



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 (ExQ2) issued on 8 September 2025

Responses are due by deadline 5: 22 September 2025

The following table sets out the Examining Authority's (ExA's) written questions and requests for information – 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 set out there 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 (IPs) 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 which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. When you are answering a question, please start your answer by quoting the unique reference number.

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.

If you are responding to a small number of questions, you can submit your answers by choosing 'Make a comment' and entering your answers in the 'Your comments' box.

If you are answering a larger number of questions you should download a copy of the Microsoft Word version of the document, enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.

Microsoft Word version: [Examining Authority's Written Questions 2 \(ExQ2\) MS Word version](#)



Abbreviations used:

ALC	agricultural land classification
AP	affected person
BAE	BAE Systems Limited
BAOL	Blackpool Airport Operations Limited
BAPL	Blackpool Airport Properties Limited
BBC	Blackpool Borough Council
BNG	biodiversity net gain
BoR	book of reference
CA	compulsory acquisition
CAA	Civil Aviation Authority
CE	The Crown Estate
CfD	contract for difference
CoCP	code of construction practice
CoT	commitment reference
CTMCo	Construction Traffic Management Co-ordinator
CTMP	construction traffic management plan
CUSC	connection and use of system code
D1/2/3/4	deadline 1/2/3/4
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
dDCO	draft Development Consent Order
DML	Deemed Marine Licence

MCZ	Marine Conservation Zone
MEEB	Measures of Equivalent Environmental Benefit
MMO	Marine Management Organisation
MOD	Ministry of Defence
MOWL	Morgan Offshore Wind Limited
MRF	Marine Recovery Fund
NCFPC	Newton with Clifton and Freckleton Parish Councils
NE	Natural England
NERC	Natural Environment Research Council
NFFO	National Federation of Fishermen's Organisations
NFU	National Farmers' Union
NGET	National Grid Electricity Transmission plc
NPS	national policy statement
NR	Network Rail Infrastructure Limited
NRW	Natural Resources Wales
NWIFCA	Northwest Inshore Fisheries and Conservation Authority
oCoCP	outline Code of Construction Practice
oCTMP	outline Construction Traffic Management Plan
oDP	outline Design Principles
OEIST	Orsted East Irish Sea Transmission Limited
oESP	outline Employment and Skills Plan
oFLCP	outline Fisheries Liaison and Co-existence Plan



EA	Environment Agency	oHAMP	outline Highway Access Management Plan
EIA	environmental impact Assessment	oSMP	outline Soil Management Plan OWHMP
EPS	European protected species	oWHMP	outline Wildlife Hazard Management Plan
ES	Environmental Statement	PA2008	Planning Act 2008
EWG	Lancashire Association of Local Councils Fylde Area Committee Energy Working Group	PCC	Preston City Council
ExA	Examining Authority	ProW	public right(s) of way
ExQ1	Examining Authority's first written questions	RNLI	Royal National Lifeboat Institution
FBC	Fylde Borough Council	SAC	special area of conservation
HGV	heavy goods Vehicle	SoCG	statement of common ground
HRA	habitats regulations assessment	SoR	statement of reasons
IPs	interested parties	SPA	special protection area
ISAA	Information to Support Appropriate Assessment	SRBC	South Ribble Borough Council
ISH	issue specific hearing	TJB	transition joint bay
LCC	Lancashire County Council	TPO	tree preservation order
LIR	local impact report	USMS	Underwater Sound Management Strategy
LRT	Land Rights Tracker	UXO	unexploded ordnance
LSE	likely significant effect	WHMP	Wildlife Hazard Management Plan
MCA	Maritime Coastguard Agency	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 ExQ2 2.1.1 – refers to the first question in this table.



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ExQ2	Question to:	Question:
1. General and cross-topic questions		
1.1 General and cross-topic matters		
Q2:1.1.1	The applicants and local authorities	Co-ordination and collaboration The applicants response to ExQ1.1.7 [REP3-056] explains that whilst flexibility is required to allow each of the projects to construct independently on each other, opportunities may emerge for further coordination depending on each project achieving Financial Investment Decision and following detailed design. Notwithstanding the measures introduced such as Requirement 25 (Onshore collaboration) in the draft Development Consent Order (dDCO), what further specific drafting can be incorporated into the relevant control and management documents and the dDCO to ensure that full opportunities are taken for co-ordination and collaboration where such opportunities emerge, in the interests of reducing and minimising the potential effects of the proposed development upon communities and the environment?
Q2:1.1.2	The applicants	Construction scenarios Interested parties have continued to express concerns about the construction scenarios. a) Taking into account on-going discussions that have taken place with interested parties, what further measures and detail can be incorporated into the application to resolve the concerns [for example expressed in paragraphs 3.2 to 3.3 of Lancashire County Council's REP4-136] that the sequential construction scenario would result in uncertainty about the implementation of restoration works, including where there is a gap in timing between works on each project and land disturbed again after it has been subject to the initial restoration. b) Noting the applicants responses to ExQ1.1.8 and 1.1.9 [REP3-056] provide further detail of practical examples of the issues that might be faced in this regard and how these would be most effectively resolved.
Q2:1.1.3	Newton with Clifton Parish Council and Freckleton Parish Council (NCFPC) and the applicants	Construction scenarios a) NCFPC has made representations calling for simultaneous construction [including REP4-167] and states that “many environmental impacts would be more than doubled if the projects were built consecutively rather than concurrently”. Noting that NCFPC intends to provide a fuller justification for requiring simultaneous construction at deadline 5 (D5), could it include within this a fuller justification of why it considers that many impacts would be more than doubled? b) The applicants are requested to provide a summary of how the effects of the proposed development arising from a concurrent construction scenario would differ from those currently assessed in the Environmental Statement, cross referencing where necessary to the applicants Rule 9 – ES assessment of Construction Scenarios [AS-070]?
Q2:1.1.4	The applicants	Anticipatory investment The applicants’ response to ExQ1.1.10 [REP3-056] provided details on progress being made with the anticipatory investment mechanism, including amendments to the Connection and Use of System Code (CUSC) and changes to the current User Commitment provisions. It also notes that the issue is the subject of the separate CUSC Modification Proposal 402 which, it notes, is still be considered by the relevant CUSC working group with a Final Modification Report possible being issued to Ofgem over the coming months for determination. a) Can the applicants provide an update on the progress being made on these matters and whether this may have a bearing on the opportunities for construction co-ordination of the proposed development? Is it also likely that further progress may be made prior to the anticipated decision by the Secretary of State (SoS) for this application which may also provide opportunities for more co-ordination to be secured? b) The applicants proposed a construction implementation time-limit of seven years. Given the potentially substantial period of time between a decision by the SoS State and implementation of either or both projects, is it possible that the current obstacles to a more co-ordinated construction approach could be reduced prior to implementation? If so, how could the SoS be assured that every opportunity will be taken post-consent to provide for the best possible co-ordination in the interests of reducing the potential effects upon communities and the environment?
Q2:1.1.5	The applicants, local authorities and parish councils	Outline Communications Plan An updated Outline Communications Plan has been submitted by the applicants at deadline 4 (D4) [REP4-029]. a) Do the local authorities and parish councils have any comments and/or additional suggestions on the drafting of this plan? b) The updated version of the plan no longer includes reference to a 'local liaison committee, comprising relevant local representatives' that was included in paragraph 1.3.1.1 of the previous version of the plan. Can the applicants explain why this has been deleted? c) Do the local authorities and parish councils consider that the creation of a local liaison committee should be retained in the outline plan?

Q2:1.1.6	The applicants	Critical national priority Paragraph 4.2.4 of National Policy Statement (NPS) EN-1 (published November 2023) sets out the Government's conclusion that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.7 goes on to explain that the CNP policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. Paragraph 4.2.11 says that applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated and 4.2.12 says that applicants should set out how residual impacts will be compensated for as far as possible. a) For clarity and the avoidance of doubt, for each topic area the applicants are requested to set out (including any relevant cross-referencing to relevant documents) how they have met the test in paragraph 4.2.11 of NPS EN-1 that applicants must apply the mitigation hierarchy and demonstrate that it has been applied. b) It is assumed that the mitigation hierarchy has to be demonstrated to have been applied for each relevant topic area and that, if it has not been demonstrated to have been applied for just one topic area, then this would mean that the CNP policy would not be applicable for the application as a whole. Do you agree with this interpretation?
Q2:1.1.7	The applicants and any interested party	Critical national priority Paragraph 4.2.15 of NPS EN-1 says that where residual non-habitats regulations assessment or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure. It goes on to say that the exception to this presumption of consent are residual impacts onshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, replacement habitats or unacceptable risk to the achievement of net zero. a) Without prejudice to the position of any party, are there any issues in this case that might potentially fall into this category of the exceptions to this presumption of consent? For example, might the issue of bird strike effects on aviation at BAE Warton aerodrome potentially fall into this category in the event of there being an "unacceptable risk"? b) Are there any further submissions any party wishes to make on the potential application of CNP policy in this case (should it be required)?
Q2:1.1.8	The applicants	Good design The Planning Act 2008 requires the SoS to have regard, in determining an application for development consent, to the desirability of good design. The criteria for good design for energy infrastructure is set out in section 4.7 of NPS EN-1. The applicants are requested to provide an update on how they consider the proposed development responds to the criteria for good design.
1.2 Site selection and alternatives		
Q2:1.2.1	The applicants and National Grid Electricity Transmission (NGET)	Alternative route NCFPC have made further submission at D4 about a possible alternative route utilising the existing Stanah substation and the Hill House Technology Enterprise Zone [REP4-166] including comments on the previous representation from NGET in response to ExQ1.2.1 on this matter [REP3-088]. A further representation has also been received from Lancashire Association of Local Councils Fylde Area Committee Energy Working Group [REP4-160]. The applicants and NGET are asked to provide comment on these submissions.
Q2:1.2.2	The applicants and any interested party	East Irish Sea Transmission Project The East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report was submitted to the Planning Inspectorate in August 2025. This includes two possible grid connection routes options. Are there any matters of relevance arising from the information available in that Scoping Report for the consideration of site selection and alternatives of the Morgan and Morecambe Transmission application?
1.3 Cumulative effects, in-combination effects and interaction with other projects/infrastructure		
Q2:1.3.1	The applicants	Effects on occupiers of Marybank Farm, Lower Lane Several oral and written representations have been made by the occupiers of Marybank Farm including with regard to the effects of the proposed Morecambe substation upon residential living conditions as well as the health and well-being of the occupiers. The applicants are requested to provide an overall assessment of the effects of the construction and operation of Morecambe substation upon the living conditions and amenity of the occupiers of Marybank Farm. This should include (though not be limited to) noise, disturbance, visual impacts, traffic and electro-magnetic effects, along with an in-combination assessment of all effects. It should also include clear reference to any relevant mitigation measures as currently proposed, as well as any additional measures to minimise the effects on the occupiers of this property.

