appendix 2.</p>
AR 2.5	Applicant BAE Systems	<p><b>Aviation and Radar Monitoring</b></p> <p>The Applicant and BAE Systems stated at ISH2 that monitoring beyond initial testing following completion of the wind turbines is not required, so long as mitigation is demonstrated to be effective (point 51 in <a href="#">[REP4-006]</a>). The parties are asked to include this within the next version of the SoCG.</p> <p>The Applicant is also asked to confirm agreement on whether operational monitoring is required with the other aviation and radar IPs in their respective SoCGs.</p>	<p><b><u>BAE Systems Marine Limited, Walney and BAE Systems (Operations) Limited, Warton</u></b></p> <p>There is a need for the CAA to approve the operational implementation of each proposed mitigation solution. The process of approval will be subject to a “proving period” determined by the CAA prior to agreement and certification. It is anticipated that this will negate the requirement for ongoing monitoring of the mitigation solution and allow for sufficient assessment of operational performance over a range of environmental conditions.</p>

# DLP Group Services

## Appendix 1 – Without prejudice proposed DCO wording for Walney Aerodrome.

### Operation of Walney Aerodrome (Air Traffic Services)

- (1) No construction of any wind turbine generator (or part thereof) forming part of the authorised development shall commence until the Secretary of State, having consulted with the Operator and the CAA, has confirmed in writing that it is satisfied that:
  - (i) Appropriate Mitigation will be implemented and maintained throughout the lifetime of the authorised development; and
  - (ii) appropriate arrangements have been put in place with the Operator to ensure that such Appropriate Mitigation is agreed and implemented, prior to construction of the authorised development, and maintained.

- (2) For the purposes of this requirement—

**“Appropriate Mitigation”** means all appropriate mitigation measures required to prevent or remove, throughout the lifetime of the authorised development, and for as long as the windfarms and any above waterline structures remain in situ, all risks and adverse impacts which the authorised development will have on the operation of Walney Aerodrome's operations and/or future operations, including but not limited to its ability to provide and/or deliver (1) sovereign defence capabilities; (2) safe and efficient air traffic services that are fit for purpose for Walney Aerodrome during the lifetime of the authorised development, (3) any other requirements identified by the Operator from time to time, this includes mitigation which enables the Operator to provide uninterrupted safe and efficient airport operational and air traffic services (including but not limited to mitigations arising from any impacts on IFP's, MSA's, & VHF communication systems for Walney Aerodrome);

**“Approved Mitigation”** means the Appropriate Mitigation agreed with the CAA and the Operator and approved by the Secretary of State in accordance with sub-paragraph (1);

**“CAA”** means the Civil Aviation Authority constituted by the Civil Aviation Act 1982; and

**“Operator”** means BAE Systems Marine Limited (incorporated in England and Wales with company number 00229770, Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX), or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services Walney Aerodrome.



## DLP Group Services

- (3) The undertaker at its sole costs shall implement and thereafter comply with all obligations contained within the Approved Mitigation throughout the lifetime of the authorised development.

# DLP Group Services

## Appendix 2 – Without prejudice proposed DCO wording for Warton Aerodrome.

### Operation of Warton Aerodrome (Air Traffic Services)

- (1) No construction of any wind turbine generator (or part thereof) forming part of the authorised development shall commence until the Secretary of State, having consulted with the Operator and the CAA, has confirmed in writing that it is satisfied that:
  - (i) Appropriate Mitigation will be implemented and maintained throughout the lifetime of the authorised development; and
  - (ii) appropriate arrangements have been put in place with the Operator to ensure that such Appropriate Mitigation is agreed and implemented, prior to construction of the authorised development, and maintained.

- (2) For the purposes of this requirement—

**“Appropriate Mitigation”** means all mitigation measures required to prevent or remove, throughout the lifetime of the authorised development, and for as long as the windfarms and any above waterline structures remain in situ, all risks and adverse impacts which the authorised development will have on the operation of Warton Aerodrome's operations and/or future operations, including but not limited to its ability to provide and/or deliver: (1) sovereign defence capabilities; (2) safe and efficient air traffic services that are fit for purpose for Warton Aerodrome during the lifetime of the authorised development; and (3) any other requirements identified by the Operator from time to time, this includes mitigation which enables the Operator to provide uninterrupted safe and efficient airport operational and air traffic services (including but not limited to mitigations arising from any impacts on IFP's, MSA's, and VHF and UHF communication systems for Warton's Aerodrome);

**“Approved Mitigation”** means the Appropriate Mitigation agreed with the CAA and the Operator and approved by the Secretary of State in accordance with sub-paragraph (1);

**“CAA”** means the Civil Aviation Authority constituted by the Civil Aviation Act 1982; and

**“Operator”** means BAE Systems (Operations) Limited incorporated under the Companies Act 2006 (Company Number 01996687) whose registered office is Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX, or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services Warton Aerodrome.



## DLP Group Services

- (3) The undertaker at its sole costs shall implement and thereafter comply with all obligations contained within the Approved Mitigation throughout the lifetime of the authorised development.