



## Application by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited for the Morgan and Morecambe Offshore Wind Farms Transmission Assets

### The Examining Authority's written questions and requests for information (ExQ1)

**Issued on 17 June 2025**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework generally derived from the initial assessment of principal issues provided as **appendix C** to the Rule 6 Letter dated 28 March 2025. Questions have been added to the framework of issues as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IP) and other persons each question is directed to. Where there are several sub-questions to different parties, those from whom a response is requested are set out in brackets. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number. For example, the first question is identified as Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number, clearly identifying it as relating to ExQ1.

You should respond to the questions by using the **Have your say** function on the [project page of the National Infrastructure website](#) and selecting 'Responses to Examining Authority's written questions' when asked.

Download a copy of this Microsoft Word version of the ExA's written questions, enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.

**Responses are due by deadline 3: Monday 7 July 2025**

## Abbreviations used:

BBC	Blackpool Borough Council	ISH	issue specific hearing
BNG	biodiversity net gain	LCC	Lancashire County Council
CA	Compulsory acquisition	LIR	local impact report
CE	The Crown Estate	LSE	likely significant effect
CfD	Contract for Difference	MCA	Maritime and Coastguard Agency
CoCP	Code of Construction Practice	MCZ	Marine Conservation Zone
CoT	Commitment reference	MEEB	Measures of Equivalent Environmental Benefit
D1/2/3	deadline 1/2/3	MMO	Marine Management Organisation
DCO	Development Consent Order	MOD	Ministry of Defence
dDCO	draft Development Consent Order	MOWL	Morgan Offshore Wind Limited
EA	Environment Agency	NCFPC	Newton with Clifton and Freckleton Parish Councils
EIA	Environmental Impact Assessment	NE	Natural England
EPS	European protected species	NERC	Natural Environment Research Council
ES	Environmental Statement	NFFO	National Federation of Fishermen's Organisations
EWG	Lancashire Association of Local Councils Fylde Area Committee Energy Working Group	NFU	National Farmers' Union
ExA	Examining Authority	NGET	National Grid Electricity Transmission plc
FBC	Fylde Borough Council	NH	National Highways
HGV	heavy goods vehicles	NPS	National Policy Statement
HRA	Habitats Regulations Assessment	NR	Network Rail Infrastructure Limited
IP	interested party	NRW	Natural Resources Wales
ISAA	Information to Support an Appropriate Assessment	oCoCP	outline Code of Construction Practice



oCTMP	outline Construction Traffic Management Plan	SAC	Special Area of Conservation
ODP	Outline Design Principles	SoCG	Statement of Common Ground
OEIST	Orsted East Irish Sea Transmission Limited	SoR	Statement of Reasons
oESP	outline Employment and Skills Plan	SPA	Special Protection Area
oSMP	outline Soil Management Plan	SRBC	South Ribble Borough Council
PA2008	Planning Act 2008	TJB	Transition joint bay
PCC	Preston City Council	TPO	Tree Preservation Order
PRoW	public right(s) of way	UXO	Unexploded Ordnance
RNLI	Royal National Lifeboat Institution	WT	Wildlife Trust

## The Examination Library

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [EN020032-000718-Morgan and Morecambe Offshore Wind Farms Examination Library.pdf](#)

It will be updated as the examination progresses.

## Citation of questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, for example ExQ1 1.1.1 – refers to the first question in this table.



<b>Index</b>	
<b>1. General and cross-topic questions.....</b>	<b>5</b>
1.1 Scope of the development and general matters .....	5
1.2 Site selection and alternatives .....	9
1.3 The Environmental Statement .....	10
1.4 Cumulative effects.....	11
<b>2. The draft Development Consent Order (dDCO) .....</b>	<b>12</b>
2.1 Articles.....	12
2.2 Schedule 1- Authorised development .....	18
2.3 Schedule 2A and 2B - Requirements.....	19
2.4 Schedule 12 – Approval of matters specified in requirements ...	20
2.5 Schedules 14, 15, 16 and 17 – Marine Licences.....	20
2.6 In-principle Measures of Equivalent Environmental Benefit (MEEB) plan .....	20
<b>3. Air quality .....</b>	<b>21</b>
<b>4. Aviation and radar .....</b>	<b>22</b>
<b>5. Compulsory acquisition, temporary possession and other land or rights considerations .....</b>	<b>25</b>
<b>6. Ecology, biodiversity and nature conservation (on-shore).....</b>	<b>34</b>
6.1 Ecology and nature conservation.....	34
6.2 Biodiversity net gain (BNG) .....	38
<b>7. Environmental matters (off-shore).....</b>	<b>39</b>
7.1 Benthic ecology.....	39
7.2 Fish and shellfish ecology .....	41
7.3 Marine mammals.....	42
7.4 Offshore ornithology.....	43
7.5 General.....	43
<b>8. Geology, hydrogeology and ground conditions.....</b>	<b>44</b>
<b>9. Habitats Regulations Assessment .....</b>	<b>46</b>
9.1 General .....	46
9.2 Screening .....	47
9.3 ISAA.....	49
9.4 ISAA Part 2.....	49
9.5 ISAA Part 3.....	50
<b>10. Hydrology and flood risk.....</b>	<b>51</b>
<b>11. Historic environment .....</b>	<b>54</b>
<b>12. Land use and recreation .....</b>	<b>56</b>
<b>13. Landscape and visual .....</b>	<b>62</b>
<b>14. Noise and vibration .....</b>	<b>65</b>
<b>15. Socio-economic effects.....</b>	<b>68</b>
<b>16. Transportation and traffic .....</b>	<b>70</b>
<b>17. Other matters .....</b>	<b>73</b>
17.1 Green Belt .....	73
17.2 Commercial fisheries .....	73
17.3 Shipping and navigation.....	74
17.4 Climate change.....	74

ExQ1	Question to:	Question:
<b>1. General and cross-topic questions</b>		
<b>1.1 Scope of the development and general matters</b>		
Q1.1.1	The applicants	<p><b>River Ribble crossing</b></p> <p>The written representation from South Ribble Borough Council [REP1-097] raises concerns at the lack of plans to clearly show how works to cross the River Ribble will be conducted.</p> <p>For each of the two potential trenchless installation techniques (micro-tunnelling and direct pipe) described in the Project Description [REP2-008] provide indicative drawings showing (a) the layout of relevant construction works (including compounds) and (b) a full cross-section showing the full extent of the proposed works taking account of existing topography and landform.</p>
Q1.1.2	The applicants and South Ribble Borough Council	<p><b>Cable corridor</b></p> <p>The Examining Authority (ExA) notes that the construction of the two separate 400kV grid connection corridors [AS-017] leading towards Penwortham substation would involve construction across, in places, steeply sloping land.</p> <p>Are any specific construction work methods necessary in these locations to deal with the gradients and are any particular mitigation and management measures proposed, including in respect of existing trees, hedges and general landscape maintenance?</p>
Q1.1.3	The applicants	<p><b>Construction durations</b></p> <p>The applicants noted at issue specific hearing 1 [REP1-035] that there would not be construction works across all areas of the order limits for the entirety of each projects' respective periods.</p> <p>In order that a greater understanding can be gained of the duration of construction impacts on receptors (including communities, residents, farms and businesses) at different points along the cable corridor, provide indicative details of the expected construction durations of the proposed works across different sections of the proposed development.</p>
Q1.1.4	The applicants	<p><b>Construction programme</b></p> <p>Appendix B of the applicants D1 submission [REP1-037] shows an indicative construction programme for a sequential construction scenario including a four year gap. Concerns have been raised in representations from interested parties about the length of the potential gap between the construction of both projects, the uncertainty that would result from this and the potential overall length of the construction period.</p> <p>a) Taking account of the likely timetable scenarios as currently known for the potential consenting and</p>

ExQ1	Question to:	Question:
		<p>implementation of the generating assets for both projects (Morgan and Morecambe), provide further justification and demonstration of the need for a maximum four year gap for the sequential scenario.</p> <p>b) What would the implications be for both projects should this gap be reduced?</p> <p>c) Should the Secretary of State (SoS) consider that the overall construction period as proposed is not justified, explain whether it would be possible for the SoS to reduce this period with alternative DCO drafting?</p>
Q1.1.5	The applicants (a, b and c), Local authorities (b and c)	<p><b>Construction working hours</b></p> <p>Proposed construction hours are set out in Requirement 14 of Schedule 2A and 2B of the dDCO [REP2-004].</p> <p>a) Requirement 14(2) for both projects provides for circumstances where works may take place outside the core working hours specified in 14(1). These include a range of works (a) to (g) including generalised elements such as “where continuous periods of construction are required” and “any other time-critical element”. Whilst noting that provision in 14(3) for such works to be subject to 48 hours’ advance notice to the relevant planning authority, can the applicants provide a more detailed justification for the flexibility sought for the certain works identified in (a) to (g)?</p> <p>b) Noting that core working hours from 7:00am until 7:00pm (Monday to Saturday) are proposed, with an hour before/ after for set-up and close down works, are there any particular locations where the proposed hours including mobilisation activities might be more likely to lead to issues of unreasonable noise and disturbance for local residents and/or other receptors? If so, what reduced working hours would be reasonable in such locations?</p> <p>c) The recent ‘Request for Information’ letter from the Secretary of State for Energy Security and Net Zero regarding the Mona Offshore Wind project (EN010137) requested that the applicant provide, without prejudice, updated documents to refer to more restrictive working hours of 7:00am to 1:00pm on Saturdays. Please comment on this request in relation to the proposed development, including whether the construction working hours should be similarly amended.</p>
Q1.1.6	National Grid Electricity Transmission plc (NGET)	<p><b>Penwortham substation</b></p> <p>Paragraph 3.7 of the written representation from NGET [REP1-089] sets out upgrade works that are proposed to be implemented at the existing Penwortham substation including the ‘Eastern Extension’, ‘Upgraded Infrastructure’ and Network Rail connection works.</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>a) Can NGET provide further details, including any publicly available information, of the form and extent of works that are proposed at Penworham substation comprising the 'Eastern Extension', Upgraded infrastructure' and the 'Penwortham Project'?</li> <li>b) Can NGET provide details of the current timescales for the implementation of these works and any consents or approvals that would be required?</li> <li>c) From the information that is currently known, what implications might these works have for the proposed development, including the layout of the proposed development including, but not limited to, construction compounds (Plot 18-054), highway, access and visibility works (Works Nos. 34 and 19A) and the timing of delivery of the proposed development?</li> <li>d) Is NGET satisfied that protective provisions (as appropriately drafted) are capable of resolving its concerns regarding the proposed development at Penwortham substation.</li> <li>e) Could NGET also provide details of the new bay that would need to be constructed on the western side of the existing substation to accommodate the Morecambe connection (paragraph 3.2 of REP1-089).</li> </ul>
Q1.1.7	The applicants	<p><b>Shared infrastructure</b></p> <p>The applicants have provide further explanation of the differences to other proposed developments where two projects have come forward either within the same DCO or separate DCO's [8.4 of REP1-039], drawing attention, in particular, to the fact that the Morgan and Morecambe projects may be awarded a Contract for Difference (CfD) in different allocation rounds and the constraints that would arise from this.</p> <p>The applicants' explanation regarding commercial separation is noted, as are the specific details of this application including the land and works plans. However, in the event that both projects were to be awarded a CfD in the same allocation round, why would there not be an opportunity to make arrangements for shared infrastructure (such as shared haul roads and potential for one project to install ducts for another projects), bearing in mind that there is already collaboration occurring between the two applicants that would need to continue through to implementation.</p>
Q1.1.8	The applicants	<p><b>Construction coordination</b></p> <p>The ExA notes the further information provided by the applicants at deadline 1 [REP1-039] in relation to (sections 7.2.2 and 7.2.3). Building on the information already provided and given that the proposed development encompasses two projects and different construction scenarios, describe and explain what measures of strategic collaboration and co-ordination between the two undertakers would be required to ensure the consistent and effective implementation of the projects, including proposed mitigation and</p>

ExQ1	Question to:	Question:
		<p>management measures. This should include consideration of:</p> <ul style="list-style-type: none"> <li>a) The approach towards the detailed design of both projects (including cable corridor, the substations, landscaping and mitigation).</li> <li>b) The content and implementation of relevant detailed management plans.</li> <li>c) The approach to the discharge of requirements (Schedules 2A and 2B) and Marine Licence conditions.</li> <li>d) The approach to compulsory acquisition and temporary possession across the two projects.</li> <li>e) Any other dDCO matters.</li> </ul>
Q1.1.9	The applicants	<p><b>Construction coordination</b></p> <ul style="list-style-type: none"> <li>a) What examples of good practice have been learnt from the implementation of other similar projects involving shared cable routes and substation locations? Are there any mistakes in the strategic planning, coordination and implementation of other projects that can be learnt from?</li> <li>b) Have/can matters of collaboration and coordination in the implementation of the two projects been discussed with the relevant local authorities?</li> </ul>
Q1.1.10	The applicants	<p><b>Anticipatory investment</b></p> <p>Paragraph 3.3.1.11 of the Project Description [APP-208] notes ongoing work led by Ofgem to support the potential need for anticipatory investment mechanisms for coordinated transmission systems. But as the regime remains unclear, the applicants state that they cannot accept the commercial risk of assuming concurrent construction.</p> <p>Could the applicants provide any update on the progress being made with the anticipatory investment mechanisms. When is it expected that sufficient progress will be made with it to enable applicants (in general) to commit to concurrent construction or further construction collaboration (such as collaboration in designing ducting, substations etc) for similar projects to the proposed development?</p>
Q1.1.11	The applicants	<p><b>Works plans</b></p> <p>The proposed works plans (Sheet 13 of AS-014 and Sheet 11 of AS-016) include two construction compounds to the south of Hillock Lane that are both labelled as Work Nos.18A (Morgan Construction Compounds). Should one or other of these instead be labelled Work No.18B (Morecambe Construction Compound)?</p>
Q1.1.12	Any local authority, Natural England and the Environment Agency	<p><b>Outline Code of Construction Practice</b></p> <p>The applicants Outline Code of Construction Practice (oCoCP) [APP-193] presents the framework and outline of measures to manage the environmental impacts during the construction phase of the proposed development. The detailed oCoCP will be supported via a series of management plans (listed in Table 1.1.</p>



ExQ1	Question to:	Question:
		<p>of the oCoCP), outline versions of which have also been provided with the application. It is therefore an important document for the construction process.</p> <p>Please confirm whether you are satisfied that the oCoCP is sufficiently robust, precise and enforceable to provide effective management and mitigation of potential environmental impacts during the construction phases.</p>
Q1.1.13	The applicants, local authorities, statutory consultees and relevant statutory undertakers where a SoCG has been previously requested in the ExA's Rule 6 letter.	<p><b>Statements of Common Ground (SoCG)</b></p> <p>Deadline 3 (7 July 2025) includes the submission of updated SoCG, including summaries of the principal areas of disagreement and statement of commonality.</p> <p>Relevant parties where a SoCG has been requested should fully engage with the SoCG process. The ExA requests fully considered SoCGs including summaries of the principal areas of disagreement.</p> <p>For statutory undertakers, where there is documented evidence that matters, including protective provisions, are agreed and no other matters of disagreement remain, then a statement from parties to this effect would suffice. In the absence of such a statement, where protective provisions are being negotiated and even if agreement is expected to be reached, then a brief and focused SoCG or position paper should be progressed, focusing on the matters where differences remain between the respective parties, rather than an unnecessarily long SoCG. It is not sufficient for these to be just recorded in the applicants' Land Rights Tracker as this is not a document that is necessarily agreed with the relevant statutory undertaker.</p>
<b>1.2 Site selection and alternatives</b>		
Q1.2.1	NGET	<p><b>Stanah/ Hillhouse suggested alternative</b></p> <p>Several interested parties including Lancashire Association of Local Councils Fylde Area Committee Energy Working Group (EWG) [REP1-083] and Newton with Clifton and Freckleton Parish Councils (NCFPC) [REP1-183] have suggested an alternative onshore connection for the Morecambe and Morgan projects using the established Stanah substation (to be extended) and Hillhouse Technology Enterprise Zone and the upgrade of the existing 400kV twin circuit overhead line connecting Stanah with Penwortham, which it is suggested, would offer cost savings and reduced disruption.</p> <p>a) NGET comments are sought for this suggested alternative, including its potential feasibility for connecting the Morecambe and Morgan projects, including utilising the existing Stanah substation (as extended) and the use (with potential upgrade) of the existing 400kV twin circuit overhead line between Stanah and Penwortham.</p> <p>b) What other options were considered in deciding upon the onshore grid connection for the Morecambe</p>

ExQ1	Question to:	Question:
		and Morgan projects and why were these not taken forward?
Q1.2.2	The applicants and NGET	<p><b>Stanah/ Hillhouse suggested alternative</b></p> <p>The applicants and NGET are requested to comment on the additional submissions by EWG [REP2-059] and NCFPC [REP2-064] regarding the suggested alternative onshore connection, including the comparative assessment of costs.</p>
Q1.2.3	The applicants (a, b and c), Fylde Borough Council (b), Lancashire County Council (b).	<p><b>Green Belt</b></p> <p>In their response to hearing action point 7 [REP1-037] the applicants confirm that the Black Red Amber Green (BRAG) appraisal for the onshore cable corridor did not include Green Belt as an assessment criterion but that it was considered within the BRAG assessment of onshore substation search zones and onshore substation options.</p> <p>As previously noted, the identification of onshore substation search areas (Stage 2c) in section 4.5.4 of Selection and Refinement of Onshore Infrastructure [AS-028] makes no reference to the Green Belt and it is not included in the constraints shown on Figure 4.2. There is no evidence of the Green Belt being considered at this stage, noting that Table 4.7 [AS-028] which includes the Green Belt relates only to Stage 3c (refinement of onshore substation search areas for PEIR).</p> <ul style="list-style-type: none"> <li>a) Clarify to what extent has the consideration of the Green Belt been underplayed in the substation site selection process, given that it does not appear to have been considered at Stage 2c which defined the search area the subject of further consideration at Stage 3c?</li> <li>b) Taking account of any relevant policy and case law, to what extent does it need to be demonstrated that site locations outside of the Green Belt have been reasonably avoided?</li> <li>c) In considering the final location of the two proposed substations, what consideration was given to the potential effects on the purposes of the Green Belt of two, not just one, substations?</li> </ul>
Q1.2.4	The applicants	<p><b>Holistic Network Design (HND)</b></p> <p>To what extent is the objective of the HND to deliver offshore wind generation in a co-ordinated way to avoid, minimise and mitigate local community and environmental impacts hindered by the constraints the applicants have described arising from commercial separation and the CfD process [REP1-039]?</p>
<b>1.3</b>	<b>The Environmental Statement</b>	

ExQ1	Question to:	Question:
Q1.3.1	The applicants (a) and local authorities (b)	<p><b>New/recently consented developments</b></p> <p>The applicants' response [REP2-031] to paragraphs 4.6.1 to 4.6.4 of Preston City Council's written representation [REP1-095] appears to take account of the consented developments at Pheonix Park and Land off Riversway in terms of overall cumulative effects but it is not clear that these consented developments have been assessed in terms of the specific effects of the proposed development upon their users and occupiers.</p> <ul style="list-style-type: none"> <li>a) Noting that the Land off Riversway residential development has commenced, can the applicants provide details of their assessment of the impacts of the proposed development upon these receptors, on the basis that they could be in use/occupied prior to the commencement of either Project A or Project B?</li> <li>b) Are there any other recent developments, where updates are required to assess the impacts of the proposed development upon their current/future occupiers?</li> </ul>
Q1.3.2	FBC	<p><b>Environmental Impact Assessment (EIA) Regulations</b></p> <p>At D2 [REP2-057] FBC maintains its position that the Environmental Statement does not meet the requirements of what it states to be "Regulation 18(4)(b) of the EIA Regulations".</p> <p>Noting the existence of the separate Infrastructure Planning (EIA) Regulations 2017 that are relevant to Nationally Significant Infrastructure Projects, could FBC refer to any relevant policy, case law, guidance or published advice that supports its position?</p>
<b>1.4 Cumulative effects</b>		
Q1.4.1	Orsted East Irish Sea Transmission Limited (OEIST)	<p><b>Orsted East Irish Sea Transmission project</b></p> <p>The ExA notes OEIST's comments [REP1-225] that it is highly probable that the grid connection date for the Mooir Vannin proposals will be brought forward and therefore it is possible the construction of the respective developments will overlap.</p> <ul style="list-style-type: none"> <li>a) Can OEIST provide an up-to-date indicative timetable for both the Mooir Vannin generation assets and the transmission proposals, including likely application submission dates, subsequent potential reserved matter submissions (if consented) and potential construction commencement dates?</li> <li>b) When is it expected that further details will be publicly available?</li> </ul>
Q1.4.2	Applicants and OEIST	<p><b>Orsted East Irish Sea Transmission project</b></p> <p>From the information currently available, there appears to be potential for the locations of the OEIST proposals and the proposed development to be located near to each other and to be constructed either at</p>