Q2:1.3.2	The applicants	East Irish Sea Transmission Project The East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report was submitted to the Planning Inspectorate in August 2025. Update the cumulative and in-combination assessments to reflect the publication of the scoping report.
Q2:1.3.3	The applicants and Orsted East Irish Sea Transmission Ltd (OEIST)	East Irish Sea Transmission Project a) Does the publication of the East Irish Sea Transmission Project scoping report have any implications in relation to the issues raised by OEIST, most recently at deadline 4 (D4) [REP4-169] ? b) Can the applicants comment on the suggested development consent order requirements included in Appendix 2 of OEIST's D4 representation. c) What discussions are and will be taking place between the two parties in order to seek resolution of this matter prior to the end of the examination?
Q2:1.3.4	The applicants	Moor Vannin Generation Project Update the cumulative and in-combination assessments to reflect the application to the Isle of Man Department of Infrastructure for Marine Infrastructure Consent of the Moor Vannin Generation Project.
Q2:1.3.5	The applicants and SABIC UK Ltd	SABIC UK Trans-Pennine Ethylene Pipeline (TPEP) a) Both parties are requested to provide an update on discussions between the two parties concerning the implications of the proposed development for the TPEP? b) In the event that agreement is not reached, the ExA requests that a Statement of Common Ground is submitted between the applicants and SABIC at deadline 6 (22 October 2025). This should set out the parties final positions, making clear any matters that remain in disagreement, each party's preferred protective provisions, any other drafting change that might be required to any document and a full explanation and justification for the positions being taken.
Q2:1.3.6	The applicants	Health and well-being Volume 1, Annex 5.1: Human Health of the Environmental Statement [APP-035] provides the applicants assessment of impacts upon human health Local residents have been representations throughout the examination about the potential effects on the health and well-being of residents and communities, including with regard to the in-combination effects of different impacts. a) In the light of the representations made, could the applicants provide an update on their position in respect of the effects on health and well-being, taking into consideration the combined effects from impacts during both construction and operation. b) Are there are particular locations and/or receptors where the effects on health and well-being might be more pronounced?
2. The draft Development Consent Order (dDCO)		
Please refer to the ExA's separate document "The Examining Authority's commentary and questions on the draft development consent order" also published on 8 September 2022 for coverage of dDCO matters. Responses to this should also be submitted by deadline 5 (22 September 2025).		
3. Air quality		
The Examining Authority has no additional questions on air quality at this time.		
4. Aviation and radar		
Q2:4.1.1	BAE Systems	National Policy Statement (NPS) for energy (EN-1) Paragraph 5.5.5 of NPS EN-1 states that "it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits." Have BAE met this directive bearing in mind the difficulties in sharing the documents requested by the applicants?
Q2:4.1.2	BAE Systems	NPS-EN-1 and bird strike risk The applicants have referred regularly during the examination to paragraph 5.5.16 of the NPS which provides that "The CAA (Civil Aviation Authority) makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator." a) Notwithstanding the lack of a detailed assessment from the applicants, can BAE Systems set out evidence which quantifies the potential risk from the proposed development of bird strike to aviation operations at the aerodrome? From the information currently available to the Examination, what is the level of harm that BAE Systems considers would be likely to arise from the proposed development? b) At what point does an increased risk arising from potential bird strike become unacceptably harmful. How is this usually quantified by BAE systems? c) Provide further information on how BAE Systems generally approaches bird strike risk, including that which may arise from other proposed developments? d) Subject to on-going discussions, does BAE Systems consider that the outstanding matters would be capable of being dealt with post any consent granted through the Development Consent Order (DCO) requirements and relevant control/ management plans? If so, is any further or amended drafting required in the draft DCO and other documents?

Q2:4.1.3	BAE Systems	Bird Strike Risk The CAA published CAP772 which addresses wildlife hazard management at aerodromes. This refers to a 13km zone and suggests that safeguarding systems could be put in place which could influence land use and any development surrounding the aerodrome such that the strike risk does not increase and, where practicable, is reduced. a) Provide details of the distances from key parts of the aerodrome including the runways to the environmental areas being proposed by the applicants and how the relationship and distance between each environmental mitigation or benefit area to the aerodrome effects the bird strike risk in each case? Please also explain how these environmental areas relate to the flightpaths to and from the aerodrome and how these may affect the risk of bird strike? b) Please confirm what existing information do BAE Systems have they on previous bird strike instances or situations where take-offs or landings have been delayed or aborted due to bird strike risk.
Q2:4.1.4	Blackpool Airport Operations Limited (BAOL) and Blackpool Airport Properties Limited (BAPL)	Cooperation agreement It was emphasised at issue specific hearing 2 (ISH2) at the end of July that the cooperation agreement between the applicants and BAOL and BAPL was close to finalisation. This was reiterated in the submission from BAOL and BAPL at deadline 4 (D4) [REP4-129]. Please confirm that this agreement has now been concluded and, if not, the reasons behind the delay?
Q2:4.1.5	The applicants	Comparison with Blackpool airport As mentioned at ISH2, the same sentence “the Applicants note that BAOL have initially agreed to this approach and are proactively working with the applicants in production of the draft outline Wildlife Hazard Management Plan submitted at Deadline 3” appeared multiple times in the applicants’ response [REP3-052] to interested parties. BAE Systems highlighted the differences between Blackpool airport at ISH2 and again in their D4 submission [REP4-126]. Do the applicants now acknowledge the significant differences between the two airports?
Q2:4.1.6	The applicants	Bird strike risk Notwithstanding paragraph 5.5.16 of NPS EN-1 referred to above, paragraph 5.5.41 places clear requirements on any applicant. It emphasises that “consideration of developments near aerodromes should take into account” bird strike risk and it stresses the importance that “infrastructure, buildings and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).” a) The Examining Authority (ExA) notes the detail provided in response to ExQ1 and at D4 but a further and fuller explanation, along with reference to supporting evidence, is requested as to how the policy requirements have been met? b) At what point does an increased risk arising from potential bird strike become unacceptably harmful?
Q2:4.1.7	The applicants	Application documents The applicants submitted their position concerning aviation and radar when lodging the application. These are contained in volume 3, chapter 11 of the Environmental Statement (ES) [APP-130]. Table 11.1 of this chapter sets out a summary of the NPS EN-1, NPS EN-3 and NPS EN-5 requirements relevant to this chapter. However, there is no reference to paragraph 5.5.41 of NPS EN-1). Please explain why this was omitted? The Planning Statement and NPS tracker will need to be updated to reflect this.
Q2:4.1.8	BAE Systems	Mitigation areas In their reply [REP3-056] to Q4.1.6 to ExQ1, the applicants state that “the new pond creation areas at Moss Side and the Morgan Onshore Substation are intended as mitigation for the loss of existing ponds; therefore, there will be no net gain in standing water, but rather a redistribution within the 13 km safeguarding radius of the Warton Aerodrome.” Can BAE respond to this?
Q2:4.1.9	BAE Systems and Defence Infrastructure Organisation	Initial objection This was referred to in Q4.1.16. of ExQ1 [PD-008], as the Defence Infrastructure Organisation (DIO)/ Ministry of Defence (MOD) were initially objecting to the application but was reviewing the later documentation. Please can there be an update as to their position?
Q2:4.1.10	The applicants	Bird strike assessment The applicants say in their response to Q4.1.3 of ExQ1 [REP3-056] that “the applicants understood that they cannot undertake a specific bird strike risk assessment that would satisfy the requirements of BAE Systems.” However, it is not BAE Systems that the assessment needs to satisfy but it is the policy requirement in NPS EN-1. The applicants say later in the same reply that “CAA guidance is clear that the aerodrome is the risk holder, not the applicants” but this appears to be of limited relevance in the light of the requirement at paragraph 5.5.41 to design environmental mitigation in a way “not to increase bird strike risk.” How can the applicants claim to have met this directive? What is the timetable for the provision of further assessment(s)?

Q2:4.1.11	The applicants	Strategy for Wildlife Hazard Management Plan The applicants ‘Strategy for Wildlife Hazard Management Plan (WHMP) [REP2-047] refers to various site specific bird surveys previously undertaken by the applicants and submitted with the application documents. These were Breeding birds technical report [APP-091], Wintering and migratory birds – Part 1 and Part 2 [APP-092] and [APP-093] and Intertidal birds technical report [APP-094]. Paragraph 1.3.1.1 of the WHMP then refers to the provision of a technical note at deadline 2 (D2) that “clarifies the site selection process that was followed to identify the Transmission Assets’ environmental mitigation and biodiversity benefit areas.” This note was duly provided [REP2-046] and table 1.1 refers to the consultation response received from BAE in November 2023. The applicants explain at paragraph 1.2.1.9. that they “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 [REP2-046]) and ultimately delivering effective mitigation. However, the applicants say that they have considered the proximity of both Blackpool Airport and Warton Aerodrome in the refinement process. They submitted Figure 1.5 to illustrate that many of the environmental mitigation and biodiversity benefit areas closest to the Airport and Aerodrome were discounted following the statutory consultation process. This still does not fully explain how the environmental mitigation is designed so as not to increase the bird strike risk at Warton aerodrome. Please comment?
Q2:4.1.12	The applicants	Outline Wildlife Hazard Management Plan (oWHMP) This is referred to in the applicants’ response [REP4-095] to the submissions from BAE Systems. The applicants say that whilst they “appreciate BAE’s concern, the applicants’ believe that the applicants’ mitigation and biodiversity areas can be delivered within the 13km wildlife hazard management zone without increasing bird strike risk to Warton. The oWHMP [REP3-065] is being developed with input from Blackpool Airport and BAE Systems, this will demonstrate how the two can be mutually compatible. Therefore, allowing BAE to manage bird strike effectively and the applicants to deliver their mitigation and biodiversity benefits as close to the source of impact as possible.” The difficulty with this statement is that it seems to contradict the requirement in paragraph 5.5.41 of NPS EN-1 since it acknowledges the infringement to the 13km safeguarding zone but it is being assessed at some future stage as opposed to being set out in the Environmental Statement as envisaged by paragraph 5.5.37 of NPS EN-1. Please can the applicants respond?
Q2:4.1.13	BAE Systems	Emerging OWHMP The applicants submitted an oWHMP [REP3-065]. This seeks to explain how the mitigation measures within the outline Ecological Management Plan [REP4-059] and the Onshore Biodiversity Benefit Statement [REP-067] would manage the risk of bird strike. BAE indicated in their D4 submission [REP4-127] that the oWHMP was being reviewed by the DIO, which represents the MOD in the examination. BAE confirmed that it will provide more detailed comments on the oWHMP once the DIO has concluded its review. The ExA awaits these comments?
Q2:4.1.14	The applicants	Secretary of State’s (SoS) assessment Paragraph 5.5.49 of the NPS EN-1 confirms that the SoS should be satisfied that “any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.” Paragraph 5.5.50 expands further on the importance of minimising “adverse impacts on the operation and safety of aerodromes.” The difficulty for this application is that not only has the assessment not been carried out but the effects of the proposed development on the Warton aerodrome were specifically scoped out of the environmental chapter. This would appear to be in breach of the policy directive and requires some explanation. Please provide this?
Q2:4.1.15	Fylde Borough Council (FBC)	Fylde Local Plan This states at policy T2 that “Development proposals within the defined safeguarded area at Warton Aerodrome will not be permitted, unless the applicants can demonstrate that there would not be any potential for adverse impacts on aviation operations, or on defence navigation systems and communications.” Provide the Council’s latest position on compliance with this policy. Has there been any discussion concerning this potential breach of policy?
Q2:4.1.16	The applicants	Fylde Local Plan The applicants say at paragraph 5.21.1.8 of the Planning Statement that “the Transmission Assets also comply with ... Fylde Local Plan (FLP) to 2032 Policies T2, T3 and CL3.” This is repeated in the Local Planning Policy Tracker [APP-236]. However, the effects have been scoped out of the ES and therefore not previously assessed. At paragraph 7.1.6. of its local impact report [REP1-078], FBC concludes that “the likely impact is that there is the potential for harm to aviation activities at both sites and therefore conflict with FLP Strategic Policies EC4 and T2. In their response to FBC’s LIR [REP2-038], the applicants state that their position “is that the Transmission Assets will not lead to potential harm to aviation activities and consequently, there is no conflict with FLP Strategic Policies EC4 and T2.” Why have the applicants taken this approach when, based on the current position of BAE Systems, there is clearly a concern that there might be a breach of relevant development plan policies as well as the NPS? Please help the ExA understand how the applicants can possibly be so confident that the proposed development “will not lead to potential harm” when this is such a wide and open-ended criteria? Please also ensure the Statement of Common Ground with FBC is updated on this matter.
Q2:4.1.17	The applicants	Planning assessment

