



## Application by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited (Ref: EN020028)

### The Examining Authority's commentary and questions on the draft development consent order

Issued on Monday 8 September 2025

The following table sets out the Examining Authority's (ExA's) commentary and questions in relation to the latest version of the draft Development Consent Order (dDCO) [Clean version: [REP4-007](#) and Tracked version: [REP4-008](#)].

This document takes into account the representations submitted to the examination to date. Some aspects of the dDCO remain under active discussion between the parties. The ExA will consider any further representations submitted before the close of the examination in making its recommendation to the Secretary of State.

Column 1 assigns each row a unique reference number. When you are responding to a question or item, please start your answer by quoting the unique reference number.

Column 2 of the table indicates to which interested parties (IPs) and other persons each question or comment is primarily directed to. Please respond to all questions or comments directed to you, providing a substantive response, or indicating that the matter is not relevant to you for a reason. This does not prevent an answer or comment being provided to a question by a person to whom it is not directed, should the matter be relevant to their interests.

If you are responding to a small number of comments or questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [MorganandMorecambeOWFTA@Planninginspectorate.gov.uk](mailto:MorganandMorecambeOWFTA@Planninginspectorate.gov.uk)

In accordance with the examination timetable [\[PD-007\]](#) responses and comments are required by **deadline 5 (Monday 22 September 2025)**.

The applicants' final DCO is required to be submitted by deadline 6 (Wednesday 22 October 2025). This should be accompanied by an up-to-date schedule of changes along with an updated explanatory memorandum reflecting the revisions made during the examination.

Parties are reminded that the examination closes on Wednesday 29 October 2025. Any matters not agreed or concluded, and fully documented as such, will fall to be adjudicated by the ExA through its recommendation to the Secretary of State.



**Questions and comments are directed to the following parties (though any interested party may also comment on any matter raised in the document):**

The applicants

BAE Systems

Blackpool Borough Council

Defence Infrastructure Organisation

Environment Agency

Fylde Borough Council

Lancashire County Council

Marine Management Organisation

Natural England

Newton with Clifton Parish Council and Freckleton Parish Council

Preston City Council

Sabic UK Ltd

South Ribble Borough Council

Statutory undertakers subject to protective provisions in the dDCO

## **List of frequently used abbreviations:**

D	Deadline
DCO	Development consent order
DIO	Defence Infrastructure Organisation
EM	Explanatory Memorandum
FBC	Fylde Borough Council
ISH	Issue specific hearing
LCC	Lancashire County Council
oLMP	Outline Landscape Management Plan
PPA	Planning performance agreement
SoS	Secretary of State



## **The Examination Library**

References in these questions set out in square brackets (e.g. [APP-010]) are to documents catalogued in the [Examination Library](#). The Examination Library is updated as the Examination progresses.



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DCO1	Party directed to:	Question and/ or commentary:
1.	Articles	
Q1:1.1	The applicants	<b>Article 3 – Development consent etc. granted by the Order</b> Are any drafting changes required to this article to reflect the recently made Morgan Offshore Wind Project Generation Assets Order 2025?
Q1:1.2	The applicants (a and c) and Marine Management Organisation (b)	<b>Article 6 – Benefit of the Order</b> <ul style="list-style-type: none"> <li>a) Noting the Morgan Generation Assets Order, are any amendments required to Article 6 to provide consistency with the Morgan DCO (for example the need to “consult” rather than “notify” (6) and the inclusion of a 28 days’ notice period (12)? Provide justification for each inconsistency (other than the obvious differences to reflect the two projects in this application).</li> <li>b) Further to the recently made Morgan DCO, does the MMO have any further comments on the issues it has previously raised regarding Article 6?</li> <li>c) The undertaker is defined in article 2 by reference to Morgan and Morecambe and so the transferee or lessee will already come within the definition of an undertaker because the reference to Morgan/ Morecambe will include them. Specifying in paragraphs (9) and (10) of article 6 that reference to the undertaker will include the transferee or lessee is confusing because “undertaker” can be Morgan and Morecambe and not just the relevant body transferring the benefit. Therefore, should the reference to the “the undertaker” in paragraphs (9) and (10) be removed?</li> </ul>
Q1:1.3	The applicants, Environment Agency, Lancashire County Council (LCC)	<b>Article 7 – Application and modification of legislative provisions</b> Can the parties provide an update on the progress of negotiations on the matters within Article 7? Where any agreement has not been reached, please provide an agreed timetable for resolution prior to the end of the examination.
Q1:1.4	The applicants	<b>Article 8 – Defence to proceedings in respect of statutory nuisance</b> Article 8(a) includes reference to “construction, maintenance and decommissioning” whilst 8(b) refers to only “construction or maintenance”. Is this intentional or should “decommissioning” be deleted or added to one or the other? Please also review the relevant wording in the Explanatory Memorandum (EM) <a href="#">[REP4-009]</a> which is not entirely consistent with the drafting of this article.