ExQ1	Question to:	Question:
		<p>similar times or relatively shortly after one another.</p> <ul style="list-style-type: none"> <li>a) Notwithstanding the limited public information currently available for the OEIST proposals, what effects could this potentially have in terms of the cumulative impacts of the developments, including upon landowners/ occupiers, the environment, transport and local communities?</li> <li>b) Whilst acknowledging that the details of the OEIST proposals are currently very limited, what measures are both parties taking to ensure that each development (if consented) would be able to be brought forward without unreasonable impediment for each and to ensure that any necessary management, co-ordination and mitigation measures would be in place to protect the environment and local interests?</li> </ul>
<b>2. The draft Development Consent Order (dDCO)</b>		
<p>The Examining Authority's (ExA) initial questions on the dDCO are set out below.</p> <p>Further questions and consideration of relevant outstanding matters will be examined at a subsequent issue specific hearing (ISH) to be held in week commencing 28 July 2025. The ExA is aware that discussions are taking place outside of the examination with relevant interested parties on the content and drafting of the dDCO.</p> <p>These discussions are encouraged, and parties are asked to provide details of outstanding unresolved matters (in Statements of Common Ground where previously requested) at deadline 3 to assist with the ExA's consideration of which development consent order matters require examination at an ISH.</p>		
<b>2.1 Articles</b>		
Q2.1.1	The applicants	<p><b>Part 1, Article 2 (Interpretation)</b></p> <p><b>General question:</b> Article 2 includes various definitions which seek to give effect to the approach of there being two projects (A and B) with two separate undertakers within a single development consent order (DCO). Therefore, the Examining Authority (ExA) notes that care needs to be taken when drafting the DCO to refer back to the definitions to ensure the articles make sense, apply in the way they are intended to, and are enforceable.</p> <p>For example, Project A and Project B works are defined separately. However, the definition of offshore works and onshore works encompass both the Project A and Project B works, as does the definition of authorised project and authorised development. Consequently, if powers are granted for the authorised project or authorised development, this refers to all works for both projects.</p> <p>Furthermore, the definition of order land refers to all land shown on the land plan onshore and in the book of reference and the definition of order limits means the limits on the work plans within which the authorised</p>

ExQ1	Question to:	Question:
		<p>project must be carried out. Both of these definitions encompass both projects.</p> <p>Could the applicants comment please on the above and make any necessary drafting changes?</p>
Q2.1.2	The applicants	<p><b>“bank holiday”</b> - The interpretation of “bank holiday” referring to section 1 of the Banking and Financial Dealings Act 1971 would exclude several established public holidays including Christmas Day, New Year’s Day, Good Friday and the early May ‘bank holiday’.</p> <p>Could the applicants explain why the restrictions relating to bank holidays (including requirement 14 (construction hours) of Schedules 2A and 2B) and the interpretation of “business day” should not include these additional public holidays? Alternatively, could the dDCO be amended to include appropriate restrictions for public holidays?</p>
Q2.1.3	Marine Management Organisation (MMO)	<p><b>“commence”</b> - The definition of “commence” has been amended by the applicants [REP2-005] with explanation provided in the Explanatory Memorandum [REP2-007].</p> <p>Can the MMO confirm whether it is content with the revised wording. If not, provide reasoning for this and any alternative drafting as appropriate.</p>
Q2.1.4	The applicants	<p><b>“maintain”</b> - The definition of “maintain” has been amended to now include the caveat “to the extent assessed in the environmental statement”.</p> <ul style="list-style-type: none"> <li>a) Explain why this amendment has been made, replacing the previous wording “do not give rise to any materially new or materially different environmental effects to those assessed in the environmental statement”.</li> <li>b) For each of the types of works used in the definition, explain and signpost where they have been assessed in the environmental statement.</li> <li>c) Explain why the interpretation refers to “keep” or should it read ‘upkeep’ as used in other recently made orders?</li> <li>d) Explain why the term “re-cover” is necessary and reasonable as part of the definition?</li> </ul>
Q2.1.5	The applicants	<p><b>“onshore site preparation works”</b> - The list of works included in this definition is wide ranging with the intention being of allowing for such works to take place with appropriate controls in place without necessitating prior discharge of all requirements.</p> <ul style="list-style-type: none"> <li>a) Can the applicants provide justification for the extent of the works included in the definition, signposting how appropriate controls would be in place through the DCO? This should include, in particular, preparation works comprising ‘early planting of landscape works’, ‘removal of hedgerows and trees’ and ‘substation preparatory ground works’.</li> <li>b) For the avoidance of doubt, confirm which Schedule 2A and 2B requirements must be discharged</li> </ul>

ExQ1	Question to:	Question:
		before the development commences including the onshore site preparation works; i.e. where onshore site preparation works must be approved as well.
Q2.1.6	The applicants (a-d) Fylde Borough Council (FBC) (a) South Ribble Borough Council (SRBC) (a), Preston City Council (PCC) (a), Lancashire County Council (LCC) (a).	<p><b>Article 2 (Development consent etc. granted by the Order)</b></p> <ul style="list-style-type: none"> <li>a) This article would grant development consent for both projects, subject to development consent being granted for the associated generation assets. Notwithstanding that paragraphs (2) and (3) may be removed as appropriate if the generation assets are granted prior to the making of the Order, is the current drafting of these paragraphs suitably robust and enforceable for its intended purpose?</li> <li>b) What would the implications be for this article if the decisions on either the Morgan or Morecambe generation assets were subject to legal challenge?</li> <li>c) The applicants are asked to explain in further detail what happens to each relevant article, if consent is refused for one of the generation assets but granted for the other, to ensure that this DCO would only grant powers to give effect to the one project.</li> <li>d) Further to (c) if one of the generation asset projects not be granted, or not implemented, what would the implications of this be for the works and land plans? Would amended plans need to be submitted to reflect the reduced order limits and order land?</li> </ul>
Q2.1.7	The applicants	<p><b>Article 6 (Benefit of the Order)</b></p> <ul style="list-style-type: none"> <li>a) There is a difference in approach between articles with some conferring powers to 'the undertaker' and some conferring power separately to 'Morgan' or 'Morecambe'. Article 6 ensures that the provisions of the DCO effectively apply to the transferee by subparagraph (7) which says that references to the undertaker in the DCO are to be read as references to transferee or lessee. However, there is no provision by which references specially to Morgan/ Morecambe are to be read as being to the transferee/ lessee. This could lead to difficulties if the benefit of provisions granted specifically to Morgan /Morecambe are transferred (such as in articles 9, 12, 14, 20, 22, 24, 29, 33 and 37). Therefore, could the applicants explain how these articles would effectively function if the benefit of them were transferred in accordance with article 6.</li> <li>b) In relation to article 6 (2), whilst it is arguable that 'Morgan' or 'Morecambe' as the 'undertaker' could only transfer the benefit of the provisions to the extent of Project A or Project B as applicable, as it is this they have been granted consent for, to remove any uncertainty about this the ExA suggests that specific wording is included to give effect to this, for example to explicitly say that the undertaker of Project A or Project B can only transfer the benefit of the order in relation to Project A or Project B works respectively.</li> </ul>

ExQ1	Question to:	Question:
		c) In relation to article 6 (7) should wording be added to say “except in paragraph (5) of this article” as paragraph (5) refers to the transferred benefit not being enforceable against the undertaker and restrictions being applied as if they were exercised by the undertaker? If ‘undertaker’ were read as being the transferee in this context it would not appear to make sense.
Q2.1.8	The applicants	<p><b>Article 7 (Application and modification of legislative provisions)</b></p> <p>a) Article 7(a), (c) and (d) are prescribed consents that can only be included if consent is given by the relevant body. Provide an update on the progress being made with the relevant bodies towards the gaining of such consents. Are there any significant known impediments towards gaining such consents?</p> <p>b) Where not already provided within paragraphs 1.6.3.17 to 1.6.3.21 of the Explanatory Memorandum, provide details for each disapplication and modification of the effect of the disapplication/ modification and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of the disapplication/ modification.</p>
Q2.1.9	The applicants	<p><b>Article 10 (Power to alter layout etc. of streets)</b></p> <p>This is a wide power that would authorise (subject to the provisions of 10 (1) and (2)) alteration etc. of any street and is not limited to those within the order limits.</p> <p>a) Provide further explanation and justification for why this article is necessary in the circumstances of the proposed development? Why is it not limited to identified streets and/ or streets within the order limits?</p> <p>b) What assessment has been carried out of any such works outside of the order limits and how would the control mechanisms through relevant DCO requirements apply to such works.</p>
Q2.1.10	The applicants	<p><b>Article 12 (Temporary closure of public rights of way)</b></p> <p>The wording of similar articles in recent made DCOs (including Rampion 2 and Hornsea Four) includes provision for diversions and substitute rights of way within the drafting of the relevant article. Explain why such provision for diversions and/ or substitute rights of way is not included within the article in this case.</p>
Q2.1.11	The applicants	<p><b>Article 13 (Temporary restriction of use of streets)</b></p> <p>Notwithstanding other precedents, provide justification as to why this power is appropriate and proportionate having regard to the impacts on pedestrians and others of authorising temporary working sites in these streets.</p>

ExQ1	Question to:	Question:
		Article 13(1) says that the undertaker “during and for the purposes of carrying out the authorised project, may temporarily close, alter, manage or divert any street”. Explain what is meant by “during and for the purposes of carrying out the authorised project”. Can this be made clearer?
Q2.1.12	The applicants	<p><b>Article 21 (Time limit for exercise of authority to acquire land compulsorily)</b></p> <p>Article 21(3) says that if proceedings are begun to challenge the validity of this Order before the end of the period referred to in sub-paragraph (1) the period must be extended by one year. Is this necessary, as articles 25 and 27 apply, with modifications, other compulsory purchase related legislation, namely s5B Compulsory Purchase (Vesting Declarations) Act 1981 and s4A Compulsory Purchase Act 1965 respectively. The effect of those modifications is to extend the 7-year period by an additional period if a legal challenge is made by judicial review under s118 Planning Act 2008, but with that extension being for a maximum of 1 year.</p> <p>On this basis, should 21(3) be removed? If not, explain, in consideration of articles 25(6) and 27(2), why this extra provision is necessary and how it is intended to interact with the relevant provisions of the legislation as amended by those articles.</p>
Q2.1.13	The applicants	<p><b>Article 22 (Compulsory acquisition of rights (CA))</b></p> <p>This article includes a wide power for the undertaker to create undefined rights and restrictions over all of the order land. It then limits compulsory acquisition powers over the land in Schedule 8A/8B to the new rights described in those schedules.</p> <p>In article 20 the power to CA the order land is specifically granted to Morgan for Project A works and Morecambe for Project B works but in article 22(1) the power to compulsorily acquire rights over the order land (which includes both projects) is granted to the undertaker.</p> <ol style="list-style-type: none"> <li>Can the applicants explain why they have adopted a different approach for the general power to compulsory acquisition rights?</li> <li>Explain how the general power to compulsorily acquire rights is effectively limited to ensure Morgan/Morecombe can only create new rights in the land which is for Project A/ Project B respectively.</li> <li>Given the general powers contained in article 22(1), in order that the Secretary of State can be satisfied that this is proportionate, provide further detailed justification for this general approach across the Order land, including justification which is specific to the areas of land over which the power is being sought (rather than generic reasons) and a clear indication of the sorts of restrictions which would be imposed. Where possible the power should extend only to the particular type of</li> </ol>



ExQ1	Question to:	Question:
		restriction required.
Q2.1.14	The applicants	<p><b>Article 24 (Private rights)</b></p> <ul style="list-style-type: none"> <li>a) Further to paragraph 23.4 of Advice Note Fifteen: drafting Development Consent Orders, are there any instances where article 24 should be subject to a power under a separate article which would allow the applicants to exclude a particular private right from the blanket extinguishment power?</li> <li>b) As set out in Advice Note Fifteen, should there be a procedure set out in the relevant Article such as the giving of notice or reaching agreement with the person who benefits from the right? This would ensure that only those rights which it is essential to extinguish are dealt with in this way.</li> </ul>
Q2.1.15	The applicants	<p><b>Articles 29 and 30 (Temporary use etc.)</b></p> <p>These articles both contain general powers to allow temporary possession of any land within the Order limits.</p> <ul style="list-style-type: none"> <li>a) With particular regard to potential impacts on farming operations, explain in further detail why these wider powers are necessary and appropriate and explain what steps have been taken to alert all landowners within the Order limits to this possibility.</li> <li>b) It appears from the drafting in article 29(1)(a)(i) and 29(2)(a)(i) that the applicants do not intend the compulsory purchase powers authorised under article 20 and 22 to apply to the land in schedules 7A and 7B. To achieve this it would be clearer, and in line with other DCO precedent, to remove the drafting relating to this from article 29(1)(a)(i) and 29(2)(a)(i) and includes a separate paragraph in article 29 which says: “The undertaker may not compulsorily acquire under this Order the land referred to in paragraph 1(a)(i) and paragraph 2(a)(i)”. This drafting would also ensure that any transferee could not exercise CA powers in the land which is intended to be only for TP.</li> <li>c) As referred to in previous questions, consideration should be given to how Article 29 would function if the benefit of it were transferred to ensure that the new undertaker is bound by the limitations which are imposed on Morgan and Morecambe specifically as opposed to the undertaker.</li> <li>d) Given the parliamentary approval to the temporary possession regime under the Neighbourhood Planning Act 2017 (‘NPA 2017’), which were subject to consultation and debate before being enacted, should any provisions relating to notices/ counter notices which do not reflect the NPA 2017 proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime where possible (including (i) notice periods, (ii) the period for which temporary possession is required and (iii) the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would be the option to choose temporary possession or permanent acquisition where</li> </ul>

ExQ1	Question to:	Question:
		relevant.
Q2.1.16	The applicants	<p><b>Article 35 (Felling or lopping of trees and removal of hedgerows)</b></p> <ul style="list-style-type: none"> <li>a) Provide justification for why this article includes the power to carry out works to trees (as listed) ‘near to any part of the authorised project....’. What is meant by ‘near to any part of the authorised project’ and how might this be implemented and enforced in practice when it relates to trees or shrubs on land outside of the Order limits?</li> <li>b) Explain how the provisions of the dDCO and relevant outline management plans, manage and where necessary require consent for the removal of trees?</li> <li>c) Explain why it is necessary for this article to contain a general power for the removal of hedgerows in addition to those specified in Schedules 11A and 11B. Why can all hedgerows that may need to be removed not be identified at this stage?</li> <li>d) Given the general power for the removal of hedgerows, should drafting be included to ensure that the removal of hedgerows not identified in Schedules 11A and 11B are subject to the consent of the relevant local authority?</li> </ul>
Q2.1.17	The applicants, FBC, SRBC, PCC, LCC	<p><b>Article 36 (Trees subject to tree preservation orders (TPO))</b></p> <p>Paragraph 1.10.1.2 of the Tree survey and arboricultural impact assessment – Part 1 of 2 [APP-128] says that at the time of submission, there is currently no impact on TPO trees.</p> <p>Bearing in mind paragraph 22.3 of Advice Note Fifteen: drafting Development Consent Orders, does this remain to be the position? If there are not TPO trees likely to be affected, is this article necessary and, if it is, should there be provision for consent to be required prior to any works to, currently unknown, trees subject to a TPO?</p>
Q2.1.18	The applicants	<p><b>Article 45 (Requirements, appeals, etc)</b></p> <p>This article refers to Schedule 12 (Approval of matters specified in requirements), including details of the procedure by which appeals can be made. It also includes the application of s.78(1) of the Town and Country Planning Act 1990 where Schedule 12 does not apply.</p> <p>Explain why this is necessary given that all applications for consent, agreement or approval would be covered by Schedule 12 (within which paragraph 7 specifically relates to appeals from decision/ failure to determine).</p>
<b>2.2</b>	<b>Schedule 1- Authorised development</b>	
Q2.2.1	The applicants	<b>Further associated development</b>

ExQ1	Question to:	Question:
		<p>The list of ‘further associated development’ for Project A and Project B onshore works includes (n) ‘such other works as may be necessary or expedient for the purposes of it in connection with the relevant part of the authorised project’. These unidentified works would be subject to the caveat ‘which fall within the scope of the work assessed by the environmental statement’.</p> <ul style="list-style-type: none"> <li>a) What type of works might this typically relate to and why can such works not be anticipated and more clearly identified, particularly as they are required to be ‘within the scope of the work assessed by the environmental statement’?</li> <li>b) How will the relevant local authority be aware of the possibility of any works falling within (n) and how will a judgement be made as to whether they would be ‘within the scope of the work assessed by the environmental statement’?</li> </ul>
<b>2.3 Schedule 2A and 2B - Requirements</b>		
Q2.3.1	The applicants	<p><b>General</b></p> <p>Some requirements (e.g. 4,19 and 20) include the phrase “must be substantially in accordance with...”. How does the use of “substantially in accordance with” provide the necessary precision and certainty, especially as it is used in relation to outline principles and management plans? The ExA suggests this phrase is amended to ‘must be in accordance with’. If not, robust justification would need to be provided.</p>
Q2.3.2	The applicants	<p><b>Requirement 1 (Time limits)</b></p> <p>Requirement 1(2) seeks to extend the period for commencement by a year if a challenge is made to the DCO (if granted).</p> <ul style="list-style-type: none"> <li>a) Given the lengthy seven-year implementation period, is there in reality any significant risk of the DCO lapsing if challenge proceedings are drawn out?</li> <li>b) In any case, could this be more effectively achieved by amending and applying the provisions in the Town and Country Planning Act 1990 to include a modification to s.91(3A) and (3B) in the dDCO rather than including this in the requirement?</li> </ul>
Q2.3.3	FBC, SRBC, PCC, LCC, Blackpool Borough Council, Natural England, Historic England, Environment Agency and any interested	<p>Remaining issues relating to the requirements will be considered at a subsequent issue specific hearing on the dDCO and further written questions if required. In order to provide for the efficient use of hearing time, the local authorities and any other relevant party are requested to consider the drafting of the draft requirements in Schedule 2 (A and B) and provide details of any disagreed matters, along with alternative drafting where applicable and any suggested additional requirements.</p> <p>Where applicable this may be done within the Statement of Common Ground between the applicants and</p>

ExQ1	Question to:	Question:
	party	the relevant interested party.
<b>2.4</b>	<b>Schedule 12 – Approval of matters specified in requirements</b>	
Q2.4.1	FBC, SRBC, PCC and any relevant statutory organisation	This Schedule sets out a procedure for the approval of reserved matters under the requirements and any related appeals. Set out any relevant comments on the content of Schedule 12. For any elements that are not agreed, provide suggested alternative drafting and the justification for it.
Q2.4.2	The applicants	Paragraph 6 of this Schedule sets out the arrangements for fees to be paid to the relevant planning authority for agreement or approval in respect of a requirement. For clarity, set out the fee(s) (as would be currently payable) for submissions pursuant to the requirements. Justify why such fees would be appropriate for the types of submissions expected to be required.
Q2.4.3	The applicants	<p>Section 7 of Schedule 12 sets out the procedure for appeals to the Secretary of State.</p> <ul style="list-style-type: none"> <li>a) Provide justification for the period of ten working days for each of the submission of written representations by the relevant discharging authority and any consultee (paragraph 2(d)) and for submission of counter submissions from day of receipt of written representations (paragraph 2(e)).</li> <li>b) Provide justification for the provision that the appointed person must make their decision and notify the appeal parties within a maximum period of thirty working days of the deadline from the receipt of counter-submissions (paragraph 2(f)).</li> </ul>
<b>2.5</b>	<b>Schedules 14, 15, 16 and 17 – Marine Licences</b>	
Q2.5.1	The applicants, Marine Management Organisation (MMO) and Natural England (NE)	<p>The ExA acknowledges the submissions from the MMO, NE and other parties on the dDCO Marine Licences and the latest representations and responses made at D2.</p> <p>Noting that engagement on these matters is continuing between the parties, the ExA requests that the parties provide updates on their respective positions on the draft Marine Licences at D3, focusing on the remaining of areas of disagreement. The ExA will subsequently consider which matters require examination during an issue specific hearing on the draft development consent order in week commencing 28 July 2025.</p>
<b>2.6</b>	<b>In-principle Measures of Equivalent Environmental Benefit (MEEB) plan</b>	
Q2.6.1	The applicants	The applicants have provided, on a precautionary basis, a without prejudice, in principle MEEB plan [REP1-059] within its Stage 2 Marine Conservation Zone (MCZ) Assessment [REP1-059].