		The applicants have assessed the effects of the proposed development on aviation and radar receptors as “not considered to be significant” at paragraph 5.21.1.7. of the Planning Statement [REP1-032] . It is difficult to see that this position is sustainable in the light of the policy position and the decision to scope the Warton aerodrome out of the ES. Please review this conclusion?
Q2:4.1.18	The applicants	Related DCO decisions The ExA has considered the recent decisions from the SoS in relation to the Mona and Morgan wind farms so far as they relate to aviation and radar. However, the ExA notes at paragraph 4.40 of the Morgan decision, the sentence “The applicant pointed out that the DIO had not, in its pre-application consultation response, anticipated impacts on either of its radars at RAF Valley and Warton aerodrome, which was why it had been scoped out of the ES.” In such circumstances, it is understandable that the Warton aerodrome had been scoped out – in the case of this application, the converse position applies as impacts had been recognised in the consultation which, following the proposition argued on the Morgan wind farm application, ought to have led to a consideration of the effects on the Warton aerodrome. Please explain this apparent inconsistency?
Q2:4.1.19	The applicants and BAE Systems	Collaborative working Paragraph 5.5.5. of NPS EN-1 expects the parties to work collaboratively. The applicants have regularly stated that are committed to working with BAE. However, it would appear from submissions made from both parties at issue specific hearing 1 and issue specific hearing 2 and in the written representations that both parties have taken entrenched positions with little chance of agreement during the remaining weeks of this examination. This issue has taken up considerable time since the examination opened and both parties are encouraged to do all they can to move this discussion forward so that matters of disagreement are overcome or narrowed as far as possible during the examination. Please consider and comment?
Q2:4.1.20	The applicants	Consideration of bird strike risk by ExA and SoS At Q4.1.3 of ExQ1 [PD-008] , the ExA asked “how would the applicants suggest that the ExA address this outstanding issue in its recommendation to the Secretary of State” The applicants did not respond to this and therefore the question is asked again – if the question of bird strike remains unresolved between the applicants and BAE at the close of the examination, how is it suggested that the ExA treat this issue in the report bearing in mind the objections that remain in the context of the relevant national and local planning policy.
5. Compulsory acquisition, temporary possession and other land or rights considerations		
Q2:5.1.1	The applicants	Statement of Reasons The latest version of the Statement of Reasons (SoR) [REP4-016] does not appear to contain any reference to land which is subject to freehold acquisition. Please explain this omission?
Q2:5.1.2	The applicants	Book of Reference Similarly, the last version of the Book of Reference (BoR) [REP1-014] whilst containing reference to many plots at Tables 2A and 2B follows the same headings as in the SoR and therefore does not appear to include in these Tables the land for which permanent acquisition is intended. The plots are referred to in the main body of the BoR but they should surely be referred to in the Tables as well. Please clarify?
Q2:5.1.3	The applicants	Equalities Impact Assessment The updated equalities impact assessment needs to be submitted at deadline 5 (D5) and updated further at deadline 6. Reference was made at compulsory acquisition hearing 2 (CAH2) to the impacts on the Wrea Green equitation centre. The Examining Authority (ExA) need to have regard to those with a protected characteristic in the recommendation report and therefore please provide at D5?
Q2:5.1.4	Blackpool Borough Council (BBC)	Airport agreement The cooperation agreement with the applicants relating to Blackpool Airport did not extend to land rights [REP4-129] but was limited to operational impacts. What is the current position concerning the negotiation with BBC for the cable rights and restrictive covenants at Blackpool airport as set out in section 1.10.1.5. of the SoR [REP4-016] ?
Q2:5.1.5	The applicants	Progress with negotiations There were a number of representations at compulsory acquisition hearing 2 (CAH2) to the delays in negotiations. This was summarised in the submission from Savills on behalf of the Duchy of Lancaster. This hearing took place less than three months from the close of the examination and accordingly how can the ExA be satisfied that the applicants have proceeded with negotiations as required by paragraph 25 of the Planning Act 2008 (PA2008) Guidance relating to procedures for the compulsory acquisition of land. Have the applicants complied with this requirement which will require evidence that negotiations have taken place, that these were continuing and that a genuine attempt to reach agreement between the parties has been made?
Q2:5.1.6	The applicants	Progress with negotiations

		The delays in progressing negotiations may be a consequence of the complication of there being two applicants and also that both of them have been the subject of corporate sales as explained in the latest funding statement [REP4011] . However, this position is emphasised further in the latest version of the Land Rights Tracker (LRT) [REP4-087] . It is noted that meetings were planned for the 11 August 2025 and it is expected that negotiations have been progressed as there is a very limited number of landowners who have so far signed heads of terms. What is the present position?
Q2:5.1.7	The applicants	Progress with negotiations An example of slow negotiation is the proposed freehold acquisition which is sought for in excess of 120,000 square metres (more than 30 acres) of land between plot numbers 16-038 and 16-069 in the BoR. The freehold interest is held by Tallentine Limited and the applicants state in the LRT that “the Applicant is hopeful that the necessary land rights can be secured through a voluntary agreement.” Details of the tenant farmer of the same land have now been included in the updated LRT [REP4-087] as requested by the ExA at CAH2. This affected person (AP) lodged an objection [RR-0790]. The information provided is that “The applicant is awaiting the finalisation of the Heads of Terms with the Landlord before progressing negotiations regarding the Occupiers’ Consent.” This delayed approach is inconsistent with the best practice set out in paragraphs 24 and 25 of the CA Guidance. Please explain the lack of any engagement with this affected person?
Q2:5.1.8	The applicants	Distribution of landholdings The plans provided in response to action point ISH1-46 show the distribution of land holdings [REP1-044]. Landholdings numbered 43 (nearly 57 acres) and 44 (over 30 acres) are shown separately coloured suggesting separate ownership but on checking the details in the Book of Reference (BoR) [REP1-014], it would appear that the freehold and leasehold interests are the same for both landholdings. As this is the case, why has a distinction been made between them?
Q2:5.1.9	The applicants	Leaseholder interests The LRT [REP4-087] now lists five persons having interests which are significantly affected by permanent acquisition. Two of these are referred to as “Leaseholders” and 3 as “Tenants”. It is assumed that all these interests are registered with the Land Registry and therefore is there any reason for this distinction?
Q2:5.1.10	The applicants	Section 57, Planning Act 2008 All five of the APs referred to above are shown in the LRT as being “category 2” in the BoR. However, section 57, PA2008 provides that “A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.” Not only have the applicants incorrectly categorised these 5 persons whether they be lessees, tenants or occupiers, but there would appear to have been, with one exception, very limited contact with the APs and therefore minimal progress with the negotiations. Please explain?
Q2:5.1.11	The applicants	Lea Marsh Reverting to the permanent acquisition proposed for the 30 acres between 16-038 and 16-089 which is owned by Tallentine Limited. This AP queried the proposed use of the land [RR-2162], and this was echoed by their tenant farmers in their submission [RR-0790]. The response given by the applicants [PDA-007] explains that “the Applicants have proposed to make a voluntary commitment to achieve an overall biodiversity benefit for areas of permanent habitat loss associated with the permanent above-ground infrastructure of the Transmission Assets.” However, the test in section 122 PA2008 is that the land in question is needed for the development for which consent is sought. A “voluntary commitment” would appear to fall some way short from land being “required”. Can the applicants review their position for this land?
Q2:5.1.12	The applicants	Lea Marsh BAE take a similar approach [REP4-127] and emphasise that “the Biodiversity Benefit Site at Lea Marsh is not mitigating any impact and therefore there should not be any locational requirements from an ecological perspective.” They continue in their submission “Given that there is no requirement for BNG, or indeed any need for the biodiversity benefit sites to be provided at all, there is no reason why the biodiversity benefit site could not be located outside of Warton Aerodrome’s 13 km wildlife hazard safeguarding zone, where potential harm to aviation operations from an increased bird strike risk is likely to be lower”. Why have the applicants not looked for a site outside the 13km safeguarding zone?
Q2:5.1.13	The applicants	Local benefits The local benefits of the project appear to be very limited although the ExA notes the overall advantages arising from the urgency of energy infrastructure and the single application for two projects as summarised in action point 26 from issue specific hearing 1 (ISH1) [REP3-041]. However, the SoR [REP4-016] still refers (at paragraph 1.5.1.7) to the local benefits not being a material planning consideration. This would not seem to be relevant when addressing compulsory acquisition and should be removed although the overriding argument is acknowledged.
Q2:5.1.14	The applicants	Company accounts Please provide the last accounts submitted to companies’ registry for the two applicant companies?
Q2:5.1.15	The applicants	Negotiations with Council The statement of common ground (SoCG) with BBC [REP4-130] suggests progress with negotiations whilst the LRT [REP4-087] at AP reference 9 records that there are a number of issues in dispute. Why is this not reflected in the SoCG?

