

MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

**Annex 9.4 to Applicants response to Hearing Action Points ISH2 39:
Tetra Tech- Conflict of Interest Note**



Deadline: 4
Application Reference: EN020028

Document Numbers:
MRCNS-J3303-JVW-19150
MOR001-FLO-CON-CAG-RPT-0128

Document Reference: S_D4_9.4

8 August 2025
F01

Document status					
Version	Purpose of document	Approved by	Date	Approved by	Date
F01	Deadline 4	HK	August 2025	IM	August 2025

Prepared by:

Tetra Tech/ RPS

Prepared for:

**Morgan Offshore Wind Limited,
Morecambe Offshore Windfarm Ltd**

To: Morgan Offshore Wind Limited and Offshore Wind Limited (the Applicants)

Date: 7 August 2025

Re: Conflict of Interest (COI) Note

This letter outlines the timeline and rationale for identifying a conflict of interest (COI) in relation to a recent request from Fylde Borough Council for support from Hoare Lea LLP (HLE; a Tetra Tech subsidiary company). Two other Tetra Tech business entities, Tetra Tech RPS Energy Consultants Limited (TT RPSECL) and RPS Consultants Limited (RPSCL) (Tetra Tech subsidiary companies) have supported the Applicants on the Morgan and Morecambe Offshore Wind Farms Transmission Assets Project under a contract held by TT RPSECL for 3 years.

Timeline of Events

1. On Thursday morning, 24th July 2025, Fylde Borough Council contacted HLE requesting assistance with their evidence for the Morgan and Morecambe Offshore Wind Farms Transmission Assets Project concerning noise and vibration, and air quality.
2. Upon reviewing the information, the HLE Noise Lead identified that the noise assessment had been conducted by RPSCL.
3. On the same day, the HLE Noise Lead informed Fylde Borough Council of a potential conflict due to both companies being owned by Tetra Tech.
4. Fylde Borough Council acknowledged the potential for COI but were not concerned themselves and agreed to check with the Applicant.
5. On Friday morning, the HLE Noise Lead discussed the matter with the RPSCL Noise Lead who indicated that this was not ideal and noted that they would raise the potential COI internally within RPSCL and subsequently with TT RPSECL. HLE prepared a scope of work and fees.
6. Fylde Borough Council later that day confirmed to HLE that they had contacted the Applicants, who we understood had responded that, in principle, they did not object to HLE providing support for this topic to Fylde Borough Council (see point 12 below).
7. Consequently, Fylde Borough Council instructed HLE to proceed.
8. On Monday, 28th July 2025, the HLE Noise Lead discussed the COI with the TT RPSECL Contract Owner for the Morgan and Morecambe Transmission Project, who identified it as a potential COI and advised that TT HL should not proceed. However, TT HL reiterated their client, Fylde Borough Council's position on this and the feedback they had received from the Applicants. The TT RPSECL Contract Owner escalated the COI to their Senior Manager.
9. On the same day, the TT RPSECL Senior Manager contacted HLE's Director of Governance and Legal and requested that they decline this opportunity due to the potential for COI. The HLE Director of Governance and Legal explained Fylde Borough Council's position. The TT RPSECL Senior Manager stated that they would contact their client directly and raise their COI concern with the TT RPSECL Managing Director.

10. On Tuesday, 29th July 2025, HLE prepared to give evidence and provided initial advice to Fylde Borough Council.
11. Later that evening, following further senior management discussions between TT RPSECL and HLE, and TT RPSECL's notification to our clients (the Applicants) of the potential COI, TT RPSECL notified HLE via email to withdraw from the opportunity due to the potential for COI being unresolved ahead of the Issue Specific Hearing (ISH2) for noise. Fylde Borough Council was informed as early as was practical the next morning (Wednesday 30th July 2025).
12. TT RPSECL having spoken directly with the Applicants on the evening of Tuesday 29th July, understand that their response to Fylde Borough Council was that they were likely to be content for HLE to provide support to Fylde Borough Council if the appropriate mitigation were in place, and that they were anticipating follow up in writing.