ExQ1	Question to:	Question:
		Please set out, on a without prejudice basis, how the relevant measures (strategic compensation measures or project-led compensation options, would be secured through the dDCO.
<b>3. Air quality</b>		
Q3.1.1	The applicants (a) and Fylde Borough Council (FBC), South Ribble Borough Council (SRBC), Preston City Council (PCC), Lancashire County Council (LCC), Blackpool Borough Council (BBC) (b)	<p><b>Commitments</b></p> <p>Project Commitment (CoT) 33 [REP2-011] states “An Outline Dust Management Plan (DMP) has been prepared as part of the Outline CoCP and submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The measures in the detailed DMP(s) will accord with guidance set out by the Institute of Air Quality guidance Management (IAQM, 2024) where appropriate and practicable, and will include measures for monitoring and reporting dust levels, and dust suppression and mitigation measures during construction and operation.”</p> <p>a) Define the process of identification of what is considered "where appropriate and practicable"?</p> <p>b) Do you consider this approach to be adequate?</p>
Q3.1.2	The applicants	<p><b>Commitments</b></p> <p>CoT36 [REP2-011] states “Onshore Decommissioning Plan(s) will be developed prior to decommissioning. The Onshore Decommissioning Plan(s) will include provisions for the removal of all onshore above ground infrastructure and the decommissioning of below ground infrastructure (if and where relevant and practicable), and details relevant to flood risk, pollution prevention and avoidance of ground disturbance. “</p> <p>Define the process of identification of what is considered “if and where relevant and practicable”?</p>
Q3.1.3	The applicants, FBC, SRBC, PCC, LCC and BBC	<p><b>Air quality assessment baseline</b></p> <p>Air quality assessment baseline in the Environmental Statement (ES) Air quality (9.6.1.6) [APP-121] states that “Concentrations measured during 2020 and 2021 may have been affected by the COVID-19 lockdowns and are not therefore necessarily representative of current concentrations as outlined in the IAQM Position Statement on ‘Use of 2020 and 2021 Monitoring Datasets’ (IAQM, 2021). Nevertheless, measured concentrations have been considered to ensure the assessment is conservative.”</p> <p>Is this information representative of the current air quality baseline, given it was predominantly gathered during the COVID19 pandemic when air quality data could have been disproportionately affected?</p>
Q3.1.4	The applicants (a-b) and FBC, SRBC,	<p><b>Meteorological data used for dispersion modelling</b></p> <p>Air quality assessment baseline in the ES Air quality chapter [APP-121] Table 9.29 states that “Uncertainties</p>

ExQ1	Question to:	Question:
	PCC, LCC and BBC (c)	<p>arise from any differences between the conditions at the met station and the development site, and between the historical met years and the future years. These have been minimised by using meteorological data collated at a representative measuring site. The model has been run for a full year of meteorological conditions. This means that the conditions in 8,760 hours have been considered in the assessment.“</p> <ul style="list-style-type: none"> <li>a) Explain why one year of meteorological data is considered sufficient?</li> <li>b) How have seasonal and annual variations in weather patterns been considered?</li> <li>c) Are the local authorities satisfied with the approach in relation to meteorological data used in the dispersion modelling?</li> </ul>
Q3.1.5	The applicants	<p><b>National Policy Statement (NPS)</b>  Where ES chapter Air quality [APP-121] presents the ‘worst case scenario’ in terms of emissions, is this the same as ‘predicted absolute emissions’ required by National Policy Statement (NPS) EN-1 paragraph 5.2.9? If not, explain the difference and where in the ES the predicted absolute emissions are provided?</p>
Q3.1.6	The applicants	<p><b>NPS</b>  NPS EN-1 paragraph 5.2.9 states that the ES should describe any potential eutrophication impacts. Explain if there would be any eutrophication impacts as a result of the Proposed Development? How has it been assessed?</p>
Q3.1.7	The applicants (a-b) and FBC, SRBC, PCC, LCC and BBC (b)	<p><b>Air quality effects during construction</b>  NPS EN-1 paragraph 5.7.9 states that construction should be undertaken in a way that reduces emissions, such as the use of low emission mobile plant during construction as appropriate, and that consideration should be given to making this mandatory in DCO requirements.</p> <ul style="list-style-type: none"> <li>a) Explain how are you going to comply with this policy? Has consideration been given to a commitment to the use of low emission vehicles or plant?</li> <li>b) Should this be a mandatory requirement, and if not, why not?</li> </ul>
<b>4. Aviation and radar</b>		
Q4.1.1	The applicants and Blackpool Borough Council (BBC)	<p><b>Blackpool Airport</b>  BBC state at paragraph 2.5 of their post hearing submissions [REP1-071] that, during discussions, the phrase used by the applicants that they would “ensure as far as possible the safe and efficient operation of the airport” is insufficient reassurance and requests that it is changed to read “no partial or full closure or adverse effect on the airport operations and reputation”.  Please comment on this request?</p>
Q4.1.2	The applicants	<p><b>Blackpool Airport</b></p>

ExQ1	Question to:	Question:
		BBC emphasise [REP1-069] that it is critical that there are no operational or commercial impacts on the airport during construction and operation. They therefore require a commitment that all cable installation is undertaken by trenchless drilling. What is the applicants' response to this? Additionally, can the applicants provide detailed information concerning the proposed cable installation within Blackpool airport and how these would safeguard airport operations?
Q4.1.3	The applicants	<p><b>Warton Aerodrome</b></p> <p>It is stated in response to action point 40 [REP1-037] that "BAE Systems confirmed during the Issue Specific Hearing (ISH) 1 Agenda item 6(c) that safeguarding assessments are to be undertaken by BAE Systems on behalf of Warton Aerodrome." That is not quite the recollection of the Examining Authority (ExA) as whilst assessments might normally be undertaken by BAE, the specific bird strike risk arising from the proposed creation of the biodiversity areas would be a direct consequence of the proposed development and responsibility for such an assessment would normally fall with the applicant. Whilst it is said that the issue was not raised by BAE until January 2025, this appears to have still allow sufficient time for an assessment. It is not clear why the applicants have rejected this request. In these circumstances, how would the applicants suggest that the ExA address this outstanding issue in its recommendation to the Secretary of State?</p> <p>Further, in paragraph 2.4 of their deadline 2 (D2) submission [REP2-052], BAE Systems say that it "received a request from the applicant (s) one day before deadline 2 (D2) for information to inform the baseline scenario... to Wildlife Hazard Management Plan. The amount of information requested is significant and BAE Systems needs to consider whether there are any commercial sensitivities that may preclude the sharing of some information." Please clarify and update in the light of these circumstances, how is it also suggested that the ExA addresses this outstanding issue in its recommendation to the Secretary of State?</p>
Q4.1.4	The applicants	<p><b>Warton Aerodrome</b></p> <p>In paragraph 2.5 of their D2 submission [REP2-052], BAE are critical of the Statement of Common Ground (SoCG) supplied saying that the "SoCG covered numerous topics that were not of relevance to BAE Systems' concerns or the discussions taking place between the applicants and BAE Systems. The ExA requests that this SoCG is significantly progressed by Deadline 3 and submitted to the examination.</p>
Q4.1.5	BAE Systems	<p><b>Warton Aerodrome</b></p> <p>In addition to the comments at ISH1, BAE have lodged further comments [REP1-112] and again at D2 [REP2-052] emphasising the need and scope for a bird strike assessment at this stage. There is a particular concern over the creation of the biodiversity area at Lea Marsh Fields and BAE do not believe that mitigation strategies are appropriate until there is a better understanding of the possible bird strike risk. In view of the</p>

ExQ1	Question to:	Question:
		latest response from the applicants [REP1-037], is BAE any closer to undertaking an assessment? Will this be required by the Civil Aviation Authority? What is the latest position concerning discussion over other aviation safeguarding assessments?
Q4.1.6	The applicants	<b>Warton Aerodrome</b> The concerns relating to bird strike have been echoed in the submission [REP1-075] from the Defence Infrastructure Organisation which represents the Ministry of Defence (MoD). Currently the MoD are objecting to the application due to the risk of bird strike arising from the creation of the new water areas. Their representation on the second page sets out additional information which may address their concerns. The applicants previously resisted further detail when this was raised at ISH1 but will they now reconsider this position?
Q4.1.7	The applicants and BAE Systems	<b>Warton Aerodrome</b> Reference was made at ISH1 to the outstanding representations from BAE to both the Morgan and Morecambe offshore wind farm Development Consent Order (DCO) applications. Agreement as to the primary surveillance radar system was still outstanding and it seems [REP1-037] that this “remains an ongoing point of discussion for both generation assets.” The relevance to this DCO application is whether there is a positive working relationship between the parties or whether there is ongoing disagreement. Please advise?
Q4.1.8	Morgan Offshore Wind Limited	<b>Warton Aerodrome</b> Following from the above, BAE Systems have submitted a representation at D2 [REP2-053] in response to action point 41 [REP1-111] saying “However, the latest submissions of the applicant for the Mona Project are a significant backward step..., 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 (sic: “Primary Surveillance Radar”) requirement wording continues to feel some way off.” They continue by saying “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 (and?) the same.” This appears to undermine the relationship between this applicant and BAE Systems, and it is important that this position is resolved quickly so that the ExA can have some confidence that negotiations concerning this project are progressed positively. What assurances can be given that a similar situation will not arise with this application?
Q4.1.9	The applicants	<b>Warton Aerodrome</b> BAE systems in the final paragraph of their D2 submission [REP2-053] remind all parties that the MoD are



ExQ1	Question to:	Question:
		still objecting to all three DCO applications where the examinations have now concluded (being the Mona, Morgan and Morecambe DCOs). If the Secretary of State issues his decisions on these applications during the period of this examination, then the position with these objections may become clearer but if not, the issue of aviation will be a very difficult area for the ExA to report on the cumulative effects on the Warton Aerodrome. Any clarity the applicants can bring to this would be helpful.
Q4.1.10	The applicants and Spirit Energy Production UK Limited	<b>Spirit Energy</b> Spirit Energy reiterated their concern [PDA-045] that any restriction on their ability to access its leased facilities and the wider airport will impact on their safe and economic use of the airport. What progress has been made with these discussions?
Q4.1.11	The applicants	<b>Spirit Energy</b> A SoCG was submitted to the Morecambe DCO [REP6-029] but this was not signed on behalf of Spirit Energy. Please explain what happened with this and why an unsigned SoCG was submitted to the examination? Please confirm that there will be no repetition with any SoCG documents in this examination?
<b>5. Compulsory acquisition, temporary possession and other land or rights considerations</b>		
Q5.1.1	Applicants and Blackpool Borough Council (BBC)	<b>Starr Gate accessway</b> It is noted that there have been further meetings between BBC and the applicants. The Council has questioned [REP1-069] whether the proposed works in the area of the Starr Gate accessway meet the statutory tests for compulsory acquisition as set out in the Planning Act 2008 (PA2008). Is this still the Council's position? Please can the applicants provide an assessment as to how the tests have either been met or not met in this specific area?
Q5.1.2	Applicants and BBC	<b>Blackpool Airport</b> Where the proposed cable route crosses Blackpool Airport, the land is subject to rights in favour of the Secretary of State for Defence by virtue of the provisions contained in a conveyance dated 2 April 1962. What do these rights relate to and has the Secretary of State been consulted?
Q5.1.3	The applicants	<b>Blackpool Airport</b> In paragraph 8.2.6 of its local impact report (LIR) [REP1-068], BBC as the owner of Blackpool Airport, indicates that interruption to runway 28 is not acceptable to them. How do the applicants propose to deal with this fundamental issue?
Q5.1.4	The applicants	<b>Community benefits</b> The issue of community benefits was raised at an earlier hearing and it is noted that the Statement of

ExQ1	Question to:	Question:
		Reasons has been updated [REP1-012] to include some references to the local area though some of these are still aspirational and therefore the ultimate delivery questionable. BBC in its LIR [REP1-068] provide some examples of possible benefits and the applicants are asked to consider these so that, where relevant, they can be taken into account when balancing the public benefits against the private loss.
Q5.1.5	The applicants	<b>Land Rights Tracker</b> The Land Rights Tracker which has been submitted at deadline 1 [REP1-065] confirms that negotiations with all affected persons still have some way to go with no concluded agreements as yet. The agents for various farm businesses reported this position at compulsory acquisition hearing 1 (CAH1). The position in relation to the landowners where permanent acquisition is sought are particularly significant and therefore please highlight these within the tracker.
Q5.1.6	The applicants	<b>Corporate structure of the applicants</b> Further details have been provided about the corporate structure of the applicants at the response to action point CAH1.8 [REP1-037] and also the proposed purchaser of the Morecambe Offshore Wind Farm company. However, it is clear from the response that further changes are still taking place. <ol style="list-style-type: none"> <li>Please confirm the present position and update the Statement of Reasons and Funding Statement to reflect all changes?</li> <li>It is stated in response to the action point CAH1.9 [REP1-037] that there has been compliance with paragraph 17 of the CA Guidance concerning funding. However, with the structural changes in both applicants' companies there remains uncertainty who will be taking this project forward and such overall irresolution is not normally encountered in other Development Consent Order (DCO) applications. The Examining Authority (ExA) is expecting the corporate structures of both applicants to be clarified over the remaining months of the examination and seeks regular updates to be provided on progress?</li> </ol>
Q5.1.7	The applicants	<b>CI V Copenhagen</b> The position relating to CI V Copenhagen's financial standing remains somewhat uncertain. Has their financial information been provided to date to any regulatory authorities and, if so, with what response? This may present an issue in connection with the grant of the lease from the Crown Estate and therefore please provide an update specifically in relation to the position of CI V Copenhagen?
Q5.1.8	The applicants	<b>Blight</b> The applicants' submissions on planning blight have led to some uncertainty. There are several limbs to this: <ol style="list-style-type: none"> <li>Blight was raised at CAH1 and it was asserted on behalf of the applicants that this only applied to</li> </ol>

ExQ1	Question to:	Question:
		<p>residential properties and not to businesses. That has now been corrected and a fuller explanation as to blight provided in response to action point 12 raised at CAH1 [EV5-006]. However, the detail provided still seems to require clarification. At section CAH1_12 [REP1-037], it is stated that “for a blight notice to be accepted and compensation to be payable, it must be supported by evidence that the claimant has made reasonable endeavours to sell the land.” The applicants are referred to section 8 of the Land Compensation Manual section 15 and also section 150 of the Town and Country Planning Act 1990. From this, it seems that land authorised to be acquired under a DCO is excluded from the requirement to make “reasonable endeavours to sell” as detailed in paragraph 4.2 of the Land Compensation Manual.</p> <p>b) Please explain why none of the land “for which compulsory acquisition is sought would comprise a qualifying interest for the purposes of a blight claim.” As contained in the reply to CAH1.12, [REP1-037]. There is reference to the rateable value of £36,000 but this relates to the owner occupier category. Do the applicants believe this limit also relates to the separate category of an agricultural unit?</p> <p>c) Under s.158 Town and Country Planning Act 1990 a blight claim can be brought even if only a section of the farm is sought in circumstances where what remains of the farm is not capable of being farmed as a separate agricultural unit.</p> <p>d) Please reconsider the position as set out in this action point response and provide a separate note with a further assessment and, if appropriate, corrections? This note should include the timescale allowed for bringing a blight claim as it does seem unlikely that any landowner would currently be marketing their property before any DCO is granted by the Secretary of State.</p>
Q5.1.9	The applicants	<p><b>Blight</b></p> <p>The issues concerning blight creates uncertainty as to whether the application is in accordance with the funding requirements of paragraph 18 of the ‘Planning Act 2008 Guidance relating to procedures for the compulsory acquisition of land’ (the CA Guidance’). The original Funding Statements [APP-008] made an allowance of £100,000 for each of the two applicants which was subject to a limited increase over time. Quite a number of businesses have indicated that they may need to close if the proposed development receives consent and is implemented. The majority of these businesses are farm related. If one of the farm businesses brings a blight claim and this is accepted, then the compensation may be significantly greater than the projected £100,000.</p> <p>Can the applicants reconsider whether or not these figures are realistic bearing in mind the businesses</p>

ExQ1	Question to:	Question:
		indicating they may need to consider closure if the proposed development proceeds?
Q5.1.10	The applicants	<p><b>Blight</b></p> <p>Linked to the above is the responsibility to meet any compensation for planning blight. The two applicant companies are both subsidiaries with what are likely to be very limited assets (although accounts have not been provided to the examination). The company which has agreed to purchase the shares in Morecambe Offshore Wind Farm is another newly formed company. It is not clear how an affected person bringing a blight claim can be confident that the applicants' company has sufficient assets to meet the amount of compensation. This is contrary to paragraph 18 of the CA Guidance. It also conflicts with the statement at paragraph 1.11.1.12 of the original Statement of Reasons (SoR) [APP-013] as the lack of funds held by the applicants means there is little compensation available in the event a business has to close because of the proposed development. How do the applicants propose to meet this concern?</p>
Q5.1.11	The applicants	<p><b>Construction period</b></p> <p>In their deadline 1 submission [PDA-007] replying to the relevant representations submitted prior to the start of the examination, the applicants refer on multiple occasions to the complexities and difficulties arising from the contracts for difference (CfD) application process. The ExA understands these, but the natural consequence is that there is considerable uncertainty for landowners along the proposed pipeline route as to the length of time their land will be affected. Can the applicants devise a mechanism on which landowners can rely which ensures a reduction in these lengthy periods?</p>
Q5.1.12	The applicants	<p><b>Farming</b></p> <p>A number of farming businesses have emphasised the major impact on their business and an example is Geoffrey Fenton [RR-1566 and REP1-142]. This affected person states that the cable route crosses most of his fields diagonally. The fields are to feed his herd of dairy cows. The applicants' D2 response does not appear to add anything further and the farmer is still facing disruption for up to 10 years to which needs to be added a period for soil reinstatement. The current position is that this will be considered in the future by the Agriculture Liaison Officer. Can the applicants' comment on the potential difficulties for such a business as operated by Mr Fenton to continue to operate in the face of such lengthy disruption?</p>
Q5.1.13	The applicants	<p><b>Farming</b></p> <p>Another example is the Mason family. The applicants have responded to the written representation of Anne Mason at D2 [REP1-109.1 and 2]. The intention is that part of the landholding of this family will be acquired for the Morecambe substation. The applicants refer to the explanation previously given that they are unable to commit to a concurrent construction. However, there is little acknowledgement as to the impact on the</p>

ExQ1	Question to:	Question:
		family business or the offer of attempts to mitigate this. In this case, there may be significant private loss to the family with very little direct benefit for the Fylde area. Could the applicants explain how this satisfies the test in section 122 PA2008 and explained further in the CA Guidance that there is a compelling case in the public interest for compulsory acquisition?
Q5.1.14	The applicants	<p><b>Farming</b></p> <p>At CAH1, [EV5-002 at 53 minutes 30 seconds] the applicants submitted that discussions with the Hornbies Foundation Charity were “well advanced and we anticipate agreement in the coming weeks.” This was countered by SHP Valuers on behalf of the Charity, and they were critical over the lack of engagement over the substation locations and emphasised that the Charity was not supportive of the project. The same valuers act for the tenant farmers and have reinforced their concerns within their earlier submission [REP1-125] and several further submissions at D2. The applicants now say in their response to action point CAH1.5 [REP1-037] that they are continuing to engage with the Hornbies Foundation and also with the tenant farmers and “identifying ways to further mitigate the impacts.”</p> <p>The applicants’ D2 response at section REP1-119.3 [REP2-030] merely refers back to the reply previously provided [REP1-061 at PDA-044.3] but this earlier response only sets out the works intended and the appointment of the Agricultural Liaison Officer and the provision of the Outline Soil Management Plan [APP-200]. There is no reference to the impact on the farm business. What progress is being made with these discussions, noting that this landholding appears to be one of the most significantly affected by the proposed development?</p>
Q5.1.15	The applicants	<p><b>Farming</b></p> <p>The agent for the tenant farmers mentioned in the preceding question submitted an earlier submission [PDA-044] which included two plans showing the extent of their farm. In total, they farm 212.33 acres of which 180.38 is leased from the Hornbies Foundation Charity and the remaining 31.95 acres owned freehold. The first plan submitted shows the land interests in the context of the local order limits but also indicates the land where the applicants are seeking permanent acquisition or permanent rights.</p> <p>The applicants at section 2.8 of its reply to PDA-044 [PD1-061] refer to its earlier response in section 6.11 of the Land Use and Recreation chapter [APP-104] and the conclusion that during construction the effect is moderate adverse. It further refers to paragraph 6.11.3.22 where the conclusion is reached that “it is assessed that the construction of the Transmission Assets would not compromise the continued operation of these two farm enterprises”. Is this still the conclusion of the applicants after studying the plans provided by</p>

