


MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

The Applicants' Response to the Second Regulation 32 Transboundary Consultation Responses



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Glossary

Term	Meaning
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Candidate Special Areas of Conservation	Areas that were submitted to the European Commission as candidates for designation as a Special Area of Conservation before the end of the Transition Period following the UK's exit from the EU, but not yet formally designated. See also Special Areas of Conservation.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
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.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
European Protected Species	Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017.
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.
Greenhouse gas	A gas that absorbs and emits radiant energy within the thermal infrared range, causing the greenhouse effect. Examples include carbon dioxide and methane.
Habitats Regulations	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).
Kyoto Protocol	The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties to reducing greenhouse gas emissions by setting internationally binding emission reduction targets, implemented primarily through national measures but also via wider market-based mechanism.
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 Planning Authority	The local government body (e.g., Borough Council, District Council, etc.) responsible for determining planning applications within a specific area.

Term	Meaning
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.
Morecambe OWL	Morecambe Offshore Windfarm Ltd is a joint venture between Cobra Instalaciones y Servicios, S.A. (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 OWL	Morgan Offshore Wind Limited is a joint venture between bp Alternative Energy investments Ltd. and Energie Baden-Württemberg AG (EnBW).
National Policy Statement(s)	The current national policy statements published by the Department for Energy Security and Net Zero in 2023.
Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.
Protected species	A species of animal or plant which it is forbidden by law to harm or destroy.
Ramsar sites	Wetlands of international importance that have been designated under the criteria of the Ramsar Convention. In combination with Special Protection Areas and Special Areas of Conservation, these sites contribute to the national site network.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Special Areas of Conservation	A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each SAC to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network.
Special Protection Areas	A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network.
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).

1 The Applicants' Response to the Second Regulation 32 Transboundary Consultation Responses

1.1 Introduction

1.1.1.1 This document provides the Applicants' response to the following received during the Second Regulation 32 Transboundary Consultation issued on 15 January 2025:

- OD-009 Regulation 32 Consultation response from Department of Housing, Local Government and Heritage, Republic of Ireland
- OD-010 Regulation 32 Consultation response from BelgiumOD-012 Regulation 32 Consultation response from Attracta Uí Bhroin in a personal capacity, and on behalf of Irish eNGO - An Claiomh Glas.

1.1.1.2 Details of the Applicants' response to the relevant Regulation 32 Consultation submissions are set out in the subsequent sections of this document.

1.1.1.3 The Applicants have numbered the responses to submissions in line with the Planning Inspectorate's examination library numbering.

2 Responses to the Second Regulation 32 Transboundary Consultation Responses

2.1 OD-009 – Regulation 32 Consultation response from Department of Housing, Local Government and Heritage, Republic of Ireland

Table 2.1: OD-009 – Regulation 32 Consultation response from Department of Housing, Local Government and Heritage, Republic of Ireland

Reference	Transboundary Consultation Comment	Applicants' response
Response from Department of Housing, Local Government and Heritage, Republic of Ireland dated 27 January 2025		
OD-009 009.1	<p>RE: Proposed Application by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Ltd (the Applicants) for an Order Granting Development Consent for the proposed Morgan and Morecambe Offshore Wind Farms: Transmission Assets (the Proposed Development)</p> <p>Dear Ms. Lancaster,</p> <p>I refer to your letter of 15 January 2025 giving formal notification that the above proposed development has been accepted for examination. I wish to confirm, as indicated in my letter of 1 November 2023, that Ireland will participate in the transboundary EIA procedure and will hold a public consultation in this regard.</p> <p>The notification received proposes a six-week consultation period from the date of the letter (15 January 2025) with a suggested deadline for comments at 28 February 2025. I wish to advise that this suggested timeframe is not sufficient given the voluminous environmental documentation accompanying this application and due to the statutory process to be followed in Ireland.</p>	<p>The Applicants note this response and the response in row OD-009.2 below which together confirm the dates during which transboundary public consultation took place in the Republic of Ireland.</p>

Reference	Transboundary Consultation Comment	Applicants' response
	<p>Under Irish planning regulations, which transpose our obligations under the Espoo Convention, one or more local authorities are required to carry out transboundary public consultations in respect of individual proposed projects. Due to the nature of the proposed development it is not possible to exclude any local authority area from the potential impacts of the proposal and therefore the consultation must cover the entire State.</p> <p>The Department requires time to determine the most relevant information from the application documentation to make available to the public to ensure they can adequately participate in the public consultation that will be held. We will also need time to co-ordinate materials with each planning authority involved in this process to fulfil our statutory obligations.</p> <p>For the reasons set out above, it will not be possible for the Department of Housing, Local Government and Heritage to co-ordinate a transboundary public consultation process in Ireland to meet the proposed closing date of 28 February 2025 due to our legislative requirements and the nature of the consultation.</p> <p>In this regard, attention is drawn to Article 5 of the Espoo Convention, which states:</p> <p><i>"...The Parties shall agree, at the commencement of such consultations, on a reasonable time frame for the duration of the consultation period. Any such consultations may be conducted through an appropriate joint body, where one exists..."</i></p> <p>I understand from the notification letter of 15 January 2025 that the timeframe for examination of the Development Consent Order application by the Examining Authority is six months. This Department is estimating a minimum period of six weeks will be required to prepare the relevant</p>	

Reference	Transboundary Consultation Comment	Applicants' response
	<p>documentation to be made available during the public consultation period. I will be in touch again in February to confirm the public consultation period, which will need to run for a minimum of four weeks.</p> <p>I can confirm that both transboundaryeia@housing.gov.ie and Lisa.Clifford@housing.gov.ie are the email contacts in use for transboundary EIA consultation in Ireland with the former serving as the main contact email. Eamonn Kelly is no longer involved in these matters and so you might remove the associated email address from future correspondence.</p> <p>If you have any queries in relation to this letter, please contact me at transboundaryeia@housing.gov.ie or on 00 353 1 888 2561.</p>	
Response from Department of Housing, Local Government and Heritage, Republic of Ireland dated 18 February 2025		
OD-009 009.2	<p>RE: Proposed Application by Morgan Offshore Windfarm Limited and Morecambe Offshore Windfarm Limited (the Applicant) for an Order Granting Development Consent for the Morgan and Morecambe Offshore Windfarms Transmission Assets Project (the Proposed Development)</p> <p>Dear Ms. Lancaster,</p> <p>I refer to our previous correspondence dated 27 January 2025 regarding the transboundary EIA procedure and public consultation required for the above proposed development.</p> <p>I wish to advise that the public consultation period in Ireland will open from Friday 28 February 2025 and close for submissions by members of the public on Friday 11 April 2025.</p>	See the Applicants' response at row OD-009.1 above.

Reference	Transboundary Consultation Comment	Applicants' response
	<p>For information, recent changes to our domestic legislation on transboundary public consultations now requires submissions by members of the public to be sent directly to the competent authority in the transboundary State. On this basis, the newspaper notice due to be published, advertising the public consultation will include the email address below, which was provided by you in your letter of 15 January 2025: morganandmorecambeowfta@planninginspectorate.gov.uk</p> <p>I would be grateful if you could confirm that the email address above is the correct one for submissions to be made to the Planning Inspectorate UK.</p> <p>If you have any queries in relation to this letter, please contact Declan Grehan at transboundaryeia@housing.gov.ie or on 00 353 1 888 2561.</p>	

2.2 OD-010 – Regulation 32 Consultation response from Belgium

Table 2.2: OD-010 – Regulation 32 Consultation response from Belgium

Reference	Transboundary Consultation Comment	Applicants' response
Response from the Flemish agency of Agriculture and fisheries dated 20 February 2025		
OD-010 010.1	<p>Subject: the progress of the proposed Morgan and Morecambe Offshore Wind Farms</p> <p>Dear Sir,</p> <p>Dear Madam,</p> <p>The Flemish agency of Agriculture and fisheries would like to react on the progress of the proposed Morgan and Morecambe Offshore Wind Farms.</p> <p>The Morecambe ICES rectangle 36E6 and surrounding area is an important area for the BE fisheries. Between 2019 and 2023 the landings of the area were on average 136 ton which account for 1% of the annual turnover of the Belgian fleet. These numbers reflects the current level of Belgian fisheries activity in the area of the planned offshore windfarms. Within these areas there is consistently high levels of activity, emphasizing the area's importance to the Belgian fishing industry.</p>	<p>The Applicants acknowledge the comments raised by the Flemish Agency of Agriculture and Fisheries regarding the importance of ICES rectangle 36E6 and the surrounding area to the Belgian fishing fleet.</p> <p>The Applicants can confirm that Volume 2, Annex 6.1: Commercial Fisheries Technical Report (APP-055) fully accounts for Belgian fishing activity and its relative importance within the commercial fisheries study area. Specifically:</p> <ul style="list-style-type: none"> • Paragraph 1.3.2.24 notes that several large Belgian beam trawlers operate within the commercial fisheries study area and the wider East Irish Sea region. • Paragraph 1.3.5.28 describes landings data by species for Belgian vessels, with reference to Figure 1.62. This highlights that ICES rectangle 36E6—along with 36E5, 37E5, and 37E6—supports landings of demersal species, which are the primary target of the Belgian fleet. • Paragraph 1.3.8.14 provides an overview of landings by gear type for the Belgian fleet with reference to Figure 1.31. • These findings are further supported by marine traffic survey data, presented in Section 1.4.5 of APP-055, which recorded the presence of a Belgian beam trawler operating within the commercial fisheries study area on two occasions: between 3rd and 17th August 2023 and between 28th November and 13th December 2023. <p>The Applicants also confirm that the information presented in APP-055 has been carried through into the assessment presented in Volume 2, Chapter 6: Commercial Fisheries (APP-054), where the Belgian fleet is identified as a distinct receptor group (Table 6.7 of APP-054). This receptor has been fully assessed against all relevant impact pathways, ensuring that the potential</p>

Reference	Transboundary Consultation Comment	Applicants' response
		effects of the proposed Transmission Assets on Belgian fishing interests are appropriately considered, with the conclusion of the assessment for the Belgian fleet discussed below in OD-010 010.2.
OD-010 010.2	<p>It is essential to maintain access to fisheries for the economic as well as the environmental sustainability of the sector. There are several important measures to consider here:</p> <ul style="list-style-type: none"> First it is crucial that appropriate compensation measures are in place for fishing enterprises that may be affected by the proposed measures. This can include both financial and operational support so that fishermen remain able to continue their businesses. Second the Belgian fisheries industry is mainly beam trawl fisheries. Access to bottom fishing remains crucial for the continuation of Belgian fisheries, as it plays a significant role in the sector. The Belgian fishery has evolved towards more sustainable practices and do not use the traditional beam trawl anymore. The current gear is lighter with added sustainable fishing techniques which reduce bycatch (release panel, larger mesh sizes etc). Ensuring access for adapted fishing methods like these is necessary to maintain diverse fisheries. 	<p>The Applicants acknowledge the comments from the Flemish Agency of Agriculture and Fisheries regarding the importance of continued access to fishing grounds and the consideration of potential impacts on Belgian fisheries.</p> <p>With respect to the first point concerning the need for mitigation or compensation, the Applicants confirm that Volume 2, Chapter 6: Commercial Fisheries (APP-054) considers in full the potential effects of the Transmission Assets on commercial fisheries, including Belgian beam trawl activity. This assessment concludes that the potential impacts of the Transmission Assets on Belgian fisheries are negligible, and indeed, that no impacts beyond minor adverse are predicted during any phase of the development (construction, operation, or decommissioning) for any commercial fisheries receptor groups. On this basis, no additional mitigation (beyond embedded measures) or compensatory measures are required, as the effects do not meet the threshold at which such measures would typically be considered necessary.</p> <p>With respect to the second point regarding continued access for bottom fishing and adapted trawl techniques, the Applicants confirm that several embedded measures have been incorporated into the design and implementation strategy for the Transmission Assets to ensure that commercial fishing activities, such as those conducted by the Belgian beam trawl fleet, can continue post-installation.</p> <p>These measures are detailed in:</p> <ul style="list-style-type: none"> Table 6.10 of APP-054, and Table 1.2 of the J13 Outline Fisheries Liaison and Co-existence Plan (OFLCP) (APP-218).
OD-010	In addition to maintaining current access points, it is important to create space for future fishing opportunities.	The Applicants note this response. As set out in the response to OD-010.2 above, the potential effects of the Transmission Assets on Belgian and wider