Q2:5.1.16	BBC	Negotiations with Council Please provide an update on and an outline of the “number of issues in dispute”. Is it expected that these will be resolved during the examination?
Q2:5.1.17	The applicants	Renesola Hercules Energy This company has confirmed [REP3-127] that it expects to lodge a planning application in mid-2026. It says that it has provided detailed information about its project to the applicants and how it is impacted by the applicants' proposal. Apparently, there has been no meaningful engagement from the applicants and an attempt to find a solution that works for both projects. Has there been any further discussion of this matter?
Q2:5.1.18	The applicants	Section 135 consent This was raised at Q5.1.20 of ExQ1 and the response given at [REP3-056] was that “The Applicants have written to all affected parties and are in ongoing dialogue regarding the required s.135 consents required from each department listed. It is envisaged that such consents will be secured during the examination as discussions are progressing in respect of all rights and interactions. Please advise on the latest position as any post-examination consultation from the Secretary of State (SoS) to check for these consents should be kept to the minimum.
Q2:5.1.19	The applicants	Possible change to application The applicants are not pursuing negotiations with the AP reference 34 in the LRT [REP4-087] on the basis that the plot may no longer be used as an alternative operational access as being considered. The APs submitted representations [RR-0794] and [RR-0806] and [REP1-177] indicating that the proposed route would affect the direct access to a residential property. However, the relevant plots are not included in the change request application which has been received. When is it proposed to make a decision concerning this access and what position should the ExA take if a resolution has not been achieved by the close of the examination and this objection is still outstanding? In the light of the failure to negotiate, would it not be difficult for the ExA to include the plots within the application for permanent rights?
Q2:5.1.20	The applicants	Possible claims for blight As shown in paragraph 1.1.1.3. of the updated blight note, there have been a number of assertions from the applicants about blight which have now been corrected. Paragraph 1.2.4.1. now recognises the effect of section 150, Town and Country Planning Act 1990 as far as agricultural units are concerned. Paragraph 1.3.1.2 indicates that no farming unit has as yet indicated that they wish to give up farming. However, at both compulsory acquisition hearing 1 (CAH1) and CAH2 at least two farming businesses indicated that they would face closure if the Development Consent Order (DCO) was granted. Do the applicants now accept that this position (which has been consistent throughout the examination) at the very least gives rise to the prospect of blight claims?
Q2:5.1.21	The applicants	Farms’ ability to continue Paragraph 1.4.1.4 of the blight note states that the applicants take the view that all farming businesses would be able to continue. This is contrary to the view the farm agent, expressed at CAH2 by Andrew Coney when he outlined the impacts on one of the affected businesses. Reference was made to landholding 26 as shown on the distribution of landholdings submission in response to action point ISH1 46. Can the applicants respond to this evidence as the plans referred to appear to show a significant impact on this farming business?
Q2:5.1.22	The applicants	Landholding 26 This holding was raised at Q5.1.14 and Q5.1.15 of ExQ1 [PD-008] . From the discussion at CAH2 [EV9-004] , there seems to have been limited progress. The LRT submitted at deadline 4 (D4) [REP4-087] provides a background to the negotiations between the applicants and the occupiers of landholding 26. The chronology includes the following: “08.04.24 - Applicants agent requested a suite of document regarding the business, the tenancy and other pertinent matters. 09.07.24 - Suite of documents supplied by the occupier and agent and puts forward an un-itemised initial claim. 26.09.24 - Occupier and agent informed that the applicants will be instructing an independent dairy expert to provide a report. 17.04.25 - The applicants shared with the occupiers’ agent the Business Impact Assessment & Mitigation Report that was completed by an impartial 3rd party. 09.05.25 - Correspondence received from the applicants’ agent regarding Business Impact Assessment & Mitigation Report. The agent agrees with some parts of the report but disagree with other aspects. The agent again reiterates that the dairy business will have to cease. A value of £7m is put on a settlement figure to reflect full and final settlement.” The timeline indicates that the farm agent has consistently maintained that the business will have to cease. Having viewed this farm during the accompanied site inspection [EV1-003] and hearing Mr Coney’s evidence at CAH2, this position is acknowledged by the ExA. It is requested that that applicants submit their Business Examination & Mitigation Report to the examination and justify their current position and also the delay in progressing this negotiation since they received the documents submitted on behalf of the APs more than a year ago.
Q2:5.1.23	The applicants	Allowance for blight claims It is noted from the latest blight note that the applicants are reassessing the property costs estimates for blight. The sums of £100,000 for each part of the project seem significantly underfunded and if no increase is made, the applicants are asked to justify these amounts? Whatever the amounts, there are still doubts as to whether the

		applicants have satisfied the requirement in paragraph 18 of the CA Guidance as to date they have not shown an awareness of the possibility of a blight claim in the context of this proposed development.
Q2:5.1.24	The applicants	Assets of applicants These concerns are only compounded by the fact that both the applicants appear to be shell companies with very limited assets. Please explain how an affected person with a valid blight claim can hope to recover the compensation costs from a company with no assets? Please explain why it would not be appropriate for a guarantee from a parent company with significant assets to be provided?
Q2:5.1.25	The applicants	Human Rights The discussion at CAH2 also acknowledged that this position could affect the human rights of the landowners. This would appear to be the case as a blight claim would enable the landowner to purchase the entire landholding (following section 158, Town and Country Planning Act 1990) whilst the claim under the Land Compensation Act would be more limited to the land actually acquired. The discounting of blight claims effectively reduces the rights of landowners to compensation which appears contrary to the claim made at section 1.11 of the latest SoR. [REP4-016] . Please consider?
Q2:5.1.26	The applicants	Reassessment of blight risk The section T 1.4 headed “Blight in Practice” and the reference to there only being 7 contested blight notice cases made at paragraph 1.4.1.1. is of limited relevance to the circumstances of this particular DCO. As prefaced by the ExA at both compulsory acquisition hearing 1 and CAH2 and also in EXQ1, blight is not usually an issue in DCO cases. It has only become one here as there are certainly three farm businesses significantly affected by permanent acquisition, two of whom have objected to the scheme from the outset and throughout the examination culminating in their submissions at CAH2 emphasising the major effects to their businesses. As a result, the possibility of a blight claim is very much an issue in this application. Do the applicants now recognise this?
Q2:5.1.27	The applicants	Time limit for start of works On the Morgan DCO application, the ExA recommended a five year period for commencement of works and set out in detail the reasons for this. The SoS did not agree with this reduction and accepted the seven year period. However, that application involved no requirement for compulsory acquisition and temporary possession and therefore that aspect was not considered. In addition, the Morgan decision is likely to be at least 8 months before the decision on the Morgan and Morecambe DCO is taken by the Secretary of State. Requirement 1 in the draft DCO [REP4-007] sets a time limit for commencement of works at seven years from the date of the Order. Taking into account that the works on the two projects are unlikely to be undertaken at the same time, this only extends the impacts on landowners and particularly on the farming businesses affected. Can the applicants reconsider their position concerning this seven year time limit?
6. Ecology, biodiversity and nature conservation (on-shore)		
6.1 Ecology and nature conservation		
Q2:6.1.1	The applicants (a), Natural England (NE) (b)	Fairhaven Saltmarsh At deadline 4 (D4) a clarification note on the current position with NE (regarding Adverse Effect on Integrity) and the Fairhaven Saltmarsh mitigation area [REP4-109] has been submitted. Paragraph 2.3.1.1 states that “(...) the reliance on the Fairhaven saltmarsh as part of the mitigation package is also substantially reduced” and “Natural England stated at D3 [Q6.1.2, in REP3-095] that if disturbance effects at the landfall during the passage season can be reduced to acceptable levels through mitigation, the measures at Fairhaven saltmarsh could be considered as an enhancement measure” Fairhaven Saltmarsh is still clearly marked a permanent mitigation area in the outline ecological management plan [REP4-059] . a) Can you clearly state what is the status and purpose of Fairhaven Saltmarsh area and update all relevant documents if it is no longer needed as a permanent mitigation area. b) Noting updated NE’s Risk and Issues Log [REP4-139] point NE19, can you clearly state if you consider that Fairhaven Saltmarsh is still required as a mitigation area to satisfy habitats regulations assessment requirements? Is this position likely going to change by the end of this examination?
Q2:6.1.2	NE	Habitat management strategy Please comment on the proposed Strategy for Wildlife Hazard Management Plan [REP2-047] and the outline Wildlife Hazard Management Plan [REP3-065] that is now an appendix to the outline Ecological Management Plan [REP4-059] . Please advise if there are any apparent conflicts between those and the overall mitigation strategy the applicants are proposing for habitat management.
Q2:6.1.3	Fylde Borough Council (FBC) and any other interested parties (IPs) (a), NE (b)	Sand lizards outline Sand Lizard Mitigation Plan [REP4-117] has been submitted as D4. a) Can you comment on the appropriateness of the plan. b) Please comment on the proposal and EPS licencing strategy outlined.

