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The Rt. Hon Secretary of State
Secretary of State for Energy Security and Net
Zero
55 Whitehall
London
SW1A 2HP

Our ref FYL06020/1

Your ref EN020028
IP Reference-20053931

27 January 2026

By email to:
secretary.state@energysecurity.gov.uk

Dear The Rt. Hon Secretary of State

Morgan and Morecambe Offshore Wind Farms Transmission Assets Development Consent Order
Our Client: Fylde Borough Council
Applicants: Morgan Offshore Windfarm Limited and Morecambe Offshore Windfarm Limited

1. Introduction

- 1.1. We write on behalf of Fylde Borough Council (**'the Council'**) who are a Local Planning Authority for the Morgan and Morecambe Offshore Wind Farms Transmission Assets Development Consent Order (**"the DCO"**).
- 1.2. The DCO will provide consent for the transmission assets for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm to connect to the National Grid including offshore export cables, onshore landfall infrastructure, onshore export cables, onshore substations, onshore grid connection cables and circuit breaker compounds, and other related onshore infrastructure (**"the Development"**).
- 1.3. The Council will be the discharging and enforcing authority for the DCO.
- 1.4. These representations are directed to the Secretary of State as ultimate decision-maker exercising discretion under sections 104 –117 of the Planning Act 2008.
- 1.5. The Council does not oppose the principle of the Development. However, it considers that the Development will not be acceptable in planning terms unless a package of section 106 planning obligations detailed below (**"the Requested S106 Obligations"**) is secured alongside the DCO requirements and the s106 obligations for land at Blackpool Road Recreation Ground which is currently under negotiation.
- 1.6. These representations address the Applicants' refusal to enter into a section 106 agreement for the Requested Obligations securing necessary mitigation and demonstrate why the Requested S106 Obligations meet all statutory and policy tests and are necessary in order for the Development to be acceptable.
- 1.7. Finally, the Council notes the withdrawal of Morgan Offshore Windfarm Limited from development of the Morgan Offshore Windfarm which forms the basis for half of the

transmission asset infrastructure for the Development. The Council has concerns about the delivery risks this creates. This also further demonstrates a need for planning obligations to be secured using a s106 agreement (as opposed to a voluntary Planning Performance Agreement ("PPA") post DCO as proposed by the Applicants). We respectfully request the Secretary of State to consider the deliverability of the Development when determining the DCO and any mechanism to secure the Requested S106 Obligations. It is also essential that the DCO prevents the relevant part of the development and exercise of compulsory powers until deliverability and funding has been demonstrated.

2. Background

- 2.1. The Council has, on numerous occasions,¹ set out to the ExA that the Applicants have refused to engage on several important planning obligations which it deems necessary mitigation for the Development to be acceptable in planning terms under section 106 Town and Country Planning Act 1990 ("TCPA 1990").
- 2.2. The Required S106 Obligations include necessary financial contributions. The Council and Blackpool Council as relevant local planning authorities will be responsible for enforcement, as applicable.
- 2.3. The 'Heads of Terms' for the Required S106 Obligations are provided at Annex 2. This document has been provided to the Applicants [and the ExA] and can be summarised as follows:
 - 2.3.1. *S1- S2: Funding of operational and monitoring staff posts for monitoring and enforcement.*
 - 2.3.2. *W1 Water Quality: Turning Tides Programme and impacts on water quality through direct sediment disturbance and disruption, requiring specific and specialised mitigation if required*
 - 2.3.3. *EC1: Fairhaven Saltmarshes additional habitat mitigation to offset disturbance.*
 - 2.3.4. *EC2: Clifton North Road Dunes systems-significant adverse effects requiring specialist monitoring and mitigation.*
 - 2.3.5. *EC3: Tree and Hedge Line Replacement and Corridor Enhancement-reduction of habitat loss dislocation/connectivity and ecological impacts, applicable to Fylde and South Ribble.*
 - 2.3.6. *B1-B2: offsetting negative perceptions and tourism /economic impacts.*
 - 2.3.7. *SE1: Skills and Workforce Plan.*
- 2.4. At the time of writing, the Applicants have repeatedly refused all of the Requested S106 Obligations. The reasons given by the Applicants can be summarised as follows:
 - 2.4.1. The Requested S106 Obligations are general community benefits for which the Applicants have offered to secure voluntarily.

¹ See the Council's submitted representations to the ExA made at Deadlines 5, 6 and 7 of the DCO Examination and the Council's Briefing Note to the ExA, accepted on 2nd October 2025¹ at ExA discretion, provided at Appendix 1

- 2.4.2. The Requested S106 Obligations do not comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) ("**the CIL Regulations**").
- 2.4.3. The Requested S106 Obligations are not necessary to mitigate any Environmental Impact Assessment ("**EIA**") impacts. All mitigation deemed necessary by the Applicants through the EIA process (with the exception of Blackpool Road Recreation Ground mitigation) are secured through requirements in the draft DCO.
- 2.4.4. Neither the ExA or other relevant key stakeholders such as Natural England and the Environment Agency have raised or requested such measures as necessary mitigation during the Examination.
- 2.4.5. The mitigation for the Blackpool Road Recreation Ground is identified by the Applicants as necessary mitigation in the Environmental Statement and cannot be secured through management plans or requirements in the draft DCO. However, the Applicant asserts that to include the Required S106 Obligations, would not comply with Regulation 122 of the CIL Regulations or the tests at paragraph 57 of the National Planning Policy Framework 2025 (as amended) ("**NPPF**").
- 2.5. The Applicants are engaging on a s106 agreement only to secure planning obligations in relation to land at Blackpool Road Recreation Ground for which an advanced draft agreement is in circulation and negotiations are ongoing. The Council has requested the scope of this draft agreement is widened to incorporate the Requested S106 Obligations. This has been refused by the Applicants.
- 2.6. The Council can only enforce s106 obligations on the landowner or parties with a legal interest in the land. The Development land is not owned by the Applicants. The Council has therefore requested that the Applicants enter into a deed of indemnity against the s106 obligations in favour of the Council as long leaseholder of the Blackpool Road Recreation Ground land and its successors in title (if the Council wants to transfer its interest) and in favour of the landowner. This would give the Council the security of being able to enforce any s106 obligation against the Applicants or their successors. To date, all requests for a draft deed of indemnity have been refused. The Council has requested a mechanism be inserted into the draft DCO to secure a deed of indemnity with any s106 agreement (see wording proposed at paragraph 6.2 below). This mechanism is essential considering the termination of Morgan Offshore Limited from the Morgan Offshore Wind Project. The Council has had no response to its proposed wording.

3. Legal and policy tests

- 3.1. At paragraph 4.1.9, the National Policy Statement for Energy, NPS EN-1² (December 2025) states that the Secretary of State may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. EN-1 in effect replicates the requirements of Regulation 122 of the CIL Regulations.
- 3.2. NPS EN-1 also provides that the Secretary of State must take account of relevant guidance within the NPPF and Planning Practice Guidance ("**PPG**")³: Use of Planning Conditions³ when imposing requirements and considering the validity of planning obligations. In particular:

² [Overarching National Policy Statement for Energy \(EN-1\) – December 2025](#)

³ [Use of planning conditions - GOV.UK](#)

- 3.2.1. Paragraph 56, NPPF: *“planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition” (this should be read as ‘requirement’ for DCOs).* This is also reiterated in the guidance contained within the PPG: Planning Obligations (September 2019) and in case law.
- 3.2.2. Paragraph 57, NPPF: *“planning conditions should...only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects.”*
- 3.2.3. Paragraph 58, NPPF which reiterates the need for planning obligations to meet all of the tests highlighted at paragraph 3.1 to be valid.
- 3.3. Unlike s106 obligations, planning conditions cannot be used to secure positive commitments in respect of offsite matters.
- 3.4. The Courts have found that a planning condition: (i) should be imposed for a "planning" purpose; (ii) must fairly and reasonably relate to the development permitted by the planning permission; and (iii) should not be so unreasonable that no reasonable planning authority could impose it.⁴
- 3.5. The approach to considering whether or not a particular planning obligation may be taken into account by the decision-maker as a material consideration is confirmed in the Supreme Court *Judgement of R (Wright) v. Forest of Dean District Council on 20 November 2019*.⁵ This case set out that the relevance of the 'Newbury criteria' to determine the ambit of “material considerations” in what is now section 70(2) of the TCPA 1990, and section 38(6) of the Planning and Compulsory Purchase Act 2004 is well established and is not in contention. Planning obligations satisfying the "Newbury criteria" may be treated as material planning considerations.

4. Council's position

- 4.1. The Council does not support the Development without the Requested S106 Obligations. It considers these to be necessary mitigation to make the development acceptable in planning terms and a material consideration in decision making.
- 4.2. Regulation 122 of the CIL Regulations and the tests in NPS EN1 are satisfied in respect of the Requested S106 Obligations. Refuted reasons are set out in section 5 below in tabular form for each of the Requested S106 Obligations. The obligations are not voluntary community benefits, nor do they seek to deliver unrelated enhancement. Rather, they are mitigation measures without which the Development would give rise to unmitigated, inadequately controlled or unenforceable impacts.
- 4.3. It is not a legal or policy requirement for a planning obligation to be requested by a statutory consultee. The sole legal test is whether the obligation is necessary to make the Development acceptable in planning terms, directly related to the Development, and fairly and reasonably related in scale and kind.
- 4.4. Whilst certain mitigation measures can be secured through requirements in a DCO, the draft DCO requirements do not provide an appropriate or effective mechanism to secure:

⁴ *Newbury DC v Secretary of State for the Environment* [1978] 1 W.L.R 1241 and *DB Symmetry Ltd v Swindon BC* [2022] UKSC 33

⁵ *R (Wright) v Forest of Dean District Council* [2019] UKSC 53

- long term financial contributions.
 - binding obligations in respect of the proposed s106 obligations offered by the Applicants in view of the lack of landownership by the Applicant or on successor undertakers; or
 - ring fenced funding tied to specific mitigation outcomes.
- 4.5. In relation to financial contributions, paragraph 005 (dated 23 July 2019) of the Government Guidance on the *"Use of planning conditions"* says that *"no payment of money or other consideration can be positively required when granting planning permission"*. Although this guidance applies to planning permissions granted under the TCPA 1990, it is relevant to the drafting of DCO requirements. For this reason, it is appropriate for positively worded obligations that require the payment of money to be included in the DCO draft s106 Agreement rather than as DCO requirements. This position was confirmed by the Gatwick Airport Northern Runway DCO (granted 21 September 2025).⁶
- 4.6. The Council's approach is consistent with recent DCO decisions for example the *Lower Thames Crossing* (25 March 2025)⁷, *Sizewell C* (20 July 2022)⁸ and Gatwick Airport Northern Runway. These DCO decisions identify that effective mitigation delivery for complex NSIPs requires binding planning obligations to secure officer resources and monitoring capacity rather than reliance on DCO requirements alone. We note the following considerations:
- 4.6.1. The *Sizewell C DCO* uses requirements in the Order and obligations in a Deed of Obligation to form a package of measures, which when read together achieves a suitable degree of mitigation.
- 4.6.2. Section 106 planning obligations for the *Lower Thames Crossing DCO* include the implementation of measures within the Skills, Education and Employment Strategy, and provision of community funds, officer support contributions for respective local authorities during the delivery of the project over and above their statutory duties. These were considered alongside the DCO requirements.
- 4.6.3. The Gatwick Airport Northern Runway DCO supports the use of s106 planning obligations. The Applicant states in its Explanatory Memorandum dated June 2024 for the Draft S106 Agreement:
- "Paragraph 55 of the National Planning Policy Framework 2023 (now paragraph 56, NPPF) provides that: "Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition", this being a condition imposed on a grant of planning permission. While it may be possible, in principle, for elements of the draft DCO s106 Agreement to be pulled out into requirements, we consider that in most, if not all, cases there is considerable practical advantage and merit in placing the commitments [in]to using a section 106 agreement to secure commitments"*⁹
- 4.7. Accordingly, a section 106 agreement is considered the only suitable mechanism to secure the Council's requested measures with the certainty and enforceability required.

⁶ [TR020005-004237-GATWICK AIRPORT NORTHERN RUNWAY DCO - Decision Letter - 21 September 2025.pdf](#)

⁷ [TR010032-006643-LTC Decision Letter Final cleared.pdf](#)

⁸ [EN010012-011164-SZC-Decision-Letter.pdf](#)

⁹ [10.54 Draft Section 106 Agreement - Explanatory Memorandum.docx](#)

5. Justification for the Additional S106 Obligations

5.1. The following sets out justification for each of the Requested S106 Obligations and demonstrates how the CIL Regulations are met:

Ref. in Heads of Terms ¹⁰	Additional S106 Obligation requested	Purpose and position	Compliance with CIL Regulations (summary)
EC1	Coastal Ecology, Fairhaven Salt Marsh	The draft DCO secures the preparation of ecological management plans for Fairhaven Saltmarsh (a protected site under the Habitat Regulations); however, those measures assume long-term monitoring, on-the-ground management and intervention to remain effective. Fairhaven Saltmarshes is regarded as a high value area for informal and formal recreation-dog walking/cycling, health and fitness and the Council must ensure and enable sufficient access to this area. The Council therefore request s106 contributions to secure appropriate fencing and signage as well as specialist monitoring by the Coastal Management Team. The outline ecological plans acknowledge permanent disturbance risk and long-term displacement of activity and sediment. Without funded monitoring, physical management measures (including access control and fencing). The requested contribution secures the delivery and durability of mitigation relied upon by the Applicants. The Secretary of State has previously accepted in respect of other DCO's that long-term ecological mitigation and governance relied upon for Habitats Regulations Assessment conclusions are appropriately secured through binding planning obligations or deeds of obligation to ensure durability, funding certainty and enforceability over the life of the development, as demonstrated in the	Necessary: To maintain the effectiveness of mitigation relied upon to support HRA conclusions Directly related: Impacts arise from construction, operation and decommissioning activities at the coastal interface. Proportionate: Reflects ecological sensitivity and long-term impact risk, with defined costed measures

¹⁰ See s106 HoT document at Annex 2

		Sizewell C DCO	
S1 & S2	Operational, Monitoring and Enforcement	The Development will give rise to a sustained and specialist workload for the Council and Blackpool Council throughout construction, operation and decommissioning. This includes specialist monitoring of compliance with ecological mitigation, coastal protection, construction methods, access management and post-consent approvals. The mitigation relied upon within the Environmental Statement and secured through draft DCO requirements is contingent upon active, proportionate and continuous monitoring and enforcement. Without dedicated, development-funded staffing and specialist consultancy support, that mitigation cannot be relied upon to be delivered or maintained. The Applicants' suggestion that this matter can be addressed through a voluntary post-consent Planning Performance Agreement does not provide sufficient certainty. A PPA is discretionary, time-limited, and reimbursement-based, and does not secure upfront funding or guarantee resourcing in the event of ownership or delivery changes during the Development's lifetime.	Necessary: Effective mitigation delivery is dependent on specialist monitoring and enforcement capacity. Without it, residual impacts would remain unmitigated. Directly related: The workload arises solely from the Development; costs would be demonstrably attributable Proportionate: The contribution is time-limited to operational need, with defined review points over a maximum 10-year period.
W1	Water Quality	Although certain pollution contingency measures are secured through marine licensing and draft DCO requirements, the Environmental Statement identifies potential deterioration of groundwater and surface water quality, including risks arising from sediment disturbance, de-watering, the creation of new contaminant pathways, and accidental releases during construction and decommissioning. These effects are distinct from acute pollution incidents and present cumulative risks (including to bathing waters) requiring long-term monitoring, assessment and corrective intervention.	Necessary: Identified risks to water quality require monitoring and mitigation beyond standard construction controls Directly related: The contribution responds to water quality effects arising from the Development's construction and operation. Proportionate: Time-limited and risk-based, aligned with construction and early operational phases.

		The Turning Tides Programme provides a targeted, locally-established framework capable of being adapted to address these specific impacts, including monitoring bathing water quality and groundwater interactions in the affected coastal zone. The requested contribution would be ring-fenced to enable the Programme to respond specifically to Development-related impacts and does not fund unrelated or general water quality enhancement. No part of the contribution would be applied to baseline water quality improvement or statutory duties that would occur in the absence of the Development. Recent DCO decisions recognise that where environmental effects present cumulative or uncertain risks over time, targeted financial contributions secured through planning obligations can be necessary to support long-term monitoring and remedial action beyond construction-focused DCO requirements.	
EC2	Coastal Ecology, Clifton North Road Dunes systems	The Council requests a financial contribution to improve the ecology and habitats of Clifton North Road sand dunes and to avoid the weakening of the dune system for coastal defence by effective management of the dunes. While draft DCO requirements manage construction risk to the dune system, they do not address long-term ecological resilience, erosion pressure or habitat condition. The sand dunes perform a critical soft-defence function and support protected species whose habitat condition may be affected by disturbance, access changes and altered sediment dynamics. A financial contribution is also required to ensure post-construction management, monitoring and habitat-focused intervention necessary to offset those impacts.	Necessary: DCO requirements alone do not secure post-construction ecological protection Directly related: Effects arise from landfill works and coastal export cable infrastructure. Proportionate: Time-limited maintenance and monitoring aligned with operational impacts.

