

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

The Applicants' Hearing Summary of the Compulsory Acquisition Hearing 1



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Glossary

Term	Meaning
400 kV grid connection cables	Cables that will connect the proposed onshore substations to the existing National Grid Penwortham substation.
400 kV grid connection cable corridor	The corridor within which the 400 kV grid connection cables will be located.
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Biodiversity benefit	<p>An approach to development that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected.</p> <p>For the Transmission Assets, biodiversity benefit will be delivered within identified biodiversity benefit areas within the Onshore Order Limits. Further qualitative benefits to biodiversity are proposed via potential collaboration with stakeholders and local groups, contributing to existing plans and programmes, both within and outside the Order Limits.</p>
Code of Construction Practice	A document detailing the overarching principles of construction, contractor protocols, construction-related environmental management measures, pollution prevention measures, the selection of appropriate construction techniques and monitoring processes.
Commitment	This term is used interchangeably with mitigation and enhancement measures. The purpose of commitments is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects. Primary and tertiary commitments are taken into account and embedded within the assessment set out in the ES.
Construction Traffic Management Plan	A document detailing the construction traffic routes for heavy goods vehicles and personnel travel, protocols for delivery of Abnormal Indivisible Loads to site, measures for road cleaning and sustainable site travel measures.
Design envelope	A description of the range of possible elements and parameters that make up the Transmission Assets options under consideration, as set out in detail in Volume 1, Chapter 3: Project Description. This envelope is used to define the Transmission Assets for EIA purposes when the exact engineering parameters are not yet known. This is also referred to as the Maximum Design Scenario or Rochdale Envelope approach.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Direct pipe	A cable installation technique which involves the use of a mini (or micro) tunnel boring machine and a hydraulic (or other) thruster rig to directly install a steel pipe between two points.
Environmental Impact Assessment	The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.

Term	Meaning
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to, and information to support, the EIA and Habitats Regulations Assessment processes for certain topics.
Generation Assets	The generation assets associated with the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm include the offshore wind turbines, inter-array cables, offshore substation platforms and platform link (interconnector) cables to connect offshore substations.
Intertidal area	The area between Mean High Water Springs and Mean Low Water Springs.
Intertidal Infrastructure Area	The temporary and permanent areas between MLWS and MHWS.
Landfall	The area in which the offshore export cables make landfall (come on shore) and the transitional area between the offshore cabling and the onshore cabling. This term applies to the entire landfall area at Lytham St. Annes between Mean Low Water Springs and the transition joint bay inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s).
Local Authority	A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils.
Local Highway Authority	A body responsible for the public highways in a particular area of England and Wales, as defined in the Highways Act 1980.
Main rivers	The term used to describe a watercourse designated as a Main River under the Water Resources Act 1991 and shown on the Main River Map. These are usually larger rivers or streams and are managed by the Environment Agency.
Marine licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for to apply for 'deemed marine licences' in English waters as part of the development consent process
Maximum design scenario	The realistic worst case scenario, selected on a topic-specific and impact specific basis, from a range of potential parameters for the Transmission Assets.
Mean High Water Springs	The height of mean high water during spring tides in a year.
Mean Low Water Springs	The height of mean low water during spring tides in a year.
Micro-tunnel / micro-tunnelling	A tunnelling technique involving the use of a hydraulic (or other) jacking rig and a mini (or micro) tunnel boring machine to install a concrete tunnel between two points.
Mitigation measures	This term is used interchangeably with Commitments. The purpose of such measures is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects.
Morecambe Offshore Windfarm: Generation Assets	The offshore generation assets and associated activities for the Morecambe Offshore Windfarm.

Term	Meaning
Morecambe Offshore Windfarm: Transmission Assets	The offshore export cables, landfall, and onshore infrastructure required to connect the Morecambe Offshore Windfarm to the National Grid.
Morecambe OWL	Morecambe Offshore Windfarm Ltd is a joint venture between Zero-E Offshore Wind S.L.U. (Spain) (a Cobra group company) (Cobra) and Flotation Energy Ltd.
Morgan and Morecambe Offshore Wind Farms: Transmission Assets	<p>The offshore export cables, landfall, and onshore infrastructure for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400 kV grid connection cables and associated grid connection infrastructure such as circuit breaker compounds.</p> <p>Also referred to in this report as the Transmission Assets, for ease of reading.</p>
Morgan Offshore Wind Project: Generation Assets	The offshore generation assets and associated activities for the Morgan Offshore Wind Project.
Morgan Offshore Wind Project: Transmission Assets	The offshore export cables, landfall and onshore infrastructure required to connect the Morgan Offshore Wind Project to the National Grid.
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between bp Alternative Energy Investments Ltd. and Energie Baden-Württemberg AG (EnBW).
National Grid Penwortham substation	The existing National Grid substation at Penwortham, Lancashire.
National Policy Statement(s)	The current national policy statements published by the Department for Energy and Net Zero in 2023 and adopted in 2024.
Offshore booster station	A fixed structure located along the offshore export cable route, containing electrical equipment to ensure bulk wind farm capacity can be fully transmitted to the onshore substations.
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the Generation Assets to the landfall.
Offshore export cable corridor	The corridor within which the offshore export cables will be located.
Offshore Permanent Infrastructure Area	The area within the Transmission Assets Offshore Order Limits (up to MLWS) where the permanent offshore electrical infrastructure (i.e. offshore export cables) will be located.
Offshore Order Limits	See Transmission Assets Order Limits: Offshore (below).
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Onshore export cables	The cables which would bring electricity from the landfall to the onshore substations.
Onshore export cable corridor	The corridor within which the onshore export cables will be located.