Q2:6.1.4	The applicants, NE	Natural England's Risk and Issues Log [REP4-139] In relation to onshore ecology and nature conservation provide an update on points where no apparent progress has been made. PADSS – NE14, NE16, NE17 and G-Onshore Ecology RI_G3, RI_G4, RI_G5, RI_G6, RI_G7, RI_G8, RI_G9, RI_G10, RI_G11, RI_G12, RI_G13, RI_G17-22, RI_G24-26, RI_G28, RI_G30-32 and Appendix G1 Additional comments. a) Are those issues being discussed and progressed, is it likely that they are going to be resolved by the end of this examination b) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.
Q2:6.1.5	The applicants	Ecology Concerns about habitat fragmentation and long-term ecological impacts have been raised. How will the applicants ensure long-term ecological monitoring and habitat restoration?
Q2:6.1.6	The applicants	Mitigation areas In relation to Fairhaven Saltmarsh, Lytham Mosses, and Newton-with-Scales taking into account objections centred around potential impacts on Warton aerodrome have the applicants considered revising or relocating mitigation areas.
Q2:6.1.7	NE, FBC, Lancashire County Council (LCC) and any other IPs	Peat CoT101 states that 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. and the results will be used to inform detailed design of the permanent infrastructure as appropriate Is this commitment adequate to ensure appropriate management and mitigation? If, not, can you propose alternative wording/ mechanism?
Q2:6.1.8	The applicants (a), NE, FBC, LCC and any other IPs (b)	Peat NE state “We note the surveys undertaken in the outline Interim Trial Trenching Report [REP3-017]. This report identified that peat was present within the trial pits. In light of the confirmed peat occurrences, a detailed peat survey should be carried out to establish peat depth, condition, and extent within the onshore order limits, ensuring that appropriate management and mitigation measures can be developed. These surveys are necessary to understand if any of the peat is restorable and to inform a Peat Management Plan (which we previously advised in our Relevant Representations, RR-1601).” a) Please comment on the above statement and provide an update. b) If resolution can't be reached before the end of the examination what mechanism would be appropriate to ensure no peat disturbance and appropriate management, and mitigation is ensured post consent.
Q2:6.1.9	The applicants	Peat/Climate change How does potential for peat disturbance align with the project's climate commitments and national net zero targets?
6.2 Biodiversity net gain (BNG)		
Q2:6.2.1	The applicants	Biodiversity calculations NPS EN-1 4.6.7 states that “in England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application” Noting updates to the onshore biodiversity benefit statement [REP4-067], the Examining Authority (ExA) is, once again, requesting that the full metric spreadsheet used for the calculations is submitted into the examination. Why has it not been submitted already?
Q2:6.2.2	The applicants	Biodiversity and bird strike risks If the Secretary of State (SoS) was minded to agree with BAE Systems position as set out in their most recent submission [REP4-127] Table 2 Q6.2.3, “BAE Systems considers that it is not necessary for BNG to be provided because BNG is not a mandatory requirement for development consented through The Planning Act 2008. Consideration therefore needs to be given as part of the planning balance to whether avoiding the potential harm to aviation interests arising from the Applicants' BNG proposals (including the biodiversity benefit areas) would outweigh the biodiversity benefits of these sites, particularly in the context that paragraph 5.5.41 of NPS-EN1 requires development to avoid increased risk to aviation operations, whereas there is no statutory or policy requirement to provide BNG.” Can the applicants suggest an alternative approach that would satisfy local policies outlined by Fylde Borough Council (FBC) in sections 6.2.5-6.2.7 of their submission [REP4-134] and section 4.6, with additional focus on 4.6.1, of the NPS-EN1.
Q2:6.2.3	The applicants	Biodiversity and bird strike risks

		NPS EN-1, 4.6.11 states that “Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent.”. If SoS was minded to agree with BAE Systems position [REP4-127], can the applicant comment on the quoted paragraph 4.6.11 of NPS EN-1?
Q2:6.2.4	The applicants (a-c), Fylde Borough Council (FBC), Blackpool Borough Council (BBC), Lancashire County Council (LCC) and any other interested parties (IPs) (b)	Biodiversity and bird strike risks NPS EN-1 4.6.12 says that when delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. a) If SoS was minded to agree with BAE Systems position, can the applicant comment on the quoted paragraph 4.6.12 of NPS EN-1? b) If SoS was minded to agree with BAE Systems position and on-site delivery of BNG was therefore not possible, could the councils and the applicants reach an agreement on alternatives that would align with the NPS EN-1? c) If SoS was minded to agree with BAE Systems position, will the applicants consider submitting a without prejudice strategy for off-site delivery of BNG to satisfy the NPS EN-1, section 4.6 with additional focus on 4.6.1?
Q2:6.2.5	The applicants	Biodiversity and bird strike risks If any of the BNG areas were removed from the order limits what would the implications be on all the submitted application documents and any issues arising therein?
Q2:6.2.6	The applicants	Calculation methodology [REP4-167] from Newton with Clifton Parish Council and Freckleton Parish Council under item 4c states: “The parish councils ask the ExA to require the Applicants to calculate the before and after BNG figures using the correct metric, as encouraged by the National Policy Statement (EN-1 paragraph 4.6.7) so it can at least be properly considered as to whether the project will be over or under the 10% gain target. Given the pressure on other Development Consent Orders to provide 10% BNG and the imposition of requirements for high figures in recent decision letters, this is essential even though the 10% gain is not yet a legal obligation. Any requirement added for BNG should require the correct metric to be used, not a custom-made one created by the Applicants as at present. Not only is the BNG being offered much lower than is claimed if the metric is used correctly, but the measures to reduce bird hazards set out in the recently produced Outline Wildlife Hazard Management Plan (REP3-065) are only described as 'potential' and if implemented will serve to worsen the habitats being provided on which the existing calculations are based. The BNG scores should be recalculated for the habitats being offered with these downgrades, and an ecologist's opinion should be sought to confirm that with the downgrades they still fall under the definitions of the habitats claimed.” Additionally, paragraph 6.3.4 of the [REP4-134] by FBC states “FBC therefore requested that BNG calculations be carried out for the entire Order Limits and the findings be submitted to the Examination”. a) Please respond to all points quoted above. b) Without prejudice, to better aid the decision-making process the ExA requests that the applicants provide an alternative revised BNG calculations that include temporary land affected (Where the land will be affected for more than 2 years covering the entire Order Limits area).
Q2:6.2.7	The applicants	Strategy for delivery Explain how will biodiversity strategy delivery be monitored and what mechanisms will be used to enforce the delivery over the 30-year period?

7. Environmental matters (off-shore)		
7.1 Physical processes		
Q2:7.1.1	The applicants (a-c), Fylde Borough Council (FBC), Natural England (NE) (b-c)	Additional information and assessment In [REP4-134] FBC quote Section 5.6.10 of NPS EN-1 that sets out a clear requirement for applicants to undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures. Concerns are raised that this requirement has not been met and that “if sediment transport systems are interrupted this could impact accretion rates and the effectiveness of the management techniques leading to weakening of the dune system for coastal defence. Major disruption would result in sediment gain being reversed and coastal erosion occurring and accelerating”. a) Please comment in full on the concerns that are being highlighted. b) Is it likely that a resolution will be found during this examination? c) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.
7.2 Benthic ecology		
Q2:7.2.1	NE	Assessment of all potential impacts At issue specific hearing 2 (ISH2) the Examining Authority (ExA) raised the following issues previously highlighted by NE with the applicants: • Clarity on the likely impact of the direct pipe technique • The provision of an outline Landfall Management Plan • Assessment of the feasibility of cable installation tools in shallow waters • Assessment of the maximum design scenario for the pre-lay grapnel run and unexploded ordnance and boulder clearance • An update of maximum design scenario parameters for sand wave clearance • Consideration of the worst construction scenario – a gap between cable installations including implications for scour protection A summary of the discussion is contained in [REP4-104] at 5(a)(i). NE’s comments are requested on: a) The applicants’ response to each of these issues highlighting where there is still disagreement. b) Commitment CoT 134 of the latest commitments register [REP4-018] – “No cable/scour protection shall be permanently deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS)”. c) The Outline Landfall Construction Method Statement [AS-081].
Q2:7.2.2	NE	Removal of infrastructure at decommissioning At ISH2 the ExA raised the issue of the applicants committing to remove all infrastructure associated with the proposed development at the decommissioning stage. A summary of the discussion is contained in [REP4-104] at 5(a)(ii). Comment on the applicants’ response on this issue highlighting where there is still disagreement.
Q2:7.2.3	NE	Design detail At ISH2 the ExA raised the following issues previously highlighted by NE with the applicants: • Cable protection in the nearshore • Location and protection of cables and the use of numerical modelling • Minimising/ mitigating the impact of cable protection on nearshore sediment transport • Including the monitoring of sand wave recovery and dune/ intertidal/ beach morphology in the Offshore In-Principle Monitoring Plan A summary of the discussion is contained in [REP4-104] at 5(a)(iii). Comment on the applicants’ response to each of these issues highlighting where there is still disagreement.
Q2:7.2.4	NE	Natural Environment and Rural Communities (NERC) Act 2006 priority habitats At ISH2 the ExA raised the issue of the applicants committing to avoid the most sensitive and/or Priority NERC habitats. A summary of the discussion is contained in [REP4-104] at 5(a)(iv). Comment on the applicants’ response on this issue highlighting where there is still disagreement.
Q2:7.2.5	NE	Stage 2 Marine Conservation Zone (MCZ) Assessment Given the discussions at ISH2 and your recent meetings, has NE’s position regarding the need for the Stage 2 MCZ assessment and Measures of Equivalent Environmental Benefit (MEEB) changed?

		If there has been no change, provide the rationale for maintaining that position.
Q2:7.2.6	NE	Compensation Regarding the without prejudice Stage 2 MCZ assessment and MEEB [REP1-059] is it NE's position that strategic compensation with a payment to a Marine Recovery Fund (MRF) rather than project-based compensation should be progressed if the Secretary of State decides the Stage 2 assessment and MEEB are required? Are you content with new commitment CoT 136 in the latest version of the commitments register [REP4-018] – “Should benthic compensation be required, the MRF will be the preferred and prioritised option, and the project-led options would only be considered where the MRF option is not made available to the Applicants”?
Q2:7.2.7	The applicants (a & b) and NE (b)	Benthic Compensation Development Consent Order (DCO) Schedule a) Provide comments on NE's response to the applicants' without prejudice Benthic Compensation DCO Schedule [REP3-066] contained in [REP4-141]. b) What progress is being made in discussions with NE to reach agreement on the drafting of this schedule?
7.3 Fish and shellfish ecology		
Q2:7.3.1	NE	Electro-Magnetic Fields (EMF) At ISH2 the ExA raised the issue of the potential barrier effects of EMF from the cable under the Ribble Estuary on smelt and NE's suggestion that monitoring of EMF levels should be conducted to provide direct evidence of effects on fish? A summary of the discussion is contained in [REP4-104] at 5(b)(i). Comment on the applicants' response on this issue highlighting where there is still disagreement.
7.4 Marine mammals		
Q2:7.4.1	NE	Clearance of Unexploded Ordnance (UXO) The ExA notes that the applicants have removed high order UXO clearance from the deemed marine licences (DML), but NE's position has been that all UXO clearance including low order should be removed. Following recent meetings with the applicants and the discussion on this issue at ISH2 summarised in [REP4-104] at 5(c)(i) has NE's position on this issue changed? If there has been no change, provide the rationale for maintaining that position.
Q2:7.4.2	The applicants	Deemed Marine Licences What is the basis for the maximum number of low order UXO clearances stated in the latest version of the draft deemed marine licences (22 for Morgan and 3 for Morecombe), paragraph 20(7) of Schedules 14 and 15, [REP4-007]?
Q2:7.4.3	NE, MMO	Deemed Marine Licences Without prejudice to your position on the inclusion of UXO clearance in DMLs comment on the maximum number of low order UXO clearances proposed by the applicants in the latest version of the draft deemed marine licences (22 for Morgan and 3 for Morecombe), paragraph 20(7) of Schedules 14 and 15, [REP4-007].
8. Geology, hydrogeology and ground conditions		
Q2:8.1.1	The applicants (a-c), Natural England (NE) (b-c)	Outline Hydrogeological Risk Assessment In relation to outstanding issues and actions highlighted in Appendix G4 of NE's comments on the Outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI [REP4-140]: a) Please comment on the points raised by the NE and provide a realistic timeline for producing the additional data and information that is being asked for. b) Is it likely that a resolution will be found during the examination? c) Noting point 6 in Table 1: “Natural England advises that the Applicant should ensure the cable burial depth is sufficient to be located in the low permeability glacial clays. This should be secured in the project commitment log. “If other gaps in data/information and issues raised remain as outstanding by the end of this examination, please suggest a mechanism/wording that will ensure appropriate actions can be taken post consent.