EC3	Ecology & Landscape	The Council request an obligation for the direct replacement of like for like tree species with the trees needing to be replaced identified and the locations for their replacement trees, which could include off-site locations, secured. The Council also require the promotion of species rich hedgerows to be secured, again by having their location, including any off-site locations, set out. The Development will result in quantified loss of hedgerows and trees, affecting habitat connectivity, landscape character and local amenity. While arboriculture method statements manage construction impacts, they do not secure defined replacement ratios, the replacement locations which may be offsite maintenance or enforcement. A s106 obligation is required to secure a transparent, enforceable replacement and enhancement programme, ensuring no net loss of habitat connectivity and protecting landscape character. Offsite replacement also requires a s106 obligation.	Necessary: To offset identified and quantified habitat and landscape loss. Directly related: Directly arises from onshore infrastructure work Proportionate: Evidence-based ratios and geographically specific delivery.
B1 & B2	Tourism, Agriculture & Economic Impacts	Construction of the Development will cause significant disruption to tourism destinations, agricultural operations and rural/coastal economies through access restrictions, traffic impacts and altered perceptions of place. Targeted economic mitigation is required to manage these impacts during the construction period and support affected sectors in maintaining viability. These impacts arise directly from the Development. Whilst they are largely attributable to the construction phase, there is sufficient socio-economic impacts to existing businesses and land-based operations, which is not otherwise mitigated through the draft DCO requirements. Whilst the draft DCO requirements	Necessary: To mitigate residual construction-phase impacts on existing tourism, agricultural and rural businesses that are identified in the Environmental Statement and are not addressed through DCO requirements alone. Directly related: The impacts arise solely from the Development's construction activities, duration and extent, and the mitigation is confined to those effects. Proportionate: The obligation is time-limited to the construction phase, geographically targeted to

		regulate construction activity, traffic management and access arrangements, they do not provide a mechanism to offset or manage residual economic disruption experienced by affected businesses and land users, including a loss of custom, disrupted operations or reduced productivity. Without effective mitigation, there will be socio-economic harm to businesses and industries (both during the construction period and beyond due to the lasting effects of harm to tourism and businesses). The requested s106 obligation would secure targeted, time-limited mitigation measures to address those impacts where they cannot be avoided through construction controls alone. This may include, for example, funding to support temporary access solutions and requested advertisement to support affected industries, business continuity measures, adaptation costs and clearly defined intervention directly linked to construction impacts. The obligation therefore functions as mitigation, not a community benefit, and is required to ensure that the Development does not give rise to unmitigated and unacceptable construction-phase land-use and economic effects.	affected areas, and proportionate to the scale and duration of the identified impacts, without extending to unrelated economic enhancement or long-term benefit.
SE1	Skills and Workforce Plan	While the draft DCO secures preparation of an Employment and Skills Plan, it does not secure enforceable outcomes, monitoring, or remedial mechanisms. A s106 obligation would secure affectively secure positive commitments including in respect of off-site matters and enables transparent reporting, monitoring and accountability, ensuring that claimed skills and employment benefits relied upon in the justification of the Development are delivered in practice. <i>The Lower Thames Crossing DCO, for example uses its supporting s106 to set a target of 20% of employees to be local, 45% of</i>	Necessary: To ensure delivery and verification of workforce commitments. Directly related: Relates to construction and operational workforce impacts. Proportionate: Scaled to workforce size and duration

		<i>employees to be within 20 miles of the project and to request minimum target inputs and activities. This enables transparent delivery. The Council's proposed s106 obligation is for a similar Skills and Workforce Plan quantifying trainees and apprentices, jobs to a specific construction value, during construction, operation, decommissioning and for 5 years from the final decommissioning.</i> Section 106 obligations are a standard method of setting effective implementation of Employment and Skills Plans. The reasons are that such plans typically require detailed positive commitments relating to off-site matters and remedial measure. The Lower Thames Crossing DCO decision confirms that where socio-economic benefits and workforce outcomes are relied upon in the planning balance, the Secretary of State has accepted that enforceable planning obligations can be required to secure monitoring, reporting and remedial mechanisms rather than plan preparation alone.	
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5.2. We respectfully invite the Secretary of State to give significant weight to the need for the Requested S106 Obligations.

5.3. We further request the Secretary of State requires a s106 agreement is agreed and completed in respect of the Requested S106 Obligations. In terms of the mechanics for securing this, it can either be a separate agreement or obligations included within the existing draft s106 for the Blackpool Road Recreation Ground. For security of enforcement, we request a requirement in the DCO, restricting the relevant part of the development until the s106 agreement(s) and associated deed(s) of indemnity are entered into by the Applicants with the Council.

6. Draft DCO mechanism

6.1. The Applicants do not own the Development land.

6.2. To bind the Applicants, or promoters for the Development including their successors to any s106 obligation, we have proposed the following wording to the Applicants to be included at Part 2, Paragraph 6 of the draft DCO which deals with transferring the benefit of the Order:

"The Secretary of State shall consult with Fylde Borough Council ('the Council') and shall not grant consent pursuant to paragraph (2) above unless the Secretary of State has confirmed in writing that the Secretary of State is satisfied that the following deeds have been entered into and will be legally binding immediately following the grant of consent—

(a) a completed deed of covenant by the transferee or lessee in favour of the Council in which the transferee or lessee covenants to be responsible for the performance of all those obligations outstanding at the point of any transfer or grant as placed on the landowner and the undertaker under:

(i) the planning obligation by deed of agreement under s106 of the Town and Country Planning Act 1990 relating to development land at Blackpool Road Recreation Ground, Lancashire and any other s106 obligation forming mitigation for Project A¹¹ as may be reasonably requested by the Council, dated [] and entered into by (1) the Council, (2) Lytham Town Trust Limited and (3) Morgan Offshore Wind Limited; and/or

(ii) the planning obligation by deed of agreement under s106 of the Town and Country Planning Act 1990 relating to development land at Blackpool Road Recreation Ground, Lancashire, and any other s106 obligation forming mitigation for Project B¹² as may be reasonably requested by the Council, dated [] and entered into by (1) the Council, (2) Lytham Town Trust Limited and (3) Morecambe Offshore Windfarm Ltd; and

(b) provide the Council with a deed of indemnity to indemnify the Council and Lytham Town Trust in respect of the relevant planning agreement(s) at paragraph 6(5)(a), to be substantially in the form of the deed dated [] and entered into by []

And the said deed of covenant and deed of indemnity shall be in a form which is to the reasonable satisfaction of the Council (which shall not be unreasonably withheld or delayed)"

6.3. The wording at paragraph 6.2 is the Council's preferred approach. However, the Council has also suggested alternative mechanisms such as using the wording which is included within the Sizewell C DCO¹³ to enforce the terms of a deed of obligation where any benefit of the Order is transferred.

6.4. The recent announcement from Morgan Offshore Windfarm Limited to discontinue the Morgan Offshore Wind Project emphasises the need for the DCO to secure binding planning obligations that run with the land.

6.5. To date, we have not had a response to our proposed DCO drafting.

7. The Applicants

7.1. Morgan Offshore Windfarm Limited and Morecambe Offshore Windfarm Limited (the Applicants) are jointly seeking a single DCO for their electrically separate transmission assets comprising aligned offshore export cable corridors to landfall and aligned onshore export cable corridors to separate onshore substation(s), and onward connection to the National Grid

¹¹ Project A is used in the draft DCO for the transmission assets for the Morgan Offshore Wind Project

¹² Project B is used in the draft DCO for the transmission assets for the Morecambe Offshore Wind Farms

¹³ Articles 9 (4), 9 (7) and 10 of The Sizewell C (Nuclear Generating Station) Order 2022

at Penwortham, Lancashire. Each project shall include the construction, operation, maintenance, and decommissioning of:

- 7.1.1. the installation of offshore export cable circuits (up to four for Morgan Offshore Windfarm and up to two for Morecambe Offshore Wind Project) to transmit the electricity generated to the landfall
- 7.1.2. construction of transition joint bays (up to four for Morgan Offshore Windfarm and up to two for Morecambe Offshore Wind Project) within Blackpool Airport, connecting the offshore export cables to the onshore export cables
- 7.1.3. installation of underground onshore cable circuits (up to four for Morgan Offshore Windfarm and up to two for Morecambe Offshore Wind Project) between the offshore export cables and the two electrically separate onshore substations, connected via the transition joint bays
- 7.1.4. the construction, operation and maintenance and decommissioning of two onshore substations (one for each windfarm)
- 7.1.5. the installation of up to four 400kV underground export cable circuits (up to two for Morgan Offshore Windfarm and up to two for Morecambe Offshore Wind Project) connecting the two electronically separate onshore substations to the National Grid at Penwortham, to allow the power to be transferred to the National Grid.
- 7.2. Morgan Offshore Wind Limited is a joint venture between JERA Nex bp and Energie Baden-Württemberg AG ("**EnBW**") which is developing the Morgan Offshore Wind Project. The Morgan Offshore Wind Farm, was granted development consent on 29 August 2025 and includes up to 96 offshore wind turbine generators, up to four offshore substation platforms, offshore interconnector cables connecting the wind turbine generators and offshore inter-array cables connecting the offshore substation platforms ("**OSPS**")
- 7.3. Morecambe Offshore Windfarm Limited owned by Copenhagen Infrastructure Partners' ("**CIP**") fifth flagship fund, Copenhagen Infrastructure V (CI V), is developing the Morecambe Offshore Windfarm. The Morecambe Offshore Windfarm was granted development consent on 1 December 2025 for up to 35 offshore wind turbine generators, inter-array cables, offshore substation platforms and OSPs.
- 7.4. We bring to the attention of the ExA and Secretary of State an announcement made by EnBW on 16th January 2026 of their intention to discontinue the Morgan Offshore Wind Project¹⁴ due to financial viability.
- 7.5. We understand that CIP have confirmed their intention to continue with the Morecambe Offshore Windfarm and still require their cabling route (the northern cabling route).
- 7.6. **We invite the Secretary of State to seek from the Applicants immediate clarification of the Development and its delivery including time frames and funding, and, for protections to be put in place for the promoter to demonstrate the scheme is deliverable and there is sufficient funding to meet all the compensation and mitigation measures.**
- 7.7. **Further, we request that the Secretary of State ensures (including by provisions in the DCO) that no relevant part of the development can be carried out and no compulsory**

¹⁴ [EnBW will not continue offshore projects Mona and Morgan | EnBW](#)

acquisition powers exercised unless and until it can be demonstrated that the Development is deliverable and funding is in place for the relevant part of the Development to avoid environmental harm and harm to affected owners. During the examination of the Wylfa Newydd Power Station Development Consent Order, the promoter, Hitachi Limited announced its intention to withdraw from funding the proposed development. An updated Funding Statement was submitted to the ExA and drafting inserted into the DCO to provide funding guarantees to the effect that implementation of compulsory acquisition would be prevented until demonstrated that the funding would be in place for a 10-year period to address any compensation claim and the development as a whole would be prevented until the undertaker has provided the Secretary of State with written information to enable the Secretary of State to be satisfied that the authorised development is likely to be undertaken and will not be prevented due to difficulties in sourcing and securing necessary funding.¹⁵ We invite a similar approach for this DCO.

8. Conclusion

- 8.1. The Requested S106 Obligations constitute lawful, proportionate and necessary mitigation without which the Development would give rise to inadequately mitigated impacts and delivery risk.
- 8.2. Recent DCO decisions demonstrate a consistent approach that funding, monitoring and governance are properly secured through binding planning obligations rather than DCO requirements alone.
- 8.3. In the absence of these obligations, the Development would not be acceptable in planning terms.
- 8.4. The abandonment of the Morgan Offshore Wind Project by Morgan Offshore Windfarm Limited presents a real risk to the delivery of the Development, and this must be considered accordingly. Protections must at the very least be included in the DCO as considered above.

Yours sincerely

Walker Morris LLP

WALKER MORRIS LLP

For and on behalf of Fylde Borough Council

¹⁵ Paragraph 5.8 of the ExA report for Wylfa Newydd Nuclear Power Station (23 July 2019) [EN010007-003948-Recommendation Report - English.pdf](#)

ANNEX 1

**FYLDE BOROUGH COUNCIL'S SUBMITTED REPRESENTATIONS TO THE
EXAMINING AUTHORITY IN RELATION TO THE REQUESTED S106 OBLIGATIONS**



**Answers to Examining Authority's Written
Questions Received 8th September 2025**

**Morgan & Morecambe Transmission Cables
Examination**

IP Reference-20053931

September 2025

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Appendices

See separate document

1. Introduction and Approach

- 1.1.1 Fylde Council [FBC] is a statutory consultee and Interested Party for the proposed Morgan and Morecambe Offshore Wind Farms Transmission Cables proposal.
- 1.1.2 This "Answers to Questions Report" is prepared in response to the Examining Authority's [ExA] written questions issued to Fylde Borough Council and other parties on 8th September 2025.
- 1.1.3 In preparing this report in accordance with Section 60(3) of the Planning Act 2008 (as amended), FBC has shown due regard to relevant guidance, including the 'Nationally Significant Infrastructure Projects: Advice for Local Authorities' published by the Planning Inspectorate on 08 August 2024 (updated 16 December 2024).
- 1.1.4 In providing answers, FBC has been mindful of its role within this Examination. Answers have been provided to all questions directed at FBC, as well as in response to other questions for which FBC considers that voluntary provision of a response is appropriate and relevant.
- 1.1.5 In deciding which other questions to provide answers to, officers have been steered by its Consultative Group of elected members, as well as the Fylde Local Plan to 2032 (incorporating Partial Review) [FLP], National Planning Statements and other material matters and guidance.
- 1.1.6 FBC has consistently raised concerns about the inadequacy of the Environmental Statement [ES] both in terms of its incompleteness and its inconsistencies, as well as the volume of new and updated information still to be provided by the Applicants. FBC notes that a range of documents are due to be submitted at Deadline 5, Deadline 6 and in some case post-examination.
- 1.1.7 FBC reserves its position on these matters and requests the Examining Authority require further information from the applicants to ensure the nature and extent of all impacts can be properly assessed and understood. We also request that appropriate opportunity and reasonable time is given for FBC and other Interested Parties to respond to any further information as and when it is supplied by the Applicants throughout this process.
- 1.1.8 This report has in part been informed by consultation responses from council officers and other advisory bodies and individuals. The consultation requests, reviews of responses and creation of this report is the work of the officers of Fylde Council, and no part of this process has been generated by AI.

2. Answers

2.1 Q2:1.1.1

FBC supports the principle of agreeing further specific drafting in the relevant control and management documents, and the DCO, to ensure that full opportunities are taken for co-ordination and collaboration, in the interests of reducing and minimising the likely harmful effects of development.

This is particularly important because it is evident that all likely harm has the potential to be exacerbated by repeat and extended periods of construction. For example, harm arising from the 'temporary' loss of agricultural land, ecological harm to protected habitats, noise disturbance and increased HGV activity would all be increased under certain proposed development scenarios. Those same harmful impacts could also be reduced through certain collaborative practices.

Even where specific harms are not known, it should be possible to formulate commitments which provides firm and binding requirements to such an approach. Indeed, Policy EN-1 requires applicants to utilise opportunities for reduction in harm and increases in benefits throughout and for all relevant topic areas. For example, Section 5.14.11 of EN-1 gives specific examples of opportunities for mitigating harm relating to traffic and transport, which includes examples which could be relevant to co-operation and collaboration between the Applicants.

It should also be noted that these examples in EN-1 are not exhaustive and instead the Applicants are required to provide a reasonable response to these opportunities at this stage, rather than the current position which seeks to defer any such commitment to the post-consent stage.

Section 1.1.5 of EN-1 is clear that *"Applicants should therefore ensure that their applications, and any accompanying supporting documents, are consistent with the instructions and guidance in this NPS, any relevant technology specific NPS and any other NPSs that are relevant to the application in question."*

Furthermore, FBC is interested in further detail about a particular aspect of the Applicants' response to Q1.1.7 [REP3-056] where they state that *"Another key consideration is the regulatory framework for offshore transmission infrastructure, as this requires that each project's transmission assets are independently developed (...)"* FBC would appreciate it if the Applicants could provide a specificity so that this requirement can be properly understood, particularly with regard to whether it trumps other requirements, guidance and limitations.

2.2 Q2:1.1.5

FBC considers that regular meetings with local liaison committees should be included within the Outline Communications Plan [REP4-029]. Given the scale of the proposed development and the number of settlements and communities which will be affected at different times over an extended period, this should not be one committee but instead should be a number of local committees. Effective engagement with local communities will be vital to properly managing impact on human health, as well as improving the impact of proposed mitigation for all topics.

FBC notes that the Outline Communications Plan has also been updated at Section 1.4.1.2 to include a commitment to providing effective and transparent methods of communication but then has removed specific commitment to provide an email address and phone line for members of the public to make enquiries. FBC notes that the provision of a hotline during construction only has been added but does not consider this to be equivalent.

It is very likely that residents will have enquiries outside of construction periods, particularly given the likely scenario of two separate phases of construction, with up to a year for remediation after construction has ended.

Whilst a minor point, FBC also notes that the logo header on the submitted document has a graphical error.

2.3 2:1.1.7

FBC refers to its answer to Q2:4.1.15 (in this document). In summary, Section 4.2.15 of EN-1 sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk.