Term	Meaning
Onshore Infrastructure Area	The area within the Transmission Assets Order Limits landward of MHWS. Comprising the offshore export cable corridor from MHWS to the transition joint bay, onshore export cable corridor, onshore substations and 400 kV grid connection cable corridor, and associated temporary and permanent infrastructure including temporary and permanent compound areas and accesses. Those parts of the Transmission Assets Order Limits proposed only for ecological mitigation and/or biodiversity benefit are excluded from this area.
Onshore Order Limits	See Transmission Assets Order Limits: Onshore (below).
Onshore substations	The onshore substations will include a substation for the Morgan Offshore Wind Project: Transmission Assets and a substation for the Morecambe Offshore Windfarm: Transmission Assets. These will each comprise a compound containing the electrical components for transforming the power supplied from the generation assets to 400 kV and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid.
Preliminary Environmental Information Report	A report that provides preliminary environmental information in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This is information that enables consultees to understand the likely significant environmental effects of a project, and which helps to inform consultation responses.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations due to the flow of water.
Substation	Part of an electrical transmission and distribution system. Substations transform voltage from high to low, or the reverse by means of electrical transformers.
The Secretary of State for Energy Security and Net Zero	The decision maker with regards to the application for development consent for the Transmission Assets.
Transmission Assets	See Morgan and Morecambe Offshore Wind Farms: Transmission Assets (above).
Transmission Assets Order Limits	The area within which all components of the Transmission Assets will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).
Transmission Assets Order Limits: Offshore	<p>The area within which all components of the Transmission Assets seaward of Mean Low Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning.</p> <p>Also referred to in this report as the Offshore Order Limits, for ease of reading.</p>
Transmission Assets Order Limits: Onshore	<p>The area within which all components of the Transmission Assets landward of Mean High Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).</p> <p>Also referred to in this report as the Onshore Order Limits, for ease of reading.</p>

Acronyms

Acronym	Meaning
AIS	Air Insulated Switchgear
AOD	Above Ordnance Datum
BCA	Bilateral Grid Connection Agreement
CoCP	Code of Construction Practice
CoT	Project Commitment
CBRA	Cable Burial Risk Assessment
CfD	Contracts for Difference
CMS	Construction Method Statement
CSIP	Cable Specification and Installation Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
Defra	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security & Net Zero
dML	Deemed Marine Licence
EnBW	Energie Baden-Württemberg AG
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EPP	Evidence Plan Process
ES	Environmental Statement
EWG	Expert Working Group
GIS	Gas Insulated Switchgear
HDD	Horizontal Directional Drilling
HGV	Heavy goods vehicle
HNDR	Holistic Network Design Review
HVAC	High Voltage Alternating Current
IALA	International Association of Marine Aids to Navigation and Lighthouse Authorities
IAQM	Institute of Air Quality Management
LAT	Lowest Astronomical Tide
MCA	Maritime and Coastguard Agency
MCZ	Marine Conservation Zone
MDS	Maximum Design Scenario

Acronym	Meaning
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MMO	Marine Management Organisation
MPS	Marine Policy Statement
MTBM	Mini (or micro) tunnel boring machine
NGESO	National Grid Electricity System Operator
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
O&M	Operation and Maintenance
OSP	Offshore Substation Platform
OTNR	Offshore Transmission Network Review
PDE	Project Design Envelope
PEIR	Preliminary Environmental Information Report
PPP	Pollution Prevention Plan
PRoW	Public rights of way
SAC	Special Areas of Conservation
SAR	Search and Rescue
SPA	Special Protection Area
SNCBs	Statutory Nature Conservation Bodies
SSSI	Sit of Special Scientific Interest
SWMP	Site Waste Management Plan
TEP	Technical Engagement Plan
TJB	Transition Joint Bay
UK	United Kingdom
UXO	Unexploded Ordnance
WSI	Written scheme of investigation

