



# MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

**Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisations: Natural England**

Deadline 6  
Application Reference: EN020028

Document Numbers:  
MRCNS-J3303-JVW-19248  
MOR001-FLO-CON-ENV-NOT-0101

Document Reference: S\_D6\_2.6  
F01

22 October 2025

Document status					
Version	Purpose of document	Approved by	Date	Approved by	Date
F01	Deadline 6	GL	October 2025	IM	October 2025

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## Glossary

Term	Meaning
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Candidate Special Areas of Conservation	Areas that were submitted to the European Commission as candidates for designation as a Special Area of Conservation before the end of the Transition Period following the UK's exit from the EU, but not yet formally designated. See also Special Areas of Conservation.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Environmental Impact Assessment	The process of identifying and assessing the significant effects likely to arise from a project. This requires consideration of the likely changes to the environment, where these arise as a consequence of a project, through comparison with the existing and projected future baseline conditions.
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
European Protected Species	Species (such as bats, great crested newts, otters and dormice) which receive full protection under The Conservation of Species and Habitats Regulations 2017 and Conservation of Offshore Marine Habitats and Species Regulations 2017.
Generation Assets	The generation assets associated with the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm include the offshore wind turbines, inter-array cables, offshore substation platforms and platform link (interconnector) cables to connect offshore substations.
Greenhouse gas	A gas that absorbs and emits radiant energy within the thermal infrared range, causing the greenhouse effect. Examples include carbon dioxide and methane.
Habitats Regulations	The Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).
Kyoto Protocol	The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties to reducing greenhouse gas emissions by setting internationally binding emission reduction targets, implemented primarily through national measures but also via wider market-based mechanism.
Landfall	The area in which the offshore export cables make landfall (come on shore) and the transitional area between the offshore cabling and the onshore cabling. This term applies to the entire landfall area at Lytham St. Annes between Mean Low Water Springs and the transition joint bay inclusive of all construction works, including the offshore and onshore cable routes, intertidal working area and landfall compound(s).
Local Planning Authority	The local government body (e.g., Borough Council, District Council, etc.) responsible for determining planning applications within a specific area.

Term	Meaning
Marine licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for to apply for 'deemed marine licences' in English waters as part of the development consent process.
Morecambe OWL	Morecambe Offshore Windfarm Limited is owned by Copenhagen Infrastructure Partners' (CIP) fifth flagship fund, Copenhagen Infrastructure V (CI V).
Morgan and Morecambe Offshore Wind Farms: Transmission Assets	<p>The offshore export cables, landfall and onshore infrastructure for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400 kV grid connection cables and associated grid connection infrastructure such as circuit breaker compounds.</p> <p>Also referred to in this report as the Transmission Assets, for ease of reading.</p>
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW).
National Policy Statement(s)	The current national policy statements published by the Department for Energy Security and Net Zero in 2023.
Planning Inspectorate	The agency responsible for operating the planning process for applications for development consent under the Planning Act 2008.
Protected species	A species of animal or plant which it is forbidden by law to harm or destroy.
Ramsar sites	Wetlands of international importance that have been designated under the criteria of the Ramsar Convention. In combination with Special Protection Areas and Special Areas of Conservation, these sites contribute to the national site network.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Special Areas of Conservation	A site designation specified in the Conservation of Habitats and Species Regulations 2017. Each site is designated for one or more of the habitats and species listed in the Regulations. The legislation requires a management plan to be prepared and implemented for each SAC to ensure the favourable conservation status of the habitats or species for which it was designated. In combination with Special Protection Areas and Ramsar sites, these sites contribute to the national site network.
Special Protection Areas	A site designation specified in the Conservation of Habitats and Species Regulations 2017, classified for rare and vulnerable birds, and for regularly occurring migratory species. Special Protection Areas contribute to the national site network.
The Secretary of State for Energy Security and Net Zero	The decision maker with regards to the application for development consent for the Transmission Assets.
Transmission Assets	See Morgan and Morecambe Offshore Wind Farms: Transmission Assets (above).

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# **1 Applicants' response to IP submission at Deadline 5 – Natural England**

## **1.1 Introduction**

- 1.1.1.1 Following Deadline 5, Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited (hereafter, 'the Applicants') have taken the opportunity to review each of the submissions received from stakeholders who registered as Interested Parties (IPs) in the Examination.
- 1.1.1.2 Details of the Applicants' response to Natural England's submissions (REP5-178, REP5-179, REP5-180, REP5-181, REP5-182, REP5-183 and REP5-184) received at Deadline 5 are set out in this annex.



## 2 Applicants' Response to Written Representations – Natural England

### 2.1 Natural England (Cover Letter)

**Table 2.1: REP5-178 – Natural England (Cover Letter)**

Reference	IP submission	Applicants' response
REP5-178.1	<p>1.</p> <p>Deadline 5 Submissions</p> <p>Natural England has submitted the following documents at Deadline 5:</p> <ul style="list-style-type: none"><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets -Appendix B5 - Natural England's Comments on Physical Processes and Benthic and Subtidal Ecology;</li><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets -Appendix G5.1 - Natural England's Comments on Onshore Ecology – Soils;</li><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets -Appendix G5.2 - Natural England's Comments on Onshore Ecology;</li><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets -Appendix G5.3 - Natural England's Comments on Outline Landfall Construction Method Statement;</li><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets –Appendix H5 - Natural England's Comments on Onshore and Intertidal Ornithology;</li><li>• EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets -Appendix K5 - Natural England's Risk and Issues Log Deadline 5; and</li></ul>	<p>The Applicants note Natural England's response.</p>

Reference	IP submission	Applicants' response
	<ul style="list-style-type: none"> <li>EN020028 522936 Morgan and Morecambe Offshore Wind Transmission Assets –Appendix L5 - Natural England's Response to ExQ2 Deadline 5.</li> </ul>	
REP5-178.2	<p>Engagement through Examination</p> <p>As stated at previous deadlines Natural England highlights that the focus of our engagement during Examination will be on reviewing relevant updated documents/outline plans submitted by the Applicant. We are unlikely to respond directly to commentary on our representations (including on the Risk and Issues Log) or rebuttal style documents from the Applicant or Interested Parties, unless there is significant new material included, a misinterpretation of Natural England's position, or if the Examining Authority (ExA) questions direct us to do so. The Risk and Issues Log continues to be used to track issue progress and when applicable we will signpost to our advice.</p>	The Applicants note this response and have provided responses to the risk and issues log in Annex 2.6 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Natural England (REP5-177-184) (S_D6_2.6).
REP5-178.3	<p><b>Natural England's advice on Stage 2 MCZ assessment and Without Prejudice Measure of Equivalent Environmental Benefit (MEEB) for Fylde Marine Conservation Zone (MCZ)</b></p> <p>It is noted that there are several ExA written questions in [PD-011] regarding Natural England's position on the Stage 2 MCZ assessment and Measures of Equivalent Environmental Benefit (MEEB). To aid clarity, we highlight to the Examiner that Natural England's position regarding the need for a Stage 2 MCZ Assessment and MEEB remains unchanged. Please also see our advice set out in [REP2-062] and updated R&amp;I Log at Deadline 5 and Appendix L5, Q2:7.2.5.</p>	The Applicants note Natural England's response.
REP5-178.4	<p><b>Updates to the Risk and Issues Log at Deadline 5</b></p> <p>Natural England has reviewed the documents submitted by the Applicant at Deadline 4. Annex 1 lists the documents we have reviewed and, for instances where we have not provided advice via an Appendix, where comments can be found in the Risk &amp; Issues Log.</p>	The Applicants note this response and have provided responses to the risk and issues log in Annex 2.6 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Natural England (REP5-177-184) (S_D6_2.6).



Reference	IP submission	Applicants' response
REP5-178.5	<p><b>Joint statement between Natural England and the Applicant on ornithological matters at the landfall relating to the Ribble and Alt Estuary SPA/Ramsar</b></p> <p>Natural England and the Applicant have drafted a joint statement to provide clarity on ornithological matters at the landfall relating to the Ribble and Alt Estuary SPA/Ramsar and to aid the Examining Authority's Written Questions [PD-011]. The following statement also relates to ExA Q2:6.1.1, Q2:9.1.2:</p> <p><i>The Applicants and Natural England can confirm that the parties met on 16 September to discuss the potential impacts on the passage features of the Ribble and Alt Estuaries SPA/Ramsar site. Following on from the meeting, the Applicants and Natural England have agreed that subject to the Applicants submitting further information into Examination at Deadline 5, which were discussed during the meeting and over email, Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven Saltmarsh scheme is an alleviation measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal.</i></p>	<p>The Applicants welcome this agreement on the joint statement on ornithological matters at the landfall relating to the Ribble and Alt Estuary SPA/Ramsar.</p>
REP5-178.6	<p><b>Examining Authority's Rule 13 Notification of Hearings</b></p> <p>We note the Examining Authority's Rule 13 notice of issue-specific and compulsory acquisition hearings for environmental matters on Tuesday 7 October and Wednesday 8 October. We are aware that the Applicant will be providing updates to their documents at Deadline 5 and this may inform the scope of the environmental Issue Specific Hearings. However, due to the considerable number of updates to the Applicant's application</p>	<p>The Applicants note Natural England's position and welcome any further engagement. The Applicants have provided a response to the RIES at Deadline 6 (see S_D6_5) and note the ExA's Rule 17 letter of 15 October 2025 requesting clarification from Natural England on a number of matters at Deadline 6.</p>

Reference	IP submission	Applicants' response
	documents anticipated to be submitted at Deadline 5, the large number of documents to review between Deadline 5 and 6, publication of the REIS, and formulating Statements of Common Ground, Natural England will not be able to provide our position or advice to inform the ISH. However, we can provide written responses to any questions that may arise during the hearing at Deadline 6.	

## 2.2 Natural England (Appendix B5 Natural England's comments on Physical Process and Benthic Subtidal and Intertidal Ecology)

**Table 2.2: REP5-179 – Natural England (Appendix B5)**

Reference	IP submission	Applicants' response
REP5-179 179.1	<p><b>Appendix B5 Natural England's comments on Physical Processes and Benthic Subtidal and Intertidal Ecology</b></p> <p>In formulating these comments, the following documents have been considered:</p> <ul style="list-style-type: none"> <li>• [REP4-019] F1.5.3 Environmental Statement Volume 1 Annex 5.3: Commitments Register (Tracked)</li> <li>• [REP4-073] J19 Outline Offshore Operations and Maintenance Plan – Rev F02 (Tracked)</li> <li>• [REP4-075] J20 Offshore In-Principle Monitoring Plan – Rev F03 (Tracked)</li> <li>• [REP4-122] Annex to Applicants response to MMO and NE submission at Deadline 3: Assessment of Seabed Level Vertical Variability for Morgan Offshore Wind Farm- Appendix C - Rev F01</li> <li>• [AS-81] Outline Landfall Construction Method Statement</li> </ul>	The Applicants note this comment.
REP5-179 179.2	<p><b>1.1 Summary</b></p> <p>Natural England welcomes the commitments made by the Applicant. However, we draw the ExA and Applicant's attention within this response to where those commitments could be strengthened and further information is required to support those commitments. Our advice is also reflected in Natural England's Risk &amp; Issues Log (Appendix K5) submitted at Deadline 5.</p> <p>We note that the Applicant is submitting further information at Deadline 5 and therefore we anticipate that this advice is likely to require further updates.</p>	The Applicants note this comment.

**Table 2.3: Natural England's Advice On: Commitments Register [REP4-019]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	CoT47	<p><i>CoT47: The Outline Offshore Cable Specification and Installation Plan (CSIP) includes measures to limit the extent of cable protection to 3% of the offshore export cable route within the Fylde (Marine Conservation Zone) MCZ (excluding cable crossings). Within the Fylde MCZ, external cable protection will only be used where deemed to be essential, e.g. for cable crossings or in the instance that adequate burial / reburial is not possible for any section of the route through the Fylde MCZ. The Outline CSIP also includes measures to limit sandwave clearance to up to 5% of the offshore export cable corridor route within the Fylde MCZ. Material arising from sandwave clearance in the Fylde MCZ will be deposited within the Fylde MCZ. The requirements for cable protection and sandwave clearance will be informed through the undertaking of survey works pre-construction. Detailed CSIP(s) will be developed in accordance with the Outline CSIP.</i></p> <p>Natural England welcomes the inclusion of this commitment. We note that material arising from sandwave clearance in the Fylde MCZ will be deposited within the Fylde MCZ. However Natural England notes that further mitigation regarding impacts from sediment deposition within Fylde MCZ are not committed to and secured.</p>	<p>Natural England advises that further commitments are required for any deposition with the MCZ i.e. disposition should be done using a fall/down pipe, to ensure it can deliver other required mitigation measures such as within similar sediment to that cleared, adjacent to and updrift of the sandwave. We advise that this is required to enable sandwave recovery within the designated site.</p>	<p>In addition to CoT47, the Applicants updated the following documents to clarify that within the Fylde MCZ, sandwave clearance would only be undertaken by Controlled Flow Excavator:</p> <ul style="list-style-type: none"> <li>• Outline Offshore CSIP (REP5-078)</li> <li>• Volume 1, Chapter 3: Project description (REP5-024)</li> <li>• MCZ Screening and Stage 1 Assessment Report (REP5-023)</li> <li>• Dredging and disposal site characterisation plan (REP5-081)</li> </ul> <p>The Applicants have also updated the wording of CoT47 in the Commitments Register at Deadline 6 (F1.5.3/F07) to clarify that sandwave clearance within the Fylde MCZ will be undertaken via Controlled Flow Excavator only.</p>
2	CoT115	<p><i>CoT115: An Offshore In-Principal Monitoring Plan (OIPMP) has been prepared and submitted as part of the application for development consent. The OIPMP includes for monitoring of</i></p>	<p>Natural England advises that the adequacy of benthic compensation would be reviewed as part of strategic compensation measures.</p>	<p>The Applicants note this response and highlight that, at Deadline 5, the Applicants updated the Offshore IPMP (REP5-079) to secure implementation of an adaptive management approach. In the event that</p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		<p><i>the recovery of sediments and benthic communities within representative areas of the Fylde MCZ potentially impacted by sandwave clearance, cable installation and cable protection, at appropriate temporal intervals as part of the operational asset integrity surveys. Detailed Offshore Monitoring Plans will be produced prior to operation and maintenance phases in accordance with the OIPMP, and will be approved in consultation with statutory advisors and regulators.</i></p> <p>This commitment outlines proposals in the OIPMP to monitor seabed and benthic recovery in Fylde MCZ. There is no information about what would happen if a greater impact than predicted occurs.</p>	However, project monitoring would need to ensure that the post-construction impacts are reflective of the EIA predictions. Should impacts be found to be greater than predicted then there should be a commitment for the Applicant to undertake remedial actions and undertake further monitoring accordingly.	any monitoring report provided to the MMO identifies impacts which are beyond those predicted within the EIA, adaptive management / mitigation may be required. Where relevant, an Adaptive Management Plan to reduce effects to within those predicted within the EIA, including timelines and proposed monitoring to test effectiveness, would be submitted alongside the monitoring reports. The Adaptive Management Plan would be agreed with the MMO in consultation with the relevant SNCBs with the aim of reducing effects to a suitable level. Any such agreed or approved adaptive management plan would be implemented and monitored in full.
3	CoT116	<p><i>CoT116: Any material arising from sandwave clearance within the Transmission Assets Order Limits will be deposited in close proximity to the works and within the licensed disposal sites within the Order Limits, as detailed in the Dredging and Disposal - Site Characterisation Plan prepared and submitted as part of the application for development consent.</i></p> <p>Natural England welcomes this commitment, however we recommend that an amendment to ensure that this commitment only relates to outside of designated sites.</p>	Natural England draws the ExA to point 1 above and recommends this commitment is made clearer.	<p>The Applicants have updated the wording of CoT116 in the Commitments Register at Deadline 6 (F1.5.3/F07) as "Any material arising from sandwave clearance within the Transmission Assets Order Limits outwith the Fylde MCZ will be deposited in close proximity to the works and within the licensed disposal sites within the Order Limits, as detailed in the Dredging and Disposal - Site Characterisation Plan prepared and submitted as part of the application for development consent. Within the Fylde MCZ, sandwave clearance, which will only be undertaken by Controlled Flow Excavator, will be deposited in close proximity to the works and only within the portion of the Order Limits overlapping the Fylde MCZ." to clarify that it refers to sandwave clearance outside the Fylde MCZ only.</p>
4	CoT133	<i>CoT133: No cable/scour protection shall be permanently deployed in the intertidal area</i>	Whilst Natural England acknowledges that a commitment	The intention of CoT133 was to commit to no deployment of cable/scour protection in the intertidal

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		<p><i>between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS).</i></p> <p>Whilst Natural England welcomes the inclusion of this commitment is not sufficient to alleviate our concerns in relation to disruption of sediment transport from the placement of scour/cable protection within the intertidal for the duration of the project.</p>	has been made to not deploy cable/scour protection within the intertidal 'permanently', this commitment only partially addresses our concerns. For example, there are still unknowns around impacts during the project lifetime, the maximum duration of deployment, the certainty of successful decommissioning along and impacts would be associated with decommissioning.	area during cable installation or any other phase. Therefore, the Commitments Register (F1.5.3/F07) and the Outline Landfall Construction Method Statement (S_D4_22/F03) have been updated at Deadline 6 to remove 'permanently' in CoT133, i.e. no cable/scour protection will be deployed during installation of the export cables. Therefore, there will be no impacts on coastal processes at landfall.
5	CoT134	<p><i>CoT134: As part of the detailed design process, micro-siting of the offshore export cables within the offshore export cable corridors will be considered where successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required.</i></p> <p>Natural England welcomes this commitment. This has been reflected in our Risk &amp; Issues Log (Appendix K5) submitted at Deadline 5.</p>	N/A	The Applicants welcome this comment.
6	CoT135	<p><i>CoT135: The Applicants will not plan routine O&amp;M activities in the original Liverpool Bay SPA (as designated in 2010), including a 2 km buffer between November and March (inclusive) unless in urgent circumstances.</i></p> <p>Natural England welcomes this commitment. We highlight this is mainly relevant to offshore ornithology, this has been reflected in our Risk &amp; Issues Log (Appendix K5) submitted at Deadline 5.</p>	N/A	The Applicants welcome this comment.



**Table 2.4: Natural England's Advice On: Offshore In-Principle Monitoring Plan [REP4-075]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	Table 1.3	Natural England welcomes the development of monitoring commitments to include benthic ecological monitoring at pre-construction and operational phases.	Whilst we consider the level of detail provided in the OIPMP at the consenting is appropriate, we advise that further detail on benthic ecological monitoring will need to be provided for the IPMP during the post-consent phase. We advise that benthic monitoring proposals include pre-construction surveys designed to provide a robust baseline from which temporal changes in the benthic attributes (as listed within Natural England Supplementary Advice on Conservation Objectives) can be confidently determined. For example, survey objectives should be expanded to include consideration of species composition of component communities, presence and abundance of key structural and influential species etc. We advise that the baseline survey specifications should be repeated post construction for a minimum of 3 years and/or once full recovery has been demonstrated, whichever is the greatest period.	The Applicants note this comment and would highlight that the detailed benthic monitoring plans developed post-consent (should consent be granted) must be approved by the MMO in consultation with the statutory nature conservation body (SNCB) as secured under Conditions 24 and 26 of Schedule 14 and 15 of the draft DCO (REP5a-018). Additionally, the timing and frequency of post-construction monitoring must be agreed with the MMO in consultation with the SNCB, as secured under Condition 26(4) of Schedules 14 and 15 of the draft DCO (REP5a-018).
2	Table 1.2	Natural England continues to advise that there is a lack of monitoring commitments for physical processes in the OIPMP.	<p>We continue to advise the Applicant to carry out monitoring of:</p> <ul style="list-style-type: none"> <li>• Sandwave recovery (particularly within Fylde MCZ); and</li> <li>• Dune/beach/intertidal morphology.</li> </ul> <p>We highlight that the Morgan Generation Project did include adaptive monitoring to monitor the changes to, and recovery of, sandwaves. See [REP5-043] of the Morgan Gen Examination submission.</p> <p>Pre and post construction monitoring of the landfall construction area should be undertaken to confirm</p>	<p>The Offshore In Principle Monitoring Plan (IPMP) includes for monitoring of impacts to sediment transport and sediment transport pathways due to presence of infrastructure and associated potential impacts to physical features and bathymetry.</p> <p>At Deadline 6 the Applicants further updated the Offshore IPMP (J20/F05) to specifically include for monitoring of sandwave recovery though comparison of pre and post-construction geophysical data.</p> <p>In accordance with commitment CoT08 Post-construction the working area will be reinstated to pre-existing condition as far as reasonably practical.</p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
			beach recovery to support commitment (CoT27) to remove temporary construction compounds (including cofferdams) and reinstate the site once construction has been completed. If recovery has not been achieved remedial action should be identified. This should also reflect on any change in rates of sand dune erosion.	This means that following construction exit pits on the beach will be backfilled with the excavated material and the beach will be restored to the pre-construction conditions, i.e. no change to baseline processes, requiring further monitoring beyond those outlined in the Offshore IPMP submitted at Deadline 6 (J20/F05).

**Table 2.5: Natural England's Advice On: Outline Offshore Operations and Maintenance Plan [REP4-073]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	Table 1.1	Natural England welcomes the changes to Table 1.1 which has now been updated with MDS cable repair/reburial parameters inside/outside Fylde MCZ.	This has been updated and reflected in our Risk & Issues Log (Appendix K5) submitted at Deadline 5.	The Applicants welcome this comment.
2	Table 1.1	Natural England notes that the following commitment has been added to Table 1.1: "Inside the Fylde MCZ: deployment of cable protection is limited to the first 2 years of the O&M phase / extent of the marine licensable activity (whichever is first)".	Natural England advises as with all other plans/projects that all construction activities, including the deployment of cable protection, should be conducted within the construction phase due to deleterious consequences for both recovery times and the effectiveness of post construction monitoring.  If for any reason this approach is demonstrated to be impracticable, Natural England advises that there will be requirement for a greater number of monitoring locations / expanded monitoring periods to mitigate for instances where additional rock protection placed within the 2-year period overlaps or has potential to impact the recovery monitoring locations. We also advise that the ES and MCZ will need reviewing in	The Applicants acknowledge that there may be a requirement for a greater number of monitoring locations / expanded monitoring periods to mitigate for instances where additional rock protection placed within the 2-year period overlaps or has potential to impact the recovery monitoring locations. The Applicants consider that this can be implemented via the adaptive management approach, as outlined in the updates to Offshore IPMP at Deadline 5 (REP5-079). This can also be managed via the detailed benthic monitoring plans to be developed post-consent (should consent be granted). For example through inclusion of sufficient control and impact monitoring stations at the outset to ensure

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
			order for the increased recovery times to be appropriately considered and assessed.	<p>robustness of design if selected stations are later impacted by cable protection placed within the 2 year post-construction period (i.e. ensuring enough redundancy in the monitoring design).</p> <p>The Applicants do not consider that Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) or the Marine Conservation Zone (MCZ) Screening and Stage 1 Assessment Report (APP-019) would need reviewing as any cable protection placed within the 2 year post-construction period would be within the MDS already assessed for long-term habitat loss.</p>

**Table 2.6: Natural England's Advice On: Outline Landfall Construction Method Statement [AS-081]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	Section 1.8	As we have advised during this examination, Natural England notes that the Applicant is also reflects that further geotechnical investigations are required to determine the methodology for cable landfall. However, the Applicant suggests this would be require prior to construction, rather than provide the certainty during examination.	Natural England advises that should further geotechnical investigations be required in the pre-construction phase of the project they will require a separate marine licence.	The Applicants are aware that any further pre-construction geotechnical investigations required to finalise the design of the Transmission Assets would require a separate marine licence. The Draft DCO was updated at Deadline 1 (REP1-008) to remove "offshore site preparation activities", which had included geotechnical investigations, from Part 1, Interpretations of Schedule 14 and Schedule 15.
2	Section 1.9 and 1.11	Natural England notes that there is discuss about sequency of project installation within section 1.9 and 1.11 and draws the ExA attention to the fact	Natural England advises that it would be beneficial from a nature conservation and designated site management perspective for the Applicant to commit to, the first project installing the joints for both projects. This	The Applicants note NE's position and would note that whilst this has been its advice for the Sheringham and Dudgeon Extension Project and for East Anglia 1N and East Anglia 2, neither of those consents as granted required the first project to

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		that further mitigation measures could be implemented to minimise the impacts.	advise replicates that given on other projects and most recently the Dudgeon and Sheringham Extensions projects and East Anglia 1N and East Anglia 2 projects consents.	install the joints (the Applicants assume this should be a reference to cable ducts) for the second despite the projects both being promoted by the same company.  The Applicants have previously explained that, as entirely separate commercial entities, they are unable to commit to joint or concurrent working, or for one project to undertake works on behalf of the other.
3	Figure 3 (p20)	Natural England notes that limited information is provided as to where the excavated material from 6 exit pits shown in fig 3 (p20) will be stored. It is also not clear how this may/may not impact on coastal processes.	Natural England advises that further information is required regarding where excavated sediment will be stored and how this has informed the coastal processes impact assessments.	The Applicants confirm that where exits pits are located in the inter-tidal region trenching will be undertaken within the confines of the coffer dams during low tide events. The excavated material would be removed and stored in a temporary working area(s) so it is not at risk of erosion or dispersion due to tides. Excavated material will therefore be preserved to facilitate backfilling to reinstate the beach to pre-construction sediment type and level. This will ensure limited impacts during the construction phase and a return to baseline conditions following the removal of the coffer dams.
4	Section 1.13.5.3	Natural England notes that this section states the TJBs will be infilled with a mixture of cement bound sand and previously excavated material. However, there is limited information provided in relation to why the cement is required, the depth of deployment and consequences of making this area less resistant to both vertical and horizontal erosion and whether sufficient sediment will remain to infill the excavated areas.	Natural England advises that a further impact assessment is required on the use of cement bound sand. We highlight that this is included as a new issue within our R&I log.	The Applicants note Natural England's comment regarding the use of cement bound sand (CBS) at the TJBs within Blackpool Airport. The use of CBS at the TJBs is a standard engineering practice to provide structural stability of the transition joint between the offshore export cable and the onshore export cables, with the majority of the backfilling being the previously excavated material. CBS will only be used within the confines of the TJB excavation to stabilise the immediate joint, not as a general backfill material.  As set out in Table 3.14 of Volume 1, Chapter 3 Project Description (REP5-024), each TJB will have

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
				a maximum depth of 4m. The final depth and extent of the CBS will be confirmed at detailed design following further ground investigation, with the details included within the detailed Landfall Construction Method Statement, which will be submitted to and approved by the relevant planning authority prior to construction.
5	Section 1.13.6	A variety of machinery is listed in this section as being needed for landfall construction. Vehicles and trampling can severely damage sand dunes by destabilising them, compacting soil, destroying vegetation and altering dune morphology.	<p>Onshore plant and vehicles and use of the site by construction workers need to comply to best practice.</p> <p>The following list of mitigation measures are known to reduce the impacts of construction works when working in sensitive habitats which should be added to this method statement:</p> <ul style="list-style-type: none"> <li>• All vehicles and personnel should follow agreed access routes</li> <li>• All site staff/ contractors should all be briefed as to the importance of the site/ habitat via a tool-box talk when they start working on the project; a record of who has had this briefing should be kept.</li> <li>• Restrict staff numbers on site to minimum effective levels.</li> <li>• Welfare facilities and storage of materials should be positioned away from the designated area</li> <li>• Contingency planning prior to works commencing to understand what the process would be to retrieve broken down vehicles/ machinery.</li> </ul>	<p>The Applicants can confirm that the mitigations listed by Natural England are set out in the relevant management plans, which are secured under Schedule 2A and 2B of the draft DCO (REP5a-018);</p> <ul style="list-style-type: none"> <li>- Vehicle usage is set out within the Construction traffic management plan (REP5-066), with both vehicles and personnel restricted to the working areas as defined within the authorised development as secured in Schedule 1 and the draft DCO (REP5a-018)</li> <li>- Site inductions and tool-box talks are required to be undertaken under the Construction Design and Management (CDM) Regulations 2025, with roles and responsibilities (inclusive of tool-box talks) detailed in Section 1.5 Roles and responsibilities of the Code and Construction Practice (REP5-044).</li> <li>- Staffing levels will be limited to those necessary for safe and efficient operation, in line with standard industry practice.</li> <li>- The location of welfare facilities are detailed in Section 1.12 of the Outline Landfall Construction Method Statement (REP5-117) and has been further assessed as part of the Environmental Impact Assessment.</li> <li>- Contingency plan for the landfall construction activities will be set out in the Trenchless</li> </ul>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
			<ul style="list-style-type: none"> <li>• Signage should be used to inform the public of the sensitivities of the site during construction.</li> <li>• Strict pollution control measures should be followed, following industry good practice.</li> </ul>	<p>Crossing Mitigation Plan. An outline Trechless Crossing Mitigation Plan has been submitted at Deadline 5 in Appendix A of the Outline Landfall Construction Method Statement (REP5-117) and will be further developed post consent when finalising the Landfall Construction Method Statement.</p> <ul style="list-style-type: none"> <li>- Public access management, including signage and engagement measures are set out in the Outline Public Right of Way Management Plan (REP5-057).</li> <li>- Pollution prevention will be implemented in accordance with the Pollution Prevention Plan. An outline Pollution Prevention Plan (REP4-034) has been provided as part of the application.</li> </ul>



## 2.3 Natural England (Appendix G5.1 Natural England's further advice on soils)

**Table 2.7: REP5-180 – Natural England (Appendix G5.1)**

Reference	IP submission	Applicants' response
REP5-180 180.1	<p><b>Appendix G5.1 Natural England's further advice on soils</b></p> <p>In formulating this advice, the following documents have been considered:</p> <ul style="list-style-type: none"> <li>• [REP1-043] Annex 5.7 to the Applicants response to Hearing Action Points: ISH1 45 Agricultural Land Classification Surveys;</li> <li>• [REP3-017] Environmental Statement - Volume 3, Annex 5.6: Interim trial trenching report; and</li> <li>• [REP4-041] Outline Soil Management Plan.</li> </ul> <p><b>1.1 Summary</b></p> <p>Following the provision of our advice below, Natural England will not be engaging further on soil related matters unless there is a change in the Applicant's position. We believe that the advice provided in our Relevant Representations [RR-1601] and throughout examination is unlikely to change.</p>	<p>The Applicants note Natural England's position.</p>
REP5-180 180.2	<p>Natural England continues to advise that an Agricultural Land Classification (ALC) survey is conducted across the site.</p>	<p>The Applicants have undertaken detailed Agricultural Land Classification (ALC) and soil survey work within the areas of land permanently affected within the Onshore Order Limits and within representative soil types within the Onshore Cable Corridor in order to provide a robust baseline for the assessment of potential effects on ALC in the Environmental Statement (see Volume 3 Chapter 6: land use and recreation (APP-104) and Volume 3, Annex 6.2: : Agricultural land classification survey results (APP-106)) and for the development of appropriate mitigation through the development of the outline Soil Management Plan (REP5-059).</p> <p>The Applicants have demonstrated as part of S_D1_5.7 Annex 5.7 to the Applicants response to Hearing Action Points: ISH1 45 Agricultural Land Classification Surveys (REP1-043) that the extent of the survey work undertaken is consistent or indeed greater than has been applied to onshore cable routes for other DCOs.</p>

Reference	IP submission	Applicants' response
		<p>The Applicants have also committed (CoT81) to undertake further detailed soil surveys post consent, as identified in the outline soil management plan (REP5-059) in order to inform the development of detailed soil management plan(s). This is secured through Requirement 8, Schedules 2A and 2B of the draft DCO (REP5a-018).</p>
REP5-180 180.3	<p>Our rationale for advising that ALC surveys are undertaken to inform consent, is because ALC surveys provide essential insights into the site's agricultural land quality and soil properties, which inform the Environmental Impact Assessment (EIA); site micro-siting, soil handling and restoration, and suitability for various uses, allowing for informed and effective decision-making.</p>	<p>The Applicants maintain their position that the ALC survey presented as part of the DCO application (F3.6.3: Agricultural land classification survey results (APP-106)) is appropriate and provides a robust characterisation of the agricultural land quality and soil types within the Onshore Order Limits.</p> <p>Natural England have agreed that the Applicants have applied a precautionary approach to the assessment of the effects of Transmission Assets on soils and ALC and the development of appropriate mitigation (RR1601.G.48), based on the detailed survey work undertaken. The assessment can therefore be relied upon for effective decision-making (see Volume 3, Chapter 6: Land use and recreation (APP-104)).</p> <p>The Applicants in their response to ISH 1 Point 45 (REF1-043) identified similar schemes where no survey work had been undertaken, with no concerns raised by NE, even where Grade 1 land and potential peat soils would be likely to be affected. None of the very highest quality land is located within the Onshore Transmission Assets Order Limits.</p>
REP5-180 180.4	<p>This is particularly important where significant impacts to BMV Agricultural Land and irreplaceable peat are likely. Without the necessary evidence, Natural England is unable to further advise and/or provide guidance with any certainty on the scale and significance of risk and effectiveness of mitigation measures.</p>	<p>The Applicants refer to the response to 180.3 in relation to impacts on Best and Most Versatile (BMV).</p> <p>The Peat Note (REP4-118) produced by the Applicants identifies where peat has been considered and assessed throughout the Environmental Statement. The peat resources likely to be affected are predominantly shallow peats that have been subject to intensive agricultural cultivation and drainage are located in limited areas at the western end of the onshore cable route between Blackpool Airport and Higher Ballam.</p> <p>The Natural England Peat map, produced in May 2025, similarly shows potential areas of peat to be very limited in the area at the western end of the route covering less than 3% of the land within the order limits. An overlay of the order</p>

Reference	IP submission	Applicants' response
		<p>limits onto this mapping has been provided in 'Annex 6.1 to Applicants response to HAP ISH4_7: Natural England Peat Plan' (S_D6_6.1) at Deadline 6.</p> <p>The Applicants consider that the mitigation measures presented in the Outline Soil Management Plan (REF5-059) are appropriate. This document includes at Section 1.8.6 the commitment to the production of detailed Peat Management Plans, where required, and to the inclusion of detailed peat probing surveys pre-construction to inform the Peat Management Plans. Therefore, where the disturbance of peat cannot be avoided through detailed design, PMPs would ensure that the agricultural peat resources can be appropriately managed and restored to ensure that these resources are protected. Following ISH4 and in response to ISH4_8 (see The Applicants' response to Hearing Action Points due at Deadline 6 (S_D5_6)) the Applicants have updated the outline soil management plan (J1.7/F04) to include an explanation of the implementation of the peat mitigation hierarchy within the measures proposed.</p>
REP5-180 180.5	Natural England hopes that the results of ALC surveys could be made available during Examination or at the latest in the pre-determination phase in order to provide the necessary soils advice and resolve this issue.	<p>The Applicants confirm that the detailed soil surveys will be undertaken during detailed design, as identified in the outline SMP (REP5-059).</p> <p>The Applicants maintains its position that the ALC survey presented in the DCO application (F3.6.3: Agricultural land classification survey results (APP-106)) is appropriate and provides a robust characterisation of the agricultural land quality and soil types within the Onshore Order Limits.</p> <p>Natural England have agreed that the Applicants have applied a precautionary approach to the assessment of the effects of Transmission Assets on soils and ALC, based on the detailed survey work undertaken.</p>
REP5-180 180.6	<p><b>1.2 Response to the Applicant's response to Hearing Action Points: ISHI 45 Agricultural Land Classification Surveys [REP1-043]</b></p> <p>Natural England notes that the Applicant submitted a response to the Hearing Action Points ISHI 45 ALC Surveys at Deadline 1 [REP1-043]. We provided a response to this in Q12.1.2 of the ExA's written questions within Natural England's response at Deadline 3 [REP3-093]. However, we have included the following advice by way of clarification:</p>	The Applicants note Natural England's response.
REP5-180	The Applicant's document [REP1-043] highlighted examples of ALC survey work undertaken for other Offshore Win Farm (OWF)	The Applicants note Natural England's response. However, the examples of other Projects in REP1-043 all comprise significant areas of BMV land within the

Reference	IP submission	Applicants' response
180.7	DCO's, together with responses from Natural England in relation to each project. The OWF examples given in this document were; Hornsea Project Three, Hornsea Project Four, North Falls, Five Estuaries and Mona OWFs. We highlight to the Applicant that Natural England's advice is provided on best available evidence, guidance and/or understanding at moment in time, on a case-by-case basis and can vary depending on the location and land type, which is potentially impacted. We highlight that several of the Project's noted above were either not situated within areas of BMV Agricultural Land or impacts were addressed from the outset through project design and/or mitigation commitments. In reference to offshore wind farm developments in Welsh waters (i.e. Mona), Natural England's approach differs from that of Welsh Government. This is summarised in Natural England's Position Statement: Use of ALC Data in Land Use Planning.	<p>onshore cable corridors and the Five Estuaries example includes the permanent loss of 23 ha of the highest Grade 1 land.</p> <p>The Applicants consider that these examples therefore are relevant to take into account in the consideration of the methods applied to the assessment of Transmission Assets. All of the examples given also include a variety of soil types within the onshore cable corridors where Natural England clearly consider that the use of either desk top information or the limited survey have provided a robust enough baseline to secure adequate mitigation through the development of soil management plans.</p>
REP5-180 180.8	We also highlight to the Applicant and the ExA that the advice Natural England has provided in relation to ALC Surveys for Morgan and Morecambe Transmission Assets is appropriate for the level of potential risk posed by the project currently under examination. However, we do highlight that it is consistent with the advice provided for Outer Dowsing OWF (Relevant Representations [Project Ref: RR-045]) and Dogger Bank D (PEIR response). These projects are situated in a more comparable study area with regards to the presence of BMV Agricultural Land within the Order Limits of the proposals.	The Applicants note that Dogger Bank D is at an early stage of project development compared to the examples provided in REP1-043. The examples provided by the Applicant are equally comparable to the single Outer Dowsing example referenced by NE. In terms of the extent of BMV, North Falls was assessed to comprise approximately 181ha of Grade 1 and 2 land. Hornsea 3 comprises approximately 204ha Grade 2 and Subgrade 3a and Mona comprises approximately 124.3 ha of Grade 2 and Subgrade 3a land. The Transmission Assets is assessed to comprise approximately 143ha of Grade 2 and Subgrade 3a land. All the examples comprise a variety of soil types, with some examples of similarly sensitive soil types to be handled appropriately during the construction phase of the Projects.
REP5-180 180.9	Therefore, Natural England will not be engaging further on REP1-043 or any other rebuttal-style documents which compares our advice to different Projects located in other areas of the UK and/or were examined outside of the current tranche of Round 4 and Extension projects.	The Applicants note Natural England's response.

Reference	IP submission	Applicants' response
REP5-180 180.10	<p><b>1.3 Natural England's position on the Applicant's ALC survey effort (NE Ref: RI_G6)</b></p> <p>The following advice was submitted into Examination at Deadline 3 in Natural England's 'Appendix G3 further advice on Onshore Ecology and Nature Conservation' [REP3-093]. <u>We reiterate the advice below as Natural England's final position on the matter and how this can be resolved during Examination:</u></p> <p><i>In the absence of a detailed, site-specific soil and Agricultural Land Classification (ALC) survey and assuming that all mapped ALC Grade 3 land are Best and Most Versatile (BMV) soils (i.e. Subgrade 3a), it is not possible to provide an accurate baseline and demonstrate the likely potential impacts. So, whilst any mitigation may be regarded as precautionary, it means that the Applicant is unable to show how it avoids impacts to BMV soils nor the design of potential mitigation to safeguard the soil resources.</i></p>	<p>The Applicants maintain their position that adequate survey has been undertaken to characterise the baseline. Detailed survey of areas of land permanently affected at the onshore substations has been undertaken and the results are included in APP-106. A precautionary approach has been adopted in the assessment (see Volume 3, Chapter 6: Land use and recreation (APP-104)). The Applicants have demonstrated that the extent of the survey work undertaken in their submission at REP1-043 is consistent or indeed greater than has been applied to onshore cable routes for other DCOs.</p> <p>The Applicants have also committed (CoT81) to undertake further detailed soil surveys post consent, as identified in the outline soil management plan (REP5-059) in order to inform the development of detailed soil management plan(s). This is secured through Requirement 8, Schedule 2A&amp;2B of the draft development consent order (REP5a-018).</p>
REP5-180 180.11	<p><i>The Environmental Statement (ES) should quantify the areas of land according to Grades 1 to 5 of the ALC, including differentiating between Grades 3a and 3b. While Natural England recognises the Applicant's acknowledgement of the deficiencies within the provisional dataset and that provisional mapping provides an indication of the ALC grade, and thus the potential impact on BMV agricultural land; it does not provide the soil details required to inform soil management which would feed into the Soil Management Plan. There is a risk of soil damage, ALC degradation and long term or permanent loss of BMV soils from cable installation. Soil will need to be handled according to best practice and reinstated to a high standard to reduce the impacts. The results from a detailed ALC survey would provide soils data to inform a soil management plan for the whole site regardless of whether the use is permanent or temporary in nature and provide the Secretary of State with the necessary comfort in the mitigation measures.</i></p>	<p>Volume 3, Chapter 6: Land Use and Recreation (APP-104) Table: 6.9 provides the breakdown of ALC grades applied within the assessment based on desk top information and site survey. The outline soil management plan (REP5-059) sets out the principles for managing soils based on best practice guidance (Department for Environment &amp; Rural Affairs (Defra) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Defra, 2009) and Institute of Quarrying (IQ) Good Practice Guide for Handling Soils in Mineral Workings (IQ, 2021) and therefore there is no risk of soil damage and the soils will be reinstated to a high standard. In addition, section 1.8.6 of the outline soil management plan (REP5-059) sets out additional measures for soil handling of peat soils. Detailed soil management plan(s) will be developed in line with the outline soil management plan, secured by Requirement 8, Schedules 2A &amp; 2B of the draft development consent order (REP5a-018). Importantly the content of the outline Soil Management Plan and the mitigation measures proposed within it, would be the same even if additional site survey data had been collected at this point.</p>
REP5-180	<p><i>Once the ALC dataset is complete, it should be clearly presented within the ES, including a detailed breakdown of land take, and</i></p>	<p>The Applicants refer Natural England to 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other</p>

Reference	IP submission	Applicants' response
180.12	<i>the proportion of BMV land, for each component of the onshore infrastructure associated with the development. This includes substations, cable corridors, construction compounds, access tracks, and any mitigation or enhancement areas. Such transparency is essential to inform the Secretary of States determination of the proposal's overall impact on agricultural land quality and soil health. Given that each infrastructure element may exert different pressures on soil structure, function, and long-term productivity, these distinctions should be explicitly addressed within the outline Soil Management Plan (SMP) to ensure appropriate mitigation and restoration strategies can be put in place. The SMP should then be finalised once the final design parameters are known and signed off by the Local Planning Authority in consultation with the relevant SNCB.</i>	<p>organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100). In addition, the Applicants direct Natural England to Table 6.9 in Volume, Chapter 6: Land use and recreation (APP-104) which outlines the agricultural land quality distribution within the study area according to soil surveys and Table 6.10 which sets out the agricultural land quality distribution within the onshore substation sites (permanent land take) according to soil surveys.</p> <p>The outline SMP already identifies measures proposed to be applied to each infrastructure element in Section 1.7.</p> <p>The SMP will be finalised and discharged under Requirement 8, Schedules 2A &amp; 2B of the draft development consent order (REP5a-018)</p>
REP5-180 180.13	<p><b>1.4 Natural England's position on ALC data presented in the Environmental Statement (NE Ref: RI_G11)</b></p> <p>The following advice was submitted into Examination at Deadline 3 in Natural England's 'Appendix G3 further advice on Onshore Ecology and Nature Conservation' [REP3-093]. <u>We reiterate the advice below as Natural England's final position on the matter and how this can be resolved during Examination:</u></p> <p><i>Natural England acknowledges the Applicant's effort to provide a conservative, worst-case assessment of agricultural land quality by applying the highest ALC grade within mixed soil types. However, in line with Paragraph 5.11.34 of the Overarching National Policy Statement for Energy (EN-1), it is essential that development proposals demonstrate how the use of Best and Most Versatile (BMV) land, Grades 1, 2, and 3a, has been avoided where possible, and that any unavoidable impacts are clearly justified and appropriately mitigated.</i></p>	See response to REP5-180.11 and 180.12 above.
REP5-180 180.14	<i>While the Applicant has presented ALC data and committed to further surveys prior to construction, Natural England remains concerned that the current assessment may not fully demonstrate how impacts to BMV land has been minimised across all elements of the Transmission Assets. The reliance on</i>	Volume 1, Chapter 4: Site selection and consideration of alternatives (AS026) includes a description of the design and/or environmental constraints considered as part of the iterative design process. Volume 1, Annex 4.3 sets out the stages of siting and design iterations for Transmission Assets. In relation to the permanent loss of the best and most versatile land, Table 4.7 (AS-026) contains



Reference	IP submission	Applicants' response
	<i>a worst-case assumption, while precautionary, does not substitute for a spatially explicit breakdown of BMV land take by infrastructure component, nor does it confirm whether alternative routing or siting options were considered to reduce BMV land losses.</i>	<p>the BRAG assessment of the Onshore Substations zones. All zones were identified to have intermediate potential to constrain development meaning that the impact to Best and Most Versatile Land could not be avoided. However, the highest quality Grade 1 and Grade 2 land within the definition of best and most versatile land was avoided and the detailed survey work undertaken at the onshore substation sites (see Volume 3, Annex 6.2: Agricultural land classification survey results (APP-106)) has identified them to comprise only areas of Subgrade 3a land, which comprises the lowest quality land within the definition of best and most versatile land.</p> <p>The characterisation of the baseline has enabled a robust outline SMP (REP5-059) to be produced that can be developed into a detailed SMP(s) pre-construction in order to adequately protect soil resources during the construction process.</p>
REP5-180 180.15	<p><i>To align with national policy, Natural England recommends that the Applicant:</i></p> <ul style="list-style-type: none"> <li><i>Clearly demonstrate how the layout has sought to avoid BMV land;</i></li> <li><i>Provide a transparent breakdown of BMV land affected by each infrastructure element; and</i></li> <li><i>Ensures that the forthcoming detailed Soil Management Plan includes enforceable measures to protect and restore BMV soils during and after construction.</i></li> </ul> <p><i>This approach will help ensure that the proposal meets the policy expectation to avoid or mitigate impacts on valuable soil resources wherever feasible.</i></p>	<p>The Applicants note there is no change on this matter and refer Natural England to 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>Volume 1, Chapter 4: Site selection and consideration of alternatives (AS026) includes a description of the design and/or environmental constraints considered as part of the iterative design process. Volume 1, Annex 4.3 sets out the stages of siting and design iterations for Transmission Assets. In relation to the permanent loss of the best and most versatile land, Table 4.7 (AS-026) contains the BRAG assessment of the Onshore Substations zones. All zones were identified to have intermediate potential to constrain development meaning that the impact to Best and Most Versatile Land could not be avoided. However, the highest quality Grade 1 and Grade 2 land within the definition of best and most versatile land was avoided and the detailed survey work undertaken at the onshore substation sites (see Volume 3, Annex 6.2: Agricultural land classification survey results (APP-106)) has identified them to comprise only areas of Subgrade 3a land, which comprises the lowest quality land within the definition of best and most versatile land.</p> <p>In addition, in regard to the breakdown of ALC grades, the Applicants direct Natural England to Table 6.9 in Volume, Chapter 6: Land use and recreation which outlines the agricultural land quality distribution within the study area</p>

Reference	IP submission	Applicants' response
		<p>according to soil surveys and Table 6.10 which sets out the agricultural land quality distribution within the onshore substation sites (permanent land take) according to soil surveys. In addition, a further breakdown of ALC according to landholding has been provided in S_D5_5.6 The Applicants' response to ExA Q2.12.1.3 Land Holdings Detail - Rev F01 (REP5-137).</p> <p>The Applicants have provided an outline soil management plan (REP5-059) to which NE have not raised any further points.</p>
REP5-180 180.16	<p><b>1.5 Natural England's position on Soil Handling (NE Ref: RI_G12)</b></p> <p>The following advice was submitted into Examination at Deadline 3 in Natural England's 'Appendix G3 further advice on Onshore Ecology and Nature Conservation' [REP3-093]. <u>We reiterate the advice below as Natural England's final position on the matter and how this can be resolved during Examination:</u></p> <p><i>It is Natural England's advice that all soils should only be handled in a dry and friable condition, and it is expected that construction programmes would restrict soil handling to the drier summer period to minimise risk of soil damage (April through September) as far as reasonably practicable. This would minimise the possibility for on-site delays due to rainfall in the winter period, as well as the need to recondition soils, which requires additional space and time. Where this is not possible, clear additional management measures should be outlined, in line with DEFRA guidance. This is particularly important for land to be restored to agricultural use.</i></p>	<p>Section 1.8.5 and section 1.8.6 of the outline soil management plan (REP5-059) sets out measures for soil handling, based on the assessment of suitable dry and friable conditions in accordance with recognised best practice in the Institute of Quarrying Soil Handling Guide. Detailed soil management plan(s) will be developed in line with the outline soil management plan, secured by Requirement 8, Schedules 2A &amp; 2B of the draft development consent order (REP5a-018).</p>
REP5-180 180.17	<p><i>Natural England advises that when soils are destined for long-term storage, it is essential that they are handled only when in a dry and friable condition to preserve their structure, biological integrity, and long-term fertility. To further protect the stored soil from erosion, nutrient loss, and degradation, sufficient time should be allowed for the establishment of a green cover, such as a fast-growing grass or cover crop, which stabilises the</i></p>	<p>This is already covered within the outline SMP. Section 1.8.3 of the outline soil management plan (REP5-059) sets measures for soil storage. Detailed soil management plan(s) will be developed in line with the outline soil management plan, secured by Requirement 8, Schedules 2A &amp; 2B of the draft development consent order (REP5a-018).</p>

Reference	IP submission	Applicants' response
	<i>surface, enhances microbial activity, and helps maintain soil health during the storage period. This approach aligns with best practice in sustainable land management and ensures that soils remain viable for future restoration or reuse.</i>	
REP5-180 180.18	<p><b>1.6 Further advice on the Applicant's Assessment of Deep Peat (NE Ref: RI_G7) and [REP3-017]</b></p> <p>In addition to the advice provided in Section 1.3 of [REP3-093] regarding peat, we have provided further advice below following the Applicant's submission of the updated interim trial trenching report at Deadline 3 [REP3-017]:</p> <p>Natural England highlighted the potential presence of peat in its previous Relevant Representation response [RR-1601], which is now confirmed by the findings presented in 'Volume 3, Annex 5.6: Interim Trial Trenching Report' [REP3-017]. In light of these confirmed peat occurrences, we advise that a detailed peat survey should be carried out to establish peat depth, condition, and extent, ensuring that appropriate management and mitigation measures can be developed and adopted.</p>	<p>Within the outline soil management plan (REP5-059) the Applicants have included the following:</p> <ul style="list-style-type: none"> <li>• The production of detailed peat management plans, if required</li> <li>• The inclusion of peat probing and coring at 50m spaces, where needed</li> </ul> <p>It is noted that NE still refer to the most suitable habitats, however, any peaty soils are predominantly located in cultivated grassland or arable agricultural areas which are not considered to be suitable habitats. The Applicants response to Hearing Action Point 14 (REP4-118) identifies all of the evidence collated in relation to peat within the ES. This includes the locations identified by the archaeological trenching where peat or peaty horizons are identified and a description of the high level of correlation between these findings and those of the separate detailed soil survey work that has been undertaken and reported in Volume 3 Annex 6.1 of the ES (APP-105).</p> <p>The Applicants have committed to carrying out further peat survey work prior to construction as part of the development of the detailed Soil Management Plan. This is identified in the outline soil management plan (REP5-059) at Section 1.8.6.3. Following ISH4 and in response to ISH4_8 (see The Applicants' response to Hearing Action Points due at Deadline 6 (S_D5_6)) the Applicants have updated the outline soil management plan (J1.7/F04) to include a peat mitigation hierarchy.</p>
REP5-180 180.19	<p>We advise that a soil resource survey can utilise the soil data collected as part of a detailed ALC survey so it is sensible to plan both surveys in tandem at an early stage to save time and resource. A soil resource survey may require some limited extra data collection, for example for soil pH and nutrient analysis, to inform the most suitable habitat the soils can support in habitat creation areas.</p>	<p>The soil resource survey in the Outline SMP (REP5-059) includes for the collection of samples for analyses at section 1.9. The check for soil pH would be a standard analysis to inform suitable aftercare management.</p>

Reference	IP submission	Applicants' response
REP5-180 180.20	<p>The soil resource survey will also enable the accurate identification of the extent and boundary of peat and peaty soils for the baseline. Where peat soils are identified, a peat survey should be undertaken to determine the depth and condition of the peat. We therefore refer the Applicant (and ExA) to The Scottish Government, Scottish Natural Heritage, SEPA (2017) Peatland Survey: Guidance on Developments on Peatland, is referred to in both Chapter 13 and Appendix 13A. This guidance states that at scoping, a low-resolution peat survey should be undertaken to determine the depth of the peat at a density of 100m x 100m on a regular grid pattern across the whole area proposed for development, which is consistent with the survey frequency of the detailed ALC survey. Where deep peat soils supporting peat habitat are identified, a higher resolution survey may be necessary.</p>	<p>The Applicants have committed to a more thorough 50m spacing for any peat data collection that is required at the western end of the onshore cable route (see Section 1.7.6.3 of the outline soil management plan (REP5-059)). This is secured by Requirement 8, Schedules 2A &amp; 2B of the draft development consent order (REP5a-018)</p>

## 2.4 Natural England (Appendix G5.2 Natural England's advice on Onshore Ecology)

**Table 2.8: REP5-181 – Natural England (Appendix G5.2)**

Reference	IP submission	Applicants' response
REP5-181 181.1	<p><b>Appendix G5.2 Natural England's advice on Onshore Ecology</b></p> <p>In formulating these comments, the following documents have been considered:</p> <ul style="list-style-type: none"> <li>• [REP4-027] Outline Code of Construction Practice</li> <li>• [REP4-118] The Applicants' submission at Deadline 4 on 8 August 2025: Hearing Action Point 14 – (Peat Technical Note)</li> <li>• [REP4-117] Outline Sand Lizard Mitigation Plan</li> </ul> <p>Natural England's detailed advice on the documents listed above is included in the tables below. For advice on soils please see Appendix G5.1 and for advice on the Outline Landfall Construction Method Statement please see Appendix G5.3.</p> <p><b>1.Summary of advice on Outline Sand Lizard Mitigation Plan [REP4-117]</b></p> <p>Natural England advises that from the details provided within the Sand Lizard Mitigation Plan (REP4-117) that a Sand Lizard Mitigation European Protected Species Licence maybe required to carry out the activities detailed within the plan. This is because, the Plan states that any sand lizard observed will be caught and relocated by the Ecological Clerk of Works. We highlight that any capture of sand lizards requires licensing and any movement of sand lizards outside the compound could be classed as the translocation of EPS to an adjacent habitat, which Natural England advises are licensable activities. For further information please see our Standing Advice for Reptiles which includes Sand lizards which can be found here.</p>	<p><b>Summary of advice on Outline Sand Lizard Mitigation Plan [REP4-117]</b></p> <p>The Applicants can confirm they would obtain a Natural England EPS mitigation licence for sand lizard for works associated with the landfall site, including the construction compounds and access tracks. A draft method statement for an EPS licence application was submitted at Deadline 5 (REP5-149). Any incidental handling of sand lizards as part of the ECoW duties would therefore be undertaken by the licensed ecologist working under the EPS licence. The Outline Sand Lizard Mitigation Plan was also updated at Deadline 5 (REP5-112) to reflect comments received from Fylde Borough Council on the first iteration of the document. Further amendments have been subsequently made to the Outline Sand Lizard Mitigation Plan following further comments received from Fylde Borough Council (some of which were also raised to the ExA by Fylde Borough Council at ISH3), and this document has been submitted at Deadline 6 (S_D4_14/F03). The draft EPS licence documents have been updated for Deadline 6 to reflect the amendments made to the Outline Sand Lizard Mitigation Plan (S_D4_14/F03).</p> <p>Further engagement is ongoing with the Natural England Wildlife Licensing Service (NEWLS) regarding obtaining a Letter of No Impediment (LONI), and the Applicants hope to resolve this matter with the NEWLS team prior to the close of the examination. If this is not possible, the LONI will be submitted as soon as it is received for the consideration of the Secretary of State.</p>
REP5-181 181.2	<p>Sand lizards are free ranging animals and as a European Protected Species (EPS) any construction associated works to</p>	<p>The Applicants reiterate that there will be no direct impacts to any dune habitats that support sand lizards. Potential indirect impacts arising from noise and visual</p>

Reference	IP submission	Applicants' response
	<p>habitat where the presence of the species is identified or assumed to be present could result in direct impacts on the EPS through damage and/or destruction of habitat and disturbance, especially around the compound area.</p> <p>We further advise the capture and handling of any EPS reptiles is not covered under any survey licence, only a mitigation licence. Therefore, if the correct licence has not been applied for and is not in place when undertaking any works associated with the project and a sand lizard or other EPS is encountered, the works may need to halt, and the correct mitigation licence would need to be submitted for assessment. Please note Natural England have a statutory deadline of 30 working days to decide whether to issue a licence upon receiving the application.</p>	<p>disturbance during construction (including the use of temporary compounds and temporary access tracks in the vicinity of the sand dunes) have been identified and therefore avoidance and mitigation measures have been proposed. These avoidance and mitigation measures are included in section 3 of the outline sand lizard mitigation plan (REP5-112).</p> <p>As stated above, the Applicants can confirm they would obtain a Natural England EPS mitigation licence for sand lizard for works associated with the landfall site, including the construction compounds and access tracks. Any incidental handling of sand lizards as part of the ECoW duties (which in reality is considered unlikely to be necessary) would therefore be undertaken by the licensed ecologist working under the EPS licence.</p>
REP5-181 181.3	Natural England notes at the Applicant has stated they intend to submit a draft EPS Licence at Deadline 5. Natural England cannot provided detailed comments on the appropriateness or if we agree with the contents of the Sand Lizard Mitigation Plan until all the details for the draft EPS Licence have been submitted.	As set out above, the Applicants have submitted a draft method statement for an EPS licence application at Deadline 5 (REP5-149). Further engagement is ongoing with NEWLS regarding obtaining a LONI, and the Applicants aim to resolve this matter with the NEWLS team prior to the close of the examination.