The relevant test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists.

2.4 2:1.2.2

FBC submitted its formal response to the East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report.

Whilst the level of information at this stage is naturally relatively high-level and indicative, FBC notes with interest that for those proposals, the promoter has indicated that the substation could be located to the south of the Ribble River, closer to Penwortham.

FBC maintains its position with regards to the approach taken by the Applicants for their site search and co-location of substations. FBC remains unconvinced by the Applicants' assertion that location of one or both substations to the south of the River Ribble would not be possible.

2.5 2:4.1.15

Strategic Policy T2 of the Fylde Local Plan to 2032 (incorporating Partial Review) [FLP] states that permission will be refused for any development either within the defined safeguarding area, or the wider area, which would have adverse impacts on aviation operations, or on defence navigation systems and communications at Warton Aerodrome.

FBC continues to monitor the submissions relating to these impacts and notably the dialogue between BAe and the Applicants. FBC is also in dialogue with BAe planning agent direct.

FBC understands that some progress has been made since Deadline 4. However, based upon currently available information, FBC must conclude that there is still uncertainty and therefore the potential for harmful impacts.

Policy T2 requires the applicant to demonstrate that there would not be any potential for adverse effects. FBC notes that the requirement is with the Applicants and that the test is sensitive to the possibility of effects.

FBC considers that this is not onerous and refers to Section 4.2.15 of EN-1 which sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk.

In both Policy T2 and EN-1, the test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes

consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists.

On this basis, neither policy requirement is satisfied and in the case of FLP Policy T2, the result is that the proposals as they stand cannot be supported.

2.6 2:6.1.3

Sand lizards are protected in the UK under the Wildlife and Countryside Act, 1981, they are a Priority Species under the UK Post-2010 Biodiversity Framework and are listed as a European Protected Species under Annex IV of the European Habitats Directive.

Their distribution is limited to only a small number of sites in the UK. As set out in FLP Strategic Policy ENV2, FBC is committed to ensuring the protection and enhancement of biodiversity and provides specific control for development which would have an adverse impact on protected priority species.

FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on sand lizards. FBC has provided comments to the Applicants on the Sand Lizard Mitigation Plan [REP4-117] through these meetings but sets out those comments and additional comments in the response below.

- **Incorrect reliance on “outside the SSSI” as a protective measure for a mobile species.** The plan repeatedly leans on the fact that elements (access road/compound/exit pit) are beyond the mapped SSSI boundary (e.g. *“The compound and beach road is outside the boundary of the SSSI.”* and *“Transition Joint Bays will be located within Blackpool Airport which is at minimum 600m from the SSSI boundary”*). However, sand lizard’s range across suitable connected dune habitat; SSSI lines/lines on a map do not constrain them. Distance-from-SSSI is not an ecological safeguard for a mobile reptile population using the dune system.

- **Unsupported claim of “no direct impacts” to the dunes.** The plan states: *“There will be no direct impacts to the dunes during the construction phase because the Lytham St Anne’s Dunes SSSI will be crossed utilising trenchless techniques... exit pit... 100 m seaward of the western boundary of Lytham St Annes SSSI.”* This ignores indirect impacts (e.g. noise, vibration, lighting, human presence, heavy vehicle movements) that affect dune wildlife and nearby sand banks used for both sand lizard hibernation and basking.

- **Inadequate and inappropriate noise/vibration reasoning for reptiles.** The plan cites human receptor predictions (*“predicted noise levels... do not exceed 59 dB at the nearest sensitive residential receptors”*) and generalised lizard auditory ranges, then concludes disturbance is unlikely because dunes are already publicly accessible. This relies on human thresholds (≤ 59 dB at nearby homes) and broad statements about reptile hearing to claim low risk and then assumes the dunes’ public access means extra disturbance is insignificant. This is not an appropriate assessment for sand lizards. It mixes human comfort criteria with reptile ecology, ignores ground-borne vibration that travels through sand, and sets no reptile-relevant trigger levels or stop-work actions at sensitive features such as hibernation banks, basking edges, or egg-laying sand and public access with occasional light vehicles is not comparable to repeated heavy plant and HGV movements.

- **Underestimation of vehicle-related risk and disturbance footprint.** The plan claims: *“additional footfall... would not result in any significant increase,”* and leans on existing public access to minimise significance. It provides no quantified construction traffic profile (vehicle type/axle load, frequency, speed, timing) and does not assess heavy-duty vehicle vibration on sand banks likely

used for hibernation/basking. This is especially problematic given the plan's own identification of *"increased vehicle movements on the beach and beach access road"* as a potential impact.

- **Trenchless method risk pathways downplayed.** The plan says the direct-pipe trenchless method *"reduces risks associated with frack out of drilling fluids or the collapse of the drill hole"* but it gives no site-specific geotechnical evidence, drilling-fluid management plan, monitoring with trigger-action levels, or clear contingency tailored to dune geomorphology and the shallow water table. It also relies on depth rather than a worked method statement and incident response. Reducing risk is not the same as eliminating it; without these details, potential effects on dune hydrology and subsurface voids used by sand lizards are not properly assessed.

- **Timing constraints benefit people/logistics more than lizards.** The only seasonal control offered is *"no works on the beach between November and March inclusive"* (i.e. hibernation). That still allows works from April–September, when sand lizards are most active. They are not only at risk in winter (during hibernation). Disturbance during basking, mating and egg-laying directly harms survival and breeding success, yet the plan gives no measures to avoid those peak-sensitivity windows. Such sensitivity relates to:

- **Basking (daily spring-autumn):** Sand lizards must bask to reach a workable body temperature. If vehicles/people keep flushing them from sunny banks, they can't warm up, can't feed or digest properly, and condition drops, ultimately increasing starvation and mortality risk.
- **Mating (spring/early summer):** Courtship and mating need time, warmth and calm. Repeated disturbance reduces encounters and interrupts mating, leading to fewer clutches and weaker recruitment.
- **Oviposition (late spring-summer):** Females need warm, loose, undisturbed sand to bury eggs. Vibration, compaction, stockpiles or machinery near those patches can cause nest abandonment, force poor site choice, or damage/compact the sand so eggs fail.
- **Hatchlings (late summer/early autumn):** Newly emerged lizards are small and highly sensitive to disturbance and ground compaction; track traffic and compound edges raise direct mortality and dispersal failure risks.
- **Avoidance and/or mitigation measures.** Deferral of essential detail is not an implementable mitigation plan. The document repeatedly defers key measures to future plans and even states *"final avoidance and/or mitigation measures... will be agreed... through discharge of the final sand lizard mitigation plan(s)."* This is not adequate at DCO stage for a European Protected Species risk. Robust, specific, and enforceable measures should be fixed now.
- **No site-specific protection along the access track or at the compound.** The Plan acknowledges *"increased vehicle movements on the beach and beach access road"* but does not commit to practical safeguards. There is no reptile fencing along the track, no mapped buffers around winter sleeping sites or egg-laying areas, no seasonal speed limits or escorted movements, no refuge checks or phased clearance, and no daily pre-works checks by a licensed ecologist. Instead, the Plan relies on a generic toolbox talk.
- **Reliance on chestnut paling is misplaced.** The Plan states: *"The seaward boundary of the accreting dunes is already fenced with chestnut paling fencing ... to discourage pedestrian access from the most sensitive areas of dunes."* In practice, chestnut paling is installed primarily to trap wind-blown sand and build wider, higher dunes as a soft sea defence. Any reduction in trampling of planted areas is a secondary benefit. Chestnut paling is not an exclusion fence for reptiles and does not manage construction access, vehicle movements or vibration. It should not be relied upon as mitigation for sand lizards.
- **Handling and licensing are not set up correctly.** The Plan states: *"Any lizards encountered will be recorded and re-located to a place of safety... by the ECoW"* and that the ECoW *"will hold a Natural England survey licence."* A survey licence does not authorise capture and relocation

during construction. Moving lizards during works requires an EPS mitigation licence that explicitly covers these activities. To say an EPS licence is “disproportionate” is not supported by evidence.

- **Vehicle disturbance is played down without data.** The Plan states construction traffic will not add to disturbance because the area is publicly accessible. Sporadic use by light vehicles is not the same as frequent heavy construction traffic. There are no traffic counts, no swept-path analysis, and no vibration modelling near the dunes. There is also no comment or commitment in relation to speed limits, driver briefings, or seasonal working-hour controls that reflect lizard activity. FBC provided details of the current type and frequency of vehicle use in Section 7.3 of its ‘Response to matters raised at the Specific Hearings for Deadline 4’ [REP4-134].
- **Noise and vibration controls are not tied to reptiles.** The Plan cites “*PPV below 1.0 mm/s and 59 dB at human receptors*” to conclude there will be no significant disturbance. It sets no reptile-focused trigger levels, no stop-work criteria, no exclusion distances to winter sleeping sites, and no on-site monitoring of ground vibration during piling or cofferdam works. There is also no commitment to switch to lower-vibration methods if needed.
- **Lighting, dust, and pollution risks omitted for reptile receptors.** The Plan lacks specific controls for temporary lighting (glare/spill to dune margins), dust suppression (sand egg-laying sites; basking banks), and pollution (fuel/chemical storage, spill response) with receptor-based buffers and monitoring. These are standard in sensitive habitats and should be explicit, not deferred.
- **No quantitative monitoring, no success criteria, no adaptive management.** There is no commitment to a reptile monitoring programme with pre, during, and post construction surveys, no measurable success criteria, and no adaptive measures if monitoring shows displacement or mortality. Saying “*requirement for an EPS licence will remain under review*” is not a substitute for a monitoring and response framework.
- **Reptile exclusion fencing dismissed without options analysis.** The Plan labels temporary reptile exclusion fencing and targeted translocation as disproportionate but provides no receptor mapping, no risk ranking, and no trials of short, targeted fencing at likely hotspots such as along the track edge near basking banks. Proportionality should be shown through a site-specific options appraisal, not simply stated.
- **Toolbox talk-only approach is inadequate.** The reliance on “*a toolbox talk*” to avoid staff straying into dunes is weak. There’s no commitment to supervised access routes, physical barriers, spotters during peak activity hours, mandatory sign-off for new starters, or lizard ID training covering juveniles and egg clutches.
- **“All areas equally suitable” leads to blunt, non-targeted mitigation.** By assuming uniform suitability, the plan justifies not surveying and not targeting mitigation where it matters (e.g. sunny south-facing banks, embryonic dune ridges). This produces generic measures that won’t manage risk at hotspots along the track/compound interface.
- **No commitment to constrain works during peak daily activity windows.** There is no proposal to avoid early to mid-morning and late afternoon (peak basking) movements on the track, or to introduce seasonal working-hour controls on high-vibration activities during warm, still days.
- **No measured buffers.** The Plan provides distances to the SSSI boundary (100m and 600m) instead of setting simple exclusion distances from real lizard hotspots. The Plan should map the hibernacula, oviposition sands and basking corridors, then set firm exclusion zones around them and lower speed limits nearby.
- **Compounds and access not reptile safe.** The Plan does not include basic design features to keep lizards safe (e.g. to stop lizards getting in or being harmed). There is no smooth vertical skirting to prevent ingress, no plan to manage pits and trenches, no staged sand removal with ecologist supervision, and no refuge management inside compounds. Mitigation should include smooth solid edging at the base of site fencing and cabins, cover or ramp any pits and

trenches, remove sand in stages with an ecologist on site, and sort any places inside the compound where lizards could hide and get trapped. As the Plan expects to encounter lizards and to relocate them, prevention by design should come first, not relocation.

More generally, FBC is concerned about the apparent over-reliance on future, non-specified plans. At DCO stage, this should be a workable and enforceable reptile mitigation plan with maps, buffers, counts, triggers, and method statements, rather than a placeholder. As well as responding to the above specific issues, FBC considers that a fit-for-purpose plan should be prepared in accordance with the following characteristics:

- Fine-scale mapping showing buffers and seasonal constraints.
- Quantified construction traffic profile and reptile-specific vibration/noise trigger levels with stop-work criteria and ecological monitoring.
- A clear licensing strategy which state when an EPS mitigation licence is required, for example capture, handling, relocation, disturbance, or risk to breeding or resting places. It should confirm no capture or relocation without it. It should include method statements and programmes, name the licence holder and accredited agents, and set a 'stop work and call the ecologist' procedure. It should make it clear that a survey licence is not sufficient for construction, give a simple decision tree so unlicensed staff do not handle reptiles, and should explain how compliance will be checked and recorded.
- Include a trenchless installation Drilling Fluid and Ground Risk Plan with monitoring and contingency specific to dune systems.
- Include lighting, dust, pollution controls tailored to dune reptiles (with measurable standards).
- Include a monitoring and adaptive management plan (pre/during/post) with success criteria and reporting.

In light of the Above comments, FBC considers that the proposed Sand Lizard Mitigation Plan and EPS licensing strategy following discussion with the Applicants and Officers remains inadequate and inappropriately high-level lacking specificity and control. Furthermore, FBC considers that these issues must be resolved prior to any consent being granted, in order to ensure that appropriate and effective mitigation can be secured in a way which is compatible with the commitments, management plans and DCO.

2.7 2:6.1.7

FBC remains concerned about the vague wording of this and other commitments. The caveats "where practically possible" and "if necessary", without qualification, render the commitment ineffective. Commitments should reference management plans and other commitments in order to provide a greater level of detail, confidence and certainty.

CoT101 should also be reworded to fully respond to the likely consequences of impacts on peat. Works both directly and in-directly (via impacts on ground water) impacting peat deposits may cause drying and shrinkage, which in turn cause localised ground stability issues and could also limit groundwater abstraction and re-use.

CoT101 should also properly qualify what is meant by "high concentrations" or otherwise be reworded. The potential for smaller areas of peat lenses within and close to the Work Order limits has been identified and there is no justification for excluding these from the commitment.

2.8 2:6.1.8

FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on peat. FBC has provided comments to

the Applicants through these meetings and has confirmation in these meetings from the Applicants that updates will be made specifically with regards to peat.

FBC expects these updates to include a Peat Management Plan with a detailed hierarchy for decision making, setting out how peat will be avoided where possible as well as measures to store, protect and reinstate peat if peat is encountered during works. Any such plan should be made a Requirement of the DCO.

Whilst FBC notes the Natural England position [RR-1601] that this information should be provided in advance and agrees that this would be preferable, FBC considers that if the scheme were to be consented then this should only be done with the benefit of a suitably detailed and secured avoidance hierarchy and defined through the DCO.

2.9 2:6.2.4

FBC echoes the repeated request from the ExA in Q2:6.2.1 for the full biodiversity metric spreadsheet to be provided. This aligns with the repeated requests the written submissions by FBC, most recently in Sections 6.2, 6.3 and 6.6 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134], for further assessment and associated evidence relating to the ability of the development to deliver and secure the proposed measurable net gains for biodiversity.

With regards to a scenario where on-site delivery of some or all BNG was not possible, FBC would refer to the relevant policy and guidance, which notably includes the Lancashire Country Council 'Local Nature Recovery Strategy' (2025).

However, a specific response would depend upon the details of the site and characteristics of the desired BNG. There are a number of different important habitats and species, and it is likely that any strategy would need to respond to site-specific conditions.

FBC remains concerned that the proposed bird mitigation or compensation areas for birds may be too small to be used as effective mitigation. This creates the potential that birds displaced by construction activities may be subject to further movement pressures which could in turn increase bird strike risk. FBC does not consider that it has been conclusively demonstrated that the proposed areas will provide sufficient mitigation for the numbers of birds which may be displaced during construction.

FBC notes that mitigation areas will be less likely to be used, the further they are from any impacts.

FBC maintain its position that the mitigation hierarchy should be followed and that on-site BNG should be prioritised.

2.10 2:7.1.1

Whilst this question refers to the previous relevant FBC representation on this matter [REP4-134], FBC wish to note that related concerns and requests have also been made by Natural England throughout the examination process and notes with concern the lack of any progress being made with regards to this particular matter, as outlined in the Natural England Risk and Issues Log [REP4-139].

FBC wishes to emphasise the importance of sediment transfer processes in this area. Any changes to the sediment transfer system could potentially impact on the Fylde Dunes project. One of the key objectives for the Fylde Dune Project is to improve the efficiency of the dunes as a soft sea defence, essential for the delivery of the Environment Agency Shoreline Management Plan (Unit 11B1.21). The applicants have indicated they would be prepared to support the Fylde Dune Project through Community Benefits which is welcomed. However, FBC regards these matters to be directly and

proportionally linked to the development and commitments should be secured through a Section 106 Agreement.

This is completed through active management realignment techniques to accrete the dune system seawards. This work is only possible due to the sediment gains that are seen from Starr Gate to the mouth of the Ribble Estuary. 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.

In terms of managing these issues post-consent, FBC relies primarily upon the submissions made by Natural England in terms of what information is needed to potentially reach an acceptable position.

2.11 2:12.1.11

Specifically in relation to the St Annes FC/Blackpool Road, Section 106 agreement in principle and final drafting of the Section 106 is well advanced.

On other matters FBC requested that ExA recommends that matters relating to: Fairhaven Saltmarsh mitigation and its enhancement; Sand Dune mitigation/protection; BNG; and, localised habitat protection, are also dealt with via Section 106 agreement as these matters are directly related to development, rather than by voluntary community benefits as offered by the Applicants.

