

Morgan and Morecambe Offshore Wind Farms: Transmission Assets [Ref. EN020028] – Deadline 2 Submissions of BAE Systems [Unique Reference: 20053944]

We write with reference to our client's response to the Examining Authority's ("**ExA**") action points arising from Issue Specific Hearing 1 – specifically, Action Point 41 [see Document Ref. REP1-111].

The position with regard to the matters outstanding at the close of the Morgan Offshore Wind Project: Generation Assets [Ref. EN010136] (the "**Morgan Project**") remain as stated in the above-mentioned response document, save for the following:

- **Activities 2 and 4** – the IFP assessment for Walney Aerodrome (by NATS) was delivered to BAE Systems on 21 May 2025 and is in the process of being considered. The IFP assessment for Warton Aerodrome (by Sagentia Aviation; formerly Osprey) is still awaited.

Regarding the Morecambe Offshore Windfarm: Generation Assets [Ref. EN010121] (the "**Morecambe Project**"), there is no further progress to report – the Applicant and BAE Systems are yet to reach agreement in respect of items (i) [concerning radio (VHF, DF and UHF) communications to aircraft operating from Walney and Warton Aerodromes] and (ii) [concerning the Primary Surveillance Radar ("**PSR**") at Warton Aerodrome]. Consequently, owing specifically to the absence of an agreement in respect of item (ii), the MOD's objection to the DCO application for the Morecambe Project remains in place.

We would also like to take this opportunity to briefly address the Applicant's commentary in respect of Action Point 41 – see "*The Applicants' Response to Hearing Action Points due at Deadline 1*" [Document Ref. REP1-037; pages 25 and 26] – in particular, the statements made in respect of the draft DCO Requirements concerning Air Traffic Services ("**ATS**") at Walney and Warton Aerodromes and the PSR at Warton Aerodrome.

Dealing first with ATS, the Applicants refer to appropriate Requirements having been secured in the respective draft DCOs for the Morgan and Morecambe Projects. We confirm that the ATS requirement wording which is included in the draft DCO for the Morecambe Project is agreed (see Requirements 6 and 7). However, the ATS requirement wording which was included in the draft DCO submitted at Deadline 7 of the examination for the Morgan Project is not consistent with it in a number of important respects (see Requirements 5 and 7). Whilst the differences between the two sets of wording are relatively small in number, they are material in nature. Furthermore, there is the potential for the final mitigation solution/s required to be implemented in respect of the adverse impact on ATS at Walney and Warton Aerodromes to be common across both the Morgan and Morecambe Projects. Accordingly, it is critical that consistency between the draft DCOs is achieved and that the Requirements they secure mirror each other.

Regarding the PSR at Warton Aerodrome, draft requirement wording to secure the implementation of an approved radar mitigation scheme is still to be agreed. This is the case for the Morgan and Morecambe Projects, as well as the Mona Offshore Wind Farm Project [Ref. EN010137] (the "**Mona Project**") which is the subject of two information requests issued by the Secretary of State on 12 and 30 May 2025 (with the target date for the Secretary of State's decision being no later than 16 July 2025). Amongst several other matters, the Secretary of State has queried the status of Requirement 23 – the PSR Requirement – and whether the wording is agreed between the Applicant, DIO and BAE Systems. For the reasons stated above (namely, the potential for the approved mitigation solution/s to be the same across all three Projects) it is imperative that a consistent approach is taken and that identical requirement wording is agreed.

The Applicants note that good progress was made prior to the close of the examination for the Morecambe Project (on 23 April 2025) and that the PSR requirement wording was largely agreed at this time – our client concurs. However, the latest submissions of the Applicant for the Mona Project are a significant backward step [see Section 1.8 of Document Ref. C1-008b], with the Applicant looking to revisit a number of detailed drafting points which BAE Systems had thought were settled (owing to their inclusion in the latest draft DCOs for the Morgan and Morecambe Projects). Accordingly, an agreement in respect of the PSR requirement wording continues to feel some way off.

This is a disappointing turn of events which has taken our client somewhat by surprise, it being raised very late in the day without any prior discussion between the Applicant and BAE Systems, and given that the Morgan and Mona Project Teams are one in the same.

BAE Systems will continue to seek agreement of its preferred ATS and PSR requirement wording with the Applicants for the Morgan, Morecambe and Mona Projects (working with DIO as required). In the meantime, we wish to point out, by way of a reminder to the ExA, that the MOD continues to maintain its objection to all three DCO applications.

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