**Table 2.9: Natural England's Advice On: Outline Code of Construction Practice [REP4-027]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	1.8.8	<p>We welcome the additions to the document which includes wording for air quality and dust management.</p> <p>However, as highlighted in our Relevant Representation response [RR-1601] further assessment is required regarding air quality impacts on designated sites, including dust.</p>	Natural England advises that as part of the consenting process that the Applicant undertakes further air quality assessments. This is necessary to inform the design of the measures required to manage air quality impacts including dust, to inform SSSI mitigation.	The Outline Dust Management Plan (oDMP) (REP5-052) sets out the measures that will be implemented to manage dust impacts from the construction of the Transmission Assessment. The measures take into account the location of sensitive receptors (including the SSSI). The measures are based on the Institute of Air Quality Management (IAQM) guidance on the assessment of dust from demolition and construction



NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		This assessment should then be used to inform the design of any air quality and dust management measures.		<p>(IAQM 2024). The dust management measures will be monitored and additional measures will be implemented where required. With these measures in place, which will mitigate the risk of any significant impacts, the Applicants do not consider that any further assessment is required noting that the potential impacts of changes in air quality including dust deposition have already been assessed in detail in Volume 3 Chapter 3: Onshore ecology (APP-075) and biodiversity as summarised below:</p> <ul style="list-style-type: none"> <li>- Assessment of potential dust impacts during construction to the Ribble and Alt Estuaries Ramsar and Ribble Estuary SSSI/ NNR (paragraph 3.11.3.17)</li> <li>- Assessment of potential dust impacts during construction to Lytham St Annes Dunes SSSI and Lytham St Annes LNR (paragraph 3.11.4.29)</li> <li>- Assessment of potential dust impacts during construction to Red Scar and Tun Brook Woods SSSI (paragraph 3.4.1.1)</li> <li>- Assessment of impact of changes in air quality from emissions and deposition of pollutants from construction traffic movements to Red Scar and Tun Brook Woods SSSI (paragraphs 3.11.5.7 - 3.11.5.20)</li> <li>- Assessment of potential dust impacts during construction to BHS and LNR sites (paragraphs 3.11.6.34 and 3.11.6.36).</li> <li>- Assessment of impact of changes in air quality from emissions and deposition of pollutants from construction traffic movements to BHS and LNR sites (paragraphs 3.11.3.39 - 3.11.6.44).</li> </ul>

**Table 2.10: Natural England's Advice On: Outline Landfall Construction Method Statement [AS-081]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	Entire document	Peat surveys are still required to determine if the deep peaty soils present within the draft order limits is restorable, and to inform the Peat Management Plan.	Natural England advises that further peat surveys are required to inform consent. Please refer to our Relevant Representation response and ExAQ2:6.1.7 – 6.1.8.	The Applicants refer to their response in Appendix G5.1 (Table 2.7).

**Table 2.11: Natural England's Advice On: Outline Sand Lizard Mitigation Plan [REP4-117]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	2.2.1.5	It has been stated that assumed presence across the proposed impacted site will be applied.	This is acceptable considering the limited and constrained environmental data used. However, please see advice included in the summary to this submission document on the capturing and relocating of lizards found to be present.	The Applicants welcome Natural England's position regarding the acceptability of the approach to assuming presence of sand lizards throughout the dunes based on existing survey data.  The Applicants confirm that an EPS licence would be obtained for works at the landfall site prior to the commencement of construction, and that any incidental handling of sand lizards would be undertaken by the licensed ecologist under the EPS licence (although the need for sand lizard handling and relocation is considered very unlikely in reality).  The Applicants have submitted a draft method statement for an EPS licence application at Deadline 5 (REP5-112). Further engagement is ongoing with NEWLS regarding obtaining a LONI, and the Applicants aim to resolve this matter with the NEWLS team prior to the close of the examination.
2	Table 1 – row 2	Applicant states there is the chance of disturbance to sand lizards during the construction period, this is a licensable activity.	A Sand Lizard EPS Licence will need to be applied for to undertake activity. Please see summary advice included in Section 1.	
3	Table 1 – row 4	Applicant states that any lizards (presumably meaning sand lizard) will be captured and relocated to an alternative area outside the compound, this is a licensable activity.	A Sand Lizard EPS Licence will need to be applied for to undertake activity. Please see summary advice included in Section 1.	

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
4	Table 1 – row 2	Name of SSSI is incorrect, row refers to it at Lytham St Annes SSSI when it is Lytham St Annes Dunes SSSI.	Update to reference correct SSSI to avoid confusion.	<p>This is a minor typographic error that does not affect the assessment of risks to sand lizard or the proposed approach to avoidance and mitigation measures presented in the document.</p> <p>Regardless of this, the Applicants have updated the Outline Sand Lizard Mitigation Plan at Deadline 6 to reflect some further amendments following comments received from Fylde Borough Council at Deadline 5 and have also corrected this typo as part of the document revisions.</p>

## 2.5 Natural England (Appendix G5.3 Natural England's advice on Outline Landfall Construction Method Statement [AS-081])

**Table 2.12: REP5-182 – Natural England (Appendix G5.3)**

Reference	IP submission	Applicants' response
REP5-182 182.1	<p><b>Appendix G5.3 Natural England's advice on Outline Landfall Construction Method Statement [AS-081]</b></p> <p>In formulating this advice, the following documents have been considered:</p> <p>[AS-081] S_D4_22 Outline Landfall Construction Method Statement</p> <p><b>1. Summary</b></p> <p>Natural England welcomes the submission of this outline statement into Examination. However, it does not fully address the concerns we have raised. Detailed comments are provided below and in Appendix B5 where relevant to physical processes and benthic ecology. Where applicable updates are also reflected in Natural England's Risk &amp; Issues Log (Appendix K5).</p>	The Applicants note this comment.

**Table 2.13: Natural England's advice on Outline Landfall Construction Method Statement**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	Table 1, CoT18	With regard to the core working hours, further clarification is needed on how these relate to tide times when working in the intertidal zone, i.e. do the core working hours provide a sufficient low tide working window between 7am and 7pm.	We advise that the wording of the commitment should be updated to note the consideration of tides.	The landfall activities in the intertidal zone that will be affected by the tides, such as trenchless technique works, cable pull-in and burial, are identified as specific works that may need to be undertaken on a continuous working basis i.e. 24-hour work. This is secured through CoT18 as circumstances outside of core working practices, and is further secured in Requirement 14 of Schedules 2A and 2B of the draft

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
				DCO (REP5a-018). The Applicants therefore confirm that the working hours allow for sufficient flexibility to allow works to be undertaken during low tide where applicable.
2	Table 1, CoT39	<p>The SMP Explorer provides information on the sand dunes at this location (SMP 11B2.1 <a href="https://environment.data.gov.uk/shoreline-planning/unit/SMP22/11B2.1">https://environment.data.gov.uk/shoreline-planning/unit/SMP22/11B2.1</a>) It highlights that the sand dunes are considered as a Flood Defence Asset - and the SMP management for this section notes <i>Continue dune maintenance to allow them to function as a defence along approximate current alignment. It goes on to say "Where the intention is to maintain the flood or erosion risk management performance of a natural feature such as dune system, spit, or shingle barrier. This does not always mean fixing its position. The approach might involve active management of the feature or its surroundings to increase its width, length, height, or resilience. It does not involve building structures on or behind the natural feature."</i></p>	<p>We advise that for any works during construction and operational phases of the project which are within 8m of the outer edge of the dunes, consideration is required as to their flood defence value (and a Flood Risk Activity Permit is needed). In addition, we highlight that the sand dunes here are accreting, and as can be seen from aerial photographs, extend beyond the boundary of Lytham St. Annes Dunes SSSI (into the Ribble Estuary SSSI) boundary. While the Ribble Estuary SSSI is not notified for sand dunes, they are mentioned as supporting an interest feature "Assemblages of breeding birds - <b>Sand-dunes</b> and saltmarshes".</p>	<p>CoT44 ensures that all construction working areas will be at least 100m seaward of the Lytham St Annes Dunes SSSI, as further secured in Schedule 2A&amp; 2B, Requirement 8 of the Draft DCO (REP5a-018). This buffer takes into account the natural accretion of the dune system, and ensures that no construction works will take place on the dunes themselves, irrespective of the mapped SSSI boundary.</p> <p>With regard to the potential impacts on ornithology within the Ribble Estuary SSSI, no permanent surface infrastructure will be located at landfall, and all construction activities will be undertaken in line with the seasonal restrictions secured through CoT129, as set out in Section 1.10.2 of the Outline Landfall CMS (REP5-116). These measures ensure that the flood defence function of the dunes and the ecological sensitivities of both the Lytham St Annes Dunes and the Ribble Estuary SSSI's are protected.</p>
3	Table 1, CoT44	<p>Natural England notes the commitment includes the following sentence "... <i>The exit pits associated with the direct pipe installation will be at least 100 m seaward of the western boundary of the SSSI.</i>"</p>	<p>We advise that the commitment should clarify the SSSI, i.e. "<i>The exit pits associated with the direct pipe installation will be at least 100 m seaward of the western boundary of the Lytham St Annes SSSI.</i>"</p> <p>We advise that CoT44 should include detail that the exit pits and associated works will</p>	<p>The Applicants acknowledge the request for further clarity of CoT44, and will update at Deadline 6 as per the proposed text;</p> <p><i>"The exit pits associated with the direct pipe installation will be at least 100 m seaward of the western boundary of the Lytham St Annes Dunes SSSI".</i></p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		<p>We advise that this area also sits within the Ribble Estuary SSSI, therefore the commitment needs to be specific when naming a SSSI.</p> <p>As noted in point 2, the sand dunes here have accreted beyond the SSSI boundary (from a measurement of aerial photos - this is approximately 50m from the Lytham St Annes SSSI boundary) - which means works will only be 50m from the edge of the strandline/ embryo/ mobile dunes. Over time this distance is likely to decrease further.</p> <p>CoT44 is also referenced in Paragraph 1.7.1.2 and Paragraph 1.13.3.2 - Stage 3 (point 2).</p>	<p>avoid direct and indirect impacts to accreting strandline/ embryo/ mobile dunes.</p> <p>We look forward to sight of the NVC survey report which should have identified the seaward position of the dunes and include further details as to their composition, structure and function.</p> <p>We advise CoT44 could also be added to Paragraph 1.13.3.3 where it discusses the siting of Construction Compound 2 on the beach.</p>	<p>The Applicants refer NE to the response above (NE Ref 2) regarding impacts on the accreting dunes.</p> <p>The Applicants can confirm that the NVC survey results from the updated survey of Lytham St Annes Dunes SSSI and the St Anne's Old Golf Course BHS were submitted into the examination at Deadline 5 in a revised version of Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report (REP5-038). Paragraph 1.13.3.3 within the Outline Landfall CMS has been updated at Deadline 6 (S_D4_22/F03) to refer to CoT44.</p>
4	Table 1, CoT85	<p>Natural England notes the commitment which includes the temporary haul roads will be installed using meable gravel aggregate.</p> <p>The track (42A42B) shown in Figure 1 and Figure 2 of the document runs along the outer edge of the accreting dunes - starting at the construction compound 1 and ending at construction compound 2.</p> <p>Paragraph 1.12.1.4 goes onto say that it will be a maximum of 6m wide but will not encroach onto the SSSI (which again should refer to <i>Lytham St Annes SSSI</i> as it does encroach onto the Ribble Estuary SSSI). The document here does note <i>"that removable track matting or similar membrane may also be required to transition from the track to the beach"</i>.</p>	<p>From our experience on other projects where aggregate has spread across the designated site, we advise that further information/ detail on where the gravel aggregate will be used and an impact assessment is provided prior to consent to ensure that suitable mitigation measures can be adopted.</p> <p>If the gravel is intended to be used in the locations shown in the figures we advise that the use of gravel here is not appropriate as it could get intermixed with the sand and be difficult to remove at the end of works (i.e. as set out in CoT08) and an alternative trackway should be considered. This point is now included in the R&amp;I Log (RI_G48).</p>	<p>The Applicants note that Works no. 42A42B only allows for pedestrian construction access, as set out in the works descriptions in Schedule 1, Part 1 of the draft DCO (REP5a-018). <u>However, the Applicants can confirm that gravel aggregate will not be used on either the beach access track or haul roads that may be required on the beach itself.</u></p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
5	1.8.1.1	Natural England welcomes the reference to potential hydrological monitoring with a borehole and piezometer for ongoing data on ground water hydrology.	We advise that the NVC survey results should inform our understanding of ground water hydrology. However, we advise that the hydrological monitoring should also be secured in a commitment.	<p>As shown in Table 3.6 of Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075), the Fylde Sand Dunes Project (an NVC Survey undertaken by Graeme Skelcher Ecological Consultant in 2016 (Skelcher, 2024)) has been used to inform the assessment.</p> <p>The Applicants have undertaken additional NVC surveys of the dunes and adjacent Biological Heritage Site (BHS) on the golf course in the 2025 survey season; this data can therefore be used as a baseline to inform future ongoing monitoring.</p> <p>Applicants have updated the commitment CoT128 at Deadline 6 to include groundwater monitoring (see Volume 1, Annex 5.3: Commitments Register, document reference F1.5.3/F07). The updated CoT128 is noted below:</p> <p><i>"An Outline Hydrogeological Risk Assessment will be prepared in relation to the crossing of Lytham St Annes SSSI to mitigate potential impacts to the hydrologically dependant surface water features of the sand dune system. This will form part of the Outline Code of Construction Practice. At detailed design stage, Hydrogeological Risk Assessment (will be developed in accordance with the Outline Hydrogeological Risk Assessment. The hydrogeological risk assessment(s) will be informed by additional ground investigation information including groundwater monitoring. The scope of the ground investigation and groundwater monitoring will be agreed with the Environment Agency and Natural England. These assessment(s) will be used to inform the detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes SSSI."</i></p>



NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
6	Table 2	We welcome the information included in table 2. Some further detail on the relevant Work Areas would be useful to add clarity.	We advise that the information in Table 2 should refer to the Work Area Codes used in Figure 1 – 3.	This reference will be captured at Deadline 6
7	1.8.11	<p>Section 1.2.2 states the purpose of the document is to set out key elements of the construction methodology and environmental considerations including future site-specific surveys which will be required, especially for trenchless techniques below sensitive receptors.</p> <p>Whilst we acknowledge some of these site-specific surveys are set out in Table 1 and the existing commitments, Section 1.8.1 does not set out what future site specific surveys will be required to inform the design of the cable installation.</p> <p>The wording in this section is non-committal and does not give certainty over which surveys will be undertaken, and states that surveys 'may' be undertaken and 'could include'.</p>	<p>We advise as this document forms the Outline Landfall Construction Method Statement, it should clearly set out what future surveys will need to be undertaken to inform the detailed design of the proposal, to ensure at this stage the scope of the surveys will be sufficient to avoid impacts to ecological receptors.</p> <p>We advise the wording in the document should be strengthened to secure the commitment to undertaking these surveys post-decision and that where there are residual concerns in relation to recovery, monitoring will be undertaken with a requirement to undertake remediation, should impacts be greater than predicted.</p>	<p>There will be no direct impacts to the dunes during the construction phase because the Lytham St Annes Dunes SSSI will be crossed utilising trenchless techniques of which the exit pit will be situated at least 100 m seaward of the western boundary of Lytham St Annes Dunes SSSI (see CoT44).</p> <p>The Applicants have updated commitment CoT128 at Deadline 6 to secure that additional ground investigation and groundwater monitoring will take place (see Volume 1, Annex 5.3: Commitments Register, Document reference F1.5.3/F07) the results of which will inform the detailed design of the trenchless crossing beneath Lytham St Annes SSSI.</p>
8	1.13.4.2 – Stage 4	Natural England advises that further clarification is required on the drill punch-out on the beach, which notes " <i>The dry upper beach section will be excavated to bury the cable using the open-cut method</i> ".	We advise the Applicant to clarify where this will be as it is unclear if it will be seaward of the TJB, or within the upper part of the beach where the dunes are accreting.	<p>The Applicants note that the reference to open-cut trenching relates only to the dry upper beach area, seaward of the trenchless techniques exit pits (with the exit pits being at least 100m seaward from the western boundary of the Lytham St. Annes Dunes SSSI), as depicted as the blue corridor in Figure 4 of the Landfall CMS. The bullet point referenced has been updated for clarity in the Outline Landfall CMS submitted at Deadline 6 (S_D4_22/F03).</p> <p>The Applicants confirm that no open cut trenching will occur landward between the trenchless technique</p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
				exit pits and the TJBs. The section between the exit pits on the beach, and the TJBs located within Blackpool Airport will be installed underground (CoT44), ensuring no direct impact to the dunes or associated designated features.

## 2.6 Natural England (Appendix H5 Natural England's comments on Onshore and Intertidal Ornithology)

**Table 2.14: REP5-183 – Natural England (Appendix H5)**

Reference	IP submission	Applicants' response
REP5-183.1	<p><b>Appendix H5 – Natural England's comments on Onshore and Intertidal Ornithology</b></p> <p>In formulating these comments, the following documents have been considered:</p> <ul style="list-style-type: none"> <li>• [REP4-120] S_D4_17_MMTA_Onshore Terrestrial Waterbird Note_F01;</li> <li>• [REP4-121] S_D4_18 Passage Period at Landfall Technical Note_F01;</li> <li>• [REP4-059] J6_MMTA_Outline Ecological Management Plan_F03_F04; and</li> <li>• [AS-081] Outline Landfall Construction Method Statement.</li> </ul>	<p>The Applicants welcome Natural England's response and would like to note that, following the productive meeting on 16<sup>th</sup> September, the Applicants have updated the following documents at D5:</p> <ul style="list-style-type: none"> <li>• E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> <li>• J6 Outline Ecological Management Plan - Rev F05 (REP5-068)</li> </ul> <p>The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p> <p>The Applicants hope that these amendments address all of Natural England's remaining issues.</p>
REP5-183.2	<p><b>1. Major/Complex comments</b></p> <p><b>1.1 Summary</b></p> <p>Natural England has previously provided detailed comments relating to the Applicant's onshore and intertidal ornithology assessments in our Relevant Representations [RR-1601]. Since then, Natural England has provided advice through DAS and during Examination [AS-078]. Significant progress has been made, however some issues still remain outstanding. Nevertheless we are confident that the outstanding issues around the proposed management</p> <p>at Fairhaven saltmarsh, and the measures proposed to address the loss of/disturbance to Functionally Linked Land (FLL) used by SPA/Ramsar site waterbirds affected by the onshore cable route, are resolvable. We have provided further comments on our outstanding concerns within this advice letter.</p>	

Reference	IP submission	Applicants' response
	Natural England advise that the Applicant updates relevant documents e.g. ES chapter and ISAA at Deadline 6 to fully reflect our advice, as provided in our Relevant Representations and subsequent advice notes.	
REP5-183.3	<p><b>1.2 Passage SPA/Ramsar site waterbirds at Landfall</b></p> <p><u>Assessment of Mitigation Measures</u></p> <p>Natural England welcome the efforts made by the Applicant to reduce impacts to Ribble &amp; Alt Estuary SPA features at landfall, including the over-wintering seasonal restriction and provision of further detail relating to outstanding issues in the Outline Ecological Management Plan (OEMP) [REP4-059] and additional technical notes at Deadline 4. The Applicant has considered some of our advice to further reduce the impacts at the source. This is captured in the updated OEMP [REP4-059] i.e. screening of the temporary compound, further detail on the use of ECoWs/wardens, exclusion zones of 25m either side of cable pull in works and additional detail provided in [REP4-121]. We have provided further advice in Table 2.15 below.</p>	The Applicants welcome Natural England's comment.
REP5-183.4	Natural England welcomes the submission of [REP4-121] which helps quantify in detail the risk posed by the landfall works to the energetic budgets of birds on passage and the potential of Fairhaven saltmarsh to address those risks. We are satisfied that the potential impacts to ringed plover, dunlin and non-foraging sanderling are reduced to acceptable levels as these features are predominantly loafing/roosting at landfall. These behaviours seem to occur when the birds roosting at Fairhaven saltmarsh are displaced, therefore with measures to reduce the disturbance on Fairhaven it is likely that fewer birds would be displaced to the landfall and as such would be spared these impacts. This highlights the requirement for a detailed, well-managed and monitored site at Fairhaven.	The Applicants welcome Natural England's agreement that there are No AEoI on passage ringed plover, dunlin or non-foraging sanderling. E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021) has been updated to reflect this.
REP5-183.5	Our outstanding concerns relate to sanderling using the landfall area to forage. Although [REP2-045] provides further detail on the energetics associated with foraging, we require further	The Applicants welcome Natural England's comments regarding foraging sanderling and would note that the clarification provided to Natural England during the meeting on 16 <sup>th</sup> September alleviated their concerns. The Applicants have

Reference	IP submission	Applicants' response
	information to fully quantify the level of risk. We have discussed the outstanding information requirements with the Applicant and, pending their updates at Deadline 5, we believe this issue is resolvable.	<p>therefore added these additional details to Sections 1.6.3.98 and 1.6.3.240 of the updated E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Clean) - Rev F02 (REP5-021). These are:</p> <ul style="list-style-type: none"> <li>• As sanderling primarily forage along the tideline for invertebrates washed in with the surf, disturbance will be the greatest impact.</li> <li>• Disturbance at any one time will impact the 50m working corridor plus a 50m disturbance buffer for sanderling either side, this equates to 150m of tideline being impacted at any one time.</li> <li>• The peak number of foraging sanderling predicted to be impacted by this is 21 birds or 0.3% of the SPA population.</li> <li>• In addition, due to the speed of the trenching in comparison to the tide, the impact will only affect sanderling for 10% of the potential foraging time.</li> <li>• Due to the low number of birds impacted and the limited nature of the impact it is concluded that there are no AEoI on foraging sanderling.</li> </ul> <p>The Applicants hope that this matter can now be fully closed.</p>
REP5-183.6	We have welcomed the Applicant's efforts to further consider the mitigation hierarchy to address the outstanding issues regarding passage SPA/Ramsar site waterbirds, including proposals to further reduce impacts to passage features in April and October respectively. Following engagement through DAS with the Applicant, we have advised that an additional restriction to avoid high tide working in April and October <u>should not be progressed</u> as a commitment in the final draft DCO. Although this measure, would provide some additional reduction in disturbance to passage birds at high tide, the Applicant has confirmed that implementing this restriction would either increase the intensity of works at low tide or the overall duration of works would be increased.	The Applicants welcome Natural England's decision regarding the tidal restriction and can confirm that this will not be progressed further by the Applicants.
REP5-183.7	We highlight that low and mid-tide works are potentially the most significant tidal periods to be disrupted, as these pose a greater risk to the energy budgets through disruption of feeding and therefore energy intake. In [REP4-121] the Applicant	

Reference	IP submission	Applicants' response
	highlights that landfall is not regularly used as a high tide roost by passage features, and it is more likely that birds are displaced from Fairhaven saltmarsh to the landfall area and cite this as a potential reason for high numbers of sanderling at high tide. Therefore, when considering the data and evidence collected, we advise that on this occasion the commitment to a high water restriction would be misplaced as the risk to passage birds at low water would be increased.	
REP5-183.8	As set out in [REP4-121], birds at low tide are actively feeding in the works area. It is likely that operations at low and mid tide will disrupt foraging to some extent, though it should be recognised that it is unlikely that the birds will be wholly prevented from feeding (and from taking on energy) by the construction at landfall. Nevertheless, it is important that birds roosting at Fairhaven are able to minimise energy loss, in order to manage any disruption to energy accumulation on the low and mid tide foraging areas at Landfall.	The Applicants welcome Natural England's comments and note that the Applicants first recognised the importance of Fairhaven Saltmarsh pre-application and have been fully committed to providing benefits in this area throughout the application and examination process. The Applicants look forward to continuing to work with Natural England to further develop plans for this area post-consent.  As the Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES ( REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.
REP5-183.9	Furthermore, [REP4-121] shows that sanderling and ringed plover spend a significant amount of time engaged in maintenance behaviours in the landfall area. Capacity to undertake these behaviours is likely to be reduced in and around the working corridor. The provision of management at Fairhaven Saltmarsh which provides the birds with an alternative area nearby to the landfall to carry out these maintenance behaviours would be energetically neutral. It is likely that the birds will simply carry out these activities at a different time to account for changes in patterns when considering flights to and from the roost area.	
REP5-183.10	<u>Implications for Natural England's Integrity Judgement</u> We advise that our concerns around adverse effects on integrity (AEol) to the passage features of the SPA/Ramsar site are mostly alleviated, subject to Deadline 5 submissions regarding impacts on foraging sanderling. We consider the risk of AEol to be low, but not negligible, and highlight that even if AEol can be excluded in due course, there is clearly some	The Applicants welcome Natural England's conclusion of No AEol and have updated E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Clean) - Rev F02 (REP5-021) at D5 to reflect this. The Applicants hope that this matter can now be closed.

Reference	IP submission	Applicants' response
	potential for residual impacts in this case given the extent and duration of the works. We therefore advise that the measures proposed at Fairhaven have the potential to address these residual impacts and to provide additional enhancement to the area, and as such should be seen as a necessary alleviation measure.	The Applicants welcome Natural England's comments and note that the Applicants first recognised the importance of Fairhaven Saltmarsh pre-application and have been fully committed to providing benefits in this area throughout the application and examination process.
REP5-183.11	<p><b>1.3 Management at Fairhaven Saltmarsh</b></p> <p>As set out above, Natural England advise that Fairhaven is a necessary alleviation measure to reduce the residual impacts on the Ribble and Alt Estuary SPA. The measures to reduce impacts at landfall greatly reduce, but do not eliminate, the risk to energy intake through disruption of foraging and pose a risk of increased energy loss thorough disruption of maintenance behaviours (preening, resting etc). Consequently, we advise that the measures proposed at Fairhaven should be implemented to achieve an overall neutral or net positive energetic balance by minimising energy loss at other points in the species of concern's daily cycle. Furthermore, if these species are unable to loaf or rest at landfall or at Fairhaven then the impacts could be significant, as there appear to be limited alternative opportunities in the area for these activities. Natural England also note that management of the roost site at Fairhaven could also deliver energetic benefit for other species, which will be of net benefit for these SPA features.</p> <p>An effective plan for implementing, delivering and monitoring the effectiveness of Fairhaven remains an important element to consider. Table 2.15 includes our detailed advice on the management measures included in [REP4-059] and [REP4-120].</p>	<p>The Applicants note that it has always been their plan to deliver energy savings to birds at Fairhaven Saltmarsh as originally set out in CoT113 in F1.5.3 Volume 1, Annex 5.3: Commitments Register (APP-037) and highlighted in Table 1.78 and Table 1.94 of E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017). The Applicants therefore welcome Natural England's agreement that this area is suitable to alleviate impacts to intertidal waders from elsewhere within the SPA.</p> <p>The Applicants welcome Natural England's suggestions in Table 2.2 and look forward to working with Natural England post consent in order to successfully deliver appropriate mitigation for intertidal waders.</p>
REP5-183.12	<p><b>1.4 Management measures for loss of Functionally Linked Land (FLL)</b></p> <p>We highlight that the Applicant has included some of the additional detail we have previously requested in the OEMP [REP4-059] and the Onshore Terrestrial Waterbird note [REP4-120]. This information does progress our concerns as to</p>	The Applicants welcome Natural England's comments and have updated the oEMP at D5 (J6 Outline Ecological Management Plan - Rev F05 (REP5-068)). The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) which include a commitment to include Natural England as a stakeholder in



Reference	IP submission	Applicants' response
	whether the sites will effectively support the FLL for displaced and disturbed species at an appropriate scale; however we do advise that further detail is still required in some places, i.e. how these mitigation areas will effectively be delivered and monitored.	ongoing discussions post consent. The updates made reflect Natural England's comments and include: <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management - <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>• The amendment of the scrape depth to 45cm throughout.</li> <li>• The addition of the updated Terrestrial Waterbird Note - <b>Appendix E</b></li> </ul>
REP5-183.13	Broadly, we note that the detail outlining the mitigation areas is now included across two separate documents, with more detail in places provided in [REP4-120] when compared to the OEMP. We consider it would be beneficial to retain all information in one document or include other pertinent detail as an Annex to the OEMP. We advise this to avoid the potential for important details relating to the implementation, delivery and monitoring of the mitigation areas subsequently being 'missed' post-consent.	The Applicants welcome Natural England's comments and updated the oEMP at D5 (J6 Outline Ecological Management Plan - Rev F05 (REP5-068)). The Applicants hope that these amendments address all of Natural England's remaining issues. In addition, further updates have been made at D6 (J6/F06). The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England. The updates made reflect Natural England's comments and include: <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>• The amendment of the scrape depth to 45cm throughout.</li> <li>• The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
REP5-183.14	Additionally, there has been limited consideration of the extent to which the areas will deliver for the birds that are currently already using these mitigation areas, in addition to the birds potentially displaced and/or disturbed. Further detail is	The Applicants are committed to ongoing monitoring of the mitigation areas (see Appendix B of the Outline Ecological Management Plan (J6/F06)) to provide a detailed pre-mitigation baseline on the abundance and diversity of the bird assemblage currently using these areas. The Applicants have also committed to

Reference	IP submission	Applicants' response
	<p>therefore required to show how the birds impacted by the development will be supported in addition to birds already using the areas.</p> <p>Natural England do recognise the potential of the mitigation areas to deliver an appropriate level of impact mitigation in the FLL areas for all affected species; however effective delivery is dependent on optimal management of the mitigation sites.</p>	<p>monitoring whilst the mitigation is in place, and adaptive management should it be found that certain species cease to use the area.</p> <p>The Applicants would note that, as the mitigation areas fall within Order Limits, the birds using these areas were already included as the number of birds assessed within the EIA and HRA (see Figure 1.1 in F3.4.4 Volume 3, Annex 4.4: Onshore and intertidal ornithology survey methodologies (APP-095) for details on the survey area compared to the mitigation areas). Therefore, the birds already present have either, (a) already been used to calculate adverse effects, or (b) are present in low enough numbers that they do not pass the threshold for mitigation. Therefore, there is no additionality at the mitigation areas.</p> <p>The Applicants welcome Natural England's agreement that the proposed mitigation areas are in principle suitable, and have provided details already in S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120) and J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068). The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p>
REP5-183.15	<p><u>Lytham Moss</u></p> <p>The additional detail included in the OEMP [REP4-059] and the Terrestrial waterbird note [REP4-120] do progress our concerns as to the deliverability of the area as temporary mitigation. However, we still advise that further detail is required to give the requisite confidence that the area will deliver for the suite of species that is listed in the OEMP.</p>	<p>The Applicants welcome Natural England's comments and have updated the oEMP at D5 (J6 Outline Ecological Management Plan - Rev F05 (REP5-068)). The Applicants hope that these amendments address all of Natural England's remaining issues. The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p> <p>. The updates made reflect Natural England's comments and include:</p>

Reference	IP submission	Applicants' response
		<ul style="list-style-type: none"> <li>Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>The amendment of the scrape depth to 45cm throughout.</li> </ul> <p>The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></p>
REP5-183.16	We welcome the additional information on the supplementary feeding area which includes detail on the amount of grain required per day to feed the pink-footed geese and whooper swan during the core winter period. We are satisfied with the requirement for recalculation should bird count data and disturbance during winter indicate the amount of supplementary feeding needs amending during the construction period. We advise that this information should be included in a Supplementary Feeding Strategy as an annex to the OEMP (Also advised at Deadline 3 [AS-078]).	<p>The Applicants welcome Natural England's comments and have updated the oEMP at D5 (J6 Outline Ecological Management Plan - Rev F05 (REP5-068)) with the additional information. The Applicants hope that these amendments address all of Natural England's remaining issues. The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s). This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p> <p>The updates made reflect Natural England's comments and include:</p> <ul style="list-style-type: none"> <li>Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>The amendment of the scrape depth to 45cm throughout.</li> <li>The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
REP5-183.17	<p><i>Monitoring</i></p> <p>With regards to monitoring, whilst we welcome that monitoring proposals have been included for supplementary feeding, we</p>	<p>The Applicants have provided a greater level of detail on monitoring at D5 in J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068). The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES ( REP5-027)) to prepare detailed EMP(s) which would confirm the frequency of monitoring. This is secured by Requirement 12</p>

Reference	IP submission	Applicants' response
	<p>advise the following detail should be provided in relation to wider monitoring of the Lytham Moss mitigation area:</p> <ul style="list-style-type: none"> <li>• We note that in the Terrestrial waterbird note [REP4-120] section 4.1.2.8 includes some detail on pre-construction surveys and monthly monitoring during the winter months, however this detail should also be included in the OEMP.</li> <li>• It is currently unclear if regular monitoring will consider all the features listed in Table 19 of the Terrestrial waterbird note [REP4-120] or if it relates only to supplementary feeding. This should be clarified in the document.</li> <li>• Indication of how the scrape and short vegetation will be monitored and maintained throughout the winter months and when/how, prior to the core winter months, the area will be prepared e.g. mowing of grass.</li> </ul>	<p>within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p>
REP5-183.18	<p><i>Species specific requirements</i></p> <p>We have previously advised that SPA/Ramsar site species have specific requirements, and it cannot be assumed that measures will address impacts on these species. Table 19 [REP4-120] provides a clear indication of what species will be supported by the mitigation area, however the OEMP [REP4-059] lists other species that will also benefit e.g. redshank, ruff, and wigeon in the B2.5.1 Objectives section, and oystercatcher and redshank under the short vegetation heading. We acknowledge that this is to indicate the suitability of the area to a range of species that could be supported, but to avoid confusion the species that are being targeted for benefit should be included in Table 19 and clearly listed in the OEMP.</p>	<p>The Applicants have removed additional beneficiaries in the Outline Ecological Management Plan (J6/F06) to remove any confusion.</p>
REP5-183.19	<p>Finally, there is a lack of consistency between [REP4-059] which states the scrape should be designed to be a maximum of 50cm and [REP4-120] which states 45cm as the maximum depth.</p>	<p>The Applicants thank Natural England for pointing out this minor discrepancy and note that it is due to different guidance being referred to. The Applicants have updated this throughout to be 45 cm for D6 in the Outline Ecological Management Plan (J6/F06).</p>
REP5-183.20	<p>These points have been discussed with the Applicant in a meeting, and pending some minor updates in the OEMP</p>	<p>The Applicants welcome Natural England's conclusion that the mitigation at Lytham Moss is sufficient and have updated J6 Outline Ecological Management</p>

Reference	IP submission	Applicants' response
	[REP4-059] and the onshore terrestrial waterbird note [REP4-120], Natural England are likely to be satisfied with the detail provided for Lytham Moss at this stage of the development.	Plan (Clean) - Rev F05 (REP5-068) at D5 and the Applicants hope that these amendments address all of Natural England's remaining issues.
REP5-183.21	<p><u>Newton-with-Scales</u></p> <p>The additional detail included in the OEMP [REP4-059] and the Terrestrial waterbird note [REP4-120] do progress our concerns as to the deliverability of the area as permanent mitigation. The measures and indicative locations of the mitigation measures are potentially appropriate for the birds likely to require alternative habitat; however we again advise that further detail is still required. Specifically, information is needed on how the site will be delivered and monitored and how the desired habitats will be achieved at an appropriate scale. Both these aspects of the mitigation area were discussed on the site visit on 28th April 2025 and reflected in our advice at Deadline 3 [AS-078].</p>	<p>The Applicants welcome Natural England's conclusion that the size of the mitigation area and the proposed measures at Newton-with-Scales are appropriate in principle. The Applicants have submitted further detail in the oEMP at D6 that they hope closes this issue out. The updates made reflect Natural England's comments and include:</p> <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>• The amendment of the scrape depth to 45cm throughout.</li> <li>• The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
REP5-183.22	<p><u>Monitoring</u></p> <p>The area is required to mitigate the habitat lost from the construction of the onshore substation and forms part of the environmental mitigation secured in the draft DCO. There is no information on a strategy for ensuring the site is appropriately monitored, managed and maintained within the OEMP for the duration of the project. There is only a short paragraph in section 4.2.2.9 [REP4-120] which briefly outlines that a baseline will be collected prior to construction and regular monitoring will occur after habitat creation and enhancement. This is a permanent mitigation area for non-breeding waders including golden plover, and as such a robust, long-term strategy is needed to be confident that this area will deliver for the duration of the project e.g. budget for continued annual maintenance and in principle information regarding the organisation/group who will carry out the management and monitoring of implemented measures.</p>	<p>The Applicants have updated Appendix B2.2.2 of J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) at D5 to include further detail around the frequency of monitoring. The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES ( REP5-027)) to prepare detailed EMP(s) which would confirm the frequency of monitoring. This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England. The Applicants hope that these amendments address all of Natural England's remaining issues.</p> <p>The Applicants note that the DCO is not the correct place to name the organisation that will be carrying out the monitoring and management of this area as will only be determined post-consent. Therefore, whilst the Applicants remain committed to monitoring (as stated within the oEMP) it is not possible to assign this to an organisation at this time. Nor is the DCO the correct place to assign a</p>

Reference	IP submission	Applicants' response
		budget or long-term reporting strategy, these details are committed to through the commitment of long-term monitoring. These details will all be finalised in the EMP following consent and before any conditions have been discharged. The Applicants would like to remind Natural England that they remain a consultee on the detailed EMP(s).
REP5-183.23	A similarly detailed, accompanying or integrated strategy should also be produced to effectively manage and deliver mitigation for the temporary impacts for the larger suite of species predicted to be impacted by the construction phase of the development. The detail should include for example detail on the installation and management of sluices, creation and maintenance of optimal scrape depth and detailed grassland management information, as previously advised at Deadline 3 [AS-078].	The Applicants have provided further detail to Appendix B of the Outline Ecological Management Plan (J6/F06) at Deadline 6.
REP5-183.24	<i>Species specific requirements</i> We have previously advised that SPA/Ramsar site species have specific requirements, and it cannot be assumed that measures will address impacts on these species. In response, Table 20 in the Terrestrial waterbird note [REP4-120] provides a clear indication of what species will be supported by the mitigation area, however the OEMP [REP4-059] lists other species that will also benefit for e.g. redshank, ruff, and wigeon in B2.2.1. We acknowledge that this is to indicate the suitability of the area to a range of species that could be supported but to avoid confusion the species that are being targeted for benefits should be included in Table 20 and clearly listed in the OEMP.	The Applicants have removed the other beneficiary species at Deadline 6 as Natural England have been clear that there is no requirement for this. The Terrestrial Waterbird Note has been appended to Appendix F. These changes are in the Outline Ecological Management Plan (J6/F06).
REP5-183.25	REP4-120 states that survey data previously collected indicates the area is already used by a range of waterbirds including wigeon, teal, shoveler, curlew, lapwing and black-tailed godwit, and that it was selected because it is already used by non-breeding waterbirds. As mentioned there has been no consideration of how the site will deliver for the birds already using the area combined with the birds that will be displaced from the habitat that is permanently lost. The	The Applicants are committed to ongoing monitoring of the mitigation areas to provide a detailed pre-mitigation baseline on the abundance and diversity of the bird assemblage currently using these areas. The Applicants have also committed to monitoring whilst the mitigation is in place, and adaptive management should it be found that certain species cease to use the area. Updates reflecting Natural England's concerns can be found in Appendix B of the updated Outline Ecological Management Plan (J6/F06)



Reference	IP submission	Applicants' response
	Applicants consider that improvement to the habitats and habitat creation in the area will allow for more utilisation of the site. We advise that the monitoring plan should factor in the birds already using the area prior to it being enhanced for the mitigation site to ensure that the measures aren't going to impede on the birds already using the site. This has not been mentioned and should be factored into a monitoring plan for the area to be confident of this.	<p>The Applicants would note that, as the mitigation areas fall within the Order Limits, the birds using these areas were already included as the number of birds assessed within the EIA and HRA (see Figure 1.1 in F3.4.4 Volume 3, Annex 4.4: Onshore and intertidal ornithology survey methodologies (APP-095) for details on the survey area compared to the mitigation areas). Therefore, the birds already present have either, already been used to calculate adverse effects, or are present in low enough numbers that they do not pass the threshold for mitigation. Therefore, there is no additionality at the mitigation areas.</p> <p>The Applicants welcome Natural England's agreement that the proposed mitigation areas are in principle suitable, and have provided a high level of detail already in S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120) and J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068).</p>
REP5-183.26	Again, there is a lack of consistency between [REP4-059] which states the scrape should be designed to be a maximum of 45cm and [REP4-120] which states 50cm as the maximum depth.	The Applicants have amended this minor error in the Outline Ecological Management Plan to be consistent at 45 cm (J6/F06).
REP5-183.27	These points have been discussed with the Applicant in a meeting and pending updates in the OEMP [REP4-059] and the onshore terrestrial waterbird note [REP4-120], Natural England are likely to be satisfied with the detail provided for Newton-with-Scales at this stage of the development.	The Applicants welcome Natural England's in principle conclusion that the proposed mitigation at Newton-with-Scales is appropriate. The Applicants have updated J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) at D5 and the Applicants hope that these amendments address all of Natural England's remaining issues.
REP5-183.28	<p><b>1.5 Summary of comments on Onshore Terrestrial Waterbird Note [REP4-120]</b></p> <p>We welcome the inclusion of this document and the additional detail around species for which FLL exists and the non-breeding waterbird assemblage in [REP4-120]. We accept the explanation on the use of 1% of the SPA population as the threshold for indicating likely significant effects (LSE). We agree with the conclusion of no significant impact on the functioning of FLL for wigeon and redshank. The detail provided relating to teal and black-tailed godwit largely alleviate our concerns over suitable measures to mitigate for impacts to</p>	<p>The Applicants note that, following the productive meeting on the 16<sup>th</sup> September they came to agreement with Natural England. Shelduck have accordingly been added to the J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) at D5 as a primary target species for mitigation to alleviate the temporary impacts of construction (updates have been made to Appendix B.2.5 of the oEMP (REP5-068)).</p> <p>The Applicants welcome Natural England's agreement with the conclusion regarding FLL for the other species.</p>



Reference	IP submission	Applicants' response
	these species. We do not agree with the conclusion for shelduck and recommend including some specific details in the OEMP to illustrate that the mitigation areas will have areas of short sward and muddy wetness with invertebrates; this will provide more confidence that shelduck will be supported by the mitigation areas. We look forward to reviewing the updated OEMP, which we anticipate will resolve these issues fully.	
REP5-183.29	We advise that the information provided on the non-breeding waterbird assemblage does provide clarification on our concerns. We maintain that the assemblage should have been assessed as a feature in the ISAA but the detail provided in Section 3.1.4 outlining the ES conclusions for non-named waterbird assemblage species and the factors considered to conclude a negligible impact address our concerns on this matter. Based on the information presented in Table 17 we do not consider there would be a material difference in the conclusions of the ISAA had these species been considered. We look forward to reviewing the updated ISAA, which we anticipate will resolve these issues fully.	The Applicants welcome Natural England's agreement with the conclusion that there are no additional impacts to the non-named assemblage species. Further detail surrounding this was provided in the terrestrial waterbirds note and has since been appended to the ISAA to close this issue out (Appendix F of E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)) at D6 (E2.3/F03).
REP5-183.30	Our comments on the mitigation areas are captured in section 1.4. An overarching comment relates to the inconsistency of detail on the mitigation areas when comparing the OEMP [REP4-059] and [REP4-120]. REP4-120 is referenced in the OEMP, however we advise that pertinent information should be included in the OEMP or attached as an annex to ensure easy access to all relevant information for the stages following Examination.	The Applicants have updated J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) at D5 and have appended further information at D6 to close this issue out. The updates made reflect Natural England's comments and include: <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>• The amendment of the scrape depth to 45cm throughout.</li> <li>• The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
REP5-183.31	<b>1.6 Comments on Outline Landfall Construction Method Statement [AS-081]</b>	The Applicants confirm that the landfall cable pull-in exclusion zone mentioned in the OEMP (REP4-059), and the defined working area mentioned in the Landfall

Reference	IP submission	Applicants' response
	<p>This document provides useful information on the surveys, set up and construction process at landfall. As this is an outline plan, the detail included at this stage is considered satisfactory. We have some minor points to raise which are listed below, however we acknowledge this plan will be further refined post-consent and look forward to engaging with the Applicant further:</p> <ul style="list-style-type: none"> <li>• The OEMP [REP4-059] section 1.6.3.15 includes details on 25m exclusion zones either side of the cable pull in. [AS-081] section 1.13.4.1 states a defined working area extending 25m either side for cable preparation and installation activities. We advise it should be clarified whether this refers to the same 25m exclusion zone or not;</li> <li>• Clarification that only one cable pull in will be undertaken at any one time. The document includes detail on only one project undertaking work at any one time (section 1.11, 1.13.2, 1.13.3) but that is not quite the same as one cable pull in; and</li> <li>• We advise that CoT129 (Table 1) should include reference to 'foraging and roosting' birds.</li> </ul>	<p>CMS (REP5-116), refer to the same 25m working area on either side of the cable alignment for preparation and installation activities.</p> <p>The Applicants also confirm that only one cable pull-in will be undertaken at any given time.</p> <p>The Applicants acknowledge the request for further clarity of CoT129, and will update as per the proposed text;  <i>"...This is to mitigate disturbance to foraging and roosting wader features of Ribble and Alt Estuary SPA and Ramsar site..."</i></p>
REP5-183.32	<p><b>1.7 In-combination with East Irish Sea Transmission Assets</b></p> <p>Natural England notes that the most recent update to information on cumulative and in-combination effects were submitted at Deadline 1 [REP1-021] and Deadline 2 [REP2-043] respectively. The East Irish Sea Transmission Assets Scoping report was submitted to PINS on 14 August 2025, which provides more information on the project. In REP2-043 it includes a note that 'The East Irish Sea Transmission Project is included in the CEA Screening list as the Section 35 direction for the project is in the public domain, however there is insufficient information available to consider the project within the CEA'. As the scoping report is now available, we advise that further consideration of this project in-combination is</p>	<p>The Applicants note that there is not enough information to do this meaningfully at this stage. Therefore, this responsibility would fall upon East Irish Sea Transmission Assets to conduct the detailed in-combination assessment as part of their application and based upon the extensive data that the Applicants have provided during both application and examination phase.</p>

Reference	IP submission	Applicants' response
	required, and updates made to which offshore and onshore receptors should be screened in.	
REP5-183.33	<p>There is likely to be a temporal overlap with this project, and there is potential for in-combination effects as one of their landfall locations is within the Ribble &amp; Alt Estuary SPA. As such, at this stage of the East Irish Sea Transmission (EIST) project there is a risk of an in-combination AEol with the Morgan and Morecambe Transmission Assets, albeit there is not sufficient detail available for the EIST scheme at present to meaningfully advise on the potential for significant in-combination impacts. However, we consider that the risk of an in-combination AEol in the future could be mitigated for if the Fairhaven scheme was retained and implemented, as it has the potential to fully address the impacts of the Morgan and Morecambe Transmission Assets proposal. We also advise the Applicant to consider how the Fairhaven scheme could be delivered in a strategic setting, i.e. inclusion of contributions from other parties with responsibilities to the SPA/Ramsar site e.g. public bodies, other developers.</p>	<p>See REP5-183.32 above. It is not the duty of the Applicants to mitigate for future projects, and they are not able to secure rights for another developer or project</p> <p>However, the Applicants are pleased that Natural England can see strategic potential in the mitigation that the Applicants originally proposed during application.</p>
REP5-183.34	<p><b>1.8 Construction Phase Timetabling</b></p> <p>We continue to advise that to better understand the potential scale of disturbance and displacement at any one time during construction, further information on the phasing of works is necessary. We reiterate our Relevant Representations comments on this matter. Without an indicative work schedule, Natural England has to assume the Worst-Case Scenario which is that all the works could be carried out simultaneously and therefore the risk of impacts to SPA/Ramsar features is greater. We therefore urge the Applicant to further consider phasing of works. If the Applicant included a phasing plan, this would likely reduce the need for the mitigation areas to have to deliver for all displaced birds and would therefore reduce the risk. The detail provided regarding construction works at landfall in [AS-081] does largely alleviate our concerns for this</p>	<p>The Applicants confirm that neither Morgan nor Morecambe will construct along the entire cable route at the same time. While the Environmental Impact Assessment (EIA) considered a full-route construction scenario as the worst case, in practice construction will progress in staged sections along the corridor.</p> <p>Indicative construction programmes for the Transmission Assets have been set out in Plate 3.1 – Plate 3.3 of Volume 1, Chapter 3: Project description (REP5-024) and sets out how the major construction activities will be phased within the maximum overall construction duration of 36 months for Morgan OWL and 30 months for Morecambe OWL.</p> <p>The Applicants welcome Natural England's recognition that the outline Landfall Construction Method Statement (REP5-116) largely addresses concerns for the</p>

Reference	IP submission	Applicants' response
	portion of works, however our concerns remain for other areas of the cable corridor.	Landfall area. For the remaining section of the cable corridor, further detail on construction sequencing is provided in Section 1.5 Programme of the outline Onshore Construction Method Statement (REP4-115), which provides a high-level programme setting out the key sequential stages for the delivery of the onshore cable corridor.
REP5-183.35	Natural England notes the Applicants response to Q1.1.3 of the 'Applicants' Response to Examining Authority's Written Questions (ExQ1)' [REP3-056] and acknowledge that construction periods are likely to be isolated and not continuous. However, the level of detail included on indicative timings of certain operations e.g. open cut trenching is not included in the Application documents. It would therefore be useful for the Applicant to consider the phasing/staging of works in the context of reducing the potential for impacts on bird features. The response to Q1.1.3 does provide some clarity but only in relation to certain types of work and not in relation to how much of the Onshore Order Limits will be worked on at any one time, which remains an issue in relation to construction works. We recognise the Applicant's position that they are unable to provide further detail at this point; however we maintain our advice on this matter.	At this stage, the exact construction sequence has not been fixed, as the principal contractor has not been appointed. Therefore, the final phasing and order of works will be confirmed post consent through the staging plans, which are required to be submitted for approval to the relevant planning authorities under Requirement 3 in Schedule 2A and 2B of the draft DCO (REP5-010).