Reference	Transboundary Consultation Comment	Applicants' response
010.3	This may include adjustments that to allow to continuation of fishing within the designated area, provided it is consistent with safety regulations.	<p>commercial fisheries have been fully assessed in Volume 2, Chapter 6: Commercial Fisheries (APP-054). The assessment concluded that impacts are negligible for the Belgian fleet, with no effects greater than minor adverse predicted for any phase of the development.</p> <p>To support the continuation of fishing activity post-installation, the Applicants have secured a number of embedded design measures, as detailed in Table 6.10 of APP-054 and Table 1.2 of the Outline Fisheries Liaison and Co-existence Plan (APP-218).</p> <p>Notably, the maximum extent of cable protection along the offshore export cable corridor has been reduced from up to 20% of the total cable length at PEIR to 10% in the Environmental Statement (ES). This reduction reflects the Applicants' commitment (CoT54 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to cable burial as the preferred option for cable protection, where practicable, with a minimum target burial depth of 0.5 m or greater, where achievable.</p> <p>Further detail on these installation methods is provided in Section 3.1.1.7 of the Outline Offshore Cable Specification and Installation Plan (APP-220).</p> <p>Additionally, the offshore cable route has been designed to minimise crossings with existing cables, reducing the risk of spatial conflict and enabling the safe resumption of fishing activity after installation. Collectively, these measures are intended to accommodate continued access for a variety of fishing practices, including those using lighter, more sustainable gear types.</p>
OD-010 010.4	The Flemish Agency of Agriculture therefore asks to reevaluate the conclusions regarding the EU-fisheries (including Belgian fisheries) and the impact of the project on them. The Agency would like to continue monitoring the developments and is open to be actively involved in further discussions. We will also always be available to provide additional or more detailed information if needed.	<p>As set out in the Applicants' responses to OD-010.1 and OD-010.2 above, Belgian fishing activity has been accurately described in Volume 2, Annex 6.1: Commercial Fisheries Technical Report (APP-055). This includes detailed information on fishing effort, gear types, target species, and spatial distribution, supported by landings data and vessel activity records.</p> <p>This information has been fully assessed in Volume 2, Chapter 6: Commercial Fisheries (APP-054), which considers the potential effects of the proposed development on commercial fisheries, including Belgian and wider EU fleets, across all phases: construction, operation and maintenance, and</p>

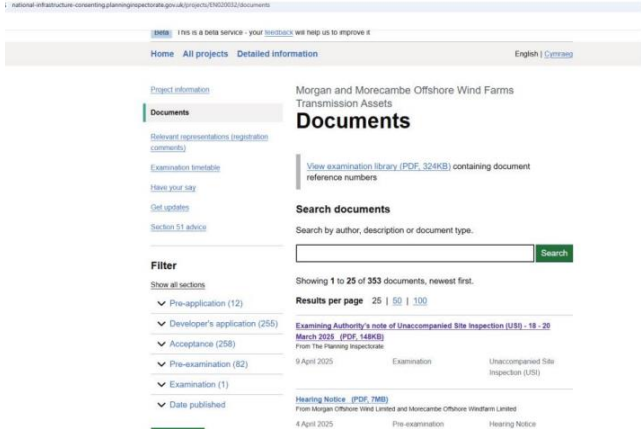
Reference	Transboundary Consultation Comment	Applicants' response
		<p>decommissioning. The assessment concludes that effects on Belgian fisheries will be negligible, and no impacts beyond minor adverse are predicted for any commercial fisheries receptor groups during any phase of the development.</p> <p>To support continuation of fishing activity post-installation, the Applicants have prepared a series of plans submitted as part of the application and secured through relevant conditions of the draft DCO (AS-004), including:</p> <ul style="list-style-type: none"> • The Outline Fisheries Liaison and Co-existence Plan (OFLCP) (APP-218), secured in Condition 18(1)(f)(v) of Schedules 14 and 15 of the draft DCO (AS-004); • The Outline Cable Specification and Installation Plan (CSIP) (APP-219), secured in Condition 18(1)(e) of Schedules 14 and 15 of the draft DCO (AS-004); and • The Outline Cable Burial Risk Assessment (CBRA) (APP-220), secured in Condition 18(1)(e) of Schedules 14 and 15 of the draft DCO (AS-004). <p>The Applicants appreciate the willingness of the Flemish Agency to remain involved and contribute further information as needed. They welcome the Agency's continued participation during the Examination and would be pleased to consider any further input it may wish to provide to inform the ongoing Examination.</p>

2.3 OD-012 – Regulation 32 Consultation response from the Republic of Ireland (second response)

Table 2.3: OD-012 – Regulation 32 Consultation response from the Republic of Ireland (second response)

Reference	Relevant Representation Comment	Applicants' response
Response from Attracta Uí Bhroin dated 11 April 2025		
OD-012 012.1	<p>Introduction</p> <p>The following submission is made by Attracta Uí Bhroin in a personal capacity, and on behalf of Irish eNGO - An Claiómh Glas.</p> <p>Further to the notice on transboundary consultation here: https://www.gov.ie/en/consultation/c1eb2-transboundary-environmental-impact-assessment-eia-public-consultation-morgan-and-morecambe-offshore-windfarms-transmission-assets-development-located-in-the-irish-sea/ on the project here: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN020032</p> <p>By way of opening remarks, we wish to make clear we support the deployment of Offshore Renewable Energy ORE, as part of the urgent need to decarbonise energy systems in the face of the triple-planetary crises, but only if done sustainably. We also respect the UK's sovereign right to determine its own energy mixes, and highlight its obligations under International and National Law in respect of transboundary impacts, and in respect of assimilated EU law in respect of protected sites, habitats and species, and habitats for species, and impact assessments required.</p> <p>We also welcome a transboundary consultation notwithstanding the extensive concerns set out below in respect of same. We urge the UK authorities to ensure the Irish public is not disadvantaged in engaging in this</p>	<p>The Applicants note that the Examining Authority has responded to these procedural points relating to transboundary consultation in its Rule 8 letter (PD-007). The Applicants agree with the approach taken by the Examining Authority and have no additional comments to make at this stage.</p>

Reference	Relevant Representation Comment	Applicants' response
	environmental decision-making process as a consequence of this, and to ensure their rights under both the Aarhus Convention and the Espoo Convention and the intersection of the two are fully respected and to take all measures necessary to ensure that is the case.	
OD-012 012.2	<p>Issues with the transboundary consultation:</p> <p>In the first instance we wish to highlight that the duty ultimately rests with the UK authorities to ensure an effective public consultation with the Irish public in the context of the UK's obligations under the Aarhus Convention additionally to those obligations on transboundary consultation under the Espoo Convention. The experience of the failures by the UK in respect of the transboundary consultations on Hinkley Point C testify clearly to that and the findings of the Espoo Implementation Committee, (EIC) and the Aarhus Convention Compliance Committee on that matter, and indeed its wider jurisprudence.</p> <p>While the Irish authorities sought more time in order to identify the documents most relevant for the Irish public to consider – it has entirely failed to do so. It is clear from the consultation webpages on the GOV.IE website here and also on the Dublin City Council website here - that no such helpful filtering has been provided.</p> <p>Instead members of the public when they click on the PINS link – have to figure out without any introductory guidance or support on how to navigate it where to find the relevant application documents and figure out exactly what stage the project is at, and try and get to grips with the UK regime. This is not at all conducive to effective public participation as required under Article 6 of the Aarhus Convention and UK legislation transposing and implementing those obligations. It effectively results in a</p>	See the Applicants' response at row OD-012.1 above.

Reference	Relevant Representation Comment	Applicants' response
	<p>defacto discrimination for the Irish public in breach of Article 3(9) of the Aarhus Convention where we are being discriminated upon in this matter by virtue of our nationality/citizenship and domicile.</p> <p>Consider how off-putting it is to finally click on “documents” and be presented with this screen image below and an indication of there being 353 documents, many of which will have no bearing on transboundary impacts.</p> 	
OD-012 012.3	<p>Additionally, there is the further confusion for members of the Irish public of the project seemingly being in pre-examination phase – with limitations on what the UK public is being asked to do at this phase, whereas it seems there is a full blown consultation running in parallel with the Irish public, and a lack of clarity on whether there will be further opportunities to engage on transboundary matters as the UK decision-making process advances. With the webpage information on the project stage here stating</p> <p>“Project stage</p>	See the Applicants' response at row OD-012.1 above.

Reference	Relevant Representation Comment	Applicants' response
	<p>This project is at the pre-examination stage.</p> <p>The preliminary meeting for this project is on: 29 April 2025</p> <p>You can check the rule 6 letter to find out how to get involved.</p> <p>In this meeting, the Examining Authority sets out how they examine the application. This includes the examination timetable and the issues they will focus on during examination.</p> <p>Find out more about getting involved in the preliminary meeting</p> <p>You may have recently gained an interest in land affected by a development. If the developer did not tell you the application was accepted or you did not register to have your say you can still request to be an interested party.</p> <p>You need to contact the project team, they will ask the Examining Authority if you can be an interested party and have your say.</p> <p>Email morganandmorecambeowfta@planninginspectorate.gov.uk with your request to become an interested party.”</p> <p>It is very confusing and off-putting for the Irish public to understand in the context exactly what it is they are being consulted on and if they simply need to register interest so that can be considered in the pre-examination phase or launch into a full scale set of submissions on the proposed project.</p> <p>To be clear, the UK's process is itself very well structured, logical and methodical, that is not the issue. I appreciate the obligations to make information available in the State affected at the same time it is made available in the State of Origin. However, the preparatory steps and when a fully</p>	

Reference	Relevant Representation Comment	Applicants' response
	<p>fledged transboundary consultation comes face to face with a PINS Pre-examination stage – it is more than confusing.</p> <p>The issue is the potential confusion that arises in the context of the deficits in information provided to the Irish public in simple clear intelligible terms about what's going on, what they need to do at this point, why there is a discrepancy in what the UK public is being asked to do at this time, what options they have to make submissions now, or later and any implications of that, and how to go about it all. A simple, clear communication would have sufficed to avoid the compromise that has invariably occurred.</p> <p>In this regard we submit the transboundary consultation is seriously flawed, and steps need to be taken to remedy this. Invariably many will have been confused and put off by this.</p>	
OD-012 012.4	<p>Additionally, I am unaware of any concerted efforts to contact eNGOs in Ireland to ensure they were aware of this. Reliance on the Irish Government's inadequate attempts to publicise it are wholly unacceptable. It is unrealistic to expect the public to trawl the consultation website of the Government everyday in order to identify consultations on activities which may impact them and their environment. Reliance on one off newspaper advertisements is additionally entirely insufficient and ineffective in the context of a society which has largely moved away from buying paper newspapers and for those experiencing financial challenges and unable to penetrate paywalls on online newspapers.</p> <p>Ultimately, the responsibility lies with the UK on this matter, particularly given the intersection of consultation obligations</p>	See the Applicants' response at row OD-012.1 above.