Rationale for Conflict Determination

Whilst HLE and RPSCL are now part of Tetra Tech Inc, their respective noise and vibration, and air quality teams, have not been integrated since acquisition. They continue to operate independently, using separate servers and file systems. The respective teams know each other and collaborate on projects. However, this structural separation ensures that neither team has access to the other's files, instructions, or advice. With sufficient time, this arrangement would have allowed for a COI mitigation plan to be developed, submitted, and agreed upon by all parties. However, in this instance, the COI was only raised by HLE with RPSCL and subsequently TT RPSECL on Friday 25 July. While the ISH2 on noise were scheduled for Wednesday 30 July, with the Applicants and TT RPSECL and RPSCL staff also in hearings all day Tuesday 19 July. According to Tetra Tech's Conflict of Interest Plan (January 2017) where a potential COI exists, the 'contemplated work' should either have been declined, or should not have commenced until a COI mitigation plan was in place and written confirmation received from TT RPSECL's client (the Applicants) confirming their acceptance of the proposed mitigation measures. However, no COI mitigation plan was in place, nor was written agreement from TT RPSECL's client (the Applicants) received.

This decision is consistent with Tetra Tech's COI Plan (January 2017) which mandates screening of client and site databases, and where an organisational COI is identified, Tetra Tech must disclose to the client the nature of any actual or potential organisational COI, as well as any measures to avoid, mitigate, or neutralise the conflict. It also confirms that work cannot proceed until client approval is received following disclosure of any COI. The COI Plan also allows for escalation of COI determination to senior personnel, including, ultimately, the President of Tetra Tech, Inc., where necessary.

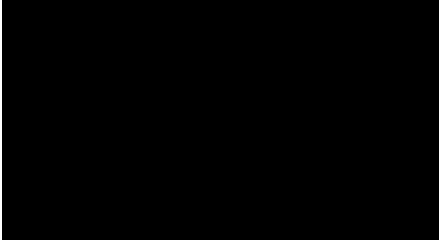
HLE was engaged by Fylde Borough Council for only a matter of hours, whereas TT RPSECL and RPSCL have supported the Morgan and Morecambe Offshore Wind Farms Transmission Assets Project for approximately three years. During this time, HLE was not involved in the Project. As noted previously, HLE and RPSCL's noise and air quality teams operate on separate servers and file systems. Advice provided to Fylde Borough Council has therefore been ring-fenced from the TT RPSECL and RPSCL teams working on the Morgan and Morecambe Offshore Wind Farms Transmission Assets Project.

Summary

The work was carried out by HLE in good faith and under significant time pressure due to the imminent ISH2. While it is unfortunate that this resulted in late-stage intervention, the decision to withdraw was necessary. Tetra Tech was unable to complete its internal conflict of interest procedures, including agreeing to a

mitigation plan with its client (the Applicants) within the available timeframe and ensuring the same plan was implemented for HLE and Fylde Borough Council. Considering this, withdrawal was the only appropriate course of action to maintain the integrity and credibility of the Tetra Tech subsidiary company advisors and the Examination process. Should Fylde Borough Council still wish to utilise HLE to support them on this Morgan and Morecambe Offshore Wind Farms Transmission Assets Project, Tetra Tech has now declared this COI to the Planning Inspectorate via ISH2 and this letter and can put a COI mitigation plan in place in agreement with the Applicants and Fylde Borough Council to enable this to happen.

Yours faithfully,



[Redacted] (Technical Director, Marine Consenting & Environment)

TT RPSECL Contract Owner for the Morgan and Morecambe Offshore Wind Farms Transmission Assets Project

For and on behalf of Tetra Tech RPS Energy Consultants Limited (a Tetra Tech company)