ExQ1	Question to:	Question:
		<p>the agents, P Wilson &amp; Company? The farmers themselves said in their relevant representations [RR-0375; RR-0582;] and in their recent submissions at D2 that a significant proportion of the farm is affected and added to the loss of uninterrupted access to the fields that they would no longer be able to continue in business.</p> <p>Do the applicants accept that these landowners will be suffering a significant private loss?</p>
Q5.1.16	The applicants	<p><b>Farming - Construction period</b></p> <p>A number of the written representations refer to the possible time lag between the two projects which could in a worst case scenario after a 4 year time lapse between the two projects amount to almost 10 years as the applicants have acknowledged [reply to ISH1.24 in REP1-037]. The applicants reply at REP1-081.7 at D2 [REP2-030] appears to provide little reassurance as it is likely to take some time for the land to be ready to be reused for its original purpose.</p> <p>The applicants are asked whether such a lengthy time lag projected for this project is proportionate in the context of the compulsory acquisition (CA) powers sought and whether the disruption to farms over a lengthy period meets the test in section 123 PA2008 that the public benefits outweigh the private loss?</p>
Q5.1.17	The applicants	<p><b>Fylde Borough Council</b></p> <p>Fylde Borough Council (FBC) owns several parcels of land on the proposed route including the Blackpool Road Recreation Ground. FBC spoke at CAH1 about the lack of detail or justification for the flexibility being requested. This is repeated in their representation [REP1-081] and again in their D2 submission [REP2--057] including that their concerns have not been relieved by the heads of terms provided. How can the applicants address the uncertainty highlighted by FBC which is restricting their ability to plan for a variety of projects? The applicants' response at section REP1-076.8 at D2 [REP2-031] refers back to the application documents rather than providing any substantive response to the further query from FBC. Please provide a more detailed response to this query? Furthermore, the ExA notes in the applicants' response to [REP1--081] that updated heads of terms were issued towards the end of May and a further meeting with the Council took place on 4 June 2025. Please provide an update of the current position?</p>
Q5.1.18	The applicants and the Crown Estate (CE)	<p><b>Crown Estate</b></p> <p>In response to action point 11 from CAH1, it is stated that "the Crown Estate is working closely with CI V on the final arrangements to ensure it is satisfied with CI V's capability to take over the obligations of the agreement for lease. CI V is confident it will reach a position whereby it can assume all funding obligations to</p>

ExQ1	Question to:	Question:
		the Crown Estate under the wind farm agreement for lease.” What is the timescale for this and, in particular, is it likely to be during the examination? Please confirm the progress that is being made between CI V and the CE on this matter and the timetable for resolution?
Q5.1.19	The applicants	<p><b>Crown Estate</b></p> <p>The Consents and Licences document has now been updated [REP1-030] with reference to the two offshore wind farms and also the marine licence for the unexploded ordnance. However, there is no reference to the lease required from the CE nor the necessary section 135 PA2008 consent both of which would seem to fall squarely within the explanation provided at paragraph 1.1.1.6. Why is there no reference to these requirements which are for the applicants to resolve with the CE? Please provide an update in connection with the issue of a section 135 consent and whether this is expected before the end of the examination?</p>
Q5.1.20	The applicants	<p><b>Section 135 consent</b></p> <p>Section 135 consent will also be required from various other Government departments as acknowledged at paragraph 1.10.1.26 of the SoR [REP1-012]. Amongst the most affected would appear to be:</p> <ul style="list-style-type: none"> <li>a) the Secretary of State for Defence in respect of their interest in a substantial piece of land at Blackpool airport;</li> <li>b) plot 10-010A in the Book of Reference which relates to a Deed of Grant dated 7 February 1951;</li> <li>c) plots 12-019A and 12-027A which refer to easements granted in a deed dated 28 January 1951;</li> <li>d) land to the east of Lodge Lane at plots 15-028A and 15-030B where rights for an easement were granted to the Secretary of State for Defence by a deed dated 9 October 1942</li> <li>e) separately for the same plots as above a deed dated 18 February 1963 granted rights to the UK Atomic Energy Authority;</li> <li>f) the Secretary of State for Environment Food and Rural Affairs was granted rights by a deed dated 16 April 1973 over amongst smaller pieces of land the larger plots 16-094B and 16-093A which is adjacent to land held by the CE at the River Ribble.</li> </ul> <p>Please advise what is happening in relation to these interests and whether section 135 consents are likely to be provided during the course of the examination?</p>
Q5.1.21	The applicants and Network Rail Infrastructure Limited (NR)	<p><b>Network Rail</b></p> <p>In their representation [REP1-094], NR say that “negotiations are at a very early stage” and are at this stage objecting to the compulsory acquisition rights sought by the applicants. NR set out at paragraph 4 a number of requirements before it can withdraw its objection. Please provide an update on these discussions and how matters of disagreement are expected to be resolved? The latest reply at section REP1-094.4 from the</p>

ExQ1	Question to:	Question:
		applicants [REP2-031] is less than specific. Are these requirements likely to be met during the examination?
Q5.1.22	The applicants and National Grid Electricity Transmission plc (NGET)	<p><b>Morecambe connection to Penwortham substation</b></p> <p>The position concerning the exact route of the proposed connection for the Morecambe project is not currently clear to NGET [paragraph 3.14 of REP1-089] and clarity is sought for this? NGET indicate at paragraph 3.2 that the Morgan connection is to be to the east of the substation and the Morecambe connection to the western side.</p> <p>a) Explain why separate connections are required and, if appropriate, update the draft DCO to reflect this?</p> <p>b) Please also provide the summary of the connection agreements as requested at ISH1?</p>
Q5.1.23	Morgan Offshore Wind Limited	<p><b>Morgan connection to Penwortham substation</b></p> <p>The submission from NGET [REP1-089] states at paragraph 5.1 that the negotiations with Morgan Offshore Wind Limited (MOWL) are “significantly more advanced” although a meeting did take place on 19 May 2025 and “negotiations are now progressing.” This late engagement of a pivotal part of the project suggests that MOWL do not yet have a clear idea of how they intend to use the land which is necessary according to paragraph 9 of the CA Guidance. Can MOWL respond to this?</p>
Q5.1.24	NGET	<p><b>Penwortham substation</b></p> <p>As the applicants say in section REP1-089.3 of their D2 response [REP2-031], “Given the significant works identified for the Penwortham substation it is notable that NGET are not definitive on this. As NGET’s own plans at Penwortham are not currently in the public domain and may be subject to change...” This results in the applicants retaining the flexibility to connect to either side of the substation. Please can NGET provide some clarity so that the applicants can be more certain with their own requirements and the cable route as it connects to the NGET substation?</p>
Q5.1.25	NGET	<p><b>National Grid</b></p> <p>National Grid makes reference to the Horlock rules at section 4.3 of the Environmental Statement Annex 4.3: Selection and Refinement of the Onshore Infrastructure [APP-033]. The suggestion has been made that these rules have not been followed [REP1-125 and REP1-153].</p> <p>a) NGET are requested to respond to this</p> <p>b) Please also confirm whether the linked planning application for Penwortham substation is still scheduled to be lodged in the final quarter of 2025?</p>
Q5.1.26	The applicants	<b>Section 132</b>



ExQ1	Question to:	Question:
		The application of section 132 of the PA2008 to the project was raised at CAH1. There will be temporary disruption during construction, but permanent rights are sought for the cable route and for future cable repairs. This suggests that the test in section 132 that “the order land when burdened with the order right, will be no less advantageous than it was before” will not be met. Please comment?
Q5.1.27	Rensola Hercules Energy 2 Limited (Renesola)	<b>Rensola Hercules Energy 2 Limited</b> Following from the representation submitted [REP1-192], this interest is now mentioned in the updated Book of Reference [REP1-014] although it is noted that the applicants state that Rensola did not have an interest in land until September 2024. When is the application for planning permission likely to be submitted to FBC? Do Rensola have any further comment in response to the applicants’ reply to their representation which is at section REP1-192.4 [REP2-030].
Q5.1.28	South Ribble Borough Council	<b>South Ribble Borough Council</b> In paragraph 19 of their representation [REP1-097] South Ribble Borough Council query that one parcel of Crown Land has already been developed and will therefore not be available for the intended use by the applicants as a route for construction access. The applicants have addressed this in their response [REP2-031]. Please clarify whether this response resolves the position?
Q5.1.29	The applicants and the Canal & River Trust	<b>The Canal &amp; River Trust</b> The Canal & River Trust hold a leasehold interest from the freeholder, Tallentine Limited. They have reported [REP1-074] that they did not attend CAH1 as they had been assured that negotiations would be commenced. The applicants confirm [REP2-031] that heads of terms were issued on 21 May 2025. Please update on what progress has now been made?
Q5.1.30	The applicants	<b>Public Sector Equality Duty</b> A Public Sector Equality Duty Statement has now been submitted [REP1-058]. The issue of equalities was not addressed in the original SoR [APP-013] and is still not mentioned in the updated SoR [REP1-012]. The ExA would usually expect to see reference made in the same section as, or alongside, Human Rights considerations which is 1.11. Please provide an update to the SoR to reflect this.
Q5.1.31	The applicants	<b>Public Sector Equality Duty</b> The Public Sector Equality Duty Statement provided at deadline 1 [REP1-058] states at paragraph 1.3.1.2 that “no aspect of the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (the project) would affect the protected characteristics of anyone in the community”. However, the proposed cable route passes either side of the Century Healthcare care home and adjacent to two riding centres which provide services for the disabled. The applicants are asked to consider the following as part of the equalities

ExQ1	Question to:	Question:
		<p>assessment:</p> <ul style="list-style-type: none"> <li>a) The Midgeland Riding School which caters for riding for the disabled raise concerns over the impact on their business [REP1-174] and in paragraph 10 refer to the need for an alternative area for grazing their horses. Has this been considered?</li> <li>b) With regard to the care home, the reply to action point ISH1.12 [REP1-037] states that it is no longer proposed that heavy goods vehicles will use the Starr Gate access. Will this have the result of any increased usage to the compound close to the care home?</li> <li>c) Any effects from construction on the occupiers of the care home, including from lighting and noise, bearing in mind the proposed hours of construction working in the vicinity (and mobilisation/ de-mobilisation) and the proximity to the adjacent beach cable works, construction access, construction compound and the A584.</li> <li>d) Noting that no representation has been submitted by the owners of the care home, have discussions taken place with them regarding the implications and potential impacts of the construction works upon the occupiers and use of the care home?</li> </ul>
<b>6. Ecology, biodiversity and nature conservation (on-shore)</b>		
<b>6.1 Ecology and nature conservation</b>		
Q6.1.1	Natural England (NE)	<p><b>Survey effort and mitigation</b></p> <p>Comment on whether remaining concerns exist regarding:</p> <ul style="list-style-type: none"> <li>a) the quality of terrestrial ecological surveys in general undertaken by the applicants for the whole of the landward part of the proposed development?</li> <li>b) the conclusions the applicants have come to for the terrestrial ecological assessments for the whole of the landward part of the proposed development.</li> <li>c) the extent to which the appropriate guidelines and methodologies have been followed by the applicants when undertaking relevant terrestrial surveys for the whole of the landward part of the proposed development.</li> <li>d) the quality and likely effectiveness of the mitigation the applicants are proposing for potential impacts on terrestrial ecology for the whole of the landward part of the proposed development.</li> </ul>

ExQ1	Question to:	Question:
Q6.1.2	NE (a), The applicants (b-c)	<p><b>Ribble and Alt Estuary Special Protection Area (SPA) and Ramsar site</b></p> <p>Fairhaven Saltmarsh is identified in the Outline Ecological Management Plan [REP2-019] as a permanent mitigation area. NE stated that the proposed roosting refuge would constitute compensatory measures under the Habitats Regulations, not mitigation as stated by the applicants [RR-1601] ref.H5. Accordingly, a far more detailed submission regarding the installation and management of the compensatory measures is needed, and a compensation schedule in the draft development consent order (DCO) added.</p> <ul style="list-style-type: none"> <li>a) Explain why Fairhaven Saltmarsh could constitute compensatory measures under the Habitats Regulations?</li> <li>b) Explain why you consider Fairhaven Saltmarsh as a mitigation area and not a compensatory measure?</li> <li>c) Provide an update on negotiations regarding this issue.</li> </ul>
Q6.1.3	NE	<p><b>Ribble and Alt Estuary SPA and Ramsar site</b></p> <p>After commitment (CoT)129 [REP2-011] has been updated to strengthen the working restrictions within the intertidal area to a full restriction between Nov – Mar, can you confirm whether you agree with the applicants' conclusions of no adverse effects on integrity and whether an in-principle derogations case for the Ribble and Alt Estuaries SPA/Ramsar site is no longer required.</p>
Q6.1.4	NE	<p><b>Technical notes</b></p> <p>At deadline 2 the applicants have submitted "Technical note on the energetics of the birds at landfall and the adequacy of the Fairhaven Saltmarsh" [REP2-045] and "Technical note on Newton Marsh SSSI and River Ribble Crossing" [REP2-044]. Can you confirm if the information in those notes resolves outstanding relevant issues in the Risk and Issues Log [REP2-063].</p>
Q6.1.5	NE, Lancashire County Council (LCC), Fylde Borough Council (FBC) and any other IP	<p><b>Protected species - sand dunes habitat surveys</b></p> <p>In chapter 3 of the Environmental Statement: Onshore ecology and nature conservation [APP-075], it is stated that further surveys are not considered necessary for the transmission assets due to existing survey information available being sufficient to assess the potential impacts to the species.</p> <p>Why is existing available survey information (Fylde Sand Dune Project Steering Group) not considered enough to establish a baseline?</p>
Q6.1.6	The applicants (a-c), NE, LCC, FBC, Environment Agency (EA) and any other interested party (d)	<p><b>Sand dunes (Lytham St. Anne's SSSI, Local Nature Reserve, Biological Heritage Site, Geological Heritage Site)</b></p> <p>"The applicants reiterate that there would be no direct impacts to the sand dune habitats or sand lizard population at Lytham St Anne's SSSI, LNR, BHS and GHS as a result of the construction of the project, because the dunes will be crossed using trenchless technology. The entry and exit pits associated with the trenchless crossing will be of a sufficient distance away from Lytham St Anne's SSSI to ensure there are no</p>

ExQ1	Question to:	Question:
		<p>direct impacts. The depth of the trenchless crossing of the dunes will be confirmed at the detailed design stage following ground investigation works, but it should be noted that this is a standard construction approach that is adopted to avoid impacts on sensitive habitat features. The applicants note that several stakeholders have raised concerns about potential indirect effects to the dune habitats as a result of the trenchless crossing, and therefore are preparing further information to be submitted at D3" [REP2-036 reference REP1-210 210.11].</p> <p>CoT102 [REP2-011] makes references to "unforeseen circumstances" ("Where closures are required for longer periods due to unforeseen circumstances encountered during construction").</p> <ul style="list-style-type: none"> <li>a) Could those "unforeseen circumstances" cause direct impacts to the sand dune habitats or sand lizard population as a result of installation of the offshore export cables?</li> <li>b) Explain and provide a full list of potential consequences that could be connected to the unforeseen circumstances.</li> <li>c) As the possibility of "unforeseen circumstances" that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register, why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</li> <li>d) Explain if you agree with the applicants' conclusions regarding no direct impacts to the sand dune habitats or sand lizard population as a result of the installation of the offshore export cables.</li> </ul>
Q6.1.7	NE (a-c), The applicants (b-c)	<p><b>European protected species (EPS) onshore</b></p> <p>The applicants state [PDA-022 1601.G.51-56] that additional surveys will be undertaken closer to the time of construction to ascertain if licences are required. They state that this is secured by Requirement 13 within Schedules 2A &amp; 2B of the dDCO. Any EPS licenses will be agreed with NE as the relevant Statutory Nature Conservation Body.</p> <ul style="list-style-type: none"> <li>a) Are you satisfied with this approach?</li> <li>b) What would happen if any of the required EPS licences are not secured.</li> <li>c) Is likely that a Letter of No Impediment will be issued before the close of this Examination?</li> </ul> <p>The Examining Authority (ExA) requests that the applicants provide an update on this issue at each deadline.</p>
Q6.1.8	The applicants, LCC	<p><b>District licence scheme (great crested newts)</b></p> <p>The applicants state it will apply to join the district level licence scheme in Lancashire for strategic compensation for great crested newts. Explain what this application depends on and anticipated timings.</p>

ExQ1	Question to:	Question:
Q6.1.9	The applicants	<b>Surveys</b> If a significant period elapses between the surveys undertaken for protected species and the start of construction, explain whether it is the intention to re-survey features prior to construction and would the findings be included in the updated stage specific Ecological Management Plans for approval under Requirement 12 of Schedules 2A and 2B of the dDCO.
Q6.1.10	The applicants (a), NE, EA, NE, FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (b)	<b>Commitments</b> CoT16 [REP2-010] states “All vegetation requiring removal will be undertaken outside of the bird breeding season. If this is not reasonably practicable, the vegetation requiring removal will be subject to a nesting bird check by a suitably qualified ecological clerk of works. If nesting birds are present, the vegetation will not be removed until the young have fledged or the nest failed.” a) Define under what circumstances it wouldn't be "reasonably practicable"? b) Do you consider the proposed wording to be adequate?
Q6.1.11	The applicants (a), NE, EA, FBC, SRBC, PCC, LCC, BBC (b)	<b>Commitments</b> CoT31 [REP2-010] states “Ponds identified during the route planning and site selection process have been avoided where possible. During construction any newly identified ponds will be avoided through micro-siting of the onshore export cable corridor and 400 kV grid connection cable corridor where reasonably practicable.” a) Define "reasonably practicable". How is the decision made and on what basis. What if it's not deemed "reasonably practicable". b) Do you consider the proposed wording to be adequate?
Q6.1.12	The applicants	<b>Commitments</b> In relation to CoT76 “Habitat restoration” explain how compensation for loss and degradation of habitat will be monitored.
Q6.1.13	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	<b>Commitments</b> CoT101 [REP2-010] states “Where high concentrations of peat are identified these, will be avoided where practicably possible for the placement of the plant and infrastructure to avoid the possibility of ground gas build up. Where this is not possible, further investigation and appropriate monitoring will be identified undertaken, if necessary”. a) Explain how you will determine if it's “practicably possible” to avoid high concentrations of peat that are identified. b) Explain the decision-making process in relation to determining if further investigation and appropriate

ExQ1	Question to:	Question:
		<p>monitoring is necessary.</p> <p>c) Do you consider the proposed wording to be adequate?</p>
Q6.1.14	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	<p><b>Commitments</b></p> <p>CoT126 [REP2-010] “To mitigate for potential temporary habitat loss associated with Mill Brook Valley Biological Heritage Site, temporary construction compounds will be micro-sited to avoid the site wherever reasonably practicable.”</p> <p>a) Define “wherever reasonably practicable”.</p> <p>b) Explain how you will mitigate for potential temporary habitat loss if it’s not deemed “reasonably practicable”.</p> <p>c) Do you consider the proposed wording to be adequate?</p>
Q6.1.15	NE, EA and any other interested party	<p><b>Mitigation</b></p> <p>Paragraph 1.2.1.8 of ‘Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas’ [REP2-046] states “In accordance, with CAP 772 guidance (Civil Aviation Authority (CAA), 2017) the wildlife hazard management zones around Blackpool Airport and BAE Warton Aerodrome extend to 13 km” and paragraph 1.2.1.9 states “Given the extent of the wildlife hazard management zones in relation to the Transmission Order Limits, the applicants could not locate environmental mitigation and benefit areas outside of the wildlife hazard zones whilst also meeting their site selection guiding principles (as set out in paragraphs 1.2.1.2 and 1.2.1.3) and ultimately delivering effective mitigation.”</p> <p>Paragraph 1.5.1.3 states “The search area also considered areas in proximity to designated habitats or priority habitats, with the objective of improving habitats that are functionally linked to designated sites and improving connectivity between habitats.”</p> <p>a) Do you agree that effective mitigation could not be achieved outside wildlife hazard management zones in relation to the Transmission Order Limits?</p> <p>b) Do you agree that biodiversity benefit area objectives would not be met if it was located outside of the wildlife hazard zones?</p>
<b>6.2</b>	<b>Biodiversity net gain (BNG)</b>	
Q6.2.1	The applicants (a-c), NE, FBC, SRBC, PCC, LCC, BBC and any other interested	<p><b>Biodiversity calculations:</b></p> <p>a) Provide reasoning for the proposed percentage (%) in the biodiversity benefit strategy - 59.62% increase for the habitat, 20% for watercourse, 41.37% for hedgerow.</p> <p>b) Explain in detail the methodology used and why the scheme won’t fully comply with future biodiversity</p>