FBC welcomes the Applicants commitment to enter into agreements across a number of community, economic, energy and environmental projects for Kirkham, East Fylde villages and South Ribble.

3. DCO Answers

3.1 Q1:3.1

FBC maintains its position that because the proposal is for two separate developments, with no commitments around cooperation or collaboration to minimise or reduce the likely impacts arising, then the likely harmful impacts will inevitably be amplified when compared to one scheme coming forward.

FBC concluded that a greater quantum of development will naturally give rise to greater impacts, and that given the limited commitments around the timing, duration, work programme, design content and frequency of works will without doubt exacerbate issues and also introduces additional risks and the possibility for new types of harm.

For example, a repeat period of construction in a localised area after a short delay may cause harm to the environment, economy and human health in a manner which exceeds the harm of either instance in isolation. Conversely, a greater lapse between phases of construction may also undermine remediation works.

At a broader level, the longer the overall period of construction, the greater the potential for some types of harm. For example, reputational harm to the tourism industry and operational limitations to agricultural land will likely worsen as the overall period extends.

The issue is complex and multi-faceted. FBC has continued to advocate for a greater level of detail and commitment with regards to the phasing, design duration and frequency of construction and remediation activities, so that each of the issues can be appropriately assessed and controlled.

The requested extended seven-year commencement period has the potential to exacerbate some issues, particularly with regards to human health, and it is likely that an overall reduction in the total commencement would therefore be beneficial in this regard.

3.2 Q1:3.3

FBC have had a series of topic-specific meetings with the Applicants, including with regards to design principles. FBC understands that the Applicant is updating documents for submission at Deadlines 5 and 6.

FBC has provided detailed verbal and written comments to the Applicants with regards to this matter since Deadline 4.

FBC will review and comment upon documents as they are formally submitted to the examination.

At a high level, FBC still has significant concerns with regards to the approach taken by the Applicants. The Applicants state that the overarching National Infrastructure Commission's Strategic Design Principles have guided the design process up to the DCO submission, ensuring that the substations are integrated sensitively, mitigated as far as practical, respectful of the local communities' interests and deliver enhancements where feasible. However, the location, duality, scale and type of the development proposed makes it very difficult to understand how this has been effectively achieved.

FBC will continue to advocate for circumstances which would require the Applicants to ensure that if and when consent is granted, the Design Principles and Codes form the cornerstone of real

commitments to good design and are bound into the procurement process through a Statement of Compliance.

3.3 Q1:3.4

FBC raises no objection to the Applicants' position as set out in their response to Action Point ISH3.22 [REP4-108].

FBC routinely consults BAe on relevant applications and there are no proposals to change this approach. However, FBC expects the Applicants would consult BAe and the DIO in advance on any aviation and defence matters as part of a preapplication process before formal submission, and that any consultation response from BAe would be given appropriate consideration when determining any relevant applications. FBC operates a series of agreed processes with BAe and other sensitive industries that complies with NSPA major infrastructure" classification.

FBC notes the significant interest that BAe and the DIO have in this matter and will take any further responses and advice into consideration.

3.4 Q1:3.7

FBC recommends that Requirement 6 should include details of existing trees and hedgerows to be retained and those to be removed.

Including a clear schedule of retained and removed trees and hedgerows is essential for assessing the acceptability of the landscaping scheme. It would enable FBC and other stakeholders to understand the impact of the proposal on landscape character, biodiversity, and amenity.

FBC considers that Requirement 6(2) should be amended to include: a retention and removal schedule, identifying all existing trees and hedgerows affected; integration with the TPO and Hedgerow Plan, ensuring consistency and transparency; and a commitment to species-specific replacement planting, with native and locally appropriate species.

Any such schedule should be submitted prior to commencement, and form part of the final landscaping scheme. It should also be supported by a site-based survey to confirm actual conditions and inform planting design.

FBC notes with concern that at present, the relevant outline plans caveat the retention of trees and hedgerows with "where practicable" and "except where temporary construction, access or enabling works are required". This is very open ended and does not enable a clear understanding of where and how impacts may be experienced, or how and if there would be sufficient provision for them be mitigated.

FBC remain concerned that the level of mitigation which may be required once this information becomes available post-consent may be insufficient to adequately offset the visual effects and integrate the proposed scheme and the two proposed substations into their landscape setting.

FBC remains concerned that the trenchless techniques proposed in order to retain many of the mature trees around the proposed substation sites may have long lasting consequences which affect their survival and the number of trees which would be subjected to this process should be identified.

FBC has received verbal confirmation from the Applicants that some updated information will be submitted at Deadline 5 and we will review and comment on this information once received.

3.5 Q1:3.8

FBC considers that Landscape Management and Ecological Management have different objectives. Whilst one management plan may be used to secure the ongoing maintenance regime of landscape features, it is essential that the goals and objectives of both topics are agreed and monitored.

A separate Site Management Plan developed and overseen by a working group which consists of both Landscape and Ecology professionals, would help to ensure the delivery of soft landscaping achieves both objectives in the long term.

FBC recommends that the management plans should be updated with consideration of the following Operating Principles:

- **Minimum 10-Year Management Period Works Completion:** Trees and hedgerows should be managed for at least 10 years after planting to ensure proper establishment and ecological function.
- **Annual Monitoring and Reporting:** Monitoring should begin in Year 1 and continue annually. Reports should be submitted to the Council by 31 March each year, including survival rates, species counts, photographic evidence, and any remedial actions taken.
- **Rolling Replanting Obligation:** Any failed planting should be replaced in the next available planting season, not deferred to the end of the 10-year period. The management period should reset for any replacement planting to ensure full establishment.
- **Responsibility and Enforcement:** The applicant or their appointed contractor should be responsible for monitoring and reporting. The Council must retain the right to inspect and enforce compliance if failures are not addressed.
- **Integration with the DEMP:** The Detailed Ecological Management Plan (DEMP) should complement, not duplicate, the landscaping obligations. It must include species-specific maintenance regimes and hedgerow connectivity measures.

3.6 Q1:3.11

FBC notes the request made by Lancashire County Council [REP4-136] with regards to Requirement 12 of the dDCO and will review the Applicants' response when it is made available.

3.7 Q1:3.12a

Clarity and clear restrictions on out-of-hours works would be welcome by FBC.

3.8 Q1:3.12b

FBC considers that the inclusion of preparation and maintenance work would only be acceptable as part of the mobilisation activities if they are unlikely to generate any significant noise levels at neighbouring properties, so clarity would be welcomed.

FBC suggests that this could be clarified in clause 14(6)a, to make it clear that preparation and maintenance activities would exclude for example noisy repairs, movement of heavy equipment or plant, running pumps, or other noise sources.

3.9 Q1:3.12c

FBC considers that a reference to the noise criteria for significant noise levels defined in the outline Noise Management Plan would provide an appropriate fall-back for this level.

3.10 Q1:3.12e

FBC supports and welcomes the amendments of Saturday morning hours beginning at 08:00 rather than 07:00. This would align more closely with the general preferred working hours set out in the previous FBC response to ExQ1 Q1.1.5b [REP3-082], which were 08:00–18:00 (Monday–Friday) and 08:00–13:00 (Saturday), with no works on Sundays or Bank Holidays. The requirement for start-up and set down periods should be included within these operating hours for sensitive human and environmental receptors. Locations for holding areas outside the zone of sensitive receptors for delivery/machinery/plant should also be identified.

3.11 Q1:3.12f

FBC considers that as drafted, clauses c) to f) in 14(2) is ambiguous as they could suggest that out-of-hours work may be allowed for all of the landfall works, Blackpool Airport works, etc. The wording needs to be clarified to relate more closely to the activities specified in clause 14(2)a) only.

FBC has discussed this matter with the Applicants and understands that they will amend the drafting to improve the preciseness of these clauses.

3.12 Q1:3.14

With regards to Requirement 16, FBC does not consider that the revised wording fully addresses the concerns raised.

The current drafting lacks clarity on timing, standards, and enforcement. FBC recommends updates are made with regards to the following:

- **Restoration Timeframe:** Restoration of temporarily used land should be completed within 6 months of the cessation of construction activities, unless otherwise agreed in writing with the Local Planning Authority.
- **Two schemes:** The Applicants should provide a greater level of detail within their current submissions regarding the proposed and anticipated timing of the two schemes and whether the works would be concurrent or sequential. Only with this information can informed decisions on the timing of and requirements of restoration be made.
- **Pre-Commencement Restoration Management Plan:** A Restoration Management Plan should be submitted and approved prior to commencement. This plan should set out soil handling and reinstatement methods, hedgerow and vegetation reinstatement specifications, drainage reinstatement measures, and monitoring and reporting arrangements.
- **Monitoring and Reporting:** The applicant should carry out post-restoration surveys and submit a restoration completion report to the Council within 3 months of restoration works. This should include photographic evidence, soil condition assessments, and confirmation of hedgerow and vegetation reinstatement.
- **Rolling Reinstatement and Species Matching:** Where hedgerows or trees are reinstated, the species mix should match the original composition as closely as possible. Any failed planting should be replaced in the next available planting season, with a rolling 10-year management period applied to ensure establishment.
- **Council Oversight and Enforcement:** FBC should retain the right to inspect restored areas and require remedial works if standards are not met. This ensures that restoration is not only completed but also maintained to an acceptable standard.

3.13 Q1:3.15

FBC has made recommendations with regards to the redrafting of Schedules 2A and 2B in the response to Q2:14.1.1 (also submitted in this response).

FBC requires that the requirement to agree an Operational Noise Management Plan is reinstated to clarify the monitoring procedures. If this monitoring determines that the noise limit represents a breach of the noise limit set out in the requirement, this will constitute a breach of the requirement which would need to be remedied and therefore it is not considered necessary to specify provisions for further mitigation.

3.14 Q1:3.17

FBC considers that the Outline Operational Drainage Management [REP4-065] is lacking in details of the flood mitigation measures of the substantial detention basins and the extensive potential BNG opportunities.

FBC notes that Lancashire County Council as the Lead Local Flood Authority would be responsible for approving details relating to this matter but requests that FBC and Parish Councils are secured as a consultee within the outline plan.

3.15 Q1:3.19

Whilst FBC has engaged with a proactive and busy programme of meetings and exchanges of information with the Applicants since Deadline 4, matters relating to Onshore Collaboration and Requirements 25 have not been discussed any further.

FBC is not aware that the Applicants are planning any updates to both Requirements 25. FBC therefore maintains the position set out in Section 2.1 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134].

3.16 Q1:3.20

FBC considers that the proposed wording for Requirements 26 would not be effective in ensuring that the relevant biodiversity benefit is delivered. As worded, it only requires written evidence to be submitted to the relevant planning authority prior to commencement. There is no control over content or approval.

FBC also notes that neither the draft requirements nor the Biodiversity Benefit Statement [REP4-066] include information with regards to the availability of land and any assumptions or commitments made with regards to Compulsory Acquisition.

FBC is of the opinion that the requirements should be updated to require approval and to restrict commencement of operation until approval is confirmed. Similarly, FBC considers that appropriate updates should be made to set out the approach with regards to Compulsory Acquisition.

3.17 Q1:3.21

FBC requested that an assurance protocol is secured through the DCO with regards to surface water and groundwater management, as well as hydrogeological risk assessment, specifically with regards to the Sand Dunes within the Order Limits.

FBC notes the inclusion of relevant management plans in points (i) and (o) of the dDCO. The principle of this approach is supported but FBC refers to its previous and new submission relating to these matters, including the specific content of the management plans. FBC also notes outstanding

concerns from Natural England relating to these same topics, notably summarised in the Natural England Risk and Issues Log [REP4-139].

3.18 Q1:5.2

FBC maintains its position that fees should be specified within part 6 of Schedule 12, noting that some other recently made DCOs include the same, for example for Heckington Fen Solar Park [EN010123].

FBC is open to considering alternative suggestions from the Applicants with regards to a more detailed breakdown of fee amounts for subsequent applications relating to the same requirements.

However, FBC wishes to clarify that other mechanisms, whether through a PPA, s106 or otherwise, will be necessary to secure funding for officer time. FBC is in ongoing discussions with the Applicants with regards to specific contributions for operational and monitoring purposes across countryside/ costal /planning functions for 4 PPO level post for day-to-day monitoring and management requirements. With specific requirements for PPA related funding for discharge (Development Management) functions.

3.19 Q1:5.3

FBC has no further comments to make with regards to Schedule 12 at this time, with the exception of those made in response to Q1:5.2 above.

3.20 Q2:13.1.1

FBC has been working proactively with the Applicants, officers and consultees to progress matters relating to the preparation of the draft Statement of Common Ground. This work has included a significant number of topic-specific meetings with the Applicants' team, as well as regular meetings with its Consultative Group of Councillors.

FBC understands that the Applicants will submit a copy of the agreed draft SoCG at Deadline 5. This will include areas of agreement and disagreement, in addition to comments on anticipated further progress up until Deadline 6.

As a general comment, FBC officers and advisors has noted a change in the approach and emphasis from the Applicants in the latest round of discussions which is welcomed.

3.21 Q2:13.1.5a

FBC recognises the value that an independent design review process can add and noted national advice and guidance on this matter.

The design of the substations and associated landscaping is certain to raise a significant amount of local interest and engagement.

A significant level of local engagement is needed, this will also be influenced by wider social, environmental and economic matters at such a time when the proposals for either substation come forward.

However, the principle to independent design and review processes is noted as is the output of an independent design review process which has material weight and sets an important precedent.

3.22 Q2:13.1.5c

FBC considers that additional drafting is required. There is a requirement in the guide to developing a truly inclusive and accessible design that is sympathetic to the social and community context in which it will operate and to serve as an active steward for the local landscape, prioritising nature-based solutions and boosting a local sense of identity.

FBC retains its position as amplified in our relevant representations that this project has been guided by NESO/HDR into solution very early in the process, which has limited its ability to demonstrate the comparison of alternative sites robustly, and/or different delivery scenarios which could have anchored the preferred proposal within its landscape context and support a design narrative which is relevant to the local environment and truly reflects and addresses the concerns of the communities which would be affected.

It must be demonstrated by the Applicants that the design principles being developed are more than just the iteration of earlier guidelines burdened by excessive commercial considerations and that the Applicants can guarantee the provision of tangible benefits to people and places affected by the proposal.

The removal of certain caveats and the establishment of a working group of key stakeholders, landscape design and ecological professionals and the Applicants' Design Champion would be instrumental in ensuring this is achieved from the earliest stages of design, through to the establishment of the ongoing maintenance regimes.

3.23 Q2:15.1.2

A report by the Director of Planning and Building Control at FBC is to be taken to the Fylde wide Joint Economic Prosperity Board on 25th September 2025. This report references progress with the Morgan & Morecambe Transmission Cable NSIP application and recommending EPBs ongoing involvement in the monitoring and management of Section 106 and Outline Employment and Skills Plan.

The report also notes FBC's continued role, as the LPA, in taking the lead on negotiations and agreements as the Relevant Planning Authority for the Fylde in respect to the DCO Requirements 19 and other requirements/agreements. Confirmation will be provided after the meeting on 25th September 2025, either at Deadline 6 or beforehand as appropriate.

3.24 Q2:15.1.8

FBC have had a series of topic-specific meetings with the Applicants, including with regards to tourism. FBC have provided verbal and written comments to the Applicants with regards to this matter since Deadline 4.

FBC understands that the Applicants will be submitting an updated detailed report including details of local impacts. FBC will review and comment on any such information once it is submitted.

Until then, FBC maintains its position as set out in its most recent formal submissions to the examination.

3.25 Q2:14.1.1

The previous wording of Requirement 18, requiring a noise management plan to be submitted and approved prior to operation of either substation, has been replaced by a commitment to achieve a certain noise limit at a representative location closest to each of the substations.

FBC accepts that the noise limits specified in the revised wording of Requirement 18 of the DCO Schedules 2A & 2B are in line with the limit of less than 5 dB above background which was confirmed as acceptable in FBC's response to ExQ1 Q14.1.5 [REP3-082], and represents an explicit noise limit as requested in the same response.

However, the Operational Noise Management Plan provided a way to specify and agree a post-construction operational noise monitoring plan and complaints response procedure. In contrast, the current requirement wording specifies that noise levels "are to be measured", using a standard procedure, but it is not clear when and where these measurements should be undertaken. For example, this could be interpreted to suggest that operational noise should be measured continuously or on an ongoing basis, which may not be feasible in practice.

It would therefore be beneficial for all parties to reinstate, within Requirement 18, the need to agree an Operational Noise Management Plan which would clearly set out the monitoring scheme and complaints procedure response.

The Operational Noise Management Plan could also set out the noise attenuation and mitigation measures to be taken to achieve the specified noise limit, to provide more reassurance and clarity of the measures that have been employed.

Commitment CoT80 should be clarified accordingly.

3.26 Q2:14.1.3

The wording of the Outline Construction Noise and Vibration Management Plan [REP4-033], with regard to the investigation of complaints and noise monitoring appears generally consistent with the level of detail expected for an outline document.

