



Marine
Management
Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
www.gov.uk/mmo

Xlinks Morocco-UK Power Project Case Team
Planning Inspectorate
XLinks@planninginspectorate.gov.uk
(Email only)

MMO Reference: DCO/2024/00002
Planning Inspectorate Reference: EN010164
Identification Number: 20055572

30 April 2025

Dear Sir or Madam,

Planning Act 2008, Xlinks First Limited, Proposed Xlinks Morocco-UK Power Project Order

Summary of MMO Relevant Representation

On 20 January 2025, the Marine Management Organisation (the “MMO”) received notice under section 55 of the Planning Act 2008 (the “PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by Xlinks First Limited, (the “Applicant”) for determination of a development consent order (“DCO”) for the construction, maintenance and operation of the proposed Xlinks Morocco-UK Power Project (the “DCO Application”) (MMO ref: DCO/2024/00002; PINS ref: EN010164).

This document includes the MMO’s summary of the Relevant Representation submitted to PINS on 13 March 2025.

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]

[Redacted Name]

Marine Licensing Case Officer

D [Redacted]

E [Redacted] [@marinemanagement.org.uk](mailto:[Redacted]@marinemanagement.org.uk)



Copied into response:

██████████ [@marinemanagement.org.uk](mailto:██████████@marinemanagement.org.uk) (Marine Licensing Case Manager)

██████████ [@marinemanagement.org.uk](mailto:██████████@marinemanagement.org.uk) (Senior Marine Licensing Case Manager)



Summary of MMO Relevant Representation [RR-102] (1500 words)

1. Development Consent Order and Deemed Marine Licence

1.1 Benefit of the Order

- 1.1.1 The MMO objects to the provisions relating to the process of transferring and/or granting the deemed marine licence (“DML”) set out in the draft DCO at Article 7. The MMO does not consider that the PA 2008 allows the DCO to make a provision to transfer the benefit of the DML in the way that is proposed. As such, all references to the MMO and DML should be removed from Article 7.

1.2 Procedure regarding certain approvals

- 1.2.1 The MMO considers that Article 52, and Schedule 3, must expressly exclude any approvals required under the DML. Consents/approvals required from the MMO under the DML should be managed through the DML.

1.3 Arbitration

- 1.3.1 The MMO requests that it be made expressly clear that the MMO is not to be subject to the arbitration provisions as there is already a standard marine licence process for dealing with issues which should be followed.

1.4 DML Part 1 General

- 1.4.1 The MMO has made specific comments on the meanings defined within paragraph 1 Interpretation (RR-102 Table 1).
- 1.4.2 The MMO notes that there are errors in the contact details listed within paragraph 2 Contacts and have provided the correct details (RR-102 Table 1).
- 1.4.3 The MMO requests more specificity around what is and what is not authorised under this DML within paragraph 3 Licensed marine activities.

1.5 DML Part 2 Conditions

- 1.5.1 The MMO disagrees with the inclusion of paragraph 4 and requests that this is removed from the DML.
- 1.5.2 Conditions 5, 7, 8, 11, 14, 16 and 17 should be amended as requested by the MMO (RR-102 Table 1).



- 1.5.3 The MMO notes that condition 10 only refers to the Maritime and Coastguard Agency (“MCA”) and makes no reference to requirements made by the MMO. The MMO is the regulator responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the DML. As such, conditions within the DML should be made relevant to the MMO.
- 1.5.4 The MMO does not consider that provisions on Force Majeure (condition 13) are necessary as Section 86 of the Marine and Coastal Access Act 2009 (“2009 Act”) provides a defence for action taken in an emergency in breach of any licence conditions. The MMO requires justification or rationale as to why this provision is considered necessary.
- 1.5.5 The MMO requests that it is made clear what offshore means in the context of condition 15. Offshore is not a defined term in the DML. The Applicant must be clear as to which licensed activities are being referred to in condition 15.

1.6 DML Part 3 Procedure for the Discharge of Conditions

- 1.6.1 The MMO strongly disagrees with the inclusion of Part 3 as this conflicts with marine licences consented under the 2009 Act which do not include this provision.

2. Other Application Documents

2.1 Document 7.9 Outline Offshore Construction Environmental Management Plan

- 2.1.1 The MMO notes and supports the intention to produce a detailed Pre-Construction Offshore Construction Environmental Management Plan (“CEMP”), which is a requirement of the draft DML.