Q2:8.1.2	The applicants (a-c), Environment Agency (EA) (b-c)	Outline Hydrogeological Risk Assessment EA in their deadline 4 submission [REP4-132] raise a number of points in relation to the information in the outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI [REP3-061] . Some of the comments relate to similar issues to those being raise by Natural England. a) Please comment on the points raised by the EA and provide a realistic timeline for producing the additional data and information that is being asked for. b) Is it likely that a resolution will be found during this examination? c) Noting the gaps in the groundwater monitoring data that are being highlighted, that make validation of the groundwater conceptual model challenging, if the issues raised remain as outstanding by the end of this examination, please suggest a mechanism or a specific wording that would ensure appropriate actions will be taken post consent.
9. Habitats Regulations Assessment (HRA)		
9.1 General		
Q2:9.1.1	The applicants	High tide restriction Provide an update on the high tide restriction on construction activities, which was left at deadline 3 as still to be agreed with NE (paragraph 1.6.3.15 of [REP4-058]).
Q2:9.1.2	Natural England (NE)	Fairhaven Saltmarsh Noting that a high tide restriction on construction activities is being discussed, are the measures proposed at deadline 4 to mitigate effects on passage features (set out in paragraphs 1.6.3.15 and 1.6.3.16 of [REP4-058] sufficient to rule out no Adverse Effect on Integrity (AEol) to the Ribble and Alt Estuary Special Protection Area (SPA) and Ramsar (passage features)? If not, what further measures could be implemented to reduce the disturbance at landfall? If so, are the measures proposed at Fairhaven Saltmarsh necessary to conclude no AEol to the Ribble and Alt Estuary SPA and Ramsar sites?
Q2:9.1.3	The applicants (a), NE	Fairhaven Saltmarsh Is there the potential for an indirect likely significant effect to the Ribble and Alt Estuaries sites to arise from the proposed construction works at the landfall area displacing recreational users from the beach to other areas of importance to SPA and Ramsar features (eg Fairhaven Saltmarsh)? a) If so, provide an assessment of this impact pathway.
Q2:9.1.4	The applicants	Further information NE (H31 [RR-1601]) requested further information on the recovery time of the disturbed sediments in the intertidal zone, noting that in the Information to Support Appropriate Assessment (ISAA) there is minimal mention of recovery time beyond completion of works. How long would the habitats be expected to take to return to their previous condition? Does this alter the period of temporary habitat loss assessed?
Q2:9.1.5	NE	Assessments The applicants have assessed the effects of temporary habitat loss and construction phase visual and noise disturbance as separate pathways. You raised concerns about this approach in H31 [RR-1601] . Does this issue still stand, if so, what can the applicants do to resolve this matter?
Q2:9.1.6	NE	The Onshore Terrestrial Waterbird Note Following submission of the Onshore Terrestrial Waterbird Note [REP4-120] . a) Are you content that the full suite of species and or SPA/ Ramsar features that might be affected by loss of functionally linked land have been identified (RI_H6)? b) Are you content based on the additional information provided that there will be no LSE to the 25 assemblage species not assessed in the ISAA (brent goose, Canada goose, barnacle goose, greylag goose, mute swan, shoveler, gadwall, mallard, goosander, water rail, moorhen, coot, avocet, woodcock, jack snipe, green sandpiper, black-headed gull, common gull, great black-backed gull, herring gull, lesser black-backed gull, cattle egret, grey heron, great white egret and little egret) (RI_H46). c) Are you content that the applicant has provided sufficient information about the Lytham Moss and Newton-with-Scales mitigation areas (RI_H7)? If not, what further information is required? If so, do you agree with the applicants' conclusions of no AEol to the following terrestrial waterbird features: pink-footed goose, whooper swan, teal, lapwing, golden plover, curlew, black-tailed godwit?
Q2:9.1.7	The applicants	The Onshore Terrestrial Waterbird Note Clarify whether the information provided on the 25 assemblage species listed in section 3.1.4 of the Onshore Terrestrial Waterbird Note [REP4-120] is concluding that there are no LSE, or no AEol, as the HRA terminology has not been used. Update the HRA screening report and ISAA to clarify the assessment of the components of the assemblage.

Q2:9.1.8	The applicants	The Onshore Terrestrial Waterbird Note The Onshore Terrestrial Waterbird Note [REP4-120] indicates that there are specific areas of the onshore cable route that are favoured by certain bird species. Has the applicant considered a seasonal restriction to construction works during sensitive periods limited to the areas most favoured by overwintering birds?
Q2:9.1.9	NE	Mitigation vs compensation In your relevant representation (NE19, H5 [RR-1601]) and in response to ExQ.6.1.2 [REP3-095] you made the case for Fairhaven Saltmarsh mitigation area to be considered as a compensation site. A similar argument has not been made for the Lytham Moss and Newton-with-Scales mitigation areas. Please explain why this is the case and the difference in your rationale.
9.2 Screening		
Q2:9.2.1	NE	Shad species Based on the information provided in the HRA screening, the Examining Authority (ExA) previously sought NE's position on the screening of impacts to Shad species as qualifying features (ExQ1 Q9.2.1) [PD-008] . Can NE confirm: a) Whether you consider that the HRA screening should be updated to include an assessment of potential likely significant effects (LSE) to shad species as a qualifying feature? b) Why you consider there is the potential for LSE, given the applicants' assessment presented to date and additional responses [REP3-056] and [REP4-100] and the distance of the proposed development from special areas of conservation (SACs) designated for shad?
9.3 ISAA (Information to Support Appropriate Assessment)		
Q2:9.3.1	NE	Winter Vessel Movements and Offshore Ornithology The applicants have added a new commitment CoT135 to the latest commitments register [REP4-018] - "The Applicants will not plan routine O&M activities in the original Liverpool Bay special protection area (SPA) (as designated in 2010), including a 2 km buffer between November and March (inclusive) unless in urgent circumstances". a) Are your concerns about adverse effects in the operation and maintenance phase resolved? If not, why not? b) Are you now in agreement that there will be no adverse effect on the integrity of Liverpool Bay SPA arising from impacts to offshore ornithology features? If not, what concerns remain and how can the applicants address them?
Q2:9.3.2	NE	Marine Mammals Adverse Effects on Integrity (AEol) conclusions Within your relevant representation [RR-1601] , you raised the matter of the inclusion of high and low order unexploded ordnance (UXO) clearance (entries NE10, E1, E17, A6 and A11). Noting the applicants' submissions since the relevant representation where they confirm that high order clearance has been removed from the dDCO and DMLs: a) Do you consider that the inclusion of low order UXO clearance has the potential to result in AEol to any marine mammals qualifying features of the SACs assessed within the HRA ISAA? b) If so, (i) outline the relevant sites and qualifying features. (ii) confirm why you consider that the applicants' assessment does not provide the evidence to rule out AEol (given the applicants position that low order UXO clearance is assessed and mitigated for) and what further evidence you consider is required?
Q2:9.3.3	The applicants	Passage dunlin for the O&M phase ISAA Part 3 Paragraph 1.6.3.184 (O&M impacts at landfall) states that for the Ribble and Alt Estuaries Ramsar site, the features that may be impacted by the temporary loss of supporting habitats and/or resource availability are the same as for the Ribble and Alt Estuaries SPA (Special Protection Area), and no additional impacts are predicted to occur for the Ramsar site. However paragraph 1.6.3.142 notes that passage dunlin are an intertidal feature of the Ramsar site that differs from the SPA citation. Provide an assessment of impacts to passage dunlin for the O&M phase.

10. Hydrology and flood risk		
Refer to section 8 for relevant questions.		
11. Historic environment		
Q2:11.1.1	Lancashire County Council (LCC) and the applicants	On-shore archaeological evaluation At deadline 4 (D4) and further to discussion at issue specific hearing 3, the applicants submitted a summary of trial trenching approaches in other Development Consent Order applications [REP4-114] in addition to a timetable of trial trenching [Action Point ISH2.49 of REP4-108]. Taking account of these submissions and any further discussions that have taken place between the two parties, please provide a summary update on the positions of the two parties and any remaining disagreements regarding onshore archaeology. These should include whether LCC is satisfied that the remaining evaluation through trial trenching can take place post any development consent being granted.
Q2:11.1.2	Historic England	Draft Statement of Common Ground The draft Statement of Common Ground [REP4-082] submitted at D4 includes green “agreed” status for each issue being considered. Can Historic England confirm its position, including with regard to onshore and offshore archaeology? For any matters that are disagreed please set out your explanation of and justification for the position being taken and indicated how it might be resolved.
12. Land use and recreation		
Q2:12.1.1	The applicants	Freckleton bridleway Temporary possession rights for the diversion of bridleway on the Greenway (Freckleton bridleway 15) have now been included. Has the proposed diversion of the bridleway been discussed with the relevant landowner and, assuming so, what is the current position?
Q2:12.1.2	The applicants	Freckleton bridleway The updated Public Rights of Way (PRoW) plan [REP4-006] does not show the proposed diversion of the Freckleton bridleway 15 and it is only showing the PRoW being “closed or restricted.” Please update with detail of the extent of land being sought, the likely duration of the diversion and confirmation that at all times the bridleway will remain open for pedestrians, cyclists and horses?
Q2:12.1.3	The applicants	Land holding details For each of the agricultural landholdings affected by permanent acquisition, please provide the following in tabular format: • Name and address of holding • Relevant plot number • Total size of holding • Holding use • Breakdown of land classification by hectare and percentage of holding • Summary of proposed activity on holding • Loss of land – by reference to the loss to both temporary and permanent use by both hectare and percentage of holding.
Q2:12.1.4	The applicants	Agricultural Land Classification (ALC) Paragraph 5.11.12 of NPS EN-1 requires applicants to “seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the ALC) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).” This is still an outstanding matter and according to NE16 in the issues log with Natural England (NE) [REP4-100] appears unlikely to be resolved. The applicants’ position remains that they have responded previously including in their response to hearing action points due at deadline 1 (D1) [REP1-037]. The applicants in their response [REP3-056] to Q12.1.1 of ExQ1 provide figures from their limited survey which are markedly different from the figures expressed in the Fylde Local Plan. In section 10.4 of their latest submission [REP4-134], Fylde Borough Council (FBC) refer to the conclusion in the Land Use chapter [APP-104] which concludes that the sensitivity of agricultural land as a receptor is high and that temporary effects would result in medium moderate adverse impacts, and permanent effects in low minor adverse impacts. However, FBC believe that the applicants have not given proper consideration to alternatives which would lower impacts on higher quality land, as a result of the deficiencies in their baseline assessment. FBC considers that the applicants’ assessment is flawed in this regard and that the assessment of harm arising from the subsequent site and route selection is therefore also flawed. Please respond?
Q2:12.1.5	The applicants	Agricultural Land Classification