However, FBC has considered additional aspects that should be developed further:

- Consideration of specific mitigation, engagement/communication measures and/or noise criteria applicable for the Century Care Home due to its acknowledged higher sensitivity.
- The SOAEL criteria set out in Table 1.4 of the Outline Construction Noise and Vibration Management Plan could be further specified as set out in the Applicant's response to ExQ1 Question 14.1.12 [REP3-056], but with consideration of more stringent criteria for the Century Care Home as noted above.
- Consideration of the need for vibration monitoring for specific activities (such as piling), should they be undertaken in such proximity to sensitive receptors as to be a potential source of complaint, as set out in section 1.5 of the Outline Construction Noise and Vibration Management Plan. However, FBC acknowledges that this is unlikely based on the current assessment.

END.



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Date: September 2025

Review Date: N/A

Our Ref: M&MTA DL5ATQ Authorised by: [REDACTED] Head of Planning and Building Control



MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

Annex 2.3 to Applicants' Response to Deadline 5 submissions from Statutory Consultees and other organisation: Fylde Borough Council



Deadline: 6
Application Reference: EN020028

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Glossary

Term	Meaning
400 kV grid connection cables	Cables that will connect the proposed onshore substations to the existing National Grid Penwortham substation.
400 kV grid connection cable corridor	The corridor within which the 400 kV grid connection cables will be located.
Applicants	Morgan Offshore Wind Limited (Morgan OWL) and Morecambe Offshore Windfarm Ltd (Morecambe OWL).
Biodiversity benefit	An approach to development that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected. For the Transmission Assets, biodiversity benefit will be delivered within identified biodiversity benefit areas within the Onshore Order Limits. Further qualitative benefits to biodiversity are proposed via potential collaboration with stakeholders and local groups, contributing to existing plans and programmes, both within and outside the Order Limits.
Code of Construction Practice	A document detailing the overarching principles of construction, contractor protocols, construction-related environmental management measures, pollution prevention measures, the selection of appropriate construction techniques and monitoring processes.
Commitment	This term is used interchangeably with mitigation and enhancement measures. The purpose of commitments is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects. Primary and tertiary commitments are taken into account and embedded within the assessment set out in the ES.
Construction Traffic Management Plan	A document detailing the construction traffic routes for heavy goods vehicles and personnel travel, protocols for delivery of Abnormal Indivisible Loads to site, measures for road cleaning and sustainable site travel measures.
Design envelope	A description of the range of possible elements and parameters that make up the Transmission Assets options under consideration, as set out in detail in Volume 1, Chapter 3: Project Description. This envelope is used to define the Transmission Assets for EIA purposes when the exact engineering parameters are not yet known. This is also referred to as the Maximum Design Scenario or Rochdale Envelope approach.
Development Consent Order	An order made under the Planning Act 2008, as amended, granting development consent.
Direct pipe	A cable installation technique which involves the use of a mini (or micro) tunnel boring machine and a hydraulic (or other) thruster rig to directly install a steel pipe between two points.
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.

Term	Meaning
Environmental Statement	The document presenting the results of the Environmental Impact Assessment process.
Evidence Plan Process	A voluntary consultation process with specialist stakeholders to agree the approach to, and information to support, the EIA and Habitats Regulations Assessment processes for certain topics.
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.
Intertidal area	The area between Mean High Water Springs and Mean Low Water Springs.
Intertidal Infrastructure Area	The temporary and permanent areas between MLWS and MHWS.
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 Authority	A body empowered by law to exercise various statutory functions for a particular area of the United Kingdom. This includes County Councils, District Councils and County Borough Councils.
Local Highway Authority	A body responsible for the public highways in a particular area of England and Wales, as defined in the Highways Act 1980.
Main rivers	The term used to describe a watercourse designated as a Main River under the Water Resources Act 1991 and shown on the Main River Map. These are usually larger rivers or streams and are managed by the Environment Agency.
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
Maximum design scenario	The realistic worst case scenario, selected on a topic-specific and impact specific basis, from a range of potential parameters for the Transmission Assets.
Mean High Water Springs	The height of mean high water during spring tides in a year.
Mean Low Water Springs	The height of mean low water during spring tides in a year.
Micro-tunnel / micro-tunnelling	A tunnelling technique involving the use of a hydraulic (or other) jacking rig and a mini (or micro) tunnel boring machine to install a concrete tunnel between two points.
Mitigation measures	This term is used interchangeably with Commitments. The purpose of such measures is to avoid, prevent, reduce or, if possible, offset significant adverse environmental effects.
Morecambe Offshore Windfarm: Generation Assets	The offshore generation assets and associated activities for the Morecambe Offshore Windfarm.

Term	Meaning
Morecambe Offshore Windfarm: Transmission Assets	The offshore export cables, landfall, and onshore infrastructure required to connect the Morecambe Offshore Windfarm to the National Grid.
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	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. Also referred to in this report as the Transmission Assets, for ease of reading.
Morgan Offshore Wind Project: Generation Assets	The offshore generation assets and associated activities for the Morgan Offshore Wind Project.
Morgan Offshore Wind Project: Transmission Assets	The offshore export cables, landfall and onshore infrastructure required to connect the Morgan Offshore Wind Project to the National Grid.
Morgan OWL	Morgan Offshore Wind Limited is a joint venture between JERA Nex bp (JNbp) and Energie Baden-Württemberg AG (EnBW).
National Grid Penwortham substation	The existing National Grid substation at Penwortham, Lancashire.
National Policy Statement(s)	The current national policy statements published by the Department for Energy and Net Zero in 2023 and adopted in 2024.
Offshore booster station	A fixed structure located along the offshore export cable route, containing electrical equipment to ensure bulk wind farm capacity can be fully transmitted to the onshore substations.
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Offshore export cables	The cables which would bring electricity from the Generation Assets to the landfall.
Offshore export cable corridor	The corridor within which the offshore export cables will be located.
Offshore Permanent Infrastructure Area	The area within the Transmission Assets Offshore Order Limits (up to MLWS) where the permanent offshore electrical infrastructure (i.e. offshore export cables) will be located.
Offshore Order Limits	See Transmission Assets Order Limits: Offshore (below).
Offshore substation platform(s)	A fixed structure located within the wind farm sites, containing electrical equipment to aggregate the power from the wind turbine generators and convert it into a more suitable form for export to shore.
Onshore export cables	The cables which would bring electricity from the landfall to the onshore substations.
Onshore export cable corridor	The corridor within which the onshore export cables will be located.
Onshore Infrastructure Area	The area within the Transmission Assets Order Limits landward of MHWS. Comprising the offshore export cable corridor from MHWS to

Term	Meaning
	the transition joint bay, onshore export cable corridor, onshore substations and 400 kV grid connection cable corridor, and associated temporary and permanent infrastructure including temporary and permanent compound areas and accesses. Those parts of the Transmission Assets Order Limits proposed only for ecological mitigation and/or biodiversity benefit are excluded from this area.
Onshore Order Limits	See Transmission Assets Order Limits: Onshore (below).
Onshore substations	The onshore substations will include a substation for the Morgan Offshore Wind Project: Transmission Assets and a substation for the Morecambe Offshore Windfarm: Transmission Assets. These will each comprise a compound containing the electrical components for transforming the power supplied from the generation assets to 400 kV and to adjust the power quality and power factor, as required to meet the UK Grid Code for supply to the National Grid.
Preliminary Environmental Information Report	A report that provides preliminary environmental information in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This is information that enables consultees to understand the likely significant environmental effects of a project, and which helps to inform consultation responses.
Renewable energy	Energy from a source that is not depleted when used, such as wind or solar power.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations due to the flow of water.
Substation	Part of an electrical transmission and distribution system. Substations transform voltage from high to low, or the reverse by means of electrical transformers.
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).
Transmission Assets Order Limits	The area within which all components of the Transmission Assets will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds).
Transmission Assets Order Limits: Offshore	The area within which all components of the Transmission Assets seaward of Mean Low Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning. Also referred to in this report as the Offshore Order Limits, for ease of reading.
Transmission Assets Order Limits: Onshore	The area within which all components of the Transmission Assets landward of Mean High Water Springs will be located, including areas required on a temporary basis during construction and/or decommissioning (such as construction compounds). Also referred to in this report as the Onshore Order Limits, for ease of reading.

Acronyms

Acronym	Meaning
AIS	Air Insulated Switchgear
AOD	Above Ordnance Datum
BCA	Bilateral Grid Connection Agreement
CoCP	Code of Construction Practice
CoT	Project Commitment
CBRA	Cable Burial Risk Assessment
CfD	Contracts for Difference
CMS	Construction Method Statement
CSIP	Cable Specification and Installation Plan
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
Defra	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security & Net Zero
dML	Deemed Marine Licence
EnBW	Energie Baden-Württemberg AG
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EPP	Evidence Plan Process
ES	Environmental Statement
EWG	Expert Working Group
GIS	Gas Insulated Switchgear
HDD	Horizontal Directional Drilling
HGV	Heavy goods vehicle
HNDR	Holistic Network Design Review
HVAC	High Voltage Alternating Current
IALA	International Association of Marine Aids to Navigation and Lighthouse Authorities
IAQM	Institute of Air Quality Management
LAT	Lowest Astronomical Tide
MCA	Maritime and Coastguard Agency
MCZ	Marine Conservation Zone
MDS	Maximum Design Scenario

Acronym	Meaning
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MMO	Marine Management Organisation
MPS	Marine Policy Statement
MTBM	Mini (or micro) tunnel boring machine
NGESO	National Grid Electricity System Operator
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
O&M	Operation and Maintenance
OSP	Offshore Substation Platform
OTNR	Offshore Transmission Network Review
PDE	Project Design Envelope
PEIR	Preliminary Environmental Information Report
PPP	Pollution Prevention Plan
PRoW	Public rights of way
SAC	Special Areas of Conservation
SAR	Search and Rescue
SPA	Special Protection Area
SNCBs	Statutory Nature Conservation Bodies
SSSI	Sit of Special Scientific Interest
SWMP	Site Waste Management Plan
TEP	Technical Engagement Plan
TJB	Transition Joint Bay
UK	United Kingdom
UXO	Unexploded Ordnance
WSI	Written scheme of investigation

Units

Unit	Description
%	Percentage
dB	Decibels
Kg	Kilogram
kHz	Kilohertz

Unit	Description
KJ	Kilojoules
km	Kilometres
km ²	Kilometres squared
kV	Kilovolt
m	Metres
m ²	Metres squared
m ³	Metres cubed
nm	Nautical mile
μPa	micropascal

1 Applicants' Response to IPs' Submissions at Deadline 5

1.1 Introduction

- 1.1.1.1 Following Deadline 5, Morgan Offshore Wind Limited ('Morgan OWL') and Morecambe Offshore Windfarm Limited ('Morecambe OWL'), (together, 'the Applicants') have taken the opportunity to review each of the submissions from Interested Parties. This includes Written Representation, post-hearing submissions as well as responses to ExQ1.
- 1.1.1.2 Details of the Applicants' response to each of the submissions from Interested Parties are set out in this document.
- 1.1.1.3 The Applicants have numbered the submissions in line with the Planning Inspectorate's document library, with subsequent paragraph number, e.g. REP5-001.1, REP5-001.2, etc.

2 Applicants' Response to IPs' submissions at Deadline 5

2.1 Fylde Borough Council

Table 2-1: REP5-170 – Fylde Borough Council (Deadline 5 Written Statement)

Reference	IP submission	Applicants' response
REP5-170 170.1	Deadline 5 – Written Statement This statement is provided by Fylde Borough Council [FBC] for submission at Deadline 5 and is organised as follows: - Section 1: General Update; - Section 2: Response to Green Belt Technical Note [REP4-092]; and, - Section 3: New/Recently Consented Development Update (Solar Farms).	The Applicants note the structure of Fylde Borough Council's (FBC) response and have responded to each point raised below.
REP5-170 170.2	1 General Update 1.1 FBC has been working positively and proactively with the Applicants, officers, consultees and other relevant interested parties to progress matters relating to assessment of the updated and new information submitted to the Examination, as well as with a view to resolving outstanding matters. 1.2 This work has included a significant number of topic-specific meetings with the Applicants' team, as well as regular meetings with its Consultative Group of Councillors. Specifically, since Deadline 4, FBC has engaged in excess of 22 topic-specific meetings with the Applicants and has provided written comments on a range of documents. 1.3 FBC has previously raised concerns about the volume and type of new and updated information being submitted to the Examination, most recently in Section 1.2 of REP4-134. FBC considers this the situation has increased, with reduced amount of time left in the Examination limiting the possibility for full	The Applicants thank FBC for their positive and proactive engagement, which is reflected in the updated Statement of Common Ground which will be submitted at Deadline 7. In terms of volume and types of new and updated information, the Applicants would disagree that there has been a high level of requests for further information in respect of this application or ES. Furthermore, the new information or clarifications submitted to the examination is not atypical for DCO applications of this type, size or complexity.

Reference	IP submission	Applicants' response
	proper consultation and detailed assessment of information and amendments in response. 1.4 FBC also maintains its position that some of the new work being carried out at this stage, particularly with regards to: landscape and visual impacts; Green Belt impacts; rural and agricultural business impacts; ecology (notably sand lizards, peat, dunes SSSI, bird mitigation); and, tourism, is being prepared long after these matters should have been considered and directing the characteristics of the control measures. 1.5 The Nationally Significant Infrastructure Project [NSIP] consenting process is intended to be front-loaded, and the applicants are required to be well-prepared, to enable efficient examination within the maximum six months provided by Section 98(1) of the Planning Act. 1.6 FBC has worked to prepare a draft Statement of Common Ground and has agreed a version with the Applicants for submission at Deadline 5. FBC has received written confirmation from the Applicants that this will be submitted. 1.7 FBC also requests that the Examining Authority provides a more detailed agenda for the next hearing sessions at their earliest convenience, which includes the order and topics of matters to be discussed, to assist the Council with efficiently resourcing officer attendance.	
REP5-170 170.3	2 Response to Green Belt Technical Note 2.1 Background 2.1.1 FBC continues to engage with the Applicants on matters relating to Green Belt, with an ongoing series of meetings to continue after Deadline 4. This response sets out the position of FBC up to Deadline 4 particularly with reference to the Green Belt Technical Note [GBTN] [REP4-092], and whilst it is hoped that progress will be made with regards to some of the issues raised, FBC requests that the Examiners seek to address issues raised.	2.1.1 – The Applicants note FBC's response. 2.1.2 & 2.1.3 and 2.1.4 – It is acknowledged that paragraph 5.11.37 of NPS EN-1 states that <i>“when considering any planning application affecting Green Belt</i>

Reference	IP submission	Applicants' response
	2.1.2 EN-1 sets out the government's policy for the delivery of major energy infrastructure and it reiterates the aims of Green Belt policy to prevent urban sprawl and maintain the openness of land between settlements, stating that development within identified Green Belt should not be approved except in very special circumstances and that substantial weight should be given to any harm to the Green Belt in relation to renewable and linear infrastructure. 2.1.3 This is further reinforced within EN-3 which also acknowledges that electricity network infrastructure may comprise inappropriate development and impact on the openness of Green Belt. 2.1.4 Although a necessary requirement, the substations are not considered linear infrastructure and their scale and location within the Green Belt is deemed to be inappropriate which would result in a significant loss of land and harm to openness.	<i>land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt...</i>". However, in relation to renewable and linear infrastructure, the paragraph goes on to say that this should be done, <u>"while taking account...of the extent to which its physical characteristics are that it has limited or no impact on the fundamental purposes of the Green Belt designation"</u> [emphasis added]. Section 1.6.4 of the Green Belt Technical Note (REP4-092) assesses the harm likely to result from the installation of the Transmission Assets (during both the construction and operational phases of the Project) on the function and relevant purposes of the Green Belt, as well as any other harms and it is concluded in the second bullet point of paragraph 1.8.2.1 that <i>"The resulting harm on fundamental aim and relevant purposes of Green Belt, will be limited and general performance of Green Belt would remain effective in both the construction and operational phases"</i>. The technical note acknowledges that substantial weight should be given to any harm to the Green Belt and identifies that robust very special circumstances do exist which justify and outweigh the harms to be caused to the Green Belt, by reason of inappropriateness and any other harms that are identified. These are set out in Section 1.7 (REP4-092). Notwithstanding that very special circumstances do exist to justify and outweigh any harm to the Green Belt, the Transmission Assets are Critical National Priority Infrastructure. The mitigation hierarchy requirements of NPS EN-1 and the relevant technology specific NPSs (i.e. EN-3 and EN-5) are considered to have been met and therefore, although not relied upon by the Applicants, the enhanced presumptions of CNP Infrastructure (paragraphs 4.2.16 and 4.2.17 of EN-1) apply. The Applicants have set out details of their compliance with the mitigation hierarchy in REP5-132. Paragraph in NPS EN-1, to which FBC are referring in 2.1.2 above, Paragraph 5.11.37, specifically includes reference to 'renewable energy'. Onshore substations are specifically recognised as a necessary part of 'Offshore Wind Infrastructure' in Section 3.8 of NPS EN-3. Although this application relates to the Transmission Assets of the Morgan and Morecambe Offshore Wind Farms, this scheme is not being undertaken in isolation and delivers the transmission