**Table 2.15: Natural England's Advice On: Onshore and Intertidal Ornithology – Outline Ecological Management Plan [REP4-059]**

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
1	B.2.1.2 – Fairhaven Saltmarsh	<b><u>Local Education</u></b> Part of proposed mitigation measures include Local Education activities to be organised by Local Groups and potential visits to school.	NE advise that further detail should be provided to ensure the mitigation of Local Education will be effective and avoid any ambiguity regarding what is proposed, including: <ul style="list-style-type: none"> <li>Details of which Local Groups the applicant will work with, and how. We advise clarification should be provided if any other partnership working will</li> </ul>	The Applicants have committed to undertake a recreational disturbance survey at Fairhaven Saltmarsh and the surrounding area. This survey will identify the site-specific conditions and recreational pressures (e.g. type and frequency of recreational activities). The findings of the study will be used to inform the measures for managing recreational

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		Concerns over lack of detail to demonstrate mitigation will be effective.	<p>be undertaken, and on how the applicant will engage with these partners;</p> <ul style="list-style-type: none"> <li>• Further evidence to demonstrate Local Groups are committed to working with the Applicants to raise awareness of disturbance; and</li> <li>• Further information of what education material will be used, and what activities will be arranged. This should also include detail of what measures will be put in place to ensure any educational material is correct and kept up to date.</li> </ul>	<p>pressures on Fairhaven Saltmarsh and the following details included within the detailed Ecological Management Plan(s):</p> <ul style="list-style-type: none"> <li>• Local education: – Details of which local groups the Applicants will work with, and how. – Information of what education material will be used, and what activities will be arranged including measures that will be put in place to ensure any educational material is correct and kept up to date.</li> <li>• Wardening – How many wardens will be employed – When the wardens are on site at Fairhaven Saltmarsh (including lead in times prior to the commencement of landfall construction)</li> </ul>
		<p><b>Wardening</b></p> <p>Part of mitigation includes wardens being employed on site to further advise and educate the public.</p> <p>Concerns over lack of detail to demonstrate mitigation will be effective.</p>	<p>NE advise that further detail should be provided to ensure the mitigation/stakeholder engagement will be effective and avoid any uncertainty including:</p> <ul style="list-style-type: none"> <li>• Who will the wardens be employed by and how will their employment be secured in the long term - will this be the Applicant or a third party?;</li> <li>• How many wardens will be employed, and evidence to demonstrate the level of site presence will be sufficient to effectively intervene to avoid disturbance to roosting birds;</li> <li>• How the critical months for the waders will be decided. Natural England would expect these decisions to be based on the bird survey evidence and include the timing that the roosting birds are using the area; and</li> <li>• What lead-in times will be used to establish a site presence and begin dialogue with regular users in advance of the critical months.</li> </ul>	<p>The Applicants feel that before the results of this survey become available it is too soon to detail groups and educational materials. The Applicants hope that their commitment to conduct the survey, combined with their commitment to further develop the mitigation strategy with Natural England post-consent shows that they are committed to providing meaningful ornithological enhancements to this area. The Applicants have made a commitment (CoT104 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-027)) to prepare detailed EMP(s) which would confirm the detail request regarding Fairhaven Saltmarsh. This is secured by Requirement 12 within Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authority in consultation with Natural England.</p>

NE Ref	Section	Key Concern and/or Update	Natural England's Advice to Resolve Issue	Applicant's response
		<p><b><u>Monitoring</u></b></p> <p>The updated OEMP at Deadline 4 now includes a paragraph on monitoring. We welcome the inclusion of monitoring and use of adaptive management approach.</p> <p>Concerns over the lack of detail outlining the monitoring.</p>	<p>NE advises that further detail should be provided in the OEMP on the potential monitoring strategy. Details such as frequency of monitoring, who will undertake the monitoring, and the process if results prove the measures are not effective. It is unclear whether the monitoring will include any assessment of the level of recreational disturbance at Fairhaven to better inform placement of signs, placement of wardens and detail of local education.</p>	<p>At D5 J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) was updated with a commitment to agree the future monitoring of Fairhaven Saltmarsh in consultation with Natural England.</p>



## 2.7 Natural England (Appendix L5 Natural England's comments on ExQ2)

**Table 2.16: REP5-184 – Natural England (Appendix L5)**

Reference	ExA Question	IP submission	Applicants' response
Q2.6.1.1	<p><b>Fairhaven Saltmarsh</b></p> <p>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].</p> <p>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.</p> <p>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?</p>	<p>(b) Given the Applicant's welcome commitment to avoid the sensitive winter period, and additional mitigation measures to reduce the impacts of the development during the passage periods, our position regarding adverse effects on the Ribble &amp; Alt Estuaries SPA/Ramsar site has continued to evolve. Whilst we maintain our position that without the above mitigation the Fairhaven Saltmarsh scheme would have constituted compensation rather than mitigation under the Habitats Regulations, a more nuanced approach is now warranted in the light of the mitigation measures proposed.</p> <p>Our current position is that we hope to be able to rule out adverse effects on the SPA/Ramsar site on passage features in due course, subject to clarification on a small number of outstanding issues (Please also see our joint statement, point 5 in our cover letter on this matter). Should this be the case, we will nevertheless continue to advise that the Applicant progresses with the Fairhaven Saltmarsh scheme, as an alleviation measure in order to reduce the residual impacts on the Ribble and Alt Estuary SPA/Ramsar site. The scheme also has the potential to deliver wider resilience and even enhancement to other SPA/Ramsar site features. This was discussed in a meeting with the Applicant on 16 September 2025 and the full rationale for our position is included in our advice in</p>	<p>The Applicants welcome Natural England's agreement that there are No AEol caused by works at the landfall due to:</p> <ul style="list-style-type: none"> <li>• Commitment to a Nov-Mar restriction (CoT110 and CoT129 updated in the ISAA (REP5-021)).</li> <li>• ECoWs at the landfall during passage (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>• Screening of works (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>• Alleviation measures at Fairhaven Saltmarsh (CoT113 and updated in appendix B.2.1 of the oEMP (REP5-068)).</li> <li>• Clarification on the limited nature of the impact (updated in sections 1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)).</li> <li>• Clarification on the low numbers of birds predicted to be impacted (updated in sections 1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)).</li> </ul> <p>The Applicants are committed to delivering the measures at Fairhaven Saltmarsh and therefore trust that this matter can now be fully closed.</p>



Reference	ExA Question	IP submission	Applicants' response
		Appendix H5. We are aiming to confirm our position at Deadline 6.	
Q2.6.1.2	<p><b>Habitat management strategy</b></p> <p>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.</p>	<p>The outline Wildlife Hazard Management Plan [REP3-065] provides detail on the location of mitigation areas for bird features in relation to reducing the potential interaction with Blackpool Airport and Warton Aerodrome. Natural England has provided advice on the OEMP [REP4-059] and has been communicating through DAS and Examination with the Applicant to ensure, from an ecological perspective, that the mitigation areas are suitable to deliver the measures. Natural England's advice on the mitigation areas is included in Appendix H5 and previously [AS-078].</p> <p>Based on the information included in [REP3-065] and [REP4-059], we do not anticipate any conflicts from an ecological perspective relating to Natural England's remit. We of course defer to BAE and Blackpool Airport for comment on other aspects of the plan.</p>	<p>The Applicants would thank Natural England for their confirmation that there are not anticipated conflicts from an ecological perspective.</p> <p>The Applicants have worked with Natural England to design these areas, and with Blackpool Airport and BAE Systems/ MOD to ensure that there are no conflicts within the documents. The Applicants note that:</p> <ul style="list-style-type: none"> <li>• A Birdstrike Risk Assessment has been produced and accepted by Blackpool Airport, pending minor updates. This will be appended to Blackpool Airport's existing risk assessment and effectively closes the birdstrike issue out as regards Blackpool Airport.</li> <li>• A draft wildlife attractant risk assessment has been produced for BAE (REP5-106 Outline Wildlife Hazard Management Plan (Clean) - Rev F02). This is the first step in producing a final Birdstrike Risk Assessment. BAE will be consulted at all further stages of the process.</li> <li>• BAE's response to ExQ2: 1.1.7 was: <p><i>"... whilst BAE Systems must reserve its position until the aforesaid work is undertaken, it is considered unlikely that there will be an unacceptable risk to / or interference with operations at Warton Aerodrome and the Aerodrome's ability to perform its defence role (with specific regard to bird strike) provided appropriate mitigation measures can be identified and put in place."</i></p> </li> </ul>

Reference	ExA Question	IP submission	Applicants' response
			The Applicants remain committed to ensuring that the correct measures are identified and resolving these matters in consultation with Natural England, BAE/ MOD and Blackpool Airport where necessary post examination.
Q2.6.1.3	<p><b>Sand lizards</b></p> <p>outline Sand Lizard Mitigation Plan [REP4-117] has been submitted as D4.</p> <p>a) Can you comment on the appropriateness of the plan.</p> <p>b) Please comment on the proposal and EPS licencing strategy outlined.</p>	<p>Natural England advises that from the details provided within the Sand Lizard Mitigation Plan (REP4-117) that a Sand Lizard Mitigation European Protected Species Licence maybe required to carry out the activities detailed within the plan. For further advice please see Appendix G5.2 to our Deadline 5 submissions</p> <p>Natural England also notes that the Applicant intends to submit a draft EPS Licence at Deadline 5. Natural England will provide further advise once we have reviewed any further submissions.</p>	<p>The Applicants can confirm they would obtain a Natural England EPS mitigation licence for sand lizard for works associated with the landfall site, including the construction compounds and access tracks. A draft method statement for the EPS licence application was submitted at Deadline 5 (REP5-149), and a formal application would be submitted to Natural England upon receipt of consent for the projects.</p> <p>The Outline Sand Lizard Mitigation Plan was also revised at Deadline 5 (REP5-112).</p> <p>The Applicants look forward to receiving comments from Natural England on the documents submitted at Deadline 5, The Applicants submitted an updated version of the draft method statement for the EPS licence application directly to Natural England on 14 October 2025.</p>
Q2.6.1.4	<p><b>Natural England's Risk and Issues Log [REP4-139]</b></p> <p>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 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.</p>	<p>Natural England requires further information on the Direct Pipe Trenchless Technique (NE14) in order to fully understand the potential impacts, it is unclear if this will be resolved during Examination. Please see Appendix B5, G5.1-3, to our Deadline 5 submissions.</p> <p>We have provided our advice on ALC survey effort (NE16) and developing on areas of restorable peat (NE17) in Appendix G5.1 to our Deadline 5 submissions. Without</p>	<p>The Applicants can confirm that the NVC survey results from the updated survey of Lytham St Annes Dunes SSSI and the St Anne's Old Golf Course BHS were submitted into the examination at Deadline 5 in a revised version of Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report (REP5-038).</p> <p>With regard to ALC and developing on areas of restorable peat, the Applicants have provided full responses to these points in NE Appendix G5.1 Soils (Table 2.7).</p>

Reference	ExA Question	IP submission	Applicants' response
	<p>a) Are those issues being discussed and progressed, is it likely that they are going to be resolved by the end of this examination</p> <p>b) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.</p>	<p>additional survey effort our comments remain unchanged for ALC matters. Our original comments at Relevant Representations [RR-1601] are still applicable for peat.</p> <p>Our position may change depending on what updated information is submitted at Deadline 5. For example, the Applicant has indicated that the NVC survey results will be submitted at D5, which will potentially progress multiple issues.</p> <p>For issues where we have requested survey effort pre-consent, we will continue to advise the surveys are necessary and should be completed. For issues where we are still awaiting information on impacts, we are currently unable to advise on how these issues can be resolved other than as set out in our RR/RW [RR – 1601].</p>	
Q2.6.1.7	<p><b>Peat</b></p> <p>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?</p>	<p>Natural England draws your attention to our response and Q2:6.1.8 and our Appendix G5.1 to our Deadline 5 submissions.</p> <p>Whilst we hope that soil related R&amp;Is could be resolved during examination, we advise on a without prejudice basis that in the absence of detailed peat surveys, there will be a requirement to provide a peat compensation strategy and construction technique which assumes a worst-case scenario (WCS). Please see response to Q2:6.1.8 below.</p>	<p>The Applicants note that detailed soil surveys will be undertaken post consent and prior to construction. Where peat deposits are encountered and cannot be avoided through micro siting, peat management measures will be implemented in accordance with the Outline Soil Management Plan (REP5-059). The Outline Soil Management Plan (J1.7/F04) has been updated at Deadline 6 to include a hierarchy approach for the management of peat deposits if they are encountered within the Order Limits.</p>

Reference	ExA Question	IP submission	Applicants' response
Q2.6.1.8	<p><b>Peat</b></p> <p>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).”</p> <p>a) Please comment on the above statement and provide an update.</p> <p>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.</p>	<p>Natural England's advice provided at REP3-017 and in Appendix G5.1 submitted at Deadline 5 remains unchanged. However, we note part (b) to the question requesting further advice on how this issue could be resolved if the necessary surveys are not forthcoming and a WCS is assumed.</p> <p>Natural England has utilised the England Peat Status Greenhouse Gas and Carbon Storage open data source, and based on the draft order limits we advise the onshore cable route cannot avoid impacting deep peaty soils.</p> <p>We do not support the extraction or development of deep restorable peat. At this stage, it is unclear whether the cable route will pass through areas of deep restorable peat due to further survey effort being required. This is established by understanding the depth, condition and extent. Page 5 of TIN037 Guidance has a definition of peat which would meet the criteria for restoration. Where peat is at the surface, even if enriched, with no significant man-made ground or contamination, this has the potential to be feasibly restored.</p> <p>Any locations of the development which contains significantly contaminated peat or peat that cannot feasibly be restored such as peat buried under significant made ground may be an exception and in this situation, we recommend peat is left in-situ and sensitive construction techniques are applied to maximise this.</p> <p>Where loss or degradation is unavoidable, a suitable peat compensation strategy must be</p>	<p>The Applicants' submission at Deadline 4 on 8 August 2025: Hearing Action Point 14 (REP4-118) identifies where peat has been considered and assessed throughout the Environmental Statement. The peat resources likely to be affected are predominantly shallow peats that have been subject to intensive agricultural cultivation and drainage are located in limited areas at the western end of the onshore cable route between Blackpool Airport and Higher Ballam.</p> <p>The Natural England Peat map, produced in May 2025, similarly shows potential areas of peat to be very limited in the area at the western end of the route covering less than 3% of the land within the order limits. An overlay of the order limits onto this mapping has been provided in 'Annex 6.1 to Applicants response to HAP ISH4_7: Natural England Peat Plan' (S_D6_6.1) at Deadline 6.</p> <p>The Applicants consider that the mitigation measures presented in the Outline Soil Management Plan (REF5-059) are appropriate. This document at Section 1.8.6 includes for the production of detailed Peat Management Plans, for areas where peat is identified and cannot remain in situ within the construction areas, and for the inclusion of detailed peat probing surveys pre-construction to inform the Peat Management Plans. Therefore, where the disturbance of peat cannot be avoided through detailed design, PMPs would ensure that the agricultural peat resources can be appropriately managed and restored to ensure that these resources are protected. This is secured under Requirement 8 of Schedules 2A and 2B of the draft DCO (REP5a-018).</p>

Reference	ExA Question	IP submission	Applicants' response
		<p>delivered and designed in support of the peat present. In this specific scenario, Natural England is aware that the layout may not be able to avoid impacts to deep restorable peat (reference to the open data source) and there remains uncertainty regarding the presence of restorable peat in the absence of survey data. As such, a compensation strategy must be provided which assumes a worst-case scenario to address the uncertainties in the peat evidence. Natural England does not support habitat creation which may cause detriment to the peat mass. Natural England reiterates that compensation should consider deep peat and include provisions for wetland habitats such as bog and fen restoration. Natural England strongly recommends that any restoration design is tailored and site specific.</p> <p>In addition, we would strongly encourage the Applicant to provide details on any sensitive construction methods that will be provided to minimise peat impacts during construction. Natural England would expect a methodology on the construction technique proposed and how this will minimise impacts, including measures to address wider peat degradation such as bunding design and method to be considered as part of the consenting process. Natural England strongly recommends a peat handling plan is produced. This should detail optimum conditions for movement, monitoring protocols, and details on contractors required, storage and re-use. We do not support off-site use of peat extracted.</p>	

Reference	ExA Question	IP submission	Applicants' response
Q2.7.1.1	<p><b>Additional information and assessment</b></p> <p>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".</p> <p>a) Please comment in full on the concerns that are being highlighted.</p> <p>b) Is it likely that a resolution will be found during this examination?</p> <p>c) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.</p>	<p>(b) We highlight to the ExA Natural England's original comment in our Relevant Reps [RR-1601] ref: B13 and R&amp;I comment RI_B20. With regards to resolution, it is our view that the onus is with the Applicant to either undertake project-specific numerical modelling or provide further justification for the suitability of the conceptual based modelling from Mona OWF Project. The latter needs to be supported with additional information on the similarity of MDS project design parameters and environmental conditions (e.g. sediment type and availability, water depth, wave and tidal regimes). We further advise that if the Applicant undertakes pre and post construction monitoring of intertidal morphology (as with our comments in R&amp;I log RI_B17 and Appendix B5), this could go some way to alleviate our concerns.</p> <p>(c) The outcome is dependent on what further information the Applicant intends on submitting into Examination and if the Applicant includes commitments to undertake pre and post construction monitoring of intertidal morphology.</p>	<p>The Applicants responded to Q2:7.1.1 in Applicants' Response to Examining Authority's Written Questions (ExQ2) (REP5-130).</p> <p>The conceptual approach was agreed with MMO, Cefas, Environment Agency and Natural England though the consultation processes via the Benthic Ecology, Fish and Shellfish and Physical Processes Expert Working Group Meetings (APP-190).</p> <p>As outlined during the consultation process and in Volume 2, Chapter 1: Physical processes (REP5-030), Table 1.6 and Section 1.9.5, the conceptual approach did not rely solely on Mona Offshore Wind Project, but also included a range of studies such as Morgan Offshore Wind Project Generation Assets (Morgan Generation Assets) EIA and modelling study (which included modelling of cable protection and was supplied in Volume 2, Annex 1.1: Physical processes associated modelling studies (APP-044), Awel y Môr Offshore Wind Farm (modelling study and EIA) along with detailed project specific morphological seabed study (including assessment of historical datasets and modelling (ABPmer 2023)).</p> <p>In terms of baseline conditions, the Morgan Generation Assets modelling study included the full Transmission Assets study area. The Morgan Generation Assets model was used to determine the tidal excursion for suspended sediment plumes related to the Transmission project. The project description for both Morgan Generation Assets and Mona Offshore Wind Project and also the Transmission Assets shared MDS parameters for cable trenching, cable protection, seabed preparation techniques and cable installation techniques owing to same ground conditions.</p>



Reference	ExA Question	IP submission	Applicants' response
			<p>Modelling for Morgan Generation Assets included cable trenching and the influence of cable protection in areas directly adjacent to the offshore extent of the Transmission Assets and were therefore directly comparable. In terms of the similarities between Transmission Assets and the Mona Offshore Wind Project export cable which was used to inform the assessment - at both sites:</p> <ul style="list-style-type: none"> <li>• Cables run to landfall from an offshore water depth of 50m</li> <li>• Similar tidal flow – for example peak tidal offshore currents are circa 1.0m/s during spring tides with currents of 0.4 m/s running along the coastline in the nearshore area</li> <li>• Similar wave climate – for example wave climates vary from a significant wave height of 6.5m offshore to 4m nearshore during a 1:20 year event</li> <li>• Seabed sediments range from gravelly sand to finer sediment with predominantly sand in nearshore areas.</li> </ul> <p>Although the orientation of the coastline differs between Mona Offshore Wind Project landfall and Transmission Assets landfall at Lytham St. Annes, the sites experience a similar range of wave climates and nearshore current directions relative to the coastline. For these reasons the conceptual approach was adopted for use in the Transmission Assets physical processes assessment (APP-042).</p> <p>The Offshore In Principle Monitoring Plan (IPMP) (APP-225) submitted with the Application for Development Consent includes for monitoring of impacts to sediment transport and sediment transport pathways due to presence of infrastructure and associated potential impacts to physical</p>



Reference	ExA Question	IP submission	Applicants' response
			features and bathymetry. In terms of the inter-tidal region, in accordance with commitment CoT08 (REP5-026) post-construction the working area will be reinstated to pre-existing condition as far as reasonably practical. This means that following construction cable trenches and exit pits on the beach will be backfilled with the excavated material with the beach being restored to the pre-construction conditions, i.e. no change to baseline processes to requiring further monitoring beyond those outlined in the Offshore IPMP submitted at Deadline 6, (J20/F05).
Q2.7.2.1	<p><b>Assessment of all potential impacts</b></p> <p>At issue specific hearing 2 (ISH2) the Examining Authority (ExA) raised the following issues previously highlighted by NE with the applicants:</p> <ul style="list-style-type: none"> <li>• Clarity on the likely impact of the direct pipe technique;</li> <li>• The provision of an outline Landfall Management Plan;</li> <li>• Assessment of the feasibility of cable installation tools in shallow waters;</li> <li>• Assessment of the maximum design scenario for the pre-lay grapnel run and unexploded ordnance and boulder clearance</li> <li>• An update of maximum design scenario parameters for sand wave clearance;</li> <li>• Consideration of the worst construction scenario – a gap between cable</li> </ul>	<p>(a) Natural England has provided updates on each of these matters in Appendix B5 and our R&amp;I Log at Deadline 5 (RI_C7, RI_C10, RI_C11, RI_C13, RI_C14). As a general comment, we note the Applicant intends on updating the relevant Chapter of the ES at Deadline 5, therefore we will provide further comment after having sight of the updated documents.</p> <p>(b) Natural England have provided comments on the Applicant's latest commitments register in Appendix B5 as part of our Deadline 5 submissions.</p> <p>(c) We welcome the Applicant's submission of an Outline Landfall Construction Method Statement into Examination. Natural England has provided comments on this document in Appendix G5.3 and Appendix B5 as part of our Deadline 5 submissions. Where relevant, updates have been reflected in our R&amp;I Log at Deadline 5.</p>	<p>The Applicants have updated Volume 2, Chapter 1: Physical Processes (REP5-030), Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034), the MCZ Screening and Stage 1 Assessment Report (REP5-022) and the Stage 2 MCZ Assessment Report (REP5-094) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments.</p> <p>Please refer to Annex 2.5 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Natural England ( in relation to the risk and issues log and Applicants' Response to IPs' submissions at Deadline 5 - Natural England (Appendix B5) (REP5-179) for responses relating to comments on updated plans.</p>

Reference	ExA Question	IP submission	Applicants' response
	<p>installations including implications for scour protection</p> <p>A summary of the discussion is contained in [REP4-104] at 5(a)(i). NE's comments are requested on:</p> <p>a) The applicants' response to each of these issues highlighting where there is still disagreement.</p> <p>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)”.</p> <p>c) The Outline Landfall Construction Method Statement [AS-081].</p>		
Q2.7.2.2	<p><b>Removal of infrastructure at decommissioning</b></p> <p>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.</p>	<p>We note the Applicant's position with regards to removal of all infrastructure at decommissioning as set out in [REP4-104], 5(a)(ii). The Applicant has secured a commitment in relation to prohibiting the use of rock dump in Fylde MCZ. Whilst this is welcomed and demonstrates adoption of the mitigation hierarchy in minimising impacts; Natural England advises it does not secure the action of removing cable protection. It is Natural England's view that if cable protection is left <i>in situ</i> it will result in lasting habitat change/loss within the site and hinder the Conservation Objectives for the site which state that <i>'the protected habitats are maintained in favourable condition if they are already in favourable condition'</i>.</p> <p>Therefore we maintain our original position [RR-1601], [REP2-062], [REP3-092] which is</p>	<p>The Applicants welcome Natural England's confirmation at Deadline 5 (REP5-177, RI_B2) that they acknowledge several commitments relating to this matter including a preference for cable burial where practicable (CoT54), and should cable protection be required it will be designed to be removable (CoT108) with the requirement for removal agreed with the Regulator and stakeholders at decommissioning (CoT109), which are appropriate). These are secured in the Outline Offshore CSIP and it is noted Natural England welcome the commitment to “no rock dump” in the Fylde MCZ as now secured in the draft DCO (REP5a-018).</p> <p>However, the Applicants note Natural England maintain its original position that all infrastructure and cable protection (excluding cable crossing)</p>

Reference	ExA Question	IP submission	Applicants' response
		that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. We highlight that there is also a requirement under OSPAR to return the seabed to its pre impacted state. Therefore, the Applicant and Natural England continue to not agree on this matter.	should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. The Applicants maintain their position that, in line with all other wind energy projects, the draft DCO (REP5a-018) secures a requirement to submit a written decommissioning programme to the Secretary of State prior to offshore works commencing under Requirement 21 of Schedules 2A and 2B. The Applicants note that the Applicants and Natural England are not likely to reach agreement on this matter.
Q2.7.2.3	<p><b>Design detail</b></p> <p>At ISH2 the ExA raised the following issues previously highlighted by NE with the applicants:</p> <ul style="list-style-type: none"> <li>• Cable protection in the nearshore</li> <li>• Location and protection of cables and the use of numerical modelling</li> <li>• Minimising/ mitigating the impact of cable protection on nearshore sediment transport</li> <li>• Including the monitoring of sand wave recovery and dune/ intertidal/ beach morphology in the Offshore In-Principle Monitoring Plan</li> </ul> <p>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.</p>	<p>We have reviewed the Applicant's response in [REP4-104], 5(a)(iii) and provide the following comments:</p> <ul style="list-style-type: none"> <li>• Cable protection in the nearshore – we acknowledge and welcome that the intention is for the Applicant to bury the cables. However, we maintain our position that a commitment should be made to avoid or minimise cable protection between MLWS and the Depth of Closure. If such a commitment can't be made, further detail on; location, volume, height, orientation and type of cable protection between MLWS and the Depth of Closure should be provided to fully inform the assessment on sediment transport processes. This is included in our RRs [RR-1601], comment ref: B18 and R&amp;I log re: RI_B3.</li> <li>• Location and protection of cables and the use of numerical modelling – comment B13 in our RR's [RR-1601] and RI_B20 in our R&amp;I log is still relevant here.</li> </ul>	<p>The Applicants have undertaken a number of commitments and measures outlined in the CSIP (REP5-077) which avoid or minimise the use of cable protection in the nearshore, such as;</p> <ul style="list-style-type: none"> <li>• CoT54 stating cable burial is the preferred option</li> <li>• CoT45 limiting change in water depth to no more than 5%</li> </ul> <p>The Applicants have also outlined that due to anticipated ground conditions traditional burial techniques are suitable to achieve the target burial depths and it is not anticipated that external cable protection would be required in the nearshore.</p> <p>Should cable protection be required in shallow water, protection will be sufficiently low profile/tapped to cause minimal changes to wave, tide and sediment transport. In practice this is likely to entail the use of tapered cable protection, such as mattress units, typically 0.3 m in height, which are specifically designed to allow sediment transport to continue unhindered and at water depths of less</p>

Reference	ExA Question	IP submission	Applicants' response
		<ul style="list-style-type: none"> <li>Monitoring – Natural England continues to advise the Applicant to undertake monitoring of sandwave recovery (particularly within Fylde MCZ) and intertidal morphology. We have provided further comments on this matter in Appendix B5.</li> </ul>	<p>than 5 m the potential for any cable protection, given the '5%' limitation, is effectively none.</p> <p>The Applicants updated Volume 2, Chapter 1: Physical Process at Deadline 5 (REP5-030) to include this data and provide sufficient detail on the location and design of the cables and associated protection to determine that impacts for sediment transport pathways, including the pathway into the Ribble Estuary, are of negligible to minor significance which is not significant in EIA terms.</p> <p>The Offshore In Principle Monitoring Plan (IPMP) (APP-225) submitted with the Application for Development Consent includes for monitoring of impacts to sediment transport and sediment transport pathways due to presence of infrastructure and associated potential impacts to physical features and bathymetry.</p> <p>At Deadline 5, the Applicants updated the Offshore IPMP (REP5-079) to secure implementation of an adaptive management approach.</p> <p>At Deadline 6, the Applicants have submitted a further updated Offshore IPMP (J20/F05) to specifically include for monitoring of the sandwave recovery through comparison of pre- and post-construction geophysical data. In accordance with commitment CoT08 (REP5-026) post-construction the working area will be reinstated to pre-existing condition as far as reasonably practical. This means that following construction cable trenches and exit pits on the beach will be backfilled with the excavated material with the beach being restored to the pre-construction conditions, i.e. no change to baseline processes to requiring further monitoring beyond those outlined in the Offshore IPMP submitted at Deadline 6, (J20/F05).</p>

Reference	ExA Question	IP submission	Applicants' response
Q2.7.2.4	<p><b>Natural Environment and Rural Communities (NERC) Act 2006 priority habitats</b></p> <p>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.</p>	<p>A meeting was held between Natural England and the Applicant on 22 July 2025 where mitigation for NERC priority habitats was discussed. As with our comments in [RR-1601] refs: B4, B15, C4, C31, C32 and our R&amp;I log, our position is that the Applicant needs to demonstrate how the proposal has avoided/minimised impacts to NERC priority habitats. We advised the Applicant to set this out clearly in their Application documents which they are updating at Deadline 5. We will advise further once we have reviewed any additional submissions.</p>	<p>The Applicants outlined their position with regards to how the mitigation hierarchy has been applied throughout the pre-application process to avoid and reduce impacts to all benthic receptors including NERC priority habitats at Deadline 4 (REP4-100). The application of the mitigation hierarchy was already detailed in Volume 2, Chapter 3: Project description (AS-024) and the Stage 1 MCZ Assessment Report (APP-019) submitted with the application. The Applicants, however, updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034), the Stage 1 MCZ Assessment Report (REP2-022) and the Stage 2 MCZ Assessment (REP5-094) at Deadline 5 to include all new commitments made during examination to further reduce potential impacts to benthic receptors).</p> <p>The assessments presented in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) concluded that there will be no significant effects on any benthic receptors, including NERC priority habitats, so mitigation to avoid these broadscale habitats is not considered to be justified or required (as was the case for Morgan Generation Assets and Morecambe Generation Assets).</p> <p>At Deadline 4, the Applicants secured a new commitment (CoT134) in the Commitments Register (REP4-109) to, as part of the detailed design process, consider micro-siting of the offshore export cables within the offshore export cable corridors where successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required.</p>

Reference	ExA Question	IP submission	Applicants' response
			The Applicants consider that additional mitigation, to that which has already been secured, is not proportionate to the sensitivity of the habitats present within the Order Limits or to the low level of risk to benthic receptors associated with the Transmission Assets.
Q2.7.2.5	<p><b>Stage 2 Marine Conservation Zone (MCZ) Assessment</b></p> <p>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?</p> <p>If there has been no change, provide the rationale for maintaining that position.</p>	<p>Natural England's position regarding the need for a Stage 2 MCZ Assessment and Measures of Equivalent Environmental Benefit (MEEB) remains unchanged. Natural England's view is that the nature, scale and duration of impacts from lasting habitat change/loss from the placement of cable protection is likely to hinder the 'maintain' habitat feature Conservation Objectives of the Fylde MCZ, therefore MEEB is required. This is outlined in our previous advice [RR-1601], [REP2-062].</p> <p>Although our positions are not aligned on the conclusions regarding the Likely Significant Risk (LSR) of hindering the Conservation Objectives of Fylde MCZ, it should be noted that the Applicant has submitted a Stage 2 MCZ Assessment and Without Prejudice MEEB Plan into Examination at Deadline 1 [REP1-059]. Therefore, we consider our PADSS ref NE22 resolved as it only relates to the submission of a Stage 2 MCZ Assessment and Without Prejudice MEEB and does not capture positions on the need for MEEB and Marine Recovery Fund (MRF)/project-led proposals. Our comments on the Applicant's Without Prejudice MEEB proposals are captured in Tab J of our R&amp;I log and we submitted detailed advice into Examination on the Applicant's Stage 2 MCZ</p>	<p>The Applicants do not agree with the position set out by Natural England. The Applicants and Natural England are not aligned with respect to the conclusions of the MCZ Stage 1 Assessment.</p> <p>Notwithstanding the Applicants' underlying position that a Stage 2 MCZ Assessment, and provision of Measures of Equivalent Environmental Benefit (MEEB) are not required, the Applicants have prepared the following:</p> <ul style="list-style-type: none"> <li>• a Stage 2 MCZ Assessment (most recent version is REP5-094) and</li> <li>• a benthic compensation DCO schedule (most recent version is REP5-108).</li> </ul> <p>Natural England have confirmed in response to Q2.7.2.6 below that they are in agreement with the Applicants, that strategic compensation with a payment into the Marine Recovery Fund (MRF) should be the preferred and prioritised option for the Transmission Assets, in the event that the Secretary of State deems that benthic compensation is required.</p>



Reference	ExA Question	IP submission	Applicants' response
		<p>Assessment and Without Prejudice MEEB Plan into Examination at Deadline 2 [REP2-062].</p> <p>Whilst we welcome the Applicant's efforts to reduce and mitigate impacts from the placement of cable protection throughout Examination, the proposal still indicates a lasting habitat change/loss of 30,400m2 within the MCZ. Our advice on the significance of the impact is consistent across all offshore windfarm examinations and marine sectors where there are impacts to benthic MPAs and aligns with recent Offshore Wind Farm NSIP decisions.</p> <p>Please also see our advice set out in [REP2-062] and updated R&amp;I Log at Deadline 5.</p>	
Q2.7.2.6	<p><b>Compensation</b></p> <p>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"?</p>	<p>Natural England's position is that strategic compensation with a payment into the Marine Recovery Fund (MRF) should be the preferred and prioritised option for this project. This was also outlined in our Relevant Reps [RR-1601], [REP2-062] and R&amp;I Log. We can confirm that we are content with the Applicant's new commitment CoT 136, this has been reflected in Tab J of the updated version of our R&amp;I Log at Deadline 5.</p>	The Applicants welcome this response.



Reference	ExA Question	IP submission	Applicants' response
Q2.7.2.7	<p><b>Benthic Compensation Development Consent Order (DCO) Schedule</b></p> <p>a) Provide comments on NE's response to the applicants' without prejudice Benthic Compensation DCO Schedule [REP3-066] contained in [REP4-141].</p> <p>b) What progress is being made in discussions with NE to reach agreement on the drafting of this schedule?</p>	<p>b) We have had no further discussions with the Applicant since the provision of our advice in [REP4-141]. We highlight to the ExA that Natural England have previously provided the Applicant with Natural England's Suggested Benthic Compensation Wording Provided to Regulators over email on 10 February 2025. We also provided this in ANNEX 1 of [REP4-141] and have no further comments to make at this time. We will comment if the Applicant provides any further updates on the document.</p>	<p>The Applicants note that Natural England provided comments at Deadline 4 (REP4-141) which the Applicants responded to in detail in Table 2-2 of REP5-124. The Applicants subsequently updated the without prejudice benthic compensation DCO schedule at Deadline 5 (REP5-108). The Applicants are not aware of any further comments from Natural England on this Schedule.</p>
Q2.7.3.1	<p><b>Electro-Magnetic Fields (EMF)</b></p> <p>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.</p>	<p>Natural England continues to maintain that a great deal of uncertainty remains with regard to electromagnetic fields (EMF) and smelt behavioural interactions. While Natural England acknowledges and welcomes both deep cable burial below the Ribble Estuary and the Applicant's involvement in wider industry studies relating to EMF, the primary concern arises from differences between EMF in the marine environment and EMF in an estuarine/ river environment.</p> <p>In the marine environment, smelt have significantly more depth within the water column to swim over the seabed and avoid interactions with EMF. Conversely in estuaries/ rivers, the water depth is significantly shallower, sometimes only a few metres deep, and any increased EMF has the potential to create a barrier to smelt upstream migration.</p> <p>Therefore, Natural England maintains it's position and advise that site specific monitoring be conducted where the cable is</p>	<p>The Applicants acknowledge the uncertainties associated with electromagnetic field impacts on fish behaviour. However, little uncertainty exists concerning the physical dissipation of EMFs with increasing distance from the cable, as set out in section 3.11.7 of Volume 2, Chapter 3: Fish and shellfish ecology (APP-048). The rationale for screening out effects on European smelt in the MCZ Screening and Stage 1 Assessment Report (APP-019) set out in the Applicants' response to Natural England's Relevant Representation (PDA-018) and which was further discussed during ISH2 (see REP4-104, 5(b)(i)) with this reiterated in the Issue Specific Hearing Day 2 submissions (REP4-104, comments 5(b)(i) 19-22), and at Deadline 5 in response to RI_D1 (REP5-177). Specifically, based on evidence that EMF levels will be reduced to background levels within a few metres of the cable, the 7-45m depth of cable burial will be sufficient to prevent any EMFs above background levels entering the aquatic environment of the Ribble Estuary MCZ and there is no risk of disruption to migration of European smelt.</p>

Reference	ExA Question	IP submission	Applicants' response
		laid under the Ribble Estuary to provide evidence that EMF levels are not elevated above natural background levels as stated by the Applicant. Monitoring would need to take place both during minimal estuary depth and while turbines are generating energy to obtain an accurate and ecologically relevant reading.	As such, monitoring is not considered appropriate or proportionate to the risk.
Q2.7.4.1	<p><b>Clearance of Unexploded Ordnance (UXO)</b></p> <p>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.</p>	Natural England's position has not changed. We continue to advise that a separate marine licence should be sought for any UXO clearance due to the lack of information available at this stage regarding the size, type, location of UXOs that will require clearance, the timing of clearance activities and the over precaution that must be incorporated into the impact assessment at this stage because of this.	The Applicants position remains the same as at Deadline 4. The Applicants position is aligned with the Morgan Generation Assets, noting that the Secretary of State retained clearance of UXO by low order methods in the recently made Order for Morgan Generation Assets.
Q2.7.4.3	<p><b>Deemed Marine Licences</b></p> <p>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].</p>	Although it is helpful to have an indication of the maximum number of low order UXO clearances proposed, it is unclear how this number was derived. It is our understanding that no further UXO surveys have been undertaken by the Applicant. Therefore our view is that there is a lack of survey evidence to inform the maximum number of low order UXO clearances proposed by the Applicant and Natural England are unable to comment further.	The Applicants provided a response in regard to how maximum numbers of UXO potentially requiring clearance was derived in the Applicants' response to ExQ2 7.4.2 (REP5-130). As set out under section 3.12.3 of Volume 1, Chapter 3: Project description (REP5-024) up to 25 UXO are assumed to require clearance (22 for Morgan Offshore Wind Limited (OWL) and 3 for Morecambe OWL), based on pre-application surveys and desk top studies, the Applicants commissioned Ordtek Limited, a specialist contractor in UXO risk management services, to prepare an analysis of potential maximum UXO clearance requirements. The analysis was underpinned by previous UXO hazard and risk assessments undertaken by Ordtek Limited

Reference	ExA Question	IP submission	Applicants' response
			in connection with pre-application geotechnical sampling, in addition to the Transmission Assets maximum design scenario (e.g. maximum numbers and total length of export cables).
Q2.8.1.1	<p><b>Outline Hydrogeological Risk Assessment</b></p> <p>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.</p>	<p>b) Natural England is awaiting the submission of the NVC survey report, which we understand that the Applicant will be submitting at Deadline 5. The results of this will likely underpin any subsequent advice, especially as at Deadline 4 we advised an updated hydrogeological risk assessment should incorporate the data from the NVC survey results [REP4-140]. Much of our advice related to ensuring commitments were included which would alleviate some concerns e.g. a commitment to ensure the cable burial depth is sufficient to be located in the low permeability glacial clays.</p> <p>c) We have acknowledged that certain details will not be available until the detailed design stage e.g. final TJB design and cable burial design. Whilst, this is unfortunate, we have suggested where appropriate and/or possible to do so, commitments to increase our confidence in the outline measures proposed.</p> <p>Even with the adoption of further commitments, the information remains unclear about the depth of the groundwater table and how this will be impacted. Hence, our suggestion for the Applicant to undertake monitoring. Our detailed advice on this issue is included in Appendix G4 [REP4-140], point 3 and updates are reflected in tab G of the R&amp;I Log at Deadline 5.</p>	<p>b) The Applicants confirm that the Outline Hydrogeological Risk Assessment was updated at Deadline 5 (REP5-104) to include the NVC data. The Applicants maintain its position that it cannot confirm the burial depth of the cable until detailed design stage.</p> <p>c) The Applicants have committed to undertaking ground investigation, CoT128 is updated within the Commitment Register (F1.5.3/F07) submitted at Deadline 6.</p>

Reference	ExA Question	IP submission	Applicants' response
Q2.9.1.2	<p><b>Fairhaven Saltmarsh</b></p> <p>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?</p>	<p>The Applicant's Deadline 4 submissions have gone some way to alleviate our concerns around AEol to the Ribble and Alt Estuary SPA/Ramsar. Between Deadline 4 and 5 we corresponded with the Applicant over email and attended a meeting on 16 September 2025 to discuss outstanding onshore ornithology matters. Our advice regarding measures to be implemented to reduce disturbance at the landfall were provided to the Applicant over email and discussed during the meeting. A summary of this advice is provided in Appendix H5 of our Deadline 5 submissions. Please also see our response to Q2:6.1.1 above.</p> <p>Natural England anticipates that a conclusion of no AEol on passage features at landfall can be reached, providing the Applicant include additional detail on impacts to foraging sanderling at the landfall. However, whilst an AEol may be able to be excluded, in our view there will still be residual impacts on the SPA/Ramsar site – given the extent and duration of the works, the effects of the scheme will not simply be negligible. As such, we welcome the Applicant's ongoing commitment to delivering Fairhaven saltmarsh as an alleviation measure to reduce residual impacts on the Ribble and Alt Estuary SPA/Ramsar site. This advice is reflected in our Risk &amp; Issues Log and Appendix H5.</p>	<p>The Applicants welcome Natural England's agreement that there are No AEol caused by works at the landfall due to:</p> <ul style="list-style-type: none"> <li>• Commitment to a Nov-Mar restriction (CoT110 and CoT129 updated in the ISAA (REP5-021)).</li> <li>• ECoWs at the landfall during passage (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>• Screening of works (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>• Alleviation measures at Fairhaven Saltmarsh (CoT113 and updated in appendix B.2.1 of the oEMP (REP5-068)).</li> <li>• Clarification on the limited nature of the impact (updated in sections 1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)).</li> <li>• Clarification on the low numbers of birds predicted to be impacted (updated in sections 1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)).</li> </ul> <p>The Applicants hope that this matter can be fully closed out now.</p>
Q2.9.1.3	<p><b>Fairhaven Saltmarsh</b></p> <p>Is there the potential for an indirect likely significant effect to the Ribble and Alt</p>	<p>Our understanding is that recreational users will still be able to access the beach around the landfall works. This does not mean there is no potential for displacement of visitors to</p>	<p>The Applicants are in agreement with Natural England's position and can confirm that there will be no beach closures.</p>

Reference	ExA Question	IP submission	Applicants' response
	<p>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)?</p> <p>a) If so, provide an assessment of this impact pathway.</p>	<p>alternative locations, though it would be very difficult to carry out a meaningful assessment of the significance of this. Further, Natural England have previously raised concerns regarding Fairhaven saltmarsh as suitable mitigation, as this area is already heavily disturbed by recreational users (RR-1601, AS-078). In that context, it is perhaps unlikely that 'visitor displacement' will result in a step-change of usage at Fairhaven.</p> <p>Nevertheless, this uncertainty relating to the current disturbance at Fairhaven and the associated potential for mitigating impacts underpins Natural England's comments relating to the delivery of Fairhaven. In our Relevant Representations [RR-1601] and during Examination [AS-081] we advised the need for having as detailed a plan as possible on the approach to implementation, delivery and monitoring to ensure confidence in the effectiveness of Fairhaven.</p> <p>Whilst undoubtedly a site with challenges, we do consider that a well-designed and implemented scheme at Fairhaven does have the potential to address residual impacts on the SPA/Ramsar site and provide some resilience to the site more generally. As such, we continue to recommend its inclusion. Our advice relating to Fairhaven saltmarsh and mitigation can be found in Appendix H5, submitted at Deadline 5.</p>	
Q2.9.1.5	<p><b>Assessments</b></p> <p>The applicants have assessed the effects of temporary habitat loss and construction phase visual and noise disturbance as</p>	<p>We maintain our position in comment H31 that visual and noise disturbance have not been considered as part of the temporary habitat loss MDS. The updates to be made at Deadline 5 by the Applicant will potentially</p>	<p>The Applicants re-iterate that they have assessed:</p> <ul style="list-style-type: none"> <li>Permanent habitat loss as the permanent area of actual habitat that will be lost (i.e., the substations).</li> </ul>

Reference	ExA Question	IP submission	Applicants' response
	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?	alleviate our concerns around significance of impacts at the landfall, therefore we await sight of updated documents.	<ul style="list-style-type: none"> <li>Temporary habitat loss as the temporary area of actual habitat that will be lost .</li> <li>Displacement from disturbance as the area of construction plus the appropriate species buffer (i.e., 50m for sanderling, 300m for dunlin, 500m for pink-footed goose).</li> </ul> <p>Therefore, all scenarios have been assessed, and it would be incorrect to say that habitat loss covers a greater area than it actually does. Table 1.92 (in E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (REP5-021)) takes into account disturbance buffers.</p> <p>The Applicants would note that this an common approach to ornithological assessment. The Applicants would also highlight the approach was consistent to that utilised for both the Mona Offshore Wind Farm and for the offshore ornithology aspects of the Transmission Assets, which Natural England seemed to have accepted.</p>
Q2.9.1.6	<p><b>The Onshore Terrestrial Waterbird Note</b></p> <p>Following submission of the Onshore Terrestrial Waterbird Note [REP4-120],</p> <p>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)?</p> <p>affected by loss of functionally linked land have been identified (RI_H6)?</p> <p>b) Are you content based on the additional information provided that there will be no</p>	<p>Our detailed advice is included in Appendix H5 on these matters. In summary:</p> <p>a) The information provided in [REP-120] satisfies our concerns relating to SPA/Ramsar species for which Functionally Linked Land (FLL) exists, and the percentage threshold used for assessing FLL. This is reflected in updates for various points in the R&amp;I Log (RI_H9 and RI_H29, Appendix K5);</p> <p>b) We maintain our position that the assemblage should have been assessed as a</p>	<p>(a). The Applicants welcome Natural England's agreement for species for which Functionally Linked Land (FLL) exists</p> <p>(b). The Applicants have updated the following document at D5:</p> <ul style="list-style-type: none"> <li>E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> </ul>



Reference	ExA Question	IP submission	Applicants' response
	<p>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).</p> <p>lc) 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 AEOI to the following terrestrial waterbird features: pink-footed goose, whooper swan, teal, lapwing, golden plover, curlew, black-tailed godwit?</p>	<p>feature, however the information included in [REP4-120] provides clarification and outlines the detail presented in the ES for species where a negligible impact was concluded and the species that were not assessed in the ISAA. Based on the information we do not believe there would be a material difference in the conclusions of the ISAA had these species been considered. We look forward to reviewing the updated ISAA, which we anticipate will resolve these issues fully.; and</p> <p>c) The updates made to [REP4-059] and [REP4-120] further progress our concerns relating to the detail required to be confident that the mitigation areas will deliver for the displaced species. In principle, we anticipate being able to agree that the mitigation areas are suitable and there being no AEol, pending some minor updates to the OEMP to provide further detail regarding the habitat management proposed. This was discussed with the Applicant in a meeting on 16 September 2025. Our advice is included in Appendix H5.</p>	<p>The Applicants hope that these amendments address all of Natural England's remaining issues on the assemblage and look forward to this issue being closed out.</p> <p>(c). The Applicants have updated J6 Outline Ecological Management Plan - Rev F05 (REP5-068) at D5. The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) which include a commitment to include Natural England as a stakeholder in ongoing discussions post-application.</p>
Q2.9.1.9	<p><b>Mitigation vs compensation</b></p> <p>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.</p>	<p>Natural England considers that under the Habitats Regulations mitigation measures can in some instances address negative impacts on Functionally Linked Land (FLL) i.e. land that has some value for SPA/Ramsar site birds but is outside the site boundary as classified/designated. Lytham Moss and Newton-with-Scales were proposed by the Applicant to avoid or reduce impacts to FLL impacted by the temporary activities along the terrestrial cable route, they were not proposed to compensate for unavoidable residual</p>	<p>The Applicants welcome Natural England's decision to not consider the terrestrial mitigation areas as compensation and agree that the purpose of these mitigation areas are to reduce impacts to FLL impacted by temporary construction activities on the onshore cable corridor.</p> <p>The Applicants and Natural England are in agreement that the Fairhaven Saltmarsh measures are to be classified as alleviation measures and are not compensation.</p>



Reference	ExA Question	IP submission	Applicants' response
		<p>impacts within the SPA. Therefore, our view is that it is acceptable to consider Lytham Moss and Newton-with-Scales as mitigation rather than compensation areas.</p> <p>By contrast, Fairhaven Saltmarsh was proposed to offset adverse impacts arising within the Ribble and Alt Estuary SPA/Ramsar site. As set out in our response ExA Q1:6.1.2 [REP3-095], in such instances we would consider this as compensatory activity. Compensatory measures not being available until the mitigation hierarchy has been exhausted, we advised the Applicant to avoid the most sensitive periods with a seasonal restriction in the first instance, with a subsequent emphasis on including further mitigation at the landfall site to reduce the potential for adverse effects and therefore the requirement for a compensation proposal.</p>	
Q2.9.2.1	<p><b>Shad species</b></p> <p>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</p>	<p>After further consideration, Natural England agrees with the Applicant's justification for screening out shad at HRA stage 1 for no likely significant effects (no LSE). While shad are highly mobile species and regionally present, they are unlikely to be present in large enough numbers for the transmission assets cabling to have any meaningful impact on the SAC population.</p>	<p>The Applicants welcome resolution of this issue.</p>

Reference	ExA Question	IP submission	Applicants' response
	of conservation (SACs) designated for shad?		
Q2.9.3.1	<p><b>Winter Vessel Movements and Offshore Ornithology</b></p> <p>The applicants have added a new commitment CoT135 to the latest commitments register [REP4-018] - "The Applicants will not plan routine O&amp;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?</p>	<p>We welcome the Applicant's inclusion of the commitment (CoT135) to not planning routine O&amp;M activities in the original Liverpool Bay SPA +2km buffer from November to March (inclusive). This commitment reduces the impacts on red-throated diver and common scoter. This addresses Natural England's concerns and AEol on Liverpool Bay SPA can now be ruled out. This is reflected in the Risk &amp; Issues Log (Appendix K5) comments RI_F4 and RI_F7. In addition to this commitment, we continue to advise that Natural England's Best Practice Protocol for vessels in Red-Throated Diver SPA's is followed and referred to within the Outline Vessel Traffic Management Plan (VTMP).</p>	<p>The Applicants welcome confirmation from Natural England that CoT135 addresses Natural England's concerns and AEol on Liverpool Bay SPA can now be ruled out.</p> <p>Regarding Natural England's best practice protocol for vessels in Red-Throated Diver SPA's and request that it is referred to within the Outline Vessel Traffic Management Plan (VTMP), the Applicants highlight that the Outline VTMP (REP3-034) already makes reference to Measures to Minimise Disturbance to Marine Mammals and Rafting Birds from vessels (REP4-070) under Section 1.1.4 (see paragraphs 1.1.4.1 and 1.1.4.4).</p>
Q2.9.3.2	<p><b>Marine Mammals Adverse Effects on Integrity (AEol) conclusions</b></p> <p>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</p>	<p>The original assessment completed by the Applicant considered high order UXO clearance as the Worst-Case Scenario and also considered low-order clearance methods [APP-050] Section 4.11.2. Without prejudice to our position on low order clearance being included in the DCO, based on the information presented in the assessment we do not consider that low order methods have the potential to result in AEol alone or in combination on any SAC's designated for marine mammals within English waters. We defer to Natural Resources Wales for impacts</p>	<p>The Applicants welcome Natural England's confirmation that they do not consider that low order clearance methods have the potential to result in AEol alone or in combination on any SAC's designated for marine mammals within English waters.</p> <p>Whilst Natural England have deferred to Natural Resources Wales for impacts to SACs designated for marine mammals in Welsh waters, the Applicants highlight that Natural Resources in their response to Examining Authority Questions stated that "As previously communicated we note the project is located entirely in English Waters and has relatively low risk to Welsh protected sites. We defer</p>

Reference	ExA Question	IP submission	Applicants' response
	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 AEoI (given the applicants position that low order UXO clearance is assessed and mitigated for) and what further evidence you consider is required?	<p>to SAC's designated for marine mammals in Welsh waters.</p> <p>We highlight to the ExA that the East Irish Sea Transmission Project scoping report has now been submitted. Further consideration of this project in-combination may be necessary as there could now be spatial and temporal overlap.</p>	<p>advice on any outstanding potential risks to bird and mammal receptors to Natural England (REP3-096).</p> <p>The Applicants highlight that the East Irish Sea Transmission Project was considered as a Tier 3 project at the time of submission (given name "Moor Vannin UK Transmission Assets"). For the HRA Stage 2 ISAA Part 2: Special Areas of Conservation (SACs) Assessment (APP-016) for Annex II marine mammals, the potential for Likely Significant Effect was identified for the impact of injury and disturbance from elevated underwater sound during UXO clearance only. Therefore, this was the only impact considered under the in-combination assessment for marine mammals (section 1.8.5 of APP-016). The Applicants undertook a review of the Cumulative Effects Assessment and in-combination assessment (submitted at Deadline 5, REP5-099) and it was concluded for the impact of Injury and disturbance from elevated underwater sound during UXO clearance that there is no potential for temporal overlap of UXO clearance at the East Irish Sea Transmission Project (based on the East Irish Sea Transmission Project Scoping Report) and the pre-construction phase for the Transmission Assets. As such there is no change to the conclusions of the in-combination assessment, as set out in the HRA Stage 2 ISAA Part 2: SACs Assessment (APP-016).</p>
Q2.16.1.2	<p><b>dDCO, Requirement 10 Highway accesses</b></p> <p>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</p>	<p>Natural England advises that this is not within our remit. We defer to the relevant Local Planning Authority to provide a response to this question.</p>	Noted.