DCO1	Party directed to:	Question and/ or commentary:
Q1:1.5	The applicants & LCC	<p><b>Article 10 – Power to alter layout etc. of streets</b></p> <p>At issue specific hearing 3 (ISH3) the applicants explained <a href="#">[REP4-106]</a> they are in ongoing discussion with LCC regarding how a section 278 agreement could also apply to these works.</p> <ul style="list-style-type: none"> <li>a) Provide an update on these discussions and relevant to this article.</li> <li>b) Given the apparent uncertainty regarding the need for the power to apply generally to land outside of the order limits, and bearing in mind that the article could also possibly apply to streets beyond the remit of LCC as the highway authority, why can any necessary approvals for such works outside of the order limits not be subject to the usual controls and approvals that are routinely sought from the relevant highway authority?</li> </ul>
Q1:1.6	The applicants	<p><b>Article 12 – Temporary closure of public rights of way</b></p> <ul style="list-style-type: none"> <li>a) Whilst it is noted that no substitute rights of way are proposed (as in the recent Rampion II DCO), this article still includes diversions. Provide further clarification for why similar wording to that used in Article 13(2) and (3) of the Mona DCO is not required here.</li> <li>b) Include examples of how this article might work in practice in relation to the closure, alteration and diversion of public rights of way.</li> <li>c) The correct titles of Schedules 5A and 5B need to be added to Article 12(1) and (2) respectively.</li> <li>d) The title of this Article also needs to more accurately reflect the content given that it does not just refer to “closures of public rights of way”.</li> </ul>
Q1:1.7	The applicants	<p><b>Article 13 – Temporary restriction of use of streets</b></p> <p>The titles of Schedules 4A and 4b used in Article 13(4) and (5) need to be consistent with the actual titles of these Schedules.</p>
Q1:1.8	The applicants	<p><b>Article 17 – Authority to survey and investigate land</b></p> <p>The EM <a href="#">[REP4-009]</a> explains that in paragraph (3) additional wording has been added to clarify that the notice to be served to landowners must include certain details where certain specified activities will be undertaken to ensure that landowners are full informed of specific activities planned on their land.</p> <p>In this context, the actual drafting of paragraph (3) does not appear to full reflect this. The Examining Authority (ExA) suggests adding the following underlined or similar wording:</p> <p>“the notice must include details, <u>timings and a location plan</u> of what is proposed-“</p>
Q1:1.9	The applicants	<p><b>Article 22 – Compulsory acquisition of rights</b></p>