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		cables and substations which are essential to facilitate the transmission of the generated renewable energy from those offshore windfarms to the National Grid.
REP5-170 170.4	2.1.5 The NPPF advises that the Green Belt serves five purposes, however Section 1.2.4.3 of the GBTN only considers purposes 'a' and 'c' relevant to the proposed Transmission Assets. FBC notes that Kirkham is neither a large built-up area nor a village but criteria 'b' should also be recognised as relevant when assessing the impact of the substations upon the openness of the Green Belt and its function in this area. 2.1.6 The Fylde Local Plan to 2032 (Adopted December 2021) [FLP] reiterates the importance of protecting the land between Kirkham, Freckleton and Newton with Scales and layers that protection with its Green Belt Policy GD2 and Area of Separation Policy GD3, and environmental and green infrastructure policies, in particular ENV3 paragraph f. 2.1.7 Whilst it is accepted that the NPPF recognises occasions when Very Special Circumstances may warrant development within the Green Belt through the increased production of clean energy, it must be counterbalanced by the long-term impacts of such development. 2.1.8 The Morgan and Morecambe substations conflict with the FLP plan policies which seek to protect the open space between Kirkham, Freckleton, and Newton with Scales, and to preserve the historic pastoral character and green infrastructure which currently exists in that location. 2.1.9 The type and scale of the proposed substation developments would introduce imposing and inappropriate urban structures into otherwise open agricultural land and would contribute to the visual coalescence of development between Kirkham and Freckleton within views, particularly from the A584 and A583. 2.1.10 The development would also have a detrimental impact upon the Area of Separation designated between Kirkham and	2.1.5 – Purpose b) <i>'to prevent neighbouring towns merging together'</i> is not of relevance to this application because whilst Kirkham is a 'town' (as confirmed in Strategic Policy S1 of the Fylde Local Plan to 2032), Freckleton and Newton with Scales are 'villages'. This approach aligns with Planning Policy Guidance relating to Green Belt, which states at Paragraph 005 Reference ID: 64-005-20250225 that, <i>'This purpose [b)] relates to the merging of towns, not villages'</i>. This matter was discussed with Fylde Borough Council in preparation of the SoCG for Green Belt and is recorded at FBC.GB.17. 2.1.6 – Notwithstanding the above, it is acknowledged that the primary function of the area of Green Belt between Kirkham and Freckleton is to protect the area of land which extends north-south between these two settlements; and that the Areas of Separation adjoining this area of Green Belt in principle seek to prevent Kirkham and Newton with Scales coalescing east- west. 2.1.7 – It is agreed (see SoCG relating to Green Belt, at FBC.GB.41) that a very special circumstances case can be built on the increased production of renewable energy and the associated wider environmental benefits. As noted in response to 2.1.2 & 2.1.3 above, the Applicants have demonstrated robust very special circumstances which justify and outweigh the harms to be caused to the Green Belt, by reason of inappropriateness and any other harms that are identified (see Section 1,7 of REP4-092). 2.1.8 & 2.1.9 – The Green Belt Technical Note (REP4-092) assesses the potential harm the Transmission Assets may have on the function and relevant purposes of the Green Belt by reason of inappropriateness, and any other harms, in Section 1.6.4. The report concludes that harm to the fundamental aim and relevant purposes of Green Belt will be limited and general performance of the Green Belt would remain effective in both the construction and operational phases of the projects (see paragraph 1.8.2.1). 2.1.10 – Following changes to the scheme design and siting refinements following the statutory consultation phase, where many concerns were raised about the potential for infrastructure within the Area of Separation between

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	Newton, causing harm to the effectiveness of the gap which has been specifically retained between the two settlements to preserve their identities and distinctiveness. 2.1.11 There is a clear requirement for the Applicants to avoid, minimise and then mitigate harm, as acknowledged by the Applicants throughout the GBTN (Section 1.2.7.5; 1.3.1.2; etc.).	Kirkham and Newton with Scales, no part of the Transmission Assets lies within the Area of Separation designation. As set out in REP4-108 (ISH2.18), the Applicants maintain that Areas of Separation do not have an undefined and unidentified exclusion zone beyond the borders of the policy area, as defined in the Local Plan Policies Map, and that as no part of the projects will enter the Area of Separation between Kirkham and Newton with Scales, there will be no detrimental impact upon the designation or its function. To the extent it could be argued the policy does engage, the Applicants do not consider that the proposals result in any significant harm to the policy ambition, namely: harm to the effectiveness of the gap between settlements. The proposals do not lead to the loss of the effectiveness of the Area of Separation with no merging of settlements by example. In regard to the degree to which development would compromise the function of the Area of Separation – the Applicants consider that the identity and distinctiveness of settlements as defined in policy, are not significantly compromised. Both settlements remain identifiable and distinct in the landscape they lie within, with the proposed substation lying distant from each to permit the countryside context to prevail. 2.1.11 – The Applicants have taken a recognisable approach to the application of the mitigation hierarchy in relation to Green Belt. This was agreed in FBC.GB.39 of the SoCG (REP5-086).
REP5-170 170.5	2.2 Assessment of Harm 2.2.1 FBC maintains its position that the siting of the two substations in the locations proposed will result in significant harm to the openness of the Green Belt and compromise the ability of the policy to protect the existing countryside from urban sprawl and encroachment between settlements. 2.2.2 The Applicants make the distinction between spatial openness and visual openness and conclude openness does not imply a freedom from any built form. 2.2.3 This is agreed, however the perceived openness of an area, whether spatial or visual, depends on the harmony which is achieved by the elements within that area and whilst farmhouses or greenhouses may be considered existing development/built	2.2.1 – Although it is acknowledged that the substations will result in large potentially urbanising features within an area of landscape that is characterised by openness, as set out in section 1.6.4.102 (REP4-092). The assessment undertaken by the Applicants demonstrates that impacts will be concentrated to the local vicinity of the substation sites and mitigated by a combination of existing vegetation and undulations in the landscape with proposed additional landscape mitigation and good design practices to be implemented. As such, although there will be a degree of harm to the openness and relevant purposes of Green Belt in the location of the substations, the harm will be limited and the general performance of the Green Belt including its relevant purposes would remain effective in both the construction and operational phases. As set out in Section 1.7 of REP4-092, the Transmission Assets are CNP Infrastructure (paragraph 4.2.16 and 4.2.17 of EN-1), which confers a presumption that the test for very special circumstances is presumed to be met. Notwithstanding this, very special circumstances have been demonstrated to

Reference	IP submission	Applicants' response
	form, their scale and nature is more reflective of the local vernacular and in keeping with the rural aesthetic. 2.2.4 The large scale and incongruous nature of the proposed substation sites, located within the relatively small scale, pastoral landscape into which they are set is not be harmonious and, despite the attempt to mitigate the proposed development with planting and earthworks, would still appear out of character with the existing landscape type. 2.2.5 Mitigation of each substation can only be achieved primarily through the manipulation of aesthetic aspects of site layout and building design, including size and external finishes/colours to minimise its intrusive appearance in the landscape, and this is limited by the engineering/operational requirements. Therefore, it is not agreed that the presence of vegetation or landform could provide sufficient visual enclosure to the proposed substations, integrating them into the receiving landscape or mitigating the impacts of them on either spatial or visual openness.	exist (Section 1.7.2) which also clearly outweigh any harms to be caused to the the Green Belt, by reason of inappropriateness and any other harm identified. 2.2.2 & 2.2.3 – The Applicants and FBC agree at FBC.GB.9 to FBC.GB.11 of the SoCG (REP5-086) relating to Green Belt, that whilst ‘openness’ of Green Belt is capable of having both spatial and visual elements, that both spatial and visual openness work in synergy and should not be considered in isolation. It is also agreed that ‘Openness’ does not imply a freedom from any built form. 2.2.4 – The Applicants acknowledge in the LVIA (APP-123) the impacts arising on the visual amenity and landscape character of the local landscape as a result of the Transmission Asset proposals – in this case principally relating to the substations. Overarching National Policy Statement for Energy (EN-1), notes in section 4.7 Criteria for Good Design in Energy Infrastructure, para 4.7.2 sets an important context. ‘Applying good design to energy projects should [amongst other things] produce sustainable infrastructure sensitive to place...matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.’ At para 4.7.6, it is noted that ‘Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area....’ The Applicant has sought through the clear site selection process set out in [AS-026), through the design development to date and commitments to post consent design development, to deliver good design that is as sensitive to place as is reasonably practicable. These matters have been presented during the examination and include the use of Design Principles which have been used from the project start to comply with EN-1 para 4.7.5 and which have through consultation been developed into Project Level Design Principles along with a set of enhanced Design Codes. The Applicant acknowledges that the substations are large scale and will alter the immediate landscape character in the vicinity of the proposals. The Applicant

Reference	IP submission	Applicants' response
		has however developed a design for pre consent with sufficient forward commitment to ongoing design development in the post consent context, outlined in the oDP, to deliver development proposals that are as sensitive to place as possible acknowledging the nature of the operational technology. This is acknowledged in the SoCG prepared with FBC which will be submitted at Deadline 7. 2.2.5 – As recorded in FBC.GB.13, it is the Applicant's position that the presence of vegetation and landform are in principle capable of providing visual enclosure to a development which may help to mitigate its impacts on spatial and visual openness; and by extension, reduce/ mitigate harm by inappropriateness and any other harm (in relation to landscape and visual effects), on the Green Belt through design. The Applicants are not arguing that the presence of vegetation or landform (existing or proposed) are the only measures which would support mitigating impacts on either spatial or visual openness. The breadth of mitigation measures to support integration is clearly set out in the Project Level Design Principles and Design Codes. In the case of each substation there is sufficient indicative information presented in Section 5 of the oDP that underpins the Works Plans and parameter plans (which are certified) along with the Project Level Design Principles and Design Codes presented in the oDP (which are also certified) to give confidence in the pre consent position. This pre consent position sets the context for the post consent process outlined in Section 6 of the oDP which has in principle been agreed with FBC in the SoCG which will be submitted at Deadline 7.
REP5-170 170.6	2.2.6 FBC notes and notes the approach the Applicants the approach have taken. However, development of this scale and type will result in the encroachment of urban/industrial features within an area which is relatively sparsely populated countryside. The Applicants' assessment of the existing spatial openness of the Green Belt between Kirkham and Freckleton states that HMP Kirkham is an industrial facility, which is not accurate. 2.2.7 The site is a largely single storey, open prison site, with no high-level lighting or imposing boundary treatments and it is located close to the edge of Kirkham on the south west corner of the busy A583/Freckleton Road junction. Rolling topography and	2.2.6 to 2.2.9 – These points were discussed and the outcomes recorded in FBC.GB.30 and FBC.GB.31 of the SoCG (REP5-086) relating to Green Belt. Whilst it is noted that FBC do not necessarily agree with the outcomes of the Applicants' assessments (as set out in Sections 1.63 and 1.6.4 of REP4-092) (specifically with regard to the impact HMP Kirkham and the existing residential development along Lower Lane has on the existing openness of the Green Belt between Kirkham and Freckleton).FBC have agreed that the methodology used by the Applicants to assess the current performance of each area of the Green Belt (set out in Appendix B of REP4-092) and that used to assess the extent to which the Transmission Assets may impact upon the openness and purposes of each area of the Green Belt, by reason of inappropriateness or any other harm,

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	intervening hedgerows/trees restrict many views across this landscape towards and from the prison, except for occasional opportunities where long views across to the West Pennine hills are available. 2.2.8 It is accepted that development along Lower Lane, which is largely mid-century, spatially encroaches into the Green Belt, however, neither this nor the prison site are visually prominent within this part of the Green Belt as the Applicants suggests, and the Green Belt policy is vital to protect the agricultural landscape from further encroachment. 2.2.9 Further south, the visual and spatial openness becomes more apparent as the topography levels out and vegetation cover becomes sparser. The presence of development within this area consists largely of pre-1900 farm cottages and dwellings along the southern half of Kirkham Road. Green Belt policy provides a strong tool to assist in safeguarding this historic agricultural landscape from encroaching development.	during both the construction and operational phases of the projects (Appendix C), is suitable for the purpose.
REP5-170 170.7	2.2.10 As previously commented, the spatial and visual harm to the Green Belt landscape caused by the proposed substations and their ancillary facilities, as well as the work compounds and access roads along the route, has been measured by the Applicants according to its permanence. Terms such as temporary and post-construction are suggested as short term, but could last up to five and a half years from the start of work. 2.2.11 Cumulative effects of multiple construction sites would also have a measurable impact on the function of the Green Belt, its amenity value, and tranquillity. 2.2.12 Despite some areas being restored following construction, it is unlikely that they will ever be fully reinstated to their original condition due to the limitations of the sites themselves and their operational requirements. Even where achievable, it would take many years for the landscape to recover, affecting both the openness and amenity value of the Green Belt.	2.2.10 – As set out in paragraph 1.6.4.145 of REP4-092, given that NPPF paragraph 142 states that one of the essential characteristics of Green Belts is their permanence, greater emphasis should be given to the longer-term effects once the development has been completed, than to short term effects during construction. FBC and the Applicants agree that no permanent harm will be caused to the openness and purposes of the Green Belt as a result of the construction compounds (SoCG, FBC.GB.31 (REP5-086)). 2.2.11 & 2.2.12 – The Applicants maintain that all temporary working areas will be reinstated upon completion and that such working areas must be reinstated to the satisfaction of the relevant landowner pursuant to Article 29(6) of the draft DCO (REP5a-018), so the significance of the harm to be caused to the Green Belt by these elements will be mitigated by the transitory and fully reversible nature of the impacts. However, it is acknowledged that FBC maintain concerns due to the unknown construction programme, timing and duration of works, and that some habitats and environments may not be capable of full reinstatement.

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	2.2.13 Likewise, harm as evidenced by Section 1.4.3.57 of the GBTN appears to give greater weight to consideration of impacts on views from dwellings, than it does to impact upon the Green Belt.	2.2.13 – Proximity to residential receptors was a category included during the the site selection process for the Morecambe substation site (paragraph 4.5.6.13 of AS-028). Morecambe Onshore Substation Site - Option 2 (south) was in proximity to fewer residential properties (when compared to option 1) and was scored Green, whereas Option 1 was scored Amber as it was proximity to a higher number of residential receptors. Both Options 1 and 2 were scored Amber for the Planning Policy category as Option 1 (north) was in the Area of Separation and Option 2 was in the Green Belt. The scores for the Residential Receptor category do not carry more weight, than the Planning Policy category. Option 2 received more 'Green' scores than Option 1 and was therefore the preferred option.
REP5-170 170.8	2.3 Specific GBTN Comments 2.3.1 FBC also raises objection to a number of other matters contained within the GBTN. 2.3.2 Section 1.2.5.11 sets out that the Applicants consider that development must be within the Area of Separation to be reasonably considered to have an effect upon it. FBC sees no reason for this as previously detailed in Section 3.3 of REP4-134.	2.3.1 – The Applicants note FBC's response. 2.3.2 – As set out in REP4-108, ISH2.18, Areas of Separation do not have an undefined and unidentified exclusion zone beyond the borders of the policy area, as defined in the Local Plan Policies Map. The Applicants therefore maintain that development must be within an Area of Separation to cause harm to the designation.
REP5-170 170.9	2.3.3 Section 1.6.3.32 states that there are relatively few public rights of way through the Green Belt. FBC considers that this position is not specific, as there are public rights of way through the Green Belt, and due consideration should be given to each of these.	2.3.3 – A plan illustrating the PRoWs in this area of the Green Belt is provided at Figure 12 and Figure 13 of the Green Belt Technical Note (REP4-092). This shows that only Bridleway 5-5-16 traverses by the Morgan substation. The Bridleway runs from Higher House on Lower Lane, north-east to Freshfield Farm, before turning south towards Freckleton where it becomes Public Footpath 5-5-3 to the east of Quaker's Wood. Leading north from Freckleton, Public Footpath 5-5-4 splits off to Public Footpath 5-5-2 (leading to Newton with Scales) and 5-5-3 (leading to Bridleway 5-5-16). These paths pass either side of the Morecambe Substation. Bridleway 5-5-12 to the south-east, does not approach the proposed Morecambe substation.
REP5-170 170.10	2.3.4 Section 1.6.3.33 omits views from a number of dwellings without further justification. FBC would expect to see acknowledgement of views from dwellings at Manor Drive (north	2.3.4 - Paragraph 1.6.3.33 states that 'Views of the northern part of this area of Green Belt are primarily [emphasis added] from the A583 (Kirkham Bypass) and Freckleton Road, Kirkham Road and Lower Lane.'

