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MMO Reference: DCO/2022/00010
Planning Inspectorate Reference: EN020028
Identification Number: 20051136

28 October 2025

Dear Mr Cliff,

Planning Act 2008, Morgan Offshore Wind Ltd, Proposed Morgan and Morecambe Offshore Windfarm Transmission Assets Order

Deadline 7

On 12 December 2024, the Marine Management Organisation (the MMO) received notice under section 55 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited (the Applicants) for determination of a development consent order for the construction, maintenance and operation of the proposed Morgan and Morecambe Offshore Windfarm Transmission Assets Order (the DCO Application) (MMO ref: DCO/2022/00010; PINS ref: EN020028).

The Applicants seeks authorisation for the construction, operation and maintenance of Morgan and Morecambe Offshore Windfarm Transmission Assets, comprising of two onshore substations, 6 offshore export cables, 18 onshore export cables (6 circuits), 12 400 kilovolt (kV) grid connection cables (4 circuits) as well as the associated cables corridors with associated onshore and offshore infrastructure and all associated development (the Project). This document comprises of the MMO's Deadline 7 response.

This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours Sincerely,

[Redacted signature]

Helen Gunton
Marine Licensing Case Manager

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1. MMO's Closing Statement

1.1.1 The MMO is committed to supporting all of the UK government's environmental goals, this includes both net zero targets and nature and biodiversity targets by promoting sustainable practices to protect and enhance the marine environment.

1.1.2 The MMO highlights that there are a number of points where the MMO and the Applicant have differing opinions and these are in 'not agreed' positions at the end of Examination. The MMO notes it is for the Examining Authority (ExA) to make a recommendation and the Secretary of State (SoS) to make a decision on these issues.

1.1.3 The MMO notes that there are several fundamental disagreements with interested parties. For example, Natural England and the Applicant disagree on worse case scenarios, cable protection, and decommissioning (see Principal Areas of Disagreement Summary in REP6-193). The MMO would request that any outstanding disagreements are clearly discussed within the recommendation report and decision documents with next steps and required actions and that these are not pushed until post consent for the MMO to make a decision unless clear actions for the Applicant and interested parties are set out.

1.1.4 The MMO believes that as the information has been presented now by both sides, it is a matter that can be decided upon at consenting stage and this can be clearly set out within the consenting documents. The MMO does not want to be in a position post consent where there is a potential delay to a project, when discharging plans, on issues that could have been decided on at the consenting stage. The MMO utilises the SoS decision when discharging any documents and unless new information/evidence is provided, believes all major issues can be decided on at the consenting stage.

1.1.5 A summary of the remaining not agreed issues can be found in Sections 2 & 3 of this document.

2. The MMO's Position on the Environmental Statement

2.1 General Comments

2.1.1 The MMO and our scientific advisors at the Centre for Environment Fisheries and Aquaculture Science (Cefas) have been in contact with the Applicant throughout the examining process. Comments relating to ecological matters have been provided in the previous deadlines.

2.1.2 The MMO considers that most concerns raised have been addressed throughout the examination process. The MMO will now provide the MMO's position on the remaining ecological concerns in this section below.

2.2 Physical Processes

2.2.1 The MMO notes that in regard to cable burial and avoidance of cable protection, monitoring of the adjacent shorelines may still be appropriate if nearshore scour protection with significant potential to affect shoreline processes is deployed. The landfall site is potentially variable in its accretionary/erosional behaviour, which can signify a shoreline close to an equilibrium with its physical forcing and also sensitive to minor changes in that forcing.



2.3 Benthic Ecology

2.3.1 The MMO has no outstanding comments on benthic ecology noting that Natural England still have many outstanding issues. These include:

- Worse Case Scenarios (WCS) during construction, operations, and maintenance – NE maintain they are not in agreement for the Maximum Design Scenarios (MDS) and WCS presented for
- Removal of cable infrastructure at decommissioning – A commitment has not been made to the removal of cable/scour protection at the end of the project life. The Applicants and NE are not agreed on this matter
- Lack of cable protection location and design information – NE believe there is still currently insufficient information and mitigation on location, height, volume, orientation, and type of cable protection within the Fylde Marine Conservation Zone (MCZ).
- Mitigation measures for Section 41 Natural Environment and Rural Communities (NERC) Act 2006 Habitats – NE have requested that mitigation measures should be included within the Benthic and Physical Processes ES chapter or within a named plan.

2.3.2 The MMO defers to the Statutory Nature Conservation Bodies (SNCBs) regarding the potential impacts to protected features within the Fylde MCZ.

2.4 Shellfish and Fish Ecology

2.4.1 The MMO notes the only relevant amendment in the document was to change the wording 'Permanent Threshold Shift (PTS)' to 'mortality and potential mortal injury'.