DCO1	Party directed to:	Question and/ or commentary:
		<p>a) The applicants response at ISH3 is noted <a href="#">[REP4-106]</a> whereby Article 22 would provide an option to downgrade to using the alternative mechanism of acquiring rights and placing restrictions rather than permanent acquisition. Could additional and/ or revised drafting therefore be provided to specifically restrict those rights that may generally be acquired?</p> <p>b) Provide further detail, including with reference to practical examples where both projects have acquisition rights to specific land parcels, of how any conflict would be avoided and/ or resolved between the acquisition of rights by Morgan and Morecambe to ensure that both projects are capable of being efficiently implemented.</p>
Q1:1.10	The applicants	<p><b>Article 29 – Temporary use of land for carrying out the authorised project</b></p> <p>At ISH3 the applicants explained that 28 days' notice period for temporary possession is the minimum notice period and, where possible, longer periods will be given. It is not clear why such short notice is justified for the particular circumstances of the proposed development.</p> <p>Given the advance planning that would be expected for construction works and noting the potential disruption to landowners (including farmers) activities arising from the two projects being implemented at separate times, the ExA suggests that a longer notice period of three months is provided in this case.</p>
Q1:1.11	The applicants	<p><b>Article 30 – Temporary use of land for maintaining the authorised project</b></p> <p>Notwithstanding discussion at ISH3, it is noted that the interpretation of “maintenance period” in Article 30(12) remains unchanged in the latest draft DCO <a href="#">[REP4-008]</a>.</p> <p>The ExA suggests that similar drafting is added to that contained in article 29(11) of the Mona Offshore Wind Farm Order 2025 which defines the “maintenance period” as being five years beginning with the date on which the authorised development is brought into operation. In this case, it would need to be adjusted to reflect that there are two projects and to also reflect an appropriate maintenance period for landscaping. This follows the confirmation from the Secretary of State in the Mona decision that temporary use powers should not be used to secure an easement for the lifetime of the project.</p>
Q1:1.12	The applicants and SABIC UK	<p><b>Article 33 – Funding</b></p> <p>SABIC UK reiterated its concerns on this article at deadline 4 <a href="#">[REP4-172]</a> and noted that following a meeting with the applicants it believes there is a way forward to address this issue, but that there has not been time to work out the detail of this.</p> <p>Could both parties provide an update on the progress being made with this matter including any updated drafting of Protective Provisions. If agreement is not reached, the ExA requests that any necessary</p>

DCO1	Party directed to:	Question and/ or commentary:
		alterative drafting is provided to the relevant Protective Provisions (as required) along with a clear justification.
Q1:1.13	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) Further to discussion at ISH3 <a href="#">[REP4-106]</a> and noting the proposed submission of an Arboricultural Method Statement at deadline 5, could the applicants provide details (and signpost to the relevant documents) of the approval mechanism(s) that would be applicable to the removal etc of trees and hedgerows and how these would be considered as part of the overall landscaping proposals?</li> <li>b) Article 35(4) refers to hedgerows with a definition of “hedgerow” provided in 35(5). However, schedules 11A and 11B (Removal of hedgerows) include both the removal “hedgerows” (Part A) and “important hedgerows” (Part B). The ExA therefore suggests that Article 35(4) refers to both “hedgerows” and “important hedgerows” with the definition in 35(5) expanded. This would be consistent with the approach taken in the recent Rampion 2 and Mona development consent orders (DCOs).</li> </ul>
Q1:1.14	The applicants	<p><b>Article 36 – Trees subject to tree preservation orders</b></p> <p>As above, could the applicants provide details (and signpost to the relevant documents) of the approval mechanism(s) that would be applicable to the removal etc of trees subject to tree preservation orders and how these would be considered as part of the overall landscaping proposals?</p>
Q1:1.15	The applicants	<p><b>Article 47 – Inconsistent planning permissions</b></p> <p>Whilst noting there is some precedent for this article, it is not widely precented in other made orders and has been removed by the Secretary of State in several recently made energy related DCOs (Rampion II, Oaklands Farm, Mona and Byers Gill) due to it being unnecessary and creating potential ambiguity.</p> <ul style="list-style-type: none"> <li>a) Article 47(1) includes (b) which refers to development required to complete or enable the use or operation of any part of the development authorised by this Order. What is the specific reason for its inclusion in this order and what specific form of development might 47(1)(b) be referring to?</li> <li>b) Generally, it is possible that planning permissions may be subsequently granted for development within the order limits of any national infrastructure project. How does this article overcome the concerns of the Secretary of State (SoS) in recently made orders? Provide detailed justification for its necessity in this case and provide practical examples of how it might be necessary (going beyond the detail already provided in the EM <a href="#">[REP4-009]</a>).</li> <li>c) For any existing planning permission or planning application within the order limits of the proposed development (for example the proposed solar farms), what, if any, implications might such other developments have on the proposed development sought through the DCO, including any proposed</li> </ul>