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	of the A583) and properties immediately adjacent to the junction of A583 with the B5192.	It is not possible, and would be impractical to try, to list every potential view of the substations. The LVIA (APP-123) includes an assessment of the visual environment of the surroundings of the substation sites, utilising observations made as part of field work and supported by viewpoints which are representative of the views in the locality of that location.
REP5-170 170.11	2.3.5 Section 1.6.4.66-75 should also include consideration of the access routes when assessing impacts on openness during construction. Relatedly, FBC does not consider that all compound areas will be fully reinstated to their original condition post-construction to be an accurate description given the proposed retention of access routes. FBC also queries whether this reinstatement would include ponds.	2.3.5 - Temporary access tracks are 'engineering operations' and are not considered to be 'inappropriate development for the purposes of NPPF Paragraph 154. They will not adversely impact the openness of the Green Belt and will be fully reinstated upon completion, meaning that there will be no permanent impact. It is acknowledged that FBC maintain concerns regarding the unknown construction programme, timing and duration of works, and the fact that some habitats and environments may not be capable of full reinstatement means that FBC consider that these impacts to areas in the Green Belt used for temporary compounds may not be 'fully' transitory or reversible.
REP5-170 170.12	2.3.6 Section 1.6.4.78 has been redrafted to remove acknowledgement of harm caused by construction activities, with a reference that emphasis should instead be given to long-term effects. FBC considers this to be inaccurate and inappropriate to disregard the effects as temporary.	It is not clear which paragraph in the previous iteration of the Green Belt Technical Note (REP3-069) FBC are referring to having been updated, but Section 1.6.4 of the Green Belt Technical Note was substantially updated at D4 (REP4-092) to provide a more comprehensive assessment of the potential impacts to Green Belt in respect of openness, relevant purposes and other harms. However, as noted in the response to 2.2.10 above, as set out in paragraph 1.6.4.145 of REP4-092, given that NPPF paragraph 142 states that one of the essential characteristics of Green Belts is their permanence, greater emphasis should be given to the longer-term effects once the development has been completed, than to short term effects during construction. Although the construction programme is to be confirmed, the impacts of the Transmission Assets have been assessed on a worst-case basis. Areas used for construction compounds will be reinstated upon completion of the works as soon as reasonably practicable and so will not result in lasting harm to the Green Belt.
REP5-170 170.13	2.3.7 Section 1.6.4.82 concludes that construction activity would lead to minor/negligible harm to the wider Green Belt. This is made without full consideration of potential cumulative impacts particularly with reference to the nearby solar farm developments	2.3.7 – The Applicants disagree with FBCs position on this matter. Para 1.6.4.82 sets out a clear assessment of harm in the vicinity of the compounds and substation sites. Reference to the wider Green Belt places the localised effect in the context of the entire Kirkham and Freckleton Green Belt Area which extends

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	and reliance on the duration and severity of temporary activities as a mitigation.	up to approximately 1 –2 km to the west where intervening settlement washed over by Green Belt would interrupt views and in cases where open countryside areas within the Green Belt would not experience views of the construction compounds. In relation to cumulative effects of the solar farms, neither is in the Green Belt and as such cannot by virtue of acknowledged policy definition, impact the Green Belt – you have to be in the Green Belt to impact it.
REP5-170 170.14	2.3.8 FBC considers that the assessment in Section 1.6.4.92, which concludes that the overall degree of wider harm will be negligible is not appropriate, with respect to the Applicants' view of the role that Kirkham, HMP Kirkham and other existing development.	2.3.8 – FBC has agreed that the methodology used to assess the current performance of each area of the Green Belt to be impacted by the Transmission Assets, as set out in Appendix B of the Green Belt Technical Note (F02) submitted at D4 (REP4-092) is suitable, although FBC do not necessarily agree with the outcomes of the Applicants' assessment (see Fylde Borough Council SoCG FBC.GB.30 (REP5-086)).
REP5-170 170.15	2.3.9 Section 1.6.4.102 cannot be accurate, for the reason that the Applicants are in ongoing discussions with the relevant interested parties with regards to developing and landscape strategy.	2.3.9 – The indicative Landscape Strategy provided in the Outline Landscape Management Plan (oLMP, J2/F05) and Outline Design Principles (oDP, J3/F03) illustrates the proposed indicative planting strategy for each substation. The oDP provides additional information comprising indicative substation layout, indicative site levels and retained vegetation proposals that all underpinned the submitted Works Plans (Parameters Plans for the LVIA) to be approved. There is therefore sufficient certainty related to the proposals reinforced by the certified Project Level Design Principles and Design Code to inform the assessment judgement.
REP5-170 170.16	2.4 Conclusion 2.4.1 Whilst it is probable that the Green Belt would be impacted by the proposed transmission assets at some point from landfall to connection with the National Grid, it has not been demonstrated that the Very Special Circumstances of this particular location would outweigh the harm caused to the Green Belt and its functions over a different corridor, in particular with reference to the proposed location of the two substations. 2.4.2 Whilst the Horlock Rules illustrate good design intentions, the application does not appear sensitive to place and does not minimise the landscape and visual impacts of the proposal as required by Policy EN-1.	2.4.1 – Reference should be made to the Fylde Borough Council SoCG, FBC.GB.1, FBC.GB.41 and FBC.GB.42 (REP5-086). FBC have confirmed that it is agreed that a case for very special circumstances can be built on the generation of renewable energy, and they do not dispute that very special circumstances identified in Section 1.7 of REP4-092. It is noted that because FBC consider that the site selection process did not consider Green Belt early enough, they believe that the identification of VSC in the first place should not be warranted because potentially alternative not co-located substation sites outside the Green Belt were not considered as part of the methodology. FBC have not, however, suggested alternative sites that would meet the Applicants' criteria outside of the Green Belt. 2.4.2 – The nature and scale of the proposals and site extents are informed by operational and strategic mitigation requirements - the latter identified through the LVIA process. The site extents and mitigation proposals are defined on the

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	2.4.3 FBC maintains its position as set out in Section 4.2 of REP4-134 that the Horlock Rules do not support colocation of independent substations, and in fact that principles of the Horlock Rules would support consideration of separate locations for the substations. 2.4.4 FBC considers Applicants justification of impacts on the extent and openness of the Green Belt remains a concern. In our view it is unlikely that the scale and nature of the proposed development could ever be fully mitigated by landscape proposals or that the schemes could be sufficiently integrated into the landscape to lessen their effects on the openness. 2.4.5 FBC considers the construction phase effects on Green Belt do carry weight, since the construction phases could last for five and a half years spread over an even longer overall period of time and they would significantly affect openness and amenity which are protected by FLP Policies GD2, GD3 and ENV3. FBC considers that the length of the construction period along with the time taken for planting to mature would result in less than optimum mitigation to the proposal for up to 20 years. 2.4.6 The existence of Green Belt, Area of Separation and Environmental policies within the FLP reflects the importance of this area in maintaining the separation and identity of settlements, with the provision of amenity value to those settlements and the wider countryside from encroachment. 2.4.7 As such, they are constraints to the proper consideration of the merits of the proposals, and their aligned and layered objectives should be given due regard as required by EN-1. 2.4.8 FBC maintains its position that the Applicants have not appropriately considered Green Belt designation as a constraint during the site selection process. FBC has raised this at each deadline and hearing (Section 12.6 REP1-078; pages 2-3 REP2-057; Answer Q17.1.1 REP3- 082; and, Section 4 REP4-134]) FBC also notes that the same issue has been raised by other interested parties, notably South Ribble Borough Council [REP1-227] and Lancashire County Council [REP1-085].	Works Plans (and accompanying Works Schedule). The site layout and design are to be developed post consent, to accord with the certified Project Level Design Principles and Design Code, which underpin a place based outcome. The Applicants note the following in relation to general allocation of space to support integration – information taken from cross sections provided in the oDP (J3/F03): Morgan: • a 20m offset from the PRoW to the west to support planting to address views from the PRoW - • a 35m offset from the building height parameter extents shown on the Works Plans building and 65m from the edge of the development platform on the Indicative Landscape Strategy Morecambe • 25m offset from existing field hedge boundaries to support the delivery of planting • Approximately 65m offset from the PRoW to support planting and water attenuation provision In discussions with FBC in preparation of the final oDP and SoCG, opportunities for design flexibility and place based responses were discussed. The post consent processes defined in the oDP has been drafted to support this exploration via the Applicants' Delivery Partner/s and Design Champions supported by a multidisciplinary design team and with input from a Working Group and FBC officers, at the request of FBC. The Applicants consider there is sufficient space and flexibility in the operational design and a strong post consent process to delivery good mitigation and an appropriate place based response. 2.4.3 – The strategy for the promotion of two co-located substations is underpinned by Pathway to 2030 Holistic Network Design (2030 HND) referred to in para 1.4.3.16 of the Green Belt TN (REP4-092). The principles of the 2030 HND requires consideration of all criteria (technical, cost, environmental and deliverability). These closely match the approach to environment at Section II item 6, of the Horlock Rules which states: <i>"...Following the principle of integrating environmental considerations into all its activities, NGC seeks to keep known adverse on the environment to a reasonable practicable minimum ... due regard to preservation of amenity and</i>

Reference	IP submission	Applicants' response
		<i>takes relevant steps to mitigate the effects of its relevant proposals. To achieve these aims... has to balance technical, economic and environmental considerations to reach reasonably practicable development proposals.</i>" These two documents are aligned at a strategic level. The Applicants do not consider that a reasonable interpretation of the Horlock Rules would rule out the colocation of two substations. To the extent that FBC consider colocation to have limited the substation siting options, the Applicants has explored this matter in the FBC SoCG and the difference in opinion is clear and note that FBC have not made any suggestions with supporting rationale for alternative locations. The Applicants direct the ExA to the Applicants' response, provided at D3, to ExQ13.1.10 (REP3-056) regarding the benefits / disbenefits of colocation. 2.4.4 – FBC's position is noted. The Applicants' position is set out in the Green Belt Technical Note (REP4-092, see Section 1.6.4). 2.4.5 – The Applicants refer to their response to 2.2.10 above, as set out in paragraph 1.6.4.145 of REP4-092, given that NPPF paragraph 142 states that one of the essential characteristics of Green Belts is their permanence, the Applicants believe that greater emphasis should be given to the longer-term effects once the development has been completed, than to short term effects during construction. FBC's concern regarding the unknown construction programme and potential community experience is noted. 2.4.6 & 2.4.7 – The Applicants acknowledge the primary function of the area of Green Belt between Kirkham and Freckleton, is to protect the area of land which extends north-south between these two settlements and their settlement boundaries. As concluded in REP4-092, the Applicants consider that the resulting harm on fundamental aim and relevant purposes of Green Belt, will be limited (principally to the vicinity of the substations) and that the general performance of the wider Green Belt would remain effective during both the construction and operational phases (see paragraph 1.8.2.1 of REP4-092). 2.4.8 – Reference should be made to the Fylde Borough Council SoCG F02, FBC.GB.1 (REP5-086). The Applicants have undertaken an extensive site selection exercise which demonstrates that the Green Belt cannot be avoided in its entirety due to the Point of Interconnection to the National Grid at Penwortham. FBC recognise that this site selection exercise has been undertaken but it is acknowledged that they consider that the methodology should have considered Green Belt as a constraint at an earlier stage.

Reference	IP submission	Applicants' response
		However, as set out in Section 1.4.3 of the Green Belt Technical Note (REP4-092), the Applicants have demonstrated how a Green Belt location for the substations could not have been avoided. Through siting and good design (see Section 1.5), the Applicants have sought to minimise and mitigate the potential impacts of the Transmission Assets, particularly the substations. Thereby ensuring that the mitigation hierarchy required by NPS EN-1 has been appropriately applied.
REP5-170 170.17	3 New / Recently Consented Development Update 3.1 FBC most recently provided an update on new and recently consented developments in Section 11 of REP4-134. 3.2 FBC is writing to provide an update on the progress of the two solar farm applications identified in their previous submission. - Application 24/0541 at land to the west of Parrox Lane: Applicant has provided a voluntary Environmental Statement. Reason for this is due to original screening opinion (not EIA development) did not consider in-combination effects with NSIP. A 30-day consultation with neighbours and statutory consultees will expire on 18/10/25. No comments from statutory consultees have yet been received in response to this latest consultation but assuming their comments do not change from those previously issued, then outstanding matters relate to potential highways impacts which are in part of potential relevance in cumulative terms to the windfarm transmission proposals. - Application 24/0414 at Clifton Marsh Farm: updated Environmental Statement received. A 30-day consultation with neighbours and statutory consultees expired on 07/09/25. Several responses outstanding including Natural England and Highways – these are being sought.	The Applicants note FBCs update regarding application 24/0541 and application 24/0414. The Applicants point FBC to REP3-082-2.6 in 'S_D4_2.3 Annex 2.3 to Applicants' Response to Deadline 3 submissions from Statutory Consultees and other organisation: Fylde Borough Council (REP3-082) - Rev F01' (REP4-097) and REP4-134 134.32 of 'S_D5_2.2 Annex 2.2 to Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Fylde Borough Council (REP4-134)' (REP5-121) where the Applicants' current position with regard to the consideration of Planning Applications 24/0541 and 24/0414 highlighted by FBC is set out. At Deadline 5, the Applicants submitted an update to 'Volume 1, Annex 5.5: Cumulative screening matrix and location plan - Rev F03' (REP5-028) and 'S_D2_10 Review of CEA and In-Combination Assessment (Clean) - Rev F02' (REP5-099) which take account of the current status and information available for each project. It should be noted that with regard to the two solar applications referenced by FBC, the conclusions to topic specific cumulative effects assessments have not changed. The Applicants will review any updated information that has been included for application 24/0541 and application 24/0414 and submit any updates where appropriate.

Table 2-2: REP5-171 – Fylde Borough Council (Response to ExQ2 and dDCO Q1)

Reference	ExA Question	IP submission	Applicants' response
ExQ2 Q2:1.1.1	Co-ordination and collaboration The applicants response to ExQ1.1.7 [REP3-056] explains that whilst flexibility is required to allow each of the projects to construct independently on each other, opportunities may emerge for further coordination depending on each project achieving Financial Investment Decision and following detailed design. Notwithstanding the measures introduced such as Requirement 25 (Onshore collaboration) in the draft Development Consent Order (dDCO), what further specific drafting can be incorporated into the relevant control and management documents and the dDCO to ensure that full opportunities are taken for co-ordination and collaboration where such opportunities emerge, in the interests of reducing and minimising the potential effects of the proposed development upon communities and the environment?	FBC supports the principle of agreeing further specific drafting in the relevant control and management documents, and the DCO, to ensure that full opportunities are taken for co-ordination and collaboration, in the interests of reducing and minimising the likely harmful effects of development. This is particularly important because it is evident that all likely harm has the potential to be exacerbated by repeat and extended periods of construction. For example, harm arising from the 'temporary' loss of agricultural land, ecological harm to protected habitats, noise disturbance and increased HGV activity would all be increased under certain proposed development scenarios. Those same harmful impacts could also be reduced through certain collaborative practices. Even where specific harms are not known, it should be possible to formulate commitments which provides firm and binding requirements to such an approach. Indeed, Policy EN-1 requires applicants to utilise opportunities for reduction in harm and increases in benefits throughout and for all relevant topic areas. For example, Section 5.14.11 of EN-1 gives specific examples of opportunities for mitigating harm relating to traffic and transport, which includes examples which could be relevant to co-operation and collaboration between the Applicants.	The Applicants refer FBC to the Applicants' Response to ExQ2.1.1.1 (S_D5_5 and appendices). The Applicants disagree that all potential impacts would be exacerbated by repeat and extended periods of construction and refer FBC to the Applicants' Answer to Examination Question 2:1.1.3: Construction Scenarios - Rev F01 (REP5-131). However, to provide further reassurances to stakeholders, landowners and the local communities, the Applicants introduced Requirement 25 (Onshore Collaboration) at Deadline 3, and the equivalent condition in each DML in Schedules 14 to 17 of the draft DCO (REP3-009). In addition to the requirement, the Applicants fully recognised the need for co-ordination and collaboration during the construction phase of the Project and have provided further detail in the plans listed below regarding the adoption of a Construction Co-ordination Working Group (CCWG). Outline Code of Construction Practice (Document Ref J1/F04) Outline Construction Traffic Management Plan (Document Ref J5/F04) Outline Ecological Management Plan (Document Ref J6/F05) Outline Landscape Management Plan (Document Ref J2/F04) Outline Written Scheme of Investigation (Document Ref J9/F04). The CCWG is therefore secured through Requirements 6, 8, 9, 11 and 12 of Schedules 2A and 2B of the draft

Reference	ExA Question	IP submission	Applicants' response
		It should also be noted that these examples in EN-1 are not exhaustive and instead the Applicants are required to provide a reasonable response to these opportunities at this stage, rather than the current position which seeks to defer any such commitment to the post-consent stage. Section 1.1.5 of EN-1 is clear that <i>“Applicants should therefore ensure that their applications, and any accompanying supporting documents, are consistent with the instructions and guidance in this NPS, any relevant technology specific NPS and any other NPSs that are relevant to the application in question.”</i> Furthermore, FBC is interested in further detail about a particular aspect of the Applicants' response to Q1.1.7 [REP3-056] where they state that <i>“Another key consideration is the regulatory framework for offshore transmission infrastructure, as this requires that each project's transmission assets are independently developed (...)”</i> FBC would appreciate it if the Applicants could provide a specificity so that this requirement can be properly understood, particularly with regard to whether it trumps other requirements, guidance and limitations.	DCO (C1/F07). The CCWG will provide a forum for post-consent engagement between the Applicants and the local planning authorities, to ensure consideration is given to the potential for coordination (where appropriate) between the projects. This will ensure that the planning authorities are engaged, and can provide input, throughout the Applicants' process of preparing information to discharge requirements of the made Order. In particular, the CCWG will facilitate discussion of detailed management plans and enable feedback on how comments have been addressed between each of the Applicants, specifically in the context of Requirement 25 (onshore collaboration) in Schedules 2A and 2B of the draft DCO. Further details on the CCWG have been updated within the outline management plans set out above at Deadline 6 based on the comments received by FBC. The Applicants have also updated Requirement 25 of Schedules 2A and 2B of the draft DCO (C1/F09) to confirm that when the undertaker submits any information for approval under the requirements this must include a statement setting out how the other undertaker's comments have been taken into account and if they have not, the statement must explain why not. Overall, when taken together, all of these controls ensure that Section 1.1.5 of EN-1 are met. In relation to FBC's final point, the Applicants refer FBC to their responses to ExQ1.1.10 and ExQ2:1.1.4 which clearly set out why the Applicants cannot, in light of the regulatory framework which underpins the way in which offshore wind projects are funded and operated, commit to concurrent construction. However, the Applicants have sought to provide mechanisms through the draft DCO and outline management plans to facilitate and ensure that a coordinated and