Units

Unit	Description
%	Percentage
dB	Decibels
Kg	Kilogram
kHz	Kilohertz

Unit	Description
KJ	Kilojoules
km	Kilometres
km ²	Kilometres squared
kV	Kilovolt
m	Metres
m ²	Metres squared
m ³	Metres cubed
nm	Nautical mile
μPa	micropascal

1 The Applicants' Hearing Summary of the Compulsory Acquisition Hearing 1

1.1 Introduction

- 1.1.1.1 This document presents a written summary of Morgan OWL and Morecambe OWL, (together, 'the Applicants') oral case at the Compulsory Acquisition Hearing 1 (CAH 1). CAH 1 on Morgan and Morecambe Offshore Wind Farms Transmission Assets Development Consent Order (DCO) application took place on 02 May 2025 at Grand Hotel Blackpool, Front, North Promenade Sea, Blackpool FY1 2JQ.

1.2 Hearing Summary CAH 1

Table 1.1: Hearing summary CAH 1

ID	Agenda Item	Notes
1	Welcome, introductions, arrangements for the hearing	
2	Purpose of the compulsory acquisition hearing	
3	Applicants' approach	<ol style="list-style-type: none"> 1) The Applicants set out the relevant statutory provisions for the compulsory acquisition of land and rights under the Planning Act 2008 ("PA08") which are: <ul style="list-style-type: none"> - Section 122 which is the purpose for which compulsory acquisition may be authorised; - Section 123 which sets out the land to which compulsory acquisition can relate; - Section 127 which relates to statutory undertaker land; and - Sections 131 and 132 which relate to the compulsory acquisition of land or rights over land in relation to commons or open space. 2) The Applicants have included a suite of documentation that provides the case for the compulsory purchase of land and rights needed for the Project, and the detailed information about the land affected and the rights and powers sought over that land. The documentation includes the Statement of Reasons (AS-009), Book of Reference (AS-011), the Land Plan (AS-019), the draft Development Consent Order (DCO) (AS-004) in particular Part 5, and the Planning Statement (APP-233) all of which sets out the need case for the Project as the electrical infrastructure required to deliver the new clean energy generation from the Morgan Offshore Wind Farm: Generation Assets and Morecambe Offshore Windfarm: Generation Assets (the Generation Assets). 3) The Applicants confirmed the relevant guidance for compulsory acquisition under the PA08 is the Department for Communities and Local Government Guidance 2013 (hereafter referred to as the Planning Act Guidance).

ID	Agenda Item	Notes
		<p>4) Sections 122 and 123 of the PA08 provide that an order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State ("SoS") is satisfied that the conditions in sections 122(2) and (3) are met.</p> <p>5) The Applicants explained the test under section 122(2) is that the land identified is either required for the project or is required to facilitate or is incidental to that project or is replacement land to be given in exchange (the latter of which does not apply to the Transmission Assets application).</p> <p>6) The Applicants set out that section 122(3) requires there is a compelling case in the public interest for the land to be acquired compulsorily.</p> <p>7) Under s123(1), an order granting development consent may include provisions authorising the compulsory acquisition of land only if the SoS is satisfied that one of the conditions in subsections 123(2)-(4) apply and the relevant subsection here is that the application for the order has included a request for compulsory acquisition of the land to be authorised (section 123(2)). Those tests are then supplemented by the general considerations set out in the Planning Act Guidance, to which the SoS will have regard in deciding whether to authorise the compulsory acquisition provisions in the DCO.</p> <p>8) The Applicants set out the following relevant general considerations in the Planning Act Guidance:</p> <ul style="list-style-type: none"> - Under paragraph 8, that all reasonable alternatives to compulsory acquisition, including modifications to the scheme have been explored and there is a need for an applicant to demonstrate that the proposed interference with the rights of those with an interest in land is for a legitimate purpose and is necessary and proportionate; - Paragraph 9 requires the applicant to have a clear idea of how they intend to use the land it proposes to acquire and that there is a reasonable prospect of the funds needed to deliver the scheme being available; - Paragraph 10 reminds the SoS that they must ultimately be persuaded that the purposes for which an order granting compulsory acquisition of land are legitimate and they are sufficient to justify the interference with the human rights of those with an interest in the land affected with regard to the provisions of Article 1 of the First Protocol of the European Convention on