DCO1	Party directed to:	Question and/ or commentary:
		mitigation? Are there are specific areas where conflicts are possible and how would this be resolved?
<b>2. Schedule 1: Authorised project</b>		
Q1:2.1	The applicants	<p><b>Part 1 – Authorised Development</b></p> <p>Several of the listed works include reference to “open cut trenching”. Should this term be included in Article 2 (Interpretation) for clarity and given that other terms such as “horizontal directional drilling” and “trenchless installation technique works” are defined in Article 2?</p>
<b>3. Schedules 2A and 2B: Requirements</b>		
Q1:3.1	The applicants, local authorities and any interested party	<p><b>Requirement 1 – Time limits</b></p> <ul style="list-style-type: none"> <li>a) The Examining Authority (ExA) notes the decision of the SoS to allow a 7-year commencement period in the Morgan Offshore Wind Project Generation Assets Order 2025 (“Morgan”). However, that project is entirely offshore and does not lead to and has not considered the potential onshore effects on local communities that could arise from the proposed development in this case (the transmission assets). Therefore, notwithstanding the Morgan decision, would a reduced commencement period of 5 years be justifiable for the transmission assets development taking into consideration the implications this may have including for landowners and local communities?</li> <li>b) In the event that the SoS considers that the maximum time period between projects should be reduced by two years or more, what drafting implications would this have for the Development Consent Order (DCO) and any other certified documents?</li> <li>c) The SoS, in granting the Morgan DCO removed the provision for an additional year to deal with any judicial review as he considered that any delay caused by a judicial review will not have a significant impact set against the 7-year overall period. Notwithstanding the matters raised above, the ExA suggests that Requirement 1(2) is similarly deleted.</li> </ul>
Q1:3.2	The applicants	<p><b>Requirement 3 – Stages of Project A/Project B</b></p> <p>The ExA suggests changing ‘may’ to ‘must’ in 3(1) and 3(2) for to provide for more precision, certainty and consistency with other requirements.</p> <p>As a general note, can the applicants also review the other requirements and make changes as appropriate to reflect the above. In some cases, the term “shall” could be more appropriate than “may”?</p>

DCO1	Party directed to:	Question and/ or commentary:
Q1:3.3	The applicants and Fylde Borough Council (FBC)	<p><b>Requirement 4 – Substation works</b></p> <p>At issue specific hearing 2 (ISH3) the applicants stated that they would engage with FBC on Requirement 4 drafting as part of the development of the outline Design Principles with an aim to demonstrate progress by deadline 5.</p> <p>Please provide an update on the progress of this engagement and any revised/additional drafting necessary to Requirement 4?</p>
Q1:3.4	Fylde Borough Council, Defence Infrastructure Organisation (DIO) and the applicants (c only)	<p><b>Requirement 4 – Substation works</b></p> <p>The applicants are of the view that it is not necessary or appropriate for BAE Systems or the DIO to be named as consultees in this requirement (Action point ISH3.22 of <a href="#">REP4-108</a>).</p> <ul style="list-style-type: none"> <li>a) Does the Council and the DIO agree with the applicants view on this?</li> <li>b) For planning applications under the Town and Country Planning Act 1990 regime, would the Council be required to consultee BAE Systems or the DIO for similar forms of development that might affect defence interests?</li> <li>c) Is the town and country planning (safeguarded aerodromes, technical sites and military explosives storage areas) direction 2002 of relevant to this matter?</li> </ul>
Q1:3.5	The applicants	<p><b>Requirement 4 – Substation works</b></p> <p>Further to Lancashire County Council's submission regarding being a consultee to this requirement <a href="#">[REP4136]</a>, is there any difference between the "vehicular and pedestrian access" details in Requirement 4(g) and the highway accesses details covered by Requirement 10?</p>
Q1:3.6	The applicants	<p><b>Requirement 5 – Detailed design parameters onshore</b></p> <ul style="list-style-type: none"> <li>a) Should the definition of 'onshore crossing schedule' (5(2)) be added to Article 2? The ExA notes that this has been included in the recent Mona DCO.</li> <li>b) The use of the words "can be commenced" in 4(6) does not provide sufficient certainty. Can the drafting be re-considered to address this (possibly using "must not be" or "shall not be")?</li> </ul>
Q1:3.7	The applicants and local authorities	<p><b>Requirement 6 – Provision of landscaping</b></p> <p>Should 6(2) of this requirement also include details of existing trees and hedgerows to be retained and those to be removed, given that such details are likely to be factors in the consideration of the acceptability of a proposed landscaping scheme?</p>