ExQ1	Question to:	Question:
	party (d)	<p>net gain requirements i.e why the whole length of the corridor has not been assessed?</p> <p>c) The ExA requests the BNG metric spreadsheet used for the calculations is submitted into the examination.</p> <p>d) Confirm whether clarity exists on how the calculations have been done and is there agreement on the methodology and the spatial areas for which the calculations have been presented?</p>
Q6.2.2	NE, FBC, SRBC, PCC, LCC, BBC	<p><b>Mitigation Hierarchy</b></p> <p>Confirm that the applicants have adequately followed the mitigation hierarchy in respect to no biodiversity net loss and biodiversity net gain.</p>
Q6.2.3	The applicants (a-b), NE, EA, FBC, SRBC, PCC, LCC, BBC (c)	<p><b>Site selection</b></p> <p>Selection guiding principles are set out in paragraphs 1.2.1.2 and 1.2.1.3 of Site Selection of the Environmental Mitigation and Biodiversity Benefit Areas [REP2-046] submitted at D2.</p> <p>a) Explain why the selection guiding principles set out do not include specific safety considerations and policy requirements including potential for increased risk to defence activities?</p> <p>b) Explain if any alternatives for BNG strategy have been considered, including off-site delivery.</p> <p>c) If BNG requirements and the avoidance and/or mitigation of defence aviation risks cannot be met, please explain how excluding BNG areas from the order limits might affect your comments on the application.</p>
Q6.2.4	The applicants	<p><b>National Policy Statement</b></p> <p>NPS EN-1, paragraph 5.4.36 states that that, 'Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.'</p> <p>Is a Biodiversity Management Strategy part of the application? Can the applicants signpost to the relevant sections.</p>
<b>7. Environmental matters (off-shore)</b>		
<b>7.1 Benthic ecology</b>		
Q7.1.1	The applicants	<p><b>Impacts on benthic ecology</b></p> <p>No progress appears to have been made with respect to the agreement between the applicants and Natural England (NE) on the potential impacts of the proposed development on benthic ecology. NE in its deadline 1 (D1) submissions [REP1-092 and REP1-093] maintains its position that impacts have not been adequately considered or assessed in the Environmental Statement and in particular the recovery of seabed habitats</p>

ExQ1	Question to:	Question:
		<p>and species during the potential maximum gap of 4 years between projects. In your deadline 2 (D2) response [REP2-034] you maintain your position set out in [PDA-014] that a robust and accurate assessment of all potential impacts has been carried out.</p> <ul style="list-style-type: none"> <li>a) Is this your final position?</li> <li>b) Are further discussions with NE taking place on this issue?</li> <li>c) What additional assessment will you be carrying out and what additional information will you be providing?</li> </ul>
Q7.1.2	The applicants	<p><b>Cable protection</b></p> <p>No progress appears to have been made with respect to NE's concerns on the location and design of the cables and their associated protection. NE in its D1 submission [REP1-093] maintains that insufficient details have been provided to fully understand the potential impacts of cable protection on sediment transport pathways particularly in the Fylde Marine Conservation Zone (MCZ). In your D2 response [REP2-034] you maintain your position set out in [PDA-014] that sufficient details have been provided and impacts for sediment transport pathways have been identified as being of negligible to minor significance which is not significant in Environmental Impact Assessment (EIA) terms.</p> <ul style="list-style-type: none"> <li>a) Is this your final position?</li> <li>b) Are further discussions with NE taking place on this issue?</li> <li>c) What additional assessment will you be carrying out and what additional information will you be providing?</li> </ul>
Q7.1.3	The applicants	<p><b>Natural Environment Research Council (NERC) priority habitats</b></p> <p>No progress appears to have been made with respect to NE's concerns on mitigation and NERC priority habitats. NE highlighted the fact that no mitigation has been proposed for benthic receptors or consideration been given to NERC despite section 41 of the NERC Act (2006) advising priority habitats are avoided and due consideration demonstrated [REP1-093]. In your D2 response [REP2-034] you maintain your position set out in [PDA-014] that these issues have been adequately addressed.</p> <ul style="list-style-type: none"> <li>a) Is this your final position?</li> <li>b) Are further discussions with NE taking place on this issue?</li> <li>c) What additional assessment will you be carrying out and what additional information will you be providing?</li> </ul>
Q7.1.4	NE	<p><b>Assessments</b></p> <p>In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601], [REP1-092] and [REP1-093] a robust and accurate assessment of all potential impacts on benthic ecology has been carried out. What additional assessment/ information do you require to</p>



ExQ1	Question to:	Question:
		reach an agreement on this issue?
Q7.1.5	NE	<b>Cables and scour protection</b> Are you content that your request in [REP1-093] for a commitment, secured in the draft Development Consent Order (dDCO) to remove the cables and scour protection from the seabed during the decommissioning phase of the project has now been adequately addressed by the applicants in their response provided in [PDA-014], [REP2-022] and [REP2-034]?
Q7.1.6	NE	<b>Assessments</b> In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092] and [REP1-093] that sufficient design details have been provided on the location and design of the cables and associated protection and impacts for sediment transport pathways have been identified as being of negligible to minor significance which is not significant in EIA terms. What additional assessment/ information do you require to reach an agreement on this issue?
Q7.1.7	NE	<b>NERC priority habitats</b> In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092 and REP1-093] impacts on benthic receptors have been mitigated and NERC habitats considered. What additional assessment/ information do you require to reach an agreement on this issue?
Q7.1.8	NE	<b>MCZ assessment</b> While still maintaining that Measures of Equivalent Environmental Benefit (MEEB) are not required, the applicants have submitted a Stage 2 MCZ assessment and a “without prejudice” MEEB case for the Fylde MCZ [REP1-059]. Please provide your comments and indicate whether you are satisfied with the assessment and case.
Q7.1.9	Wildlife Trust for Lancashire, Manchester and North Mersey Side (WT)	<b>MCZ assessment</b> While still maintaining that MEEB are not required, the applicants have submitted a Stage 2 MCZ assessment and a “without prejudice” MEEB case for the Fylde MCZ [REP1-059]. Please provide your comments.
<b>7.2 Fish and shellfish ecology</b>		
Q7.2.1	The applicants	<b>Assessments</b> NE still consider that there is potential for the predator/ prey relationship between piscivorous birds and sand-eels to be impacted due to loss of prey species [REP1-093]. However, in your D2 response [REP2-

ExQ1	Question to:	Question:
		<p>034] you maintain your position set out in [PDA-014] that this issue has been adequately addressed.</p> <ul style="list-style-type: none"> <li>a) Is this your final position?</li> <li>b) Are further discussions with NE taking place on this issue?</li> <li>c) What additional assessment will you be carrying out and what additional information will you be providing?</li> </ul>
Q7.2.2	NE	<p><b>Assessments</b></p> <p>In their D2 submission [REP2-034] the applicants are still maintaining their position that contrary to your stated position in [RR-1601] and [REP1-092 and REP1-093] the potential loss of prey species has been adequately addressed. What additional assessment/ information do you require to reach an agreement on this issue?</p>
Q7.2.3	NE	<p><b>Electro-magnetic fields</b></p> <p>The Examining Authority raised the issue of the potential for electro-magnetic fields to cause barrier effects that hinder smelt movements in and out of the Ribble Estuary with the applicants during issue specific hearing 1. The applicants maintained that the evidence provided to date is sufficient to screen out this concern paragraph 49 of [REP1-035]. The minimum depth of cable below the estuary would be 6 metres and electro-magnetic field effects are generally localised within 1 to 2 metres of the cable. The applicants also referenced their response to the Environment Agency's [RR-677] [PDA-010] in this regard.</p> <ul style="list-style-type: none"> <li>a) Based on this response are you content that this issue has now been addressed?</li> <li>b) If not what further assessment/ information do you require to reach a conclusion?</li> </ul>
Q7.2.4	MMO	<p><b>Seasonal restrictions</b></p> <p>Please confirm that following the removal of high order Unexploded Ordnance (UXO) clearance from the deemed marine licenses submitted by the applicants at D2 [REP2-004] you are now content that no seasonal restriction on construction activities is required during the cod and herring spawning seasons.</p>
<b>7.3 Marine mammals</b>		
Q7.3.1	NE	<p><b>UXO clearance</b></p> <p>The applicants have amended the dDCO [REP2-004] to include only for the removal of low order UXO clearance in the DMLs. The removal of high order UXO would be the subject of a standalone licence. Do the amendments to the DMLs address your concerns regarding UXO clearance?</p>
Q7.3.2	MMO	<p><b>UXO clearance</b></p> <p>The applicants have amended the dDCO [REP2-004] to include only for the removal of low order UXO clearance in the DMLs. The removal of high order UXO would be the subject of a standalone licence. Do the</p>

ExQ1	Question to:	Question:
		amendments to the DMLs address your concerns regarding UXO clearance?
Q7.3.3	WT	<b>Subsea construction noise</b> Are you content that your concerns regarding subsea construction noise set out in [REP1-210] have been addressed by the applicants in their D2 submission [REP2-036]?
<b>7.4 Offshore ornithology</b>		
Q7.4.1	The applicants	<b>Long-term habitat supporting prey species</b> In its D1 submission [REP1-093] NE still maintains that the applicants have not screened in loss of long-term habitat supporting prey species (due to scour/ cable protection) for the offshore ornithological features of the Liverpool Bay Special Protection Area (SPA) as an impact for likely significant effects. However, in your D2 response [REP2-034] you maintain your position set out in [PDA-014] that this issue has been adequately addressed. <ul style="list-style-type: none"> <li>a) Is this your final position?</li> <li>b) Are further discussions with NE taking place on this issue?</li> <li>c) What additional assessment will you be carrying out and what additional information will you be providing?</li> </ul>
Q7.4.2	The applicants	<b>Long-term habitat supporting prey species</b> Clarify whether the areas outside the SPA that are within the zone of influence of the proposed development (in terms of impacts to benthic habitats and fish populations) have a role in terms of functional linkage to the SPA as supporting habitats for the prey species of SPA features. Update the Habitats Regulations Assessment Screening Report to address the long-term loss of habitat supporting prey species pathway.
Q7.4.3	NE	<b>Seasonal restrictions</b> Are you satisfied that the applicants' D2 response [REP2-034] has adequately addressed your concerns on the potential adverse effect of the proposed development on site integrity for the red-throated diver and common scoter features of the Liverpool SPA and your request for a full restriction on construction activities from November to March [REP1-093]? If not what further assessment/ information do you require to reach a conclusion on the issue?
<b>7.5 General</b>		
Q7.5.1	Attracta Uí Bhroin in	<b>Transboundary Impact Assessment</b>

ExQ1	Question to:	Question:
	a personal capacity, and on behalf of Irish environmental non-governmental organisation - An Claiomh Glas.	Are you content that the applicants have addressed the issues you raised in [OD-12] on the transboundary impact assessment in their response [REP1-062]?
<b>8. Geology, hydrogeology and ground conditions</b>		
Q8.1.1	The applicants (a-d), NE, Environment Agency (EA), Lancashire County Council (LCC), MMO (e)	<p><b>Commitments</b></p> <p>CoT119 [REP2-010] states: "Subject to landowner approval, at detailed design stage, hydrogeological risk assessment(s) will be undertaken at St Annes Old Links Golf Club (abstraction borehole ref: GWA_01), if necessary. The hydrogeological risk assessment(s) would be informed by ground investigation information, where relevant and practicable. If undertaken, the risk assessment(s) will inform a detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI and the St Annes Old Links Golf Course."</p> <ul style="list-style-type: none"> <li>a) Provide an update in relation to gaining landowner approval.</li> <li>b) As the condition states "if necessary" under what circumstances would the hydrogeological risk assessment not be considered necessary?</li> <li>c) In an event of not obtaining the landowners approval how will the hydrogeological risk assessment be informed?</li> <li>d) What does "where relevant and practical" mean in the context of assessing risks to Lytham St Annes Dunes SSSI?</li> <li>e) Do you have any comments if hydrological risk assessment can't be conducted at St Annes Old Links Golf Club. How could that impact production of a detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI and the St Annes Old Links Golf Course?</li> </ul>
Q8.1.2	The applicants (a-d), NE, EA (d)	<p><b>Commitments</b></p> <p>CoT128 [REP2-010] states: "A Preliminary Hydrogeological Risk Assessment will be prepared in relation to the crossing of Lytham St Annes SSSI to mitigate potential impacts to the hydrologically dependant surface water features of the sand dune system. This will form part of the Outline Code of Construction Practice. At detailed design stage, Hydrogeological Risk Assessment will be developed in accordance with the Preliminary Hydrogeological Risk Assessment. The hydrogeological risk assessment(s) will be informed by ground investigation information, where necessary and practicable. These assessment(s) will be used to inform</p>

ExQ1	Question to:	Question:
		<p>the detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI.”</p> <ul style="list-style-type: none"> <li>a) Explain “where necessary and practicable “in the context of ground investigation required to inform hydrological risk assessment.</li> <li>b) What if the ground investigation is not “practicable” to conduct.</li> <li>c) Under what circumstances would the ground investigation not be considered necessary and how would the hydrogeological risk assessment be informed?</li> <li>d) Do you consider the proposed wording to be adequate?</li> </ul>
Q8.1.3	The applicants (a-b), NE, EA, LCC, MMO (c)	<p><b>Commitments</b></p> <p>CoT118 [REP2-010] states: “Where areas of potentially significant contamination (e.g. landfills) cannot be avoided within the Transmission Assets Order Limits, ground investigation or other appropriate measures (e.g. use Personal Protective Equipment and/or hazard signage) will be implemented to mitigate potential impacts to, or effects on sensitive receptors. Where ground investigation identifies potential risks to sensitive receptors from contamination, a remediation strategy would be prepared in consultation with the Environment Agency.”</p> <ul style="list-style-type: none"> <li>a) Explain what process will be followed when deciding if ground investigation is required or if other appropriate measures are sufficient?</li> <li>b) What specific ground investigation measures is the applicant committing to in areas of potentially significant contamination?</li> <li>c) Is this commitment sufficient to ensure contaminated land risks are adequately managed?</li> </ul>
Q8.1.4	The applicants (a), EA (b)	<p><b>Commitments</b></p> <p>CoT103 [REP2-010] states: “Where suspected contamination is present and piling is proposed, where required detailed piling risk assessment(s) will be developed prior to the commencement of the relevant stage of works. Consultation with the Environment Agency will be sought.”</p> <ul style="list-style-type: none"> <li>a) Define "where required". Explain under what circumstances detailed piling risk assessment would not be a requirement?</li> <li>b) Do you consider the proposed wording to be adequate?</li> </ul>
Q8.1.5	EA	<p><b>Contamination remediation and mitigation</b></p> <p>Are you content that any remediation or mitigation potentially required, but not yet identified, in relation to contamination, perched waters within made ground, or groundwater from dewatering activities could be delivered within the Order Limits?</p>

ExQ1	Question to:	Question:
Q8.1.6	The applicants	<p><b>Outline contaminated land and groundwater discovery strategy</b></p> <p>Outline contaminated land and groundwater discovery strategy [APP-207, paragraph 1.5.1.4] explains if remediation is considered necessary, then, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose will be submitted to and agreed in writing with the Environment Agency and the relevant planning authority. Can you explain if excavation and removal of contaminants would be a potential remediation approach? If so, can you confirm how the impact of this activity has been assessed in the Environmental Statement (for example, additional vehicle movements to facilitate material removal, a longer construction phase)?</p>
<b>9. Habitats Regulations Assessment</b>		
<b>9.1 General</b>		
Q9.1.1	Joint Nature Conservation Committee, Natural England (NE), Natural Resources Wales (NRW), NatureScot, Northern Ireland Environment Agency	<p><b>Conclusions</b></p> <p>Do you agree with the applicants' Habitats Regulations Assessment (HRA) conclusions with respect to likely significant effects (LSE) [APP-018] and adverse effects on site integrity [APP-016 and APP-017]? Please specify the relevant sites, pathways and qualifying features in your response.</p>
Q9.1.2	NE	<p><b>Construction scenarios</b></p> <p>The applicants, in response [AS-070] to the Rule 9 letter [PD-005], and at deadline 1 [REP1-060] have provided a requested summary of the multiple construction scenarios, including the potential for a gap of up to 4 years between construction phases, resulting in a total construction phase of up to 11 years. The Examining Authority (ExA) notes a number of entries in your relevant representation [RR-1601] relating to construction scenarios. Can you confirm if you consider whether there are any implications for the conclusions of the HRA from the applicants' approach of allowing multiple construction scenarios?</p>
Q9.1.3	The applicants	<p><b>Key summary parameters</b></p> <p>The introduction to the Information to Support an Appropriate Assessment (ISAA) [APP-015] provides details of the key summary parameters for the proposed development. The table states that the maximum length of onshore export cables for the Morgan project is 16km, whereas the project description Environmental Statement chapter [REP2-008] states that this is 17km. Confirm the correct distance, and whether the</p>

ExQ1	Question to:	Question:
		conclusion of the HRA Screening [APP-018] and ISAA parts 2 and 3 [APP-016 and APP-017] remain valid given the shorter cable route indicated to be assessed in the ISAA?
<b>9.2</b>	<b>Screening</b>	
Q9.2.1	The applicants and NE	<p><b>Fish and Shellfish</b></p> <p>Table 1.1 of the HRA Screening [APP-018] details the consultation undertaken with NE and notes that NE requested that sites with shad as an Annex II qualifying feature should be screened in for further assessment. However, the HRA screening and subsequent ISAA part 2 [APP-016] do not appear to screen this species into the assessment of Adverse Effect on Integrity.</p> <p>a) (Applicants) Provide further information as to why an assessment of shad is not required in the ISAA part 2 [APP-016].</p> <p>b) (NE) Provide your current position on the applicants' conclusion of no Likely Significant Effect to shad.</p>
Q9.2.2	The applicants	<p><b>Offshore Ornithology</b></p> <p>Page 141 of the Screening Report [APP-018], footnote (b) explains that assessments for all impacts are only conducted where a species has a vulnerability to 'displacement associated with vessels/ helicopters' of High or Very High and/ or a Low habitat flexibility. Can you explain why these thresholds have been chosen, and justify, for example, why guillemot and puffin which both have moderate vulnerability and moderate flexibility are not considered?</p>
Q9.2.3	NE	<p><b>Offshore Ornithology</b></p> <p>Do you agree with the applicant's screening conclusions pertaining to offshore ornithology, alone and in-combination (presented at section 1.5.5 of [APP-018])?</p>
Q9.2.4	The applicants	<p><b>Onshore and intertidal ornithology</b></p> <p>Within the HRA Screening [APP-018], Table 1.25 for the assessment of LSE for the Morecambe Bay Special Protection Area (SPA) and Ramsar site, the ExA notes that there are differing conclusions on potential LSE to Lesser Black Backed Gull between the SPA and Ramsar site designations. Can the applicants provide further information to justify the difference in conclusions for this species.</p>
Q9.2.5	The applicants	<p><b>Onshore and intertidal ornithology</b></p> <p>Table 1.24 of the Screening Report [APP-018] states that permanent loss of supporting habitats is only relevant to the construction phase, but the justification for the screening decision states that it is screened in for the decommissioning phase too. Can the applicants clarify this discrepancy and explain what additional permanent loss of supporting habitat is expected to arise in the decommissioning phase.</p>

ExQ1	Question to:	Question:
Q9.2.6	The applicants	<b>Onshore and intertidal ornithology</b> Paragraph 1.5.6.10 of the Screening Report [APP-018] aims to explain the screening conclusions. Can the applicants clarify the reason why Berwick swan and pintail are screened out for all impacts and all phases, alone and in combination?
Q9.2.7	The applicants	<b>Onshore and intertidal ornithology</b> Paragraph 1.5.6.10 of the Screening Report [APP-018] aims to explain the screening conclusions. Can the applicants clarify the rationale for screening out impacts during the operational phase for both the temporary loss of supporting habitats and/ or resource availability and disturbance and displacement, for certain features of the Morecambe Bay and Duddon Estuary SPA (lesser black-backed gull, herring gull and sandwich tern), Morecambe Bay Ramsar site (herring gull and sandwich tern), and Martin Mere SPA and Ramsar site (pink-footed goose), alone and in combination?
Q9.2.8	The applicants	<b>Onshore and intertidal ornithology</b> LSE are noted for several effect pathways to Martin Mere Ramsar Site (see Table 1.25 LSE matrix and Table 1.27 Summary of LSE in the HRA Screening Report [APP-018]). However, this site is not included in Table 1.23 on relevant sites, or, more importantly, in the determination of LSE (section 1.5.6) . There is no justification provided for screening out various pathways affecting this site (in paragraph 1.5.6.10). Can the applicants address this discrepancy and provide an assessment of LSE for Martin Mere Ramsar site?
Q9.2.9	The applicants, NE	<b>Onshore ecology</b> Environmental Statement (ES) Chapter 3: Onshore ecology and nature conservation [APP-075] states that the Sefton Coast Special Area of Conservation (SAC) is 8.63km from the order limits. However, the site is not included in the HRA Screening Report. Given the proximity, can the applicants confirm why they have not included an assessment of LSE to Sefton Coast SAC. Can NE confirm if it considers there is the potential for LSE to this site?
Q9.2.10	The applicants, NE	<b>Onshore ecology</b> ES Chapter 3 [REP2-008] notes that Morecambe Bay SAC is within 15.48km. Can the applicants confirm whether there are any pathways of effect to Morecambe Bay SAC. Can NE confirm if it considers there is the potential for LSE to this site?