ID	Agenda Item	Notes
		<p>Human Rights; and in the case of acquisition of a dwelling (which is not applicable to the Transmission Assets), Article 8.</p> <ul style="list-style-type: none"> - The Applicants submitted that these considerations will be covered throughout the hearing. <p>9) The Applicants consider the condition in section 122(2) is met in that all of the order land identified is either required for the project or is required to facilitate or is incidental to the project. The Applicants submitted that 'required' in this test means it is necessary in the circumstances. This means, for example, that it is not indispensable, but it is needed to deliver the scheme proposed. The Applicants submitted this is consistent with the case law on this topic (<i>Sharkey and Another v Secretary of State for the Environment and South Buckinghamshire District Council</i>) (1992) 63 P. & C.R 332. The Applicants noted this case was a Town and Country Planning Act application where the Court stated that the local authority did not have to go so far as to show that the compulsory purchase is indispensable to the carrying out of the activity or the achieving of the purpose. The word required here, means necessary in the circumstances of the case.</p> <p>10) The Applicants further set out that Paragraph 11 of the Planning Act Guidance states that for the test of land being able to be required, the promoter should be able to demonstrate to the satisfaction of the decision maker that the land in question is needed for the development for which the consent is sought. The decision maker should be satisfied that the land required is no more than is reasonably required for the development. The Applicants explained that this paragraph 11 is also relevant to the second limb of section 122, in respect of the land being needed to facilitate the project.</p> <p>11) The Applicants noted the Planning Act Guidance also speaks to the justification for the compulsory acquisition of land for landscaping or similar works (see paragraph 11) , noting the SoS will need to be satisfied that the development could only be landscaped to a satisfactory standard if the land in question were to be compulsorily acquired and that the land to be taken is no more than is reasonably necessary for that purpose and is proportional.</p> <p>12) The Applicants pointed to paragraph 4.1.8 of National Policy Statement (NPS) EN-1 and paragraphs 2.6.5 and 2.6.6 of NPS EN-5 which recognise that the compulsory acquisition of land may be needed for onshore electrical infrastructure such as new substations, and for associated mitigation effects such as for landscape enhancement or biodiversity net gain.</p>

ID	Agenda Item	Notes
		<p>13) Further, the Applicants explained that paragraphs 2.6.2 and 2.6.3 of NPS EN-5 recognise that where rights in land cannot be acquired by agreement, it may be necessary to seek to acquire those rights compulsorily through a DCO. It also states at paragraph 2.6.4 that permanent rights are preferable to voluntary wayleaves.</p> <p>14) Paragraph 13 of the Planning Act Guidance states that for the condition in section 122(3) to be met, the SoS will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the private loss that would be suffered by those whose land is to be taken; the Applicants noted this guidance goes on to say parliament has always taken the view that land should only be taken compulsorily where there is compelling evidence that the public benefit will outweigh the private loss. The Applicants noted the guidance recognises there is likely to be an overlap between the factors the SoS has regard to in determining whether to grant development consent and whether to authorise the compulsory acquisition of land.</p> <p>15) While the compelling case in the public interest is ultimately a matter for the SoS to decide under section 122, the Applicants' position is that the public benefit for the project, as needed, to deliver almost two gigawatts of new renewable energy generating capacity from the Morgan Offshore Wind Farm: Generation Assets and Morecambe Offshore Windfarm: Generation Assets (the Generation Assets) is both clear and compelling. This project is supported by a cascade of international and national obligations that put the United Kingdom on a path to reduce carbon dioxide emissions and create safe, affordable, reliable energy with a strong focus on UK generation and security of supply. This is supported by NPS EN-1, especially paragraph 3.1, which provides the clear and compelling case for the need for new renewable electricity generating capacity in order to meet the UK's Net Zero target by 2050 and the urgent need for this new capacity. This also identifies critical national priority infrastructure, which, subject to the meeting of the mitigation hierarchy, the Applicants consider the Transmission Assets project benefits from. The Applicants also noted the Clean Power 2030 Action Plan is enshrined into EN-1. The UK government has made it clear that offshore wind plays a key role in achieving these targets, to which the Morgan and Morecambe projects will make a critical contribution. The Applicants submitted that decisions coming through the consenting system have to have regard to the need for new renewable energy and energy generating capacity, and the urgency of this need. This is done by affording substantial weight to energy policies objectives, the NPS and the identification of offshore wind and its transmission elements as critical national priority infrastructure.</p>