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Reference	ExA Question	IP submission	Applicants' response
	by “the relevant planning authority in consultation with the relevant highway authority” as stated in the latest version of the dDCO [REP4-007]?		

## 2.8 Response to Natural England's Risk and Issues Log (REP4-139)

2.8.1.1 Details of the Applicants' response to Natural England's submissions (REP5-177, REP5-178, REP5-179, REP5-180, REP5-181, REP5-182, REP5-183, and REP5-184) received at Deadline 5 are set out in this annex. The Applicants' comments on Natural England's (NE) Risk and Issue Log are presented in Table 2.17 to Table 2.28.

**Table 2.17: NE's Risks and Issues Log colour coding**

Description	Colour
<b>Purple</b> Note for Examiners and/or competent authority. May relate to DCO/DML	
<b>Red</b> Natural England considers that unless these issues are resolved it will have to advise that (in relation to any one of them, and as appropriate) it is not possible to ascertain beyond reasonable scientific doubt that the project will not affect the integrity of an SAC/SPA/Ramsar and/or significantly hinder the conservation objectives of an MCZ and/or damage or destroy the interest features of a SSSI and/or comply fully with the Environmental Impact Assessment requirements. Addressing these concerns <u>may</u> require the following: <ul style="list-style-type: none"><li>• new baseline or survey data; and/or</li><li>• significant revisions to baseline characterisation and/or impact modelling and/or</li><li>• significant design changes; and/or</li><li>• significant mitigation</li></ul> In addition, Natural England may use this category to highlight where there is a significant risk that an issue will not be sufficiently addressed within the Examination timescales. Consequently, issues that start out as Amber may progress to Red in the latter stages of the examination.	
<b>Amber</b> Natural England does not agree with the applicant's position or approach and consider that this could make a material difference to the outcome of the decision-making process for this project. Natural England considers that these matters <u>may</u> be resolved through: <ul style="list-style-type: none"><li>• provision of additional evidence or justification to support conclusions; and/or</li></ul>	

Description	Colour
<ul style="list-style-type: none"> <li>• revisions to impact assessment methodology and/or assessment conclusions; and/or</li> <li>• minor to moderate revisions to impact modelling; and/or</li> <li>• well-designed mitigation measures that are adequately secured through the draft DCO/dML and/or</li> <li>• amendments to draft plans</li> </ul> <p>If these issues are not addressed or are unlikely to be resolved by the end of the Examination, then they may become a Red risk as set out above.</p>	
<p><b>Yellow</b></p> <p>Natural England doesn't agree with the Applicant's position or approach. We would ideally have liked this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process and would not expect these matters to be an ongoing focus of the examination. However, we reserve the right to revise our opinion should further evidence be presented.</p> <p>It should be noted by interested parties that just because these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.</p> <p>Once a Risk or Issue has been categorised as yellow, Natural England will not make further comment on the matter at subsequent deadlines, unless specifically requested to through ExA Questions. These rows will then be hidden at subsequent deadlines in order to rationalise the risk and issues log.</p>	
<p><b>Green</b></p> <p>Natural England is in broad agreement with the Applicant's approach and has no significant outstanding concerns. As above, we reserve the right to revise our opinion should new evidence be presented.</p> <p>Once a Risk or Issue has been categorised as green, Natural England will not make further comment on the matter at subsequent deadlines, unless specifically requested to through ExA Questions. These rows will then be hidden at subsequent deadlines in order to rationalise the risk and issues log.</p>	

## 2.8.1 Principal Areas of Disagreement Summary Statement (PADSS)

Table 2.18: Responses to Principal Areas of Disagreement Summary Statement (PADSS)

ID	Risk and Issue Log comment	NE Rel Rep RAG rating and D1	Applicants' comment at Deadline 4 (in response to NE D3 submission)	Natural England's Comments/Update on Progression at Deadline 4	RAG D4	Applicants' comment at Deadline 6 (in response to NE D5 submission)
Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
NE1	<p><b><u>Development Consent Order (DCO and deemed Marine Licence (dML)</u></b></p> <p>Definition of commence with respect to the offshore works.</p> <p>This definition is linked directly to the definition of offshore preparation works and excludes the works detailed under offshore preparation from the definition of commence. We would note that this definition of commence is different to those used and accepted under a wide number of consented offshore wind projects.</p> <p>The definition of commence and offshore preparations works within the DCO and all three DMLs must be amended.</p>		The Applicants welcome resolution of this point at Deadline 3.	No further update due to resolution at D3.		N/A



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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	It is possible this issue could be progressed following amendments requested.					
NE2	<p>Duration of submitting pre-construction plans before construction begins.</p> <p>Due to the increasing complexity of construction of large offshore works, the proposed four month consultation period is no longer appropriate.</p> <p>The Applicant should amend the dMLs to allow for documents to be submitted at least six months prior to commencement.</p> <p>It is possible this issue could be progressed following amendments requested.</p>		The Applicants welcome resolution of this point at Deadline 3.	No further update due to resolution at D3.		N/A
NE3	<p><b><u>Benthic Ecology and Physical Processes</u></b></p> <p>Worst Case Scenario (WCS) during construction, operation and maintenance.</p>		The Applicants' position remains as outlined in RR-1601.C.1 of their response to Natural England (PDA-017) that all of the relevant potential impact pathways on intertidal and subtidal benthic habitats	No change.		The Applicants have updated Volume 2, Chapter 1: Physical Processes (REP5-030), Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034), the MCZ Screening and Stage 1

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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>Natural England advise that there are a number of potential impacts both on benthic ecology and physical processes which have not been adequately considered or assessed within the Environmental Statement (ES).</p> <p>Natural England advises that the ES and where relevant, Marine Conservation Zone (MCZ) assessment, are updated to consider all potential pathways of effect on intertidal and subtidal benthic habitats.</p> <p>It is possible this issue could be progressed if the Applicant follows SNCB advice.</p>		<p>have been identified and the MDS has been defined as appropriate to each potential impact, activity and receptor. The identified impacts are assessed in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and in the Marine Conservation Zone Screening and Stage 1 Assessment Report (APP-019) with further details on construction scenarios provided in the Rule 9 – ES assessment of Construction Scenarios (AS-070). The MDS for most impacts to benthic ecology (except those drawing on the physical processes assessments) are for the sequential construction scenario. The MDS for physical processes is concurrent construction as recovery between phases is beneficial for coastal processes.</p>			<p>Assessment Report (REP5-022) and the Stage 2 MCZ Assessment (REP5-094) at Deadline 5 to include all additional clarifications / justifications and new / updated commitments provided in submissions at previous deadlines to address Natural England's comments relating to the MDS.</p>

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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>The Applicants have also provided detailed responses in the Applicants' response to Natural England's response to ExQ1 against ExQ1 7.1.4 and 7.1.6, which have been incorporated, where appropriate, in this response.</p> <p>The Applicants have provided responses to RI_B5, and RI_B8 to RI_B11 with respect to the MDS and scope of assessments relating to physical processes. The Applicants will update Volume 2, Chapter 1: Physical Processes (APP-042) for submission at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to these matters.</p> <p>The Applicants also highlight their responses to comments RI_C7, RI_C8, RI_C10,</p>			

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			<p>RI_C11, RI_C13, RI_C14, RI_C15, RI_C16, RI_C17, RI_C18, RI_C19, RI_C20 and RI_C21, which address NE's points regarding the benthic subtidal and intertidal ecology maximum design scenario (MDS) and conclude that the assessments conducted have adequately considered the potential impact of the Transmission Assets on this receptor group.</p> <p>The Applicants will update Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and the MCZ Screening and Stage 1 Assessment Report (APP-019) for submission at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the MDS.</p>			

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NE4	<p>Removal of infrastructure at the decommissioning stage.</p> <p>Natural England is concerned that there is currently no commitment to the removal of cable/scour protection at end of project life.</p> <p>Natural England advise that the Applicant should include a commitment to remove cable/scour protection at end of project life and this should be secured within the DCO.</p> <p>It is possible this issue could be progressed if the Applicant follows SNCB advice.</p>		<p>The Applicants note Natural England's approval of the removal of 'rock dump' as a cable protection option in the Outline CSIP (REP2-022) and Project Description (REP2-008) as set out in the Natural England response to ExQ1 (REP3-095) question 7.1.5.</p> <p>With regard to Natural England's request that as a minimum, they would expect to see an update to the draft DCO to prohibit rock dump in the Fylde MCZ (response to question 7.1.5 in REP3-095), the Applicants have updated the draft DCO submitted at Deadline 4 (C1/F06) to include no 'rock dump' in Condition 18(e) of Schedule 14 and 15 to align with the commitment already made in the Outline CSIP (REP2-022).</p> <p>Regarding the requested commitment to decommission all infrastructure and cable</p>	No change.		<p>The Applicants welcome Natural England's confirmation at Deadline 5 (REP5-177, RI_B2) that they acknowledge several commitments (relating to this matter including a preference for cable burial where practicable (CoT54). Should cable protection be required, it will be designed to be removable (CoT108) with the requirement for removal agreed with the Regulator and stakeholders at decommissioning (CoT109), which are appropriate) secured in the Outline Offshore CSIP and welcome the commitment to "no rock dump" in the Fylde MCZ as now secured in the draft DCO (REP5a-018). However, the Applicants note Natural England maintain its original position that all infrastructure and cable protection (excluding cable crossing) should be removed</p>

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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			protection (with the exception of cable crossings) within the Fylde MCZ, the Applicants responded previously to this point within RR-1601.42 of their response to Natural England (PDA-014). As detailed in the Outline CSIP (REP2-022), the Transmission Assets design is considering multiple cable protection options. The Outline CSIP (REP2-022) identifies that cable burial is the preferred option for cable protection where practicable (CoT54) and should cable protection be required within the Fylde MCZ, it will be designed to be removable (CoT108) with the requirement for removal agreed with stakeholders and regulators at the time of decommissioning (CoT109). However, the MDS for permanent habitat loss in the decommissioning phase is for all infrastructure (scour			from benthic designated sites at the time of decommissioning and secured in the DCO, whilst the Applicants maintain their position that, in line with all other wind energy projects, the draft DCO (REP5a-018) secures a requirement to submit a written decommissioning programme to the Secretary of State prior to offshore works commencing under Requirement 21 of Schedules 2A and 2B. The Applicants highlight that the Applicants and Natural England are not agreed on this matter.

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			<p>protection, cable protection, cables and cable crossings) to be left <i>in situ</i>, so the worst case has been assessed in section 2.11.5 of Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045).</p> <p>The Applicants will also update Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and the MCZ Screening and Stage 1 Assessment Report (APP-019) for submission at Deadline 5 to include all these updated commitments.</p> <p>The use of cable/scour protection, where required, will be evaluated and further considered post-consent in Detailed CSIPs, focusing on both engineering suitability and environmental recoverability. The CSIPs are part of the Offshore Construction Method</p>			



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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>Statements that are secured in the Draft DCO (AS-004) in:</p> <ul style="list-style-type: none"> <li>Condition 18(1)(e)(i) of Schedule 14 for the Morgan Offshore Wind Project: Transmission Assets; and</li> <li>Condition 18(1)(e)(i) of Schedule 15 for the Morecambe Offshore Windfarm: Transmission Assets.</li> </ul> <p>The Applicants will submit a draft decommissioning programme to the Secretary of State for approval as required by the Energy Act 2004 prior to the commencement of construction . This is standard practice for offshore wind development and the decommissioning programme will be updated throughout the assets' lifespan to incorporate changing best practice and new technologies. Offshore decommissioning is secured</p>			

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			<p>under Requirement 21 of Schedule 2A and Schedule 2B of the draft DCO (AS-004).</p> <p>The Applicants position is aligned with that of the Morgan Generation Assets and Morecambe Generation Assets DCO applications and the recently made Orders for the Mona Offshore Wind Project and Sheringham and Dudgeon Extension Projects, the latter of which also has an export cable corridor overlapping an MCZ.</p> <p>The Applicants and Natural England met on 22 July 2025 to review the PADSS and Risks and Issues log with respect to offshore matters, which allowed the Applicants to clarify their position regarding the removal of cable protection/scour protection from the Fylde MCZ at decommissioning during the issue specific hearing on 30<sup>th</sup> July 2025. It was noted that the</p>			

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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			Applicants and Natural England are not agreed on this matter.			
NE5	<p>Lack of cable protection location and design information.</p> <p>There is currently insufficient information on the anticipated location, extent and design of cable protection measures placed along the Export Cable Corridor (ECC). Therefore, we are unable to fully understand the potential impacts of cable protection on sediment transport pathways, particularly within Fylde MCZ.</p> <p>Natural England advise that where possible, further information is provided on the anticipated location, extent and design of cable protection measures. Potential resolution.</p> <p>This is subject to the Applicant providing further information on cable protection location and design.</p>		<p>The Applicants' position remains as outlined in response to comment RR.1601.43 on the location and design of cable protection (PDA-014). Details of cable protection material and volumes for the Transmission Assets are provided in sections 3.12.6 of Volume 1, Chapter 3: Project description (REP2-008) with further details provided in the Outline Cable Specification and Installation Plan (CSIP) (APP-220). These detail a Maximum Design Scenario (MDS) for:</p> <ul style="list-style-type: none"> <li>• up to 51 crossings (Table 3.8 in Volume 1, Chapter 3: Project description (REP2-008));</li> <li>• the location of crossings are shown in Volume 1, Annex</li> </ul>	No change.		<p>The Applicants' position remains as outlined in response to comment RR.1601.43 on the location and design of cable protection (PDA-014).</p> <p>The Applicants have updated the following chapters / documents at Deadline 5 to capture the relevant information/clarifications presented in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) (particularly, the Applicants' response to Natural England's response to ExQ1 questions 7.1.4 - 7.1.6 and the Applicants' response to Annex C2 (REP3-092)) and all updated commitments:</p> <ul style="list-style-type: none"> <li>• Volume 2, Chapter 2: Benthic subtidal and</li> </ul>

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			<p>3.1: Offshore Crossing Schedule ((APP-025);</p> <ul style="list-style-type: none"> <li>requirements for cable protection due to ground conditions (Table 3.7 in Volume 1, Chapter 3: Project description (REP2-008)); and</li> <li>Within the Fylde MCZ, there are up to 4 cable crossings (up to 4,000 m<sup>2</sup> of cable protection) and a 3% cable protection contingency for ground conditions (26,400 m<sup>2</sup> of cable protection) as detailed in section 7.2 and section 7.3 in the Outline CSIP (APP-220)).</li> </ul> <p>The use of cable protection for ground conditions, where required, will be further evaluated and considered post-consent in the CSIPs, following further post-consent and pre-construction surveys, secured as part of the Construction</p>			<p>intertidal ecology (REP5-034);</p> <ul style="list-style-type: none"> <li>Volume 2, Chapter 1: Physical processes (REP5-030)</li> <li>MCZ Screening and Stage 1 Assessment Report (REP5-022); and</li> <li>Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (REP5-094).</li> </ul> <p>The Applicants trust that the updates made to the documents set out above, now allow for this matter to be resolved.</p>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>Method Statements. The Offshore Construction Method Statements are secured in the Draft DCO (AS-004) in:</p> <ul style="list-style-type: none"> <li>• Condition 18(1)(e) of Schedule 14 for the Morgan Offshore Wind Project: Transmission Assets; and</li> <li>• Condition 18(1)(e) of Schedule 15 for the Morecambe Offshore Windfarm: Transmission Assets.</li> </ul> <p>As outlined in Volume 2, Chapter 1: Physical Processes (APP-042) and Chapter 2: Benthic subtidal ecology (APP-045), the physical process and benthic ecology assessments have been undertaken on the MDS as presented within Volume 1, Chapter 3: Project description (REP2-008) with the assessment of the associated impacts for sediment transport pathways identified as being of</p>			

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			<p>negligible to minor adverse significance, which is not significant in EIA terms. The Applicants will update Volume 2, Chapter 1: Physical Processes (APP-042) Chapter to capture the related information contained within the outline CSIP (APP-220) and CBRA (APP-219) to address Natural England comments. As agreed with NE this will be submitted at Deadline 5.</p> <p>As outlined in the Applicants' response to RR.1601.43 (PDA-014), the Applicants consider that a precautionary but realistic approach has been adopted for the MCZ Screening and Stage 1 Assessment Report (APP-019). The approach assumes that all of the long-term habitat loss associated with cable protection for ground conditions may occur within either the subtidal mud or subtidal sand feature. As outlined in the</p>			



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			Outline Offshore Cable Specification and Installation Plan (CSIP) (APP-220) as part of the detailed design process pre-construction survey data will be used to inform the final routing of the cable, any micro-siting requirements and areas where there is a higher risk of remedial works such as external cable protection. The Applicants would highlight that a new commitment has also been added to the updated Commitments Register submitted at Deadline 4 (F1.5.3/F05) as CoT134 which states that <i>"As part of the detailed design process, micro-siting of the offshore export cables within the offshore export cable corridors will be considered where successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required."</i> At			

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			<p>this stage in the consenting process, however, the Applicants are unable to refine these assumptions further. Following detailed design post-consent, the exact compensation requirements may be refined, in consultation with stakeholders, which would then inform MEEB compensation figures if it is deemed to be required by the Secretary of State.</p> <p>With regards to the cable protection required in the Fylde MCZ for the cable crossing, the Applicants provided a Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan, at Deadline 1 (REP1-059) which updated the MDS for long term habitat loss of each of the features to account for the cable crossing occurring only within the subtidal mud feature.</p>			

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			<p>The Applicants will update the MCZ Screening and Stage 1 Assessment Report (APP-019) for submission at Deadline 5 to include the update to the MDS for the subtidal mud feature and all relevant new commitments for the Fylde MCZ.</p> <p>Furthermore the following new commitments have been made at Deadline 4:</p> <ul style="list-style-type: none"> <li>• A commitment that no cable/scour protection shall be permanently deployed in the intertidal between MLWS and MHWS (CoT133) (updated Commitments Register submitted at Deadline 4 (F1.5.3/F05)).</li> <li>• A commitment to benthic community recovery specific monitoring in the Fylde MCZ through pre and post construction benthic community sampling to monitor for temporal and</li> </ul>			

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			<p>spatial recovery (Offshore IPMP at Deadline 4 (J20/F03)). In addition, the updated IPMP includes monitoring of the potential colonisation by Invasive Non-Native Species (INNS) following construction activities within the Fylde MCZ.</p> <p>Commitment to limit the development of cable/scour protection in the O&amp;M phase to the first ten years / limit of the MDS (whichever is first) outside the Fylde MCZ and the first two years inside the MCZ.</p> <p>Additionally, at Deadline 4 the Applicants have submitted the ABPmer report (Annex to Applicants response to MMO and NE submission at Deadline 3: Assessment of Seabed Level Vertical Variability for Morgan Offshore Wind Farm - Appendix C) regarding the beach levels that underpin the assessment</p>			

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			of the intertidal bed level trends (S_D4_19)The Applicants response to Natural England's response to ExQ1 submitted at Deadline 4 (S_D4_2.6), specifically the Applicants response to question 7.1.6 is also particularly relevant to this matter and provides additional clarification in respect of the points made by Natural England.			
NE6	<p>Mitigation measures for Section 41 Natural Environment and Rural Communities (NERC) Act 2006 Habitats.</p> <p>Natural England notes that no further mitigation in relation to physical processes or benthic receptors has been proposed. Additionally, there is no consideration for relevant NERC habitats.</p> <p>Natural England advises that impacts to priority habitats listed under Section 41 of the NERC Act</p>		<p>The Applicants have responded previously to the points raised by Natural England within RR-1601.44 of their response to Natural England (PDA-014) and RR-1601.C.4 of their response to Natural England – Appendix C (PDA-017).</p> <p>During a meeting between the Applicants and Natural England on 22 July 2025, this matter was discussed, where the Applicants explained their position that a commitment to</p>	<p>Natural England welcomes the updated wording for micro-siting in the DCO under Schedules 14 and 15. However, we maintain that where it is not possible to avoid broadscale NERC habitats, the Applicant will need to demonstrate that impacts have been minimised as much as possible.</p>		<p>The Applicants acknowledge Natural England's confirmation at Deadline 4 (REP4-139) that the updated micro-siting wording in the draft DCO is welcomed.</p> <p>The Applicants have demonstrated how the mitigation hierarchy has been applied throughout the pre-application phase to minimise impacts as far as possible within RR-1601.44 of their response to Natural England</p>

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	<p>(2006) are avoided and due consideration is demonstrated. We advise that relevant Application documents should be updated accordingly, and this is secured within the DCO/DMLs.</p> <p>It is possible this issue could be progressed if the Applicant follows SNCB advice.</p>		<p>avoid the most sensitive and or priority habitats designated under Section 41 of the NERC Act 2006 was not justified or required due to the Applicants having taken all reasonable measures (via project design changes and commitments) to minimise impacts to all benthic habitats, including habitats of principal importance. Natural England requested the Applicants to set out their case clearly demonstrating how the mitigation hierarchy has been applied and the commitments made, which the Applicants have set out below.</p> <p><b>Avoid</b> The avoid principle (i.e. the first step in the mitigation hierarchy) was first applied through the Offshore Export Cable Corridor routing exercise which sought to identify the shortest route from the Agreement for Lease areas to the selected landfall location at</p>			<p>(PDA-014), and RR-1601.C.4 of their response to Natural England – Appendix C (PDA-017).</p> <p>The Applicants also set this out in full in their response to NE6 in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) and specifically in the Applicants' response to Natural England's response to ExQ1 questions 7.1.7 including all new commitments made at Deadline 4.</p> <p>The application of the mitigation hierarchy was already detailed in Volume 2, Chapter 3: Project description (AS-024) and the Stage 1 MCZ Assessment Report (specifically Table 1.13) (APP-019) submitted with the application. However, the Applicants updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-</p>



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			<p>Lytham St Annes, whilst avoiding environmental sensitivities, such as MCZs and SACs, as well as third-party/existing seabed users. The Offshore Export Cable Corridor routing exercise was driven by consideration of the guiding principles described in Volume 1, Chapter 4: Site Selection and Consideration of Alternatives of the ES (APP-030) and The Crown Estate (TCE) Cable Route Protocol (TCE, 2021). The Offshore Export Cable Corridor search area was defined to minimise interaction with any designated sites, avoiding the Shell Flat and Lune Deep SAC and the West of Walney MCZ and West of Copeland MZC to the north. The Fylde MCZ could not, however, be avoided entirely due to its north-south extent between the Generation Assets and the point of interconnection</p>			<p>034) and Volume 1, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all new commitments made during examination to further reduce impacts to benthic receptors.</p> <p>The assessments presented in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) concluded that NERC priority habitats were recorded throughout the Order Limits (predominantly subtidal sands and gravels as demonstrated by the baseline surveys) but that there will be no significant effects on any benthic receptors, including NERC priority habitats. The Applicants consider that additional mitigation, to that which has already been secured, is not proportionate to the sensitivity of the habitats present within the Order Limits or to the low level of risk to</p>

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			<p>at Penwortham. Routing around the Fylde MCZ to reach landfall location at Lytham St Anne's was not feasible due to the existing cables that run east/west through the MCZ which would need to be crossed in the shallow waters between the east edge of the MCZ and the coast.</p> <p><b>Reduce / minimise</b> The reduce/minimise principle (i.e. the second step on the mitigation hierarchy) was then applied. As outlined in Volume 1, Chapter 4: Site Selection and Consideration of Alternatives of the ES (APP-030), the final offshore export cable route was designed to cross the Fylde MCZ at its the narrow (i.e. to reduce impacts). Refinements were also made to the project description (Volume 1, Chapter 3: Project description of the ES (REP2-008) post-PEIR to significantly reduce the extent</p>			benthic receptors associated with the Transmission Assets.

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			<p>of long term habitat loss and temporary habitat disturbance within the Fylde MCZ as follows.</p> <ul style="list-style-type: none"> <li>• Post-PEIR, the MDS for cable protection outside the Fylde MCZ required for ground conditions was reduced from 20% to 10% for the Morgan offshore export cables and from 15% to 10% for the Morecambe offshore export cables.</li> <li>• Post-PEIR, the MDS for cable protection in the Fylde MCZ required for ground conditions was reduced from 20% to 3% contingency for the Morgan offshore export cables and from 15% to 3% contingency for the Morecambe offshore export cables.</li> <li>• Post-PEIR, the proportion of cables outside the Fylde MCZ requiring sandwave</li> </ul>			

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			<p>clearance was reduced from 60% to 9% for the Morgan offshore export cables and 30% to 9% for the Morecambe offshore export cables.</p> <ul style="list-style-type: none"> <li>• Post-PEIR, the proportion of cables within the Fylde MCZ requiring sandwave clearance was reduced from 60% to 5% for the Morgan offshore export cables and 30% to 5% for the Morecambe offshore export cables.</li> <li>• Post-PEIR the width of disturbance associated with sandwave clearance was reduced from 104 m to 60 m for the Morgan offshore export cables and from 104 m to 48 m for the Morecambe offshore export cables.</li> <li>• Post-PEIR the width of disturbance associated with</li> </ul>			

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			<p>boulder clearance for the Morecambe offshore export cables was reduced from 25 m to 20 m.</p> <ul style="list-style-type: none"> <li>• Post-PEIR the offshore substation platforms (OSPs) and interconnector cables were removed from the project design.</li> <li>• Post-PEIR, the requirement for a Morgan Offshore Booster Station was removed from the project design.</li> <li>• Post-PEIR the MDS for the total length of offshore export cables within the Fylde MCZ has reduced from 94.8 km to 88 km (i.e. 16 km for each of the four Morgan offshore export cables and 12 km for each of the two Morecambe offshore export cables) as a result of further design and route identification.</li> </ul>			

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			<ul style="list-style-type: none"> <li>Post-PEIR the MDS for the volume of spoil arising from sandwave clearance within the Fylde MCZ has reduced from 1,268,642 m<sup>3</sup> (previously calculated as a proportion of the overall spoil generated for the Transmission Assets) to 270,000 m<sup>3</sup>.</li> </ul> <p>The offshore export cable route was designed to minimise the number of crossings with existing cables, and therefore long term habitat loss, within the Fylde MCZ. The Applicants attempted to move the crossings outwith the Fylde MCZ however they were limited by existing infrastructure (i.e. Hibernia Atlantic telecoms cable which runs north west/south east to the west of the Transmission Assets just outside of the Fylde MCZ) and engineering constraints (e.g. the need to cross the Lanis 1</p>			

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			<p>and Havhingsten telecoms cable at a 90 degree angle). As such, whilst the Morecambe offshore export cable crossings were able to be pushed westward beyond the boundary of the MCZ (i.e. no cable crossings are required for the Morecambe offshore export cables within the Fylde MCZ), the Morgan offshore export cables would need to cross the Lanis 1 cable within the Fylde MCZ. Therefore, the Applicants have sought to reduce the parameters of the crossing, such as length which was reduced from 20% to 3% contingency for the Morgan offshore export cables and from 15% to 3% contingency for the Morecambe offshore export cables to minimise its impact.</p> <p>In addition to changes made to the project design (embedded mitigation) to minimise impacts, the Applicants have also</p>			



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			<p>committed to a number of measures to further reduce impacts to benthic habitats, including NERC priority habitats, as follows:</p> <ul style="list-style-type: none"> <li>CoT45: ensure that no more than 5% reduction in water depth (referenced to Chart Datum) will occur at any point on the offshore export cable corridor route without prior written approval from the licensing authority.</li> <li>CoT47: limits the extent of cable protection to 3% of the offshore export cable route within the Fylde MCZ (excluding cable crossings) and sandwave clearance up to 5% of the offshore export cable route within the Fylde MCZ. Material arising from sandwave clearance in the Fylde MCZ will be deposited within the Fylde MCZ.</li> </ul>			

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			<ul style="list-style-type: none"> <li>CoT108: commits the Applicants to ensuring cable protection installed in the Fylde MCZ is designed to be removable</li> <li>CoT109: outlines the requirement for removal in the Fylde MCZ to be agreed with stakeholders and regulators at the time of decommissioning.</li> <li>CoT114: requires that all permanent infrastructure located between MLWS and MHWS will be buried to a target depth of 3 m.</li> <li>CoT116: ensures that material arising from sandwave clearance will be deposited in close proximity to the works.</li> <li>CoT117: No walking jack-ups within the Fylde MCZ.</li> </ul>			

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			<p>Additionally, the following new commitments have been made at Deadline 4:</p> <ul style="list-style-type: none"> <li>The draft DCO (C1/F06) has been updated to include '<i>no rock dumping within Fylde MCZ</i>' under condition 18(e) of Schedule 14 and 15.</li> <li>Secured commitment (in the Commitments Register) that "<i>No cable/scour protection shall be permanently deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS).</i>" (see CoT133, F1.5.3/F05).</li> <li>Secured commitment (in the Commitments Register) that "<i>As part of the detailed design process, micro-siting of the offshore export cables within the offshore export cable corridors will be considered where</i></li> </ul>			

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			<p><i>successful burial could pose a challenge or where a higher risk of remedial works such as external cable protection may be required.”</i> (see CoT134, F1.5.3/F05).</p> <p>All benthic IEFs, including those identified as habitats of principal importance in England listed under Section 41 of the NERC Act 2006, have been fully assessed in relation to the impacts of the Transmission Assets in section 2.11 of Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045). This assessment concluded that all benthic subtidal IEFs will recover following construction activities. Having incorporated the embedded mitigation and commitments, together with the predicted recovery of the benthic subtidal IEFs, the benthic ecology assessment</p>			

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			presented in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and the physical processes assessment presented in Volume 2, Chapter 1: Physical processes (APP-042) concluded no likely significant impacts. The Applicants consider that they have taken all reasonable measures (via project design changes and commitments) to minimise impacts to all benthic habitats, including habitats of principal importance in England listed under Section 41 of the NERC Act 2006. The Applicants do not, therefore, consider that further mitigation to avoid these habitats is justified or required. Further, the Applicants do not consider that there is precedent in the offshore wind industry, or other offshore industries, for avoiding the sedimentary habitats recorded within the			

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			<p>Transmission Assets and neither would it possible to do so given their widespread distribution within the benthic subtidal and intertidal ecology study area. The Applicants also highlight that biogenic or geogenic reef features were not identified as present within the site-specific surveys (section 2.6.3, Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045)).</p> <p>As agreed with NE, Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045) and Volume 1, Chapter 1: Physical Processes (APP-042) will be updated to include the new commitments made at Deadline 4 and set out above.</p>			
NE7	<p>Lasting habitat loss/change from the placement of cable protection.</p> <p>Natural England disagrees with the Applicant that 3.04ha of lasting habitat change/loss of subtidal</p>		The Applicants welcome the confirmation this issue is resolved at Deadline 3.	No further update due to resolution at D3.		N/A

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	<p>sand and subtidal mud interest features from Fylde MCZ from the placement of cable protection will maintain the conservation objectives of the site.</p> <p>We advise that the Project is likely to cause lasting impacts on benthic features within Fylde MCZ.</p> <p>Every effort should be made to reduce impacts through the adoption of robust mitigation measures.</p>					
NE8	<p><b><u>Fish and Shellfish Ecology</u></b></p> <p>Long term loss of supporting habitat and potential loss of prey species (sandeel).</p> <p>Dynamics between predator prey relationships for piscivorous birds and sand eel could be impacted due to loss of prey species.</p> <p>Natural England advise that the loss of prey species (sandeel) due to long term habitat loss (from scour/cable protection) of supporting habitat should be</p>		<p>The Applicants welcome the comments from Natural England and have agreed to make the necessary edits to the Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (APP-017) for Deadline 5.</p>	<p>No change - we look forward to sight of updated documents.</p>		<p>The Applicants have updated the HRA Stage 2 ISAA Part 3 (REP5-21) and submitted the revised version at Deadline 5. The Applicants trust that the updates made now allow for this matter to be resolved.</p>



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	assessed and updated in the final ES chapter.  It is possible this issue could be progressed with further provision of information.					
NE9	Ribble Estuary MCZ assessment.  Natural England do not agree that smelt should be screened out, further assessment is required as the activity may be capable of affecting the protected feature of the MCZ. There is potential for electro-magnetic field (EMF) to cause barrier effects that hinder smelt movements in and out of the estuary.  Complete an assessment on potential EMF impacts.		The Applicants acknowledge the uncertainties associated with electromagnetic field impacts on fish behaviour, including smelt. However, little uncertainty exists concerning the physical dissipation of EMFs with increasing distance from the cable, as set out in section 3.11.7 of Volume 2, Chapter 3: Fish and shellfish ecology (APP-048). As the cables under the Ribble Estuary will be buried to depths of 7-45 m, there will be no detectable EMF emissions into the Ribble Estuary (beyond natural background levels). Therefore, any proposed monitoring of EMFs would not be proportionate to the	No change.		The Applicants' position remains the same as at Deadline 4, with this reiterated in the Issue Specific Hearing Day 2 submissions (REP4-104, comments 5(b)(i) 19-22). The Applicants highlighted the increased value of broader industry work streams on EMF monitoring instead of project-specific monitoring and are actively engaged with the Crown Estate to advance this area of research. The Applicants note that MMO and Environment Agency have raised no concerns on this point.

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			negligible risk of EMF emissions causing barrier effects to smelt at the Ribble Estuary crossing.  The Applicants would also note that the MMO and the Environment Agency have confirmed they have no concerns with respect to effects of EMF from the Ribble Estuary crossing on smelt (see REP1-086 and REP1-076, respectively).			
NE10	<b><u>Marine Mammals</u></b>  UXO clearance  UXO clearance is included as a licenced activity in the DCO/marine licence (which includes high order clearance).  We advise that a separate licence is sought for UXO clearance due to the lack of information available and the over precaution that must be incorporated into the impact assessment at this stage.		The Applicants will continue to engage with the Natural England on this matter, however it is the Applicants' position that it is appropriate and justified to include UXO clearance (limited to low order clearance) activities within the draft DCO (REP3-009). The Applicants have included all necessary activities for the construction and operation and maintenance of the	No change.		The Applicants maintain their position that inclusion of low order UXO clearance within the draft DCO is appropriate, particularly given the controls secured under Condition 20 in Schedule 14 and 15 of the draft DCO (REP5a-018), which includes submission of a method statement and MMMP (in accordance with the Outline MMMP (REP4-070)) prior to commencement of licenced

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	<p>Natural England advise that UXO clearance should be authorised under a standalone marine licence post consent and removed from the draft DCO.</p> <p>It is possible this issue could be progressed by removing UXO clearance from the DCO/DML.</p>		<p>Transmission Assets in the application for development consent, to ensure a comprehensive application, and all such activities have been subject to a robust assessment process. This includes UXO clearance activities, with suitable mitigation secured (Outline Marine Mammal Mitigation Protocol (REP2-026) and a commitment to not clear UXO within the Liverpool Bay SPA between Nov – Mar (inclusive) as set out under CoT130 in Commitments Register (REP3-013)). Including only low order UXO clearance activities within the draft DCO, and appropriate controls under Condition 20 of Schedule 14 and 15 (REP3-009), is intended to remove the need to apply for and obtain a further licence post-consent and prior to construction, assisting with the expeditious delivery of the</p>			<p>activities. The Applicants' position is aligned with the Morgan Generation Assets position, noting that the Secretary of State retained clearance of UXO by low order methods in the recently made Order for Morgan Generation Assets.</p> <p>The Applicants also highlight that whilst the MMO maintain the same position as Natural England on inclusion of low order UXO clearance in the draft DCO, the MMO confirmed at Deadline 5 (REP5-175) that their 'without prejudice' position is that, should Secretary of State include low order UXO clearance in the DCO, the DML provisions are acceptable to the MMO.</p> <p>The Applicants highlight that the Applicants and Natural England are not agreed on this matter.</p>

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			<p>Transmission Assets project, contributing to UK Government targets for Net Zero.</p> <p>This is consistent with the approach taken for the Morgan Generation project which is awaiting determination and the recently consented Mona Offshore Wind Project.</p>			
NE11	<p><b><u>Offshore Ornithology</u></b></p> <p>No assessment of long-term loss of habitat supporting prey species for the offshore ornithological features of Liverpool Bay Special Protection Area (SPA).</p> <p>The Applicant has not screened in long term loss of habitat supporting prey species (due to scour/cable protection) for the offshore ornithological features of Liverpool Bay SPA as an impact pathway for Likely Significant Effect (LSE).</p> <p>The Applicant should include an assessment of the indirect effect of long-term habitat loss due to</p>		<p>The Applicants welcome the decision to resolve this issue at Deadline 3 and the Applicants will update and submit the relevant documents at Deadline 5.</p> <p>Additionally, the Applicants highlight that a new commitment has been made at Deadline 4 stating that "<i>The Applicants will not plan routine O&amp;M activities in the original Liverpool Bay SPA (as designated in 2010), including a 2 km buffer between November and March (inclusive) unless in urgent circumstances.</i>" (see</p>	No change - we look forward to sight of updated documents.		<p>The Applicants confirm that an updated version of the ES chapter (Volume 2, Chapter 5: Offshore Ornithology (F2.5/F02)) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three (E2.1/F02) have been submitted at Deadline 5. The Applicants trust that the updates made now allow for this matter to be resolved.</p>

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	<p>scour/cable protection for prey species of the offshore ornithological features of Liverpool Bay SPA.</p> <p>It is possible this issue could be progressed with further provision of information.</p>		CoT135 in the updated Commitments Register (F1.5.3/F05)).			
NE12	<p>"Assessment and conclusion of no adverse effect on site integrity for the red-throated diver and common scoter features of Liverpool Bay SPA.</p> <p>Natural England do not agree that an adverse effect on site integrity for the red-throated diver and common scoter features of Liverpool Bay SPA can be ruled out due to the displacement and disturbance impacts of the Project in-combination with other projects during the sensitive winter period.</p> <p>The Project's impact can be removed by the Applicant committing to a full restriction on construction activity within the</p>		The Applicants welcome the resolution of this issue at Deadline 3.	No further update due to resolution at D3.		

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	wintering months of November-March inclusive. Potential resolution. This is subject to the Applicant bringing forward an appropriate seasonal restriction to address the potential impacts to the species.					
NE13	<p><b><u>Onshore Ecology and Nature Conservation</u></b></p> <p>Impacts to sand dune Lytham St Annes SSSI features.</p> <p>Issues remain around certain features particularly changes to the water table, dewatering effects during construction using Transition Joint Bays (TJB) and the impacts on dune slack vegetation.</p> <p>The Applicant needs to more thoroughly assess the impacts on dune slack vegetation and consider a more precautionary approach with regards to the recoverability / resilience of the dune slacks relating to dewatering effects.</p>		The Applicants have undertaken an updated NVC survey of the Lytham St Anne's Dunes SSSI/ LNR to provide a more up-to-date baseline showing the groundwater dependent ecosystems (the survey was completed week commencing 21 <sup>st</sup> July). However as discussed in previous responses on this matter, it is not considered that the habitats will have changed significantly since the 2016 NVC survey reported in the chapter (noting that the 2016 survey was already ground-truthed with an updated walkover survey in August	In progress. Please see RI_G1 for further information on this matter.		The Outline Hydrogeological Risk Assessment for Lytham St Annes Dunes (REP5-104) has been resubmitted at Deadline 5 following review of comments received from both the Environment Agency (REP4-132) and Natural England (REP4-140). The Applicants would highlight that they have updated the outline Hydrogeological Risk Assessment for Lytham St Annes Dunes (REP5-104) to include the results of the NVC surveys at Lytham St Annes Dunes SSSI and the St. Annes Old Links Golf Course BHS.

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	It is possible this issue could be progressed with further provision of information including additional monitoring of water table pre- and post- construction and sufficient baseline data.		<p>2024). The approach to avoidance and mitigation of the SSSI habitats will therefore not change, although the data will be used to inform the hydrogeological risk assessment (CoT41, CoT119). The NVC survey report will be submitted into the examination at Deadline 5.</p> <p>The Applicants are planning to undertake the remaining NVC survey of the St. Annes Old Links Golf Course BHS in September 2025 subject to landowner permission and will include this in the NVC survey report submitted at Deadline 5.</p>			The Applicants have made a commitment (CoT128 of Volume 1, Annex 5.3: Commitments Register of the ES (REP5-107)) to undertake detailed hydrogeological risk assessment(s) in relation to the crossing of the Lytham St Annes Dunes SSSI. These assessment(s) will be used to inform the detailed site-specific crossing design(s) for the installation of the offshore export cables beneath Lytham St Annes Dunes SSSI. This is secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP5a-018). The Applicants hope that this matter can now be resolved.
NE14	Additional information required on Direct Pipe Trenchless Technique to be able to fully assess the potential impacts to Lytham St. Annes Dunes SSSI.		The Applicants are engaging with Natural England regarding their concerns about potential impacts on the sand dune	No change.		The Applicants have prepared and submitted an Outline Trenchless Crossing Mitigation Plan as Appendix A to the Outline Landfall Construction



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	<p>Insufficient detail on Direct Pipe, to fully assess the potential impacts on the SSSI.</p> <p>No inclusion of an outline contingency plan and no assessment of the Worst Case Scenario (WCS) i.e. no other option assessed if Direct Pipe is not an option.</p> <p>Provide further detail on the Direct Pipe methodology to be able to fully assess the potential impacts to the SSSI.</p> <p>Assess the WCS including a contingency should Direct Pipe not be possible.</p> <p>It is possible this issue could be progressed with further provision of information."</p>		<p>features of the Lytham St Anne's Dunes SSSI.</p> <p>The Applicants submitted an Outline Hydrogeological Risk Assessment (REP3-061) at Deadline 3. The Applicants anticipate comments from Natural England at Deadline 4.</p> <p>A meeting was held on 12 June 2025 to discuss the proposed scope and structure of the Outline Hydrogeological Risk Assessment. Feedback from the call was used to amend the Outline Hydrogeological Risk Assessment content where appropriate.</p>			<p>Method Statement (S_D4_22/F03).</p> <p>The Applicants have received Natural England's comments on the outline hydrogeological risk assessment at D4 (REP-140) and have provided a response to these at D5 (REP5-124). In addition, the Applicants have updated the Outline Hydrogeological Risk Assessment in line with REP-140 and re-submitted at D5 (REP5-102).</p> <p>The Applicants have made a commitment (CoT128 of Volume 1, Annex 5.3: Commitments Register of the ES (F1.5.3/F06)) to undertake detailed hydrogeological risk assessment(s) in relation to the crossing of the Lytham St Annes Dunes SSSI. These assessment(s) will be used to inform the detailed site-specific crossing design(s) for the installation of the offshore</p>

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Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
						export cables beneath Lytham St Annes Dunes SSSI. This is secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP5a-018)).
NE15	<p>Lack of sand dune habitat survey effort.</p> <p>From the information provided, Natural England advise that there is insufficient evidence for us to be able to advise on the scale and significance of impacts to dune slacks at St. Annes Old Links Golf Course BHS.</p> <p>The Applicant needs to undertake detailed dune slack surveys across the Study Area to inform the EIA. These surveys need to be undertaken during summer 2025.</p> <p>It is possible this issue could be progressed with further imminent survey effort and provision of information.</p>		The Applicants are planning to undertake the remaining NVC survey of the St. Annes Old Links Golf Course BHS in September 2025 subject to landowner permission and include this in the NVC survey report submitted at Deadline 5.	In progress. The Applicant informed us that an NVC survey at Lytham St Annes Dunes SSSI and St Annes Old Links Golf Course BHS will be undertaken in July. We welcome this survey effort and will provide comments once the results are provided.		<p>The Applicants can confirm that NVC surveys of Lytham St Annes SSSI and St Anne's Old Links Golf Course Biological Heritage Site have been undertaken. The results of these surveys can be found in Appendix D and E of Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report (REP5-038).</p> <p>In summary the NVC communities at the SSSI are as previously reported and include shallow-groundwater dependent dune slacks primarily on the eastern side of Clifton Drive North. The BHS</p>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
						<p>does not support any groundwater dependent terrestrial ecosystems, which also concurs with the assumptions made in the ecological impact assessment and Outline Hydrogeological Risk Assessment (REP5-104).</p> <p>In addition, the Applicants have updated the outline hydrogeological risk assessment at D5 (REP5-104) to reflect the findings of the NVC survey. Now that the Applicants have undertaken and report the NVC survey results, the Applicants hope that this matter can now be resolved.</p>
NE16	Lack of Agricultural Land Classification (ALC) survey effort. From information provided, Natural England advise that there is insufficient evidence for us to be able to advise on the scale and significance of impacts to soils.		The Applicants have presented their position in response to these points within their response to Hearing Action Points 'Agricultural land classification surveys' (REP1-043). The Applicants consider	No change.		The Applicants note there is no change on this matter and refer Natural England to NE16 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>The Applicant needs to undertake a detailed ALC and soil survey of the agricultural land across the full Study Area to inform the EIA. These surveys need to be undertaken during summer 2025. Natural England advises that the commitment to restore land needs to be secured in the DCO.</p> <p>It is possible this issue could be progressed with further imminent survey effort and provision of information.</p>		<p>that the survey coverage is appropriate and have provided examples of other DCOs which have followed the same approach with regards to survey coverage. The Applicants' assessment is in accordance with best practice and follows a precautionary approach with regards to the total area of BMV that would be affected. The same approach was used in the Mona Offshore Wind Project that was recently granted its DCO.</p> <p>The Applicants have committed to undertaking further soil surveys post consent. These surveys will include areas not previously surveyed within the Onshore Order Limits (for example, along the onshore export cable corridor) required for temporary and permanent use as part of the Transmission Assets. These surveys would provide soil information (as set</p>			<p>organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100). The Applicants requested a meeting with Natural England to try and understand why they have a different approach to other projects when compared to Transmission Assets. As Natural England have declined a meeting and not given a justification on their approach the Applicants conclude that this is a point where the parties will agree to disagree. The Applicants have provided more detailed responses on this point in REP5-180.10, 11 and 12 in the Applicants response to Natural England (Appendix G5.1) (S_D6_2.5). As Natural England have provided no further comments on this, the Applicants are of the opinion that this matter can now be resolved.</p>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>out in the Outline Soil Management Plan (APP-200)) with the purpose of informing the detailed Soil Management Plans. The detailed Soil Management Plans will be specific to the location of any stage of works within the Onshore Order Limits and the measures will reflect the specific characteristics of the soils and the infrastructure elements proposed in that location (temporary or permanent land requirements). Results from the soil surveys will be shared with Natural England.</p> <p>The Applicants note that the Outline Soil Management Plans have been drafted in accordance with best practice and include the recognised soil handling and restoration guidance. The detailed Soil Management Plans will be based on the Outline Soil</p>			

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>Management Plans and will be agreed with the relevant planning authority in consultation with Natural England, prior to the commencement of construction. The Applicants have committed to implement the detailed Soil Management Plan as agreed with the relevant planning authority. The Soil Management Plan forms part of the Code of Construction Practice and is secured in the draft DCO.</p> <p>With the commitments in place to undertake the further soil surveys at detailed design stage, the Applicants are unclear why Natural England require the surveys to be undertaken at this stage. The Applicants would welcome the opportunity to work through the points raised by Natural England. This would be best achieved on a call with the soils specialist to explain the</p>			

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			Applicants' approach and to work towards a solution.			
NE17	<p>Developing on areas of restorable peat.</p> <p>There is insufficient information to ascertain whether the proposal will have direct or indirect impacts on deep peat. Provide further evidence to show if restorable peat is present. This should include peat data for the route of the cables and include soil cores in the areas mapped as deep peat England Peat Status Greenhouse Gas and Carbon Storage.</p> <p>It is possible this issue could be progressed with further provision of information.</p>		<p>The Applicants have produced a note at Deadline 4 (S_D4_15) to provide additional information on the consideration of the potential impacts of the Transmission Assets on peat resources, including desk top studies and site surveys. This note concludes that the nature and extent of peat resources and their land use function within the Transmission Assets Order Limits is understood and the measures proposed through the implementation of the Outline Code of Construction Practice (REP3-009), including the Outline Soil Management Plan (APP-200), are appropriate to ensure that the agricultural peat resources can be appropriately managed and the land restored to its productive agricultural land use</p>	<p>No change. Please see RI_G7 for further information on this matter.</p>		<p>The Applicants note there is no change on this matter and refer Natural England RI_G7 and to NE17 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124). The Applicants have provided more detailed responses on this point in REP5-180.18, 19 and 20 in the Applicants' response to Natural England (Appendix G5.1) (S_D6_2.6).</p>



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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
			<p>following construction of the Transmission Assets.</p> <p>The Applicants would still welcome the opportunity to meet with Natural England's specialist to engage further on this point.</p>			
NE18	<p><b><u>Onshore and Intertidal Ornithology</u></b></p> <p>Impacts to Ribble and Alt Estuaries SPA/Ramsar site intertidal waterbirds due to the landfall works.</p> <p>Natural England advise that the proposed level of restriction to the landfall works is insufficient to avoid an adverse effect on the Ribble &amp; Alt Estuaries SPA/Ramsar site.</p> <p>The Applicant should develop comprehensive seasonal restrictions for the key intertidal species and months of the year. These should be underpinned by updated HRA conclusions based</p>		<p>The Applicants remain fully committed to addressing these matters and to working collaboratively with Natural England to reach a resolution. In support of this commitment, the Applicants met with Natural England on 25 July 2025 and are working closely with Natural England to address this issue and are currently in discussions about measures to reduce impacts at source.</p>	<p>No change. Natural England has met with the Applicant and provided detailed DAS advice. We look forward to updated submissions regarding impacts at the landfall and the Applicant's proposed mitigation.</p>		<p>Following a meeting with Natural England on 16<sup>th</sup> September 2025 during which further clarification and detail was provided, both Natural England and the Applicants came to agreement that the Project does not represent AEoI for the works in the intertidal area. This is a result of a combination of:</p> <ul style="list-style-type: none"> <li>The Project's commitment not to undertake any works on Lytham St Annes beach between November and March inclusive (CoT110 and CoT129) thus</li> </ul>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>on data from site specific surveys, and a more thorough assessment of the potential habitat loss/disturbance effects and their implications for SPA/Ramsar site species.</p> <p>Potential resolution</p> <p>This is subject to the Applicant bringing forward an appropriate level of seasonal restriction to address the potential impacts to the species.</p>					<p>avoiding impacts upon wintering features.</p> <ul style="list-style-type: none"> <li>The inclusion of the alleviation measures to reduce disturbance on roosting birds at Fairhaven Saltmarsh, and the inclusion of an ECoW at the construction area (see section 1.3 of the outline ecological management plan (REP5-068)).</li> <li>Confirmation of the sporadic use of the area by roosting birds thus removing potential impacts for the occasionally roosting dunlin, sanderling and ringed plover. In addition, the alleviation measures at Fairhaven Saltmarsh will help to</li> </ul>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
						<p>reduce SPA level disturbance pressures on these species.</p> <ul style="list-style-type: none"> <li>• The low numbers of redshank to be impacted (below 1% of the SPA population) (see section 3.1.8 of Passage Period at Landfall Technical Note (REP4-121)).</li> <li>• The low numbers of foraging sanderling to be impacted (below 1% of the SPA population) (see HRA Stage 3 ISAA Part Three – SPA and Ramsar Site assessments (E2.1/F02)).</li> <li>• The limited impacts of construction (only one cable at a time leading to limited habitat loss and disturbance</li> </ul>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
						impacts). See section 1.13.3 of the Outline Landfall Construction Method Statement (REP5-116).
NE19	<p>Lack of an in-principle derogations case for impacts to intertidal SPA/Ramsar site waterbirds.</p> <p>Unless effective seasonal restrictions for the wintering and passage periods can be committed to, we advise that an in-principle derogations case will need to be developed. This would need to demonstrate no alternative solutions to delivering the public interest objectives of the project and Imperative Reasons of Overriding Public Interest (IROPI).</p> <p>A robust in-principle derogations case should be submitted into the Examination, including a demonstration that a greater degree of seasonal restriction is not achievable, and a far more detailed</p>		<p>The Applicants remain fully committed to addressing these matters and to working collaboratively with Natural England to reach a resolution. In support of this commitment, the Applicants met with Natural England on 25 July 2025 and are working closely with Natural England to address this issue and are currently in discussions about measures to reduce impacts at source.</p> <p>In light of the measures to minimise the impacts at source (e.g., seasonal restriction (CoT110), ECoW, and screening of construction works (section 1.6 of the Outline</p>	"NE18 is also applicable here. No change to our concerns regarding Fairhaven saltmarsh.		<p>Following a meeting with Natural England on 16<sup>th</sup> September, it was agreed that the measures proposed at Fairhaven saltmarsh represent alleviation, and as Natural England are satisfied that the Project's planned activities in the intertidal area do not represent AEoI, there is no need for an in-principle derogation case. This is the view of both the Applicants and Natural England. The Applicants point Natural England to their response to the comment on the Report on Implications for European Sites (S_D6_5/F01) for further details. The Applicants hope</p>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>submission regarding the installation and management of the compensatory measures.</p> <p>Potential resolution.</p> <p>This is subject to the Applicant providing an in-principle derogations case demonstrating that there are no alternative solutions to delivering the project's objectives, including a greater degree of seasonal restriction, and a detailed proposal for compensatory measures."</p>		<p>Ecological Management Plan), the Applicants do not believe that the works at the landfall would result in AEOI and have set out their position regarding this in a note to be submitted at Deadline 4 (AEoI - ISH2.12). As a result, the Applicants share Natural England's view (Q6.1.2, in REP3-095, Responses to the Examining Authority's written questions) that if disturbance effects at the landfall during the passage season can be reduced to acceptable levels through mitigation, the Fairhaven Saltmarsh should be considered as an enhancement measure.</p>			that this matter can now be resolved.
NE20	<p>Impacts to Ribble and Alt Estuaries SPA/Ramsar terrestrial waterbirds.</p> <p>Natural England advise that there is not currently enough information within the Application to rule out impacts for wintering, passage and</p>		<p>The Applicants have provided further detail on this in the Terrestrial Waterbirds technical note (S_D4_17) submitted at Deadline 4 as well as updates to the Outline Ecological Management Plan. The Applicants note that this</p>	<p>No change. Natural England has met with the Applicant and provided detailed DAS advice. We look forward to updated submissions providing the required level of information regarding the habitat management</p>		<p>The Applicants have received Natural England's comments in NE Appendix H5 Onshore and Intertidal Ornithology (REP5-183) on:</p> <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird</li> </ul>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>terrestrial features of Ribble and Alt Estuaries SPA/Ramsar site.</p> <p>We require further clarity from the Applicant on the following aspects: HRA conclusions should be based on data from site specific surveys, habitat loss and its implications for SPA/Ramsar site species should be further quantified, proposed mitigation areas need further justification on their appropriateness.</p> <p>Potential resolution.</p> <p>This is subject to the Applicant providing further information to support their HRA conclusions, consideration of spatial scheduling to reduce the level of impact, and greater detail on the proposed mitigation habitats."</p>		<p>information was well received during the meeting with Natural England on 25 July 2025 and await a response from NE but hope that this addresses Natural England's concerns regarding impacts on terrestrial waterbirds. .</p>	<p>proposed at the mitigation sites and how these will cater for the SPA waterbirds predicted to be impacted.</p>		<p>Note - Rev F01 (REP4-120)</p> <ul style="list-style-type: none"> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants have provided responses response to Natural England's comments in Appendix H5 Onshore and Intertidal Ornithology (S_D6_2.6). Further, the onshore terrestrial water bird note (S_D4_17/F02) and has been updated and submitted at Deadline 6.</p> <p>In addition, The Applicants have updated; HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5 (REP5-21); J6 Outline Ecological Management Plan (REP5-068) as requested by Natural England. The detail requested in the oEMP is</p>

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
						contained within Appendix B. A further update to the outline ecological management plan (J6/F06) has been prepared and submitted ay Deadline 6.
NE21	<p>Mitigation of impacts to Newton Marsh SSSI.</p> <p>Impacts to Newton Marsh SSSI have not been sufficiently assessed. There is minimal information on what works will take place in close proximity to this site and how the work will be managed to not affect the site.</p> <p>Natural England advise that further consideration of Newton Marsh SSSI is included and updated within the assessment. Further justification should be provided on how the Applicant has concluded no risk to the site and what mitigation measures might be implemented.</p>		<p>The Applicants welcome Natural England's conclusion that there will be no adverse effects on Newton Marsh SSSI.</p> <p>The Applicants have committed to update information in HRA Stage 2 Information to Support an Appropriate Assessment Part Three (APP-017) (for onshore and offshore ornithology) at Deadline 5.</p>	No change - we look forward to updated documents including the ISAA.		The Applicants have updated the HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5 (REP5-21). The Applicants hope that this matter can now be resolved.