2.4.2 The MMO considers that concerns regarding shellfisheries and fish ecology have been addressed by the Applicant, and we have no further comments.

2.5 Marine Mammals

2.5.1 The MMO defers to the relevant SNCBs to provide comments on the amendments made at Deadline 5 and Deadline 6.

2.5.2 Natural England advised the Applicants that Unexploded Ordnance (UXO) should be authorised under a standalone marine licence and removed from the draft DCO.

2.5.3 Whilst the MMO is in agreement with NE on this matter, the MMO does agree on a without prejudice basis, should SoS include low order UXO clearance, the provisions in the DML are suitable (see section 3.2 of REP6-200). The MMO is content with this approach.

2.6 Offshore Ornithology

2.6.1 The MMO defers to the relevant SNCBs to provide comments on the amendments made at Deadline 5.

2.6.2 The MMO is pleased to see that following submission of updated assessments, including further detail on long term habitat loss of prey species in the Information to Support an Appropriate Assessment (ISAA) (REP5-020), the updates have satisfied the concerns of NE in relation to the Liverpool Bay SPA features. This matter is now resolved, and the MMO has no further comments.



3. MMO's comments on the Draft DCO and DML

3.1 General Comments

3.1.1 The Applicants have provided an updated draft DCO (REP6-013) and Schedule of changes to the draft DCO and DMLs at Deadline 6 (REP6-184). The MMO has provided comments where we deem relevant.

3.2 Decommissioning

3.2.1 As detailed in the MMO's Deadline 6 response (REP6-200), the MMO notes that decommissioning activities have not been fully considered and requested a commitment within the commitment register for the MMO to review the initial decommissioning programme prior to the SoS. The MMO acknowledges that this request was highlighted to the Applicants at a late stage in examination.

3.2.2 The MMO contacted the Applicants on 28 October 2025, and they confirmed that they will not be including a new commitment in the commitments register to consult with the MMO on the draft decommissioning programme prior to submission to the SoS due to the late stage at which this matter has been raised and the Applicants having not had sufficient time to appropriately consider this request. However, the Applicants will engage with the MMO on this matter early post-consent (should consent be granted) alongside engagement on other pre-commencement matters such as the consent compliance discharge programme. The MMO is content with this approach.

3.3 Transfer of Benefit

3.3.1 The MMO's position remains the same as set out in previous Deadlines. The MMO strongly disagrees with the purpose of the inclusion of the DML as set out in previous representations. The creation of a new route to transfer the DML is unnecessary as there is already an established route to transfer and vary a marine licence and the Article will not work in practice. There is no good reason to away from the process already set out in the Marine and Coastal Access Act 2009 (MCAA 2009), save for operator convenience, and our strongest preference remains for the DML not to be made subject to the Transfer of Benefit provisions in the main body of the order, in full or in part.

3.3.2 Even if the SoS approves a transfer of benefit for the DML, the SoS has no power under the Planning Act 2008 to change the DML once consented. As set out in Schedule 6 Paragraph 3 (13) and Paragraph 5 (6): *"The power may not be exercised in relation to provision included in an order granting development consent by virtue of paragraph 30A or 30B of Schedule 5 (deemed marine licence under Marine and Coastal Access Act 2009)."*

3.3.3 Therefore, the transfer and variation completed by the MMO is the right and proper way to amend the DML. As per Section 72 (7) & (8) of MCAA 2009: *'Variation, suspension, revocation and transfer ... (7) On an application made by a licensee, the licensing authority which granted the licence— (a) may transfer the licence from the licensee to another person, and (b) if it does so, must vary the licence accordingly.*

(8) A licence may not be transferred except in accordance with subsection (7).'

3.3.4 The reason MCAA 2009 says if the MMO transfers, the MMO must vary, is because it recognises that it is necessary to vary on transfer to maintain the enforceability of the licence.



3.3.5 The MMO acknowledges that the Applicants updated Article 6(6) of the draft DCO (REP5a-018) at Deadline 5 to ensure that the SoS consults the MMO regarding a transfer or grant. This further aligns the article with that in the made Morgan Offshore Wind Project: Generation Assets Order 2025.

3.3.6 The MMO and the Applicant disagree on this matter and this is a Not Agreed – Material Impact within the Statement of Common Ground (SoCG) (REP6-130).

3.4 Adaptive Management

3.4.1 The MMO previously provided example conditions relating to adaptive management (see Section 2.2.3 in REP4-137).

3.4.2 The MMO notes that if impacts are higher than predicted, the MMO can utilise Section 72 of MCAA 2009 and vary the marine licence to request adaptive management but believes the example Condition (set out in section 7.2 of REP6-200) gives a clear process to all and allows for proactive management rather than reactive management by the MMO.

3.4.3 The MMO notes that the Applicant has updated the In-Principle Monitoring Plan (IPMP) to include adaptive management and the provision of a plan but still believes it should be on the face of the DML.