Reference	Relevant Representation Comment	Applicants' response
	<p>under the Aarhus Convention with those of the Espoo Convention.</p> <p>As stated at the outset, the UK authorities are urged to ensure this decision-making process is not compromised so early on, and to ensure all measures are taken to accommodate input at later stages and to make it clear and well publicised how this can be done. This comment and recommendation applies to all jurisdictions where there is a risk of potential impacts.</p>	
OD-012 012.5	<p>Transboundary screening and States identified where there may be effects.</p> <p>The offshore infrastructure detailed in the most recent screening document from January 2025 here indicates in respect of the first screening undertaken.</p> <ul style="list-style-type: none"> Up to six offshore substation platforms (OSPs). Up to five Interconnector cables between the OSPs One offshore booster station for the Morgan Offshore Wind Project. Offshore export cable corridor containing up to four cables for the Morgan OWP and up to two cables for the Morecambe OWF <p>There is also significant uncertainty on the construction and deployment methods to be used with the screening statement stating:</p> <p>“The Scoping Report states that multiple foundation types remain under consideration for the OSPs and offshore booster station. These include monopiles, suction buckets, jackets with piling, jacket on suction buckets, tripods and gravity-based structures.</p>	<p>The Project Design Envelope for the Morgan and Morecambe Offshore Windfarm: Transmission Assets includes the installation of up to 6 offshore export cables as set out in Table 3.1: Key parameters for the Transmission Assets of the Project Description (AS-024).</p> <p>The Offshore Substation Platforms (OSPs), interconnector cables, and Morgan offshore booster station were included in the Scoping Report and Preliminary Environmental Information Report (PEIR), but were removed from the project design envelope for the Transmission Assets prior to submission of the DCO Application, as described in section 3.7.1 of the Project Description (AS-024) and highlighted in the second Transboundary Screening of 15 January 2025 (OD-006).</p> <p>The potential methodologies for cable installation are outlined in section 3.12.5 of the Project Description (AS-024). It is usual to include a number of techniques for cable installation in the absence of detailed pre-construction site investigation data. To ensure robustness of the EIA, we have applied the Rochdale Envelope approach and assessed the options within the Project Design Envelope which have the greatest potential for effect, as described in section 3.4 of the Project Description (AS-024).</p> <p>The Applicants have made a commitment (CoT49 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to submit a construction method statement, and a final Cable Specification and Installation Plan (CSIP) and Cable Burial Risk Assessment (CBRA) (an outline CSIP and outline CBRA were submitted with the application as APP-220 and APP-</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>Multiple methodologies remain under consideration for the installation of offshore export cables. Table 4.5 lists the burial techniques including trenching, jetting, ploughing, mechanical cutting and pre-lay ploughing. The Scoping Report refers to the potential for cable protection, comprising either rock armour or mattresses."</p> <p>For the avoidance of doubt, while this preliminary submission indicates concern on specific matters – we reserve our right to raise further issues as the decision-making process proceeds.</p> <p>In the context of such uncertainty – it was of serious concern that only two States – Ireland and Belgium have been identified as having potential transboundary impacts.</p> <p>Respectfully, this raises serious concern in respect of the adequacy of the approach taken in respect of the second and more recent screening of January 15 2025, following the applicant's submission of the Development Consent Order DCO documentation to the authorities.</p> <p>It is difficult to see from the second screening the extent to which these earlier uncertainties have been fully resolved in the submitted application. The text focuses primarily on alteration to the project elements – and doesn't deal at all with any updates on the technologies etc.</p>	<p>219, respectively) to the MMO as licencing authority for approval prior to commencement of construction. This must demonstrate that the final installation methodology is in line with the methodology options assessed in the EIA. This is secured by Condition 18(1)(e) of Schedules 14 and 15 to the draft DCO (AS-004).</p> <p>The potential impacts of noise on offshore ornithological receptors is considered within the project alone, cumulative and in-combination assessments presented in Volume 2, Chapter 5: Offshore ornithology (APP-053) and Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017).</p>
OD-012 012.6	<p>Particular concerns on the transboundary impact assessment:</p> <p>Specific concerns are outlined below including in respect of: screened out impacts; impacts on marine mammals; marine biodiversity; climate change; atmospheric regulation; bird species; protected sites; security risks; fishers; fish stocks, shellfish and benthic species; coastal communities; cumulative impacts; impacts beyond the States identified as potentially affected.*</p>	<p>The Applicants note this response and have responded in the rows below.</p>

Reference	Relevant Representation Comment	Applicants' response
OD-012 012.7	<p>Screened out impacts:</p> <p>Even in the context of the two States identified - the following impacts were screened out from transboundary impacts in the first and earlier screening report of Sep 2023 referred to above:</p> <ul style="list-style-type: none"> • benthic, subtidal and intertidal ecology; • seascape, landscape <p>It is difficult to see how these can be conclusively screened out given the uncertainty on technologies and methods to be used on the project's marine works quoted above in the screening report. This included uncertainties not limited to the variety of techniques still open to consideration on creating trenches and burying cables, and the potential sedimentary and tidal and deposition implications which need to be considered in a transboundary context therefore on benthic, subtidal and intertidal ecology, and seascapes.</p>	<p>The Applicants have screened out benthic, subtidal and intertidal ecology as described in section 1.4.2 of Part 3, Annex A: Transboundary Impacts Screening of the Morgan and Morecambe Offshore Windfarms: Transmission Assets Scoping Report (Morgan OWL and Morecambe OWL, 2022).</p> <p>In summary, the extent of any predicted impacts upon benthic subtidal and intertidal ecological receptors is likely to be limited to the footprint of the offshore elements of the Transmission Assets (for temporary and long-term habitat loss and colonisation or removal of hard substrates) and within one spring tidal excursion of the Transmission Assets (for changes in suspended sediment concentrations and associated deposition and changes in physical processes). One tidal excursion is based on the tidal excursion ellipses, which create a tidal excursion (and therefore study area) which extends between 9.1km (to the southwest) and 2.9km (to the south) from the Transmission Assets Scoping Boundary. The study area is approximately 68 km from the UK/Ireland boundary. Therefore, potential transboundary impacts upon benthic subtidal and intertidal ecology are not anticipated and no significant effects would arise, as there is no pathway by which direct or indirect impacts arising from the Transmission Assets could result in impacts on the benthic subtidal or intertidal ecology of another state.</p> <p>Similarly, the Applicants have screened out seascape and landscape as there is no pathway by which direct or indirect impacts arising from the Transmission Assets could result in significant effects on the landscape and visual resources of another state. Any impacts on landscape and visual resources arising from the construction, operation and maintenance and decommissioning of the Transmission Assets will be confined to a localised area in the vicinity of the Transmission Assets Scoping Boundary and the extent of these impacts are considered to be focused on receptors based in the UK and the Isle of Man, with no likely potential impacts at the UK/Ireland boundary which is 77.3 km from the Transmission Assets Scoping Boundary. This is detailed in Section 1.4.4 of Part 3, Annex A:</p>

Reference	Relevant Representation Comment	Applicants' response
		Transboundary Impacts Screening of the Morgan and Morecambe Offshore Windfarms: Transmission Assets Scoping Report (Morgan OWL and Morecambe OWL, 2022).
OD-012 012.8	<p><i>Marine Mammals, the multiple cumulative impacts and their implications:</i></p> <p>It is unclear at time of writing if all SAC's in Irish waters have been adequately considered in the screening.</p> <p>It is also of concern that the section of the screening dealing with marine mammals, focuses on SACs. Whereas marine mammals in Irish waters and indeed UK waters are subject to the strict protection of what is derived from the second pillar of the EU Habitats Directive, and its assimilation into UK law. This means each individual member of the species, together with its breeding and resting places are protected in line with those provisions. In short – it doesn't need to be in an SAC to be protected.</p> <p>In the context of the highly mobile nature of marine mammal species in particular, the very limited set of States identified for transboundary consultation also seems extraordinary.</p> <p>It is unclear what migratory, breeding and feeding data was considered in the screening, and how up to date this is.</p>	<p>The Applicants have considered all SACs designated for the protection of marine mammals within the regional study area that could be affected by the construction, operation and maintenance, and decommissioning phases of the Transmission Assets as detailed in Section 1.3 in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) and paragraph 4.6.2.2 et seq. in ES Volume 2, Chapter 4: Marine mammals (APP-050). Screening of marine mammal designated sites are also presented in detail in the HRA Stage 1 Screening Report (APP-018) (which provides information to enable the screening of the Transmission Assets with respect to its potential to have Likely Significant Effects (LSE) on designated nature conservation sites), and Habitats Regulations Assessment Stage 2 Information to Support Appropriate Assessment Part Two: Special Areas of Conservation (SACs) Assessment (APP-016), which considers whether the Transmission Assets could have an adverse effect, either alone or in-combination with other plans or projects, on the integrity of any European site.</p> <p>The Applicants highlight that the ES Volume 2, Chapter 4: Marine mammals (APP-050) considers marine mammals within the Transmission Assets regional marine mammal study area at an appropriately large spatial scale based upon species Management Units (MU) (as detailed in Section 4.4 of ES Volume 2, Chapter 4: Marine mammals (APP-050)), and does not focus solely on SACs alone. The Applicants agree that marine mammals are highly mobile and may range over large distances and therefore, to provide a wider context, the detailed desktop review presented in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) considered the ecology, distribution, density, abundance and seasonality of marine mammals within the Irish Sea and wider Celtic Sea. In addition, species specific populations were considered</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>over a regional scale, within the context of their relevant species MUs (defined by the Inter-Agency Marine Mammal Working Group for cetacean MUs; and the Special Committee on Seals and Irish-specific datasets for Seal MUs). The Applicants highlight that all cetacean species-specific MUs extend into Irish waters. For grey seal, relevant Seal MUs (SMU) include the East Irish Region SMU and the South East Ireland SMU. For harbour seal, the SMUs considered to have connectivity to the Transmission Assets include the Northern Ireland SMU, NW England SMU and Wales SMU (see Figure 4.1 Volume 2, Figures (APP-064)).</p> <p>ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) comprises a detailed desktop review of existing studies and datasets which is used to underpin the assessment in the EIA and HRA, with Table 1.2 in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) summarising key data sources.</p> <p>Section 4.14 in of ES Volume 2, Chapter 4: Marine mammals (APP-050) details the transboundary effects on marine mammals. A screening of transboundary impacts (Volume 1, Annex 5.5: Cumulative screening matrix and location plan (APP-039)) identified that there was potential for significant transboundary effects regarding marine mammals from the Transmission Assets upon the interests of other states due to the highly mobile nature of marine mammal species and an impact assessment was therefore included in Section 4.14 of ESF Volume 2, Annex 4.1: Marine mammals (APP-051 and APP-052). This full assessment considered the baseline ecology (such as breeding, feeding data), distribution, density, abundance and seasonality of each key species (as detailed in sections 1.3.3 to 1.3.9 in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052)) and evaluated the impacts of the Transmission Assets in the context of the wide-ranging nature of marine mammals.</p>
OD-012 012.9	Cetaceans are highly complex, intelligent and social creatures and the disruptions to their behaviour, and the potential even fatal consequences of anthropogenic noise	Injury and disturbance from underwater sound generated from pre-construction survey sources is assessed in detail in Section 4.11.6 for the project alone, and cumulatively in Section 4.13 (see Table 4.47) of ES

Reference	Relevant Representation Comment	Applicants' response
	<p>in marine waters to their ability to navigate and feed, do not appear to have been adequately considered, including in the context of species which move across the seas of so many States.</p> <p>The implications of seismic surveying, blasting and temporary and permanent displacement of other human activities – and all the implications for noise in the marine environment and the distances that will travel do not appear to have been adequately considered.</p> <p>Of particular concern is the effect of seismic surveying and sonar activity on cetaceans – a species subject to the strictest protection under what is assimilated EU law – based on the second pillar of the EU Habitats Directive. Seismic noise also kills krill over distances with scientific studies determining only the end point interms of the areas checked. In other words the extent of kill went beyond the distances measured.</p>	<p>Volume 2, Chapter 4: Marine mammals (APP-050). This considered the range of geophysical and geotechnical activities to be undertaken using equipment typically employed for these types of survey, with the parameters chosen for underwater sound modelling representing those that result in the greatest range of effect and therefore would lead to the greatest spatial extent of injury or disturbance. The maximum injury range (permanent threshold shift) from underwater sound modelling was 254 m and the maximum disturbance range of 17.3 km was found for harbour porpoise from a sub-bottom profiler (SBP). Whilst SBP is a sonar-like source that is highly directional and considered a continuous noise source by the NMFS (2018), the underwater sound levels associated with shallow geophysical surveys, such as those required for the Transmission Assets, are not comparable to the seismic surveys undertaken for oil and gas exploration.</p> <p>In addition, the Applicants have updated the Draft DCO (C1 F03) at Deadline 1 to remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licences, in line with the latest Government guidance (UK Government, 2025). This prohibits the use of high-order clearance under the DCO. The Applicants also highlight that key construction phase sound sources including UXO clearance and site investigation surveys will be temporally limited, with impacts not continuous over the entire construction phase. The Transmission Assets Application includes Measures to minimise disturbance to marine mammals and rafting birds from vessels (APP-221), which includes measures to avoid disturbance and/or collision to marine mammal and ornithological receptors.</p> <p>The impact on marine mammal prey species was also considered in Section 4.11.5 for the project alone and Table 4.47 cumulatively in ES Volume 2, Chapter 4: Marine mammals (APP-050) which draws upon the baseline characterisation detailed in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) and the impact assessment on prey in ES Volume 2, Chapter 3: Fish and shellfish ecology</p>