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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	It is possible this issue could be progressed with further provision of information.					
NE22	<p><b><u>Fylde MCZ</u></b></p> <p>MCZ assessment and Measures of Equivalent Environmental Benefit (MEEB).</p> <p>Natural England do not agree with the Applicants conclusion of no likelihood of hindering the conservation objectives of Fylde MCZ, which has been designated for subtidal sand and subtidal mud. It is our opinion that the impact on Fylde MCZ will be long term and will alter the extent of the physical attributes and distribution of biological communities supported by these features.</p> <p>Natural England advise that every effort should be made to reduce the impacts through the adoption of robust mitigation measures, including commitments to remove</p>		The Applicants welcome the resolution of this issue at Deadline 3.	No further update due to resolution at D3.		N/A

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Taken from NE's Relevant and Written Representations						
Morgan and Morecambe Transmission Assets - Principal Areas of Disagreement Summary Statement (PADSS)						
	<p>infrastructure at the decommissioning phase.</p> <p>Natural England advise that the MCZ assessment should proceed to a stage 2 assessment and provide a without prejudice MEEB case.</p> <p>Unless the Applicant's position changes, it is unlikely that there will be agreement between the Applicant and Natural England during examination on this issue.</p>					

## 2.8.2 DCO and dMLs

**Table 2.19: Responses to questions regarding the DCO and dMLs.**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants comment at Deadline 5	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
RI_A1	The definition of commence and offshore preparations works within the DCO and all three DMLs must be amended by the Applicant to exclude all works except pre-construction surveys to inform the construction plans and mitigation.					
RI_A2	Due to the increasing complexity of construction of large offshore works, we advise that six months is considered an appropriate period prior to construction, not four months as stated in Schedule 14 and 15 Part 2 Condition 19(10, [APP-005].					
RI_A3	The definition of 'maintain' within the DCO and schedules 14-17 of the deemed Marine Licences (dML) restricts work that is materially different or has materially different impacts. The Applicant should amend the wording to ensure maintenance works do not lead to impacts in excess of those assessed within the ES.					

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RI_A4	The Applicant should remove the definition of Natural England in Article 2 (1) [APP-005] and replace with a definition of Statutory Nature Conservation Body (SNCB), all references to Natural England throughout the DCO and DML (and Schedules) should be amended to state the relevant SNCB.					
RI_A5	The Applicant should amend [APP-005] Schedule 2A Table 3 of the DCO to include maximum number and size of UXOs to remove using high order detonations. This should also be updated in Schedule 2B table 4 and in Schedules 14 and 15. If the information required to undertake a full assessment is not yet available, UXO clearance should not be included as a licensed activity in the DCO - a standalone Marine Licence should be sought post-consent from the MMO.		The Applicants updated Condition 20 in Schedule 14 and Schedule 15 of the draft DCO (REP4-007) at Deadline 1 to include a limit on the permitted number of low order UXO clearances. It is the Applicants' position that to add these limits into Schedules 2A and 2B would be unnecessary duplication and cause confusion at the point of discharge of the requirements/DML conditions as they will take place wholly within the area within the MMO's jurisdiction and therefore covered by the dML. It is sufficiently robust to	No change.		The Applicants' position remains as set out at Deadline 4 (see REP4-100)

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants comment at Deadline 5	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
			secure these limits within the deemed marine licences, which also avoids any programme delivery risk where, for example, permission for clearance of an additional UXO was required: limits secured within the deemed marine licences (DML) would require a marine licence variation, but limits set out in the DCO would require a material or non-material variation to the DCO, which is not a prescribed process and generally take 12 months or significantly longer. Securing limits on numbers of UXO for clearance within the DMLs is sufficient and appropriate. The Applicants note that neither the ExA nor the SoS imposed limitations on the number of low order UXO clearances within the Requirements in the recently consented Morgan Generation DCO (instead			

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			securing that this is agreed under condition 23 of DML1).			
RI_A6	The Applicant has committed to Biodiversity Net Gain (BNG), but has not included it as a DCO requirement. The Applicant should include a requirement that secures the delivery and maintenance of BNG as a matter of good practice.					
RI_A7	Micro-siting around features of conservation importance, such as reef of Annex I quality, is a standard mitigation. We request that the requirement to consider micro-siting around features of conservation importance be secured within the DMLs, as it is currently with respect to archaeological interest features.		The Applicants understand this matter is now closed.			
RI_A8	a) Natural England requests that a condition to secure an updated Offshore Operations and Maintenance Plan (OOMP) be included, we note this is a standard condition of most OWFs. b) Additionally, it should be stipulated within the OOMP that cable protection may only be deployed under this consent for a period of ten years post-construction		The Applicants' position remains as set out at Deadline 4 (see REP4-100) and the Applicants await feedback from Natural England at Deadline 5 as to whether the updates made to the Outline Offshore Operations and Maintenance	No change.		(a) Condition 11(3) within the draft DCO (REP5-101) secures submission of an OOMP in accordance with the outline OOMP, therefore the Applicants anticipate this point is resolved.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants comment at Deadline 5	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
	outside of Fylde MCZ, and no deployment of cable protection during O&M within Fylde MCZ. Any additional cable protection within Fylde MCZ will require a new Marine Licence.		Plan at Deadline 4 (REP4-072) addressed the outstanding matters.			<p>(b) The Applicants updated the Outline OOMP at Deadline 4 (REP4-072) to secure limitations on the deployment of cable protection inside and outside the Fylde MCZ to 10 years and two years respectively (or the extent of the marine licensable activity (whichever is first)). As the Outline OOMP is secured by Condition 11(3) of Schedules 14 and 15 of the draft DCO (REP5a-018), the Applicants consider that these measures are appropriately secured in the DCO.</p> <p>Natural England's Advice on the Outline OOMP [REP4-073] does not comment on the 10 year limitation outside the Fylde MCZ, therefore the Applicants assume that this is acceptable to Natural England. Within the MCZ, Natural England advise that cable/scour protection should be deployed during the</p>



ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants comment at Deadline 5	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
						construction phase, Natural England advise there will be requirement for a greater number of benthic monitoring locations / expanded monitoring periods to mitigate for instances where additional rock protection placed within the 2-year period overlaps or has potential to impact the recovery monitoring locations. Given Natural England's advice, the Applicants assume that the cable / scour deployment periods inside the Fylde MCZ are also acceptable.
RI_A9	Schedule 14 and 15 Part 2 Condition 20 relates to the detonation of UXOs, however there is no mention within this condition of securing the use of Noise Abatement Systems (NAS). Amend the condition to include the need to consider the use of NAS.					

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RI_A10	Schedule 14 and 15 Part 2 Conditions 24, 25 and 26 do not include any of the detailed ecological monitoring required, except for monitoring during construction piling. We would expect benthic surveys to be conducted to identify any features of conservation importance. We would also expect post-construction monitoring to be secured for any features of conservation importance identified in the pre-construction surveys that are predicted to be impacted by construction, in order to monitor their recovery. The Applicant should update the monitoring conditions to secure these.		The Applicants' position remains as set out at Deadline 4 (see REP4-100) and the Applicants await feedback from Natural England at Deadline 5 regarding the commitments to pre and post-construction monitoring for spatial and temporal recoverability of benthic communities and of the potential colonisation by Invasive Non-Native Species (INNS) following construction activities within the Fylde MCZ secured in the updated Offshore In Principle Monitoring Plan submitted at Deadline 4 (REP4-074).	No change.		The Applicants' position remains as set out at Deadline 4 (see REP4-100). The Offshore In Principle Monitoring Plan was updated at Deadline 4 to include for benthic monitoring and monitoring of INNS. Condition 24(1) 'Pre-construction monitoring and surveys' of Schedule 14 and 15 of the draft DCO (REP5a-018) states that <i>"The undertaker must, in discharging condition 18(1)(d) submit a monitoring plan or plans in accordance with the offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must contain details of proposed monitoring and surveys, including methodologies and timings, and a proposed</i>

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						<p><i>format and content for a pre-construction baseline report".</i></p> <p>Additionally, Condition 26(1) states that <i>"The undertaker must, in discharging condition 18(1)(d) submit details (which accord with the offshore in principle monitoring plan) for approval in writing by the MMO in consultation with relevant statutory nature conservation bodies of proposed post-construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results."</i></p> <p>Therefore, details of benthic monitoring are secured in the Offshore IPMP and preparation of the offshore Monitoring Plan, in accordance with the Offshore IPMP for approval by the MMO in consultation with the statutory nature conservation</p>

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants comment at Deadline 5	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
						body are secured in conditions 24 and 26 of Schedule 14 and 15 of the draft DCO. The Applicants trust that this allows for resolution of this matter.
RI_A11	The recent SoS decision for Sheringham and Dudgeon Extensions Project (SADEP) approved Condition 20 in Schedules 10 and 11 of SADEP DCO based on a recommendation from Natural England and the MMO for particular impacts requiring remediation or further mitigation works. Natural England advises that a similar condition should be included within all offshore wind dMLs.		The Applicants have updated the Offshore In Principle Management Plan at Deadline 5 (J20/F04) to incorporate and secure adaptive management. Reference to adaptive management has not been included in the updated draft DCO submitted at Deadline 5 (C1/F07) to maintain alignment with the recently made Morgan Offshore Wind Project Generation Assets Order.	No change.		<p>The Applicants refer to their previous response to this point at REP4-1000 and to their response at REP3-056 to the Examining Authority's Written Question 2.5.1 where the Applicants state that it is unlikely full agreement will be reached on this matter.</p> <p>However, as per the Applicants' response to RI_A10 above, Conditions 24(1) and 26(1) in Schedule 14 and 15 of the draft DCO (REP5a-018) secure the approval of the offshore Monitoring Plan (in accordance with the Offshore IPMP) by the MMO in consultation with the statutory nature conservation body.</p>

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RI_A12	Offshore emergency works have not been clearly defined by the Applicant within the outline OOMP or the DCO. We advise that the Applicant should define 'offshore emergency works' in the DCO/dML and this definition should be updated within the outline OOMP. The MMO's guidance on emergency works offshore should be followed and referred to within the Application.		The Applicants' position remains as set out at Deadline 4 (see REP4-100) and await feedback from Natural England at Deadline 5 regarding the amendment made to the Outline Offshore Operations and Maintenance Plan at Deadline 4 (REP4-072).	No change.		The Applicants have updated the Outline OOMP at Deadline 4 (REP4-072) to clarify that reference to offshore emergency works refers to cable repair or the reburial of cables that have become exposed and which could present a risk to navigation, both of which are included in Table 1.1 of the updated Outline OOMP. The Outline OOMP is secured as set out at RI_A8 above. The Applicants trust that this allows for resolution of this matter.
R1_A13			Noted with thanks. The Applicants consider this matter to be closed.			

## 2.8.3 Physical Processes

**Table 2.20: Responses to questions regarding Physical Processes**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
RI_B1	<p>a) There is uncertainty regarding the likely success of the Direct Pipe Trenchless Technique. Further details on the Direct Pipe Trenchless Technique, associated infrastructure, and the sediment geology, is required to be able to fully assess the potential impacts on coastal processes at the landfall.</p> <p>b) An outline contingency plan should be developed, and the worst-case should be assessed and included within the relevant Application documents i.e. cable installation failure when using the Direct Pipe Trenchless Technique.</p>		<p>The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the landfall and to include reference to all new commitments made at previous deadlines.</p>	<p>No change.</p>		<p>The Applicants updated Volume 2, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the landfall and to include reference to all new commitments made at previous deadlines.</p> <p>The Applicants await Natural England's response to the updated chapters submitted at Deadline 5 and trust that this allows for resolution of this matter.</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
RI_B2	There is currently no commitment to the removal of cable/scour protection at end of project life (decommissioning). Natural England advises that a commitment to remove all on and above seabed infrastructure associated with the development within benthic designated sites (excluding cable crossings) at the time of decommissioning should be secured in the DCO, to prevent permanent impacts to marine physical processes. Without a commitment in the DCO, the worst-case scenario should assess the impacts of leaving assets permanently in situ. It is also noted that leaving cable protection on the seabed even outside of designated sites is not aligned with OSPAR		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all new commitments made at previous deadlines.	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO at Deadline 4. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde MCZ. We maintain our original position which is that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		See the Applicants' response to NE4 (PADSS).
RI_B3	a) There is currently insufficient information on the anticipated		The Applicants have updated Volume 2, Chapter 1: Physical	No change. We acknowledge and welcome that the intention		The Applicants updated Volume 2, Chapter 1: Physical

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	<p>location, extent and design of cable protection measures placed along the Export Cable Corridor (ECC). Further information should be provided on location, extent and design of cable protection measures for us to advise on the potential impacts of cable protection on sediment transport pathways, particularly within Fylde MCZ .</p> <p>b) Further consideration within the assessments should be given to changes to sediment transport processes and seabed morphology due to the placement of cable protection measures at these locations. This should be updated within the relevant Application documents.</p> <p>c) Further options to minimise/mitigate impacts from cable protection on physical processes should be explored.</p>		<p>processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the landfall and to include reference to all new commitments made at previous deadlines.</p>	<p>is for the Applicant to bury the cables. However, we maintain our position that a commitment should be made to avoid or minimise cable protection between MLWS and the Depth of Closure. If such a commitment can't be made, further detail on; location, height, volume, orientation and type of cable protection between MLWS and the Depth of Closure should be provided to fully inform the assessment on sediment transport processes.</p>		<p>processes (REP5-030) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the landfall and to include reference to all new commitments made at previous deadlines. These include commitments and measures outlined in the CSIP (REP5-077) which avoid or minimise the use of cable protection in the nearshore. The Applicants trust that this allows for resolution of this matter.</p>



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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
RI_B4	<p>a) We note that limited mitigation in relation to physical processes or benthic receptors during sandwave and boulder clearance has been proposed and further consideration should be demonstrated.</p> <p>b) Natural England advises that impacts to priority habitats under Section 41 of the NERC Act 2006 are avoided and due consideration is demonstrated. We advise that relevant Application documents should be updated accordingly and this is secured within the DCO/DMLs.</p>		<p>The Applicants' have demonstrated how impacts have been minimised as much as possible within RR-1601.44 of their response to Natural England (PDA-014) and RR-1601.C.4 of their response to Natural England – Appendix C (PDA-017). Similarly regarding sandwave clearance and boulder clearance in RR-1601.B 1601.B.4 and 1601.B.15 – Appendix B (PDA-016) respectively with specific reference to physical processes.</p> <p>The Applicants also set this out in full in their response to NE6 in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) including all new commitments made at Deadline 4.</p> <p>Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and Volume 1,</p>	No change. Please see updates to Appendix B5 to our Deadline 5 response to ExQ2 7.2.4		<p>Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034) and Volume 1, Chapter 1: Physical processes (REP5-030) have been updated at Deadline 5 to include the new commitments made at Deadline 4.</p> <p>The Applicants have responded to Natural England's response to ExQ2 7.2.4 in Applicants' Response to IPs' submissions at Deadline 6 (section 2.7 above).</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
			Chapter 1: Physical processes (F2.1/F02) have been updated at Deadline 5 to include the new commitments made at Deadline 4.			
RI_B5	We advise that the Applicant adequately considers the potential for a four-year gap between the completion of the first project (i.e. Morgan) and the commencement of the second (i.e. Morecambe) for 'Construction Scenario 3b'. We advise the MDS is updated within the Project Description and relevant Chapters to account for this, taking into consideration the potential for the recovery of seabed species and habitats resulting in outdated baseline data. We also advise that the relevant impact assessments are updated and outcomes taken account of in named plans.		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines including information outlining the justification of the concurrent scenario as the MDS for physical processes rather than the sequential scenario.	No change.		The Applicants updated Volume 2, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines including information outlining the justification of the concurrent scenario as the MDS for physical processes rather than the sequential scenario.  The Applicants await Natural England's response to the updated chapters submitted at Deadline 5 and trust that this

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
						allows for resolution of this matter.
RI_B6	<p>It is not clear that the 9% and 10% total cable corridor values for sandwave clearance and cable protection respectively refer to the MDS requirements for each of the individual 6 cables (noting that each will have its own trench) or collectively. Similarly, clarity on the MDS specifications within and outside the Fylde MCZ should be provided.</p> <p>We advise that the MDS for construction and cable protection footprints are reviewed and updated where necessary across all ES chapters and named plans. And specific areas and volumes included for cable protection within and outside Fylde MCZ on the DCO/dML</p>		Resolved at Deadline 3			
RI_B7	Natural England requires a plan showing the location of the		Resolved at Deadline 3			

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	proposed exit pits and Transmission Joint Bays (TJB) within the Application documents to be able to fully advise on the potential impacts of cabling under Lytham St Annes Dunes SSSI and St Annes Old Links Golf Course BHS.					
RI_B8	Natural England notes that the MDS for Pre-Lay Grapnel Run (PLGR), Unexploded Ordnance (UXO) clearance and boulder clearance have not been fully assessed within the ES Chapters. It is stated in the documents that "this is to prevent double counting of the seabed footprint parameters". However, there is no certainty that these activities will be undertaken at the same time or within the same footprint as the other site preparation activities especially the relocation of boulders. We advise the MDS		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines including information presented in these responses regarding UXO, pre-lay grapnel run and boulder clearance.	In progress. We note the Applicant's comment in [REP4-100] which states that additional information in relation to disturbance footprints for sandwave clearance, boulder clearance, UXO clearance and pre-lay grapnel run will be submitted in the relevant updated ES chapters at Deadline 5. We will therefore revisit this matter once the Applicant has submitted the relevant information into Examination.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5 and trust that this allows for resolution of this matter.

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	figures for each of these activities should be presented in the Project Description and all other relevant chapters in line with Natural England's Best Practice Guidance Phase III.					
RI_B9	We note that the MDS for sandwave clearance and seabed preparation is 1,426,900m3. However, this has not been broken down any further into individual activities, location, nor has a sandwave clearance impact width and length been provided and assessed. Natural England advises that the Applicant provides all the parameters associated with sandwave clearance and seabed preparation and the tools to be used for sandwave levelling to ensure the MDS and WCS have been assessed. This information should be included and updated within		The Applicants have updated the Outline Cable Specification and Installation Plan (J15/F03), Volume 1, Chapter 3: Project description (F1.3/F04), Volume 2, Chapter 1: Physical processes (F2.1/F02) and the Dredging and disposal - site characterisation plan (J22/F02) at Deadline 5 to remove reference to 'dredging' as a sandwave clearance method in the Fylde MCZ.	No change. We note the Applicant's comment in [REP4-100] and we maintain our initial comment in our Relevant Reps. It remains unclear how the sandwave spoil volume calculation was derived, with [REP4-100] repeating what is written in the ES Chapter i.e. 'Morgan: sandwave clearance along 9% of 400km with a width of 60 m equates to a total spoil volume of 1,080,000m3. Morecambe: sandwave clearance along 9% of 84 km with a width of 48 m. This equates to a total spoil volume of 346,800 m3.' This does not		The Applicants had not appreciated that Natural England wanted full calculation for prediction of sandwave clearance spoil volume. The spoil volumes assessed have been informed by the results of initial surveys (multi-beam echo sounder, side scan sonar, magnetometer, sub-bottom profiler, geotechnical and environmental surveys) to provide an initial analysis of the bathymetry, soils and seabed features. These have been applied in conjunction with the location and requirements of

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	the ES Chapter and/or relevant named plan.			provide any further insight into the total spoil volume calculation. For example, there is no information on how the area of sandwaves within the corridor and depth of material that needs to be removed has been taken into consideration. This is important ecological context as it provides further detail around sandwave/seabed mobility in the corridor which many of our comments relate to.		<p>each of the Transmission Assets.</p> <p>The Applicants are confident that the total spoil volumes assessed are correct and realistic. Further, the Applicants acknowledge that it is the Applicants' responsibility to satisfy themselves that the Transmission Assets can be constructed within the parameters specified within the DCO, and that they will need to adhere to those values and the MDSs assessed within the EIA.</p> <p>The parameters of principal importance in the context of the physical processes assessment relate to the breach width, the underlying sediment transport regime (mobile bed sediment features versus geological features) and the availability of material to</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix B - Physical Processes						
						<p>support sandwave recovery. These parameters have been provided and applied within the assessment. The total spoil volume is of less significance in this context for the understanding of the effects of individual sandwave clearance activities.</p> <p>The Applicants have however provided the MDS for length of and width of sandwave clearance in Table 1.14, Volume 2, Chapter 1: Physical processes (REP5-030). Noting that sandwaves are most prevalent within the Morgan Offshore Wind Project: Generation Assets where sandwave heights can be up to 5 m at the bedforms crest. It is also noted that sandwaves are less prevalent and of smaller magnitude where then occur in shallower water (typically less</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
						<p>than 1 m), giving rise the reduced volume associated with Morecambe Offshore Windfarm Transmission Assets.</p> <p>Additionally, the Applicants updated the Outline Cable Specification and Installation Plan (REP5-077), Volume 1, Chapter 3: Project description (REP5-024), Volume 2, Chapter 1: Physical processes (REP5-030) and the Dredging and disposal - site characterisation plan (REP5-081) at Deadline 5 to limit sandwave clearance methods in the Fylde MCZ to Controlled Flow Excavator only.</p>
RI_B10	Natural England advises that further assessment of the feasibility of the following cable installation tools: ploughing, jetting, mechanical cutting in		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications	No change.		The Applicants updated Volume 2, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all additional



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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	shallow waters is required to support the worst-case scenario assessment for nearshore cable installation.		provided in submissions at previous deadlines to address Natural England's comments relating to the feasibility of cable installation in shallow waters.			<p>clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the feasibility of cable installation in shallow waters.</p> <p>The Applicants await Natural England's response to the updated chapters submitted at Deadline 5 and trust that this allows for resolution of this matter.</p>
RI_B11	<p>a) Natural England advises that the worst case impacts from UXO clearance in relation to marine processes, including recovery is further assessed.</p> <p>b) Whilst the Applicant has stated UXO clearance activities may take place within Fylde MCZ; we advise that UXOs should be moved outside of the MCZ prior to detonation. The Applicant should</p>		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to UXO clearance.	No change. Our response at Deadline 4 is also applicable here.		The Applicants updated Volume 2, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to UXO clearance.

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	demonstrate why they have not committed to this mitigation. This information should be included and updated within the ES Chapter and/or relevant named plans.					The Applicants await Natural England's response to the updated chapters submitted at Deadline 5 and trust that this allows for resolution of this matter.
RI_B12	We advise that further information is provided by the Applicant on how seabed mobility has been considered with regards to cable protection requirements and locations in relation to this specific Application. This should be updated and included within the ES chapters (including those relating to landfall) and in the Outline CSIP.		<p>The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments.</p> <p>The Applicants also submitted an Outline Landfall Construction Method Statement (AS-081) as an Additional Submission which was accepted at the discretion of the Examining Authority.</p>	In progress. The Applicant has submitted the requested 2023 ABPmer report into Examination. However, our concerns around lack of detail on location, extent and design of cable protection measures still remain, please see RI_B3.		Please see the Applicants' response to RI_B5.
RI_B13	It is unclear what the potential impacts may be for intertidal Direct		The Applicants have submitted an Outline Landfall Construction	In progress. It is noted and welcomed that the Applicant has		The Applicants await Natural England's response to the

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	Pipe installation, trenching, and temporary infrastructure (e.g. cofferdams) on seabed and coastal morphology, and how recovery of the landfall location will be secured. Natural England advise that (a) the Applicant should consider and assess all potential impacts to seabed morphology that may arise due to trenchless landfall works during the lifetime of the Projects. Including size and duration of installation of cofferdams and potential disruption to coastal processes. And (b) produce an Outline Landfall Method Statement and secure this in the DCO/dMLs. Natural England also advises further information is needed about the location of the export cables across the beach.		Method Statement (AS-081) as an Additional Submission which was accepted at the discretion of the Examining Authority.	submitted an outline landfall construction method statement [AS-081] into Examination. We welcome the inclusion of further information on direct pipe installation, the size of the cofferdams and indicative locations of cofferdams and export cables across the intertidal area. We look forward to sight of the updated ES chapter at Deadline 5.		updated chapters submitted at Deadline 5 and trust that this allows for resolution of this matter.
RI_B14	It is unclear in [APP-042] 1.10.4.1 what is meant by 'foreign		The Applicants have updated Volume 2, Chapter 1: Physical	Resolved. This specific point has been clarified by the		Resolved at Deadline 5

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
	material'. Natural England advises that the Applicant secures a commitment that no foreign material will be placed above the surface (winter beach levels), which could potentially interfere with sediment transport pathways. We advise that this is also secured in the DCO/DMLs.		processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the landfall and to include reference to all new commitments made at previous deadlines.	Applicant with the inclusion of CoT133 at Deadline 4 which states no cable protection shall be permanently deployed between MLWS and MHWS. However, our concerns with regards to nearshore sediment transport impacts from cable protection in the nearshore (i.e. MLWS to the Depth of Closure) remain, please also see RI_B3).		
RI_B15	Whilst we recognise that several cable protection types have been presented, no commitment to using a specific cable protection has been made. Natural England advises the selection of cable protection should favour those engineering options which reduce potential impacts to marine processes and have the greatest likelihood of successful removal at decommissioning.		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all new commitments made at previous deadlines.	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO at Deadline 4. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde MCZ. We maintain our original position which is that all on and above seabed infrastructure (including		Please see the Applicants' response to NE4 (PADSS).

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
				cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		
RI_B16	Natural England advises that an outline Construction Method Statement and outline CSIP are provided/updated as part of the consenting stage to demonstrate that the WCS has been assessed, and any predicted impacts can be sufficiently mitigated.		<p>The Applicants have submitted an Outline Landfall Construction Method Statement (AS-081) as an Additional Submission which was accepted at the discretion of the Examining Authority.</p> <p>The Applicants have updated the Outline Offshore Cable Specification and Installation Plan (J15/F03) at Deadline 5 to limit sandwave clearance methods in the Fylde MCZ to Controlled Flow Excavator.</p>	In progress. It is noted and welcomed that the Applicant has submitted an outline landfall construction method statement [AS-081] and outline onshore CMS [REP4-115] into Examination. It is our understanding that the Applicant intends on making updates to several documents at Deadline 5, therefore we will provide our final position on this matter at the following Deadline. We have provided comments on the outline landfall construction		The Outline Landfall Construction Method Statement has been updated at Deadline 6 (S_D4_22/F03) to address Natural England's comments. See also the Applicants' response to Appendix B (section 2.2 above) and Appendix G5.3 (section 2.5 above).

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
				method statement in Appendix B5 and Appendix G5.3.		
RI_B17	Natural England advises that surveys of the recoverability of the seabed, with a focus on sandwave reformation are undertaken to confirm predictions of recovery rates, and monitoring of the impacts of construction activities outside of Fylde MCZ on geomorphological receptors should be included for consideration in the Offshore In Principle Monitoring Plan (OIPMP).		<p>The Applicants would highlight that the OIPMP was updated at Deadline 4 (REP4-075), to include a new commitment to benthic community recovery specific monitoring in the Fylde MCZ through pre and post construction benthic community sampling to monitor for temporal and spatial recovery and of the potential colonisation by Invasive Non-Native Species (INNS) following construction activities within the Fylde MCZ.</p> <p>The Applicants have also updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address</p>	No change. We note the Applicants comment in [REP4-100]. Our comment at Deadline 3 is also applicable here.		<p>The Offshore In Principle Monitoring Plan (IPMP) submitted with the Application for Development Consent includes for monitoring of impacts to sediment transport and sediment transport pathways due to presence of infrastructure and associated potential impacts to physical features and bathymetry.</p> <p>At Deadline 6 the Applicants further updated the Offshore IPMP to specifically include for monitoring of sandwave recovery though comparison of pre and post-construction geophysical data. The Applicants trust that this allows for resolution of this matter.</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
			Natural England's comments relating to the nearshore environment and landfall and to include reference to all new commitments made at previous deadlines.			
RI_B18	Natural England do not agree with the Applicants conclusion of no likelihood of hindering the conservation objectives of Fylde MCZ which has been designated for subtidal sand and subtidal mud. Natural England consider that any placement of scour prevention/cable protection has the potential to disrupt sediment process which could disrupt marine processes and have a lasting impact on interest features over the lifetime of the project and beyond which is potentially irreversible.		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the nearshore and Fylde MCZ and to include reference to all new commitments made at previous deadlines.	No change.		The Applicants have updated Volume 2, Chapter 1: Physical processes (REP5-030) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the nearshore and Fylde MCZ and to include reference to all new commitments made at previous deadlines.  The Applicants await Natural England's response to the updated chapters submitted at

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
						Deadline 5 and trust that this allows for resolution of this matter.
RI_B19	Natural England advises that the Project is likely to cause lasting impacts on benthic features within Fylde MCZ. Natural England have provided further advice on Fylde MCZ in Appendix I.		Resolved at Deadline 2			
RI_B20	We note that the physical processes assessment for Morgan and Morecambe Transmission Assets was undertaken using a conceptual modelling approach, based off of Mona Offshore Wind Project. The Applicant has stated this is due to the Transmission Assets being located within the same geological formation as the Mona offshore export cable. Ideally, project specific numerical modelling of the impacts of cable protection in isolation should be undertaken to inform in-		The Applicants provided the additional information requested by Natural England in their response to ExA Q7.1.6 in the Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP4-100) submitted at Deadline 4. Furthermore, an updated Volume 2, Chapter 1: Physical Process has been submitted at Deadline 5 (F2.1/F02) to include this data and provides sufficient detail on	No change,		The Applicants updated Volume 2, Chapter 1: Physical Process at Deadline 5 (REP5-030) to include sediment type and cable installation information and provide sufficient detail on the location and design of the cables and associated protection to determine that impacts for sediment transport pathways, including the pathway into the Ribble Estuary, are of negligible to minor significance



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	combination assessments for future projects.		<p>the location and design of the cables and associated protection to determine that impacts for sediment transport pathways, including the pathway into the Ribble Estuary, are of negligible to minor significance which is not significant in EIA terms.</p> <p>The Outline CBRA (APP-219) and the Outline CSIP (REP2-022) confirms that due to the sediment type and depth found in the nearshore area extending to the Depth of Closure and the Fylde MCZ (i.e. predominantly sand and mud), traditional burial techniques are suitable to achieve the target burial depths and commitment CoT54 (REP4-018) identifies that cable burial is the preferred option for cable protection where practicable. It is therefore not anticipated that external cable protection would be required in the nearshore and</p>			<p>which is not significant in EIA terms.</p> <p>The conceptual approach was agreed with MMO, Cefas, Environment Agency and Natural England through the consultation processes via the Benthic Ecology, Fish and Shellfish and Physical Processes Expert Working Group Meetings (APP-190). As outlined during the consultation process and in Volume 2, Chapter 1: Physical processes (REP5-030), Table 1.6 and Section 1.9.5, the conceptual approach did not rely solely on Mona OWF project but also included a range of studies such as Morgan Generation EIA and modelling study (which included modelling of cable protection and was supplied in Volume 2, Annex 1.1 Physical processes</p>

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			<p>this is to be confirmed by pre-construction surveys.</p> <p>The Applicants also note that the conceptual approach was supported by a number of appropriate studies and modelling campaigns including detailed project specific morphological seabed study (included assessment of historical datasets and modelling (ABPmer 2023). The Applicants have submitted the ABPmer report (Annex to Applicants response to MMO and NE submission at Deadline 3: Assessment of Seabed Level Vertical Variability for Morgan Offshore Wind Farm - Appendix C) regarding the beach levels that underpin the assessment of the intertidal bed level trends (REP4-122) to support the information provided in the</p>			<p>associated modelling studies – Part 2 of 2 (APP-044)), Awel y Môr Offshore Wind Farm (modelling study and EIA) along with detailed project specific morphological seabed study (included assessment of historical datasets and modelling (ABPmer 2023)).</p> <p>In terms of baseline conditions, the Morgan Generation modelling study included the full Transmission Assets study area. The Morgan Generation model was used to determine the tidal excursion for suspended sediment plumes related to the Transmission project. The project description for both Morgan Generation and Mona OWF and also the Transmission Assets comprised of the same MDS parameters for cable trenching, cable protection, seabed</p>

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<b>Risk and Issues Log Deadline 1 – Physical Processes</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix B - Physical Processes</b>						
			Outline CBRA (APP -219) and the Outline CSIP (REP2 - 022).			<p>preparation techniques and cable installation techniques owing to same ground conditions.</p> <p>Modelling for Morgan Generation included cable trenching and the influence of cable protection in areas directly adjacent to the offshore extent of the Transmission Assets and were therefore directly comparable. In terms of the similarities between Transmission Assets and the Mona OWF export cable which was used to inform the assessment - at both sites:</p> <ul style="list-style-type: none"> <li>• Cables run to landfall from an offshore water depth of 50m</li> <li>• Similar tidal flow – for example, peak tidal offshore currents are circa 1.0m/s during spring tides</li> </ul>

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						<p>with currents of 0.4 m/s running along the coastline in the nearshore area</p> <ul style="list-style-type: none"> <li>• Similar wave climate – for example, wave climates vary from a significant wave height of 6.5m offshore to 4m nearshore during a 1:20 year event</li> <li>• Seabed sediments range from gravelly sand to finer sediment with predominantly sand in nearshore areas.</li> </ul> <p>Although the orientation of the coastline differs between Mona OWF landfall and Transmission Assets the sites experience a similar range of wave climates and nearshore current directions relative to the coastline. For these reasons the conceptual approach was adopted for use</p>

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						in the physical processes assessment.

## 2.8.4 Benthic Subtidal and Intertidal Ecology

**Table 2.21: Responses to questions regarding Benthic Subtidal and Intertidal Ecology**

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
RI_C1	Natural England advises that there are a number of potential impacts both on intertidal and subtidal benthic habitats which have not been adequately considered or assessed within the Environmental Statement (ES). The specifics of which are included in the points within this worksheet.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the MDS.	In progress. Our comment at Deadline 4 also applies here.		The Applicants updated and submitted Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034) and the MCZ Screening and Stage 1 Assessment Report (REP5-022) at Deadline 5 to include all additional clarifications/justifications and new commitments provided in submissions at previous deadlines to address Natural England's comments relating to the MDS. The Applicants trust this this will allow for resolution of this matter.
RI_C2	Natural England is concerned that MDS parameters are for cable protection to be installed at any point through the lifetime of the Project (including Operation and Maintenance), rather than the amount that will be required		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment	In progress. We note the Applicant's comment in [REP4-100] which states that additional information will be submitted in the relevant updated ES		Regarding the update to the Outline Offshore Operations and Maintenance Plan (OOMP) at Deadline 4 (REP4-072) to include for deployment of cable protection limited to the first 2 years of the O&M phase / extent

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
	for the construction phase alone. Natural England advises that additional detail is needed on how the potential for the addition of further cable/scour protection during the O&M phase has been considered, and what proportion of the Maximum Design calculations for cable/scour protection the O&M requirements account for both within and outside of the MCZ.		<p>Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.</p> <p>The Applicants await feedback from Natural England on the commitments made at Deadline 4 relating to temporal limits on deployment of cable protection inside and outside the Fylde MCZ during the operations and maintenance phase (updated Outline Offshore Operations and Maintenance Plan, REP4-072), and commitment to no cable protection between MLWS and MHWS in the intertidal area (CoT133 in REP4-018).</p>	chapters at Deadline 5. We will therefore revisit this matter once the Applicant has submitted the relevant information into Examination.		<p>of the marine licensable activity (whichever is first), the Applicants note Natural England's comments that, if for any reason this approach is demonstrated to be impracticable, Natural England advises that there will be requirement for a greater number of monitoring locations / expanded monitoring periods to mitigate for instances where additional rock protection placed within the 2-year period overlaps or has potential to impact the benthic recovery monitoring locations.</p> <p>The Applicants acknowledge this and consider that this can be implemented via the adaptive management approach, as outlined in the updates to Offshore IPMP at Deadline 5 (REP5-079). This can also be managed via the detailed benthic monitoring plans to be developed post-consent (should consent be granted). For example through</p>

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
						inclusion of sufficient control and impact monitoring stations at the outset to ensure robustness of design if selected stations are later impacted by cable protection placed within the 2 year post-construction period (i.e. ensuring enough redundancy in the monitoring design).
RI_C3	a) Natural England advises that the Project is likely to cause lasting impacts on benthic features within Fylde MCZ and that the sites 'maintain' conservation objectives will be hindered. b) Every effort should be made to reduce the impacts through the adoption of robust mitigation measures, including commitments to remove infrastructure at the decommissioning phase. c) We advise that the MCZ					



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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
	assessment should proceed to a stage 2 assessment and a without prejudice MEEB case provided.					
RI_C4	Natural England advises that impacts to priority habitats under Section 41 of the NERC Act 2006 are avoided and where that is not possible due consideration is demonstrated. Particular consideration should be given to those which are most sensitive and/or listed as threatened/in decline under OSPAR.		Please see the Applicants' response to NE6.	No change.		See the Applicants' response to NE6 (PADSS).
RI_C5	Natural England strongly advises that a commitment to remove all infrastructure associated with the development at decommissioning is secured in the DCO. This should be provided in an Outline Decommissioning Plan should also be provided as part of the consent phase to detail the approach to decommissioning.		The Applicants provided a detailed response to this matter in response to Natural England's response to ExQ1 and question 7.1.5 in particular (REP4-100).  The Applicants have also updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO at Deadline 4. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde		See the Applicants' response to NE4 (PADSS).

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
			Stage 1 Assessment Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.	MCZ. We maintain our original position which is that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		
RI_C6	Natural England notes that the Applicants current EIA assessment fails to consider or assess the potential pressures and impacts on the supporting benthic habitats for Special Protection Area (SPA) features, including Liverpool Bay SPA. Full consideration is required to inform a robust assessment of the likely impacts upon designated ornithological features.		The Applicants have updated the relevant sections of the Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments at Deadline 5 (E2.3/F02) to include the additional clarifications information	No change. Our comment at Deadline 3 is also applicable here.		The Applicants have updated the HRA Stage 2 ISAA Part 3 (REP5-21) and submitted the revised version at Deadline 5. The Applicants await Natural England's response to this updated document, which the Applicants trust resolves this matter.

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
			included in submissions at previous deadlines.			
RI_C7	We advise that the Applicant adequately considers the potential for a four-year gap between the completion of the first project (i.e. Morgan) and the commencement of the second (i.e. Morecambe) for 'Construction Scenario 3b'. We advise the MDS is updated within the Project Description and relevant Chapters to account for this, taking into consideration the potential for the recovery of seabed species and habitats resulting in outdated baseline data. We also advise that the relevant impact assessments are updated and outcomes taken account of in named plans.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology at Deadline 5 (F2.2/F02) to include information outlining the justification of the relevant construction scenario for each impact pathway.	No change.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology at Deadline 5 (REP5-034) to include information outlining the justification of the relevant construction scenario for each impact pathway, which the Applicants trust resolves this matter.
RI_C8	It is not clear that the 9% and 10% total cable corridor values for sandwave clearance and cable protection respectively refer to the MDS requirements for each of the individual 6 cables					

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	(noting that each will have its own trench) or collectively. Similarly, clarity on the MDS specifications within and outside the Fylde MCZ should be provided. We advise that the MDS for construction and cable protection footprints are reviewed and updated where necessary across all ES chapters and named plans. And specific areas and volumes included for cable protection within and outside Fylde MCZ on the DCO/dML					
RI_C9	Natural England notes that the cable protection types listed within the design envelope (Table 3.7) appear to be contradictory to the commitment for all cable protection to be removable from an environmental perspective. Due consideration should be given to the nature of the cable protection used and should favour those engineering options with the greatest likelihood of successful removal, from an		Please see the Applicants' response to RI_C5 above.	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO at Deadline 4. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde		Please see the Applicants' response to PADSS NE4.

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	environmental perspective, at the Projects' end of life.			MCZ. We maintain our original position which is that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		
RI_C10	a) Natural England advises that clarity is provided within the Application documents on the likely impacts from using Direct Pipe cable installation techniques. We advise that the following is provided and updated within the Application documents: - Scour protection requirements at the direct pipe exit and/or entry locations; - Cable/scour protection requirements in the intertidal and		The Applicants have updated the following chapters/reports at Deadline 5 to capture the relevant information/clarifications presented in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) and all updated commitments:	In progress. We note the Applicant's comment in [REP4-100] which states that additional information will be submitted in the relevant updated ES chapters at Deadline 5. Additionally it is welcomed that the Applicant has submitted an outline landfall construction		The Applicants await Natural England's response to the updated documents submitted at Deadline 5.  The Applicants have responded to Natural England's comments on the Outline landfall construction method statement in their response to Appendix B5 (section 2.2 above) and Appendix G5.3 (section 2.5 above).

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	<p>subsequent mitigation; and</p> <p>- MDS for the sum of both projects for 'maximum cofferdam area dimensions' to be included in Tables 3.6 and 3.13.</p> <p>b) We also advise that a landfall management plan should be provided in outline at the time of consent. All landfall impacts, including subtidal impacts, should be considered collectively to determine management/mitigation measures to ensure that significant impacts (both direct and indirect) are avoided to designated site features.</p>		<ul style="list-style-type: none"> <li>Volume 1, Chapter 3: Project description (F1.3/F04)</li> <li>Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02);</li> <li>Volume 2, Chapter 1: Physical processes (F2.1/F02); and</li> <li>MCZ Screening and Stage 1 Assessment Report (E4/F02).</li> <li>Stage 2 MCZ Assessment Report (S_D1_9/F02).</li> <li>The Applicants also submitted an Outline Landfall Construction Method Statement into the examination at Deadline 4 at the discretion of the Examining Authority (AS-081).</li> </ul>	<p>method statement [AS-081] into Examination. We have provided comments on the outline landfall construction method statement in Appendix B5 and Appendix G5.3.</p>		

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RI_C11	Natural England advises that a further assessment of the feasibility of the cable installation tools in shallow waters is required to support the worst-case scenario assessment.		The Applicants have updated Volume 2, Chapter 1: Physical Processes (F2.1/F02) and Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include all additional clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the feasibility of cable installation in shallow waters.	No change.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.
RI_C12	Natural England advises that storage options for material from the landfall exit pits and open cut trenching are explored to minimise impacts and allow for sufficient back filling.		The Applicants submitted an Outline Landfall Construction Method Statement into the examination at Deadline 4 at the discretion of the Examining Authority (AS-081) which addresses the matter of storage of	No change.		The Applicants have updated the Outline landfall construction method statement (S_D4_22/F03) at Deadline 6 to address Natural England's comments at Deadline 5 and to clarify storage options for material from the landfall exit pits and open cut dredging.

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			material from landfall exit pits and backfilling. The Applicants have updated Volume 2, Chapter 1: Physical Processes (F2.1/F02) and Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments relating to installation activities in the intertidal.			
RI_C13	Natural England notes that the MDS for Pre-Lay Grapnel Run (PLGR), Unexploded Ordnance (UXO) clearance and boulder clearance have not been fully assessed within the ES Chapters. There is no certainty that these activities will be undertaken at the same time or		The Applicants have updated Volume 1, Chapter 1: Project Description (F1.3/F04) and Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the Stage 2 MCZ Assessment	In progress. Our comment at Deadline 4 also applies here.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.



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	within the same footprint as the other site preparation activities especially in relation to boulder relocation. We advise that the MDS for PLGR, UXO clearance and boulder clearance are presented within the Project Description and all other relevant chapters in line with Natural England's Best Practice Guidance Phase III.		Report (S_D1_9/F02) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments relating to site preparation.			
RI_C14	Natural England advises that it is not clear how the MDS for sandwave clearance and seabed preparation has been derived. Natural England advises that the Applicant provides all the parameters associated with sandwave clearance and seabed preparation that were used to calculate the total MDS figure for 'sandwave clearance: offshore export cable (m3)' inside and outside of designated sites. These should be included and updated in the Project Description and the relevant Chapters in the ES to ensure that		The Applicants have updated the Outline cable specification and installation plan (J15/F03), Volume 1, Chapter 1: Project description (F1.3/F04) and the Dredging and disposal - site characterisation plan (J22/F02) at Deadline 5 to remove reference to 'dredging' as a sandwave clearance method in the Fylde MCZ. Controlled flow excavation would be	No change. We note the Applicant's comment in [REP4-100] and we maintain our initial comment in our Relevant Reps. It remains unclear how the sandwave spoil volume calculation was derived, with [REP4-100] repeating what is written in the ES Chapter i.e. 'Morgan: sandwave clearance along 9% of 400km with a width of 60 m equates to a total spoil		The Applicants had not appreciated that Natural England wanted full calculation for prediction of sandwave clearance spoil volume. The spoil volumes assessed have been informed by the results of initial surveys (multi-beam echo sounder, side scan sonar, magnetometer, sub-bottom profiler, geotechnical and environmental surveys) to provide an initial analysis of the bathymetry, soils and seabed features as presented in the Cable Burial Risk Assessment (APP-219). These have been

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	the impacts have been fully assessed.		the only method used within the Fylde MCZ.	<p>volume of 1,080,000m3.</p> <p>Morecambe: sandwave clearance along 9% of 84 km with a width of 48 m. This equates to a total spoil volume of 346,800 m3.' This does not provide any further insight into the total spoil volume calculation. For example, there is no information on how the area of sandwaves within the corridor and depth of material that needs to be removed has been taken into consideration. This is important ecological context as it provides further detail around sandwave/seabed mobility in the corridor which many of our comments relate to.</p>		<p>applied in conjunction with the location and requirements of the Transmission Assets.</p> <p>The Applicants are confident that the total spoil volumes assessed are correct and realistic. Further, the Applicants acknowledge that it is the Applicants' responsibility to satisfy themselves that the Transmission Assets can be constructed within the parameters specified within the DCO, and that they will need to adhere to those values and the MDSs assessed within the EIA. The Applicants are confident that that the MDS for all impact pathways, including those arising from the generation of spoil (both with regards to effects arising from increases in suspended sediment concentration and temporary habitat loss/disturbance), has been correctly calculated and assessed in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (REP5-034) and that this</p>

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						<p>matter is, therefore, not a material concern.</p> <p>See also the Applicants' response to RI_B9 for further detail regarding relevance to the assessment of physical processes.</p>
RI_C15	<p>Natural England notes that the MDS sandwave clearance requirements stated are inconsistent between the Project Description [APP-024] and Benthic ES Chapter [APP-045] and named plans. No MDS figures for construction footprints have been presented within the Project Description. Natural England advises the maximum temporary construction footprints are reviewed and updated where necessary across the Application documents.</p>		<p>The Applicants have updated Volume 2, Chapter 2: Benthic Subtidal and Intertidal Ecology (F2.2/F02) at Deadline 5 in line with Table 1.1 of REP1-064.</p>	<p>In progress. Our comment at Deadline 4 also applies here.</p>		<p>The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.</p>
RI_C16	<p>Natural England notes that within the CSIP it is stated that the distance between the cable crossings means that there will</p>					

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	be separation in cable protection (rock armouring/mattress) making one linear line of protection. Natural England is concerned about the potential physical processes and benthic impacts from this which have not been assessed. We also assume that because this protection would be considered as cable crossing it would be considered permanent. Natural England advises that cable crossing requirements and impacts are reassessed to ensure that the MDS/WCS has been assessed.					
RI_C17	Natural England is not clear how 14 cable repairs of a length of 56km has been determined. Currently as written, the cable repairs could be of any length. There is therefore a lack in consistency in WCS for cable repairs presented across the project description and named plans within and outside of designated sites. Natural England advises that clarification		As set out in the Applicants response to RR.1601.C.18 (PDA-017) and to R1_C17 at Deadline 4 (REP4-100), 14 repair events totally 56km of subtidal export cable repairs is based on each of the 14 repairs being of a length of subtidal export cable of 4km (and likewise for	Resolved. The Applicant has now updated the cable repair parameters and given the breakdown of calculations in the OOOMP at Deadline 4 [REP4-073].		The Applicants thank Natural England for their confirmation that this matter is considered closed.

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	is provided by the Applicant on the maximum number of repairs per cable and in total, maximum length of each cable repair. Assessments and named plans should be updated accordingly.		<p>Morecambe subtidal export cables where up to 7 repair events of up to 4km per event totals 28km). This is set out in Table 3.36 of Volume 1, Chapter 3: Project description (REP2-008). Therefore, it is not correct that cable repairs can be of any length as they are limited to up to 4km per event. This 'up to 4km per event' MDS is also set out in Table 2.12 (MDS) in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (APP-045), Table 1.1 of the Outline Offshore Operations and Maintenance Plan (REP4-072) and as a result, the Application documents and outline management plans are aligned.</p> <p>The basis for each repair event being up to 4km is</p>			

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			explained in Table 3.36 of Volume 1, Chapter 3: Project Description (REP2-008) which states that when a fault in the subtidal export cable is detected it may be necessary to expose the export cable prior to recovery where testing will be conducted to establish the extent and type of repair required.			
RI_C18	Natural England does not agree with the statement that there was a "relatively low abundance of burrows overall" that "were not consistent with a confident classification as the 'sea pen and burrowing megafauna communities'. We note that this statement is contradictory to the findings of the Technical Report [APP-046] which found burrows to be 'common' in some locations, and therefore more numerous than the 'frequent'		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments relating to the seapens and burrowing	No change. We note the Applicant's response in [REP4-073] and we maintain our original Relevant Rep comment.		The Applicants await Natural England's response to the updated Benthic subtidal and intertidal ecology chapter submitted at Deadline 5, which the Applicants trust resolves this matter.

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	threshold required to meet the OSPAR definition for 'sea pen and burrowing megafauna communities'. Natural England advises that (a) the ES is updated to accurately reflect the findings and conclusions of the technical report. And (b) where possible, impacts to these Features of Conservation Interest (FOCI) are minimised. To inform the updates Natural England also advises that the EIA should be updated, and appropriate sensitivity attributed to the benthic communities assessed as determined using MarESA.		megafauna communities' habitat.			
RI_C19	It does not appear that that the duration, nature or area of seabed impacts from UXO clearance has been quantified or assessed within the ES chapters. We therefore require evidence that seabed depressions from both UXO detonations and jack-up legs will back-fill with similar sediment type and over what duration. Natural England		The Applicants have updated Volume 2, Chapter 1: Physical processes (F2.1/F02) and Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include all additional clarifications / justifications provided in	No change. we note the Applicant's comment in [REP4-100] which states that additional information will be submitted in the relevant updated ES chapters at Deadline 5. We will therefore revisit this matter once the Applicant has		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.