ExQ1	Question to:	Question:
Q9.2.11	The applicants, NE	<b>Onshore ecology</b> ES Chapter 3: Onshore Ecology and nature conservation [APP-075] (Table 3.7) states that the Ribble and Alt Estuary Ramsar site is designated for Criteria 2: 'this site supports up to 40% of the Great Britain population of natterjack toads <i>Bufo calamita</i> '. However, impacts to this feature have not been assessed in the HRA Screening Report. Confirm whether there is the potential for LSE? In addition, what is the potential for LSE on the habitat features of the Ramsar site?
<b>9.3 ISAA</b>		
Q9.3.1	The applicants, NE	<b>Onshore ecology</b> At relevant representation [RR-1601], entry G16, NE refer to the Ribble and Alt Estuaries in its concerns relating to "the worst-case scenario i.e. cable installation failure when using the Direct Pipe Trenchless Technique whereby the Applicant needs to use an alternative technique has not been assessed" The ExA notes the applicants' response [PDA-021] which states that "The Applicants will continue discussions with Natural England in relation to the assessment of alternative trenchless techniques". Can the applicants confirm how the potential for alternative techniques at this location (with reference to the Ribble and Alt Estuaries SPA / Ramsar site) has been considered within the HRA ISAA [APP-017]? Can NE confirm whether there are any implications for the conclusions of the HRA screening [APP-018] or ISAA [APP-017] as a result of the absence of assessment of alternative trenchless techniques).
<b>9.4 ISAA Part 2</b>		
Q9.4.1	NE	<b>Benthic Special Areas of Conservation</b> The ExA notes that NE has detailed a number of concerns over the applicants' assessment on the Fylde Marine Conservation Zone (MCZ) [RR-1601]. Noting that this site is directly adjacent to the Shell Flats and Lune Deep SAC, for the avoidance of doubt can you confirm whether you consider there are any concerns relating to this site (or any others) in relation to the conclusion of the HRA screening and ISAA as a result of your concerns over the assessment of effects on the Fylde MCZ.
Q9.4.2	NE	<b>Marine Mammal SACs</b> In NE's relevant representation [RR-1601] NE raises (E1 and E17) matters relating to the inclusion of Unexploded Ordnance (UXO) clearance within the Deemed Marine Licence in the draft Development Consent Order (dDCO). Whilst it is noted that the applicants have removed high order UXO clearance from the draft DMLs (dDML), can NE confirm whether there are any implications for the conclusions of the HRA assessments from UXO being included in the dDML?

ExQ1	Question to:	Question:
Q9.4.3	NE, NRW	<b>Marine Mammal SACs</b> The ExA notes that the assessment of impacts to marine mammal features has been undertaken in a ‘two tier’ approach (outlined in paragraphs 1.8.1.2 to 1.8.2.4 of ISAA Part 2 [APP-016]). Some sites are assessed ‘in full’, against the conservation objectives, and for the remaining sites an iterative approach was taken. This applied the conclusion from the site closest to the Offshore Order Limits to assess the remaining sites located at a greater distance from the Offshore Order Limits. Whilst conclusions are provided for these sites, the relevant conservation objectives are not provided or assessed against. Can you confirm if you have any concerns with the applicants’ methodology for the HRA assessment of marine mammals?
<b>9.5 ISAA Part 3</b>		
Q9.5.1	NE	<b>Offshore Ornithology</b> The applicants state in [PDA-020] (response to NE Issue F1 [RR-1601]) that you have agreed to the approach to the cumulative assessment through the Evidence Plan process and maintains that the assessment is robust. If your view has changed since the Evidence Plan, explain why this is the case and provide reasons why a quantified cumulative assessment of displacement and disturbance impacts is required. Which receptors are you primarily concerned about?
Q9.5.2	NE	<b>Offshore Ornithology</b> In response to NE Issue F9 [RR-1601], the applicants provide justification for including the populations from Irish SPAs in a bespoke regional population [PDA-020]. Considering the applicants’ response, why does NE consider Furness is more appropriate?
Q9.5.3	NE	<b>Offshore Ornithology</b> Are you satisfied with the applicants’ response regarding the exclusion of West of Duddon Sands Offshore Windfarm from the in-combination assessment for either common scoter or red-throated diver (see response to F17 in [PDA-020])?
Q9.5.4	The applicants	<b>Offshore Ornithology</b> You state in [PDA-020] (response to F21) that the Hynet CCS project was identified as a Tier 2 project as it is currently in the pre-application stage. Hynet Carbon Dioxide Pipeline was granted development consent on 20 March 2024. Hynet Northwest Hydrogen Pipeline is currently in pre-application. Confirm that the cumulative and in-combination assessments have considered the effects of these two separate projects appropriately.

ExQ1	Question to:	Question:
Q9.5.5	Orsted Interested Parties (IPs)	<b>Offshore Ornithology</b> The ExA notes that the Orsted interested parties (IPs) have raised general concerns over the applicants' assessment of effects and the absence of a compensation and derogations case for the Liverpool Bay SPA, however no specific concerns have been raised. Can the Orsted IPs detail any specific concerns over the HRA screening and ISAA conclusions?
Q9.5.6	The applicants	<b>Onshore and intertidal ornithology</b> For the assessment of onshore and intertidal ornithology [APP-017] , in the absence of site-specific objectives for the Ribble and Alt Estuary Ramsar site, Morecambe Bay Ramsar site and Martin Mere Ramsar site, is the applicant applying the conservation objectives of the overlapping SPAs?
Q9.5.7	NE	<b>Onshore and intertidal ornithology</b> In light of the applicants' clarification regarding impacts to common tern from the Preston Dock colony (see [PDA-023]), does this resolve NE's concerns in H43 of [RR-1601]? If not, why not?
Q9.5.8	The applicants	<b>Onshore and intertidal ornithology</b> Submit a revised version of Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017) to address the discrepancy in paragraph 1.6.3.182 raised by NE in H58 of its RR [RR-1601]) (RI_H50 of [REP1-093]).
Q9.5.9	NE	<b>Onshore and intertidal ornithology</b> The applicant states that herring gull, Arctic tern and great black-backed gull are not listed as assemblage features of the Ribble and Alt Estuaries SPA (see applicant's response to NE's relevant representation [PDA-023]). Can you confirm? Does this alter NE's concerns expressed in H54 and H55 of [RR-1601]?
Q9.5.10	NE	<b>Onshore and intertidal ornithology</b> In H53 [RR-1601] you disagree with the applicants' assessment at paragraph 1.6.3.136 of the ISAA Part 3, which states that as all features of the non-breeding waterbird assemblage have been assessed independently there is not predicted to be any additional impact upon the assemblage. Explain why NE disagrees with the applicant and what additional information is required.
<b>10. Hydrology and flood risk</b>		
Q10.1.1	The applicants (a-c), Environment Agency (EA), Lancashire County Council	<b>Sand dunes</b> The applicants' assessment of the potential for increased flood risk arising from damage to the existing flood defences, including the sand dunes at Lytham St Annes is presented within section 2.11.4 of Hydrology and flood risk chapter of the Environmental Statement (ES) [APP-070]. This concludes that as a result of the

ExQ1	Question to:	Question:
	(LCC) (d)	<p>embedded mitigation measures set out there will be no increase in flood risk as a result of the installation of the offshore export cables.</p> <p>Project Commitment 102 [REP2-011] makes references to “unforeseen circumstances” (“Where closures are required for longer periods due to unforeseen circumstances encountered during construction”).</p> <ul style="list-style-type: none"> <li>a) Could those “unforeseen circumstances” increase the flood risk as a result of the installation of the offshore export cables?</li> <li>b) Explain and provide a full list of potential foreseeable consequences that could be connected to the unforeseen circumstances.</li> <li>c) As the possibility of “unforeseen circumstances” that could lead to prolonged closures of sections of public rights of way is acknowledged in the commitments register why has an outline contingency plan (with an assessment of worst case scenario) not been submitted?</li> <li>d) Confirm that you agree with conclusions regarding no increase in flood risk as a result of the installation of the offshore export cables.</li> </ul>
Q10.1.2	EA	<p><b>Sequential and exception tests</b></p> <ul style="list-style-type: none"> <li>a) Can you confirm whether the applicants have adequately followed the sequential and exception tests related to Morgan onshore substation area and Morecomber onshore substation area.</li> <li>b) Can you confirm whether the applicants have adequately followed the sequential and exception tests related to landfall, onshore cable corridor and 400 kV export cable corridor.</li> </ul>
Q10.1.3	LCC	<p><b>Local flood risk drainage strategy</b></p> <p>Confirm, with reasoning, whether you consider the proposed development is in accordance with the local flood risk management strategy.</p>
Q10.1.4	LCC	<p><b>Negotiations and protective provisions</b></p> <p>Can you confirm if you agree with the applicants’ statement at D1 “Negotiations are ongoing and further to a recent call, the applicants have issued an updated draft of the protective provisions on 15 May. The applicants are confident that these can be agreed before the close of Examination.” [REP1-065]</p>
Q10.1.5	The applicants	<p><b>Post-construction discharge volume</b></p> <p>Can you confirm with explanation whether the post-construction surface water discharge volume would be no greater than the pre-existing volume for the proposed substations and access road development areas, and signpost where this is secured?</p>
Q10.1.6	The applicants, EA, LCC	<p><b>Outline Operational Drainage Management Plan</b></p> <p>The Outline Operational Drainage Plan [APP-215] only deals with the onshore substation areas. Is there a need for such a plan for the whole cable corridor and/or landfall? If not, explain why.</p>
Q10.1.7	The applicants	<p><b>Outline Operational Drainage Management Plan</b></p>

ExQ1	Question to:	Question:
		Paragraph 1.4.2.10 of this plan states that runoff from the onshore substation sites will be directed to include water attenuation(s) which may take the form of including ponds. The ponds would store and help to filter the runoff before it is discharged. Due to safety concerns raised in relation to increased risk of bird strike have any alternatives been considered?
Q10.1.8	The applicants (a), EA, LCC (b)	<p><b>Commitments</b></p> <p>CoT39 [REP2-010] states “Fences, walls, ditches and drainage outfalls will be retained at the landfall and along the onshore export cable corridor and 400 kV grid connection cable corridor, where possible. Where it is not reasonably practicable to retain them, any damage will be repaired and reinstated as soon as reasonably practical. The Environment Agency must be notified if damage occurs to any Environment Agency main river or related flood infrastructure.”</p> <p>a) Define "reasonably practicable" and “reasonably practical” in the context of retaining ditches and drainage outfalls.</p> <p>b) Do you consider the proposed wording to be adequate?</p>
Q10.1.9	The applicants (a), LCC (b)	<p><b>Commitments</b></p> <p>CoT82 [REP2-010] states “Where trenchless techniques are proposed for crossing ordinary watercourses, the entry and exit pits will be set back a minimum of 8 m from the bank of the watercourse. These crossings are detailed in the Onshore Crossing Schedule. Where required, geomorphological surveys will be undertaken on ordinary watercourses that may be crossed by trenched techniques. These will be used to inform detailed designs prior to construction.”</p> <p>a) Explain the decision-making process in relation to statement “where required” in relation to surveys to be undertaken on ordinary watercourses.</p> <p>b) Do you consider this an adequate mitigation measure that satisfactorily address concerns raised in [REP1-085] - response provided in [REP2-039, reference REP1-085 11.9]?</p>
Q10.1.10	The applicants (a), EA, LCC (b)	<p><b>Commitments</b></p> <p>CoT84 [REP2-010] states “An Outline Code of Construction Practice (oCoCP) has been prepared a submitted with the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. In order to manage impacts to field drainage, the Outline CoCP stipulates field drainage plans will be developed in consultation with the relevant landowners. If required, additional field drainage will be installed to ensure the existing drainage of the land is maintained during and after construction”.</p> <p>a) Explain the decision-making process in relation to statement “if required, additional field drainage will be installed”.</p> <p>b) Do you consider the proposed wording to be adequate?</p>

ExQ1	Question to:	Question:
Q10.1.11	The applicants (a), EA, LCC (b)	<p><b>Commitments</b></p> <p>CoT96 [REP2-010] states “The Outline Code of Construction Practice (oCoCP) has been submitted as part of the application for development consent. Detailed CoCP(s) will be developed in accordance with the Outline CoCP. The Outline CoCP includes that farm access routes between fields within a farm holding will be maintained (where reasonably practicable), or alternative routes agreed with the land holder to enable the continued operation of agricultural land holdings during the construction phase, where this may be possible.”</p> <p>a) Explain the decision-making process in relation to phrased “where reasonably practicable” and “where this may be possible”.</p> <p>b) Do you consider the proposed wording to be adequate?</p>
Q10.1.12	The applicants	<p><b>Groundwater risk at transition joint bays (TJB)</b></p> <p>ES Chapter 3 [AS-025, table 3-14] identifies the maximum area of proposed TJBs as 1100m2 for Morgan and 500m2 for Morgan with a maximum depth of 4m. Can you signpost to where the volume of subterranean impact of these TJBs to groundwater has been assessed?</p>
<b>11. Historic environment</b>		
Q11.1.1	The applicants	<p><b>Designated heritage assets</b></p> <p>Table 1.2 of Volume 5, Annex 5.5 (Settings assessment) of the Environmental Statement (ES) [APP-102] reviews the settings of designated heritage assets that have been scoped into the applicants assessment.</p> <p>Notwithstanding the assessment already provided, in the case of the grade I listed Old Lea Hall Farmhouse (Ref. 1361663), along with the nearby grade II listed stable block (Ref. 1073511) and barn (Ref. 1317477), can the applicants provide further explanation of how, in each case, their setting, including any land within the Order limits, makes a contribution to its heritage significance?</p>
Q11.1.2	The applicants	<p><b>New Hall Farmhouse</b></p> <p>Preston City Council have raised concerns [REP1-095] regarding the effect of the proposed development on the setting of several listed buildings, including the barn north of New Hall Farmhouse (List Entry Ref. 1165029).</p> <p>The reasons for this listed building being scoped out of the applicants’ assessment [APP-102] are noted. However, bearing in mind the duty in Regulation 3(1) of the Infrastructure Planning (Decisions) Regulations 2010 and given the proximity of this building to the proposed 400kV connection cable corridor, can the applicants provide an assessment of the effects upon the setting and significance of this listed building?</p>
Q11.1.3	South Ribble Borough Council	<p><b>Hesketh Farm</b></p> <p>Paragraph 5.15 of SRBC’s local impact report (LIR) sets out concerns regarding the effects on the grade II</p>

ExQ1	Question to:	Question:
	(SRBC)	<p>listed Hesketh Farm near Penwortham substation. SRBC disagrees with the applicants that Hesketh Farm has limited heritage significance.</p> <p>Could SRBC set out what it considers to be the heritage significance of this listed building and explain in further detail the effect that might result upon its setting and significance from the proposed development?</p>
Q11.1.4	The applicants and Flyde Council	<p><b>Non-designated heritage assets</b></p> <p>The applicants' response to Flyde Borough Council's (FBC) concerns [11.1.8 of REP1-078] regarding the effect on non-designated heritage assets explains that the temporary changes arising from construction works would not affect the heritage significance of the locally listed buildings.</p> <ul style="list-style-type: none"> <li>a) Noting paragraph 5.9.33 of NPS EN-1 which says that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset, are there any instances where the proposed development would lead to any harm (not just significant harm) to the significance of any non-designated heritage asset through the proposed works within their setting. If so, provide a brief assessment of such cases.</li> <li>b) Noting paragraph 11.1.8 of FBC's LIR, can the Council provide details of each non-designated heritage asset where it considers that any harm might result to its setting and significance.</li> </ul>
Q11.1.5	Lancashire County Council (LCC)	<p><b>Lancashire County Council</b></p> <p>Paragraph 12.7 of Lancashire County Council's (LCC) LIR [REP1-085] states that its Historic Environment Team will in due course be providing further comments on the content and conclusions of the various reports submitted with the application.</p> <p>These comments are now requested from LCC at deadline 3 in order that there is full opportunity for any matters raised to be examined within the six-month examination timetable.</p>
Q11.1.6	The applicants (a - d), Historic England (d), FBC (d), LCC (d) and Preston City Council (d)	<p><b>Interim trial trenching report</b></p> <p>Paragraph 1.1.2.1 of the Interim trial trenching report [APP-103] explains that, in total, 222 trenches have been proposed across the onshore infrastructure area and that, as of August 2024, 139 trenches have been investigated. It goes on to say that further trial trenching and geoarchaeological investigation will be undertaken post consent and prior to construction. Paragraph 1.2.2.1 states that, to date, the evaluation has comprised the excavation of 73 of the 222 trenches proposed.</p> <ul style="list-style-type: none"> <li>a) Please clarify the current position regarding trial trenching, including the evaluation of it. Has any further trial trenching been carried out since August 2024? If so, please provide the results and update the assessment accordingly.</li> <li>b) What criteria was used to determine the implementation of the trenching already carried out, as opposed to that left to be undertaken post consent?</li> </ul>

ExQ1	Question to:	Question:
		<p>c) Explain further why the full extent of the proposed trenching has not been already carried out to inform the assessment?</p> <p>d) To what extent does the shortfall in the evaluation of trial trenching ahead of the assessment, weaken the overall findings in the ES in relation to onshore archaeology? Please explain your reasoning.</p>
Q11.1.7	LCC and FBC	<p><b>Quakers Wood Burial Ground</b></p> <p>The applicants position on Quakers Wood Burial Ground is set out in Annex 3.2.18 of PDA-025 and Annex 5.9 of REP1-045.</p> <p>Are there are outstanding concerns regarding the potential effects on Quakers Wood Burial Ground in relation to its likely location, the effects of the proposed devepment upon it and any mitigation measures required?</p>
Q11.1.8	Applicants and Historic England	<p><b>Marine/ offshore archeaology</b></p> <p>The ExA notes the applicants' response [2.6 of REP2-031] to Historic England's written representation [REP1-082] on matters relating to marine/offshore archeaology.</p> <p>Can both parties ensure that the Statement of Common Ground submitted at deadline 3 clearly includes any remaining differences between the parties and the reasons for any disagreement on outstanding matters.</p>
<b>12.</b>	<b>Land use and recreation</b>	
Q12.1.1	The applicants	<p><b>Agricultural land</b></p> <p>The Fylde Local Plan classifies the land in the area as 50% being Grade 2 agricultural land and 34% Grade 3a. Please explain why it has not been possible to safeguard a greater proportion of the better quality Grade 2 land noting that the same weight of harm appears to have been attributed to both agricultural grades [APP-033].</p>
Q12.1.2	Natural England (NE)	<p><b>Agricultural land</b></p> <p>NE raised concerns about the agricultural land classification [RR-1601] and the applicants have responded to this in the response to action point 45 [REP1-043]. The applicants confirm that the results of their initial surveys conclude that the potential impact of the loss of agricultural land including best and most versatile land during construction is a major adverse effect and further surveys were unlikely to alter this conclusion. However, this is justified on the basis of the temporary period of construction. In their recent deadline 2 (D2) response, NE confirm that it is reviewing the position and will provide their comments by deadline 3. The Examining Authority (ExA) looks forward to receiving these comments and would be grateful if NE could also comment on the comparisons made at paragraph 1.4 of the applicants' response [REP1-043] with other offshore wind farm Development Consent Orders?</p>