ID	Agenda Item	Notes
		<p>16) The Applicants explained that the project will also have wider benefits, which are set out more fully in the Statement of Reasons (AS-011) including biodiversity benefits through the enhancement of habitats and increased connectivity, and the potential for 255 local employment opportunities within a 60-minute drive time for local residents (which is set out in the Socio-economic Chapter of the ES (APP-141)) . The Applicants confirmed this is both during construction and during operation and maintenance. These benefits will be realised through the development of the outline employment and skills plan (APP-239), which will be developed in conjunction with the local authorities and the county council, to deliver investment in training and jobs. The Applicants noted there will also be supply chain engagement through regional partners of the offshore energy alliance.</p> <p>17) In response to a question posed by the Examining Authority (the “ExA”), the Applicants described the engagement that had taken place with affected landowners. Engagement started in July 2022 and since then, the Applicants have been engaging with affected landowners in relation to surveys, undertaking meetings to obtain feedback on the proposals, and sending out questionnaires. The Applicants noted they have most recently been engaging with landowners on drainage matters. The Applicants are committed to engaging collaboratively including in respect of the voluntary agreements, seeking to negotiate tripartite heads of term where practicable.</p> <p>18) The Applicants submitted that the land agreements have been designed to reduce the bureaucratic burden on landowners and their agents, by providing clarity and consistency throughout. The Applicants noted that the two projects have collaborated on the principal terms to ensure the tripartite agreements can deliver for both projects. The Applicants noted they have similarly tried to reduce the physical impacts on landowners through merged survey campaigns, merged intrusive licences and other measures.</p> <p>19) The Applicants clarified that the first set of heads of terms were sent for voluntary agreements in April 2024. Populated HoTs were issued on 8 November 2024 to all landowners following feedback from the NFU, which had suggested an open floor meeting with their members. The Applicants invited all landowners affected by the scheme to a meeting on the 4 December 2024 and used this as an opportunity to describe the construction scenarios in the Environmental Statement and practical matters, such as what the scheme would look like.</p> <p>20) Subsequently, the Applicants have been working with the land agent group, which represents the majority of landowners to agree a set of heads of terms which will be</p>

ID	Agenda Item	Notes
		<p>populated in the coming weeks and reissued to landowners. [Post hearing update: the Applicants issued version 4 of the HoTs to landowners on w/c 19th May 2025.]</p> <p>21) In relation to the ExA's questions around the extent of land sought, the Applicants stated that all the land that is identified is required for the purpose for which it has been identified. The compulsory acquisition of land is limited to the substation plots and the associated mitigation around it. The reason compulsory acquisition is required for those plots is because they cannot be used by anyone else and is the land that is required by the Applicants for maintenance and access purposes. The Applicants highlighted that everywhere else they are seeking temporary possession to carry out the works identified, and compulsory acquisition of rights, to provide the ability to maintain the cables and access that land for purposes of inspection. Fundamentally, the Applicants are starting from a position of seeking to minimise the effect on land. The Applicants highlighted that the alternative would have been to seek permanent rights over the whole of the order limits (save those subject to compulsory acquisition).</p> <p>22) In response to the ExAs' query whether the land sought is proportionate, noting the differing construction scenarios, the Applicants highlighted that the land sought is proportionate as it is required to deliver two projects which must be capable of being delivered independently of each other. The width of the cable corridor is analogous to other projects across the country and is not excessive. [Post hearing update: The Applicants have provided a response on this point in their response to hearing action point CAH1_1 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5)).] The Applicants reiterated that engagement with landowners will continue post-examination, led by Agricultural Liaison Officers (ALOs) and at that point there will be more detailed accommodation works and mitigation plans. The general principle of those discussions is to allow for continuous operation of farm businesses, and to also build up mitigation plans. The Applicants submitted that these conversations are ongoing now, but that they will become more detailed during detailed design phase, which is normal for this type of development. The Applicants acknowledged that there are varying types of agricultural rural businesses that are affected each with differing needs to be addressed. The accommodation works will be designed to mitigate the impact in each case as far as possible. Fencing specifications would be used to ensure that the retained land outside of the working widths on the cable corridor is able to be utilised fully. The Applicants gave the examples from previous projects which used full box crossings, to allow livestock to pass freely across the cable corridor.</p>

ID	Agenda Item	Notes
		<p>23) The Applicants provided an update on the voluntary agreements and the progress made to date. The negotiations with the landowners affected by the compulsory acquisition of the onshore substations and mitigation land are ongoing. The Applicants are seeking separate agreements with each interest. The Applicants initially issued heads of terms for the acquisition of land in April 2024.</p> <p>24) The Applicants set out that progress with the Hornbies Foundation Charity who own the Morecambe substation footprint and part of the Morgan onshore substation footprint are progressing and they anticipate agreeing terms in the coming weeks. The agreement with the Executors of the late John Mason is also progressing and are closely aligned with the cable corridor terms. The negotiations with the remaining interests affected by the accesses are ongoing, and the Applicants hope to conclude negotiations during the examination.</p> <p>25) As for the cable corridor heads of terms, initial templates were issued in Spring 2024 to the land agents with the intention of obtaining feedback and progressing the template. Since that date, the Applicants have drafted several templates to account for the combinations of rights sought along the cable corridor. A Land Agent Group has been formed and includes 13 land agents which represent 68 landowners (80% of all landowners affected).</p> <p>26) The Applicants have hosted four meetings with the NFU and the Land Agent Group, with the latest version of the Heads of Terms being issued to the NFU and the agents on the 23 April 2025. It is anticipated that discussions will now move on from this forum to meetings with individual landowners and their appointed agents to discuss holding specific matters. The Applicants confirmed this approach was agreed with the agents during the meeting on 7 April 2025.</p> <p>27) The Applicants noted that the most recently issued template will be populated in the coming weeks and sent to all interests along the corridor to ensure consistency and fairness.</p> <p>28) Based on the progress to date, the Applicants consider that negotiations on the template document are at an advanced stage and expect to have secured heads of terms with a number of parties during the examination period. Going forward, the status of negotiations will be provided in the updates to the Applicants' Land Rights Tracker (S_D1_16).</p> <p>29) Louise Staples for the NFU confirmed that the meeting held with the Applicants (as detailed at paragraph 19 above) did greatly help.</p>