DCO1	Party directed to:	Question and/ or commentary:
Q1:3.8	Lancashire County Council and Fylde Borough Council	<p><b>Requirement 7 – Implementation and establishment of landscaping</b></p> <p>Are the Councils satisfied with the approach taken by the applicants in distinguishing between the ‘establishment’ of landscaping through Requirement 7 and the further maintenance of landscaping which the applicants explain would be secured through the outline Ecological Management Plan <a href="#">[REP4-059]</a>? If not, please suggest how this might be resolved?</p>
Q1:3.9	Lancashire County Council	<p><b>Requirement 10 – Highway accesses</b></p> <p>As discussed at ISH3, this requirement has been amended in the draft DCO <a href="#">[REP4-008]</a> at deadline 4 (D4).</p> <p>Is LCC content with the revised wording? If not, what potential drafting changes are suggested?</p>
Q1:3.10	Lancashire County Council	<p><b>Requirement 11 – Onshore archaeology</b></p> <p>The applicants have made further amendments to this requirement at D4 <a href="#">[REP4-008]</a>. Is LCC content with the revised wording? If not, what potential drafting changes are suggested?</p>
Q1:3.11	BAE Systems, Blackpool Airport Operations Ltd, Fylde Borough Council, Lancashire County Council and the applicants	<p><b>Requirement 12 – Ecological management plan</b></p> <p>The applicants have made further amendments to this requirement at D4 <a href="#">[REP4-008]</a>.</p> <ul style="list-style-type: none"> <li>a) Are BAE Systems, Blackpool Airport Operations Ltd and the Councils content with the revised wording? If not, what potential drafting changes are suggested?</li> <li>b) What is the latest position between LCC and the applicants on the points raised by LCC in paragraph 3.19 of <a href="#">[REP4-136]</a>?</li> </ul>
Q1:3.12	The applicants and local authorities as appropriate	<p><b>Requirement 14 – Construction hours</b></p> <ul style="list-style-type: none"> <li>a) 14(2) refers to works that may take place outside of the hours specified in sub-paragraph (1) for certain identified works. Should the last word of this opening sentence therefore say “comprising” rather than “including” as the later indicates that it is not a closed list?</li> <li>b) Referring to the definition of “mobilisation activities” in 14(6) can the applicants explain what is meant by “general preparation and site maintenance work”? Why does this need to be included as part of the mobilisation activities bearing in mind that, whilst it would not include the operation of heavy machinery or generators, it might still possibly lead to issues of noise and disturbance when occurring in proximity to residential receptors between 6.00am and 7.00am?</li> <li>c) For clarity, the ExA suggests adding similar wording from paragraph 1.6.1.6 of the outline Noise Management Plan <a href="#">[REP4-032]</a> to this requirement.</li> <li>d) Can the applicants explain what is meant by “classes” in 6(b)?</li> </ul>

DCO1	Party directed to:	Question and/ or commentary:
		<p>e) Whilst noting the amendment already made to Saturday working hours, would it be reasonable to push forward the start time of construction works on Saturdays from 0700 to 0800, given that there may generally be an expectation for less disturbance on Saturday mornings in comparison to weekday mornings?</p> <p>f) Do the local authorities have any outstanding comments on this requirement, including any suggested alternative drafting should any concerns remain?</p>
Q1:3.13	Lancashire County Council and the applicants	<p><b>Requirement 14 – Construction hours</b>  LCC makes a suggestion (paragraph 3.22 of <a href="#">REP4-136</a>) for later construction start times of 0800 in locations within 200 metres of a residential property.</p> <p>a) Can LCC explain further its justification for this suggestion with examples of what forms of noise and disturbance it considers would be unacceptable before 0800, taking account of any relevant noise mitigation proposed by the applicants?</p> <p>b) Can the applicants comment on this suggestion?</p>
Q1:3.14	The applicants, Fylde Borough Council (FBC) and Lancashire County Council	<p><b>Requirement 16 – Restoration of land used temporarily for construction</b>  The applicants have made further amendments to this requirement at D4 <a href="#">[REP4-008]</a>.</p> <p>a) Is FBC and LCC content with the revised wording? If not, what potential drafting changes are suggested?</p> <p>b) What further measures and drafting be provided to resolve the concerns of FBC and Lancashire County Council in paragraphs 3.2 and 3.3 of <a href="#">[REP-136]</a></p>
Q1:3.15	The applicants and Fylde Borough Council	<p><b>Requirement 18 – Control of noise during the operational stage</b>  This requirement has been wholly re-drafted at D4 <a href="#">[REP4-008]</a>.</p> <p>a) Is FBC content with the revised wording in both Schedules 2A and 2B? If not, what potential drafting changes are suggested?</p> <p>b) What would the process and procedures be for monitoring operational noise levels and any complaints through the lifespan of the proposed substations, including provision that may need to be made for any further noise attenuation and mitigation?</p>
Q1:3.16	The applicants	<p><b>Requirement 19 – Employment and skills managed plan</b>  Provide explanation for why this requirement only relates to onshore works, when intertidal and offshore works are also part of the proposed development and so presumably should also be covered by the provisions within the Employment and skills plan?</p>