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	requires the Applicant to quantify and evaluate the worst-case impacts from UXO clearance and jack-up events.		submissions at previous deadlines to address Natural England's comments.	submitted the relevant information into Examination.		
RI_C20	Natural England advises that the ES Benthic Chapter [APP-045] is updated to consider impacts from construction of exit pits and/or cofferdam installation (where necessary) and associated site access and ancillary construction work areas. It has also not been stated whether or not scour protection may be required at the exit pit locations and whether any such requirements would be temporary or permanent.		<p>The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include the clarification that impacts from construction of exit pits and/or cofferdam installation are within the MDS assessed.</p> <p>Additionally, the Applicants updated the Commitments Register at Deadline 4 (REP4-018) to include a new commitment that no permanent cable/scour protection will be</p>	In progress. Our comment at Deadline 4 also applies here.		CoT133 has been updated in the Commitments register (F1.5.3/F07) and the Outline landfall construction method statement (S_D4_22/F03) at Deadline 6 to remove the word 'permanently', i.e. no cable/scour protection shall be deployed in the intertidal area between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS) during installation or O&M phase.



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			deployed between MLWS and MHWS (see CoT133).			
RI_C21	Natural England notes that open cut trenching is likely to be required for each of the 6 cables at landfall. However, it does not appear that the MDS duration, nature or extent of benthic and water quality impacts from open cut trenching has been quantified or assessed. Natural England advises that the EIA and where relevant, MCZ assessments and named plans are updated to consider these impacts including an update with accurate worst-case prediction values for Suspended Sediment Concentrations (SSCs) arising from trenching in the Export Cable Corridor (ECC).		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and Volume 2, Chapter 1: Physical processes (F2.1/F02) at Deadline 5 to include the clarification that impacts from construction of exit pits and/or cofferdam installation are within the MDS assessed.	No change.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.
RI_C22	Natural England notes that for cable landfall works there is a requirement for 2 x jack-up vessel deployments per cable out to KP10. Natural England queries		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and	In progress. Our comment at Deadline 4 also applies here. Additionally it is noted that the Applicant has		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.

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	<p>how avoidance of benthic interest features and designated sites have been demonstrated? Natural England advises that as matter of best practice, the use of jack-up vessels should be excluded from benthic MPAs. Otherwise, clear justification as to why this is not possible and evidence of how impacts can be mitigated should be provided with evidence to support successful mitigation.</p> <p>a) We advise more detail and assessment is required regarding cable installation in shallow water depths below 11m in the ES Chapter and named plans.</p> <p>b) We also advise that an Outline Cable Landfall plan is provided and submitted into examination.</p>		the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments.	submitted an outline landfall construction method statement [AS-081] into Examination. We have provided comments on the outline landfall construction method statement in Appendix B5 and Appendix G5.3.		The Applicants have responded to Natural England's comments on the Outline landfall construction method statement in their response to Appendix B5 (section 2.2 above) and Appendix G5.3 (section 2.7 above) and submitted an updated Outline landfall construction method statement at Deadline 6 (S_D4_22/F03) which addresses Natural England's comments.
RI_C23	Natural England strongly advises that the Applicant's commitments; CoT108 and CoT109 should include removal of all cable protection at the decommissioning phase within Fylde MCZ, rather than only		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO		Please see the Applicants' response to NE4 (PADSS).

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	stating it will be designed to be removable. This should be provided in an Outline Decommissioning plan.		Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.	at Deadline 4. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde MCZ. We maintain our original position which is that all on and above seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		
RI_C24	Natural England notes that dredge disposal activities including sandwave clearance will be conducted throughout the Transmission Assets Order Limits. We highlight that no commitments have been		The Applicants have updated the following documents at Deadline 5 to remove reference to 'dredging' as a sandwave clearance method in the Fylde MCZ:	In progress. We note the Applicant's comment in [REP4-100] which states that additional information will be submitted in the relevant updated ES		The Applicants await Natural England's response to the updated documents submitted at Deadline 5, which the Applicants trust resolves this matter.

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	<p>proposed to mitigate impacts either within or outside of benthic designated sites, with the exception of CoT116 which states immediately adjacent to the impact occurring to enable recovery. Natural England advises that mitigation measures should be adopted by the Applicant and the relevant documents updated accordingly. More specifically, disposal options should be explored to ensure that sediment is deposited in areas of similar sediment character, adjacent and upstream of the levelling location, and using a fallpipe so that the risk of permanently altering the sediment character in any given location is minimised.</p>		<ul style="list-style-type: none"> <li>• MCZ Screening and Stage 1 Assessment Report (E4/F02);</li> <li>• Outline Cable Specification and Installation Plan (CSIP) (J15/F03);</li> <li>• Volume 1, Chapter 1: Project Description (F1.3/F04);</li> <li>• Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02);</li> <li>• Volume 2, Chapter 1: Physical processes (F2.1/F02);</li> <li>• Dredging and disposal - site characterisation plan (J22/F02); and</li> <li>• MCZ Screening and Stage 1 Assessment Report (E4/F02).</li> </ul>	<p>chapters at Deadline 5. We will therefore revisit this matter once the Applicant has submitted the relevant information into Examination.</p>		

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RI_C25	Natural England welcomes the commitment to micro-site the cables to further reduce the need for cable protection. However, this is not included within the commitments log or secured so it can't currently be considered mitigation. Natural England advises that proposed mitigation measures are secured within a named plan or on the face of the DCO/dML.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.	Resolved. We welcome the Applicant's inclusion of the commitment (ref: CoT134) in the commitments register at Deadline 4 with regards to micro-siting.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_C26	Natural England does not agree with the 35 year duration which has been stated as the duration for which subtidal habitat loss will occur. Natural England advises that in the current absence of commitments to remove cable/scour protection, then the loss should be assessed as permanent. Natural England advises that the EIA should be updated with more appropriate descriptions of the timescales associated with impacts and		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to ensure that the wording around long-term and permanent habitat loss is clear.	No change. However, Natural England is in the process of advising on the inclusion of standard marine licence conditions that require consideration, during the operational life of the project, of the validity of the EIA and the project once it reaches the 35 years currently assessed.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.

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<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
	assessment adjusted accordingly.					
RI_C27	Natural England advises that the monitoring proposed within the Offshore In Principle Monitoring Plan (OIPMP) currently appears to focus on physical/sediment recovery and lacks sufficient ecological context. Natural England advises that the rationale within Table 1.3 of the OIPMP needs to be updated to additionally include "temporal and spatial changes in benthic communities and their recoverability..." in order for the OIPMP to meet its objective.		<p>The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include the updated monitoring commitment outlined in the Offshore In Principle Monitoring Plan that was submitted at Deadline 4 (REP4-075).</p> <p>The Applicants would highlight that the Offshore In Principle Monitoring Plan (OIPMP) was updated at Deadline 4 (REP4-075), to include a new commitment to benthic community recovery specific monitoring in the Fylde MCZ through both pre-construction and post-construction benthic community sampling to</p>	Resolved. The Applicant has included benthic ecology monitoring to include temporal and spatial recovery of benthic communities within Fylde MCZ within their updated OIPMP at Deadline 4. Further detail should be included for benthic ecological monitoring during the post-consent phase, please see our comments in Appendix B5.		<p>The Applicants thank Natural England for their confirmation that this matter is considered closed.</p> <p>The Applicants have responded to the comments made by Natural England with regards to monitoring in the Applicants' response to the IPs' Submissions at Deadline 5 (see Table 2.2).</p>

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
			monitor for temporal and spatial recovery and of the potential colonisation by Invasive Non-Native Species (INNS) following construction activities within the Fylde MCZ.			
RI_C28	From the information and figures presented ([APP-019] 1.8.2.31), it is not possible to determine whether the subtidal mud habitat type and NERC (2006) Priority habitat 'Burrowing megafauna communities' (as mapped in Figure 1.21 of the Benthic Technical report) overlap with the Fylde MCZ boundary. Site-specific benthic characterisation baseline should be presented together with the MCZ boundary in a single figure so that the habitats present can be checked against those assessed within the MCZ assessment report.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include the updated figure from REP1-059 and additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments relating to the presence of the seapens and burrowing megafauna habitat within the Fylde MCZ.	No change.		The Applicants await Natural England's response to the updated chapters submitted at Deadline 5, which the Applicants trust resolves this matter.
RI_C29	Please see comments C28 – C33 regarding mitigation which are		The Applicants have updated Volume 2, Chapter 2: Benthic	In progress. Our comment at Deadline 4 also applies here.		The Applicants await Natural England's response to the updated documents submitted at

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Subtidal and Intertidal Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix C - Benthic Subtidal and Intertidal Ecology</b>						
	equally applicable to this section and Fylde MCZ.		subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.			Deadline 5, which the Applicants trust resolves this matter.
RI_C30	Natural England advises that the adoption of mitigation measures via a Benthic Mitigation Plan, and associated monitoring in the Offshore In-Principle Monitoring Plan are further considered in order that impacts (particularly permanent loss), on the more sensitive Section 41 Habitats are avoided and/or reduced wherever feasible through mitigation measures such as micro-siting.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5 to include the updated monitoring commitment outlined in the Offshore In Principle Monitoring Plan that was submitted at Deadline 4 (REP4-075).	In progress. Our comment at Deadline 4 also applies here.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5, which the Applicants trust resolves this matter.



## 2.8.5 Fish and Shellfish Ecology

**Table 2.22: Responses to questions regarding Fish and Shellfish Ecology**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
RI_D1	Natural England do not agree that smelt should be screened out. There is potential for EMF to cause barrier effects that hinder smelt movements in and out of the estuary. Minimum and maximum target burial depths between 0.5 m and 3 m are detailed for the marine component. The Applicant should provide further detail on proposed cable depth below the riverbed and detail pertaining to EMF from the cable below the Ribble Estuary MCZ and this should be used to		The Applicants' position remains the same as at Deadline 4, with this reiterated in the Issue Specific Hearing Day 2 submissions (REP4-104, comments 5(b)(i) 19-22). The Applicants highlighted the increased value of broader industry work streams on EMF monitoring instead of project-specific monitoring and are actively engaged with the Crown Estate to advance this area of research. The MMO and Environment Agency raised no concerns on this point.	No change. ExQ2:7.3.1 [PD-011] provides further detail on EMF in Appendix L5.		The Applicants position remains as at Deadline 5 (REP5-124). The Applicants have responded to Natural England's Appendix L5 in (see Table 2.16).  Based on evidence that EMF levels will be reduced to background levels within a few metres of the cable, the 7-45m depth of cable burial under the River Ribble will be sufficient to prevent any EMFs above background levels entering the aquatic environment of the Ribble Estuary MCZ and there is no risk of disruption to migration of European smelt. As such, monitoring is not considered appropriate or proportionate to the risk and the

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<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
	appropriately assess EMF impacts.					Applicants and Natural England are not agreed on this matter.
RI_D2	Natural England recommend that an assessment of the long-term loss of seabed habitat that potentially supports prey species for the ornithological features of Liverpool Bay SPA is included. This should be based on an assessment of the area of suitable spawning and other supporting habitat for prey species (sandeel) that could be lost due to the construction of the cable corridor. The MDS states that cable protection will be designed to be removable, however there is no commitment to remove upon decommissioning.		The Applicants have submitted an updated Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments at Deadline 5 (E2.3/F02).	No change.		The Applicants have submitted an updated Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments at Deadline 5 (REP5-021), which addresses this matter, and the Applicants await Natural England's response, which the Applicants trust resolves this matter.

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<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
	Sandeel exhibit high site fidelity and leaving cable covering in situ during decommissioning phase would be considered permanent habitat loss. Natural England also advises that the Applicant commit to removing all cable protection within Fylde MCZ at the time of decommissioning or assess permanent habitat loss of supporting prey species for Liverpool Bay SPA.					
RI_D3	There is potential for permanent habitat loss for sandeel and herring resulting from UXO and jack up barges altering sediment compositions. It is not clear whether this has been assessed. UXO clearance and jack up		The Applicants' position remains the same, in that UXO and jack up barge impacts on sediment composition are assessed as temporary habitat loss due to the recovery to baseline conditions within a relatively short time period following cessation of construction	No change.		Impacts of jack up operations and UXO clearance on seabed sediments have been fully assessed under temporary habitat loss/disturbance (see paragraph 3.11.2.34 and 3.11.2.39 of Volume 2, Chapter 3: Fish and Shellfish Ecology (APP-048)). This outlines that

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<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
	barges need assessing for effects from permanent habitat loss on sandeel and herring.		activities. Further detail has been provided on the spatial extent and infilling of craters in Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) at Deadline 5, with no change to the assessment conclusions.			although there would be some disturbance to seabed sediments, sediments within the areas affected will recover fully (e.g. infilling of craters/depressions via natural sediment mobility) and therefore there will be no permanent change to sediment composition as a result of these activities. The Applicants have submitted an updated Benthic subtidal and intertidal ecology at Deadline 5 (REP5-034), which addresses this matter, and the Applicants await Natural England's response, which the Applicants trust resolves this matter.
RI_D4	Natural England defers to CEFAS on survey data acquisition, data sources, assessment methodology and its conclusions in relation to herring and					

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<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
	sandeel. Natural England advises the Applicant refer to CEFAS comments as advisors to the MMO on this matter.					
RI_D5	<p>It is unclear whether all relevant pathways have been assessed and/or quantified. Where relevant, the calculations for temporary and/ or permanent habitat loss impacts need to be considered with regards to suitable habitat for sandeel and herring.</p> <p>Natural England advise that full consideration of the likely nature, extent, duration, and significance of impacts upon SPA supporting habitats is required to inform a robust assessment of the likely</p>		The Applicants have submitted an updated Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments at Deadline 5 (E2.3/F02).	No change.		The Applicants have submitted an updated Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments at Deadline 5 (REP5-021), which addresses this matter, and the Applicants await Natural England's response, which the Applicants trust resolves this matter.

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<b>Risk and Issues Log Deadline 1 – Fish and Shellfish Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix D - Fish and Shellfish Ecology</b>						
	impacts upon designated ornithological features and in turn prey species.					
RI_D6	Natural England largely agree with justification for in-combination assessment impacts for UXO and EMF but see comments D10 & D11 for further consideration.		The Applicants welcome the agreement from NE.	No change.		In the R&I log, RI_D10 and RI_D11 relate to RI_D3 and RI_D2, respectively, therefore please see Applicants' response to points D3 and D2 above.
RI_D7	Natural England do not agree with the statement that smelt have been shown to habituate to anthropogenic noise sources. There is little evidence to support this. The Applicant should provide more robust evidence to support this conclusion or remove the statement.					

## 2.8.6 Marine Mammals

**Table 2.23: Responses to questions regarding Marine Mammals**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
RI_E1	<p>Natural England note that UXO clearance is included as a licenced activity in the DCO/marine licence (which includes high order clearance). This is a live issue for some projects in the consenting process (Mona OWF and Morgan OWF) and it is also applicable for the Transmission Assets. We strongly advise that a separate marine licence is sought for UXO clearance due to the lack of information available regarding the size, type and number etc of UXO that will require clearance and the over precaution that must be incorporated into the impact assessment at this stage. Without further information on</p>		<p>The Applicants position remains the same as at Deadline 4. The Applicants position is aligned with the Morgan Generation Assets, noting that the Secretary of State retained clearance of UXO by low order methods in the recently made Order for Morgan Generation Assets.</p>	<p>No change.</p>		<p>Please see the Applicants' response to NE10 (PADSS).</p>

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	what size of devices will proceed to clearance stage, the assessment (and associated mitigation protocols) must consider the worst-case scenario presented. Natural England advise that UXO clearance should be authorised under a standalone marine licence post consent and removed from the draft DCO.					
RI_E2	<p>Natural England have outstanding concerns on the assessment methodology. We see the issues as follows:</p> <ul style="list-style-type: none"> <li>• Dual effect categories in the assessment matrix where in certain cases non-significant and significant effects can result from the same combination of magnitude and sensitivity. It is generally accepted that the assessment should follow the precautionary</li> </ul>		The Applicants position remains the same as at Deadline 4. Firstly, in that where a magnitude of impact and sensitivity of receptor result in the potential for two different conclusions of significance (e.g. Minor or Moderate) (as set out in Table 4.16 of Volume 2 Chapter 4: Marine mammals (APP-050)), justification has been provided for the conclusion of significance that	No change.		The Applicants position remains the same as at Deadline 5. At Deadline 5 the Applicants re-iterated that clear justification had been provided in Volume 2 Chapter 4: Marine mammals (APP-050) for the determined conclusions of significance, (where required) and the Applicants are confident that these conclusions are appropriate and proportionate.



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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	<p>principle thus further justification is needed when lower effect categories are chosen. Or, ideally, dual categories in the matrix should be avoided.</p> <ul style="list-style-type: none"> <li>Terminology used to base the conclusions of the assessment is not defined thus there is uncertainty as to what spatial or temporal scale terms such 'short term', 'medium term', long term', "temporary", "small scale", "regional", 'highly localised' mean.</li> </ul> <p>Natural England advises the assessment methodology be revised and the assessment updated accordingly.</p>		<p>has been reached. Secondly, the Applicants consider that the conclusions of magnitude and significance, with reference to assessment terminology (as presented within Volume 2, Chapter 4: Marine mammals (APP-050)) are appropriate and proportionate.</p> <p>The Applicants believe that a robust response was provided within RR-1601 1601.E.2 (PDA-019) and request that further information on outstanding concerns is provided.</p> <p>Additionally, the Applicants would highlight that an updated version of Volume 2, Chapter 4: Marine Mammals (F2.4/F02) has been submitted at Deadline 5, to reflect that high order UXO has been removed from the DCO.</p>			<p>The Applicants were confident at Deadline 5 that a robust response was provided within RR-1601 1601.E.2 (PDA-019) and requested that further information on outstanding concerns is provided, however no further information has been offered by Natural England.</p> <p>Finally, an updated version of Volume 2, Chapter 4: Marine Mammals (REP5-032) was submitted at Deadline 5, to reflect that high order UXO has been removed from the DCO.</p>

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
RI_E3	<p>The effective range of ADDs for harbour porpoises is 7.5 km approximately (JNCC 2022). The Applicant needs to outline how they plan to mitigate the rest of the estimated injury zone up to 15.37 km for high order UXO clearance activities. It is not clear what other measures the Applicant will commit to in order to mitigate for the full injury zone. The Applicant should provide further information on mitigation options for the entire harbour porpoise injury zone from high order UXO clearance for the alone and cumulative effect assessment (CEA).</p>		<p>The Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (F2.4/F02) has been submitted at Deadline 5, to reflect that high order UXO has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062).</p>	<p>No change. We look forward to sight of the updated chapter.</p>		<p>The Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (REP5-032) was submitted at Deadline 5, to reflect that high order UXO has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062).</p> <p>The Applicants await further responses from Natural England on this matter and trust that the updates made resolve this matter.</p>

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
RI_E4	Natural England does not support use of scare charges for UXO clearance, and we advise that this measure is not considered in the final Marine Mammal Mitigation Protocol (MMMP). Remove the use of scare charges for UXO clearance from the final MMMP.		<p>Please see the Applicants' response to RI_E3. The updates made at Deadline 5 to Volume 2, Chapter 4: Marine Mammals (F2.4/F02) to include the removal of references to deterrence using 'soft start' scare charges for UXO clearance.</p> <p>The Applicants welcome Natural England's confirmation that this issue will be readily resolved.</p>	No change. We look forward to sight of the updated chapter.		<p>The Applicants confirm that the Outline MMMP (REP2-026) was updated at Deadline 2 to focus on low order UXO clearance, removing mitigation for high order UXO detonation, including the use of scare charges as a mitigation option for high order detonation.</p> <p>Also, please see the Applicants' response to RI_E3. The updates made at Deadline 5 to Volume 2, Chapter 4: Marine Mammals (REP5-032) to include the removal of references to deterrence using 'soft start' scare charges for UXO clearance.</p> <p>The Applicants trust that the updates made resolve this matter.</p>
RI_E5	Standard industry measures (such as Marine Mammal Observers (MMOs), Passive		At Deadline 2, Natural England's position for RI_E5 was stated as <i>"In progress: Our</i>	No change. We look forward to sight of the updated chapter.		In line with the response to RI_E3 above, the Applicants confirm that an updated version

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	Acoustic Monitoring (PAM) and Acoustic Deterrent Devices (ADDs)) are intended to minimise the risk of injury, thus they cannot be used as a justification to conclude that there will be no significant disturbance of the species. Mitigation measures aimed to reduce disturbance should be considered instead of relying on measures for reducing the risk of injury. This needs to be revised throughout the assessment.		<i>response to RI_E3 above is equally applicable here".</i> Natural England's response to RI_E3 at Deadline 2 was " <i>In progress: We note the Applicant has removed high order UXO from the DCO [REP1-008]. We advise that the Applicant should submit an updated version of their MMMP and Marine Mammal Chapter into Examination to reflect that high order has been removed from the DCO. We highlight that the Morgan Generation project made similar updates and submitted these into the Morgan Examination at Deadline 6 [REP6-032]. Provided that these updated documents are submitted into examination, we believe this issue will be readily resolved."</i> Therefore, in line with the response to R-E3 above, the			of Volume 2, Chapter 4: Marine Mammals (REP5-032) was submitted at Deadline 5, to reflect that high order has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Examination Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062).  As such, the Applicants await further responses from Natural England on this matter, and are confident that RI_E5 can be resolved with the submission of the updated Marine Mammal

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
			Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (F2.4/F02) has been submitted at Deadline 5, to reflect that high order has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Examination Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062). As such, the Applicants are confident that RI-E5 can be resolved with the submission of the updated Marine Mammal			chapter at Deadline 5 (REP5-032).

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
			chapter at Deadline 5 (F2.4/F02).			
RI_E6	<p>Natural England has outstanding concerns regarding the Cumulative Effects Assessment (CEA). Natural England does not agree with the significance of effect for PTS during UXO clearance in the cumulative effects assessment, particularly for harbour porpoise and does not agree with the justification for the conclusions made. Assess population-level consequences of disturbance during the cumulative effects assessment for all scenarios and produce an appropriate mitigation plan if significant effects are predicted. Given the cumulative number of vessels across all projects as well as large disturbance</p>		<p>At Deadline 2, Natural England's position for RI_E6 was stated as <i>"In progress: Our response to RI_E3 above is equally applicable here."</i> Natural England's response to RI_E3 at Deadline 2 was <i>"In progress: We note the Applicant has removed high order UXO from the DCO [REP1-008]. We advise that the Applicant should submit an updated version of their MMMP and Marine Mammal Chapter into Examination to reflect that high order has been removed from the DCO. We highlight that the Morgan Generation project made similar updates and submitted these into the Morgan Examination at Deadline 6 (REP6-032).</i></p>	No change. We look forward to sight of the updated chapter.		<p>In line with the response to RI_E3 above, the Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (REP5-032) was submitted at Deadline 5, to reflect that high order has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Examination Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the Transmission Assets (REP-062).</p>

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	<p>ranges, Natural England does not agree with the assigned magnitude score 'low' for disturbance from elevated underwater sound due to vessel use and other (non-piling) sound producing activities. The assessment provides very limited consideration of the potential significant increase of number of vessels and vessel movements for each project. Revise the CEA for disturbance from elevated underwater sound due to vessel use and other (non-piling) sound producing activities with an increased level of magnitude and commit to implementing the Vessel Traffic Management Plan.</p>		<p><i>Provided that these updated documents are submitted into examination, we believe this issue will be readily resolved."</i></p> <p>Therefore, in line with the response to R-E3 above, the Applicants confirm that an updated version of Volume 2, Chapter 4: Marine Mammals (F2.4/F02) has been submitted at Deadline 5, to reflect that high order has been removed from the DCO and to align with the changes related to the impact of Injury and disturbance from elevated underwater sound during UXO clearance made at Examination Deadline 6 for the Morgan Offshore Wind Farm: Generation Assets (Morgan Generation Assets examination Library REP6-031), as requested by Natural England at Deadline 2 for the</p>			<p>As such, the Applicants await further responses from Natural England on this matter, and are confident that RI_E6 can be resolved with the submission of the updated Marine Mammal chapter at Deadline 5 (REP5-032).</p>

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
			Transmission Assets (REP-062). As such, the Applicants are confident that RI-E6 can be resolved with the submission of the updated Marine Mammal chapter at Deadline 5 (F2.4/F02).			
RI_E7	The Maximum Design Scenario (MDS) for Unexploded Ordnance (UXO) clearance differs between the documents. Natural England advise that details relating to UXO clearance MDS should be updated for consistency across all chapters to ensure the Worst Case Scenario (WCS) is appropriately discussed and assessed.					
RI_E8	The MDS for Injury and disturbance to marine mammals from elevated underwater sound due to vessel use and other sound-					



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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	producing activities in the Marine Mammals chapter [APP-050] differs from the MDS outlined in Chapter 7 Shipping and Navigation [APP-056]. Natural England advise that the MDS should be correctly reported and assessed in all relevant chapters and where chapters make reference to each other ensure all details, e.g. MDS, are consistent.					
RI_E9	Table 4.7 [APP-050] includes all correct protected areas and features. However, the referenced figure 4.1 'SACs and MNRs, designated for the protection of marine mammals within the regional study area' has not been included in Volume 2, Figures [APP-064]. The figure labelled 4.1 in [APP-064] is the marine mammal study area and relevant					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	species MUs not the designated sites. Some figures in accompanying volumes do not have a reference number on the figure but are referenced in the ES. Ensure all figures are appropriately included, labelled, referenced and identifiable from the reference in ES.					
RI_E10	Natural England notes the inclusion of harbour seals in the assessment without a population estimate for the Isle of Man population. Natural England acknowledges the lack of data currently available in the literature to provide an estimate for the Isle of Man.					
RI_E11	Natural England advises that the reference population for grey seal should consider both the GSRP population estimate and the NW MU estimate. Natural England advise that					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	both should be considered. Revise assessment so that it is undertaken against the NW MU grey seal population alone as the reference population, in addition to the assessment completed against the GSRP population.					
RI_E12	<p>Natural England does not agree with the approach of using a 100km buffer region for grey seal in order to determine connectivity with the Transmission Assets based upon average foraging ranges for the species. maximum foraging distances from Carter et al., 2022 should be used to determine the connectivity from an identified haul out site and the project area.</p> <p>Natural England previously raised this issue during the PEIR stage and it has not been</p>					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	addressed. We do not now anticipate any material changes would be made to the baseline.					
RI_E13	Natural England acknowledges the inclusion in the ES of survey data and other data/ up to date references as requested, e.g. SCANS IV and two years of survey data at Morecambe Offshore Windfarm: Generation Assets and the inclusion of other key references Marine Mammal Welsh Atlas (2023), IAMMWG (2022) and SCOS 2022.					
RI_E14	The significance of auditory injury to harbour porpoise from UXO detonation should be amended to major, in line with the most significant option in the dual matrix category. Update the conclusions for		Please see the Applicants' response to RI_E3.	No change. We look forward to sight of the updated chapter.		Please see the Applicants' response to RI_E3.  The Applicants await further responses from Natural England on this matter, and are confident that RI_E14 can be resolved with the submission of the updated

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	auditory injury for harbour porpoise in the ES.					Marine Mammal chapter at Deadline 5 (REP5-032).
RI_E15	Inconsistency in the approach when assigning the sensitivity score for effects on marine mammals due to changes in prey availability. Minke whale has been assigned a sensitivity of medium, however harbour seal and harbour porpoise have both been assigned a sensitivity of low. Due to the vulnerability of harbour porpoise and harbour seal to changes in prey availability, their assigned sensitivity score should be medium in the assessment.					
RI_E16	Natural England disagrees that a period of several months can be considered "short term". However, in paragraph 4.11.6.30 the same description of works is described as					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	'medium term'. Define the terms to describe both temporal and spatial impacts and apply them consistently across the assessment.					
RI_E17	<p>Natural England notes that the predicted disturbance ranges for sub-bottom profilers (SBPs) and vibro-coring are 17.3km and 10.6km respectively. However, no mitigation measures have been discussed for these large disturbance ranges.</p> <p>Natural England acknowledges that there are currently no other mitigation options available for SBP surveys beside those outlines in the JNCC guidelines for minimising the risk of injury to marine mammals from geophysical surveys (JNCC, 2017).</p> <p>Thus, there is a need for</p>					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	monitoring to fill the knowledge gap on the impact of SBP surveys on harbour porpoises. We therefore advise that monitoring should be considered with the aim to collect data before, during and after SBP surveys to examine changes in the baseline. Inclusion of this monitoring in the IPMP would resolve this issue.					
RI_E18	The maximum disturbance ranges predicted for SBP is up to 17.3 km and is described as 'mild disturbance', however in 4.11.6.29 it states that for 'impulsive sound sources there is an understanding of the difference between strong and mild disturbance, whereas for non-impulsive (continuous) sound sources (MBES, SSS, SBES, SBP (chirp/pinger) and					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	vibro-coring), there is only a single available threshold (120 dB re 1 µPa (SPLrms)), which is classed as the distance beyond which no animals would be disturbed.' This statement contradicts the conclusion of mild disturbance from SBP sound source. Define the terms correctly for impulsive and non-impulsive sound sources and apply them consistently across the assessment.					
RI_E19	Given the cumulative number of vessels across all projects as well as large disturbance ranges, Natural England does not agree with the assigned magnitude score of 'low' for disturbance from elevated underwater sound due to vessel use and other (non-piling) sound producing					



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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	activities. Revise the CEA for disturbance from elevated underwater sound due to vessel use and other (non-piling) sound producing activities. Ensure the Applicant commits to implementing their Vessel Traffic Management Plan.					
RI_E20	Natural England acknowledge the MMOs advice to the Applicant to commit to using Noise Abatement Systems (NAS) as mitigation during construction. Natural England notes CoT64 where the Applicants has committed to developing and implementing a detailed MMMP which will include the use of low order techniques as the primary mitigation where possible. The detailed MMMP should consider guidelines for					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	minimising the risk of injury to marine mammals from UXO (JNCC, 2025). Natural England advises the Applicant should continue to prioritise other measures, such as avoidance, relocation and low-order clearance methods such as deflagration over high order clearance and to consider and apply new guidelines for minimising the risk of injury to marine mammals from UXO. These other measures should all be included in the final MMMP.					
RI_E21	Natural England defers to CEFAS as the underwater sound specialists to comment on the Underwater Sound Technical Report.					
RI_E22	Please note that it is Natural England's remit to provide advice on the					

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix E - Marine Mammals</b>						
	assessment in so much as it relates to SACs in English waters. We defer to the relevant SNCBs on the appropriate approach for assessing SACs outside English waters.					
RI_E23	Natural England notes that the Applicant is more likely to carry out sequential UXO clearance, however the assessment states that 'A spatial MDS would occur where UXO clearance activities coincide at all three projects simultaneously'. There remains potential for UXO clearance activities to coincide at all 3 projects simultaneously, therefore there could be a significant impact on marine mammals that could manifest to population level effects based on the PTS figures for high order UXO		Please see the Applicants' response to RI_E3.	No change. We look forward to sight of the updated chapter.		Please see the Applicants' response to RI_E3.  The Applicants await further responses from Natural England on this matter and are confident that RI_E23 can be resolved with the submission of the updated Marine Mammal chapter at Deadline 5 (REP5-032).

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<b>Risk and Issue Log Deadline 1 – Marine Mammals</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix E - Marine Mammals						
	clearance. Natural England advise the Applicant to produce an appropriate mitigation plan should this scenario occur.					
RI_E24	We note that the mitigation measures to minimise disturbance to marine mammals included within the Offshore EMP are only relevant to the transiting vessels. Consider appropriate measure for all other (non-piling) sound producing activities, not just transiting vessels.					

## 2.8.7 Offshore Ornithology

**Table 2.24: Responses to questions regarding Offshore Ornithology**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
RI_F1	The Applicant should complete a quantified cumulative assessment of impacts on species sensitive to disturbance and displacement, including mortality figures for each project included in the assessment, and provide clarity on the parameters used to produce those figures. The result should comprise a total abundance of birds that could be affected and a range of final mortality estimates based on a range of possible displacement and mortality rates, as per Natural		The Applicants confirm that an updated version of the ES chapter (Volume 2, Chapter 5: Offshore Ornithology (F2.5/F02)) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three (E2.3/F02) have been submitted at Deadline 5.	No change. Our response at D4 is also applicable here.		The Applicants await Natural England's response to the documents submitted at Deadline 5, which the Applicants trust will resolve this matter.

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	England best practice guidance.					
RI_F2	Natural England recommend that an assessment of the long-term loss of seabed habitat that potentially supports prey species for the ornithological features of Liverpool Bay SPA is included in the Information to Support Appropriate Assessment. This should be based on an assessment of the area of suitable spawning and other supporting habitat for prey species that could be lost due to the construction of the cable corridor, with consideration of i) diver and in particular scoter densities along those parts of the cable route where rock protection might be needed		The Applicants confirm that an updated version of the ES chapter (Volume 2, Chapter 5: Offshore Ornithology (F2.5/F02)) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three (E2.3/F02) have been submitted at Deadline 5.	No change. Our response at D4 is also applicable here.		The Applicants await Natural England's response to the documents submitted at Deadline 5, which the Applicants trust will resolve this matter.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	and ii) the presence of key species/habitats that fall within that area.					
RI_F3	Natural England do not agree with the conclusion that adverse effect on site integrity (AEol) for the red-throated diver and common scoter features of Liverpool Bay SPA can be ruled out due to the displacement and disturbance impacts of the Project alone during the construction phase. Natural England highlights that the conservation advice for these features include targets to maintain the distribution of the feature and the extent, distribution and availability of supporting habitat, preventing deterioration from current levels, not just population					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	abundance. The Project's potential to cause AEol can be avoided by the Applicant committing to a full restriction on all offshore construction and pre-construction (UXO clearance) activity with the potential to cause disturbance within the SPA and a 2km buffer around it during the wintering months of November to March (inclusive).					
RI_F4	Natural England are unable to reach a conclusion regarding the Project's impacts during the operations and maintenance (O&M) phase, either alone or in-combination, as the maximum design scenario (MDS) is set out on an annual basis. Alongside the		The Applicants confirm that an updated version of the ES chapter (Volume 2, Chapter 5: Offshore Ornithology (F2.5/F02)) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three (E2.3/F02) have been submitted at Deadline 5.	Resolved. We welcome the Applicant's inclusion of the commitment (CoT135) to not planning routine O&M activities in the original Liverpool Bay SPA +2km buffer from November to March (inclusive).		The Applicants welcome resolution of this issue.



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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	annual MDS, the Applicant should set out the MDS for the key wintering months of November to March (inclusive), particularly for any activities which have the potential to cause disturbance to sensitive ornithological features within Liverpool Bay SPA and consider the need for a seasonal restriction for O&M activities.					
RI_F5	Natural England note that the Applicant has calculated a bespoke regional population for red-throated diver based on the fact that the BDMPS population from Furness (2015), which is generally used as the standard reference for EIA population scales, is smaller than the most recent					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	population estimate for Liverpool Bay alone (HiDef, 2023). The Applicant should calculate a regional population based only on populations that sit within the original BDMPS region and use this for assessing red-throated diver impacts.					
RI_F6	We note that the wintering period has been identified as covering November-February inclusive. Natural England considers the key sensitive period for red-throated diver to extend until the end of March. Seasonal restrictions on construction activity to avoid impacts on wintering birds should cover the period from the start of November to the end of March.					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
RI_F7	The Applicant should present a range of cumulative quantitative displacement impacts from other projects on red-throated diver and common scoter at an EIA scale in the Irish sea, both those exerting ongoing pressures during their operations and maintenance phase and those whose construction impacts will overlap with the Project, plus the predicted impacts from the Project in its construction stage.		The Applicants confirm that an updated version of the ES chapter (Volume 2, Chapter 5: Offshore Ornithology (F2.5/F02)) and HRA Stage 2 Information to Support an Appropriate Assessment Part Three (E2.3/F02) have been submitted at Deadline 5.	Resolved. We welcome the Applicant's inclusion of the commitment (CoT135) to not planning routine O&M activities in the original Liverpool Bay SPA +2km buffer from November to March (inclusive). This commitment reduces the impacts on red-throated diver and common scoter to such a level that a cumulative assessment is no longer necessary.		The Applicants welcome resolution of this issue.
RI_F8	Due to the sensitivity of key ornithological features of Liverpool Bay SPA during the wintering months of November to March (inclusive). Therefore the Applicant should include descriptions of the maximum					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	design scenario for activities causing airborne sound, underwater sound or presence/movement of vessels and infrastructure within the wintering period for each phase of the Project, in addition to the annual descriptions.					
RI_F9	To fully consider the in-combination impacts on the distribution and the extent, distribution and availability of supporting habitat for the red-throated diver and common scoter features of Liverpool Bay SPA, the Applicant should present an assessment of the area and the proportion of the SPA that is subject to displacement and disturbance impacts due to the Project in-combination					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix F - Offshore Ornithology</b>						
	with other projects and include West of Duddon Sands OWF as its 10km buffer overlaps with the SPA.					
RI_F10	<p>Natural England notes the Hynet North West Carbon Capture and Storage (CCS) project has been screened out of the offshore ornithology assessment due to low data confidence.</p> <p>There is a high risk of spatial and temporal overlap of the construction of Hynet North West CCS and the Transmission Assets, therefore Natural England advise this project should be screened into the CEA for offshore ornithology and assessed as part of the Tier 2 projects. Further information should be sought from the Hynet project,</p>					

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<b>Risk and Issues Log Deadline 1 – Offshore Ornithology</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix F - Offshore Ornithology						
	specifically information on mitigation measures during construction.					

## 2.8.8 Onshore Ecology

**Table 2.25: Responses to questions regarding Onshore Ecology**

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix G - Onshore Ecology						
RI_G1	Natural England is unable to rule out		The Applicants can confirm that NVC	In progress.		The Applicants confirm that the updated F3.3.3 Environmental Statement Volume 3, Annex 3.3: Phase 1 habitat, national

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	significant impacts on sand dune SSSI features associated with Lytham St. Annes Dunes due to uncertainties around changes to the water table (both during construction and operation). We are also concerned about dewatering effects associated with pumping out water from the Transition Joint Bay (TJB) during construction, and the cable acting as a conduit altering water flow through the		surveys of Lytham St Annes SSSI and St Anne's Old Links Golf Course Biological Heritage Site have been undertaken. The results of these surveys can be found in Appendix D and E of Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report (F3.3.3/F03). In addition, the Applicants updated the outline hydrogeological risk assessment at D5 (S_D3_6/F02) to	<p>We look forward to sight of the NVC survey report to be submitted at Deadline 5.</p> <p>We welcome the efforts made by the Applicant, including the forthcoming NVC survey, the provision of the Outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI and the comment in Paragraph 1.8.1.1 [AS-081] noting that future surveys could include potential hydrogeological monitoring with a borehole and piezometer for ongoing data on ground water hydrology.</p> <p>Our detailed advice is included in Appendix</p>		vegetation classification and hedgerow survey technical report - Rev F03 (REP5-038) was submitted at Deadline 5 along with the updated S_D3_6 Outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI -Rev F02 (REP5-104). The updated F3.3.3 Environmental Statement Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report - Rev F03 (REP5-038) confirmed that the SSSI/ LNR dunes support a rare and nationally important dune habitat and botanical species assemblage, with the groundwater dependent terrestrial ecosystems (GWDTEs) being dominated by the dune slack communities were found during surveys (SD17, SD16 and SD15). In addition, the baseline NVC survey of the St Anne's Old Links Golf Course BHS confirmed previous assumptions within the assessment that the habitats within the golf course have been heavily modified by substantial anthropogenic modifications (including groundwater abstraction) over the past 125 years since the golf course was established on the dunes in 1901. There are some very small areas of marginal pond vegetation (equating to c. 25 square metres in total across the four ponds within the golf course) with affinity to the dune slack community SD15, although the extent to which these small habitat fragments are groundwater dependent given the level of modifications to the surrounding land is unclear, and they are therefore considered to be a 'likely Groundwater Dependent Terrestrial Ecosystem'. S_D3_6 Outline Hydrogeological Risk

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	<p>system.</p> <p>Similar concerns are also flagged for sand dune habitat (S41 priority habitat under the NERC Act 2006) at St. Annes Old Links Golf Course Biological Heritage Site (BHS) and Lytham Foreshore Dunes and Saltmarsh BHS.</p> <p>a) We advise that Impacts on dune slack vegetation (which is referable to the Annex I habitat H1290) needs to be more</p>		<p>reflect the NVC survey findings.</p> <p>In response to the Environment Agency's comments on the outline hydrogeological risk assessment (REP4-132), the Applicants note that a scheme of groundwater monitoring will be undertaken, where required. This would be determined by the engineering specification and design undertaken post consent as part of detailed design. The golf course abstraction boreholes could be used subject to initial</p>	<p>G5.3 where we advise that the potential hydrological monitoring with a borehole and piezometer should be secured in a commitment or named plan.</p>		<p>Assessment of Lytham St Annes Dunes SSSI -Rev F02 (REP5-104) was updated to include the results of the NVC survey (section 2.2.3) to provide an accurate baseline position (especially regarding Groundwater Dependent Terrestrial Ecosystems. The Applicants hope that this matter can now be resolved.</p> <p>The Applicants have updated CoT128 in the commitments register (F1.5.3/F07) at Deadline 6 to note that the hydrogeological risk assessment(s) will be informed by additional ground investigation information. The scope of the ground investigation and groundwater monitoring will be agreed with the Environment Agency and Natural England. These assessment(s) will used to inform the detailed site-specific crossing design for the installation of the offshore export cables beneath Lytham St Annes Dunes SSSI and St Annes Old Links Golf Course</p>



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	<p>thoroughly assessed.</p> <p>b) Natural England advises the Applicant to consider the installation of dipwells (automatic dataloggers) to monitor the position of the water table pre- and post-construction and this commitment should be included as a part of the ongoing Monitoring Plan</p> <p>c) In addition, we advise that modelling is necessary to determine the</p>		<p>baselining and the absence of any drawdown related to their abstraction regime.</p> <p>The installation of new groundwater observation boreholes will need to be balanced against the potential impact to the SSSI from the drilling of additional boreholes or the impact on third party land from the provision of such infrastructure.</p>			

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	position of the water table and potential fluctuations that may arise as part of the proposals over the lifetime of the project.					
RI_G2	Natural England advises that the limited project specific data collected makes it difficult to assess any potential changes in habitat/ species composition associated, for example, with a modified water table brought about by the dewatering and			In progress. Our response to R1_G1 is also applicable here.		The Applicants undertook the NVC survey of the Lytham St Annes Dunes SSSI/LNR in July 2025 and of the St Annes Old Links Golf Course in September 2025. The NVC survey is a detailed botanical survey technique designed to identify plant communities. For the surveys of Lytham St Annes Dunes SSSI/LNR and the St Anne's Old Links Golf Course BHS. Quadrats of 2m x 2m were used and within each quadrat, all species were recorded within an estimate of percentage cover and abundance using the Domin Scale (see Table 1.3 in F3.3.3 Environmental Statement Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report - Rev F03 (REP5-038) which outlines the Domin Scale). For the Lytham St Annes Dunes SSSI/LNR, 61 quadrats were utilised and for the St Anne's Old Links Golf Course BHS, 26 quadrats were utilised. Further details on the plant communities recorded in each quadrat are included in Appendix D and Appendix E of Volume 3, Annex 3.3: Phase 1

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	<p>pumping of water during construction from the TJB. Natural England advises that surveys of St. Annes Old Links Golf Course BHS should be undertaken in June 2025 to fill in the evidence gaps to better assess potential changes to habitats and species from the potential dewatering of the site. Use of fine scale Lidar may help identify low lying areas which may be relict dune slacks.</p>					<p>habitat, national vegetation classification and hedgerow survey technical report - Rev F03 (REP5-038).</p>

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RI_G3	Further details (map and GPS locations) as to a) the location of the Transmission Joint Bays (TJBs) in Blackpool Airport, b) exit pits on the foreshore, c) the location of Compound 2 and d) the cable alignment under the sand dunes and cable depth is needed to help rule out impacts on sand dune SSSI features associated with Lytham St. Annes Dunes.		<p>The Applicants note there is no change on this matter and refer Natural England to RI_G3 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>No further information is available on the TJBs, exit pits, location of compound 2 and the cable alignment/ depth beneath the sand</p>	In progress. [AS-081] provides indicative locations of works in Figure 3 showing the approximate location of the exit pits and temporary compounds. More information on cable alignment and cable depth under the sand dunes is required. This information should be provided in the Landfall Construction Method Statement.		<p>The Applicants note that further clarity has been captured on the location of temporary construction compound 2 within the Landfall Construction Method Statement at Deadline 5 (REP5-116). Temporary construction compound 2 will not be located on the beach between MHWS and MLWS in front of the Thursby Care Home to maintain access for lifeboat recovery by the RNLI. No further information is available on the TJBs, exit pits, location of compound 2 and the cable alignment/ depth beneath the sand dunes at this stage and will not be available until contractors have been appointed and the detailed design work post consent has been undertaken.</p>

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			dunes at this stage and will not be available until contractors have been appointed and the detailed design stage completed. However, this information will be presented within the detailed Hydrological Risk Assessment(s) and the detailed Landfall Construction Method Statement(s). Both of these are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REF).			
RI_G4	Natural England advises that further details on		To address Natural England's concern the Applicants have	No change.		The Applicants await Natural England's response to the document submitted at Deadline 5, which the Applicants trust will resolve this matter.

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	the Direct Pipe Trenchless Technique and evidence to support its feasibility is required to be able to fully assess the potential impacts to Lytham St. Annes Dunes SSSI. An outline contingency plan should be developed and the Worst Case Scenario (WCS) should be at least assessed in the assessment, i.e. cable installation failure when using Direct Pipe		prepared and submitted an Outline Trenchless Crossing Mitigation Plan as Appendix A to the Outline Landfall Construction Method Statement (C1/F07).			

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	Trenchless Technique.					
RI_G5	The condition of Lytham St. Annes Dunes SSSI is currently assessed as Unfavourable Recovering (based on a 2014 Natural England assessment). To achieve Favourable condition of the dunes ongoing management of the Fylde Dunes (including Lytham St. Annes Dunes SSSI and Lytham Foreshore Dunes and Saltmarsh BHS as outlined in		<p>The Applicants note there is no change on this matter and refer Natural England to RI_G5 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants have confirmed that the existing management works to the dunes can continue as</p>	<p>No change. We acknowledge the Applicant's confirmation that there will be no restriction of ongoing management works [REP4-100]. We advise that either a commitment or preferably acknowledgement and assessment of this in a named document to ensure that habitat management works for designated sites can continue unhindered should it be included.</p>		<p>The Applicants note there is no change on this matter and refer Natural England to RI_G5 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124). In addition, The Applicants have made a commitment (CoT141) (see commitments register (F1.5.3/F07)) that they will ensure that ongoing habitat management works (Skelcher, 2024) within Lytham St. Annes Dunes SSSI and Lytham Foreshore Dunes &amp; saltmarsh will be able to continue during cable installation. The Applicants consider that with this commitment in place, this matter can be closed.</p>

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	Skelcher (2024) has been agreed. Natural England advises that the Applicant should consider in the Outline Ecological Management Plan how the required management actions outlined in Skelcher will continue to take place during the duration of the project.		planned because there will be no above ground works within the dunes. The Applicants have also committed to avoiding works over winter between November and March (CoT110 and CoT129) and will therefore not be working on the beach or near the dunes when the majority of the habitat management works (e.g. Christmas tree planting) will be undertaken.			
RI_G6	From the information provided Natural England does not		The Applicants note there is no change on this matter and refer Natural England	No change. The updated Outline Soil Management Plan [REP4-041] includes minor updates		The Applicants point Natural England to REP5-180 Natural England (Appendix G5.1 Natural England's further advice on soils) (Table 2.7) where a full response on ALC survey coverage is provided.



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	consider there to be reasonable justification for the lack of Agricultural Land Classification (ALC) survey effort to date. Natural England advises (a) the Applicant needs to undertake a detailed ALC and soil survey of the agricultural land across the full Study Area to inform the application. And (b) the commitment to restore land needs to be secured in the DCO to not only		to RI_G6 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100). The Applicants requested a meeting with Natural England to try and understand why they have a different approach to other projects when compared to Transmission Assets. In addition, the Applicants would have used the meeting to note that	to clarify roles and responsibilities and purpose of management plan. Therefore our previous advice is still applicable at Deadline 5; we are unable to offer a comprehensive response until a full and detailed ALC survey has been undertaken. The ALC survey is essential to accurately determine the quality and versatility of the land, which in turn informs the appropriateness of proposed land use and management strategies. Without this baseline data, any assessment of soil function, sustainability, or long-term impact remains provisional. The oSMP		

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	reinstate the land but to ensure the site will be restored at a minimum to the same ALC grade as before construction, to ensure that land quality will not be negatively affected.		they are aligned with relevant standards and other project approaches. As Natural England have declined a meeting and not given a justification on their approach the Applicants conclude that this is a point where the conclusion will be that the parties 'agree to disagree'.	should be informed by this survey data.  Whilst we acknowledge that in principal the soil handling seems to follow best practice, in the absence of survey results this issue will not progress. Please see Appendix G5.2.		
RI_G7	Natural England utilises the England Peat Status Greenhouse Gas and Carbon Storage which identifies that part of the cable route		The Applicants note there is no change on this matter and refer Natural England to RI_G7 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3	No change. [REP4-118] provides a response to Hearing Action Point 14 from ISH 2 and includes a Peat Technical Note. The note provides a summary of where peat has been referenced in submitted documents.		The Applicants point Natural England to REP5-184 2.1 Natural England (Appendix L5 Natural England's comments on ExQ2) (Table 2.16), Q2:6.1.7 and Q2: 6.1.8 where a full response on peat is provided.

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	is situated on deep peat. At this stage there is not enough information for Natural England to advise if the proposal will have direct or indirect impacts on deep peat. Natural England do not support the principle of developing on restorable peat. Natural England advises that further evidence and survey data is required. Peat surveys should be carried out in line with the IUCN peatland		submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants response to Hearing Action Point 14 (REP4-118) identifies all of the evidence collated in relation to peat within the ES. This includes the locations identified by the archaeological trenching where peat or peaty horizons are identified and a description of the high level of correlation between these findings and	However, no new evidence has been submitted, therefore our advice provided at Relevant Representations and previous deadlines throughout Examination is still applicable. Please see Appendix G5.2.  Please see our answers to ExA questions Q2:6.1.7 and Q2: 6.1.8 in Appendix L5.		

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	programme field protocol. A Peat Management Plan will be required for any buried deep peat around the cabling route, even if it is remaining in situ.		<p>those of the separate detailed soil survey work that has been undertaken and reported in Volume 3 Annex 6.1 of the ES (APP-105).</p> <p>The Applicants have committed to carrying out further peat survey work prior to construction as part of the development of the detailed Soil Management Plan. This is identified in the Outline SMP (REP4-040) at Section 1.8.6.3.</p>			
RI_G8	Natural England advises as per our advice on other joint DCO applications such		The Applicants note there is no change on this matter and refer Natural England to RI_G8 in	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G8 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).

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	as the East Anglia offshore windfarms and most recently for Dudgeon and Sheringham Extension Projects that a commitment is made, that whichever project is constructed first installs the onshore cable ducts for both projects to minimise the environmental impacts and the working corridors if construction overlaps. We advise full consideration of all mitigation		'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			

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	measures are considered as part of the consenting process.					
RI_G9	To better understand the potential impacts at dune structure and function, Natural England queries the minimum required distance between the 6 proposed cables in order to minimise the effect of heat transfer. Where the cable crosses under Lytham St. Annes Dunes SSSI and St. Annes Old Links Golf Course BHS		The Applicants note there is no change on this matter and refer Natural England to RI_G9 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants have received Natural England's comments	No change.		The Applicants submitted an updated outline hydrogeological risk assessment at D5 (REP5-104) in line with Natural England's comments (which were responded to in REP5-124). The Applicants now anticipate that this issue can be closed out.

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	the Order Limit has been minimised (which is welcomed), but using the current MDS this would mean the route is constrained at its narrowest point to 260m to the north and 220m to the south. Depending on the required distance between the cables this could result in the cables underlying a significant proportion of the SSSI dunes and relict dunes. Natural England advises that clarity is needed regarding the		<p>on the Outline Hydrogeological Risk Assessment at D4 (REP-140) and have provided a response to these at D5 (NE13). In addition, the Applicants have updated the Outline Hydrogeological Risk Assessment (S_D3_6) in line with REP-140 and re-submitted at D5 (S_D3_6/F02).</p> <p>The Applicants have made a commitment (CoT128 of Volume 1, Annex 5.3: Commitments Register of the ES (F1.5.3/F06)) to undertake detailed hydrogeological risk assessment(s) in</p>			

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	minimum distance between cables. This ideally would be illustrated showing the cable alignment within the Order Limits and the distance between the cables given in metres.		relation to the crossing of the Lytham St Annes Dunes SSSI. These assessment(s) will be used to inform the detailed site-specific crossing design(s) for the installation of the offshore export cables beneath Lytham St Annes Dunes SSSI. This is secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (C1/F07).			
RI_G10	Natural England advises that the Applicant clarify what temperatures may		The Applicants note there is no change on this matter and refer Natural England to RI_G10 in	No change. However, we understand that the Applicant will be providing further information at Deadline 5		The Applicants submitted an updated outline Hydrogeological Risk Assessment at D5 (REP5-104) in line with Natural England's comments (which were responded to in REP5-124). The Applicants now anticipate that this issue can be closed out.



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	extend to the surface and across the dune structure when the cable is operational and assess and provide evidence on any possible impact on sand dune vegetation in terms of affecting water availability and mimicking drought (especially with increased issues of summer drought associated with climate change).		<p>'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>With regard to Natural England's comment of 'no change', the Applicants would like to understand the reasons behind this position and whether Natural England are comfortable with the outline hydrogeological risk assessment (noting</p>	which has the potential to resolve this matter. We will therefore provide further advice once reviewed.		