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		<p>30) In response to comments made by Mr Pickervance on the statutory consultation process, the ExA confirmed that the application did pass the statutory tests and that the hearing should focus on the compulsory acquisition points.</p> <p>31) Mr Furnival noted that the collaboration between the projects has worked to date in terms of access requirements. Whilst acknowledging that the heads of terms are not yet in agreed form, Mr Furnival confirmed wholeheartedly the engagements had with the Applicants, as noted above.</p> <p>32) In response to Mr Furnival's concerns around how two projects within one DCO would work, the Applicants reiterated that having two projects within the one consent is precededented within offshore wind DCOs, even if them being two separate companies, is novel here.</p> <p>33) In response to comments around engagement with Hornbies Foundation Charity, the Applicants offered to provide a communication log of when feedback was obtained from them around siting of the onshore substations and when meetings were had. [Post hearing Action Note: The Applicants have provided a response on this point in their response to hearing action point CAH1_5 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5).]</p>
4	Corporate structure of the applicants	<p>34) In response to the ExA's query, as to how the SoS can be confident the Applicants have sufficient assets to implement or complete the proposed development, the Applicants first provided an update on the recent press regarding the companies and the intended change of ownership of Morecambe Offshore Windfarm Ltd by Copenhagen Infrastructure Partners. The Applicants noted they are unsure when this will happen and if this happens before close of examination, the Applicants will update the Funding Statement (AS-008) and provide the necessary information. The Applicants noted there is also a process to be undertaken with The Crown Estate to pass on the agreement for the Morecambe Generation Assets, part of which is that The Crown Estate must be satisfied the company taking over has sufficient funds and financial standing to be able to do so.</p> <p>35) The Applicants further noted that it was announced in December bp and JERA will be merging their offshore wind businesses in a new equally owned joint venture called JERA Nex bp. Therefore, for Morgan OWL, EnBW will remain as 50% of the JV, and the other 50% will be made up of the JERA Nex bp joint venture. The Applicants reiterated there is no</p>

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		<p>change in ownership at present and that when this does happen, the Applicants will update the examination.</p> <p>36) In response to comments from the ExA, the Applicants reiterated that bp is fully committed to the delivery of the Morgan project. The Applicants noted that it is normal in this type of project for ownership structures to change. [Post Hearing Action Note: The Applicants have provided a note as to how they have satisfied paragraph 17 of the Planning Act Guidance in their response to hearing action point CAH1_9 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5).]</p> <p>37) The Applicants took an action to provide details on the current company structures for Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited. The Applicants will also confirm when any necessary updates to the Funding Statement will be made. [Post Hearing Action Note: The Applicants have provided a response on this point in their response to hearing action point CAH1_8 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5))]</p> <p>38) The Applicants responded to a point made during the ISH_1 hearings by Mr Smith regarding the potential for TEPCO to be involved in both Morgan OWL and Morecambe OWL as a shareholder across both. The Applicants confirmed TEPCO is currently a shareholder of Morecambe OWL but when the transfer to Copenhagen Infrastructure Partners takes place, they will no longer have an interest. TEPCO does have an interest in JERA, but JERA does not currently have an interest in Morgan OWL and there will never be a point where TEPCO is a shareholder across both projects, and even if they were, this is a minor shareholding. The Applicants noted they would confirm this in writing [Post Hearing Action Note: the Applicants have confirmed this as part of their response to hearing action point CAH1_8 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5))].</p> <p>39) In response to comments that Morgan OWL and Morecambe OWL are startups, and a query as to how the Applicants will satisfy the Secretary of State that adequate funding is likely to be available, the Applicants confirmed that these are not start ups and reiterated that the structure for this project is no different to a number of other projects, being a joint venture with parent companies sitting behind it. The Applicants highlighted that there are a number of controls built into the application documents. Notably, Article 33 of the draft DCO (AS-004) requires each project to provide a sufficient guarantee to the SoS that funding is</p>