DCO1	Party directed to:	Question and/ or commentary:
Q1:3.17	The applicants, Lancashire County Council (LCC) and Fylde Borough Council (FBC)	<b>Requirement 20 – Operational drainage management plan</b> <ol style="list-style-type: none"> <li>This requirement needs amendment to only refer to the lead local flood authority as discussed at ISH3 <a href="#">[REP4-106]</a>.</li> <li>Notwithstanding the above, do LCC and FBC have any remaining concerns about the responsibility for approval of this plan?</li> </ol>
Q1:3.18	The applicants	<b>Requirement 24 – Amendments to approved details</b> <p>Further to discussion at ISH3 the applicants have added the wording “and fall within the scope of work assess by the environmental statement”. Noting the different approaches to this matter in recent DCOs’, please provide explanation of this choice of wording?</p>
Q1:3.19	The applicants and local authorities	<b>Requirement 25 – Onshore collaboration</b> <ol style="list-style-type: none"> <li>In the event of overlapping construction work programmes between the two projects (which is understood to be a possible scenario), do definitions of “sequential” and “concurrent” construction need to be provided or alternative wording to cover an overlapping scenario?</li> <li>What progress has been made between the applicants and FBC regarding the Council’s concerns about collaboration at D4 [section 2.1 of <a href="#">REP4-134</a>]?</li> <li>Do the local authorities have any outstanding comments on the drafting of this requirement, including any suggested alternative drafting should concerns remain?</li> </ol>
Q1:3.20	Local authorities, Newton with Clifton Parish Council and Freckleton Parish Council	<b>Requirement 26 – Biodiversity benefit</b> <p>The applicants explain in the Explanatory Memorandum <a href="#">[REP4-009]</a> that this newly drafted requirement is being offered on a without prejudice basis subject to compulsory acquisition powers being granted for the biodiversity benefit areas.</p> <ol style="list-style-type: none"> <li>Are the local authorities and parish councils’ content with the revised wording? If not, what potential drafting changes are suggested?</li> <li>Can the applicants explain how the biodiversity benefits would be implemented for the proposed development and how this would be enforced?</li> </ol>
Q1:3.21	Local authorities	<b>Suggested additional requirements</b> <p>In response to ISH3.35 of the hearing action points <a href="#">[REP4-108]</a>, the applicants set out their response to several additional requirements that have been suggested by the local authorities.</p>

DCO1	Party directed to:	Question and/ or commentary:
		Are the Councils satisfied with the responses provided to each of these suggested requirements? If not please provide justification for your position and suggested drafting of any additional requirement that you still consider to be necessary?
<b>4. Schedule 10: Protective provisions</b>		
Q1:4.1	The applicants	<p><b>Protective provisions general</b></p> <p>Any protective provisions that are not agree between the parties and fully documented as such by the close of the examination will fall to be adjudicated by the ExA through its recommendation.</p> <p>Please provide a summary update on each set of protective provisions noting where there is still disagreement, the reasons for this and how any such disagreement is being sought to be overcome by the end of the examination.</p>
Q1:4.2	Statutory undertakers subject to protective provisions in the DCO	<p><b>Protective provisions general</b></p> <p>Where agreement is yet to be reached on any of the protective provisions relevant to your interest, please set out the reasons for this, with specific reference to the matters not agreed and provide any preferred suggested drafting for the consideration of the ExA.</p>
<b>5. Schedule 12: Approval of matters specified in requirements</b>		
Q1:5.1	The applicants	<p><b>Schedule title</b></p> <p>The ExA suggests that the title of this schedule is amended to reflect that it covers more than just the requirements?</p>
Q1:5.2	The applicants (b & c) and Fylde Borough Council (a)	<p><b>Schedule 12(6) – Fees</b></p> <p>During the discussion of fees at issue specific hearing 3, the applicants confirmed that it is their intention for a planning performance agreement (PPA) to be put in place with FBC to fund officer time.</p> <ul style="list-style-type: none"> <li>a) Does FBC consider this to be an appropriate way to fund the Council's processing of formal applications through the Development Consent Order or should Schedule 12 include specific fees to cover the likely cost of processing applications (not including any pre-application discussions that might also be potentially subject to a PPA?)</li> <li>b) Can the applicants provide an update on progress being made with this matter and a timetable for the completion of any necessary agreement.</li> </ul>