Reference	Relevant Representation Comment	Applicants' response
		(APP-048). Therefore, due consideration has been given to the effects of changes in prey availability on marine mammals.
OD-012 012.10	<p>There is also the further role that cetaceans play in sequestering carbon and if there sustainability as a species is compromised – we risk compromising this natural and powerful ally in tackling climate change.</p> <p>Cumulative impact assessment on these species needs to take into account the multiplicity of negative impacts in the marine environment including for example changes in sea temperature impacting on migration, breeding and feeding behaviours, understanding the significance of the more localised impacts associated with the project</p> <p>The role of a healthy marine environment in helping mitigate against climate change needs to be fully recognised. Too often the idea that renewable offshore energy is perceived as decarbonising our energy systems – is used to blind decision-makers and seeks to ignore the damage such projects can do if not developed properly to the marine environment and thus negatively impact on climate change.</p> <p>A precautionary approach is warranted in the context.</p>	<p>A detailed cumulative effects assessment has been presented in Section 4.13 (with additional detail in Appendix A of ES Volume 2, Chapter 4 Marine Mammals (APP-050)) which considers the impact of the Transmission Assets with Morecambe Offshore Wind Farm Generation Assets, Morgan Offshore Wind Project: Generation Assets and with other relevant project and plans. This cumulative assessment assessed the impacts of Transmission Assets on marine mammals at both an individual level and a population level, based upon a precautionary maximum design scenario with layers of conservatism to ensure the worst case scenario was assessed. The scope of the assessments, such as the key species and impacts to assess was agreed through the Evidence Plan Process with relevant Statutory Nature Conservation Bodies (SNCBs), and feedback incorporated throughout the Preliminary Environmental Impact Report (PEIR) and during preparation of the Environmental Statement (ES).</p> <p>Marine Mammals Inter-related effects are assessed in Section 4.15 of ES Volume 2, Chapter 4: Marine mammals (APP-050) and considers both the lifetime effects of the Transmission Assets which assess the scope of effects that occur throughout more than one phase (such as underwater sound from construction, operational vessel sound, decommissioning disturbance) and the receptor-led effects which assesses effects across multiple topics to interact spatially and temporally on a receptor (e.g. injury and disturbance from UXO clearance may interact with vessel collision to produce a different or greater effect when considered together rather than in isolation).</p>
OD-012 012.11	<p>Additionally of concern is the geopolitical situation. Reliance on cable and energy infrastructure in the marine environment now has to be evaluated as a risk in the context of the geo-political situation. In late 2022, ships from the Russian Federation entered the Irish Exclusive Economic Zone purportedly to do exercises, and occupied an area close to highly sensitive sub-sea cable</p>	<p>The Applicants note the response.</p>

Reference	Relevant Representation Comment	Applicants' response
	infrastructure. Even in the last days there was heightened alerts as a Russian intelligence vessel was being monitored by the vastly under-resourced Irish Naval Service, and by the an Irish Air Corps maritime patrol aircraft operating out of Casement Aerodrome in Dublin and RAF surveillance aircraft based in Lossiemouth, Scotland.	
OD-012 012.12	<p>In considering cumulative impacts in relation to cetaceans and marine biodiversity generally, and bird species- the following has to be taken into account and doesn't appear to have been done so adequately:</p> <ul style="list-style-type: none"> a) The strategic nature of Irish waters in particular has to be taken into account in respect of cumulative impacts and noise b) The extent and attraction of military sonar activity consequent on the strategic nature of Irish waters, c) The risks presented by the tactical target nature of energy infrastructure in UK and Irish waters, d) The increased tensions generally operating at present precipitating significantly more "noise" in our seas. e) The fact that noise travels vast distances under water and doesn't respect national boundaries f) The extensive cumulative impacts which need to be considered given seismic and other noise and displacement associated with extensive and pro-longed and future plans for surveying for significant deployments of Offshore renewable energy deployments off the Irish East Coast and South East Coast and future deployments envisaged off the South West and North West and North coast of the island of Ireland, and the cumulative impacts 	<p>For bird species, please see the response to OD-012.14 with points on marine mammals addressed below.</p> <p>The Applicants highlight that the ES Volume 2, Chapter 4: Marine mammals (APP-050) considers marine mammals within the Transmission Assets regional marine mammal study area at an appropriately large spatial scale based upon species Management Units (as detailed in Section 4.4 of ES Volume 2, Chapter 4: Marine mammals (APP-050)), in addition to the smaller marine mammal study area which captures the likely zone of influence of impacts from the Transmission Assets. The assessment of impacts on marine mammals is assessed at a population level, in the context of species-specific MUs as reference populations, which were agreed through the Expert Working Group with relevant SNCBs. The Applicants reiterate that all cetacean species-specific MUs extend into Irish waters. For grey seal, relevant SMUs include the East Irish Region SMU and the South East Ireland SMU. For harbour seal, the SMUs considered to have connectivity to the Transmission Assets include the Northern Ireland SMU, NW England SMU and Wales SMU (see Figure 4.1 Volume 2, Figures (APP-064)). As discussed above, a robust baseline characterisation for marine mammals is presented in ES Volume 2, Annex 4.1: Marine mammals technical report (APP-051 and APP-052) which utilises a wide range of robust data sources to identify the ecology, distribution, density, abundance and seasonality of marine mammals within the Irish Sea and wider Celtic Sea and form a holistic picture of marine mammals in the regional marine mammal study area (which includes Irish waters).</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>associated with the future development of that infrastructure, and its operation and decommissioning.</p> <p>g) The issue of ORE related noise is of course compounded by noise based surveys for other projects – including even more invasive ones for oil,gas, minerals etc. and the long term historic impacts together with current and future impacts on these highly mobile species needs to taken into account.</p> <p>h) The seriously inadequate approach to regulation on marine noise and its impact on cetaceans by the Irish authorities. Therefore the cumulative impacts the UK may be assuming are likely to be significantly under-estimated.</p> <p>i) The significant gaps in data on marine mammals in Irish waters.</p>	<p>The Applicants have considered the cumulative effects of the Transmission Assets with other plans and projects in detail, with a robust and precautionary approach that includes a layer of precaution such that impacts are not underestimated. The cumulative effects assessment (CEA) process included a robust screening process, with ES Volume 1, Annex 5.5: Cumulative screening matrix and location plan (APP-039) detailing the precautionary approach to identifying other developments (which includes offshore renewables, site-investigation surveys, aquaculture, cables and pipelines, coastal development, dredging activities, infrastructure) to be considered within the CEA. This involved the CEA long list and the screening matrix, both of which were updated following PEIR to ensure that any additional data on applications already in the CEA long list or additional cumulative applications of allocations are fully considered within the Application.</p> <p>The screening approach included four stages (in line with the Planning Inspectorate's Advice Note Seventeen (the Planning Inspectorate, 2019) and the Cumulative Impacts Assessment Guidelines: Guiding Principles for Cumulative Impacts Assessment in Offshore Wind Farms (RenewableUK, 2013)), which iteratively established the ZOI for each topic to identify a long list (for marine mammals it was the Irish Sea biogeographic region and is therefore not limited to national boundaries), then screened the long list using receptor-specific criteria. Following this, there was a process of detailed information gathering for the refined list and finally preparation of a topic-specific cumulative assessment (e.g. presented in Section 4.13 of ES Volume 2, Chapter 4: Marine mammals (APP-050) for marine mammals). All projects, plans or activities identified as being taken forward to the CEA process, are 'tiered' in accordance with the guidance set out in the Planning Inspectorate's Advice Note Seventeen (the Planning Inspectorate, 2019). This allows the level of certainty associated with the project, plan or activity to be considered (see Table 1.3 in Volume 1, Annex 5.5: Cumulative screening matrix and location plan). The Applicants therefore consider that a highly robust and methodological precautionary approach to the cumulative assessment has been carried out, in accordance with available CEA guidance.</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>Consequently a detailed cumulative effects assessment has been presented in Section 4.13 (with additional detail in Appendix A) of ES Volume 2, Chapter 4 Marine Mammals (APP-050) which considers all the Tiered Projects screened in for marine mammals, representing a highly precautionary assessment that accounts for all projects in the future pipeline where possible.</p> <p>The Applicants highlight that the Transmission Assets does not comprise longer-term noisy activities such as piling, and is limited to low order unexploded ordnance clearance, vessel use and pre-construction surveys (see Table 4.13 in ES Volume 2, Chapter 4: Marine mammals (APP-050) for marine mammals for the impacts scoped in for assessment).</p> <p>Furthermore, as detailed above, the Applicants have updated the Draft DCO (C1 F03) at Deadline 1 to remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licences in line with the latest Government guidance (UK Government, 2025) and therefore prohibits the use of high-order clearance under the DCO.</p> <p>The Applicants have also included suitable mitigation for the impacts of Transmission Assets, which for marine mammals includes an Outline Marine mammal mitigation protocol (MMMP) (APP-223) to reduce the risk of injury to marine mammals. The detailed MMMP(s) will be developed in accordance with the Outline MMMP (APP-223) and approved by the MMO in consultation with the relevant SNCB, who will advise of current best practice. This is secured by Condition 20(1)(b) within Schedules 14 and 15 of the draft DCO (AS-004). The Applicants have made a commitment (CoT65 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to the development of and adherence to Offshore Environmental Management Plans (s) to be produced post consent (which includes measures to minimise disturbance to marine mammals and rafting birds from transiting vessels (APP-221). This must be approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate. This is secured by Condition 18(1)(f) within Schedules 14 & 15 of the draft DCO (AS-004).</p>

Reference	Relevant Representation Comment	Applicants' response
		Therefore the Applicants consider they have carried out a robust cumulative assessment at a wide scale appropriate for highly mobile marine mammals and included any relevant mitigation required to ensure any impacts on marine mammals are minimised.
OD-012 012.13	<p><i>Fishers, fish stocks and coastal communities:</i></p> <p>In the context of that big picture – the displacement effect for fishers also has to be revisited, including Irish fishers and Irish fish stocks, and wider fish stocks. There isn't only the issue of physical displacement from these deployments, but there is the further implications on fish stocks. Cetaceans play a well documented and incredibly important role in transferring nutrients from the depths of the sea and oceans when they come to the surface to defecate and urinate. This releases nutrients responsible for phytoplankton blooms and the important cycle this plays in the marine food chain and indeed in oxygen production and carbon absorption is well understood and documented authoritatively. The effect of seismic and other noise based surveying will also impact on krill and marine foodchains. These in turn impact on fish stocks, together with other cumulative impacts – such as sea temperature rise. These all then impact on fishers and the coastal communities which depend on this activity.</p> <p>Serious concerns arise in respect of the extent to which cumulative consequences of these types of projects really have not been properly considered</p>	<p>Early engagement with relevant commercial fisheries stakeholders was established at the outset of the Transmission Assets pre-application phase, including organisations from Ireland such as the Irish South and East Fish Producers Organisation (ISEFPO), with initial engagement commencing in June 2021. This early dialogue helped inform the project's approach to co-existence and stakeholder-specific requirements. A summary of this engagement is provided in Table 6.3 of Volume 2, Chapter 6: Commercial Fisheries (APP-054), with further detail contained in the Technical Engagement Plan (APP-189). This plan outlines engagement with interested parties, including ISEFPO, throughout the pre-application period, and such engagement will continue, where appropriate, as set out in the Outline Fisheries Liaison and Co-existence Plan (OFLCP) (APP-218). Condition 18(f)(v) of Schedules 14 and 15 of the draft DCO (AS-004) secures the preparation of detailed FLCPs which must be approved in writing by the MMO, in consultation with Trinity House, the MCA and UKHO as appropriate.</p> <p>With respect to potential impacts on fishing activity, these are spatially and temporally restricted during the cable installation period. Once installation is complete, no restrictions on fishing activity are anticipated except in isolated areas where external cable protection may be used, which may be of relevance to vessels deploying bottom-towed gear such as dredges. Volume 2, Annex 6.1: Commercial Fisheries Technical Report (APP-055) identifies that vessels from Ireland predominantly deploy dredges in the commercial fisheries study area. This has been reflected in the assessment presented in Volume 2, Chapter 6: Commercial Fisheries (APP-054), where the Irish fleet is identified in a discrete receptor group (see Table 6.7 of APP-054), and has been assessed accordingly against each phase of the development.</p>