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		<p>available to ensure that the projects can be delivered and that the compulsory acquisition can occur before those powers are exercised.</p> <p>40) In response to the ExA's query as to the progress of discussions with The Crown Estate on the changes to the joint venture by CIP, the Applicants confirmed that conversations have begun with The Crown Estate, but that these conversations are ongoing, and an update on this could be provided in writing. [Post Hearing Action Note: the Applicants have provided an update on discussions with relevant regulatory authorities for approval of the proposed purchaser of Morecambe OWL in their response to hearing action point CAH1_11 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5)).</p> <p>41) The Applicants confirmed that Morecambe OWL will be taken over by Copenhagen Infrastructure Partners which is an investment fund. There is an operating entity which is Copenhagen Offshore Partners, but they are not a shareholding entity- they are an operational delivery arm of Copenhagen Infrastructure Partners. [Post Hearing Action Note: the Applicants have provided a clarification on whether Copenhagen Infrastructure VI will be acquiring the assets or shares in Morecambe OWL in their response to hearing action point CAH1_10 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5)).</p> <p>42) The Applicants also confirmed that there is no change to the compensation costs for the projects at this stage.</p> <p>43) In response to the ExA's request that the Applicants justify their request for a seven year implementation period for compulsory acquisition powers, the Applicants explained that this is proportionate and is required due to the fact there are two separate projects in one application and there is the potential for them to come forward at different times. The Applicants confirmed that this is not sought due to any future changes to the company structure. The Applicants submitted the importance of this examination reviewing the application as made by the existing organisations, with updates to this being provided by the Applicants as necessary.</p>
5	<p>Examining Authority's questions:</p> <p>a) Extent of land sought to be subject to CA and TP – including the need for split cable corridors</p>	<p>44) The Applicants suggested that their team would organise a discussion with Mr Nell from Helical Technology about his concerns as to the land affected by the Project. Mr Nell confirmed this was acceptable. [Post hearing note: the Applicants confirm they have spoken with Mr Nell and followed up via email.]</p>

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	<ul style="list-style-type: none"> b) Update on negotiations with affected persons c) Other consents and licences (APP-232) d) Progress with negotiations with National Grid Electricity Transmission Plc (RR-1598) e) The current position in respect of sections 127 and 138, PA2008 concerning other statutory undertakers and the progress with negotiations regarding protective provisions f) Update towards obtaining consent for onshore and offshore crown land under section 135 PA2008 g) Update on negotiations for special land, and open spaces under sections 131 and 132 PA2008 	<p>45) In response to comments from Mr Furnival that the project should be subject to the same DCO and should require the projects to start at the same time, the Applicants clarified that the projects are being granted under the same DCO and both projects will be subject to the 7 years implementation period for CA powers, as is standard across other complex DCO projects. The Applicants noted they have explained why the projects need to be able to be delivered separately. Further, one project should not be required to wait for the other due to the urgency of the need for new renewable energy generating capacity; to delay the delivery of one project to wait for the other to be ready would be contrary to government policy and could undermine the viability of projects coming forward. The Government's intention and the projects' intentions are to get these projects built as soon as they can</p> <p>46) With regard to blight claims, the Applicants explained that these are brought when properties are being acquired through compulsory acquisition, and that the property cannot be sold as a result of an impending acquisition. The Applicants explained there is no compulsory acquisition of properties under this application and no blight claims are anticipated, so only £100,000 is proposed.</p> <p>47) With regard to the comments made that businesses may have to close, the Applicants confirmed that land cost and business losses are listed separately to blight claims in the property cost estimates. [Post Hearing Action Note: The Applicants have provided a note on the scope of blight claims and confirmed the figures in the funding statement take into account potential business losses in their response to hearing action point CAH1_12 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5)).</p> <p><u>Other Consents and Licences (APP-232)</u></p> <p>48) In response to the list of consents the ExA suggested might have been included in APP-232, the Applicants explained that the planning application by National Grid for an extension of the existing Penwortham substation is not something that the Applicants can control and that the Transmission Assets are not contingent on the National Grid extension planning application going forward. [Post Hearing Action Note: The Applicants have clarified (in relation to the Project Description chapter (AS-024)) the extent of the authorised development within the Penwortham substation in their response to hearing action point CAH1_14 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5)).</p>