		The conclusion the applicants' provide in their response [REP3-056] to Q12.1.3 of ExQ1 is that "The siting of the onshore substations, where virtually all of the permanent loss of agricultural land would take place, are located on Grade 3 (subgrade 3a) land." The two substations are taking significant areas of agricultural land. How is this compliant with policy 5.11.12 of NPS EN-1?
Q2:12.1.6	The applicants	Link boxes The positioning of link boxes was raised at both issue specific hearing 1 and 2 and again by the National Farmers Union. The project is already impacting significantly on farming businesses and the applicants are urged to do more to ensure that these boxes are placed in positions which cause less disruption when farming can resume. Why can the applicants not agree to place them in the edge of fields or, if this is not possible, in a position satisfactory to the landowner?
Q2:12.1.7	The applicants	Open space The imposition of the restrictive covenants means that FBC would be limited in any future plans for the recreation ground. For example, they would not be able to build any changing rooms or amenities or even a playground on the land burdened by the covenant. At present, the proposal appears to infringe both section 132, Planning Act 2008 and also paragraph 96 of the NPPF. Please comment?
Q2:12.1.8	The applicants	Mona Development Consent Order (DCO) In the discussion over the application of section 132, reference was made to the recent Mona DCO decision, but it is not clear from the recommendation report that this point was actively considered. Please comment?
Q2:12.1.9	The applicants	Section 106 Agreement with FBC Details of the proposed section 106 Agreement between the applicants and FBC have been provided [REP4-119] . Paragraph 5.1.1.5. refers to the provisions in the proposed clause 7 which includes a clause that if "the relevant Generation consent is quashed or revoked" then the agreement will be terminated. Building on this, the corollary is there should be a requirement to the same effect in the draft DCO. Please comment?
Q2:12.1.10	The applicants	Section 106 agreement Schedule 4 of the proposed section 106 Agreement [REP4-119] seeks to impose a number of covenants on FBC. The obligations at sub-paragraphs 1, and 3 are understandable but those in 2,4, 5 and 6 require explanation. The proposed construction works result in the possibility of some of these pitches possibly being unavailable for a time. Seeking to impose obligations on the Council to find other pitches (paragraphs 4 and 6) which are the cheapest (paragraph 2) in this context are difficult to understand. The requirement at g(iii) is similarly questionable. Please provide a justification for these clauses?
Q2:12.1.11	FBC	Section 106 agreement Please provide your comments on the proposed section 106 Agreement?
Q2:12.1.12	The applicants	Timescale for completion Will this section 106 Agreement be completed during the examination? The relevant commitment 124 [REP4-018] is very limited in effect so provides no comfort. If the agreement is not finalised by the end of October, how is it suggested that the ExA should address this issue in the recommendation report especially as the possible disruption to the use of these pitches has been raised in many representations?
13. Landscape and visual		
Q2:13.1.1	The applicants, Fylde Borough Council and Lancashire County Council	Engagement and statements of common ground The ExA notes the schedule of meetings on landscape and visual matters, as well as green belt matters, set out in [REP4-110] . Subsequently, the ExA looks forward to the receipt of the applicants updated Outline Design Principles and relevant Statements of Common Ground (SoCG by deadline 5 (22 September 2025) as set out in the schedule. The SoCGs should include (as well as matters of agreement) any matters that remain in disagreement between the parties, along with explanation and justification for the positions taken. It should include matters concerning the Landscape and Visual Impact Assessment, outline Landscape Management Plan [REP4-054] and the applicants Green Belt Technical Note [REP4-092] .
Q2:13.1.2	The applicants	Proposed substations – finished ground levels Paragraph 1.2.5.2 of the applicants' Technical Note: Landscape and Design Matters [REP3-064] includes matters relating to site levels and explains that cut and fill will be necessary to create level platforms, particularly at the sloping Morgan site. Paragraph 1.2.5.3 goes onto explain that the submitted visualisations represent the assessed worst-case scenario and are based on accurately modelled 3D representations and assumed site levels, prepared in accordance with industry best practice. a) On what basis has the assessment of landscape and visual effects been considered in terms of the proposed finished ground levels/substation platforms and explain further what assumptions have made in this regard in the assessments including how these assumptions have been reached?

		b) Clarify further how the photomontages provided reflect existing and proposed ground levels?
Q2:13.1.3	The applicants	Proposed substations – layout and design a) Explain in further detail, how the indicative layout and design of each proposed substation responds to the challenges posed by the existing landscape character and visual baseline? b) What particular design measures, principles and coding can be secured for each substation (for example in terms of the layout and design of each substation) in order to minimise the landscape and visual effects?
Q2:13.1.4	The applicants	Outline landscape strategy With regard to the areas around the proposed substations (and noting paragraph 2.8 of the submission of Lancashire County Council [AS-082]), can the applicants provide detailed justification of how the proposed landscape strategy reflects existing landscape character? This should include specific examples of how landscaping proposals would reflect existing landscape characteristics.
Q2:13.1.5	The applicants (a, b, c) Fylde Borough Council and Lancashire County Council (a & c)	Design review process, consultation and engagement a) What is the latest position of the parties regarding the possibility of an independent design review process for the proposed onshore substations? b) Can the applicants provide suggested dDCO drafting for this in the event that the Secretary of State considers it to be necessary? c) Bearing in mind the National Infrastructure Commission Design Group’s “Design principles guide for national infrastructure” (with specific reference to “people” and “places”, detail the measures that would be taken and secured to ensure that there would be meaningful community and interest group engagement and involvement in the ongoing substation and substation landscaping design process? Is additional drafting needed to secure this?
Q2:13.1.6	The applicants	Proposed substations – layout and landscaping The proposed Morecambe substation may use either air insulated switchgear (AIS) or gas insulated switchgear (GIS) designs. At ISH2 the applicants explained that an AIS substation footprint is generally larger than a GIS substation footprint. a) Therefore, it is assumed that there would be a difference between the substation platform area needed for the Morecambe substation works, dependent on which design option is taken forward. Is this correct? b) If the substation platform areas differ between the two design options, what implications would this have for the proposed landscape design for this substation, bearing in mind the landscape strategy plan in Figure 1.3 of the Outline Landscape Management Plan [REP4-054]. c) How would this relate to the proposed works plans which differentiate between Work No. 21B (Morecambe onshore substation works) and Work No. 20B (Morecambe onshore substation environmental mitigation works)?
Q2:13.1.7	The applicants	Existing hedgerows The Tree Preservation Order and Hedgerow Plan [APP-165, APP-166 and APP-167] shows those hedgerows and important hedgerows affected by the proposed works. Article 35 of the draft DCO [REP4-007] allows for the removal of any hedgerow within the Order limits including those specified in Schedules 11A and 11B. a) Explain the rationale for the identification of those hedgerows and important hedgerows shown within the Tree Preservation Order and Hedgerow Plan. Does it simply show all existing hedgerows within the Order limits? b) Explain what measures would be in place through the draft DCO to ensure that the removal of and works to hedgerows is/are minimised. c) For example, in the case of the hedgerows shown on northwest boundary of Blackpool Road Recreation Ground (MGMC_2, 3, 4 and 5), given their location at the boundary of the recreation ground, presumably the proposed construction works should be able to be designed and carried out in such a way to protect these hedgerows? If so, why are they shown for potential removal?
Q2:13.1.8	The applicants	Early planting of landscape works At Deadline (D) 4 the applicants committed to updating the outline Landscape Management Plan at D5 following engagement with FBC and LCC, including with regard to opportunities for early planting of landscape works. Can the applicants explain why it is not necessary to commit to the undertaking of any early landscape works given the apparent advantages that might be secured by the early establishment of planting? Could this be reconsidered in instances where early planting is feasible and advantageous, particularly in relation to mitigating the visual and landscape character effects of the proposed substations?

14. Noise and vibration		
Q2:14.1.1	Fylde Borough Council (FBC)	Operational Noise Management Paragraph 1.8.7.7 of the Outline Code of Construction Practice [REP4-027] has been updated. It is noted that Operational Noise Management Plan(s) for the substation(s) are no longer proposed. CoT80 has also been updated, and limits and monitoring are now secured via the Requirement 18 (Control of noise during operational stage) of the DCO Schedules 2A & 2B. Please comment on this change. Do you consider that Operational Noise Management Plan(s) for the substation(s) might still be required.
Q2:14.1.2	The applicants	Notice periods Paragraph 1.4 of the Outline Communications Plan [REP4-029] outlines the communications plan framework, however no specific defined notice periods are described. Can the applicants clarify what mechanisms will be used to notify residents of noisy works, especially outside of the normal working hours. How is this going to be enforced? How are minimum notice periods going to be defined?
Q2:14.1.3	The applicants (a), FBC (b)	Complaints procedure Noting the updates to the Outline construction noise and vibration management plan [REP4-033] . a) Please describe the complaints procedure for noise issues during construction, including response times and escalation protocols. b) Do you consider proposed mitigation and control measures in the plan to be adequately defined?
Q2:14.1.4	The applicants	Construction working hours Noting the updated Outline construction noise and vibration management plan [REP4-033] a gap remains with a request made by Fylde Borough Council for standard hours of 08:00–18:00 weekdays and 08:00–13:00 Saturdays, with no work on Sundays or Bank Holidays. Provide justification for not fully aligning with Fylde Borough Council's standard construction hours, particularly in residential areas. Have you considered receptor specific working hour restrictions?
Q2:14.1.5	The applicants	Impact on animals during construction How has impact of construction noise on wildlife, livestock (cattle and sheep), and horses been assessed? What specific measures are going to be implemented to mitigate impact on animals during construction?
15. Socio-economic effects		
Q2:15.1.1	The applicants	Outline Employment and Skills Plan (OESP) The latest Statement of Reasons [REP4-017] still refers to the Employment and Skills Plan (OESP) [REP4-076] merely being consulted with the Councils at paragraph 1.5.1.21. Please update as it is suggested that it needs to be consulted with “the relevant authorities” as defined and then approved by whoever they determine (Lancashire as currently drafted in Requirement 19 of the draft Development Consent Order [REP4-007]).
Q2:15.1.2	Blackpool Borough Council (BBC) and Fylde Borough Council (FBC)	Approving authority Please provide an update on discussions between the Councils as to which one will be the single approving authority for the OESP under Requirement 19 of the dDCO [REP4-007] .
Q2:15.1.3	The applicants	Number of jobs The OESP [REP4-076] only provides 250 jobs. By comparison, it was estimated that the Mona windfarm project would deliver 2500 posts. Why is there such a significant difference?
Q2:15.1.4	The applicants	Tourism The local tourism report was expected at deadline 4 (D4) as discussed at ISH2 and mentioned at Action Point 41 [EV7-018] but this is yet to be available as explained in the applicants' response to action points [REP4-108] . The suggestion is that it will be produced by deadline 5 (22 September 2025) and therefore just 5 weeks before the close of the examination. This has been an issue from the outset of the examination and mentioned at issue specific hearing 1 and question 5.1.13 from ExQ1. In the reply from the applicants [REP3-056] it was confirmed that “in response to the request for a more localised consideration of potential tourism effects, the Applicants will prepare a note on this for submission at Deadline 4”. Why has this not been possible?
Q2:15.1.5	The applicants	NPS-EN1 In their reply [REP3-056] to Q5.1.13 from ExQ1 the applicants referred to paragraph 5.13.2 of NPS-EN1 which provides that “Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES”. The applicants responded to this by saying “In line with this requirement, it is appropriate to undertake either a local or regional visitor economy assessment. Since the