Reference	Relevant Representation Comment	Applicants' response
		<p>To support the continuation of fishing activity post-installation and minimise potential for displacement of fishing activity, the Applicants have secured a number of embedded design measures, detailed in Table 6.10 of APP-054 and Table 1.2 of the OFLCP (APP-218). Notably, the maximum extent of cable protection along the offshore export cable corridor has been reduced from up to 20% at PEIR to 10% in the Environmental Statement (ES). This reduction reflects the Applicants' commitment (CoT54 of Volume 1, Annex 5.3: Commitments Register of the ES (AS-030)) to cable burial as the preferred approach, with a target burial depth of 0.5 m or greater, where achievable and practicable.</p> <p>With regard to concerns raised around wider ecological interactions, including cetaceans and their role in nutrient cycling and the marine food web, the Applicants refer to the responses provided in OD-012.9 and OD-012.10, where these matters are addressed in detail,</p> <p>Finally, the Applicants confirm that all assessments have included a cumulative effects assessment (CEA) in accordance with the tiering approach outlined in the Planning Inspectorate's Advice Note Seventeen (Planning Inspectorate, 2019). This includes the consideration of all relevant projects and marine activities that may act cumulatively with the proposed development. The CEA is fully integrated across all relevant Environmental Statement chapters, including commercial fisheries, and reflects the best available data and consultation with stakeholders.</p>
OD-012 012.14	Bird Species <p>The implications of uncertainties highlighted earlier above pertaining to the development technologies and approach to be used for i.a. trenching and covering cables, mean that impacts on sediments etc cannot be predicted safely at this point. There may be further significant impacts to consider in relation to how this impacts on birds feeding areas – including in the inter-tidal regions etc. – not just in Irish sites but also in the UK resulting in differing pressures and movements emerging between the two.</p>	<p>Volume 2, Chapter 5: Offshore ornithology (APP-053) and Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017) provide assessments of the potential significance/adverse effect of pressures on bird prey species via effects on fish, shellfish and bivalve ecology (which are assessed in detail in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology and Volume 2, Chapter 3: Fish and Shellfish Ecology). This includes impacts related to sediments. Whilst there remains uncertainty as to final design, this assessment has been made on the worst-case scenario of cable footprint and associated sediment disturbance.</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>Important to note also is that there has been significant developments in Bird Data available from IWEBS from the National Park and Wildlife Service and Birdlife International and BirdWatch Ireland.</p> <p>However significant data gaps remain. The interplay especially between UK and Irish bird sites is important, including over-wintering sites, and staging and feeding sites on migratory routes.</p> <p>It is important that the decision-making process takes into account the relevant data and is aware of the gaps.</p> <p>There is a duty on the decision-making body to be competent in this regard and not to simply rely on that put in front of it by the applicant. UK Assimilated law in respect of the EIA Directive, on the conduct of an EIA, and the assessments required and the quality of information which needs to be provided.</p> <p>Supplementary information, which is taken into account in the decision also needs to be subject to public consultation – in respect of UK assimilated law based on Article 6(3)(c) of the Environmental Impact Assessment Directive.</p>	<p>The assessments presented in Volume 2, Chapter 5: Offshore ornithology (APP-053), with the exception of those for red-throated diver and common scoter are qualitative in nature and therefore do not require the use of regional population data, including those associated with IWEBS. For the quantitative assessments presented for red-throated diver and common scoter, the regional populations considered for these species do incorporate data for populations in Ireland and the sources for these populations, which represent the most recent publicly available data, are provided in section 5.11.2 of Volume 2, Chapter 5: Offshore ornithology (APP-053). The populations for common scoter and red-throated diver in Ireland used in the assessments are those associated with SPAs with the designations for these using IWEBS data where relevant.</p>
OD-012 012.15	<p>Conclusion</p> <p>Thank-you for your consideration of these remarks which are constructively offered.</p> <p>I wish to confirm we wish to continue to be consulted throughout this decision-making and do not consider that it would be appropriate to exclude the Irish public from joining and making further submissions over the process of decision-making in the UK.</p> <p>We also urge to the authorities to engage to ensure there is greater clarity for the Irish public and indeed all States and</p>	<p>The Applicants note this response.</p>

Reference	Relevant Representation Comment	Applicants' response
	their public potentially impacted and having an interest in this decision making	
Response from BirdWatch Ireland		
OD-012 012.16	<p>Introduction</p> <p>BirdWatch Ireland is Ireland's leading charity focused on the conservation of wild birds. Established in 1968, we currently have over 15,000 members and supporters and a local network of over 30 branches nationwide. As an organisation, our conservation team is actively involved in seabird conservation, research, and monitoring. Our policy and advocacy team are active stakeholders contributing to marine conservation at a national and EU level. We are the Irish partner of Birdlife International and are members of the Irish Environmental Network, Stop Climate Chaos, and the Sustainable Water Network, and a founding partner of the Fair Seas coalition.</p> <p>Our vision is that Ireland should become a world leader in marine conservation and the sustainable management of our marine environment. The protection and restoration of Ireland's biodiversity is vital, and rapid decarbonisation is an essential element of this process. BirdWatch Ireland therefore supports the production of renewable energy and offshore wind to help achieve this. However, offshore renewable energy (ORE) devices and infrastructure must be sensitively located to minimise negative impacts on marine and terrestrial ecosystems, and on seabirds in particular as these may be more impacted than other taxa.</p>	The Applicants note this response.
OD-012 012.17	<p>Ireland's Seabirds</p> <p>Ireland's marine environment plays host to a huge diversity of ornithological life year-round. In summer, our offshore islands and cliffs host seabird breeding colonies, many of</p>	The Applicants note this response.

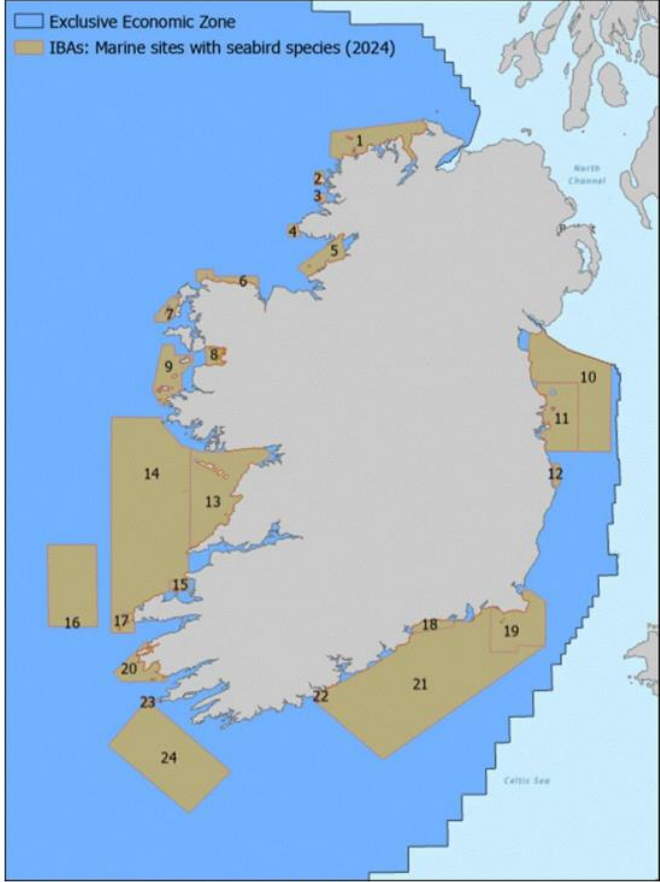
Reference	Relevant Representation Comment	Applicants' response
	<p>which are of international importance or regional significance. In winter, our coasts and estuaries are of huge importance for wintering waterbirds. Seabirds, as top marine predators exposed to all threats affecting the ocean, are excellent biodiversity indicators, providing us with an insight into the health of, and pressures facing, our marine environment [1].</p> <p>However, 23 of 24 breeding seabirds in Ireland are either Red or Amber listed Birds of Conservation Concern [2]. They are highly vulnerable, facing current pressures and future threats, including (ranked in order of frequency of occurrence) [3].</p> <ul style="list-style-type: none"> • Bycatch and incidental killing (due to fishing and hunting activities) [4] • Desynchronisation of biological/ecological processes due to climate change • Decline or extinction of related species (e.g. food source/prey, predator/parasite, symbiote, etc.) • Other invasive alien species (other than species of Union concern). • Potential impacts from wind, wave and tidal power, including the associated infrastructure <p>Even though Ireland has designated a network of Special Protected Areas (SPAs) at coastal sites aimed at protecting the most important areas for breeding seabirds, trends in population and range for some species are declining [5]. At a European level, of the 24 seabird species regularly breeding in Ireland, nine are declining (Atlantic puffin <i>Fratercula arctica</i>, Black-headed gull <i>Larus ridibundus</i>, European herring gull <i>Larus argentatus</i>, European shag <i>Gulosus aristotelis</i>, Fulmar <i>Fulmarus glacialis</i>, Great black-backed gull <i>Larus marinus</i>, Kittiwake <i>Rissa tridactyla</i>, Little</p>	

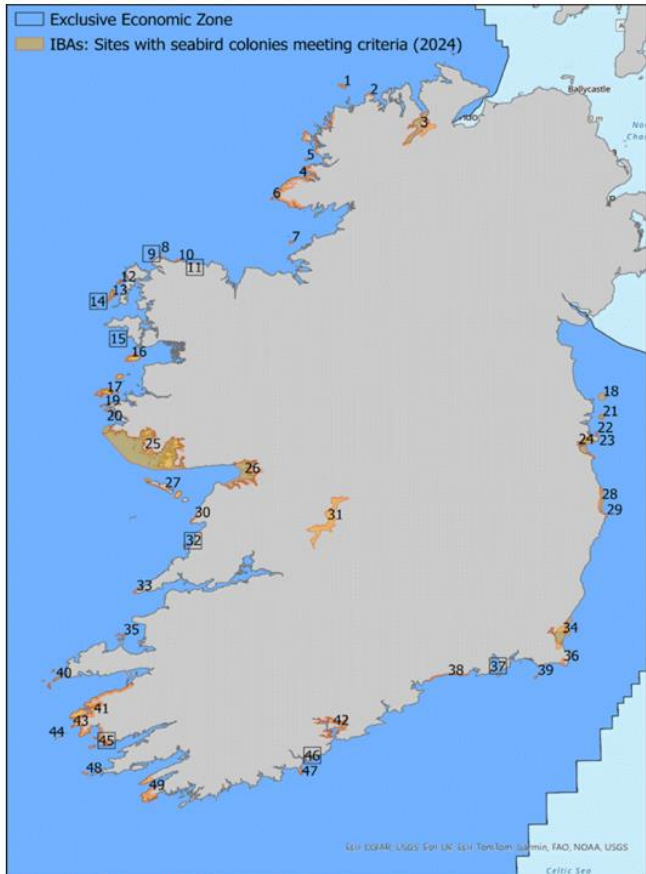
Reference	Relevant Representation Comment	Applicants' response
	<p>tern <i>Sternula albifrons</i>, and Mediterranean gull <i>Larus melanocephalus</i>) and an additional four have an unknown population trend (Black guillemot <i>Cepphus grylle</i>, European storm petrel <i>Hydrobates pelagicus</i>, Leach's storm petrel <i>Hydrobates leucorhous</i>, and Manx shearwater <i>Puffinus puffinus</i>) [6]. Nationally, of these 24 species, two species are declining in Ireland (Atlantic Puffin and Kittiwake) with an additional two species (Arctic tern <i>Sterna paradisaea</i> and Common tern <i>Sterna hirundo</i>) facing probable declines due to Highly Pathogenic Avian Influenza (HPAI) H5N1 since last census; population trends for a further three species (European Shag, Fulmar, and Great cormorant <i>Phalacrocorax carbo</i>) are unknown [5 and Pers Comm Dr. Steve Newton, Senior Seabird Conservation Advisor, BirdWatch Ireland October 8th 2024]. Due to the sensitive nature of these populations, special consideration should be given to the potential effects of offshore developments on these seabird species. In particular, the cumulative effects of multiple developments must be adequately assessed.</p>	
OD-012 012.18	<p>For many years BWI has been working to gather data and information on the importance and usage of our marine environment for seabirds and waterbirds. Our work in the Irish Sea includes tagging and tracking of seabirds at key sites, Digital Aerial Survey (DAS) work and observations on the daily movements and flight lines of a range of seabirds. The latter has been part of our annual monitoring and management of key seabird colonies in the Irish Sea for more than 20 years (largely under contract to the National Parks and Wildlife Service (NPWS)). BirdWatch Ireland therefore has a unique understanding of the importance of the Irish Sea for seabirds and the possible impacts of new offshore windfarm developments.</p>	<p>The Applicants highlight that the project under consideration is the Morgan and Morecambe Transmission Assets which incorporates transmission infrastructure only. This therefore does not include any above water infrastructure in the marine environment meaning that barrier effects and collision risk are not a potential impact associated with this project.</p> <p>As part of a Cumulative Environmental Assessment (CEA), and an in-combination Habitats Regulations Assessment (HRA), the Applicants have identified developments (projects, plans and activities) which could be considered to impact the environment cumulatively with the Transmission Assets. This list will be updated through examination, where necessary, as new information regarding other developments comes forward. This process, and the current list of developments that are considered, is</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>The main impacts of ORE windfarm projects on seabirds and waterbirds include displacement, disturbance, and collision risks. However, there are a range of other possible impacts, including:</p> <ul style="list-style-type: none"> • <u>Barrier effects</u>: wind turbines and structural development can interfere with birds foraging and migration routes, potentially increasing their individual energy expenditure and limiting the available habitat • <u>Cumulative impacts</u>: how are the cumulative impacts being examined? We are extremely concerned that the cumulative impacts of all current and future ORE projects in the Irish Sea are not being assessed • <u>Wider ecological impacts on fish stocks/prey base and its impact on fishing effort and location</u>: Knowledge of the impact on the prey base/fish stocks is essential to be able to fully assess the impacts on seabirds. How will fishing efforts be shifted and what is the likely impact of such a shift on seabird foraging opportunities? Particular consideration should be given during construction and post-construction on how the additional disturbance and new structures within the marine environment may change prey location and numbers • <u>Impacts on non-seabird species, waterbirds and other larger birds using the air space</u>: The flight heights are not known for key species and this data has not been collected, as many digital aerial surveys don't collect height data. 	<p>detailed within Volume 1, Annex 5.5: Cumulative screening matrix and location plan (APP-039).</p> <p>With regards to offshore ornithology, the key receptors identified for cumulative and in-combination assessment were features of the Liverpool Bay SPA. As a result the cumulative screening process used for offshore ornithological receptors incorporated those plans and projects that may act cumulatively to impact the populations associated with this SPA. This therefore did not include projects located in Irish waters.</p>