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		<p>49) The Applicants highlighted that they have had regular discussions with National Grid Electricity Transmission Plc (“NGET”), including on protective provisions. The Applicants emphasised they have taken a coordinated approach to negotiations with all statutory undertakers, including NGET. The Applicants read out their agreed statement with NGET: “The most recent comments on protective provisions were shared with the representatives of NGET on 10 April 2025. Morgan Offshore Wind Limited and Morecambe Offshore Wind Limited are in separate active negotiations with NGET on separate agreements to govern their connection points into National Grid. The Applicants currently expect the relevant documentation can be agreed before the close of the Examination.”</p> <p>50) The Applicants did note that progress on the protective provisions was more advanced than their experience on similar projects at this stage of examination. The Applicants noted that once the protective provisions are agreed, the various statutory undertakers will withdraw their objections. The Applicants noted that the agreed statements with statutory undertakers will be provided in the updates to the Applicants’ Land Rights Tracker at Deadline 1 (S_D1_16).</p> <p>51) The Applicants confirmed that the consents and licences these projects need to connect into the National Grid at Penwortham are detailed in the Other Consents and Licences Document (APP-232) and this does not include the National Grid works. [Post Hearing Action Note: The Applicants have clarified how the connection will be made in practical terms in their response to hearing action point CAH1_15 (see Applicants’ response to Hearing Action Points due at Deadline 1 (S_D1_5)].</p> <p>52) The Applicants noted that there are a series of consents that need to be in place before the development can commence. This is not unusual for this type of project and is not an impediment for the scheme to come forward. The Applicants submitted that it is not appropriate for an article to be included in the development consent order to the effect that no development can take place until the other consents and licences are granted. Article 3 of the draft DCO (AS-004) already provides that the Generation Assets cannot be constructed until their respective Development Consent Orders have been granted. This is in recognition that the case for this project is dependent on the consent for these generating assets being granted. The Applicants submitted that in other projects where transmission assets have been brought forward separately to the generating assets, the generating assets had already been consented, so no such article was required (e.g. Triton Knoll Electrical System DCO). As for the agreement for lease with The Crown Estate, the Applicants confirmed these are in place for both projects for the Generation Assets, and negotiations are well progressed with</p>

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		the Crown Estate on the transmission assets agreements for lease, so it is not necessary for this to be a condition of the development consent order. [Post Hearing Action Note: The Applicants have provided an update on the Applicants' agreements for lease with The Crown Estate in their response to hearing action point CAH1_16 (see Applicants' response to Hearing Action Points due at Deadline 1 (S_D1_5).]
6	Human Rights and the Public Sector Equality Duty (PSED)	<p>53) The ExA questioned why an Equalities Assessment was not submitted with the Application documents at the outset. The Applicants explained that this is not a prescribed document but is being raised more frequently in Examinations. The Applicants highlighted that as this is a public sector duty, which sits with the Planning Inspectorate in terms of how it undertakes the Examination. It also sits with the SoS in terms of the exercising of its functions. The duty on the Applicants, insofar as there is a duty, is to provide relevant information to assist the SoS in making their decision in respect of the Public Sector Equality Duty. The Applicants consider that relevant information is already submitted into Examination and referred the ExA to the Human Health annex (APP-035). [Post Hearing Action Note: The Applicants have provided a separate document which signposts where the information is in the assessment so that it is clearer for the ExA and the SoS in response to hearing action point CAH1_18 (see the Applicant's Public Sector Equality Duty Statement (S_D1_8)).</p> <p>54) The Applicant noted that how the Applicants have considered the Human Rights Act is set out in the Statement of Reasons (AS-009) in the context of compulsory acquisition and the Applicants referred to their previous comments [Post hearing note: see paragraph (8) above] on which articles on the Human Rights Act are engaged.</p> <p><u>Special Category land</u></p> <p>55) In relation to the ExA's comments on the temporary disruption to open space land, the Applicants submitted that the test under section 132 of the PA08 has been met. The Applicants explained, as is set out in detail in the Statement of Reasons (AS-009) that the open space at Lytham St Annes Beach and the land at the Blackpool Road Recreation Ground are required temporarily for the installation of cables. Once that has occurred, the cables will be undergrounded and there will be no restriction on the use of those plots insofar as they are used for public open space. There will be no permanent impact. The Applicants consider that this does not conflict with the provisions in relation to the acquisition of rights and public open space and submit that this will not make the areas less</p>

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		<p>advantageous to the public during that period, nor once the cables are installed and there is therefore no requirement for replacement land.</p> <p>56) [Post Hearing Action Note: The Applicants have provided more information on cofferdams and considered whether further detail is required in relation to the open space test of section 132 of the PA08 in response to hearing action point CAH_17 (see the updated Statement of Reasons (D2/F03)).] The Applicants did note that the cofferdams in relation to the beach will be temporary and reiterated that the beach will remain open during the relevant works.</p>
7	Affected Persons	57) This item was not covered during CAH1.
8	Next Steps	
9	Closing	