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
			<p>this has been updated at Deadline 5 (S_D3_6) and that comments will be given by Natural England at Deadline 6.</p> <p>The Applicants note that the cables lose energy as heat during operations in proportion to the power that is being transmitted through the cables at a given moment. The cable system will be designed to not exceed 90-degrees Celsius over its operational lifetime, however the average temperature of the cables will be significantly lower</p>			

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			<p>due to the variable nature of wind power generated. The Applicants reconfirm that it is likely that any increase in soil temperature will be localised and confined to the areas immediately surrounding the offshore cables, and note that there is evidence that operation of cable systems for windfarms have negligible impact on soil temperatures away from the immediate vicinity of the cables;</p> <ul style="list-style-type: none"> <li>• A lab-based study, by <i>C.J. Emeana et</i></li> </ul>			

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			<i>al., 2016,</i> concludes 'Our results suggest that for submarine HV cables with surface temperatures up to 60 °C above ambient and buried within clays to coarse silts with low permeability ... Temperatures are only raised significantly within 40 cm radius of the cable.'			

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			<ul style="list-style-type: none"> <li>A field study, by <i>Meißner et al.</i>, 2007, measured a 1.4 Celsius increase in soil temperature 20cm below the seabed, above a subsea cable buried to a DoL of 3.0m on the Nysted offshore windfarm.</li> </ul> <p>As stated within the Project Description (Table 3.13, REP2-008), the drill profile of the trenchless technique underneath the Dunes SSSI will be a</p>			

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			<p>minimum of 10m, to a maximum of 30m, therefore the depth to the ground surface greatly exceeds the zone over which measurable temperature rise is expected. The Applicants consider there is likely to be a shallow, laterally continuous water table. At 10m depth, the cable will be located within the saturated zone of the groundwater which will have an additional cooling effect.</p>			

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RI_G11	Natural England advises that the ES should present the detailed and semi-detailed Agricultural Land Classification (ALC) survey information. This should include a breakdown of the ALC grades (area, %) in relation to the application site boundary and include ALC and soil data for the cable route and areas of permanent infrastructure and habitat enhancement. A breakdown of the proposed site into		The Applicants note there is no change on this matter and refer Natural England to RI_G11 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100). In addition, the Applicants direct Natural England to Table 6.9 in Volume, Chapter 6: Land use and recreation which outlines the agricultural land quality distribution	No change. Our response to RI_G6 is also applicable here.		The Applicants note there is no change on this matter and refer Natural England RI_G6 above and to RI_G11 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124).

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	disturbed and undisturbed land categories should also be included, split by ALC grade, to help illustrate the potential for impact on agricultural land grade.		within the study area according to soil surveys and Table 6.10 which sets out the agricultural land quality distribution within the onshore substation sites (permanent land take) according to soil surveys.			
RI_G12	Natural England notes the reference to topsoil removal, back filling of topsoil level and replacement of topsoil, but no proposed timeline of activities included. As part of an Outline Soil management Plan		The Applicants note there is no change on this matter and refer Natural England to RI_G12 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural	No change. Our response to RI_G6 is also applicable here.		The Applicants note there is no change on this matter and refer Natural England to RI_G6 above and to RI_G12 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124).



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	[APP-200] Natural England advises that further information on the timeline of proposed soil handling is provided and mitigation measures to minimise the impacts secured.		England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100). The Applicants highlight that Requirement 16, Schedules 2A and 2B of the draft DCO (REP4-007) notes that reinstatement of land that is used temporarily for construction must be reinstated within 12 months following the completion of the relevant stage of works.			
RI_G13	Natural England notes that following installation of ducts and backfilling of		The Applicants note there is no change on this matter and refer Natural England to RI_G13 in 'S_D4_2.6 Annex 2.6	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G13 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124). In summary, the Project Description (REP5-024) outlines that the indicative target trench depth to the top of the protective tile will be

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	trenches the cables will be pulled through the ducts from joint bays. Natural England advises that the depth of the cabling laying be secured in a named plan and on the face of the DCO/dML. This depth is expected to be consistent with the industry standard of 0.9m depth.		to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			1.2m. However, the precise burial depth of the onshore export cable and the 400kV grid connection cable will be confirmed during detail design (post consent) and will be informed by site specific data, as well as being subject to factors such as ground conditions. Therefore, the Applicants do not consider it is appropriate that the minimum depth of the cable laying be secured in a named plan and on the face of the DCO. As no further comments have been raised on this point, the Applicants consider that this matter can be closed out.
RI_G14	Further information on the timings of survey observations, quadrat locations and how wetness of dune slacks		The Applicants have submitted an updated version of Volume 3 Annex 3.3: Phase 1 habitat, national vegetation classification and	No change. We look forward to sight of the NVC survey report and will provide further advice once reviewed..		The Applicants submitted an updated version of F3.3.3 Environmental Statement Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report - Rev F03 (REP5-028) at Deadline 5. Section 1.3.3 of REP5-028 summarises the results of the 2025 NVC surveys. With this additional NVC survey data included in Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow

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	was calculated should be provided to better understand the robustness of the survey data. This should include date of NVC surveys (2016 or 2024), map showing quadrant locations and a quadrant data table		<p>hedgerow survey technical report ( F3.3.3/F03), which includes minor amendments to clarify the quadrats shown on Figure 1.3 and provided as Appendix C related to NVC ground-truthing surveys undertaken by the Applicants in August 2024.</p> <p>See also response to R1_G1.</p> <p>It is assumed that Natural England has sufficient detail in response to this comment to close out this issue.</p>			survey technical report - Rev F03 (REP5-028), the Applicants consider that this point can be closed out. .

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RI_G15	Natural England notes that the maximum design parameter represented in Table 3.23 for the construction cable corridor (temporary) does not align with calculations made elsewhere within the chapter. Natural England advises that the MDS should be consistent across ES chapters and named plans.					
RI_G16	Natural England notes that the document states that proposed biodiversity					

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	benefit and ecological mitigation areas have not been subjected to surveys. Natural England advises that soil testing for basic soil properties (pH, SOM and macro-nutrients) should be completed at the same time as the ALC and soil survey.					
RI_G17	Natural England notes that it is stated that the location of representative auger boring surveys were chosen to reflect		The Applicants note there is no change on this matter and refer Natural England to RI_G17 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G17 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124). ). The Applicants have provided more detailed responses on this point in REP5-180.12 in the Applicants response to Natural England (Appendix G5,1) (Table 2.7).

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	the main soil types identified within the Onshore Order Limits, according to the desktop information. Natural England advises that this is insufficient. Natural England advises that the ES should present the detailed and semi-detailed Agricultural Land Classification (ALC) survey information across the full Study Area. This should include a breakdown of the ALC grades (area, %) in relation to		<p>Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants requested a meeting with NE to resolve issues, including a discussion of the findings of the soil survey work undertaken, the precautionary approach adopted towards the assessment of the effects of Transmission Assets on ALC and the commitment to</p>			

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	the application site boundary and include ALC and soil data for the cable route and areas of permanent infrastructure and habitat enhancement.		undertake additional soil survey work pre-construction. As Natural England have declined a meeting and not given a justification on their approach the Applicants conclude that this is a point where the conclusion will be that the parties 'agree to disagree'.			
RI_G18	It is unclear whether the archaeological trenches would meet the requirements to obtain relevant data (soil properties) to determine ALC		Section 1.7 of the outline Soil Management Plan (REP4-040) identifies that the initial survey work undertaken to inform relevant sections of the Environmental Statement will be	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G18 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124).

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	grade. Natural England advises that further survey data should be provided to support the ES soils assessment and further monitoring requirements prior to construction agreed.		supplemented by further soils surveys pre-construction undertaken at a density of one observation per hectare (ha).  Where survey work has not been undertaken to date, further survey work will be used to characterise the soil properties and identify the depths of different topsoil and subsoil units (if necessary) to be stripped within the working areas, to ensure soil types are separately stored and to inform the			



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			<p>detailed Soil Management Plan(s). The Applicants have made a commitment (CoT81 o Volume 1, Annex 5.3: Commitments Register of the ES (F1.5.3/F06) to develop detailed Soil Management Plan(s) in line with the Outline Soil Management Plan (J1.7/F03). This is secured by Requirement 8 of Schedules 2A &amp; 2B of the draft development consent order (C1/F07). Detailed CoCP(s) will be implemented by the Applicants as approved by the</p>			

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			relevant planning authorities.			
RI_G19	Natural England advises that the commitment needs to be secured in the DCO to not only reinstate the land but to ensure the site will be restored at a minimum to the same ALC grade as before construction, to ensure that land quality will not be negatively affected. The commitment to implementing additional measures to		<p>The Applicants note there is no change on this matter and refer Natural England to RI_G19 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants have requested a meeting with NE to resolve issues, including a discussion of the</p>	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G19 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124).

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	further benefit the land quality/productivity should also be included. We also advise that the Outline Soils Management Plan should include restoration criteria to ensure the land is aligned to the ALC survey results.		findings of the soil survey work undertaken, the precautionary approach adopted towards the assessment of the effects of Transmission Assets on ALC and the commitment to undertake additional soil survey work pre-construction. As Natural England have declined a meeting and not given a justification on their approach the Applicants conclude that this is a point where the conclusion will be that the parties 'agree to disagree'.			

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			Section 1.7 of the outline Soil Management Plan (REP4-040) identifies that the initial survey work undertaken to inform relevant sections of the Environmental Statement will be supplemented by further soils surveys pre-construction undertaken at a density of one observation per hectare (ha)  Where survey work has not been undertaken to date, further survey work will be used to characterise the soil properties and identify the depths of			

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			different topsoil and subsoil units (if necessary) to be stripped within the working areas, to ensure soil types are separately stored and to inform the detailed Soil Management Plan(s).			
RI_G20	Natural England advises that air quality impacts on ecological features including international and nationally designated sites and their qualifying features should be considered in the chapter.		The Applicants note there is no change on this matter and refer Natural England to RI_G20 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 -	No change. Whilst we acknowledge the information included in the Outline Code of Construction Practice [REP4-026] which includes wording for measures to reduce air quality impacts and dust management, we continue to advise that the Applicant should undertake further air quality assessments as		<p>The Applicants would like to summarise their position in respect to this matter, noting that as the assessment did not identify any significant air quality effects on sensitive ecological receptors, the undertaking of further air quality assessments would not change the outcome of the assessment of significant effects, or subsequently identify any other management measures that may be required.</p> <p>Potential impacts on the following nationally and internationally designated ecological sites as a result of changes in air quality have been considered as follows:</p> <ul style="list-style-type: none"> <li>- Red Scar and Tun Brook Woods SSSI – as set out in the Applicants' response to Natural England's Relevant Representations in Annex 3.2.14 to Response to RR - Natural England (RR-1601) - Appendix G (Onshore Ecology and</li> </ul>

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			<p>REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants maintain that all potential air quality impacts on ecological features including internationally and nationally designated features have been adequately assessed in Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075) and Volume 3 Chapter 9: Noise and Air Quality (APP-121) and therefore have nothing further to add. The Applicants assume that this issue can be closed out given that no</p>	<p>the results are necessary to inform any management measures which may be required. This advice is also applicable to RI_G43 and RI_G44. Please see Appendix G5.2.</p>		<p>Nature Conservation) (PDA-021), no significant effects to this SSSI were predicted. The potential for changes in air quality arising from construction traffic emissions and potential elevated nitrogen oxides (NOx) and ammonia (NH3) concentrations and nutrient nitrogen and acid deposition to the SSSI is identified in paragraph 1.1.1.4 of F3.9.1 Volume 3, Annex 9.1: Air quality impacts on ecologically designated sites (APP-122). The SSSI is located approximately 7.83 km from the Transmission Assets on the eastern side of the M6 motorway (the nearest SSSI unit to the motorway is approximately 10 m from the southbound carriageway). As set out in paragraph 1.3.4.2 of APP-122, the Process Contributions (PC) from annual mean NH3, nutrient nitrogen deposition and acid deposition exceeded the 1% screening threshold of the relevant critical loads/ levels at the SSSI, and was therefore subject to further detailed assessment. This assessment is presented in paragraphs 3.11.5.7 to 3.11.5.20 and the effects were concluded to be minor adverse and therefore not significant.</p> <p>- Ribble &amp; Alt Estuaries SPA, Ribble Estuary SSSI, Newton Marsh SSSI, Lytham St Annes Dunes SSSI – as set out in the Applicants' response to R1_G20 of document S-D4_2.6_Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) -</p>

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			further consultation responses have been provided by Natural England in respect of this outstanding issue.			<p>Rev F01 (REP4-100), an assessment of potential air quality effects arising from dust deposition during earthworks, construction and trackout on the sensitive features of these sites is presented in Tables 9.34 and 9.35 of Volume 3 Chapter 9: Air Quality (APP-121) and the effects were assessed as negligible (paragraph 9.11.2.1). These receptors were therefore not carried over into the ecology assessment.</p> <ul style="list-style-type: none"> <li>- Lancaster Canal BHS, Bartle Wetland West BHS, Bartle Wetland East BHS, Houghton Park &amp; Fulwood Park Woods ancient and semi-natural woodland, Brockholes Quarry BHS, Pope Lane Ponds BHS, Brockholes Wood BHS, Cuerdale Wood West ancient woodland &amp; BHS, Mosney Wood ancient woodland, Laund Wood and Ollerton Wood ancient woodland &amp; BHS, Leeds/ Liverpool Canal (Walton Summit Branch) BHS, Denham Wood BHS, Cuerden Valley Park &amp; River Lostock BHS, Holt Brow Wood and Foxholes Park BHS, Lucas Lane Pastures BHS, Haddock Park Wood ancient woodland &amp; BHS, River Ribble BHS, Fishwick Bottoms &amp; Pope Open Space BHS and Grange Valley LNR – as presented in Tables 1.1 (predicted NOx concentrations), Table 1.2 (predicted NH3 concentrations), Table 1.3 (nutrient N deposition) and Table 1.4 (acid deposition) of F3.9.1 Volume 3, Annex 9.1: Air quality impacts on ecologically designated sites (APP-122), the modelled maximum annual mean NOx, daily mean NOx, annual mean NH3, nutrient N deposition and acid deposition</li> </ul>

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						PCs were predicted to not exceed 100% of the relevant critical loads/ levels and therefore impacts were screened out as insignificant.
RI_G21	Natural England advises that further information is needed regarding the proposed mitigations measures to minimise/mitigate impacts on sand lizards e.g. measures to minimise vibration which could cause sand lizard burrows to collapse. The proposed mitigation (3.11.13.19) has not been		The Applicants note there is no change on this matter and refer Natural England to RI_G21 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants submitted an Outline Sand Lizard Mitigation Plan at	Progressed but not resolved. The Outline Sand Lizard Mitigation Plan [REP4-117] now acknowledges the presence of sand lizards and assumes that operational activities could potentially impact upon them. The document also lists a range of measures that will be undertaken to minimise impacts, however we advise that these measures constitute licensable activities. The Applicant therefore will need an EPS Licence in order to undertake these		<p>The Applicants confirm they would obtain a Natural England EPS mitigation licence for sand lizards for construction works associated with the landfall at Lytham St Annes beach, including the construction compounds and access tracks. A draft method statement for an EPS licence application was submitted at Deadline 5 (REP5-149). Any incidental handling of sand lizards as part of the ECoW duties would therefore be undertaken by the licensed ecologist working under the EPS licence.</p> <p>The Outline Sand Lizard Mitigation Plan was also updated at Deadline 5 (REP5-112) to reflect comments that were received from Fylde Borough Council ahead of Deadline 5 on the first iteration of the document. Fylde Borough Council formally submitted these comments into the Examination at Deadline 5 (REP5-171) and the Applicants have provided responses to these in Annex 2.3 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Fylde Borough Council (REP5-170, REP5-171, AS-084) (S_D6_2.3). Further amendments have been subsequently made to the Outline Sand Lizard Mitigation Plan following further comments received from Fylde Borough Council (some of which were also raised to the</p>



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	previously discussed and agreed and the positioning of the cut-off trenches needs to be considered in terms of potential dewatering effect/damage to the foredunes.		<p>Deadline 4 and have subsequently revised this document following comments received from FBC at Deadline 4 and submitted it at Deadline 5 (S_D5_15).</p> <p>The Applicants have now agreed with Natural England that an EPS mitigation licence would be obtained for construction activities at the landfall site. A draft EPS licence has been submitted at Deadline 5 (S_D5_16).</p>	measures. Please see Appendix G5.2.		<p>ExA by Fylde Borough Council at ISH3), and this document will be submitted at Deadline 6 (S_D4_14/F03). The draft EPS licence documents were updated and issued to Natural England on 14 October 2025.</p> <p>Further engagement is ongoing with the Natural England Wildlife Licensing Service (NEWLS) regarding obtaining a Letter of No Impediment (LONI), and the Applicants hope to resolve this matter with the NEWLS team prior to the close of the examination. If this is not possible, the LONI will be submitted as soon as it is received for the consideration of the Secretary of State.</p>
RI_G22	Natural England advise that a UXO contingency plan		The Applicants note there is no change on this matter and	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_G22 in S_D5_2.5 Annex 2.5 to Applicants'

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	should be provided – should UXO be found within Lytham St. Annes Dunes SSSI.		refer Natural England to RI_G22 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124).
RI_G23	The Applicant has outlined the onshore survey area as a 150m buffer around the Onshore Order Limits. Natural England typically advise that a					

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	buffer of 200m should be used. Provide justification for why a 150m buffer was chosen and how this can be shown to be a sufficient distance to account for all disturbance incidents to Important Ecological Features (IEFs).					
RI_G24	Natural England notes that for Sand Lizard – timing of works (piling / installation of cofferdams at TJB etc) could be used to minimise risk that vibration		The Applicants note there is no change on this matter and refer Natural England to RI_G24 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from	No change. Our response to RI_G20 is also applicable here.		Timing restrictions for construction activities at the landfall site (for wintering/ passage birds) will mean that there are no construction activities being undertaken including piling/ installation of cofferdams during the sensitive hibernation period for sand lizard. This approach will be included within the EPS licence for sand lizards. Further seasonal restrictions during the activity/ breeding season are not considered proportionate to the level of risk, which the Applicants believe can be appropriately managed through

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	cause burrows to collapse when being used by hibernating or breeding Sand Lizard. Natural England advises that further consideration is given to timing restrictions for works near to known Sand Lizard populations.		Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  See response to R1_G21. The Applicants will not be undertaking any works between November and March and this will avoid the sensitive sand lizard hibernation period.			mitigation measures, the implementation of which would be under an EPS mitigation licence.  See response to R1_G21 also.
RI_G25	Natural England advises that monitoring plans are updated to include pre and post construction monitoring of humid dune slacks. This will		The Applicants have undertaken additional NVC surveys of the dunes and adjacent BHS on the golf course in August and September 2025 respectively which have been reported	No change.		The Applicants consider that this matter can now be resolved, given that further NVC surveys of the dunes have now been undertaken (in summer 2025) (and presented in F3.3.3 Environmental Statement Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report - Rev F03 (REP5-038)) and there is a commitment to undertaking a detailed hydrogeological risk assessment (CoT128) for the trenchless crossing of the dunes post-consent, which may identify the need for post-construction monitoring.

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	help to determine the success of the mitigation measures and confirm the assessment.		in Volume 3, Annex 3.3: Phase 1 habitat, national vegetation classification and hedgerow survey technical report (F3.3.3/F03). These have been used to update the outline hydrogeological risk assessment (S_D3_6/F02), although it is noted that the baseline conditions reported by the surveyor remain in line with the assumptions made both in the ecological impact assessment and the outline hydrogeological risk assessment. These data can be used as			

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			a baseline for post-construction monitoring.			
RI_G26	Natural England should be informed of any bentonite breakouts that occur on any SPA, Ramsar or SSSI sites or within any sand dune or foreshore habitats. Ground investigation works should be taken to inform consenting and to ensure the technical feasibility of any proposed mitigation		To address Natural England's concern the Applicants have prepared and submitted an Outline Trenchless Crossing Mitigation Plan as Appendix A to the Outline Landfall Construction Method Statement (S_D4_22/F02).	No change.		The Applicants consider that this matter is now resolved. These issues are covered within the Outline Landfall Construction Method Statement (REP5-116), which would be updated post-consent following the outcome of ground investigations and detailed design. This commitment (CoT35) is secured by draft DCO Requirement 8 of Schedules 2A&2B of the dDCO (REP5a-018).

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	associated with landfall installation methodology. Natural England advises that geotechnical data should be used to ensure that mitigation measures are fit for purpose and are relevant to the proposed installation methodology.					
RI_G27	Fairhaven Saltmarsh is identified in the Outline Ecological Management Plan (J6) as a permanent mitigation area. Natural England		Following a meeting with Natural England on 16 <sup>th</sup> September 2025 further clarification was provided, which allowed Natural England and the Applicants to agree	Progressed but not resolved. The OEMP [REP4-059] and the passage period at landfall technical note [REP4-121] do provide some additional detail to inform the management measures of Fairhaven		See RI_H3. The Applicants hope that this matter can now be closed.

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	advises that more details regarding the proposed permanent mitigation area at Fairhaven Saltmarsh – for example the fencing specification and installation measures are required. The Applicant should also refer to Skelcher (2024) botanical report which covers this area (survey from 2010 & 2016)– showing the saltmarsh and sand dune communities that are present.		that subject to the Applicants submitting further information into Examination at Deadline 5, (which was discussed during the meeting and subsequently over email), Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and	and the energetics from disturbance/displacement at the landfall. Our advice is provided in Appendix H5. We are hopeful that this issue can be closed out following Applicant submissions at Deadline 5.		



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			employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven Saltmarsh scheme is an alleviation measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal.			
RI_G28	Natural England disagree with the conclusion of		The Applicants note there is no change on this matter and	No change. We look forward to the survey data being provided at		The Applicants consider that this matter can now be closed - see responses to R1_G25 and R1_G26.

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	effect of changes in hydrogeology on the SSSI and LNR will be minor adverse - not significant. Natural England advises that further survey evidence should be provided to support the Application conclusions.		<p>refer Natural England to RI_G28 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>See response to R1_G25. The Applicants have undertaken further NVC surveys and have prepared an Outline Hydrogeological Risk Assessment to bring together hydrology and ecological</p>	Deadline 5 and will provide further advice once reviewed		

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			<p>assessment work undertaken to date (S_D3_6/F02).</p> <p>The Applicants have made a commitment (CoT128 of Volume 1, Annex 5.3: Commitments Register of the ES (F1.5.3/F06)) to undertake detailed hydrogeological risk assessment(s) in relation to the crossing of the Lytham St Annes Dunes SSSI. These assessment(s) will be used to inform the detailed site-specific crossing design(s) for the installation of the offshore export cables beneath Lytham St Annes</p>			

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			Dunes SSSI. This is secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (C1/F07).			
RI_G29	Natural England has focused on coastal habitats and no SAC sites were identified within the Order of Limits. Natural England have not reviewed the HRA reports – but note sand dune habitats which could be classified as an Annex I habitat type have been covered in [APP-018]. Natural England					

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	advises that impacts to Ramsar habitats will be required.					
RI_G30	[APP-018] Table 1.24 does not consider all potential impact pathways or relevant European sites, specifically air quality impacts have not been considered. [APP-121] states the Ribble Estuary SPA/Ramsar includes features sensitive to dust within 20m of the Onshore Order Limits, therefore these features need to be		The Applicants note there is no change on this matter and refer Natural England to RI_G30 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants maintain that all relevant IEFs have	No change.		See response to R1_G20.

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	considered in the HRA. Natural England advises that air quality impacts on internationally designated sites should be considered.		been scoped into the assessment, and impacts upon them have been adequately assessed and therefore have nothing further to add (see section 3.11 in Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-075). The Applicants assume that this issue can be closed out given that no further clarification points have been provided by Natural England in respect of this outstanding issue.			
RI_G31	Table 3.17 includes a list of all Important		The Applicants note there is no change on this matter and	No change.		The Applicants assume that this issue can be closed out given that no further consultation responses have been provided by Natural England in respect of this outstanding issue.

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	Ecological Features (IEFs) taken forward into assessment. Natural England advise the chapter to be updated to include information demonstrating why other IEFs have been scoped out for further assessment.		<p>refer Natural England to RI_G31 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants maintain that all potential impact pathways to relevant European sites, specifically air quality impacts (see section 3.11 if Volume 3, Chapter 3: Onshore ecology and nature conservation (APP-</p>			

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			075), have been adequately assessed and therefore have nothing further to add. The Applicants assume that this issue can be closed out given that no further consultation responses have been provided by Natural England in respect of this outstanding issue.			
RI_G32	Table 3.40 and section 3.11.6.2 give the breakdown of coastal saltmarsh loss temp (0.03ha) and permanent (0ha). Natural England		The Applicants note there is no change on this matter and refer Natural England to RI_G32 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3	No change.		The Applicants clarified in their response at Deadline 4 (REP4-100) that there is no coastal saltmarsh habitat within Lea Marsh BHS despite this being shown on the MAGIC priority habitat layer (which is where the 0.03 ha figure that is referred to in Table 3.40 of Volume 1 Chapter 3: Onshore ecology and biodiversity (APP-075) is identified). The Phase 1 habitat survey undertaken by the Applicants confirmed that the 0.03 ha of habitat that is temporarily impacted at Lea Marsh BHS is species-poor grassland, which was not scoped into the impact assessment as an Important Ecological



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	advises the Applicant provide further information on where the 0.03ha of saltmarsh loss will occur.		submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants have nothing further to add on this point and assume that this issue can be closed out given that no further consultation responses have been provided by Natural England in respect of this outstanding issue.			Feature, and nor is it a designated feature of the BHS. The Applicants therefore have nothing further to add on this point and assume that this issue can be closed out.

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RI_G33	Although the Applicant has suggested that they will be using Natural England's District Level Licensing (DLL) Scheme, Natural England has not (as yet) approved the use of the DLL scheme for this project. Natural England has agreed in principle to the project using District level Licensing, however this is dependent on the availability of compensation ponds at the time of enquiry. Until an Impact					

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	Assessment and Conservation payment Certificate (IACPC) has been signed by the applicant and counter-signed by Natural England they cannot rely on District Level Licensing as a Licensing approach for this project.					
RI_G34	Natural England notes that in Table 3.15 the summary of key findings for species includes a potential outlying badger sett recorded within the Onshore					

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	Order Limits that appears disused. However, badgers are not considered further within Chapter 3, and no evidence is presented to confirm the outlying badger sett is not used. Badgers are a Protected Species under the 1992 Protection of Badgers Act, and it is the responsibility of the applicant to ensure they have sufficient evidence to demonstrate the proposal will not impact on protected species.					

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	Therefore, Natural England is unable to provide a Letter of No Impediment for Badger at this time.					
RI_G35	Natural England notes the development is not subject to a mandatory net gain requirement and note the Applicant have outlined how they will deliver biodiversity benefit for areas of permanent habitat loss from permanent above-ground infrastructure using Defra BNG					

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	methodology and metric version 4.1 for the calculations. We also note that Lea Marsh BHS will be subject to habitat creation and enhancement measures. Unless there are changes in the design parameters we have no further comment to make during this examination.					
RI_G36	Natural England advise that topsoil bunds should not exceed 3m in height. Natural England advises that Application					

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	documents are updated to reflect best practice.					
RI_G37	Natural England disagrees that the depth of subsoiling operations will depend on the nature of the soil type affected and extent of any compaction that may have occurred. The depth of decompaction should reflect the depth of compaction. Natural England advises that the Applicant reconsider the					

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	information around soil compaction and consider producing an outline decompaction strategy to maximise the effectiveness of decompaction methods.					
RI_G38	a) Natural England would welcome further discussion with the Applicant to determine the scale of impacts on the noctule hibernation bat roost and the judgement which their Ecologist has		The Applicants note there is no change on this matter and refer Natural England to RI_G38 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other	No change.		The Applicants have nothing further to add on this issue and assume it can be closed out. The requirement for pre-construction surveys (and EPS licensing for otters, if needed) is covered in the Outline Ecology Management Plan (REP5-068) (via commitment CoT76) and secured by Requirement 12 of Schedules 2A and 2B of the draft DCO (REP5a-018).



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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	made regarding the possible abandonment of the noctule roost. b) If a licence is required, Natural England advise that quantitative data would be required on the roost, level of activity and use of the surrounding area.		<p>organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).</p> <p>The Applicants reiterate that they have committed to undertaking pre-construction surveys at the roost as set out in the OEMP (REP4-058) (CoT76). If it is subsequently determined that the level of disturbance to the roost would be such that an EPS mitigation licence would be considered necessary, an application would be made to Natural England. As the roost relates to a</p>			

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			common and widespread species of bat (noctule), it is reasonable to assume that an EPS mitigation licence would be able to be secured from Natural England because the mitigation proposed is in line with standard guidance.			
RI_G39	Natural England advises that commitments should be made to ensure that updated badger surveys will be undertaken before works commence to confirm that no new setts have been created, and					

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	that the outlier sett remains disused.					
RI_G40	Sand lizard: Given the detail contained within Section 3.11.13, the described works would likely require an A46 derogation licence to cover disturbance, damage and possibly destruction of habitat due to the exit pits for the routing of the cable within and beneath known sand lizard habitat. Natural England advise that further		<p>The Applicants submitted an Outline Sand Lizard Mitigation Plan at Deadline 4 (REP4-117) and have subsequently revised this document following comments received from FBC at Deadline 4 and submitted at Deadline 5 (S_D4_14/F02).</p> <p>The Applicants have now agreed that an EPS mitigation licence would now be obtained from Natural England for construction activities at the landfall site,</p>	No change. Response to RI_G21 also applies here.		<p>The Applicants can confirm they would obtain a Natural England EPS mitigation licence for sand lizard for works associated with the landfall site, including the construction compounds and access tracks.</p> <p>See response to R1_G21.</p>

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	detail including population size estimates, mitigation and compensation should follow in a draft licence submission.		and a draft method statement that would form part of the application has been submitted at Deadline 5 (S_D4_22/F02).  An EPS mitigation licence for the construction activities at the landfall would need be obtained post-consent (this would not be able to be obtained prior to consent through the DCO being granted), and the Applicant is seeking agreement in principle from Natural England before the close of the examination that the proposed mitigation would be acceptable			

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			<p>as part of a future licence application.</p> <p>A meeting was held with FBC on 5th September 2025 and it was agreed that further surveys undertaken by the Applicants would not provide any greater understanding of the sand lizard population at the Lytham St Anne's Dunes, given that existing survey data have been collected from multiple surveys across multiple years by the Fylde Sand Dunes Project and therefore represent a comprehensive dataset. FBC has subsequently shared</p>			

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			further details on the sand lizard mitigation surveys with the Applicants, including the dates of surveys undertaken in 2022, 2023, 2024 and 2025, and a technical note has been submitted at Deadline 5 (S_D4_14/F02).			
RI_G41	Natural England advises that further information is required on the status of water vole burrows and the works to be undertaken in the water courses with water vole burrows present.					

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RI_G42	a) Natural England advises the Applicant to clarify the location of otter resting places in relation to the watercourses which may be used within the Onshore Order Limits. b) Further information about the cable installation route, associated impacts and proximity to otter resting places would be required to determine the level of impacts posed. c) Natural		The Applicants note there is no change on this matter and refer Natural England to RI_G42 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).  The Applicants have committed to undertaking pre-construction surveys for otter and would review the licensing requirements once	No change.		The Applicants have nothing further to add on this issue and assume it can be closed out. The requirement for pre-construction surveys (and EPS licensing for otters, if needed) is covered in the Outline Ecology Management Plan (REP5-068) (via commitment CoT76) and secured by Requirement 12 of Schedules 2A and 2B of the draft DCO (REP5a-018).

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	England would expect works impacting a natal holt to be avoided. d) Natural England welcomes the proposed habitat restoration and CoT76, however there is minimal detail on how this will be monitored to know if this is compensating for the loss and degradation of habitat during construction.		the detailed design of the scheme has been completed. Any requirement for EPS mitigation licensing for otter would therefore be confirmed at that time.			
RI_G43	There are several gaps in information regarding air quality emissions		The Applicants note there is no change on this matter and refer Natural England to RI_G43 in 'S_D4_2.6	No change. Response to RI_G20 also applies here.		See response to R1_G20.



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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	on designated sites during the construction, operational and decommissioning periods of the project. As a result, Natural England is unable to provide full comments on this impact pathway and state whether we agree with the conclusions on impacts on designated sites at present. These sites include: Lytham St Annes Dunes SSSI Newton Marsh SSSI Ribble Estuary		Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	SSSI Ribble and Alt Estuary SPA Ribble and Alt Estuary Ramsar Red Scar & Tun Brook Woods (Ancient Woodland & SSSI) In particular, Newton Marsh SSSI has been omitted from the air quality assessment and impacts on internationally designated sites (SPA/ SAC/ Ramsar) have not been considered, as highlighted in our previous [RR-1606].					

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	a) We advise that additional information is provided on air quality impacts, as advised in this RR and our previous RR ([RR-1601] Appendix G Onshore Ecology and Nature Conservation). b) Natural England advises for the aforementioned designated sites, air pollution impacts as a result of traffic, machinery and dust are considered and justification is					

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	provided for where impacts have been scoped out.					
RI_G44	The air quality assessment for designated ecological sites does not appear to consider sources of air pollution other than traffic and dust. Natural England advises that information on the use of machinery and equipment (including NRMM) is provided. This should include locations, duration of operations and		The Applicants note there is no change on this matter and refer Natural England to RI_G44 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).	No change. Response to RI_G20 also applies here.		See response to R1_G20.

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	minimum standard of NRMM and equipment with the potential to release pollutants which may impact designated sites, for both the construction areas and all temporary construction compounds. Air quality impacts for this pathway should include all statutory designated sites within a 200m screening distance from the machinery/NRMM, but is not limited to: Lytham St Annes Dunes SSSI					

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	Newton Marsh SSSI Ribble Estuary SSSI Ribble and Alt Estuary SPA Ribble and Alt Estuary Ramsar Red Scar & Tun Brook Woods (Ancient Woodland & SSSI) If impacts on these sites can be screened out, please provide justification on this.					
RI_G45	Newton Marsh SSSI is not included within the assessment of air quality impacts on		The Applicants note there is no change on this matter and refer Natural England to RI_G45 in	No change. Our original RR comment is still applicable.		See response to R1_G20.

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	designated sites, despite the SSSI being within 200m of the proposed works. We advise that all air quality impacts and sources of pollution (including impacts from traffic, dust and machinery/ equipment) are assessed for the SSSI.		'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			
RI_G46	Natural England requires clarification of the level of NOx emissions at Red Scar & Tun Brook Woods (Ancient Woodland & SSSI).		The Applicants note there is no change on this matter and refer Natural England to RI_G46 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3	No change.		See response to R1_G20.

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	If the annual-mean NOx PC is 1% of CL or more, then we advise further assessment of NOx emissions on the SSSI is required and should be secured in the Outline Landscape and Ecological Management Plan (OLEM).		submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			
RI_G47	NH3, nitrogen deposition and acid deposition. Natural England notes that Paragraph 3.11.5.11 – 3.11.5.17 of [APP-075] assesses the		The Applicants note there is no change on this matter and refer Natural England to RI_G47 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3	No change.		See response to R1_G20.



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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix G - Onshore Ecology</b>						
	impacts of exceedance of critical levels for NH3, nitrogen deposition and acid deposition. Despite critical levels being exceeded, the Applicant rules out impacts due to absence of lower plant communities or already exceeded thresholds. Natural England advises that evidence is required on the presence/ absence of lower plant species within the area of exceedance of 1%		submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).			

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	threshold within the SSSI.					
RI_G48				<p>With regard to [AS-081], CoT85 includes detail that temporary haul roads will be installed using meable gravel aggregate. There is potential for the aggregate to spread across the designated site and become intermixed with the sand and be difficult to remove at the end of construction. Further information in the form of an impact assessment should be provided prior to consent to ensure that suitable mitigation measures can be adopted. Please see</p>		<p>The Applicants note that Works no. 42A42B only allows for pedestrian construction access, as secured in Schedule 1, Part 1 of the draft DCO (REP5a-018). However, the Applicants can confirm that gravel aggregate will not be used on either the beach access track or haul roads that may be required on the beach itself. Section 1.12 of the Outline Landfall Method Statement (S_D4_22/F03) has been updated at Deadline 6 to reflect this. Therefore, the Applicants consider that this point can be closed out.</p>

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<b>Risk and Issues Log Deadline 1 – Onshore Ecology</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix G - Onshore Ecology						
				Appendix G5.3, point 4 for further detail.		

## 2.8.9 Onshore and Intertidal Ornithology

**Table 2.26: Responses to questions regarding Onshore and Intertidal Ornithology**

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix H - Onshore and Intertidal Ornithology						
RI_H 1	Surveys of intertidal and terrestrial wintering birds and terrestrial breeding birds have been completed to a minimal viable level on areas within the onshore order limits, with some areas within the red line boundary only being partially surveyed. Additionally, there is a lack of survey effort of surrounding areas in close proximity to work areas which are likely to be disturbed by construction works. Natural England's expectations are that two years of full survey are undertaken across the whole area plus the buffer to inform decision making.		The Applicants are awaiting Natural England's response to the Applicants' D4 submissions.	No change.		The Applicants note there is no change on this matter and refer Natural England to RI_H1 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124). The Applicants' position has not changed. The Applicants request that Natural England provide detail to show that appropriate survey design, buffers and coverage has not been used to inform the EIA and HRA assessments. The Applicants stress that these are (a) proportionate to the largely temporary impacts of the project, and, (b) that they are of a

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	As further survey is unlikely to inform the Examination process due to time constraints, when considering the predictions of the Environmental Statement, the survey data should only be taken as a conservative assessment of the populations present and therefore the level of risk, rather than a precautionary one.					similar or higher level than is commonly used to assess similar DCO underground transmission projects.
RI_H 2	The construction works are expected to last 66 months – this is a long term, albeit not permanent, time to be having an impact when measured in avian terms. The WCS could therefore mean that all birds impacted would be displaced from the entire terrestrial work area for the full 66 months. Natural England advise that the Applicant should consider phasing the works so that only a		No change, the Applicants direct NE to Q1.13 of the Applicants' Response to Examining Authority's Written Questions (ExQ1)' (REP3-056) where the construction phases and scenarios are explained in detail.	No change. NE notes the Applicants response to Q1.1.3 of the 'Applicants' Response to Examining Authority's Written Questions (ExQ1)' [REP3-056] and acknowledge that construction periods are likely to be isolated and not continuous. However the level of detail provided on indicative timings of certain operations e.g. open cut trenching is not included in the Application documents and, as		The Applicants note there is no change on this matter and refer Natural England to RI_H2 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124) and their position has not changed.

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	proportion of the terrestrial works corridor are impacted at any one time. This will greatly reduce the risk that the works present.			advised through DAS, it would be useful for the Applicant to consider the phasing/staging of works in the context of reducing the potential for impacts on bird features. The response to Q1.1.3 does provide some clarity but only in relation to certain types of work and not in relation to how much of the Onshore Order Limits will be worked on at any one time. We appreciate the Applicant's position that they are unable to provide further detail at this point, however our position has not changed. We have reiterated this in previous advice e.g. DAS advice note sent to Applicant 04/08/25 and through Examination e.g. [AS-078].		
RI_H 3	<b>Ribble and Alt Estuaries SPA/Ramsar site – inadequate assessment of wintering</b>		Following a meeting with Natural England on 16th September 2025 further clarification was	Progressed and readily resolvable. Our concerns around AEoI to passage features are		The Applicants welcome Natural England's agreement that there are

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	<b>intertidal features</b> There is not currently enough information within the Application to accurately identify and assess the impacts for wintering and passage features of Ribble and Alt Estuaries SPA/Ramsar site. Natural England advise that the Applicant should update the report to inform a HRA document to reflect the recorded numbers in the affected area, not a questionable area-based measure of habitat availability. A more detailed assessment of the usage of this area by SPA/Ramsar site species and the spatial and temporal patterns of that usage is required to understand the impacts of the proposal and inform mitigation strategies.		provided, which allowed Natural England and the Applicants to agree that subject to the Applicants submitting further information into Examination at Deadline 5, (which was discussed during the meeting and subsequently over email), Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites can be ruled out, due to the adoption of mitigation measures at the landfall location for the passage periods. The mitigation measures included for the passage period include screening around the compounds on Lytham St Annes beach and employment of an Ecological Clerks of Work who will be on site during landfall construction operations. It is agreed that the Fairhaven	mostly alleviated. Our outstanding concerns relate to foraging sanderling specifically and this was discussed in a DAS meeting on 16/09/25 with the Applicant. Overall we consider the risk of adverse effects to be low, but not negligible, with the potential for residual impacts. The measures proposed at Fairhaven saltmarsh have the potential to address these residual impacts. Pending updates at Deadline 5, as advised in Appendix H5, this issue is readily resolvable. Please also see Appendix L5, answer to ExA Q2:6.1.1 and 9.1.2.		No AEol caused by works at the landfall due to: <ul style="list-style-type: none"> <li>Commitment to a Nov-Mar restriction (CoT110 and CoT129 updated in the ISAA (REP5-021)).</li> <li>ECOWs at the landfall during passage (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>Screening of works (updated in section 1.6.3.26 of the oEMP (REP5-068)).</li> <li>Alleviation measures at Fairhaven Saltmarsh (CoT113 and updated in appendix B.2.1 of the oEMP (REP5-068)).</li> <li>Clarification on the limited nature of the impact (updated in sections</li> </ul>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
			Saltmarsh scheme is an alleviation measure which aims to address the residual impacts from the development and reduce existing pressures on ornithological features of the SPA and Ramsar sites, including those species which may be affected by the works in the intertidal area.			1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)). <ul style="list-style-type: none"> <li>Clarification on the low numbers of birds predicted to be impacted (updated in sections 1.6.3.98 and 1.6.3.240 of the ISAA (REP5-021)).</li> </ul> The Applicants hope that this matter can be fully closed out now.
RI_H4	<b>Adverse effects on the Ribble and Alt Estuary SPA and Ramsar site due to landfall works</b> The landfall site and adjacent areas supports very significant numbers of SPA/Ramsar site birds during the winter and passage periods. However, the Applicant only proposes some		See RI_H3 above.	In progress. Our comment in RI_H3 is also applicable here. We are hopeful that this issue can be closed out following Applicant submissions at Deadline 5.		See RI_H3 above.



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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	<p>limitations to working during these sensitive periods – a limit of 5 weeks working in November-February, with no restrictions to working outside this period. This approach both to the winter period (which we consider to run from November to March inclusive) and the lack of any restriction during passage periods will provide insufficient mitigation. In the absence of a full seasonal restriction for the appropriate periods, or a compelling case that a lower level of restriction is acceptable, Natural England advises that an AEOI cannot be ruled out. A comprehensive seasonal restriction for the sensitive winter and passage periods should be carefully considered in, with the relevant months should be identified with respect to site-</p>					

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	specific data and SPA conservation advice.					
RI_H 5	<p>Unless an effective seasonal restriction can be committed to, we advise that an in-principle derogations case for the Ribble and Alt Estuaries SPA/Ramsar site will need to be developed under the Habitats Regulations, demonstrating that there are no alternative solutions and Imperative Reasons of Overriding Public Interest, including that a greater level of seasonal restriction is not achievable.</p> <p>In this light, the proposed roosting refuge would constitute compensatory measures under the Habitats Regulations. Accordingly, a far more detailed submission regarding the installation and management of</p>		<p>Following a meeting with Natural England on 16<sup>th</sup> September, it was agreed that the measures proposed at Fairhaven saltmarsh are an alleviation measure, and as Natural England are satisfied that there is no Adverse Effect on Integrity on the Ribble and Alt Estuaries SPA and Ramsar sites due to the construction activities at landfall. Therefore, there is no need for an in-principle derogation case. This is the view of both the Applicants and Natural England.</p>	<p>Progressed but not resolved. Following further correspondence with the Applicant we have advised the Applicant to not include the commitment proposed as an option at Deadline 3. In considering the impact the proposed commitment would have on other areas of work, we do not believe there is merit in this commitment.</p> <p>The Applicant have included further detail on reducing impacts at landfall in the updated OEMP [REP4-059] e.g. 25m exclusion zone either side of pull in, screening of temporary beach compound and ECoWs/wardens to advise visitors about the birds. Our concerns around AEoI to</p>		See RI_H3 above.

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	<p>the compensatory measures is needed addressing Natural England's concerns, and a compensation schedule in the DCO added.</p> <p>To ensure the compensatory measures are targeted and effective, it is critical that the significance of the affected area for SPA and Ramsar site species and their specific requirements from it are adequately described. Additionally, the Applicant should provide evidence that the use of the proposed area is currently compromised by disturbance (noting it falls within the SPA), and that the energy saving for the compensation proposal will be sufficient to offset impacts.</p>			<p>passage features are mostly alleviated. We consider the risk to be low, but not negligible, with the potential for residual impacts. We continue to advise that measures proposed at Fairhaven saltmarsh have the potential to address these residual impacts. This issue is readily resolvable with inclusion of additional detail as advised in Appendix H5. These points were also discussed with the Applicant in a DAS meeting on 16/09/25.</p>		
RI_H 6	<b>Ribble and Alt Estuaries SPA/Ramsar – inadequate assessment of impacts on</b>		The Applicants submitted the following documents at Deadline	Progressed and readily resolvable. The Applicant submitted a note on onshore		The Applicants welcome Natural England's comments and have updated the oEMP at D5 (J6 Outline

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	<b>terrestrial waterbirds:</b> Natural England do not agree with the Applicant's HRA conclusions. We note that the current conclusions are based on modelled information on likely habitat availability. This is often based on out-of-date information and models that claim urban/infrastructure areas are available foraging habitat. The focus should be on the populations revealed by the site-specific surveys rather than generic assumptions. Furthermore, there is a lack of information regarding the spatio-temporal implications of the habitat loss. With regards to mitigation, we advise that the Applicant provides further information on how the tunnel end works of the Ribble crossing will be managed		<p>4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, The Applicants have updated; HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5 (E2.3/F02); J6 Outline Ecological Management Plan (J6/F05) as requested by Natural England. The further detail required by Natural England on the 16<sup>th</sup> September can be found in Appendix B of the oEMP.</p>	<p>terrestrial waterbirds [REP4-120] which includes detail about FLL. Additional detail has also been included in the updated OEMP [REP4-059] to add clarity on which species will be supported by each mitigation area and what elements of the mitigation are suitable. Providing some further updates to the information on the mitigation areas, this issue is readily resolvable. Our detailed advice is included in Appendix H5.</p>		<p>Ecological Management Plan - Rev F05 (REP5-068)). The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) and Natural England are a consultee under Requirement 12 (draft development consent order (REP5a-018)). The updates made to the oEMP reflect Natural England's comments in H5 and include:</p> <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of</li> </ul>

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	to ensure no disruption to SPA/Ramsar site waterbirds moving along the corridor of the estuary. The justification of only using trenchless techniques is inadequate.					geese and swans - <b>Appendix B</b> <ul style="list-style-type: none"> <li>The amendment of the scrape depth to 45cm throughout.</li> <li>The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
RI_H 7	<b>Ribble &amp; Alt Estuaries SPA – mitigation for terrestrial impacts/compensation</b> The proposed mitigation measures are hoping to support the needs of a number of species with different ecological needs, however no information is included showing clear design and management information to ensure that these areas are going to be fit for purpose.		The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England: <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul>	In progress. Part of this issue is readily resolvable. The Applicant submitted a note on onshore terrestrial waterbirds [REP4-120] which includes detail about FLL. Additional detail has also been included in the updated OEMP [REP4-059] to add clarity on which species will be supported by each mitigation area and what elements of the mitigation are suitable. Providing some further		The Applicants welcome Natural England's comments and have updated the oEMP at D5 (J6 Outline Ecological Management Plan - Rev F05 (REP5-068)). The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) and Natural England are included as a consultee under Requirement 12 (draft development

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	<p>The terrestrial mitigation areas need reviewing against the specifics of the species (and the number of those species) that they need to host, which relates to the above comments around the phasing of works and being able to accommodate all displaced birds from the whole onshore order limits. Detailed site assessments that articulate site management and structure in relation to the role they need to fulfil need to be generated.</p>		<p>The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, The Applicants have updated; HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5 (E2.3/F02); J6 Outline Ecological Management Plan (J6/F05) as requested by Natural England.</p> <p>In a meeting with Natural England on 16<sup>th</sup> September it was discussed that they were generally happy with the conclusions for FLL set out in REP4-120. However, Natural England requested that FLL for shelduck was considered and that mitigation was provided for this species. The Applicants have duly included shelduck as a species for which temporary mitigation is provided.</p>	<p>updates to the information on the mitigation areas, which we have discussed with the Applicant, this issue is readily resolvable.</p> <p>Regarding the other issue, our detailed advice on the phasing of works is included in Appendix H5. This remains something of a concern, albeit the provision of additional information regarding the mitigation areas does give comfort that whatever the scheduling is, sufficient alternative habitats will be made available.</p>		<p>consent order (REP5a-018)). The updates made to the oEMP reflect Natural England's comments in H5 and include:</p> <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of geese and swans - <b>Appendix B</b></li> <li>• The amendment of the scrape depth to 45cm throughout.</li> <li>• The addition of the updated Terrestrial Waterbird Note appended to provide all</li> </ul>

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			Specifically, the Applicants intend to provide muddy pools for shelduck at Lytham Moss. This further detail can be found in Appendix B of the oEMP.			detail in one place - <b>Appendix E</b>
RI_H 8	The potential impacts on Newton Marsh SSSI have not been adequately assessed. There is minimal information on what works will take place in close proximity to this site and how the work will be managed to not affect the site with respect to visual and noise disturbance. Further justification should be provided on how the Applicant has concluded no risk to the site. Proper consideration of this area is also applicable to the HRA as the site is well used by SPA birds, particularly in winter.		The Applicants have updated the HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5 (E2.3/F02).	No change - we look forward to sight of an updated ISAA.		The Applicants have provided this information as Appendix E of E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021) at D5 and hope that this issue can be closed out now.

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RI_H 9	Reliance on the Functionally Linked Land (FLL) description in Bowland Ecology (2021) is flawed for the purposes of this survey. Natural England do not agree with the criteria used for FLL threshold. Natural England requires further information on reasoning for not using standard 1% threshold for measuring significance of FLL. Further, Natural England advises the Applicant to ensure all figures for species are included and consider the possibility of FLL for the species referenced.		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, the Applicants have committed to providing updates in the oEMP (J6 Outline Ecological Management Plan (J6/F05)).</p> <p>In a meeting with Natural England on 16<sup>th</sup> September it was discussed that they were generally happy with the</p>	Resolved. The information provided in [REP-120] satisfies our concerns relating to the percentage threshold for FLL. Please see Appendix H5 for our detailed comments.		The Applicants welcome this issue being closed out.



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			conclusions for FLL set out in REP4-120. However, Natural England requested that FLL for shelduck was considered and that mitigation was provided for this species. The Applicants have duly included shelduck as a species for which temporary mitigation is provided. Specifically, the Applicants intend to provide muddy pools for shelduck at Lytham Moss. This further detail can be found in Appendix B of the oEMP.			
RI_H 10	Natural England requires clarification on the lapwing data and queries why the two years of data are being listed out separately, when the data represents two phases of one survey.					

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RI_H 11	Natural England do not agree with the justification for not following the SNH (2017) guidelines and require further information on mitigation for the impacts. Although construction is temporary, impact risk will largely depend on construction approach (and some permanent infrastructure/potential permanent land use change in mitigation areas), which could last up to 66 months.		The Applicants note there is no change on this matter and refer Natural England to RI_H11 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).	No change.		<p>The Applicants again refer Natural England to their own advice (RR-045. Outer Dowsing Examination Library at EN010130-000660-Outer Dowsing Examination Library.pdf):</p> <p><i>"This best practice advice is provided to help support sustainable development within North Norfolk and address potential impacts to Annex I Pink Footed Geese.... It is Natural England's view that it is possible to extrapolate the principles of this advice in regard to avoidance and supplementary feeding as mitigation for sustainable development projects impacting on Annex I geese at other locations.</i></p> <p>2. Excluding Impact Option 2 - Supplementary Feeding Strategic Approach Independently of</p>

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						<i>development-related issues, Natural England has already commissioned energetic modelling and started consulting with farmers about pink-footed goose management following changes to agricultural practice. Provisioning of grain and / or sugar beet at an undisturbed location elsewhere along the Norfolk coast could provide an alternative foraging resource, offsetting any effects of displacement due to development. It is anticipated such work could be delivered at a considerable cost-saving to developers; <b>removing the need for crop-mapping, goose surveys and complex energetic modelling</b> which might, regardless, still lead to a requirement for some form of mitigation. Such an approach is likely to be quicker, with an increased likelihood of positive ecological benefits to geese."</i>

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						<p>The Applicants again note that the survey frequency set out in the SNH guidance (2017), is for assessing the impacts on geese for generation aspects of a wind farm (i.e., turbines). The Applicants also note that they have conducted 14 surveys with good coverage (see Figures 1.5 and 1.6 of F3.4.4 Volume 3, Annex 4.4: Onshore and intertidal ornithology survey methodologies (APP-095)) over two winters, proposed supplementary feeding as mitigation and undertaken energetic calculations to base the feeding regime on.</p> <p>The Applicants therefore conclude that, not only have they taken Natural England's own advice and guidance into account when mitigating for pink-footed geese, but</p>

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						that their survey and assessment has been robust enough for temporary impacts on intensively farmed land of low ecological value. The Applicants therefore feel that this issue can be closed out.
RI_H 12	It is unclear from the report for geese, ducks and swans, waders and gulls and terns if this is referring to birds that are actually breeding or commenting on non-breeding birds gathering in the breeding season. Natural England advise the Applicant that reporting on non-breeding gatherings during the breeding season would be better presented as a separate report/separate section.					
RI_H 13	Natural England notes the incomplete coverage in the survey (0-9 visits = incomplete					

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	coverage.) Natural England advises that all areas should have received some survey visits, and that the gaps in coverage inevitably reduce the confidence in the assessment conclusions as regards number and distribution of birds.					
RI_H 14	Natural England note that a number of these species are also non-breeding interest of the Ribble and Alt Estuary SPA and there may be functional linkage. Natural England advises the Applicant to consider the potential for FLL for these species and whether there is potential to impact if so.		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p>	Progressed. The information provided in [REP-120] broadly satisfies our concerns relating to the assessment of species for which FLL exists. Providing updates to the ISAA to reflect this information and updates to the OEMP, this issue is readily resolvable. Please see Appendix H5 for our detailed comments.		<p>The Applicants welcome Natural England's response and would like to note that, following the productive meeting on 16<sup>th</sup> September, the Applicants have updated the following documents at D5:</p> <ul style="list-style-type: none"> <li>• E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> <li>• J6 Outline Ecological Management Plan - Rev F05 (REP5-068)</li> </ul>

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			<p>The Applicants note that Natural England are in agreement that if shelduck are included in this list then all species for which FLL exist have been considered. The Applicants have duly included shelduck in their suite of species with FLL and for which mitigation is primarily aimed at. The Applicants have updated Appendix B of the oEMP for D5 (J6 Outline Ecological Management Plan (J6/F05)) to include the additional information requested by Natural England and are providing mitigation for shelduck at Lytham Moss.</p>			<p>The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) which include a commitment to include Natural England as a stakeholder in ongoing discussions post-application. The updates made to the oEMP reflect Natural England's comments in H5 and include:</p> <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of detail surrounding the feeding of</li> </ul>

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						geese and swans - <b>Appendix B</b> <ul style="list-style-type: none"> <li>The amendment of the scrape depth to 45cm throughout.</li> <li>The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place -  <b>Appendix E</b> </li> </ul>
RI_H 15	Natural England note the survey limitations are reasonably well characterised, however it is not clear if survey effort was sufficient for 'difficult' species. For example, breeding waterfowl, raptors and crepuscular species. The Applicant should provide clarity on survey effort limitations for species which are considered more difficult to survey.					