Reference	Relevant Representation Comment	Applicants' response
OD-012 012.19	<p>Transboundary Environmental Impact Assessment (EIA) Public Consultation– Morgan and Morecambe Offshore Windfarms Transmission Assets development, located in the Irish Sea</p> <p>We appreciate the opportunity to comment on potential transboundary effects on Irish seabirds and the integrity of the Irish Natura 2000 network from development outside the territorial waters of Ireland's EEZ. There is no overall marine spatial plan for the Irish Sea, but rather six different plans from different jurisdictions at different stages of implementation. We are unclear if there is coordinated strategic planning about locations of United Kingdom (UK) offshore windfarms and nor are we clear if there have been any discussions with the Irish government on its plans for ORE and the protection of Ireland's marine biodiversity in the Irish Sea. As a whole, the Irish Sea is a unique and interconnected ecosystem and should be managed as such, with the range and habitats of many seabird species crossing multiple borders within it. Ensuring transboundary communication and collaboration as multiple governments look to increase and implement more offshore renewable processes is key to ensuring that the cumulative effects of multiple projects do not negatively impact important marine species, including seabirds, and that the marine plans for one region do not undermine the management or ecosystem health of another.</p>	<p>The identification of bidding areas for offshore wind in English and Welsh waters is undertaken and managed by The Crown Estate. As set out in Section 1,2,1 of Volume 1, Chapter 1: Introduction of the Environmental Statement (APP-021) and Section 4.2.1 of Volume 1, Chapter 4: Site selection and consideration of alternatives of the Environmental Statement (APP-030), the Morgan and Morecambe Transmission Assets are part of The Crown Estate's fourth leasing round for offshore wind. Prior to the competitive tender process to secure sites, the Round 4 plan went through an iterative site selection process to identify preferred bidding areas, which was underpinned by a stakeholder engagement process conducted by The Crown Estate. More information on this process can be found at The Crown Estate website (https://www.thecrownestate.co.uk/our-business/marine/Round4).</p> <p>In addition to the site selection process and prior to award of agreements for lease to Round 4 projects, The Crown Estate also undertook a 'plan-level' Habitats Regulation Assessment as set out in Section 4.2.3 of Volume 1, Chapter 4: Site selection and consideration of alternatives of the Environmental Statement (APP-030). Details on the stakeholder engagement process The Crown Estate undertook for the plan-level HRA can be found at their website linked above.</p>
OD-012 012.20	<p>Many of the seabird species mentioned in the Transboundary Screening report for the Morgan and Morecambe developments are species of special conservation interest that triggered the designation of the many Special Protection Areas (SPAs) within the Republic of Ireland's portion of the Irish Sea. Additionally, we have identified a number of Important Bird and Biodiversity</p>	<p>The Applicants note this response.</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>Areas (IBAs), which are of particular importance for the conservation of wild birds and their habitats, near to the proposed developments as well [7]. While IBAs do not afford legal protection to a site, they are identified using a globally agreed standardised set of data-driven criteria and thresholds. In 2024, BirdWatch Ireland, working with BirdLife International, completed the identification of a network of colony and marine IBAs in Ireland's Exclusive Economic Zone (EEZ) [8]. Within these sites, the species identified as qualifying interests occur in regionally or nationally significant numbers [7]. The sites generally also support other important populations (though they may not meet the thresholds for IBA designation), highlighting how these IBAs represent the most important areas for breeding and foraging seabirds in our waters. During this process, 24 marine IBAs and 49 colony IBAs were identified (see Figure 1 and 2 respectively); the shapefiles for these sites can be requested through BirdLife on [redacted]</p>	

Reference	Relevant Representation Comment	Applicants' response
	 <p>Figure 1: Ireland's marine IBA network of 24 sites.</p>	

Reference	Relevant Representation Comment	Applicants' response
	 <p>Figure 2: Ireland's colony IBA network for 49 sites. Sites with squares around them are newly identified, where sites without were previously identified and have been updated in 2025.</p>	
OD-012 012.21	Specific IBAs near to the Morgan and Morecambe offshore windfarm proposed locations and transmission asset development that could be affected by transboundary	The Applicants highlight that the project under consideration is the Morgan and Morecambe Transmission Assets which <u>includes</u> transmission infrastructure only, noting that there is no permanent sea surface piercing

Reference	Relevant Representation Comment				Applicants' response								
	<p>impacts of the development include 3 marine IBAs and 5 colony IBAs (Table 1).</p> <p>Table 1: The three Irish marine IBAs and five Irish colony IBAs near the proposed Morgan and Morecambe offshore windfarm developments and the transmission asset development, with information on the seabird species present at each IBA, including qualifying interest species used in designating the IBAs and other species also present within these IBAs that did not meet criteria for use in designation [8]</p> <table><tr><th>Type of IBA</th><th>Name of IBA (Map reference number)</th><th>Qualifying Interest Species (meet designation criteria)</th><th>Other Species Present</th></tr><tr><td>Marine</td><td>Northwest Irish Sea (10)</td><td>Black-legged kittiwake, Manx shearwater, Northern gannet (Morus bassana), Razorbill (Alca torda), Waterbirds, Auks (Guillemot and Razorbill)</td><td>Arctic tern, Atlantic puffin, Black guillemot, Black-legged kittiwake, Common guillemot (Uria aalge), Common gull (Larus canus), Common tern, European herring gull,</td></tr></table>				Type of IBA	Name of IBA (Map reference number)	Qualifying Interest Species (meet designation criteria)	Other Species Present	Marine	Northwest Irish Sea (10)	Black-legged kittiwake, Manx shearwater, Northern gannet (Morus bassana), Razorbill (Alca torda), Waterbirds, Auks (Guillemot and Razorbill)	Arctic tern, Atlantic puffin, Black guillemot, Black-legged kittiwake, Common guillemot (Uria aalge), Common gull (Larus canus), Common tern, European herring gull,	<p>infrastructure. <u>Most of the IBAs listed by BirdLife Ireland are also SPAs. Whilst these sites are not included within the HRA Stage 1 Screening Report (APP-018), the conclusions reached for the features associated with the SPAs listed will be identical to those reached for these species at other SPAs. These would therefore have been screened out due to lack of connectivity or a lack of impact pathway with the installation, operation and maintenance and decommissioning of up to 6 export cables in the marine environment (in English waters).</u></p>
Type of IBA	Name of IBA (Map reference number)	Qualifying Interest Species (meet designation criteria)	Other Species Present										
Marine	Northwest Irish Sea (10)	Black-legged kittiwake, Manx shearwater, Northern gannet (Morus bassana), Razorbill (Alca torda), Waterbirds, Auks (Guillemot and Razorbill)	Arctic tern, Atlantic puffin, Black guillemot, Black-legged kittiwake, Common guillemot (Uria aalge), Common gull (Larus canus), Common tern, European herring gull,										

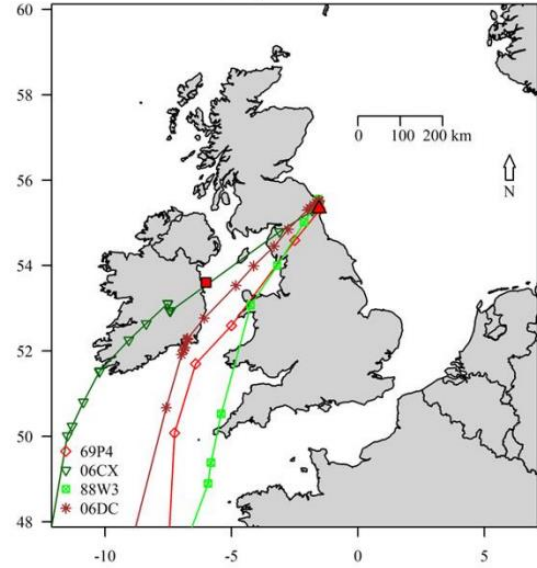
Reference	Relevant Representation Comment				Applicants' response
				European shag, Great black-backed gull, Great cormorant, Lesser black backed gull (Larus fuscus), Manx shearwater, Northern fulmar, Roseate Tern (Sterna dougallii)	
	Marine	Dublin Islands and cliffs marine extension (11)	Atlantic puffin, Auks (Guillemot and Razorbill), Black guillemot, Blacklegged kittiwake, Common guillemot, Common tern, European herring gull, European shag, Great black-backed	Arctic tern, Common gull, Lesser black-backed gull, Manx shearwater, Northern fulmar, Black-backed gull	

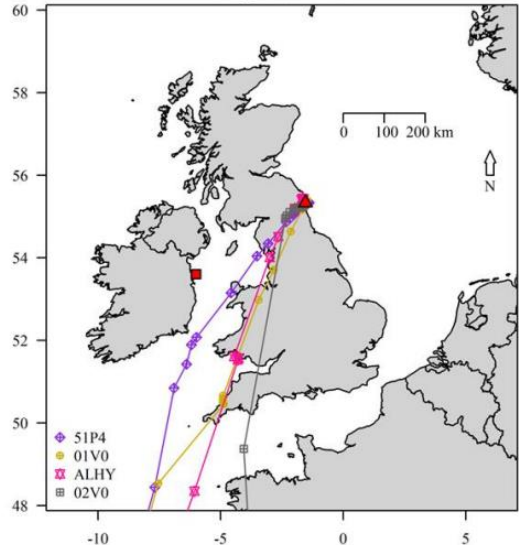
Reference	Relevant Representation Comment				Applicants' response
			gull, Great cormorant, Manx shearwater, Northern gannet, Razorbill, Roseate tern		
	Marine	Wicklow Murrough marine extension (12)	Little tern, Auks (Guillemot and Razorbill)		
	Colony	Rockabill (18)	Black guillemot, Black-legged kittiwake, Common tern, Roseate tern	Arctic tern	
	Colony	Lambay Island (21)	Atlantic puffin, Black- legged kittiwake, Common guillemot, European herring gull, European shag, Great black-backed gull, Great cormorant, Northern	Black guillemot, Common gull, Lesser black-backed gull, Manx shearwater, Northern fulmar	

Reference	Relevant Representation Comment				Applicants' response
			gannet, Razorbill		
	Colony	Ireland's Eye (22)	Atlantic puffin, Black-legged kittiwake, European herring gull, Great black-backed gull, Great cormorant, Razorbill	Common guillemot, European shag, Lesser black-backed gull, Northern fulmar, Northern gannet	
	Colony	Howth Head (23)	Black-legged kittiwake	Black guillemot, Common guillemot, European herring gull, European shag, Northern fulmar, Razorbill	
	Colony	Dublin Bay (24)	Common tern	Arctic tern, Black guillemot, European herring gull, Great black-backed gull, Lesser	