DCO1	Party directed to:	Question and/ or commentary:
		c) If no agreement is reached before the end of the examination, do the applicants agree that revised fees should be included in Schedule 12(6)?
Q1:5.3	Local authorities	<b>Comments on drafting</b> Do any of the Councils have any remaining outstanding concerns regarding the content of Schedule 12?
<b>6. Schedule 14: Marine Licence 1: Morgan Offshore Wind Project Transmission Assets</b>		
Q1:6.1	The applicants and Marine Management Organisation (MMO)	<b>Part 1, Article 2 – Details of licenced marine activities</b> In paragraph (g) should there be reference to the specific Work No, rather than “Order limits” as included in the recent Mona and Rampion II Development Consent Orders (DCOs)?
Q1:6.2	The applicants and MMO	<b>Condition 17 – Force majeure</b> The Examining Authority (ExA) suggests the inclusion of the additional wording that was agreed by the Secretary of State in condition 19 of the deemed Marine Licences in the Morgan DCO.
Q1:6.3	The applicants and MMO	<b>Condition 19</b> Should 19(2) be deleted as agreed by the Secretary of State in the Morgan DCO (condition 21 of the deemed Marine Licences)?
Q1:6.4	The applicants, MMO and Natural England (NE)	<b>Condition 20 – Low order unexploded ordnance clearance</b> a) Clarify what is mean by “large debris”. Should this be defined? b) Is an underwater sound management strategy required for low order UXO clearance (as included in condition 22 of the deemed Martine Licences in the Morgan DCO)?
<b>The questions above are also applicable, where relevant, to Schedules 15, 16 and 17 and should be addressed accordingly.</b>		
<b>7. Schedules 14, 15 16 and 17 – Marine Licences</b>		
Q1:7.1	MMO and Natural England (NE)	<b>Marine Licences – General</b> Provide an update on any outstanding concerns you have on the draft Marine Licences in Schedules 14, 15, 16 and 17 of the draft Development Consent Order, including where relevant any suggested alternative drafting if agreement cannot be reached.

DCO1	Party directed to:	Question and/ or commentary:
Q1:7.2	The applicants, MMO and NE	<b>Marine Licences – General</b> Are any amendments/ additions needed to the draft Marine Licences following the recent grant of Development Consent for the Morgan generation assets project?
<b>8.</b>	<b>Schedule 18: Documents to be certified</b>	
Q1:8.1	The applicants	<b>Review of documents to be certified</b> Please can this Schedule be reviewed and checked to ensure that the list of documents to be certified is complete, accurate and up to date? This should also be done prior to the submission of the final DCO at D6 (22 October 2025).
<b>9.</b>	<b>General</b>	
Q1:9.1	The applicants	<b>Morgan Generation Assets DCO</b> Noting the recent granting of the Morgan Generation Assets Development Consent Order (DCO), is there any relevant drafting in that final DCO, including recommended changes made to the applicant's final DCO by the Examining Authority and agreed by the Secretary of State, that should be incorporated or amended in the transmission assets DCO?  This may include matters relating to Article 7 (Benefit of the Order) and the drafting of relevant conditions contained within the Deemed Marine Licences.  For any relevant changes (as applicable to the draft DCO) that is not amended to reflect the Morgan drafting, an explanation should be provided for why it has not been considered necessary to make the change.