ExQ1	Question to:	Question:
Q12.1.3	The applicants	<p><b>Agricultural land</b></p> <p>As the proposed development utilises a significant amount of land classified as best and most versatile agricultural land, the Secretary of State will need to be mindful of the policy requirement at paragraph 5.11.34 of EN-1. How do the applicants propose that this requirement is satisfied?</p>
Q12.1.4	The applicants	<p><b>Outline Soil Management Plan</b></p> <p>The Environment Agency at D2 [REP2-056] have expressed concern at the provisions in the Outline Soil Management Plan (oSMP). They have emphasised these at D2 and say that there is the “potential for temporary soil storage to divert or obstruct the movement of flood waters”. This concern does not appear to be addressed in the oSMP [APP-200] and associated best practice guidance”. Please respond?</p>
Q12.1.5	The applicants	<p><b>Land use and recreation</b></p> <p>In paragraph 5.19 of its local impact report (LIR) at D2 [REP2-066], South Ribble Borough Council (SRBC) acknowledges that the application is working on the basis of ‘short term’ impact as a period of months up to one year (Table 6.21 of Volume 3, Chapter 6: Land use and recreation (APP-104) with the applicants stating that no ‘long term temporary impacts’ are identified (Chapter 6: Land use and recreation (APP-104).</p> <p>However, SRBC consider that the magnitude of the development and long-term impacts likely associated with the proposal results in the proposal falling outside a ‘short term’ impact definition. The Council have requested further detail to justify the applicants’ conclusion. Can this be provided? The Council also queries at paragraph 5.21 whether a “minor adverse” category is appropriate, and the applicants are asked to respond to this?</p>
Q12.1.6	The applicants	<p><b>Public rights of way</b></p> <p>SRBC in its LIR [REP1-227] submission raises concerns about the impact on public rights of way (PRoW). They submit that the PRoW MCMC11A/B and 14A/B would be temporarily restricted or closed as a consequence of the proposed development. There is a lack of clarity regarding which rights of way will be open, diverted, or closed, and whether continuous alternative routes will be available. The Council also gives an example of the strategy being unclear for situations where a PRoW crosses a haul road.</p> <p>a) Please provide an explanation of what ‘temporary’ means as this would enable the Councils, across the proposed development, to consider and manage resident expectations and determine whether appropriate management and mitigation measures would be able to be put in place.</p> <p>b) Also provide details of the measures that would be taken where a PRoW crosses a haul road and clarification as to which PRoW would be expected to remain open, be diverted or be closed?</p>

ExQ1	Question to:	Question:
Q12.1.7	The applicants	<p><b>Public rights of way</b></p> <p>It is noted that the expectation from Lancashire County Council as contained in paragraph 7.49 of their LIR [REP1-085] is that rights of way should be reinstated using gravel or materials to replicate previous surfaces and replacement of stiles, gates and direction posts as appropriate.</p> <p>a) Please provide further details and commitments regarding the reinstatement of footpaths?</p> <p>b) Please also provide further details including mitigation measures for all footpaths impacted as requested at paragraph 9.5 of the LIR [REP1-085].</p>
Q12.1.8	The applicants	<p><b>Public rights of way</b></p> <p>Fylde Borough Council (FBC) have identified in their LIR [REP1-078] that there will be permanent impacts to the footpaths close to the proposed Morecambe substation with the introduction of a gated crossing. Please provide further detail of the timing, duration and frequency of these crossings. In addition, Lancashire County Council have commented at paragraph 7.68 of their LIR [REP1-085] that there is little space between the PRoW/ bridleway and the Morgan substation and no screening is proposed.</p> <p>Can the applicants consider either better screening or a diversion of the footpath/ bridleway?</p>
Q12.1.9	The applicants	<p><b>Green Lane bridleway</b></p> <p>Written representations [REP1-125] refers to the use of the Green Lane bridleway which links the two farming businesses at Lower House Farm and Greenbank Farm. The applicants' response at D2 [REP1-125.6] appears to give little reassurance as to the continuing use of this lane for the farming business save that the PRoW Management Plan will seek to minimise impacts. There is no clarity as to what the Agricultural Liaison Officer might be able to achieve as to the usage of such an important access route.</p> <p>The applicants are requested to reconsider this response and provide some certainty at this stage which the landowners can rely on?</p>
Q12.1.10	The applicants	<p><b>Operational security for farms</b></p> <p>Several farmers highlight the issue of operational security of their land. As an example, one representation [REP1-109] queries whether every vehicle and individual involved with construction works will have their tyres or boots disinfected in order to minimise the risk of disease being spread. How will the applicants ensure compliance? Similarly, how will the closure of gates be enforced. In their D2 response to REP1.109, [REP2.030] the applicants acknowledged previous errors, but the reassurance is somewhat vague and there</p>

ExQ1	Question to:	Question:
		is no clarity as to crossing points or access for farmers. The applicants are asked to provide more specific detail during on these matters?
Q12.1.11	The applicants	<b>Farming access</b> Several farmers [example is RR-582] also mention the need for 24 hour access to their land and their animals so the cattle can be moved at a time conditions are favourable. How would this be achieved considering the use of some single farm tracks proposed by the applicants?
Q12.1.12	The applicants	<b>Link boxes</b> The National Farmers' Union (NFU) have expressed concerns regarding their effect on farming operations [REP1-085]. The applicants' response to this [REP1-063] indicates that "where possible, link boxes will either be located within non-agricultural land or installed on the boundaries of agricultural land." A significant part of the cable route is along agricultural land so this comment is of limited reassurance especially as it will only be actioned "where possible". The reference to link boxes in the applicants' D2 response [REP2-030] gives no further clarity. <ul style="list-style-type: none"> <li>a) Can a more reliable commitment be provided ensuring that link boxes will be placed at field boundaries where it is not possible to locate them on non-agricultural land?</li> <li>b) As NFU request, can an indicative sketch design be provided?</li> </ul>
Q12.1.13	The applicants and the National Farmers' Union	<b>National Farmers Union</b> The revised Land Rights Tracker indicates on a number of occasions that there will in future be more direct contact with landowners as opposed to the negotiation with the wider group.  Whilst the reasoning behind this is accepted, the NFU are undoubtedly able to make an informed contribution. Please confirm that the applicants will continue to meet with the NFU and also seek a Statement of Common Ground?
Q12.1.14	The applicants	<b>Peat management plan</b> SRBC have raised concerns at section 10 [REP1-097] as to the impact on peat and whether this can be adequately avoided. The Council has requested a more comprehensive peat management plan. Please can this be provided?
Q12.1.15	The applicants	<b>Outline Soil Management Plan</b> The implementation of the SMP is the responsibility of the Agricultural Liaison Officer. It is suggested that it should be in consultation with other bodies such as the NFU and Fylde Borough Council. Is there any

ExQ1	Question to:	Question:
		objection to this which would result in the widening of Requirement 8 of Schedules 2A and 2B of the dDCO?
Q12.1.16	The applicants	<p><b>Blackpool Road Recreation Ground</b></p> <p>The application currently retains the flexibility for the entry/exit pits for the trenchless cable installation at Blackpool Road Recreation Ground to be either within the eastern and western ends of the open space [work nos. 53A/53B and 51A/51B) or within the adjacent areas within Blackpool Airport (work nos. 13A/13B and 12A/12B).</p> <ul style="list-style-type: none"> <li>a) Explain why this flexibility is required, including why entry/ exit pit options are required within the recreation ground and what the implications would be if entry/ exit pits were excluded from the recreation ground?</li> <li>b) Have appropriate measures been agreed with FBC that would secure the appropriate reinstatement of the open space and any facilities affected by the proposed entry/ exit pits?</li> </ul>
Q12.1.17	The applicants	<p><b>Blackpool Road Recreation Ground</b></p> <p>The response to action point 18 from ISH1 [REP1-041] shows two areas of the Blackpool Road Recreation Ground will have entry or exit pits constructed whilst the works no. 52A52B refers to “open cut or trenchless techniques.”</p> <ul style="list-style-type: none"> <li>a) What arrangements are in place for the restoration of the football pitches, what is the timeframe for such restoration and how can this be safeguarded?</li> <li>b) Are any replacement sporting facilities being provided during the disruption?</li> <li>c) In their deadline 2 (D2) submission, the applicants make reference to the possibility of a replacement site but that this would be included in the terms of a section 106 agreement – why would this not be part of the draft DCO (dDCO)for this application?</li> <li>d) Commitment Reference (CoT)124 provides for the securing of separate agreements to mitigate construction activities at Blackpool Road Recreation Ground (For example, section 106 or section 111). Provide an update on the progress being made towards these agreements, details of the mitigation being sought and when the agreements are expected to be signed?</li> </ul>
Q12.1.18	The applicants	<p><b>Blackpool Road Recreation Ground</b></p> <p>The impact on Blackpool Road Recreation Ground is considered by the applicants to be minor adverse. However, nearly half of the recreation ground appears to be affected according to the plan at figure 1.1 and the area numbered 15A15B will not be usable as fencing of a minimum height of 1.2m will be erected along each of the 4 cable routes. This is contrary to the commitment claimed at paragraph 1.3.1.5. Added to the 5-month work period needs to be added the time for reinstatement so the pitches can be used again so</p>

ExQ1	Question to:	Question:
		effectively this could be an entire football season for half the pitches at the ground. Please re-assess whether this impact is “minor adverse” and whether an alternative facility should be provided (and secured through the dDCO) for the relevant season(s) by way of mitigation?
Q12.1.19	Fylde Borough Council	<b>Blackpool Road Recreation Ground</b> The applicants have assessed the effect on Blackpool Road Recreation Ground up to a maximum of 5 months as “minor adverse.” [REP1-041]. The plan annexed to the submission explains the proposed works. Does the Council agree with this assessment? What progress has been made with the negotiation of the section 106 agreement referred to at CoT124?
Q12.1.20	The applicants	<b>Sand dunes</b> In paragraph 15.5.2 of their LIR [REP1-078], FBC express concerns over the lack of detail relating to the nature, timing, frequency and duration of the impacts on the sand dunes and access to them. The Council has concerns that the proposed development might be contrary to their Local Plan policy EC6. It is noted from the response from the applicants at D2 to this submission that “the applicants may be required to restrict access to land during construction.” Please clarify this and can the applicants provide further detail as requested by the Council?
Q12.1.21	The applicants	<b>Royal National Lifeboat Institution</b> The Royal National Lifeboat Institution (RNLI) retain a holding objection to the proposed development [REP1-096] as they require further clarification as to the impacts on any required launch and recovery of the Lytham St Annes lifeboat along the beach close to the Thursby/ Century Care Home. The ExA notes that further meetings have taken place since the start of the examination, but a full understanding is yet to be reached. The concerns of the RNLI are set out in pages 2-3 of their representation lodged on 19 May 2025 [REP2-065] and the applicants are asked to respond to these with the latest position and details of any remaining matters of disagreement.
Q12.1.22	Wrea Green Equitation Centre and Midgeland Riding School	<b>Wrea Green Equitation Centre and Midgeland Riding School</b> The applicants have referred to a range of mitigation measures relating to noise control. These are set out in paragraph 1.3.5.3 of the Equalities Impact Assessment [REP1-058] and secured by requirement 8 in the dDCO [REP1-008]. Do these measures provide any reassurance? Have the applicants been in direct contact to discuss the potential impact and the safeguards being suggested?

ExQ1	Question to:	Question:
13.	Landscape and visual	
Q13.1.1	The applicants	<p><b>Representative Viewpoints</b></p> <p>Volume 3 Figures – Part 6 of 7 [APP-136] contains the applicants' Representative Viewpoints (including photomontages) with further details including methodology provided in the Visual baseline technical report [APP-126] and Landscape and visual impact assessment methodology [APP-127]. The photomontages provided do not appear to make clear which year of operation they relate to.</p> <p>With reference to the presentation of visual representations and photomontages provided in [APP-136], explain in further detail how these relate to the impacts of the proposed substation that would be experienced at Year 1 and Year 15 of the proposed development.</p>
Q13.1.2	The applicants (a, b, c, d), Fylde Borough Council (FBC) (a) and Lancashire County Council (a)	<p><b>Significant effects</b></p> <p>Section 10.11.4 of the Environmental Statement (ES) [APP-123] explains that any effects with a significance level of moderate or less are not considered to be significant. Paragraph 10.11.4.6, however, acknowledges that moderate effects have the potential to be important and may influence the key decision-making process.</p> <ul style="list-style-type: none"> <li>a) Whilst paragraph 10.11.4.4 states that these 'non-significant' effects are still given appropriate weight in the assessment process, to what extent does this approach risk underplaying landscape and visual effects in the overall assessment of the application proposals?</li> <li>b) Can the applicants explain how landscape and visual effects of moderate or less are carried forward to any in-combination or cumulative assessment of effects?</li> <li>c) What implications would there be for the overall assessment (incouding in-combination and culmulative assessments) if moderate effects are taken as being significant?</li> <li>d) Why is the approach taken to significance for landscape and visual effects inconsistent with the remainder of the ES?</li> </ul>
Q13.1.3	The applicants	<p><b>Tree survey and arboricultural impact assessment</b></p> <p>Paragraph 1.6.2.4 and 1.6.2.5 of the Tree survey and arboricultural impact assessment [APP-128] explains that due to access constraints, access was not possible to approximately 12% of the onshore infrastructure area and that, in these areas, observations were made utilising satellite mapping. What progress is being made on surveying these where access has previously not been possible?</p>
Q13.1.4	The applicants	<p><b>Indicative layout of proposed substations</b></p> <p>The Outline Design Principles (ODP) document [APP-209] sets out the considerations that will inform the detailed design of the proposed development including the substations.</p> <p>Figures 10 and 11 of the ODP show indicative illustrations of both substations and visualisations are</p>

ExQ1	Question to:	Question:
		provided elsewhere. Please also provide an indicative layout drawing for each proposed substation notating the different structures, equipment and buildings that would generally be required for each.
Q13.1.5	The applicants (a & b), FBC (c) and Lancashire County Council (LCC) (c)	<b>Outline Design Principles</b> The ODP [APP-209] includes (Section 6.2) a 'Post consent Design Code' which include what appear to be fairly generalised design requirements. <ul style="list-style-type: none"> <li>a) To what extent has the ODP been subject to engagement with the local planning authority and other stakeholders? Explain how the design principles and design code have been informed by those potentially affected, including residents, community groups, infrastructure users, interest groups and local employers?</li> <li>b) What further measures are proposed to ensure there is appropriate future engagement with potentially affected persons, organisations and groups on the design of the proposed substations?</li> <li>c) Can FBC and LCC explain the role each has been able to play so far in assisting with the development of the content of the ODP?</li> </ul>
Q13.1.6	FBC and LCC	<b>Design content</b> Paragraph 5.10.30 of NPS EN-1 states that the Secretary of State should be satisfied that the local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives. Is FBC and LCC satisfied that the current design content provided in the application and secured in the draft Development Consent Order (dDCO) would meet this requirement?
Q13.1.7	The applicants	<b>Applicants' design approach</b> <ul style="list-style-type: none"> <li>a) To help with understanding of the applicants' design approach to the proposed substations, explain in further detail what the design vision is for the proposed substations and how this design vision reflects local context?</li> <li>b) Is the general design approach for the substations to seek to (partially) screen them from views in order to reduce their visual and landscape effects, or is it to provide complimentary landscaping as part of a design approach that seeks to provide buildings and structures that can potentially be appreciated as features within the landscape?</li> </ul>
Q13.1.8	The applicants	<b>National Policy Statement</b> Paragraph 5.10.25 of NPS EN-1 says in considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>a) Can the applicants provide any examples of such existing permitted infrastructure with a similar magnitude of impact?</li> <li>b) What examples of good practice can be inherited from other existing similar substation developments? What bad practice can be avoided? This should include considerations of where more than one substation is located near to another.</li> </ul>
Q13.1.9	The applicants	<b>Siting and design of proposed substations</b> Explain in further detail how consideration of the siting and anticipated design of the proposed substations, including the individual elements within them, would be capable of responding to features such as particular site characteristics, local views, public rights of way, topography and existing screening. How are these matters incorporated into the ODP?
Q13.1.10	The applicants, FBC and LCC	<b>Proposed substations</b> Notwithstanding the applicants' justification for needing two separate substations, what are the benefits and disbenefits of the proposed design of having two separate substations rather than one single substation in terms of a) visual appearance, b) landscape character and c) the openness of the Green Belt?
Q13.1.11	The applicants, FBC and LCC	<b>Good design</b> What further detail could be provided within the ODP and elsewhere to demonstrate the ways in which 'good design' can be secured including equipment procurement and layout considerations, taking account of the local context of the respective substation sites?
Q13.1.12	The applicants	<b>Board-level design champion</b> The Post Consent Design Code includes the designation of a board-level design champion for each project. Why are they not already appointed given that good design is a relevant matter at the development consent application stage? When is it intended that they will be appointed?
Q13.1.13	The applicants, FBC and LCC	<b>Independent design review process</b> <ul style="list-style-type: none"> <li>a) Would the use of an independent design review process be beneficial to help secure and implement good design in the final design process for both proposed substations?</li> <li>b) How could this be secured through the dDCO?</li> </ul>
Q13.1.14	FBC and LCC	<b>Residential visual amenity</b> Section 10.7.4 of the ES [APP-123] considers 'Views from Residential Properties'. Paragraph 10.7.4.4 concludes that no occupiers of residential properties within the study area have the potential to experience a degree of harm over and above substantial to make considering private views a public interest matter. Therefore, an assessment of residential visual amenity has not been provided by the applicants. Does FBC agree with the applicant's approach of not providing an assessment of residential visual amenity



ExQ1	Question to:	Question:
		in relation to the proposed substations?
<b>14.</b>	<b>Noise and vibration</b>	
Q14.1.1	The applicants	<p><b>Operational noise</b>  Table 1.5 and 1.6 of Operational Noise [APP-120] gives indicative plant strategy for the Morgan and Morecombe onshore substation sites.</p> <ol style="list-style-type: none"> <li>Explain why those parameters are marked as indicative?</li> <li>What are the maximum sound power levels associated with identified items? What are maximum quantities and heights of the items?</li> <li>How does the 'indicative' nature of those values impact the results of the operational noise assessment and ensure that the worst-case scenario has been assessed?</li> <li>As the precise details of the design and specific components of the substations are not yet known, and considering the 'on balance' assessment, what level of certainty is there that potentially low level yet still potentially annoying levels of noise would not result for local residential properties, including at night-time and when windows might be open?</li> </ol>
Q14.1.2	The applicants	<p><b>Operational noise</b>  Paragraph 1.2.3.14 of Operational Noise [APP-120] states "It has been assumed that this is the sound power level per phase and thus each capacitor bank has a sound power level of LW 82 dB(A)."  Explain what is the basis for this assumption?</p>
Q14.1.3	The applicants	<p><b>Operational noise</b>  Paragraph 1.2.3.21 of Operational Noise [APP-120] states "In the absence of a detailed design, indicative mitigation measures which may be incorporated as a primary mitigation measure (as part of the design) have been included within the assessment. "</p> <ol style="list-style-type: none"> <li>Explain why this paragraph states "may" rather than "will". Does use of a word "may" indicate that indicative mitigations measure could not be incorporated?</li> <li>Does the word "indicative mitigation" mean a different strategy, not assessed in the Environmental Statement (ES), could be adopted?</li> <li>Explain in detail what mitigation measures are proposed that will be included as part of the primary mitigation measures.</li> </ol>
Q14.1.4	The applicants	<p><b>Operational noise</b>  Paragraph 1.2.3.19 of Operational Noise [APP-120] states: "Acoustic enclosures are available which attenuate sound at 100 Hz by around 20 dB (National Grid, 2021). An enclosure which can achieve this amount of low frequency attenuation will reduce noise levels at higher frequencies by a greater amount.</p>

ExQ1	Question to:	Question:
		<p>However, an overall noise reduction of 20 dB has been applied as conservative assumption in the absence of a full enclosure specification.”</p> <ul style="list-style-type: none"> <li>a) Why do you state this assumption is “conservative”?</li> <li>b) Provide evidence that 20dB at 100Hz reduction is possible and achievable.</li> <li>c) If enclosure attenuate “by around” 20dB how accurate are the outcomes of the noise risk assessment? Have uncertainties and limits of deviation been considered?</li> </ul>
Q14.1.5	The applicants (b and c), Fylde Borough Council (FBC) (a and c), Lancashire County Council (LCC)	<p><b>Operational noise limits</b></p> <p>The proposed operational noise limit to control operational noise impacts at the nearest noise-sensitive receptors is <math>L_{A,T} &lt; L_{A90,T} + 5</math>. (Table 1.9, Operational Noise [APP-120])</p> <ul style="list-style-type: none"> <li>a) Are you satisfied with the limit and methodology and assumptions made to derive it?</li> <li>b) How are the noise limits going to be enforced and monitored.</li> <li>c) Should operational noise limit be included and secured by Requirement 18 (Schedules 2A and 2B) of the draft Development Consent Order (dDCO)?</li> </ul>
Q14.1.6	The applicants	<p><b>National Policy Statement (NPS)</b></p> <p>Paragraph 5.12.6 of the NPS EN-1 requires that the applicant’s assessment includes the identification of any distinctive tonal, impulsive or low frequency characteristics of noise.</p> <ul style="list-style-type: none"> <li>a) Please provide a summary, in the clearest possible terms, of how these characteristics have been identified. This may include examples of equivalent sounds sources to provide a guide to all interested parties.</li> <li>b) Give the design flexibility sought for particular elements of the proposal, what likelihood is there that such characteristics might change once the final design has been determined?</li> </ul>
Q14.1.7	The applicants	<p><b>NPS</b></p> <p>Paragraph 5.12.6 of the NPS EN-1 requires that, where noise impacts are likely to arise from the proposed development, the applicant’s assessment includes an assessment of any likely impact on health and well-being where appropriate. Submissions have been made by local residents on the potential effects on health and wellbeing. Please explain fully how the application has taken this policy requirement into consideration?</p>
Q14.1.8	The applicants	<p><b>NPS</b></p> <p>The third limb of paragraph 5.12.17 of NPS EN-1 requires that proposals, where possible, contribute to improvements to health and quality of the life through the effective management and control of noise.</p> <ul style="list-style-type: none"> <li>a) Summarise how the proposed development does this, cross referencing where necessary to existing documents.</li> <li>b) If it has not been possible for the proposal development to achieve this then explain why not.</li> </ul>