Reference	Relevant Representation Comment				Applicants' response
				Black-backed gull	
	Many of the designating species for the nearby Irish IBAs are among the species most likely to be present within the Morgan and Morecambe Transmission Assets development area and were frequently recorded in both windfarm's surveys. Due to the migratory nature of seabirds and the large size of their ranges make it possible that these populations of seabirds intermix and are interconnected between the countries and could be spending time within the Morgan and Morecambe marine development areas.				
OD-012 012.22	While we understand that the Morgan and Morecambe Transmission Asset development Transboundary reports and screenings found 'no potential for significant transboundary effects with regard to offshore ornithology from the Transmission Assets upon the interests of other states', we at BirdWatch Ireland have the following concerns, which we believe should be addressed. We stress that these may not be comprehensive, as additional concerns could arise as our knowledge increases and/or seabird populations change over time. We have labeled each concern and offered a brief summary of the concern before more in-depth discussion to aid in navigating through our response.				The Applicants have responded to each individual point below.
OD-012 012.23	1. Lack of consideration for multiple tern species and the connectivity between Irish and UK breeding colonies For both Common and Arctic tern, additional assessments within this transboundary EIA were not carried out due to 'species only {being} present in limited numbers, {with} no SPA connectivity'. Additionally, Roseate terns in Ireland are				Terns in general have limited foraging ranges, with for example Wilson et al (2014) and Woodward et al (2019) showing maximum foraging ranges from breeding colony for Roseate tern of 23.9 km, for common tern of 30 km, and for Arctic tern of 46 km. This puts the Transmission Assets footprint outside of foraging range for these features/SPAs. In assessments for projects incorporating generation assets (i.e. wind turbines), tern species are considered in relation to collision risk. This is

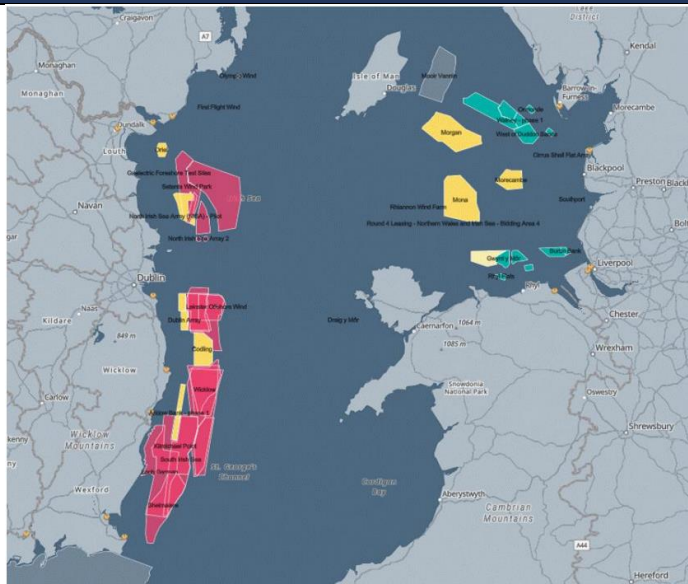
Reference	Relevant Representation Comment	Applicants' response
	not assessed in any of the Morgan and Morecambe Transmission Assets development documentation, despite Rockabill, a nearby Irish SPA and IBA, hosting the largest colony of Roseate terns in Europe. The majority of the North West European population is found at just three colonies: Rockabill SPA (Dublin), Lady's Island Lake SPA (Wexford), both in the Irish Sea, and Coquet Island SPA (Northumberland) in the English North Sea. Together these sites act as a metapopulation; Rockabill is the main source population and the other two are more often sinks (habitats with net population decline), especially when the subpopulations nesting at Coquet and Lady's Island Lake were lower and 'recovering' [9]. This situation may be recurring now given the recent (2022-23) outbreak of HPAI-H5N1 that disproportionately impacted Coquet Island SPA. There is continual inter-connection between the three, with individuals moving between the colonies in the pre- and post- breeding season [10]. Therefore, impacts to the Rockabill SPA and the terns breeding there could have secondary effects on the other colonies Rockabill SPA supports through the export of breeding birds.	not an impact pathway associated with the Transmission Assets. Tern species are not considered vulnerable to the impacts associated with the Transmission Assets and were therefore not identified as Valued Ornithological Receptors in Volume 2, Chapter 5: Offshore ornithology (APP-053) or a receptor for which a Likely Significant Effect may occur in HRA Stage 1 Screening Report (APP-018).
OD-012 012.24	Significantly, the movement (autumn/spring migration) of Roseate terns to and from Coquet Island is largely oriented northeast-southwest overland (Northern England) rather than via the sea corridor of the North Sea [10]. The majority of tagged birds are passing through the northeast Irish Sea lying between the Isle of Man, Cumbria and North Wales, with several moving through Morecambe Bay itself where this development will be taking place (see Figures 3 and 4 below). This research clearly illustrates the importance of the Irish Sea for Roseate terns moving between these three colonies.	Please see response to comment OD-012.23. In addition, Coquet Island SPA and Farnes Islands SPA were considered in the screening process and these features were screened out for these sites due to limited magnitude of impacts in the non-breeding season(s). Consultation with Natural England (the statutory advisor for Coquet Island SPA and Farnes Islands SPA) was undertaken on the screening process and results, and Natural England were content with the sites and features screened in for further assessment. The intent is always to use 'best available evidence' and the information provided by BirdLife Ireland was available before the consultation with Natural England and therefore was available to inform Natural England's advice. The Applicants therefore consider that no further action is required.

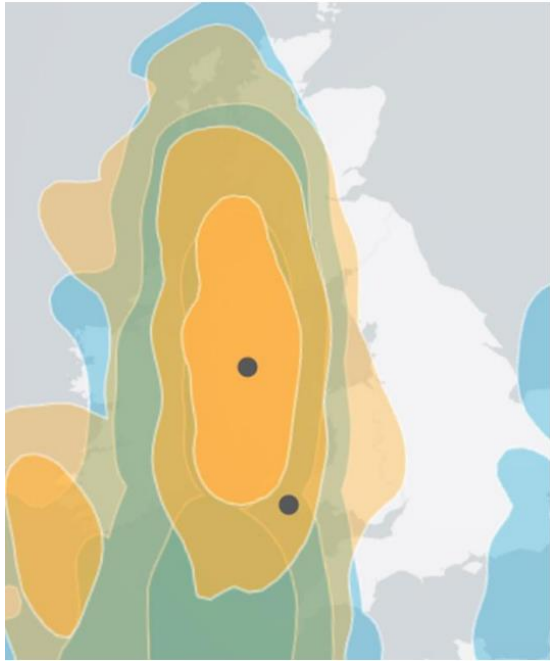
Reference	Relevant Representation Comment	Applicants' response
	<p>Coquet: arrival</p>  <p>Figure 3: Tracking data on the arrival routes of 4 individual Roseate terns to Coquet Island SPA that show use of the Irish Sea and Morecambe Bay in migration [10].</p>	

Reference	Relevant Representation Comment	Applicants' response
	<p>Coquet: arrival</p>  <p>Figure 4: Tracking data on the arrival routes of an additional 4 individual Roseate terns to Coquet Island SPA that show use of the Irish Sea and Morecambe Bay in migration [10].</p> <p>We are concerned that this internationally important and rare European Red-listed species was not identified as a species of interest and at risk in the surveys, literature reviews, consultations and environmental assessments of this project. BirdWatch Ireland finds this a significant oversight and would request that the impacts of the Morgan and Morecambe projects and their transmission asset development considers impacts to Roseate Terns and the connections between these important colonies.</p>	

Reference	Relevant Representation Comment	Applicants' response
OD-012 012.25	<p>Also, we know from geolocator tracking data for Arctic terns that the Irish Sea is an important staging area for birds leaving the UK in autumn (August-September) and arriving in spring (see Figure 5 below) [11].</p> <div data-bbox="362 475 1028 873" data-label="Figure"> </div> <p>Figure 5: Tracking of the arrival routes of Arctic terns to Coquet Island SPA in 2016 and 2018 that show use of the Irish Sea and Morecambe Bay in migration [11].</p> <p>Redfern et al. (2020b) refers to overland migration of Arctic terns heading to and from the large Northumberland colonies of the Farne Islands and Coquet Island SPA, where the birds were tagged. As geolocator accuracy may be up to +/- 50 km, these birds may well be using Morecambe Bay coastal waters at some stage.</p> <p>Additionally, terns from elsewhere such as the UK are also recorded in Ireland in the post-breeding season [12]. Birds with UK rings have been frequently recited in Dublin Bay in the autumn months, emphasising the fact that UK terns cross the Irish Sea and stage in Ireland before migration [Pers Comm Brian Burke, Senior Seabird Conservation Advisor, BirdWatch Ireland April 7, 2025]. With several</p>	

Reference	Relevant Representation Comment	Applicants' response
	windfarms are already operating in this part of the Irish Sea, we would request that further assessment be done for Arctic Terns in the Irish Sea due to their migration patterns which could put them at risk of displacement from offshore energy development including Morgan and Morecambe	
OD-012 012.26	<p>2. More consideration and assessment needed for Irish offshore windfarm development in cumulative impacts</p> <p>Within the cumulative screening matrix for the Morgan and Morecambe Transmission Asset development, all Irish offshore windfarm projects were not screened in for further assessment either due to 'low data confidence' or 'no conceptual or physical effect-receptor pathway' for offshore ornithology concerns. While we understand the methods undertaken for this matrix and that each development was assessed individually, this essentially means that no Irish offshore windfarm projects were included in cumulative impact assessments. Given the amount of potential offshore windfarms in the relatively small area of the Irish Sea (see Figure 6 below), we believe that this is inappropriate.</p>	Please see response to comment OD-012.12 and OD-012-18.

Reference	Relevant Representation Comment	Applicants' response
	 <p>Figure 6: Map of proposed offshore windfarms within the Irish Sea from both the Republic of Ireland and the UK, as taken from the 4C Offshore website [13]</p>	
OD-012 012.27	<p>Birds don't recognize boundaries, and many seabirds utilize breeding sites, foraging areas and migratory routes on both sides of the border. These intermixed and interconnected seabird populations should be further studied in order to understand how transboundary impacts could affect the overall populations of seabirds utilizing these waters. With increased ORE development in both countries and the associated disturbance and displacement of seabirds, increased development in the Irish Sea could limit movement and migration for seabirds including species of conservation concern. For example, SEATRACK data from</p>	<p>Please see response to comment OD-012.12 and OD-012.18 in relation to cumulative impacts.</p> <p>Please see response to comment OD-012.21. In relation to kittiwake, this species is not vulnerable to the impact pathways associated with the Transmission Assets and therefore no LSEs were identified for any SPA at which this species is a qualifying feature (please see HRA Stage 1 Screening Report (APP-018)). The species was considered on a regional basis in Volume 2, Chapter 5: Offshore ornithology (APP-053) with no significant effects identified.</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>Kittiwake colonies in Wales at Skomer and in Ireland at Rockabill show heavy use of the Irish Sea by both colonies throughout the year [14] (Figure 7).</p>  <p>Figure 7: SEATRACK data on Kittiwakes from Rockabill (orange; 2018-2022 tracking data) and Skomer (blue; 2006-2010 tracking data) showing the usage of the Irish Sea by the species during all seasons with increasing colour intensity at the 25%, 50%, and 70% probability contours showing general to core use areas [14]</p> <p>Many such initiatives are already in place, such as the Seabird Monitoring Programme, which has stakeholders from government and NGO sectors across the UK and</p>	