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RI_H 16	Whilst Natural England acknowledges the consideration of Chapter 9 Air Quality [APP-121], as these impacts could also relate to onshore and intertidal ornithology, they should be assessed within this chapter.					
RI_H 17	The Applicant still intends to carry out up to five weeks of work during the high sensitivity period of November - March inclusive. Natural England advises that all potentially disturbing works should be excluded over this period. We also advise consistency when defining the over-wintering period, which should be the same across all documents and commitments.					
RI_H 18	Natural England requires more information to ascertain why the					

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	following statement could be impossible when there is uncertainty regarding the origin of the birds: <i>"the 353 lesser black-backed gull reported in Table 1.67 cannot all belong to the Ribble and Alt SPA, Morecambe Bay and Duddon Estuary SPA and Ramsar, and the Bowland Fells SPA."</i>					
RI_H 19	The citation counts and the peak count recorded during the site-specific surveys identifies that many (almost all) species are at >1% of citation value and > 1% of most recent count (noting that this is only noted for Ribble and Alt Estuary SPA for most species). These surveys indicate the importance of the area and the subsequent importance of mitigation, predominantly all at >1%.					

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RI_H 20	Natural England advise that Morecambe Bay and Duddon Estuary SPA and Morecambe Bay Ramsar are two separate sites and have different geographical boundaries. Duddon Estuary Ramsar should also be considered and is a separate site.					
RI_H 21	Natural England advise the inclusion of the most up to date digital aerial survey for the Bowland Fells Lesser Black-backed Gull Colony Count.					
RI_H 22	Over 2% of golden plover were found on the area of permanent habitat loss. Although the area represents 0.04% of the total foraging range, the number of golden plover using the area implies it is an important area. Natural England advises the		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> </ul>	Progressed but not resolved. The Applicant submitted an updated OEMP [REP4-059] to add clarity on which species will be supported by each mitigation area and what elements of the mitigation are suitable. Providing some further updates to the		The Applicants have disputed that there is a permanent loss of FLL for golden plover in a previous response to RR1601 H 1601H.2 8 in Annex 3.2.16 to Response to RR - Natural England (RR-1601) - Appendix H (Onshore and Intertidal Ornithology) (PDA-023):

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	Applicant consider why it may be preferentially used by golden plover, and how this will be replicated in the mitigation areas.		<ul style="list-style-type: none"> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>The Applicants have provided further detail in Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) at D5 as requested by Natural England.</p>	information on the mitigation area, this issue is resolvable. Our detailed advice relating to golden plover is included in Appendix H5.		<p><b><i>"As golden plover were only found once out of 14 non-breeding visits spread over two years the Applicants would dispute this, as functionally linked status also needs to account for frequency of usage."</i></b></p> <p>Golden plover were only present at the substation sites on one of 14 survey visits and even when considering all birds that were recorded within the vicinity of the area of permanent habitat loss (i.e., a precautionary approach that includes birds that will not be directly affected but may be displaced by presence of the infrastructure) this equates to an average of only 11 birds or 0.3% of the SPA citation that will be impacted. After revising the habitat modelling, the area of permanent</p>

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						<p>loss is only approx. 0.07 to 0.08% of available pasture and arable within 10 km of their roost sites.</p> <p>The Applicants have not received any engagement from Natural England following this but continue to dispute that the substation land represents FLL for golden plover.</p> <p>Natural England clearly state in RR1601 H 1601H.2 9 of Annex 3.2.16 to Response to RR - Natural England (RR-1601) - Appendix H (Onshore and Intertidal Ornithology) (PDA-023):</p> <p><b><i>“Regularity of usage is an important factor to understand if mitigation areas will reliably accommodate the additional displaced birds”</i></b></p>

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						<p>Using an absolute worst-case scenario which includes impacts upon golden plover in fields near (but not inside) the substation sites, this would amount to the average number of birds being impacted as 11 golden plover or 0.3% of the SPA population.</p> <p>Notwithstanding the Applicants' position regarding AEoI on golden plover from the permanent impacts at the substation sites, the Applicants have committed to providing long-term mitigation for non-breeding waders including golden plover at Newton-with-Scales and updates to the Outline Ecological Management Plan (J6/F06) reflecting Natural England's concerns have been</p>

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						made at Deadline 6. These updates include: <ul style="list-style-type: none"> <li>• Further text clarifying the frequency and purpose of monitoring (including monitoring of habitats) - <b>Appendix B</b></li> <li>• Clarification around the timing of monitoring and management. <b>Appendix A</b></li> <li>• The addition of the updated Terrestrial Waterbird Note appended to provide all detail in one place - <b>Appendix E</b></li> </ul>
RI_H 23	Natural England requires further information from the Applicant to understand if any appraisal has been made to quantify if the proposed mitigation/compensation ground is sufficient to mitigate the loss.		The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:	Progressed but not resolved. RI_H22 is also applicable here.		See RI_H22

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	Regularity of usage is an important factor to understand if mitigation areas will reliably accommodate the additional displaced birds.		<ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>Within sections 2.2.7 and 4.2 in REP4-120, and Appendix B of REP4-058, queries regarding the suitability of the mitigation for golden plover are fully addressed.</p>			
RI_H 24	Langley et al., (2022). appears to have been omitted from the references. Update the document to include the reference as cited.					



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RI_H 25	The figures set out in Table 1.76 [APP-017] appear to only represent the area of physical ground disturbance arising from the proposal not visual or acoustic disturbance which will extend some 100's of meters (varying between species) from the works. Temporary habitat loss will therefore be much greater than suggested in the MDS. Further, recovery time of disturbed ground needs to be considered as there is minimal mention of recovery time beyond completion of works.		<p>The Applicants have been clear in their response to Natural England that the assessment of disturbance has already fulfilled Natural England's requirement that the disturbance buffer plus the area of works is to be fully assessed (for further details see section 1.6.3.194 and Table 1.93 in E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments. APP-017). Therefore, it makes little sense to assess the area of physical habitat loss as being greater than is actually the case.</p> <p>The Applicants therefore seek clarification as to what else Natural England require as both</p>	No change.		<p>The Applicants re-iterate that in section 1.6.3 of E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments (REP5-021) they have assessed:</p> <ul style="list-style-type: none"> <li>• Permanent habitat loss as the permanent area of actual habitat that will be lost (i.e., the substations).</li> <li>• Temporary habitat loss as the temporary area of actual habitat that will be lost .</li> <li>• Displacement from disturbance as the area of construction plus the appropriate species buffer (i.e., 50m for sanderling, 300m for dunlin, 500m for pink-footed goose).</li> </ul>

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			disturbance and habitat loss have been fully assessed.			<p>Therefore, all scenarios have been assessed, and it would be incorrect to say that habitat loss covers a greater area than it actually does.</p> <p>The Applicants would note that this an extremely common approach to ornithological assessment and are unclear why Natural England are struggling to understand it, especially as it was used for both Mona Offshore Wind Farm and for the offshore ornithology of the Transmission Assets.</p>
RI_H 26	Natural England strongly advises the Applicant to provide further information on the onshore works and ensuring work is staggered appropriately. We suggest the Applicant either needs to provide information to ensure that the mitigation areas		The Applicants note there is no change on this matter and refer Natural England to RI_H26 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England	No change. NE notes the Applicants response to Q1.1.3 of the 'Applicants' Response to Examining Authority's Written Questions (ExQ1)' [REP3-056] and acknowledge that construction periods are likely to be isolated and not continuous.		The Applicants welcome that the response Q1.1.3 of the Applicants' Response to Examining Authority's Written Questions (ExQ1)' [REP3-056] provided some clarity, however reiterate that further detail on the phasing of onshore works cannot be provided until the detailed design

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	really can support all disturbed features in the terrestrial area for the whole period or the Applicant need to identify a works approach that reduces the risk at any one point in time (but still ensure that the mitigation land can support the scaled down risk).		(REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).	However the level of detail provided on indicative timings of certain operations e.g. open cut trenching is not included in the Application documents and as advised through DAS, it would be useful for the Applicant to consider the phasing/staging of works in the context of reducing the potential for impacts on bird features. The response to Q1.1.3 does provide some clarity but only in relation to certain types of work and not in relation to how much of the Onshore Order Limits will be worked on at any one time. We appreciate the Applicant's position that they are unable to provide further detail at this point, however our position has not changed. We have reiterated this in previous advice e.g. DAS advice note sent to Applicant 04/08/25 and through		stage, following appointment of the contractor.

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				Examination e.g. [AS-078]. Our detailed comments relating to mitigation areas is included in Appendix H5.		
RI_H 27	Natural England notes that there is a definite impact for 24 months at this fixed point (400kV grid connection cable). We further note that there does not appear to be any identified mitigation for the risk of light and noise affecting the river corridor. Natural England advise the Applicant to review work approaches and clarify how risk from sound/light disturbance is to be mitigated for a period of up to 24 months.		The Applicants have updated the HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5.	No change - we look forward to sight of an updated ISAA.		The Applicants have appended this information to Appendix E of E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021) at D5 and hope that this issue can be closed out.
RI_H 28	Natural England note that while it is correct that pink-footed geese do not forage in the intertidal they do roost on the intertidal,					

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	which will not have been captured in the 'overlap analysis' and should be included.					
RI_H 29	Natural England do not agree with the whole meta-population approach based on a radius around different roosts. This is not appropriate methodology for SPA site-based assessment. The applicant's survey data identifies the risk they should be considering through their determination of the size of the population that will be impacted. Apportioning by site would be appropriate for the assessment.		The Applicants note there is no change on this matter and refer Natural England to RI_H29 in 'S_D4_2.6 Annex 2.6 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Natural England (REP3-90 - REP3-95, AS-078) - Rev F01' (REP4-100).	Resolved. RI_H9 is also applicable here.		The Applicants welcome this issue being closed out.
RI_H 30	"Eleven Ribble and Alt Estuaries SPA ornithological features were present within the intertidal environment at the landfall, 9 of which are at >1% SPA. The Applicant should ensure all >1%					

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	SPA features are taken through to LSE and AA as significant risks are present to all these features.					
RI_H 31	Natural England requires the Applicant to provide clarification on the beach/landfall Direct Pipe Trenchless installation. Natural England note the commitment to minimise time spent in the intertidal period, however we require clarification on whether the stated two-week period of beach works per cable include delivery and set up/removal of equipment and what will be the risk to the foreshore associated with cable pull.		The Applicants have updated the HRA Stage 2 ISAA Part 3 (E2.3) and submitted the revised version at Deadline 5.			
RI_H 32	Natural England notes that Still et al. (2015) is repeatedly cited but is not included in the reference list. The study is					

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	heavily used as to discuss various species; however, the study is 10 years old and considers bird distribution in a dynamic environment, therefore it may not be that it can be relied upon.					
RI_H 33	The ES predicts the proposal will affect over 2% of 9 species; of which 3 have more than 10% of population potentially affected. Natural England notes these figures do not account for disturbance, which could potentially affect a greater area, resulting in larger areas of temporary habitat loss. Natural England do not support the assertion that the percentage of features affected is not significant because the SPA is big. For wintering intertidal features; Natural England do not		The Applicants have been clear throughout that disturbance has been fully assessed according to species specific disturbance buffers in addition to the area of construction (for further details see the response to RI_H25, and section 1.6.3.194 and Table 1.93 in E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment Part Three – Special Protection Areas (SPA) and Ramsar Site assessments. APP-017).	In progress and readily resolvable. RI_H3 is also applicable here.		See RI_H3 above.

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	agree with the conclusion of a negligible impact from a temporary loss of supporting habitat and/or resource availability – the Applicant need to identify the actual disturbance footprint and confirm that the figures of birds at risk reflect this and not just the direct area being worked over.		<p>The Applicants and Natural England have now come to agreement that there will be No AEol for intertidal features due to the commitment to avoid the sensitive winter period (CoT129), and the alleviation measures for the passage features at Fairhaven Saltmarsh (CoT113).</p> <p>In addition, at D4 the Applicants have provided further information on the suitability of mitigation areas for the terrestrial features in:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>In particular, section 2 and Table 14 in REP4-120 address the</p>			



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			issue of which species are reliant upon FLL in the Zol. The Applicants are awaiting Natural England's response to these documents.			
RI_H 34	For passage intertidal features Natural England do not agree with the conclusion that impacts can be ruled out. Reliance on alternate feeding would require knowledge of why this area is so important and consideration in the first instance of seasonal restrictions to works for important passage periods for the species of concern. This also applies to the passage features of the SPA and Ramsar site.		See RI_H3 above.	In progress. RI_H3 is also applicable here.		See RI_H3 above.
RI_H 35	Natural England do not agree with the logic and discussion on foraging ranges as tracking data					

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	from the Ribble doesn't consider spatial displacement by Bowland (which currently supports many of the Ribble birds). Natural England agree that on this occasion there is no LSE.					
RI_H 36	Natural England note that Preston Docks birds are assumed to be the displaced SPA colony, therefore it would be helpful to assess risk in the context of observed birds and this population.					
RI_H 37	Natural England do not agree with the conclusions and advise the Applicant to consider the recommendations made above regarding conclusions made for wintering and passage birds and temporary habitat loss/disturbance at landfall (H41/H42).		See response to RI-H3 above.	In progress and readily resolvable. RI_H3 is also applicable here.		See RI_H3 above.

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RI_H 38	Further evidence is required to support the statement that trenchless techniques will avoid habitat loss at the Ribble crossing. Additional information on habitat loss from trenchless techniques, i.e. installation of equipment, onshore infrastructure at trench entry and exit pits needs to be considered and appropriately screened.					
RI_H 39	Shelduck numbers are clearly high in the area. More information on the habitats being used may shed light on the required mitigation requirements. Natural England advise the Applicant to include shelduck into the calculations for the mitigation areas currently for pink footed goose and whooper swan and consider in more detail what function the habitats being		Following a meeting with Natural England on 16 <sup>th</sup> September the Applicants have updated Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) with further detail regarding those species for which FLL exists, including shelduck and aim to mitigate for shelduck in the wet muddy fields and scrapes at Lytham Moss.	In progress. We acknowledge the justification for shelduck in [REP-120], however NE do not agree with the conclusion, and continue to advise that shelduck are likely to use the area to feed on freshwater invertebrates when in land and also potentially grain. We have raised concerns regarding the provision of suitable habitats for shelduck at Lytham Moss and Newton-with-		The Applicants note that, following the productive meeting on the 16 <sup>th</sup> September they came to agreement with Natural England. Shelduck have accordingly been added to the J6 Outline Ecological Management Plan (Clean) - Rev F05 (REP5-068) at D5 as a primary target species for mitigation to alleviate the temporary impacts of construction (updates have been made to Appendix B2.2

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	made unavailable provided for the species. However, the Applicant should also consider the density of birds potentially using the mitigation areas and what risks there may be e.g. disease.			Scales and the Applicant intends to incorporate our feedback in their D5 submissions. Section 1.5 of Appendix H5 includes some advice on suggestions for detail to include in the final EMP.		and B.2.5 of the oEMP (REP5-068)).  The Applicants note that Natural England's advice for shelduck has moved from supplementary feeding with grain to the inclusion of muddy areas where shelduck can feed on invertebrates.
RI_H 40	Natural England agree that in the long term the conclusions are appropriate for wigeon, but this conclusion does not account for effects in the short-term. Natural England advises the Applicant to consider measures to reduce impacts to wigeon in the short-term, noting that spatial scheduling of the works may reduce the requirements for this and other species. Please see		Following a meeting with Natural England on 16 <sup>th</sup> September the Applicants and Natural England have agreed that FLL does not exist for wigeon.	In progress. The information provided in [REP4-120] largely satisfies Natural England's concerns for wigeon. Please see Appendix H5 for our detailed comments. Pending additional detail being included in the OEMP, this matter is readily resolvable.		The Applicants have appended the information relating specifically to wigeon and FLL to Appendix E of the oEMP (J6/F06) at D6 to fully close this matter out.

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	advice above regarding shelduck.					
RI_H 41	Natural England advises the Applicant to consider measures to reduce impacts to teal in the short-term. Please see advice above regarding shelduck and wigeon above.		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, following a meeting with Natural England on 16<sup>th</sup> September the Applicants have updated Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) with further detail regarding shelduck</p>	In progress. The information provided in [REP4-120] largely satisfies Natural England's concerns for teal. Please see Appendix H5 for our detailed comments. Pending additional detail being included in the OEMP, this matter is readily resolvable.		The Applicants have appended the information specific to teal to Appendix E of the oEMP (J6/F06) at D6 to fully close this matter out.

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
			(as agreed with Natural England).			
RI_H 42	Natural England note the commitment to improving nearby areas of habitat for waders such as golden plover. The Applicant should provide more information on the proposed habitat improvements to ensure the measures are appropriate.		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>Further details on the suitability of these areas are contained in sections 4 of REP4-120 and Appendix B of REP4-058. The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, following a meeting with Natural England on 16<sup>th</sup> September the Applicants have</p>	RI_H22 is also applicable here. At Deadline 6, Natural England will update its position in light of the anticipated Deadline 5 submission regarding the mitigation locations.		<p>The Applicants welcome Natural England's response and would like to note that, following the productive meeting on 16<sup>th</sup> September, the Applicants have updated the following documents at D5:</p> <ul style="list-style-type: none"> <li>• E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> <li>• J6 Outline Ecological Management Plan - Rev F05 (REP5-068)</li> </ul> <p>The Applicants hope that the amendments made to Appendix B, specifically those providing further detail on the grassland management, address all of Natural</p>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
			updated Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) with further detail and in line with REP4-121 as agreed with Natural England.			England's remaining issues. However, additional updates to the grassland management and monitoring sections of Appendix B have been made at D6 (J6/F06) which include a commitment to include Natural England as a stakeholder in ongoing discussions post-application.
RI_H 43	Natural England note that Jourdan et al. (2022) report/paper is repeatedly referenced, but not included in the reference list.					
RI_H 44	Natural England do not agree with the conclusion for black-tailed godwit. The Applicant should reassess their assessment framework and consider the proportions of the passage and winter populations that could be affected.		<p>The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> </ul>	In progress. The information provided in [REP4-120] largely satisfies Natural England's concerns for black-tailed godwit. Please see Appendix H5 for our detailed comments. Pending additional detail being included		The Applicants have added the additional detail regarding black-tailed godwit and strengthened the sections on habitat creation and monitoring from (REP4-120) to Appendix E and Appendix B respectively of oEMP (J6/F06) at D6 to fully close this matter out.

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	If adverse effects could arise, mitigation habitat should be provided that will cater for the requirements of the species.		<ul style="list-style-type: none"> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058).</li> </ul> <p>Further details on the suitability of these areas for black-tailed godwit are contained in sections 4 of REP4-120 and Appendix B of REP4-058. The Applicants welcome Natural England's comments on these documents.</p> <p>In addition, following a meeting with Natural England on 16<sup>th</sup> September the Applicants have updated Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) with further detail regarding those species for which FLL exists, including black-tailed godwit (as agreed with Natural England).</p>	in the OEMP, this matter is readily resolvable.		
RI_H 45	Natural England do not agree with the conclusion of no AEOI		The Applicants submitted the following documents at Deadline	In progress. At Deadline 6, Natural England will update its		The Applicants do not understand how RI_H3 is applicable here.



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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	<p>for temporary loss of supporting habitats and/or resource availability for the features that utilise terrestrial habitats for the Ribble and Alt Estuaries SPA. The Appropriate Assessment should focus on the populations revealed by the surveys, rather than modelled information. Natural England advises the following additional evidence is also required:</p> <ul style="list-style-type: none"> <li>•Details of the locations of the alternative supporting habitat qualifying species can use, including their distance from the proposal boundary and size.</li> <li>•Further details of how the applicant will ensure the recovery of the temporary habitat loss. This should include details of mechanisms that will be put in place to ensure the supporting</li> </ul>		<p>4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>• S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>• J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> </ul> <p>The Applicants welcome Natural England's comments on these documents.</p> <p>The Applicants note that loss of habitats will largely impact intensively farmed areas which are generally of low ecological value. In addition to there being plenty of alternative intensively farmed arable and pasture in the vicinity, the Applicants have committed to feeding the impacted geese and swans, thereby controlling carrying</p>	<p>position in light of the anticipated Deadline 5 submission regarding the mitigation locations. RI_H3 is also applicable here.</p>		<p>The Applicants note there is no change on this matter and refer Natural England to RI_H45 in S_D5_2.5 Annex 2.5 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Natural England - Rev F01 (REP5-124) and their position has not changed.</p> <p>The Applicants have also worked closely with Natural England throughout the pre and post application phases of this project and stand by their assessments which took into account both the number of birds and the proportion of potential habitats available.</p> <p>The Applicants have updated the following documents at D5:</p>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	habitat recovers, and predicted timescales.		<p>capacity to ensure that it does not fall beyond pre-construction levels. The addition of temporary and permanent areas which suit waders such as black-tailed godwit and wildfowl such as teal will provide safe refuges for birds to loaf, roost and forage. The Applicants note that there will not be any temporary loss of sensitive terrestrial habitats such as those found within the SPA and SSSIs, and therefore consider that these temporary losses of largely intensive agricultural land should be taken in context.</p> <p>The Applicants note that, although they will endeavour to reinstate impacted farmland as soon as reasonably practicable, they do not have control over how this is farmed. Indeed, within any given year, land use</p>			<ul style="list-style-type: none"> <li>E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> <li>J6 Outline Ecological Management Plan - Rev F05 (REP5-068)</li> </ul> <p>The Applicants hope that these amendments address all of Natural England's remaining issues. However, additional updates have been made at D6 (J6/F06) which include a commitment to include Natural England as a stakeholder in ongoing discussions post-application.</p>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
			<p>(e.g., crop types, cropping schedules, fallow cycles, livestock intensity) can change based upon landowner wishes, the Applicants have no control over this.</p> <p>In addition, following a meeting with Natural England on 16<sup>th</sup> September the Applicants have updated Appendix B the oEMP (J6 Outline Ecological Management Plan (J6/F05)) with REP4-121 as agreed with Natural England.</p>			
RI_H 46	The SPA non-breeding waterbird assemblage is a feature in its own right, therefore all the other species that contribute to it also have to be considered, in particular in this case in terms of numbers, as diversity and quality are more likely to be robust at a site scale. Natural England		<p>The Applicants submitted the following document at Deadline 4 and are currently awaiting a response from Natural England:</p> <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> </ul>	In progress. We maintain our position that the assemblage should have been assessed as a feature, however the information included in [REP4-120] provides clarification and outlines the detail presented in the ES for species where a negligible impact was concluded and the		<p>The Applicants have updated the following document at D5:</p> <ul style="list-style-type: none"> <li>E2.3 Habitats Regulations Assessment Stage 2 Information to Support an Appropriate Assessment: Part Three (Tracked) - Rev F02 (REP5-021)</li> </ul>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	advise the Applicant to revisit the framing of [APP-017] and re-consider impacts/risks and compensation and mitigations options and planning for managing the risks.		The issue of the waterbird assemblage is assessed in section 3 of this. Within this, the Applicants demonstrate that, although non-named features were not specifically named in the ISAA, there are no additional impacts to an assemblage largely composed of non-breeding gulls and naturalised geese, and that the proposed mitigations are also suitable to house any non-named waders. The Applicants welcome Natural England's comments on this document.	species that were not assessed in the ISAA. Based on the information we not believe there would be a material difference in the conclusions of the ISAA had these species been considered. Providing updates to the ISAA to reflect this information this issue is readily resolvable. Please see Appendix H5 for our detailed comments.		The Applicants have also appended the information from (REP4-120) to Appendix E of the oEMP (J6/F06) at Deadline 6 and hope that these amendments address all of Natural England's remaining issues on the assemblage and look forward to this issue being closed out.
RI_H 47	Natural England note the following statement : “ <i>..all features have been assessed independently there is not predicted to be any additional impact ..</i> ” and do not agree with this conclusion and methodology					

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	in relation to the breeding waterbird assemblage, but note the conclusion of no AEOI is likely to be correct in this instance.					
RI_H 48	Natural England disagrees with the conclusions for Dunlin as a Ramsar site feature for the same reasons as identified for other intertidal waders.		See RI_H3 above.	Resolved. The information provided in [REP4-059] and [REP4-121] satisfies our concerns relating to passage dunlin.		The Applicants welcome this issue being closed out.
RI_H 49	Natural England disagrees with the conclusions for Black-tailed godwit as a Ramsar feature for the same reasons as identified for other terrestrial waders.		See RI_H44 above.	In progress. The information provided in [REP4-120] largely satisfies Natural England's concerns for black-tailed godwit. Please see Appendix H5 for our detailed comments. Pending additional detail being included in the OEMP, this matter is readily resolvable.		<p>The Applicants have updated the following document at D5:</p> <ul style="list-style-type: none"> <li>J6 Outline Ecological Management Plan - Rev F05 (REP5-068)</li> </ul> <p>The Applicants hope that these amendments address all of Natural England's remaining issues. However, for completeness, the information in REP4-120 has been added to Appendix E of the oEMP (J6/F06), and additional detail</p>

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
						surrounding habitat creation and monitoring has been added to Appendix B of the oEMP at Deadline 6. The Applicants hope that this matter can now be fully closed out.
RI_H 50	The assessment of habitat loss during the operational phase is based on habitat loss in a different site (Liverpool Bay SPA). Natural England advises the Applicant to update the report and include the habitat loss during Operation & Maintenance in Ribble and Alt Estuaries SPA.					
RI_H 51	Fairhaven Saltmarsh is identified as a mitigation area, however questions remain over its suitability. Natural England strongly advise the Applicant to produce some supplemental		See response to RI_H3 above.	In progress. RI_H3 is also applicable here. We anticipate the Applicant will be submitting additional information regarding Fairhaven at Deadline 5 and		See RI_H3 above.

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
	information clarifying why this proposal is considered likely to be effective, clarifying the management required to support delivery, and justifying its energetic value to the species impacted.			consider this is likely to resolve the issue.		
RI_H 52	The level of detail presented in the mitigation area summaries for intertidal mitigation and terrestrial mitigation is not sufficient to fulfil the expectations of the HRA with regards to certainty of outcome. Produce some supplemental information clarifying why this proposal is considered likely to be effective, clarifying management to support delivery, and justifying its energetic value to the species impacted.		The Applicants submitted the following documents at Deadline 4 and are currently awaiting a response from Natural England: <ul style="list-style-type: none"> <li>S_D4_17 Onshore Terrestrial Waterbird Note - Rev F01 (REP4-120)</li> <li>J6 Outline Ecological Management Plan (Clean) - Rev F04 (REP4-058)</li> <li>S_D4_18 Passage Period at Landfall</li> </ul>	In progress. RI_H7 is also applicable here. We anticipate the Applicant will be submitting additional information regarding Fairhaven at Deadline 5 and consider this is likely to resolve the issue.		See RI_H3 and RI_H7 above.

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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix H - Onshore and Intertidal Ornithology</b>						
			<p>Technical Note - Rev F01 (REP4-121)</p> <ul style="list-style-type: none"> <li>S_D4_9.1 Annex 9.1 Clarification note on the current position with Natural England (regarding Adverse Effect on Integrity) and the Fairhaven saltmarsh mitigation area - Rev F01 (REP4-109)</li> </ul> <p>The Applicants have now agreed that there will be No AEol with Natural England for the intertidal features of the SPA (see RI_H3) and have updated Appendix B of the oEMP (J6 Outline Ecological Management Plan (J6/F05)) at D5 with the further detail requested by Natural England on the 16<sup>th</sup> September for the terrestrial features.</p>			



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<b>Risk and Issues Log Deadline 1 – Onshore and Intertidal Ornithology</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix H - Onshore and Intertidal Ornithology						
RI_H 53	Please note that comments relating to SSSI sites are included in the sections above.					

## 2.8.10 Fylde MCZ

**Table 2.27: Responses to questions regarding the Fylde MCZ**

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
RI_I1	<p>Up to 3% of the offshore export cables, including cable crossings within Fylde MCZ may require cable protection and this equates to a total of 0.0304km<sup>2</sup> (30,400m<sup>2</sup>/3.04ha) of lasting habitat change/loss within the site.</p> <p>Natural England does not agree with the Applicants conclusion of no likelihood of hindering the conservation objectives of Fylde MCZ. Unless it can be demonstrated otherwise, the nature, scale and duration of impacts from lasting habitats change/loss from the placement of cable protection is likely to hinder the 'maintain' habitat feature conservation objectives of the</p>					

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	site. We advise that the MCZ assessment should proceed to a stage 2 assessment and a without prejudice Measures of Equivalent Environmental Benefit (MEEB) proposal should be produced.					
RI_I2	Natural England agrees with the MMO in considering that in order to fully discharge regulatory duties under section 69 (1) of the MCAA, in combination and cumulative effects must be considered. Natural England considers the O&M phase activities for Morgan and Morecambe Transmission Assets combined with the projects listed in Table 1.21 and on-going Oil and Gas impacts will result in lasting habitat change / physical disturbance which will further hinder the		The Applicants' position remains as outlined in the Applicants' response to RR-1601.45 (PDA-014). In accordance with the Overarching National Policy Statement for Energy (EN-1), the MDS for cable protection has been designed in line with the mitigation hierarchy.	No change.		The Applicants' position remains as outlined in the Applicants' response to RR-1601.45 (PDA-014). In accordance with the Overarching National Policy Statement for Energy (EN-1), the MDS for cable protection has been designed in line with the mitigation hierarchy.

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	conservation objectives of the Fylde MCZ. We strongly advise that Applicant's potentially affecting the MCZ will need to intensify their use of the mitigation hierarchy.					
RI_I3	The most recent condition assessment for Fylde MCZ concluded that subtidal sand and subtidal mud were in a favourable condition. Natural England advises that whilst the cable protection is in situ, the extent and distribution attribute of the site features can neither be maintained or restored. Nor can the impacts be considered temporary even if removal is secured at the end of the 35-year project lifespan. Therefore, we advise that the impacts will result in 'lasting' habitat change from		The Applicants have updated Volume 2, Chapter 1: Physical Process (F2.1/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include information from the Outline Cable Burial Risk Assessment (APP-219) which indicates that from Lowest Astronomical Tide (LAT) to Depth of Closure (circa 10m CD) geological conditions are suitable for trenching to required depth.	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5, which the Applicants trust will resolve this matter.

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	<p>mud and sand to hard substrata which may result in habitat loss as removal and/or recovery post removal is not guaranteed.</p> <p>Additionally, we do not agree with the Applicant that in-filling of cable protection with sediment will occur and be sufficient to provide the same structure and function in the impacted area.</p> <p>Unless the Applicant's position changes it is unlikely that there will be agreement between the Applicant and Natural England during examination on this issue. Please see comment I1 on the provision of a without prejudice MEEB case.</p>					
RI_I4	The Applicant has stated that the requirement for, and potential locations of any cable protection due to ground		The Applicants' position remains as outlined in response to comment RR.1601.43 on the location	No change. Please see Tab J for more detail.		The Applicants await Natural England's response to the updated documents submitted at Deadline

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	<p>conditions within the Fylde MCZ are not yet known. Therefore, the MDS figures have assumed that the cable protection material for the cable crossing could occur wholly within either the subtidal sand or subtidal mud features. Therefore, the MDS for long term habitat loss of each of the features have been provided as:</p> <p>Subtidal sand – 0.0304km<sup>2</sup> (0.014% of the area of this feature in the MCZ)</p> <p>Subtidal mud – 0.0304km<sup>2</sup> (0.069% of the area of this feature in the MCZ)</p> <p>Natural England does not agree with this approach. We advise that an accurate MDS and realistic Worst-Case Scenario (WCS) for each feature is presented and</p>		<p>and design of cable protection (PDA-014).</p> <p>The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to capture the relevant information/clarifications presented in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) and all updated commitments.</p>			<p>5 which the Applicants trust will resolve this matter.</p>

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	assessed for lasting habitat change/loss and updated with the Application documents. We highlight the importance in providing specific figures to inform the compensation requirements for a without prejudice MEEB.					
RI_I5	Natural England disagrees with the Applicant on the scale and significance of the impacts on the interest feature of the Fylde MCZ. Natural England also advises that impacts considered as a percentage of the whole MCZ is misleading given the size of the site. The lasting habitat change/loss impacts from the Transmission Assets combined are still 0.0304 km2/3.04ha from cable protection. We do not consider this amount of lasting habitat change/loss to be small scale.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to capture the relevant information/clarifications presented in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) and all updated commitments.	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	Natural England does not believe that the respective positions are likely to change in relation to scale and significance of the impact to the Fylde MCZ and therefore we provide no further comment unless design parameters change through the examination.					
RI_I6	Natural England note the commitments; CoT108 and CoT109 from the Applicant that any external cable protection used within the Fylde MCZ will be designed to be removable at decommissioning stage. However, we note that this commitment does not include the action to remove cable protection at the decommissioning phase, only that the protection will be		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.	No change.		Please see the Applicants' response to NE4 (PADSS).



ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	<p>'removable'. Although some of the cable protection options included within the project description may be removable they are not considered as such from a nature conservation perspective due to further impacts to the designated site features e.g. rock armouring.</p> <p>We advise a commitment to remove all seabed infrastructure at the time of commissioning both inside and outside of Fylde MCZ should be secured in the DCO.</p>					
RI_I7	<p>Natural England reiterates concerns around the varying construction scenarios proposed by the Applicant. The most impactful to Fylde MCZ would be option 3b (i.e. sequential construction with a gap of up to a maximum of</p>		<p>The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all additional</p>	No change.		<p>The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.</p>

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	four years between completion of construction of the transmission assets for the first project and commencement of construction for the second project). This is mainly due to the four-year gap which may allow for some recovery of seabed habitats and species from the first works. The Applicant has not considered the potential for recovery and the impact from repeated interventions or the four-year gap, therefore we do not agree that the WCS has fully been assessed.		clarifications/justifications provided in submissions at previous deadlines to address Natural England's comments relating to the MDS.			
RI_I8	Whilst we welcome the refinement work the Applicant has undertaken, we advise there are further mitigation options which should be explored by the Applicant to		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all additional clarifications/justifications	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	minimise impacts on Fylde MCZ and included for consideration in the Application, namely: <ul style="list-style-type: none"> <li>• Commitments should be made and secured to avoid the most sensitive Priority habitats designated under Section 41 of the NERC Act (2206). This is applicable both within and outside of Fylde MCZ;</li> <li>• Exclusion of the use of jack up vessels within the MCZ;</li> <li>• UXO clearance to be moved outside of the MCZ prior to detonation to avoid impacts to the seabed where possible;</li> <li>• Boulder clearance using a grab not a plough;</li> <li>• Remove all cable and scour protection at the time of decommissioning, both within and outside of Fylde MCZ</li> <li>• Further mitigation measures</li> </ul>		provided in submissions at previous deadlines to address Natural England's comments and reference to all new commitments made at previous deadlines.			

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	to be adopted with regards to sediment disposal (I10) • Refining long term habitat loss for subtidal mud and subtidal sand within Fylde MCZ to provide more realistic MDS parameters for habitat loss.					
RI_I9	Natural England would welcome further information on dredge and disposal activities with regards to Fylde MCZ. The Application states that disposal activities including sandwave clearance will be conducted throughout the Transmission Assets Order Limits but that no commitments have been proposed to mitigate impacts either within or outside of benthic designated sites. Mitigation options should be adopted and disposal options		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to remove reference to 'dredging' as a sandwave clearance method in the Fylde MCZ and to limit sandwave clearance methods in the Fylde MCZ to Controlled Flow Excavator. Additionally, the Applicants have updated the Outline Offshore Cable Specification and Installation Plan (J15/F03) at Deadline 5 to	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	should be explored to ensure that sediment is deposited in areas of similar sediment character so that the risk of permanently altering the sediment character in any given location is minimised.		limit sandwave clearance methods in the Fylde MCZ to Controlled Flow Excavator.			
RI_I10	Natural England notes that secondary scouring needs further consideration in the Stage I MCZ Assessment in relation to impacts to sediment transportation.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include the update to the MDS for the subtidal mud feature and all relevant new commitments for the Fylde MCZ.	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.
RI_I11	Natural England notes that UXO clearance activities are likely to be undertaken within the Fylde MCZ. Natural England continues to advise that UXOs should be		The Applicants have updated Volume 2, Chapter 1: Physical processes F2.1/F02), Volume 2, Chapter 2: Benthic subtidal and intertidal ecology	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5 which the Applicants trust will resolve this matter.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	detonated outside of Fylde MCZ to avoid the creation of a crater. As a minimum, we advise that further information is required in relation to the depth of any crater and the impacts this may have on the subtidal mud and sand features including any recovery times.		(F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all additional clarifications / justifications provided in submissions at previous deadlines to address Natural England's comments.			
RI_I12	We welcome the inclusion of in principal monitoring proposed for benthic subtidal and intertidal ecology in the Offshore In Principal Monitoring Plan (OIPMP). However, the focus seems to be on physical/sediment recovery and lacks sufficient ecological context. Additionally, there is no reference to pre- and post-construction monitoring which is essential to understand and		The Applicants would highlight that the Offshore In Principle Monitoring Plan (OIPMP) was updated at Deadline 4 (REP4-075), to include a new commitment to benthic community recovery specific monitoring in the Fylde MCZ through both pre-construction and post-construction benthic community sampling to monitor for temporal and spatial recovery and of the	Resolved. The Applicant has included Benthic Ecology monitoring to include temporal and spatial recovery of Benthic communities within Fylde MCZ within their updated OIPMP at Deadline 4.		The Applicants welcome Natural England categorising this as green at Deadline 5 and that the matter is now resolved.

ID	Risk and Issue Log comment	RAG Status Rel and WR Rep and D1	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	<p>assess recovery. We advise that the rationale within Table 1.3 of the OIPMP needs to be updated to additionally include "temporal and spatial changes in benthic communities and their recoverability....". We also advise that the Applicant provides clarity that monitoring surveys will be undertaken pre- and post-construction and that temporal monitoring over an agreed time period should take place in order to confirm recovery.</p>		<p>potential colonisation by Invasive Non-Native Species (INNS) following construction activities within the Fylde MCZ.</p> <p>The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include the updated monitoring commitment outlined in the Offshore In Principle Monitoring Plan that was submitted at Deadline 4 (REP4-075).</p>			
RI_I13	<p>Natural England notes that within the Outline O&amp;M plan there is the intention to use the cable protection allowance over the lifetime of the project.</p>		<p>The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1</p>	<p>No change.</p>		<p>The Applicants note that Natural England has commented on this matter with regard to the Outline OOMP. Please see the Applicants'</p>

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<b>Risk and Issues Log Deadline 1 – Fylde MCZ</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix I - Fylde MCZ</b>						
	However, this is not aligned with Natural England position on cable protection. We advise that post construction and an agreed snagging time a new marine licence would be required for the placement of further cable protection within Fylde MCZ. Natural England advises that the Applicant refines the O&M requirements to be align with the SNCB and regulatory position on this.		Assessment Report (E4/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.			response to Appendix B5 (REP5-179) in Table 2.2.



## 2.8.11 Benthic Compensation

Table 2.28: Responses to questions regarding Benthic Compensation

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
<b>Compensation measure: Strategic Compensation - New site designation or Extension for Subtidal Sand and Subtidal Mud</b>						
RI_J1 / J3	NE does not agree with the approach taken to determine the total WCS for lasting habitat loss. The approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. In order for us to agree the impact, the habitat loss for each feature should be calculated then summed to provide the total area of habitat loss.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include the update to the MDS for the subtidal mud feature and all relevant new commitments for the Fylde MCZ.	No change.		The Applicants await Natural England's response to the updated MCZ Screening and Stage 1 Assessment Report (REP5-022) submitted at Deadline 5, which the Applicants trust will resolve this matter.
RI_J2 / J4	Due to potential uncertainties with the delivery mechanisms and timeframes for successful delivery of the measure, further discussions are required in relation to individual project contributions and compensatory ratios which may be required.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit	We welcome the Applicant's inclusion of CoT136 at Deadline 4 which states that 'should benthic compensation be required, the Marine Recovery Fund (MRF) is the preferred and prioritised option, and the project-led options would		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
			(MEEB) Plan (S_D1_9/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.	only be considered where the MRF is not made available to the Applicants.' We therefore consider this matter closed at Deadline 5. Additionally, we advise that all queries regarding the delivery mechanisms for strategic compensation should be addressed to DEFRA.		
RI_J3 / J5	Natural England recognises that there are likely to be time lags between impact occurring and compensation achieving the desired outcomes. We would wish to see the project contribution to the measure to be such that it ensures an overall environmental net positive outcome for the impacted feature over the lifetime of the project.					
RI_J4 / J6	The location of the measure is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured. There is likely					

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
	to be consultation on potential locations during the examination.					
RI_J5 / J7	Long Term implementation is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured.					
RI_J6 / J8	Success criteria/Ability to prove additionality is still under consideration by DEFRA, NE and JNCC and as yet nothing has been agreed and/or secured.					
<b>Compensation measure: Biogenic Reef - Native Oyster</b>						
RI_J7 / J10	Natural England advises that reef creation/enhancement is not considered to provide comparable ecological function and is therefore not an appropriate measure for subtidal sand and subtidal mud systems within Fylde MCZ and provide no further comment on this as a potential measure.		The Applicants maintain the position set out at Deadline 4 regarding the reasons for inclusion of the project-led options. The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of	Our advice provided at Relevant Representations remains unchanged. We do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures, namely biogenic reef and seagrass habitat creation/restoration, anthropogenic pressure		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
			Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.	removal and bivalve seeding.  Given the inclusion of CoT136 at Deadline 4, we consider this matter closed at Deadline 5. NE will provide no further comment on project-led proposals unless asked to so by the ExA.		
<b>Compensation measure: Bivalve Seeding inside MCZ</b>						
RI_J8 / J11	It remains unclear what additionally this measure would provide and therefore NE questions this as being compensation for lasting habitat loss/change to subtidal sand and subtidal mud. In addition, the seeding of bivalves is associated with biogenic reef communities on mixed sediment and not subtidal sand and subtidal mud.		The Applicants maintain the position set out at Deadline 4 regarding the reasons for inclusion of the project-led options. The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include all relevant new	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
			commitments for the Fylde MCZ.			
<b>Compensation measure: Bivalve Seeding outside of designated sites</b>						
RI_J9 / J12	Given the legislative changes that would be required, Natural England does not consider this option is viable within the Project's timeframe. If the Applicant wishes to pursue this there will need to be agreement from The Crown Estate for a seabed lease and management measures put into place.		The Applicants maintain the position set out at Deadline 4 regarding the reasons for inclusion of the project-led options. The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_J10 / J13	Natural England does not agree with the approach taken to determine the total WCS for lasting habitat loss. The		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix J - Benthic Compensation</b>						
	approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature.		5 to include the update to the MDS for the subtidal mud feature and all relevant new commitments for the Fylde MCZ.			
RI_J11 / J14	The scale/extent of the measure has not been presented in detail and/or agreed with Natural England, JNCC or DEFRA.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_J12 / J15	We do not believe that this measure will be available in the project timeframes.		Please see the Applicants' response to RI_J11 & J14 above.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_J13 / J16	The location of the measure has not been presented in detail and/or agreed with TCE, Natural England, JNCC or DEFRA.		Please see the Applicants' response to RI_J11 & J14 above.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_J14 / J17, J18	There is a requirement for changes in legislation for the delivery of this measure and therefore until that is secured,		Please see the Applicants' response to RI_J11 & J14 above.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets <b>Appendix J - Benthic Compensation</b>						
	further long-term implementation and success criteria remains unknown.					
RI_J15 / J19	We do not believe that is currently suitable as a sole or part measure at this time.		Please see the Applicants' response to RI_J11 & J14 above.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
<b>Compensation measure: Seagrass habitat creation/restoration</b>						
RI_J16 / J20	<p>Natural England advises that seagrass restoration is a lower preference measure compared to those supporting the same ecological function of the habitat being compensated for.'</p> <p>Natural England also highlights that seagrass is not a feature of subtidal mud and further advice on this measure should be read in this light.</p>					
RI_J17 / J21	Natural England has significant concerns about the deliverability of seagrass restoration, even on a small scale as there have been no long term successes with seagrass restoration in the UK.		The Applicants maintain the position set out at Deadline 4 regarding the reasons for inclusion of the project-led options. The Applicants have updated the MCZ Screening and Stage 1	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets <b>Appendix J - Benthic Compensation</b>						
	Subtidal seagrass restoration should only be a minor part of a wider package in terms of the required compensation. It could be retained to supplement other measures, or potentially as an adaptive management response.		Assessment Report (E4/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.			
RI_J18 / J22	NE does not agree with the approach taken to determine the total WCS for lasting habitat loss. The approach taken assumes that cable protection requirements could occur wholly within either the subtidal sand or subtidal mud feature. In order for us to agree the impact, the habitat loss for each feature should be calculated then summed to provide the total area of habitat loss.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) at Deadline 5 to include all relevant new commitments for the Fylde MCZ.	Our comment in RI_J7 also applies here.		The Applicants thank Natural England for their confirmation that this matter is considered closed.
RI_J19 / J23	The scale/extent of the measure has not been presented in detail and/or agreed with the SNCBs.					



ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix J - Benthic Compensation</b>						
RI_J20 / J24	It is unclear if this measure can be delivered prior to the impacts occurring.					
RI_J21 / J25	The location of the measure has not been presented in detail and/or agreed with the SNCBs. More detail is required to address our concerns.					
RI_J22 / J26, J27	Long term implementation and Success/Ability to prove additionality is yet to be considered in detail and agreed with the SNCBs. More detail is required to address our concerns.					
RI_J23 / J28	Natural England advises that this measure could only be considered as part of a package providing <10% of the required compensation and/or potential adaptive management for part delivered compensation. There would also be a requirement for the provision of subtidal seagrass, not intertidal.					

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
<b>Detailed comments</b> <b>Documents used: [REP1-059] Stage 2 MCZ Assessment</b>						
RI_J24 / J29	It is unclear why terrestrial issues have been included in the document. NE advises that there should be MEEB for each designated site.					
RI_J25 / J30	Natural England doesn't agree with the Applicant in relation to small scale losses not hindering the conservation objectives of the MCZ. We refer the ExA to Appendix C Annex A of our relevant/written representation [RR-1601]. It is unlikely that either Applicant's or Natural England position on this will change during examination.					
RI_J26 / J32	Natural England advises that lasting habitat change/loss can only be considered if removed at the time of decommissioning. After that timeframe it becomes a permanent impact. We advise		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5. Please also see the Applicants' response to NE4 (PADSS).

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
	that commitments should be made to ensure removal.		without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include reference to all new commitments made at previous deadlines.			
RI_J27 / J33	Natural England advises that even where the conservation objectives are set to 'maintain', lasting habitats change/loss would not maintain the extent and distribution of the features; thus hindering them. This would lead to a restore conservation objective being set which can't be achieved whilst the cable protection is in situ, therefore we advise that MEEB is required.		The Applicants have updated the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to capture the relevant information/clarifications presented in the Applicants' response to Natural England's Deadline 3 submission (REP4-100) and all updated commitments.	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5, which the Applicants trust will resolve this matter.
RI_J28 / J34	DESNZ guidance on the MRF agrees with the Applicant that					

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<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets <b>Appendix J - Benthic Compensation</b>						
	there is likely to be a time lag between impacts occurring and the delivery of the compensation. Therefore, allowances will be included in the MRF process for this.					
RI_J29 / J35	The EIA lifespan is 35 years. Therefore Natural England doesn't consider the impacts to be temporary, given that the features extent and distribution will be hindered. Likely leading to changes in other attributes. It is unlikely that either Applicant's or Natural England position on this will change during examination.					
RI_J30 / J36	Natural England highlights those consents dating back to 2000 pre-date the MCZ designation and is therefore considered part of the baseline. We advise that the existing cable is not a material consideration in any decision making.					
RI_J31 / J37	As written there is no differentiation between impacts		The Applicants have updated the MCZ Screening	No change.		The Applicants await Natural England's response to the updated

ID / Appendix J reference	Risk and Issue Log comment	RAG Deadline 2	Applicants' comment at Deadline 5 (in response to NE D4 submission)	Natural England's Comments/Update on Progression at Deadline 5	RAG D5	Applicants' comment at Deadline 6 (in response to NE D5 submission)
<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> <b>Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets</b> <b>Appendix J - Benthic Compensation</b>						
	to subtidal sand or subtidal mud except at the cable crossing which is known to be subtidal mud. We advise that unless the lasting habitat loss for the two features can be differentiated then it is likely that compensation will be required for 30,400m2 of subtidal mud, plus 26,400m2 of subtidal sand. We advise that this needs to be clearer.		and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include the update to the MDS for the subtidal mud feature and all relevant new commitments for the Fylde MCZ.			documents submitted at Deadline 5, which the Applicants trust will resolve this matter.
RI_J32 / J38	CoT 109: Natural England advises that it is not sufficient as mitigation. This mitigation measure should be considered further by the Applicant and removal of cable protection should be agreed now as part of a decommissioning plan.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include reference to all	Progressed but not resolved. We welcome the Applicant's inclusion of the commitment to 'no rock dumping' within Fylde MCZ in the draft DCO and updated Outline CSIP. We note the Applicant's position with regards to decommissioning all infrastructure and cable protection within Fylde MCZ. We maintain our original position which is that all on and above		Please see the Applicants' response to NE4 (PADSS).

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<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
			new commitments made at previous deadlines.	seabed infrastructure (including cable/scour protection) should be removed from benthic designated sites at the time of decommissioning and secured in the DCO. It should be noted that the Applicant and Natural England are not agreed on this matter.		
RI_J33 / J39	Natural England advises that the mitigation measure in CoT 116 is not sufficient in relation to sandwave levelling. Further commitments should be included such as the deposition of any sediment from sandwave levelling within the MCZ is placed adjacent to the levelling, in similar sediment and upstream of the sandwave to facilitate recovery.		The Applicants have updated the following documents at Deadline 5 to remove reference to 'dredging' as a sandwave clearance method in the Fylde MCZ: <ul style="list-style-type: none"> <li>• MCZ Screening and Stage 1 Assessment Report (E4/F02);</li> <li>• Outline Cable Specification and Installation Plan (CSIP) (J15/F03);</li> <li>• Volume 1, Chapter 1: Project Description (F1.3/F04);</li> </ul>	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5.  Additionally, the Applicants have updated the wording of CoT116 in the Commitments Register at Deadline 6 (F1.5.3/F07) as "Any material arising from sandwave clearance within the Transmission Assets Order Limits outwith the Fylde MCZ will be deposited in close proximity to the works and within the licensed disposal sites within the Order Limits, as detailed in the Dredging and Disposal - Site Characterisation Plan prepared and submitted as part of the application

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<b>Risk and Issues Log Deadline 1 – Benthic Compensation</b> Taken from Natural England's Relevant and Written Representations Morgan and Morecambe Transmission Assets Appendix J - Benthic Compensation						
			<ul style="list-style-type: none"> <li>Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02);</li> <li>Volume 2, Chapter 1: Physical processes (F2.1/F02);</li> <li>Dredging and disposal - site characterisation plan (J22/F02); and</li> <li>Stage 2 MCZ Assessment, including a without prejudice, in-principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02).</li> </ul>			for development consent. Within the Fylde MCZ, sandwave clearance, which will only be undertaken by Controlled Flow Excavator, will be deposited in close proximity to the works and only within the portion of the Order Limits overlapping the Fylde MCZ." to clarify that it refers to sandwave clearance outside the Fylde MCZ only. The Applicants trust this matter will now be resolved.
RI_J34 / J40	Natural England advises that the mitigation measure is CoT 117 is considered further by the Applicant. The use of Jack Up Vessels (JUVs) should be avoided in the MCZ due to potential leg depressions.		The Applicants have updated Volume 2, Chapter 2: Benthic subtidal and intertidal ecology (F2.2/F02) and the MCZ Screening and Stage 1 Assessment Report (E4/F02) and Stage 2 MCZ Assessment, including a without prejudice, in-	No change.		The Applicants await Natural England's response to the updated documents submitted at Deadline 5, which the Applicants trust will resolve this matter.

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			principle Measures of Equivalent Environmental Benefit (MEEB) Plan (S_D1_9/F02) at Deadline 5 to include further justification to support the predicted infilling of depressions.			
RI_J35 / J41	Natural England advises that we do not believe that there are further measures within the long list of measures that could be taken forward at the project level that would provide the necessary MEEB.					



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### 3      **References**

UK Parliament (2025) Written Statement UIN HCWS394. Available at <https://questions-statements.parliament.uk/written-statements/detail/2025-01-29/hcws394>, Accessed April 2025