3.4.4 As outlined in the MMO's SoCG (REP6-130) with the Applicant, the MMO is not in agreement with the Applicant on this point but considers it to be of no material impact.

3.5 Force Majeure Condition 19(1)

3.5.1 The MMO maintains that this Condition wording be amended as detailed in section 3.4 of REP6-200. The amendment of this Condition is requested due to the liability and enforcement issues post-consent and the ambiguity of “*outside of the Order*” within the Condition wording.

3.5.2 The MMO acknowledges that the Applicant's updated the draft DCO at Deadline 5a to remove Condition 19(2) (REP5a-018) and we welcome this amendment.

3.5.3 The Applicants have confirmed that the draft DCO (REP5a-018) was updated at Deadline 5 to align Condition 17(1) in Schedule 14 and 15 with the relevant drafting included in the Morgan Offshore Wind Project Generation Assets made Order.

3.5.4 The MMO and the Applicants disagree on this matter, and this is ‘Not Agreed – Material Impact’ within the SoCG (REP6-130).

3.6 Determination Timescales

3.6.1 The MMO has agreed a 6-month timescale for the submission for most documents and is content with the current submission timescales within the DML.

3.6.2 The MMO does not believe that a determination date should be included in the DML. The MMO acknowledges the Applicant's comments on the reasoning for this and would highlight that the MMO would never delay a post consent discharge without good reason.



4. MMO's comments on the Applicant's Deadline 6 Submissions

4.1 General Comments

4.1.1 The MMO notes that several updates plans and assessments were submitted by the Applicants at Deadline 6. The MMO has reviewed the following documents and we have provided comments where required below:

- Commitments Register (REP6-041)
- J15 Offshore Cable Specification and Installation Plan (CSIP) (REP6-097)
- J19 Outline Offshore Operations and Maintenance Plan (oOOMP) (REP6-099)
- J20 IPMP (REP6-103)
- CEA/In Combination (REP6-136)
- Applicants response to Rule 17 (REP6-162)
- J1.3 Noise & Vibration Plan (REP6-083)
- Schedule of changes to dDCO and DMLs (REP6-184)
- Annex 2.5 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Marine Management Organisation (REP6-171)
- NE's Deadline 5 submissions (REP-6-172)

4.2 J15 Offshore Cable Specification and Installation Plan (REP6-097)

4.2.1 The MMO notes the update to this document to includes the use of a control flow excavator for use in sandwave clearance within the Fylde MCZ.

4.2.2 NE has requested further information on this technique and asks how the use of a control flow excavator for cable installation will alter the sandwave levelling amounts and impacts assessments.

4.2.3 The MMO encourages further discussions between the Applicants and NE to resolve this matter, but we acknowledge this may not be resolved before examination closes now.

4.3 J19 Outline Offshore Operations and Maintenance Plan (REP6-099)

4.3.1 The MMO welcomes the change to the wording in Condition 11(1) to remove the determination timeframe as requested at Deadline 5.

4.3.2 The Applicants have removed the word 'permanently' in regard to cable protection/scour deployment, and specified this is during the construction, operation, and maintenance phases (CoT133).

4.3.3 Regarding CoT133, the MMO welcomes the clarification of the term 'urgent circumstances'. We note this has also been updated within the Commitments Register (REP6-042).

4.3.4 Following these amendments, the MMO has no further comments to make.

4.4 J20 In-Principle Maintenance Plan (REP6-103)

4.4.1 In response to MMOs previous requests, there has been two main updates made to the In Principle Maintenance Plan (IPMP) at Deadline 6. These include:



- Pre-Construction Phase - Potential effects on changes on sandwave features from the planned installation of offshore export cables
- Operations and maintenance phase - Potential effects on sandwave features from the installation of offshore export cables

4.4.2 The MMO reiterates that we may require amendments to individual monitoring programmes if the evidence indicates the existing monitoring programme is not fit for purpose and/or impacts are not as predicted. In the event that 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, should be submitted alongside the monitoring reports. The Adaptive Management Plan should be agreed with the MMO in consultation with the relevant SNCBs with the aim of reducing effects to a suitable level. The MMO acknowledges that this has been included within the IPMP, and we welcome this approach.

The MMO refers to the proposed condition wording within Deadline 4 (REP4-137) section 2.2.3 and our position on an adaptive management condition rather than in the IPMP.

4.5 Annex 2.5 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Marine Management Organisation (REP6-171)

4.5.1 The MMO has reviewed this document, and we can confirm that all outstanding matters have either been resolved or confirmed not agreed within our SoCG (REP6-130) or in our Deadline 6 response (REP6-200).

4.6 Schedule of Changes to the draft DCO and DMLs (REP6-184)

4.6.1 All amendments made have either been previously discussed throughout examination, or do not concern matters for the MMO.

Yours Sincerely,



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