ExQ1	Question to:	Question:
Q14.1.9	The applicants	<p><b>NPS</b></p> <p>Paragraph 5.12.6 of NPS EN-1 states that where noise impacts are likely to arise from the proposed development, the applicant should include 'the identification of noise sensitive receptors and noise sensitive areas that may be affected' in the noise assessment. Noise sensitive receptors are detailed in the assessment of the existing noise environment in ES Noise and vibration [APP-117] however, there would not appear to be any reference to any noise sensitive areas.</p> <ul style="list-style-type: none"> <li>a) Have any been identified? If yes, where is this explained and where are they located?</li> <li>b) Clarify whether existing public rights of way could be classified as noise sensitive areas? If not, why not?</li> </ul>
Q14.1.10	The applicants (b), FBC, SRBC, Preston City Council (PCC), LCC, Blackpool Borough Council (BBC) (a)	<p><b>Commitments</b></p> <p>CoT18 [REP2-010] states "Core working hours for the construction of the intertidal and onshore works will be as follows: • Monday to Saturday: 07:00 - 19:00 hours; and • up to one hour before and after core working hours for mobilisation ("mobilisation period") i.e. 06:00 to 20:00. Activities carried out during the mobilisation period will not generate significant noise levels (such as piling, or other such noisy activities). In circumstances outside of core working practices, specific works may have to be undertaken outside the core working hours. This will include, but is not limited to, works being undertaken within and/or adjacent to Blackpool Airport and cable installation at landfall and at the River Ribble. Advance notice of such works will be given to the relevant planning authority." In relation to the statement "Advance notice of such works will be given to the relevant planning authority."</p> <ul style="list-style-type: none"> <li>a) Is it sufficient for the local authorities that advance notice will be given or should this be changed so that works, outside of the core hours secured by Requirement 14 (Schedules 2A and 2B) in the dDCO, are to be agreed with the relevant planning authority in writing in advance and must be carried out within the agreed times?</li> <li>b) What would be the expected frequency and duration of such works and over what period might they be expected to continue in any specific location?</li> </ul>
Q14.1.11	The applicants	<p><b>Commitments</b></p> <p>CoT19 [REP2-010] states "All trenchless crossings will be undertaken by non-impact methods such as HDD (or other trenchless techniques including micro tunnelling and direct pipe), excluding preparatory works, in order to minimise construction noise and vibration beyond the immediate location of works".</p> <ul style="list-style-type: none"> <li>a) Specify what constitutes excluded preparatory works.</li> <li>b) What noise and vibration impacts are expected from those and what mitigation measures are proposed?</li> </ul>

ExQ1	Question to:	Question:
Q14.1.12	The applicants	<b>Construction noise</b> Outline construction noise and vibration management plan [APP-196]: <ul style="list-style-type: none"> <li>a) What noise limits are proposed in general and in proximity to residential properties specifically?</li> <li>b) In relation to the statement in paragraph 1.2.1.1 “Where noise complaints are received, construction noise and vibration monitoring may be undertaken at the relevant receptors to ensure the threshold values are not exceeded and notify the principal contractor if exceedances occur.” Is the intention to only conduct monitoring if there is a noise complaint?</li> <li>c) How will the noise and vibration during the construction works be monitored to ensure compliance with limits and effectiveness of the attenuation measures?</li> </ul>
Q14.1.13	FBC, SRBC, PCC, LCC, BBC	<b>Construction noise</b> Paragraph 1.2.2 of the Outline construction noise and vibration management plan [APP-196] covers the erection of physical barriers: <ul style="list-style-type: none"> <li>a) Are you satisfied with the proposed process?</li> <li>b) Should timings be specified in relation to advance notification where consultation is required?</li> </ul>
Q14.1.14	FBC, LCC	<b>Construction noise</b> Outline construction noise and vibration management plan [APP-196], paragraph 1.2.2.4 states that “In particular, the applicants will erect a topsoil bund along the western boundary of the Morecambe Temporary Construction Compound to minimise noise impacts during the construction phase at Quaker Wood Stables.” Do you have any comments in relation on this approach?
Q14.1.15	The applicants (b), FBC, SRBC, PCC, LCC, BBC (a)	<b>Construction noise</b> Outline construction noise and vibration management plan [APP-196], paragraph 1.2.1.1 states that “In certain circumstances, specific works may have to be undertaken outside the core working hours to maintain time critical activities. Where applicable, these activities will be notified to the relevant planning authority at least 48-hours’ notice in advance of the works.” <ul style="list-style-type: none"> <li>a) Is a minimum of 48-hours’ notice of advance of the works sufficient?</li> <li>b) Are affected residents going to be notified in advance of the works?</li> </ul>
<b>15. Socio-economic effects</b>		
Q15.1.1	The applicants and Blackpool Borough Council	<b>Outline Employment and Skills Plan</b> The provisions in the Outline Employment and Skills Plan (oESP) [APP-239] are noted together with the consultation with Lancashire County Council as contained in Requirement 19. <ul style="list-style-type: none"> <li>a) Please update the Examining Authority (ExA) on progress with their discussions following issue</li> </ul>

ExQ1	Question to:	Question:
		<p>specific hearing 1 (ISH1) relating to the oESP and the possibility of negotiating a section 106 planning agreement.</p> <p>b) Blackpool Borough Council have requested that the plan should be subject to their approval – can this be agreed?</p>
Q15.1.2	The applicants	<p><b>Community benefits</b></p> <p>Fylde Borough Council (FBC) also raise the possibility of a section 106 agreement and at paragraph 17.1.2 [REP1-078] set out a number of community benefits which could benefit from financial assistance.</p> <p>a) Can the applicants consider whether these or other local benefits might be considered in the light of the limited local benefits as contained in the updated Planning Statement [REP1-032]?</p> <p>b) In addition, the applicants are asked to explain whether the proposals are in accordance with paragraph 4.2.12 of EN-1 taking into account the limited local benefits.</p>
Q15.1.3	The applicants	<p><b>Tourism</b></p> <p>FBC state at paragraph 13.1.3 of their local impact report (LIR) [REP1-078] that there were 3.067 million tourism visits in 2014 worth more than £214 million which equated to 5% of all tourism visits in Lancashire. In this context, the socio-economic justification from the applicants set out in the relevant chapter [APP-141], based on the entire northwest of the country, risks underestimating impacts at a local level. At ISH1, it was suggested that this assessment should concentrate on the Fylde region and the applicants are asked again as to why this is being resisted? Blackpool Borough Council raise a similar point at section 6.2 of their LIR [REP1-068].</p> <p>The applicants are asked to respond as to whether they have complied with paragraphs 5.13.1 to 5.13.7 of EN-1 as the impacts on tourism have not been considered at a local level?</p>
Q15.1.4	Fylde Borough Council and Blackpool Borough Council	<p><b>Tourism</b></p> <p>The applicants have sought to justify their approach to tourism in their response at deadline 1 [REP1-046] and in particular refer to a number of recent Development Consent Order (DCO) decisions where a similar approach has been taken. At paragraph 1.3.1.14 the applicants refer to the earlier representation from FBC [RR-0705] which indicated that 1 in 10 jobs were involved in tourism which is apparently a lower percentage than in most coastal communities.</p> <p>Are the Councils satisfied with the applicants' response on this matter?</p>
Q15.1.5	The applicants	<p><b>Royal National Lifeboat Institution</b></p> <p>The Royal National Lifeboat Institution (RNLI) retain a holding objection to the proposed development [REP1-096] as they require further clarification as to the impacts on any required launch and recovery of the</p>

ExQ1	Question to:	Question:
		<p>Lytham St Annes lifeboat along the beach close to the Thursby/ Century Care Home. The ExA notes that further meetings have taken place since the start of the examination but a full understanding is yet to be reached.</p> <p>The concerns of the RNLI are set out in pages 2-3 of their representation lodged on 19 May 2025 [REP2-065] and the applicants are asked to respond to these with the latest position and details of any remaining matters of disagreement.</p>
Q15.1.6	The applicants	<p><b>Ballam Road Christmas tree business</b></p> <p>A number of representations [RR-0141; RR-0348; RR-2200; REP1-106] were received from the owners of a christmas tree business sited on the Ballam Road. This business has been established for over 20 years but the construction of the cable route may halt planting and impede access. Disruption to such a business does not appear to have been fully assessed and the original replies given by the applicants [PDA-007] and more recently in D2 [REP2-030] at reply REP1.106.3 states only that the trenchless crossing will avoid surface effects. This does not appear to extend either to access for planting or the already growing trees.</p> <p>The applicants are requested to consider this further.</p>
<b>16.</b>	<b>Transportation and traffic</b>	
Q16.1.1	The applicants	<p><b>Construction working hours</b></p> <p>The Examining Authority (ExA) notes the justification provided by the applicants in [REP1-037] for proposing construction work should take place from 7.00am to 7:00pm on Saturdays.</p> <p>However, explain why the simple allocation of additional resources would not negate the stated need to prolong the duration of works at individual locations if construction hours were reduced on Saturdays.</p>
Q16.1.2	The applicants	<p><b>Site set up and close down works</b></p> <p>Confirm whether the site set up and close down works referred to in Requirement 14 of Schedules 2A and 2B of the draft Development Consent Order (dDCO) [REP1-008] are the same as those works that the applicants intend carrying out in the proposed mobilisation period referred to in Commitment (CoT) 18 [APP-193].</p> <ul style="list-style-type: none"> <li>a) Explain why the proposed mobilisation period is not included in the dDCO.</li> <li>b) Explain how works during the proposed mobilisation period would be monitored and controlled and any complaints dealt with.</li> </ul>
Q16.1.3	The applicants	<p><b>Water requirements</b></p> <p>Following issue specific hearing 1 (ISH1) you confirmed that water required for construction would be transported to site by tanker [REP1-037]. Has ground water abstraction been considered to reduce the</p>

ExQ1	Question to:	Question:
		number and impact of construction vehicles particularly on narrow lanes?
Q16.1.4	The applicants	<b>Construction accesses</b> Following assessment Lancashire County Council (LCC) considers that 61 of the proposed 64 construction accesses are unacceptable [table 8.2, REP1-085]. The location and nature of proposed accesses is essential for the accurate modelling of the traffic and transport effects of the proposed development. How do you propose demonstrating to the ExA the acceptability of accesses and hence the validity of the traffic modelling and effects before the end of the examination?
Q16.1.5	The applicants	<b>Accesses and haul roads</b> If the interval between projects is such that it makes sense to leave accesses and haul roads in place, how is it proposed that they will be managed in the interim and by whom?
Q16.1.6	The applicants	<b>Operational accesses</b> Schedule 6 of the dDCO [REP2-004] includes operational accesses which you state [REP2-039] fall outside of the Outline Highway Access Management Plan [AS-052] or the dDCO Schedule 2A and 2B, Requirement 10. Explain the nature and proposed use of these accesses and any works proposed to them.
Q16.1.7	The applicants	<b>Routing strategy</b> Following assessment LCC considers that up to 15 of the proposed links in the proposed Heavy Goods Vehicle (HGV) routing strategy are unsuitable for HGVs [table 8.4, REP1-085]. The routing strategy is essential for the accurate modelling of the traffic and transport effects of the proposed development. How do you propose demonstrating to the ExA the acceptability of the routing strategy and hence the validity of the traffic modelling and effects before the end of the examination?
Q16.1.8	The applicants	<b>Road closures</b> Your response to LCC's concerns regarding the extent and duration of temporary public road closures suggests that no closures will be necessary due to the commitment to use trenchless installation techniques. Confirm that this is correct. <ol style="list-style-type: none"> <li>List the private means of access (PMA) that will be crossed by the cable route and for each whether it is proposed to use open cut or trenchless installation techniques.</li> <li>In locations where it is proposed to use open cut provide the likely duration of each crossing and the measures that will be taken to maintain access for residents and emergency services.</li> <li>How will measures for maintaining access for residents and emergency services be secured at PMAs?</li> </ol>
Q16.1.9	The applicants	<b>Guild Wheel cycle route</b> Clarify your latest proposals for any closure/ restriction of the cycle route known as the Guild Wheel including any updated outline management measures that may be required.

ExQ1	Question to:	Question:
Q16.1.10	The applicants	<b>Road maintenance</b> Do you intend entering into section 278 and section 59 Highways Act 1980 agreements for the funding of road maintenance required because of the proposed development and if so at what stage?
Q16.1.11	LCC	<b>Outline Construction Traffic Management Plan (oCTMP)</b> Are you content that the amended oCTMP submitted by the applicants at deadline 2 (D2) [REP2-016] addresses your concerns with regard to the potential noise, damage and disruption caused by construction vehicles waiting on the public highway prior to the start of construction working hours as set out in [REP1-085]? If not, what further controls would you suggest and how should they be secured?
Q16.1.12	LCC	<b>Proposed accesses</b> You consider 61 of the 64 proposed accesses unacceptable [REP1-085]. The applicants have suggested that most of the issues raised relate to detailed design which can be addressed later if the dDCO was to be made, but not withstanding this they are working constructively with you to address them at this stage of the project [REP2-039]. Do you consider the level of the issues you've raised appropriate at this stage to demonstrate the feasibility of the accesses proposed? Are there any of the proposed accesses which you consider will remain unacceptable whatever measures the applicants propose?
Q16.1.13	LCC	<b>Construction traffic assignments</b> Are you content Volume 3, Annex 7.5: Construction trip generation assumptions, Appendix B (APP-115) contains full details of construction traffic assignments including routing to accesses?
Q16.1.14	LCC	<b>oCTMP</b> Do you consider that the measures proposed in the amended version of the oCTMP submitted at D2 [REP2-016] are an adequate basis for managing the proposed nature and volume of construction traffic on narrow routes? If not, what further measures would you suggest including?
Q16.1.15	LCC	<b>Routing strategy for HGVs</b> Do you consider that the applicants will be able to demonstrate to you the suitability of all the links in the proposed routing strategy for HGVs. Are there some links that you consider will remain unsuitable whatever measures the applicants propose?
Q16.1.16	LCC	<b>Outline Public Rights of Way Management Plan</b> Are you content with the applicants' Outline Public Rights of Way Management Plan? What further measures would you suggest are included?
Q16.1.17	National Highways (NH)	<b>Statement of Common Ground</b> The Initial Statement of Common Ground (SoCG) between the applicants and NH [REP1-054] suggests that all issues raised by NH in [RR-1599 and PDA-042] are close to being resolved. Provide comments, highlighting areas where significant disagreement between the parties remains.



ExQ1	Question to:	Question:
Q16.1.18	NH	<b>Articles 13 and 14 of the dDCO</b> In [RR-1599] NH requested amendments to articles 13 and 14 of the dDCO [AS-004]. The applicants maintained that a change to article 13 was not necessary but agreed to amend article 14. The initial SoCG [REP1-054] suggests that NH is now content with the wording of the dDCO apart from having one outstanding comment on a single article. Confirm that this is correct. If so, highlight which article NH still has issues with, and provide suggested amendments.
Q16.1.19	NH	<b>Protective provisions</b> Does NH require the inclusion of protective provisions in the dDCO? If so, please provide a copy and outline any discussions on them with the applicants to date.
<b>17. Other matters</b>		
<b>17.1 Green Belt</b>		
Q17.1.1	The applicants and Flyde Borough Council	It is agreed between the parties that the proposed substations represent inappropriate development in the Green Belt. Notwithstanding that substantial harm should be given to any harm to the Green Belt (paragraph 153 of the National Planning Policy Framework), both parties are asked to quantify the degree of any harm that would be likely to result from the proposed substations to the openness of the Green Belt and the purposes of including land in the Green Belt.
Q17.1.2	The applicants	Paragraph 5.24.1.6 of the Planning Statement discussed the implications of underground cabling for the Green Belt noting that it would constitute engineering operations. For clarity, can the applicants confirm their position as to whether or not any proposed cabling works (as separate from the proposed substations), including any associated construction activity such as construction compounds and haul roads, would represent inappropriate development in the Green Belt?
<b>17.2 Commercial fisheries</b>		
Q17.2.1	The applicants	<b>Engagement</b> Outline the engagement that has taken place between the applicants and commercial fishing stakeholders including the National Federation of Fishermen's Organisations (NFFO) since June 2021.
Q17.2.2	NFFO	<b>Engagement</b> Provide details of any engagement that you have had with the applicants on the proposed development and its potential impact on commercial fishing since June 2021.
Q17.2.3	Marine Management Organisation (MMO)	<b>Impacts on commercial fisheries</b> Are you content with the applicants' response to your suggestion that there should be a programme to

ExQ1	Question to:	Question:
		monitor the impact of the project on bass and other commercial fisheries pages 62 and 63 of [REP1-086]?
Q17.2.4	NFFO	<b>Outline Fisheries Liaison and Co-existence Plan</b> Are you content with the Outline Fisheries Liaison and Co-existence Plan [APP-218]? Are there any amendments/ additions that you would recommend?
<b>17.3 Shipping and navigation</b>		
Q17.3.1	Maritime and Coastguard Agency (MCA)	<b>Cable laying burial surveys</b> Confirm that the post cable laying burial surveys proposed by the applicants in [REP2-031] are acceptable. If not, what further amendments would you suggest to the draft Development Consent Order (dDCO) [REP2-004]?
Q17.3.2	MCA	<b>Amendments to dDCO</b> Confirm that the amendments made by the applicants to the dDCO [REP2-004] in response to your comments in [REP1-086] are acceptable. If not, what further amendments would you suggest?
Q17.3.3	Royal National Lifeboat Institution (RNLI)	<b>Floating cables</b> Are you content with the applicants' proposals set out in [REP2-031] for ensuring that floating cables are not a hazard to navigation especially at night? If not what further measures would you suggest and how should they be secured?
Q17.3.4	RNLI	<b>Annes Shannon Class offshore lifeboat</b> Are you content with the applicants' response to your concerns regarding maintaining the ability to launch and recover the Annes Shannon Class offshore lifeboat during the proposed development [REP1-096] set out in their deadline 2 submission [REP2-031]? If not what further measures/ reassurances do you require and how should they be secured?
Q17.3.5	Trinity House	<b>Amendments to dDCO</b> Confirm that the amendments made by the applicants to the dDCO [REP2-004] in response to your comments in [REP1-209] are acceptable. If not, what further amendments would you suggest?
<b>17.4 Climate change</b>		
Q17.4.1	The applicants	<b>Greenhouse Gas Emissions (GHG) - Sulphur Hexafluoride (SF6)</b> Paragraph 2.9.61 of the NPS EN-5 states applicants should at the design phase of the process consider carefully whether the proposed development could be reconceived to avoid the use of SF6-reliant assets. <ol style="list-style-type: none"> <li>Confirm if SF6 will be used and in what quantities.</li> <li>Explain what other designs have been considered that avoid the use of SF6 and why they have been</li> </ol>

ExQ1	Question to:	Question:
		<p>rejected.</p> <p>c) Explain how SF6 gas would be prevented from being released into the atmosphere during decommissioning of any substations or other assets where it has been used.</p>
Q17.4.2	Environment Agency	<p><b>GHG</b></p> <p>Comment, if necessary, on the applicants GHG Assessment in Appendix 1.1 [APP-139] or the GHG Emissions sections of the Environmental Statement, Volume 4, Chapter 1 [APP-138].</p>
Q17.4.3	The applicants	<p><b>GHG</b></p> <p>As noted in [PDA-007] reference RR-2266.2 in response to relevant representation made by Walney (UK) Offshore Windfarms Limited, the Transmission Assets by nature of their design do not have the potential for wake loss impacts on other offshore wind projects and as such is not a matter relevant for consideration in the examination of the proposed development. The applicants consider that the submitted GHG assessment [APP-139] does not need to be updated to reflect the updated assessments submitted to the examinations for the Generation Projects as the conclusions regarding significance have not been altered.</p> <p>As the GHG emissions of the project are cumulatively assessed with the impacts of Morgan Offshore Windfarm and Morecambe Offshore Windfarm projects why this shouldn't be updated to reflect updates in GHG emissions assessments for those projects?</p>