		anticipated effects are diffuse and not solely concentrated within a single local authority, a regional assessment has been undertaken within section 2.11 and 2.12 of APP-141.” It is difficult to understand how the applicants have drawn this conclusion in the context of NPS EN-1 paragraph 5.13.2. It is not clear that the applicants have complied with this policy requirement as there is no suggestion in the wording of policy 5.13.2 that it is open for an applicant to choose either a local or regional analysis. Please explain and justify this approach?
Q2:15.1.6	The applicants	Position of Councils Fylde emphasised their concerns in their reply to question 15.1.4 of ExQ1 [REP3-082] and as mentioned at issue specific hearing 2, there has still been no detailed assessment on the effects of tourism in the local area. The applicants’ response at D4 [REP4-097] to the submission from FBC referred to above highlights the emphasis that the updated report will have. It does appear to be close to an acknowledgement that the initial submission [APP-141] was deficient in this respect. Do the applicants now accept that it was extremely difficult for the Councils to provide a considered comment to the original report which provided such a broad analysis?
Q2:15.1.7	The applicants	Planning assessment This omission of a local analysis does cast doubt on the assessment made in the socio-economic chapter at paragraph 2.12.6. [APP-141] that the effects on tourism are “negligible” since the assessment has been taken across such a wide area which has influenced the findings. Please comment?
Q2:15.1.8	FBC and BBC	Councils’ further comments Both Councils made further representations at D4 but at that stage, there was an expectation that a detailed report on the impacts at a local level on the tourist trade would be provided. This has not occurred. Do the councils wish to add anything further notwithstanding that no further evidence has been provided by the applicants?
16. Transportation and traffic		
Q2:16.1.1	The applicants, Blackpool Borough Council (BBC), Fylde Borough Council (FBC)	Draft Development Consent Order (dDCO), Article 14 Access to Works and Schedules 6A and 6B Given the proposed limited use of the Starr Gate access as set out in paragraphs 1.12.6.1 to 1.12.6.5 of [REP4-056] should the full provisions of Article 14 of [REP4-007] apply? Is Starr Gate the responsibility of BBC as highway authority or FBC as indicated by Schedules 6A and 6B of [REP4-007]?
Q2:16.1.2	The applicants, Lancashire County Council (LCC), BBC, Natural England (NE)	dDCO, Requirement 10 Highway accesses Should the Highway Access Management Plan (HAMP) be approved directly by the relevant highway authority in the same way as the Construction Traffic Management Plan (CTMP) (Requirement 9) rather than by “the relevant planning authority in consultation with the relevant highway authority” as stated in the latest version of the dDCO [REP4-007]?
Q2:16.1.3	The applicants	Construction Traffic Management Co-ordinator (CTMCo) The ExA notes the more proactive responsibilities assigned to the CTMCo role in the latest version of the Outline Construction Traffic Management Plan (OCTMP), paragraph 1.2.3.1 [REP4-056]. However: a) Should the list of responsibilities also include the setting up (and chairing?) of the Transport Working Group? b) Why is there no reference to the CTMCo role in the latest versions of the Outline Communications Plan [REP4-028], Outline Dust Management Plan [REP4-030] and Outline Construction Noise and Vibration Management Plan [REP4-032] where in each case it would seem to have a crucial part to play?
Q2:16.1.4	The applicants	Timing of Heavy Goods Vehicle (HGV) movements Will the change in core working hours from 07.00 to 19.00 to 07.00 to 13.00 on Saturdays (paragraph 1.4.3.1, OCTMP [REP4-056]) increase project duration or increase daily traffic movements beyond the maximum at accesses?
Q2:16.1.5	LCC	Timing of Heavy Goods Vehicle (HGV) movements Is LCC content: a) That the revised wording of the OCTMP paragraphs 1.4.3.1 to 1.4.3.4 of [REP4-056] provides adequate control over the timing of HGVs travelling to site and prevents parking/ queuing on the public highway? b) With the list of potential HGV parking locations in table 1.1 of [REP4-056]?
Q2:16.1.6	LCC	Links requiring HGV mitigation

		Is LCC content that the applicants have identified all the proposed links that potentially require mitigation measures for the safe passage of HGVs in section 1.10 of the OCTMP [REP4-056] ? If not, which links have been omitted?
Q2:16.1.7	The applicants	HGV Mitigation Measures Should paragraph 1.10.1.2 of the latest OCTMP [REP4-056] refer to section 1.10.2 not paragraph 1.10.1.4?
Q2:16.1.8	LCC	HGV Mitigation Measures Is LCC content that the issues on all links can be addressed in principle by the measures proposed by the applicants in paragraphs 1.10.2.1 and 1.10.2.2 and section 1.11 of the OCTMP [REP4-056] ? If not, what further measures are required?
Q2:16.1.9	LCC	HGV Mitigation Measures Is LCC satisfied with the proposed process for agreeing, implementing and monitoring measures to address issues on the links set out in table 3-1 of [REP4-113] and paragraphs 1.10.2.3 to 1.10.2.8 of the OCTMP [REP4-056] ?
Q2:16.1.10	The applicants, LCC	HGV Mitigation Measures Confirm that all the proposed mitigation measures (including the provision of localised passing places and the widening of pinch points) can be accommodated within the order limits or highway land.
Q2:16.1.11	LCC	Crossing points The applicants provided data on daily heavy vehicle movements to construction accesses including crossing points in table 2-1 of [REP4-113] . Given this data, is LCC content with the crossing points proposed?
Q2:16.1.12	The applicants, LCC	Final form of agreement for highway works Confirm your understanding of the powers under which works to the highway will be undertaken (including mitigation measures for the safe passage of HGVs, the construction of accesses and any works associated with the movement of Abnormal Indivisible Loads).
Q2:16.1.13	LCC	Preston Guild Wheel Cycle Route Is LCC content with the proposed usage of the A583 overbridge on the Preston Guild Wheel Cycle Route set out in paragraph 1.12.5.1 of the OCTMP [REP4-056] (i.e. approximately 12 movements a day six in and six out) and the associated safety measures proposed set out in paragraphs 1.12.5.2 to 1.12.5.5?
Q2:16.1.14	The applicants	Preston Guild Wheel Cycle Route Why is TAT_MGMC_57 required when TAT_ECO_MGMC_6 is in close proximity and could potentially be used to access the same areas of the proposed works?
Q2:16.1.15	BBC	Starr Gate Is BBC content with the proposed usage of Starr Gate Access by the applicants to launch vessels from the existing boat ramp to facilitate construction activities at landfall and the associated safety measures proposed, set out in paragraphs 1.12.6.1 to 1.12.6.5 of [REP4-056] ?
Q2:16.1.16	LCC	Preliminary access design Is LCC content with the preliminary access design information contained in table 1.1 of the Outline Highway Access Management Plan (OHAMP) [REP4-060] ?
Q2:16.1.17	LCC	Treatment of accesses no longer required Is LCC content with proposals to address accesses that are no longer required for the construction of one of the proposed projects set out in paragraph 1.4.3.4 of the OHAMP [REP4-060] ?
17. Other matters		
17.1 Green Belt		
Q2:17.1.1	The applicants	Morecambe substation design The proposed Morecambe substation may use either air insulated switchgear (AIS) or gas insulated switchgear (GIS) designs. At ISH2 the applicants explained that an AIS substation footprint is generally larger than a GIS substation footprint. Taking into consideration the potential difference in substation footprint and design between the two options, would there be any differences between an AIS design or GIS design in terms of impacts on the openness of the Green Belt and any other Green Belt impacts?
Q2:17.1.2	The applicants	Green Belt Technical Note Further to discussions at ISH2 the applicants have submitted an updated Green Belt Technical Note [REP4-092] .

		The third bullet point of the overall conclusion in paragraph 1.8.2.1 does not appear to correctly reflect Green Belt policy in paragraph 153 of the National Planning Policy Framework as it does not specifically refer to “and any other harm resulting from the proposal”. Instead, it refers to “harms arising from the proposals by reason of inappropriate development”. Should this refer to any other harm arising from the proposed development as a whole in order to correcty reflect the NPP?
17.2 Commercial fisheries		
Q2:17.2.1	National Federation of Fishermen’s Organisations (NFFO) Northwest Inshore Fisheries and Conservation Authority (NWIFCA)	Outline Fisheries Liaison and Co-existence Plan (OFLCP) Are you content with the OFLCP [APP-218]? Are there any amendments/ additions that you would recommend?
Q2:17.2.2	Marine Management Organisation (MMO)	Underwater Sound Management Strategy (USMS) In response to Q17.2.3 of the ExA’s first written questions [PD-008] MMO noted that the applicants were in the process of developing an USMS that might use Noise Abatement Systems such as bubble curtains and piling dampeners. In [REP4-099] the applicants have highlighted that they have not committed to the preparation of a USMS because no pile driving is required for the transmission assets. Do you have any comments given this clarification?
17.3 Climate change		
Q2:17.3.1	The applicants	Greenhouse Gas Assessment Could the applicants provide comment in light of the recent cases of R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council [2024] UKSC 20 and Friends of the Earth Ltd and South Lakeland Action on Climate Change v SSLUHC [2024] EWHC 2349 (Admin), and whether these cases have any implications for the assessments of greenhouse gas emissions.