2.2 Document 7.20 Outline Bentonite Breakout Plan

- 2.2.1 The MMO notes that the onshore element of the Outline Bentonite Breakout Plan is secured under DCO Schedule 2, Requirement 7. However, the MMO is unable to find any corresponding DML condition securing this for the offshore elements of the Project.

3. Environmental Statement

3.1 Project Description (Volume 1 Chapter 3)

- 3.1.1 The MMO notes and supports the intention to produce a detailed pre-construction Cable Burial Risk Assessment (“CBRA”), which is a requirement of the draft DML.

3.2 Benthic Ecology (Volume 3 Chapter 1)



- 3.2.1 The MMO considers that all relevant benthic ecology receptors have been scoped into the assessment and all relevant impacts from the Project have been considered. The MMO agrees with the conclusions reached.
- 3.2.2 The MMO encourages the Applicant to ensure that the target cable burial depth of 1.5 metres (“m”) is routinely achieved to mitigate the potential impact to the benthos from cable protection measures.
- 3.2.3 The MMO welcomes the commitment to micro-siting around Annex I habitat within the cable corridor.

3.3 Fish and Shellfish Ecology (Volume 3 Chapter 2)

- 3.3.1 The MMO considers that all relevant fish and shellfish ecology receptors have been scoped into the assessment and agrees with the conclusions reached.

3.4 Commercial Fisheries (Volume 3 Chapter 3)

- 3.4.1 The MMO notes that commercial fisheries receptors have been scoped into the assessment, which includes the key UK fishing fleets that are active, in or nearby the proposed Offshore Cable Corridor (“OCC”) site. These fleets include the UK beam trawl, netting, potting, demersal trawl and pelagic fleets. The MMO considers this appropriate.
- 3.4.2 The proposed cable route passes in close proximity to the Bideford Bay Seaweed Farm. The MMO welcomes the Applicant’s intention to engage further with Algapelago Marine Limited.

3.5 Marine Mammals and Sea Turtles (Volume 3 Chapter 4)

- 3.5.1 The MMO considers that the appropriate marine mammal and sea turtle receptors have been scoped in.
- 3.5.2 The MMO has raised specific comments on Chapter 4 and Appendix 4.1 Underwater Noise Technical Assessment (RR-102, 3.6.2 - 3.6.7). The main points include further consideration of potential impacts of underwater noise and vibration on marine invertebrates, and comments on the modelled impact ranges for marine mammals.

3.6 Shipping and Navigation (Volume 3 Chapter 5)

- 3.6.1 The MMO defers to the Maritime and Coastguard Agency, Trinity House, and relevant Harbour Authorities regarding the potential impacts on shipping and navigation that may occur because of the Project.

3.7 Other Marine Users (Volume 3 Chapter 6)



3.7.1 The MMO defers to the Ministry of Defence regarding the potential impacts on military activity and munitions that may occur because of the Project.

3.7.2 The MMO defers to the Royal Yachting Association and relevant Inshore Fisheries and Conservation Authorities and Harbour Authorities regarding the potential impacts on recreational boating and sailing, diving and water sports, and recreational fishing and aquaculture that may occur because of the Project.

3.8 Marine Archaeology and Cultural Heritage (Volume 3 Chapter 7)

3.8.1 The MMO defers to Historic England regarding the potential impacts to marine archaeology that may occur.

3.9 Physical Processes (Volume 3 Chapter 8)

3.9.1 The ES concludes that there are no significant physical process impacts. The MMO believes that this is justified and consistent with the method of assessments and has no concerns regarding the logic behind the scoping.

3.9.2 The MMO notes that, should the Project require a disposal site, sediment analysis data should be presented in the MMO Results Template.

3.9.3 Volume 3 Appendix 8.3 Sediment Sample Chemistry Results (paragraph 1.1.5) states that results are compared to Sediment Quality Guidelines (“SQGs”) and that this includes the Centre for Environment, Fisheries and Aquaculture Science (“CEFAS”) Action Levels (“ALs”). The UK ALs are not SQGs and should not be described as such. The MMO recommends the Applicant amends this in Appendix 8.3.

3.9.4 The MMO notes that the contaminants included in the sediment analysis were agreed in a meeting held between the MMO, CEFAS and the Applicant. However, the MMO recommends that the documents represent any agreement reached or new information presented in meetings for ease of reference. Overall, the MMO does not have any major concerns to raise regarding contaminant levels.

3.10 Offshore Ornithology (Volume 3 Chapter 9)

3.10.1 The MMO defers to the relevant SNCBs regarding the potential impacts to marine ornithology.