Reference	Relevant Representation Comment	Applicants' response
	<p>Republic of Ireland. BirdWatch Ireland works closely with our BirdLife International partner, the Royal Society for the Protection of Birds (RSPB), collaborating on a range of projects. All of the Phase I Irish projects within the Irish Sea have completed and published their Environmental Impact Assessment Reports (EIAR) with An Bord Pleanála, Ireland's national independent planning body [15]. These EIARs are publicly available and can be used in conjunction with the assessments from Morgan and Morecambe to assess potential cumulative impacts from increased offshore development on both sides of the Irish Sea on seabirds. We would request that future cumulative impacts include all proposed wind farm developments within the Irish Sea, including those in the Irish EEZ, in order to have a more comprehensive understanding of the totality of the potential impacts to seabirds utilizing this interconnected marine ecosystem.</p>	
OD-012 012.28	<p>3. Potential long-term impacts to seabird populations, even after decommissioning</p> <p>Within the Transboundary screening report for the Morgan and Morecambe Transmission Assets development, it is stated that 'the effects are likely to be reversible following decommissioning of the offshore infrastructure'. While we understand that for some immediate and localized impacts, such as disturbance and displacement, this would be accurate, there is still the potential that other impacts, such as mortality, could continue to affect seabirds after decommissioning. Impacts like mortality, which can be caused by displacement or changes in prey (both of which are potential transboundary impacts listed in these reports), can impact seabird populations by decreasing the amount of breeding individuals available. Due to the long lives of seabirds, it can be a long time before impacts to seabird</p>	<p>The assessments presented in Volume 2, Chapter 5: Offshore ornithology (APP-053) concluded that there is very low to negligible impacts on seabirds (including via changes to prey) that may result from the proposed Transmission Assets. In addition, no adverse effects were identified for any SPA qualifying feature in the Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017). Therefore, any long term population-level impacts are unlikely to be measurable against background sources of variation in prey availability and in key seabird demographic parameters which drive long term population change.</p>

Reference	Relevant Representation Comment	Applicants' response
	populations can be seen at both the local, national, and international levels. Given the long time it can take for operational impacts to be seen within seabird populations, there is the possibility that effects from operational impacts could continue long after decommissioning and could potentially cause irreversible damage given the declining populations of many of Ireland's seabirds. For this reason, this statement is inaccurate and does not take into account seabird life traits or the potential for long-term effects of operational impacts on seabird populations.	
OD-012 012.29	<p>Conclusion:</p> <p>With an increase in the amount of proposed renewable development in the Irish Sea, from within Ireland and outside Irish borders, transboundary impacts and the cumulative effect these projects may have on birds needs to be better understood and planned for. The migratory nature of seabirds and the large size of their ranges make it possible that the populations of seabirds within the Irish Sea intermix and are inter-connected between the countries; this should be further studied in order to understand how transboundary impacts could affect the overall populations of seabird species utilizing these waters. Given the amount of offshore renewable development planned in the Irish Sea, we at BirdWatch Ireland appreciate that this transboundary consultation was offered and would ask that more comprehensive transboundary assessments are completed before the application goes any further.</p> <p>In the Irish waters of the Irish Sea, several windfarm developments are being proposed, and along with other offshore wind developments in UK waters including Morgan and Morecambe, there is a very genuine possibility that cumulative effects of all these new wind developments</p>	Please see the Applicants' response to comments OD-012.23 to OD-012.28

Reference	Relevant Representation Comment	Applicants' response
	<p>could be a serious threat to seabirds that utilize the marine environment. We fear that assessing each development individually and within a bubble without a cumulative assessment of the totality of all the proposed developments within the Irish Sea risks missing or underestimating impacts to birds and the marine environment and could negatively affect seabirds in the entire Irish Sea marine environment regardless of country boundaries.</p> <p>From the evidence presented to us in the supporting documents to the application for the Morgan and Morecambe Transmission Assets development, we would ask that further investigation is done to ensure that adverse impacts do not affect the conservation interests of Irish seabirds.</p>	
Response from Louth County Council dated 11 April 2025		
OD-012 012.30	<p>Introduction</p> <p>The purpose of this document is to set out Louth County Council's observations in respect to the Transboundary Environmental Public Consultation Planning Application for proposed Morgan and Morecambe Offshore Windfarms Transmission Assets development, located in the Irish Sea.</p> <p>Transboundary Environmental Public Consultation Planning Application for Morgan and Morecambe Offshore Windfarms Transmission Assets development, located in the Irish Sea.</p> <p>The Transboundary Environmental Public Consultation was advertised as follows:</p> <p>In accordance with the provisions of the 1991 United Nations Convention on Environmental Impact Assessment in a Transboundary Context ("the Espoo Convention"), the Minister for Housing, Planning and Local Government</p>	The Applicants note this response.

Reference	Relevant Representation Comment	Applicants' response
	<p>received notification from the UK Planning Inspectorate ("PINS") in relation to a development consent application ("the planning application") by Morgan Offshore Wind Limited, Morecambe Offshore Windfarm Ltd.</p> <p>The Applicants will be seeking consent for two coordinated but electrically separate sets of transmission works. This includes a shared offshore export cable corridor to landfall and a shared onshore export cable corridor to onshore substation(s), and onward connection to the National Grid electricity transmission network at Penwortham, Lancashire.</p> <p>The proposed development has been identified as a project within the scope of the Espoo Convention as implemented by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") (UK legislation). Consequently, the Secretary of State twice screened the proposal at pre-application stage and on receipt of the planning application. The second transboundary screening process identified potential transboundary issues for Ireland in relation to commercial fishing, marine mammals and shipping and navigation.</p>	
OD-012 012.31	<p>Louth County Council's Observations</p> <p>EIA Considerations</p> <p><u>Assessing Transboundary Effects</u></p> <p>It is acknowledged that the Secretary of State undertook two screenings (pre-application stage and planning application stage) to identify if there were likely significant adverse transboundary effects on the environment in other states. On both occasions it was identified that there were transboundary issues for Ireland, with the most recent screening identifying potential issues in relation to</p>	<p>The Applicants would highlight that the Project Design Envelope for the Morgan and Morecambe Transmission Assets includes the installation, operation and maintenance and decommissioning of up to 6 offshore export cables as set out in Table 3.1: Key parameters for the Transmission Assets of the Project Description (AS-024).</p> <p>The Offshore Substation Platforms (OSPs), interconnector cables, and Morgan offshore booster station were included in the Scoping Report and Preliminary Environmental Information Report (PEIR), but were removed from the project design envelope for the Transmission Assets prior to submission of the DCO Application, as described in section 3.7.1 of the Project Description (AS-024).</p>

Reference	Relevant Representation Comment	Applicants' response
	<p>commercial fishing, marine mammals and shipping and navigation.</p> <p>Louth County Council notes the key offshore components of the transmission assets that include:</p> <ul style="list-style-type: none"> – Offshore substation platforms (OSPs): Platforms to transform electricity generated by the wind farms to a higher voltage allowing the power to be efficiently transmitted to shore; – Interconnector cables: Cables to connect the OSPs to each other; – Morgan offshore booster station: Also known as a mid-point reactive power compensation substation; and – Offshore export cable corridor. 	
OD-012 012.32	<p>Louth County Council also notes the findings of the Environmental Statement in respect to marine mammals which concludes that overall, for most impacts there will be no significant cumulative effects from the Transmission Assets alongside other projects/plans, except the potential injury from UXO clearance for harbour porpoise, where a potential significant cumulative effect has been identified if high order detonation is required. It is also noted that detailed a detailed Vessel Traffic Management plan will be developed preconstruction to minimise, as far as reasonably practicable, encounters with marine mammals and basking sharks</p>	<p>The Applicants note the comments from Louth County Council on the findings of the Environmental Statement in respect to marine mammals and the Vessel Traffic Management plan (APP-226). The Applicants highlight they have updated the draft DCO (C1 F03) at Deadline 1 to remove the ability to undertake high order unexploded ordnance clearance from the deemed marine licences, in line with the latest Government guidance (UK Government, 2025).</p> <p>The Applicants confirm that low order unexploded ordnance clearance (UXO) will remain within the scope of the deemed marine licences (DMLs). The list of licenced activities will therefore be updated to include “low order unexploded ordnance clearance” as a distinct licensable activity under paragraph 2 and for the purposes of Condition 20 of the DMLs at Schedules 14 and 15 of the draft DCO (AS-004).</p> <p>The DMLs will also be amended to clearly distinguish between low and high order UXO clearance, to confirm that high order UXO detonation is not permitted and to specify the maximum number of low order UXO clearances authorised by each DML.</p>

Reference	Relevant Representation Comment	Applicants' response
		Therefore, no high order UXO detonation will be undertaken under the DCO and a separate marine licence will be applied for if required. Therefore, the risk of a significant cumulative effect on harbour porpoise from high order detonation is removed.
OD-012 012.33	Regarding commercial fisheries it is noted from the Environmental Statement that potential effects on commercially important fish and shellfish resources will be restricted to the Offshore Order Limits and surrounding areas. Effects of underwater noise on fish and shellfish receptors, and that commercial fisheries receptors, are not predicted to extend beyond UK and Isle of Man waters and that Transboundary effects on commercial fishing fleets from Ireland, in terms of displacement from the Transmission Assets into alternative grounds, are unlikely, given that activity by these fleets have been observed at relatively low levels across the Offshore Order Limits. It is also noted that transboundary impacts on shipping and navigation the Transmission Assets during the construction, operation and maintenance, or decommissioning phases.	The Applicants note the response from Louth County Council and confirm that the summary provided reflects the outcomes as reported in Volume 2, Chapter 6: Commercial Fisheries (APP-054).
OD-012 012.34	Whilst the Environmental Statement has concluded that there will be no significant transboundary effects associated with the proposed development, Louth County Council requests that the competent authority ensures that relevant other projects including those within Irish Waters and the cumulative effects of these along with the proposed development are thoroughly assessed when making an assessment of the likelihood of significant effects on marine mammals, commercial fisheries and shipping and navigation.	The Applicants note this response.

Reference	Relevant Representation Comment	Applicants' response
OD-012 012.36	<p><u>Appropriate Assessment / Habitat Regulations Assessment Considerations</u></p> <p>County Louth contains numerous European Sites which form part of the Natura 2000 network of core breeding and resting sites for rare and threatened species, and some rare natural habitat types which are protected in their own right. Dundalk Bay, Special Protection Area (004026) and Dundalk Special Area of Conservation (000455) are one of the largest of these protected sites and support a significant number and range of protected species and habitats along the east coast of Ireland. The qualifying interests for these sites are available on www.npws.ie.</p> <p>It is noted that the applicants in parallel to the EIA process will undertake a project level Habitat Regulations Assessment (HRA) in relation to the Transmission Assets, including provision of a HRA Screening Report and subsequent Information to Support Appropriate Assessment (AA). Whilst the proposed development is located a significant distance from the County Louth's European sites, any AA should have cognisance of their conservation objectives and a well-documented and reasoned rationale to dispel reasonable scientific doubt regarding potential effects on the integrity of these European sites.</p>	Please see response to comment OD-012.21.
OD-012 012.37	<p><u>Conclusion</u></p> <p>Louth County Council respectfully requests that the above comments are taken into account and trusts that the competent authority will fully assess the transboundary impacts associated with the proposed Morgan and Morecambe Offshore Windfarms Transmission Assets development, located in the Irish Sea when making a determination on the planning application.</p>	The Applicants note this response.

Reference	Relevant Representation Comment	Applicants' response
Response dated 28 February 2025		
OD-012 012.38	In terms of this project we do not want this in our sea. During wind storms when the blades of the windmills break off they will kill marine life.	<p>The Transmission Assets is wholly located in English waters. In the marine environment, the Transmission Assets only comprises the installation, operation and maintenance and decommissioning of up to 6 export cables.</p> <p>The Applicants have undertaken a detailed Environmental Impact Assessment to consider the potential effects of the Transmission Assets on marine wildlife groups including seabed communities, fish and shellfish, marine mammals, other large marine fauna and birds. The results of these assessments are presented in the Environmental Statement, which forms part of this DCO application. The results of these assessments did not identify any significant impacts that could not be mitigated for through measures adopted by the Morgan and Morecambe Transmission Assets or alternative mitigation.</p>
OD-012 012.37	How will shipping cargo lanes adapt in the future if we have windmills ? Ireland is an island we need the sea to keep free of wind farms.	<p>The UK National Policy Statements (NPS) for Energy Infrastructure and more specifically, the NPS for renewable energy infrastructure (Department for Energy Security and Net Zero, 2024) require that potential effects of renewable energy infrastructure projects on shipping and navigation are considered. This includes:</p> <ul style="list-style-type: none"> • interference with the use of recognised sea lanes essential to international navigation; and • approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea <p>Volume 2, Chapter 7: Shipping and navigation (APP-056) consider the potential effects of the Transmission Assets on shipping and navigation. The conclusions of this assessment did not identify any significant impacts that could not be mitigated for through measures adopted by the Morgan and Morecambe Transmission Assets.</p>

Reference	Relevant Representation Comment	Applicants' response
OD-012 012.36	Also for counterintelligence surveillance and national security an adversary from within or external might target this wind farm. Please use the time and resources on better projects	The Applicants note this response.

3 References

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