Reference	ExA Question	IP submission	Applicants' response
			collaborative approach to construction is taken by the Applicants post consent. The Applicants consider that this approach strikes the correct balance in ensuring both compliance with planning policy and compliance with the wider regulatory framework for offshore transmission infrastructure.
ExQ2 Q2:1.1.5	Outline Communications Plan An updated Outline Communications Plan has been submitted by the applicants at deadline 4 (D4) [REP4-029]. a) Do the local authorities and parish councils have any comments and/or additional suggestions on the drafting of this plan? b) The updated version of the plan no longer includes reference to a 'local liaison committee, comprising relevant local representatives' that was included in paragraph 1.3.1.1 of the previous version of the plan. Can the applicants explain why this has been deleted? c) Do the local authorities and parish councils consider that the creation of a local liaison committee should be retained in the outline plan?	FBC considers that regular meetings with local liaison committees should be included within the Outline Communications Plan [REP4-029]. Given the scale of the proposed development and the number of settlements and communities which will be affected at different times over an extended period, this should not be one committee but instead should be a number of local committees. Effective engagement with local communities will be vital to properly managing impact on human health, as well as improving the impact of proposed mitigation for all topics. FBC notes that the Outline Communications Plan has also been updated at Section 1.4.1.2 to include a commitment to providing effective and transparent methods of communication but then has removed specific commitment to provide an email address and phone line for members of the public to make enquiries. FBC notes that the provision of a hotline during construction only has been added but does not consider this to be equivalent. It is very likely that residents will have enquiries outside of construction periods, particularly given the likely scenario of two separate phases of construction, with up to a year for remediation after construction has ended.	The Applicants note that reference to 'local liaison committee' was re-added to the Outline Communications Plan at Deadline 5 (REP5-046). The number of local liaison committees and the frequency of the meetings will be described in the detailed Communications Plan(s). Detailed Communication Plan(s) will be developed from the Outline Communication Plan (APP-194) and will form part of the CoCP(s). The detailed CoCP(s) are secured by Requirement 8 of Schedules 2A and 2B of the draft DCO (REP5a-018). Detailed Communication Plan(s) will be implemented by the Applicants as approved by the relevant planning authorities in consultation with the relevant statutory stakeholders, as appropriate. The Applicants note that they have committed to providing a telephone hotline that will be managed during construction the construction phase. The Applicants have updated the Outline Communications Plan at Deadline 6 (J1.1/F05) to clarify that an email address will also be provided. The Applicants confirm that the logo header was also updated at Deadline 5.

Reference	ExA Question	IP submission	Applicants' response
		Whilst a minor point, FBC also notes that the logo header on the submitted document has a graphical error.	
ExQ2 Q2:1.1.7	Critical national priority Paragraph 4.2.15 of NPS EN-1 says that where residual non-habitats regulations assessment or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure. It goes on to say that the exception to this presumption of consent are residual impacts onshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, replacement habitats or unacceptable risk to the achievement of net zero. a) Without prejudice to the position of any party, are there any issues in this case that might potentially fall into this category of the exceptions to this presumption of consent? For example, might the issue of bird strike effects on aviation at BAE Warton aerodrome potentially fall into this category in the event of there being an “unacceptable risk”? b) Are there any further submissions any party wishes to make on the potential application of CNP policy in this case (should it be required)?	FBC refers to its answer to Q2:4.1.15 (in this document). In summary, Section 4.2.15 of EN-1 sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk. The relevant test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists.	The Applicants have been working with BAE and the DIO in relation to policy compliance.. The Applicants have carried out an appropriate assessment of the potential impacts on Warton Aerodrome through provision of additional information in the documentation developed and submitted through the examination of the Application. This satisfies the need for “any necessary assessment of the proposal on aviation”. The Applicants have demonstrated through the development of the Wildlife Attractants Habitat Risk Assessment (Appendix A of the outline Wildlife Hazard Management Plan (REP5-106)), that there will be no material increase or change in the distribution of birds within the 13km safeguarding area and therefore the Projects will not increase bird strike at Warton Aerodrome (or Blackpool Airport) from current managed levels. Within the Wildlife Attractants Habitat Risk Assessment mitigation, monitoring and adaptive management have all been committed to, to ensure any effects the Transmission Assets would have on Warton Aerodrome remain acceptable. This has been achieved through: the design of the Transmission Assets and the design commitments embedded in the Appendix A Wildlife Attractants Habitat Risk Assessment of the outline Wildlife Hazard Management Plan, illustrating how the requirement to design infrastructure, buildings and

Reference	ExA Question	IP submission	Applicants' response
			other elements from energy installations, as well as environmental mitigation in such a way so as not to increase the bird strike risk; and the measures secured through the requirements including BAE and DIO's roles as named consultee in respect of Requirement 27 (Wildlife Hazard Management Plan). This enables the Secretary of State (and the ExA) to conclude that the impacts of the proposed energy developments do not present risks to national security and physical safety. Where the possibility remains (i.e. in the absence of a bespoke Warton Aerodrome bird strike risk assessment), the Secretary of State can be satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to the DCO to secure those mitigations. Therefore, consent may be granted. In addition, MoD/DIO have noted that the principle of dealing with the detailed information can be dealt with post -consent through a requirement, so long as they are consulted to ensure that no increase from bird strike risk occurs.
ExQ2 Q2:1.2.2	East Irish Sea Transmission Project The East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report was submitted to the Planning Inspectorate in August 2025. This includes two possible grid connection routes options. Are there any matters of relevance arising from the information available in that Scoping Report for the consideration of site selection and alternatives of the Morgan and Morecambe Transmission application?	FBC submitted its formal response to the East Irish Sea Transmission Project Environmental Impact Assessment Scoping Report. Whilst the level of information at this stage is naturally relatively high-level and indicative, FBC notes with interest that for those proposals, the promoter has indicated that the substation could be located to the south of the Ribble River, closer to Penwortham. FBC maintains its position with regards to the approach taken by the Applicants for their site search and co-location of substations. FBC remains unconvinced by the Applicants' assertion that location of one or both	The Applicants note that the East Irish Sea Transmission (EIST) Project Environmental Impact Assessment Scoping Report has been submitted. The Applicants would highlight that Paragraph 4.4.8 of Volume 1 of the Scoping Report also confirms that a 5km radius was applied to the National Grid Substation at Penwortham to define the search area for the onshore substation and energy balancing infrastructure. This was also the radius of the search area initially taken by the Applicants, as described in Section 4.9,1 of Volume 1, Chapter 4 of the Environmental Statement (Site selection and consideration of alternatives) (F1.4), however this search radius did not identify any viable

Reference	ExA Question	IP submission	Applicants' response
		substations to the south of the River Ribble would not be possible.	areas that met the required design parameters for the Applicants. The search radius was consequently extended to 8 km. In addition, the Applicants highlight that the two projects should not be compared as EIST is siting one onshore substation whereas the Transmission Assets requires two onshore substations.
ExQ2 Q2:4.1.15	Fylde Local Plan This states at policy T2 that “Development proposals within the defined safeguarded area at Warton Aerodrome will not be permitted, unless the applicants can demonstrate that there would not be any potential for adverse impacts on aviation operations, or on defence navigation systems and communications.” Provide the Council’s latest position on compliance with this policy. Has there been any discussion concerning this potential breach of policy?	Strategic Policy T2 of the Fylde Local Plan to 2032 (incorporating Partial Review) [FLP] states that permission will be refused for any development either within the defined safeguarding area, or the wider area, which would have adverse impacts on aviation operations, or on defence navigation systems and communications at Warton Aerodrome. FBC continues to monitor the submissions relating to these impacts and notably the dialogue between BAe and the Applicants. FBC is also in dialogue with BAe planning agent direct. FBC understands that some progress has been made since Deadline 4. However, based upon currently available information, FBC must conclude that there is still uncertainty and therefore the potential for harmful impacts. Policy T2 requires the applicant to demonstrate that there would not be any potential for adverse effects. FBC notes that the requirement is with the Applicants and that the test is sensitive to the possibility of effects. FBC considers that this is not onerous and refers to Section 4.2.15 of EN-1 which sets out that residual impacts relating to defence could be the basis for refusal where they would create unacceptable risk.	The Applicants submitted a Bird Strike Policy Note (REP5-133) at Deadline 5, which sets out how the Applicants’ assessment and submissions during Examination have considered and complied with national policy in relation to aviation and bird strike risk. The Applicants’ have sought to ensure a collaborative approach with BAE Systems in the preparation of the Outline Wildlife Hazard Management Plan and the draft Wildlife Habitat Attractants Risk Assessment for Warton Aerodrome (REP5-106). These documents set out why the Applicants’ proposed Ecological Mitigation Areas and Biodiversity Benefit Sites will not materially increase or change the distribution of birds within the 13km safeguarding area and therefore will not increase bird strike at Warton Aerodrome from current managed levels. The document commits to monitoring and additional management (should it be needed) to ensure birds at risk of bird strike will be managed to agreed levels, the detail of which will be agreed post-consent as secured through Requirement 27 of the draft DCO. The Applicants’ position is therefore that there would be no residual impact to Warton Aerodrome.

Reference	ExA Question	IP submission	Applicants' response
		In both Policy T2 and EN-1, the test is whether the potential or risk of adverse impacts exist. FBC is of the opinion that based on the existing information within the Examination, which includes consideration of written and oral submission made by BAe and the Applicants, that at this stage the potential for adverse impacts to Warton Aerodrome still exists. On this basis, neither policy requirement is satisfied and in the case of FLP Policy T2, the result is that the proposals as they stand cannot be supported.	
ExQ2 Q2:6.1.3	Sand lizards outline Sand Lizard Mitigation Plan [REP4-117] has been submitted as D4. - Can you comment on the appropriateness of the plan. - Please comment on the proposal and EPS licencing strategy outlined.	Sand lizards are protected in the UK under the Wildlife and Countryside Act, 1981, they are a Priority Species under the UK Post-2010 Biodiversity Framework and are listed as a European Protected Species under Annex IV of the European Habitats Directive. Their distribution is limited to only a small number of sites in the UK. As set out in FLP Strategic Policy ENV2, FBC is committed to ensuring the protection and enhancement of biodiversity and provides specific control for development which would have an adverse impact on protected priority species. FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on sand lizards. FBC has provided comments to the Applicants on the Sand Lizard Mitigation Plan [REP4-117] through these meetings but sets out those comments and additional comments in the response below.	An SoCG meeting was held between the Applicants and FBC on 5th September 2025. In light of the feedback received both within the meeting and repeated here to the response to ExQ2.6.1.3, the Applicants updated the Outline Sand Lizard Mitigation Plan at Deadline 5 (REP5-130)). A summary of the key changes is as follows: - the Applicants have agreed that a European Protected Species Mitigation (EPSM) licence for Sand Lizards will be obtained for works associated with the landfall site. - A draft EPS licence application method statement has been prepared and was submitted into the examination at Deadline 5 (REP5-149). - The draft EPS licence confirmed that handling/ moving of sand lizards would only be undertaken by the licensed ecologist. The Outline Sand Lizard Mitigation Plan (REP5-112) has been updated to reflect further comments received from FBC.

Reference	ExA Question	IP submission	Applicants' response
		Incorrect reliance on “outside the SSSI” as a protective measure for a mobile species. The plan repeatedly leans on the fact that elements (access road/compound/exit pit) are beyond the mapped SSSI boundary (e.g. <i>“The compound and beach road is outside the boundary of the SSSI.”</i> and <i>“Transition Joint Bays will be located within Blackpool Airport which is at minimum 600m from the SSSI boundary”</i>). However, sand lizard’s range across suitable connected dune habitat; SSSI lines/lines on a map do not constrain them. Distance-from-SSSI is not an ecological safeguard for a mobile reptile population using the dune system Unsupported claim of “no direct impacts” to the dunes. The plan states: <i>“There will be no direct impacts to the dunes during the construction phase because the Lytham St Anne’s Dunes SSSI will be crossed utilising trenchless techniques... exit pit... 100 m seaward of the western boundary of Lytham St Annes SSSI.”</i> This ignores indirect impacts (e.g. noise, vibration, lighting, human presence, heavy vehicle movements) that affect dune wildlife and nearby sand banks used for both sand lizard hibernation and basking. Inadequate and inappropriate noise/vibration reasoning for reptiles. The plan cites human receptor predictions (<i>“predicted noise levels... do not exceed 59 dB at the nearest sensitive residential receptors”</i>) and generalised lizard auditory ranges, then concludes disturbance is unlikely because dunes are already publicly accessible. This relies on human thresholds (≤59 dB at nearby	Each of the points raised by FBC in its ExAQ2 responses here has been addressed by the Applicants through revisions to the Outline Sand Lizard Mitigation Plan (S_D4_14/F03), where appropriate (and signposting to where in the document(s) this has been incorporated), or a response provided as to why the Applicants do not feel that the measures/ proposed approach from FBC are appropriate. Incorrect reliance on “outside the SSSI” as a protective measure for mobile species As discussed at a meeting with FBC representatives on 5th September 2025, the Outline Sand Lizard Mitigation Plan (OSLMP) would apply to all areas of suitable sand lizard habitat regardless of whether they occur within or outside the SSSI boundary. Section 1.2 of the OSLMP (S_D4_14/F03) has been revised to clarify this. The Transition Joint Bays (TJBs) are located within Blackpool Airport and do not affect any habitats that support sand lizard, which is why the distance from the dunes (c. 600 m) has been clarified in the risk assessment section i.e. to confirm that there is no risk to sand lizards or their habitats as a result of the TJB construction activity. Unsupported claim of “no direct impacts” to the dunes Direct impacts to the dunes will be avoided through the use of trenchless techniques to install the offshore export cables, and through the use of an existing access track to the beach that does not require any land take within the dunes (CoT44). Indirect impacts are considered separately within the risk assessment (Table 1) where they could potentially

Reference	ExA Question	IP submission	Applicants' response
		homes) and broad statements about reptile hearing to claim low risk and then assumes the dunes' public access means extra disturbance is insignificant. This is not an appropriate assessment for sand lizards. It mixes human comfort criteria with reptile ecology, ignores ground-borne vibration that travels through sand, and sets no reptile-relevant trigger levels or stop-work actions at sensitive features such as hibernation banks, basking edges, or egg-laying sand and public access with occasional light vehicles is not comparable to repeated heavy plant and HGV movements. Underestimation of vehicle-related risk and disturbance footprint. The plan claims: <i>"additional footfall... would not result in any significant increase,"</i> and leans on existing public access to minimise significance. It provides no quantified construction traffic profile (vehicle type/axle load, frequency, speed, timing) and does not assess heavy-duty vehicle vibration on sand banks likely used for hibernation/basking. This is especially problematic given the plan's own identification of <i>"increased vehicle movements on the beach and beach access road"</i> as a potential impact. Trenchless method risk pathways downplayed. The plan says the direct-pipe trenchless method <i>"reduces risks associated with frack out of drilling fluids or the collapse of the drill hole"</i> but it gives no site-specific geotechnical evidence, drilling-fluid management plan, monitoring with trigger-action levels, or clear contingency tailored to dune geomorphology and the shallow water table. It also relies on depth rather than a	affect sand lizards and their habitats e.g. noise/ vibration disturbance due to vehicle movements. Inadequate and inappropriate noise/ vibration reasoning for reptiles The response is noted by the Applicants. The noise levels have been provided to place the construction activities into context with existing disturbance (by humans and vehicles). It is not intended to be a detailed assessment of sand lizard responses to noise and visual stimuli. The Applicants maintain that the risk of any disturbance/ damage to sand lizard burrows as a result of vehicle movements along the beach access track is very low. Underestimation of vehicle-related risk and disturbance footprint The predicted use of the track by vehicles during construction was provided in the Applicant's response to Fylde Borough Council's Deadline 3 submission (REP3-082) and in REP4-097 which stated "The forecast levels of HGV movements via the access track would equate to approximately eight two-way movements per day on average whilst the access is in use (i.e. four arrivals and four departures)". The Applicants have committed to enforcing a site speed limit of 10 mph along the beach access road (in the Outline Construction Traffic Management Plan (REP4-056), and this has been added into Table 1 of the OSLMP (REP5-112). In addition, for clarity, the Applicants have added the following wording to Table 1 of the OSLMP (REP5-112).

Reference	ExA Question	IP submission	Applicants' response
		worked method statement and incident response. Reducing risk is not the same as eliminating it; without these details, potential effects on dune hydrology and subsurface voids used by sand lizards are not properly assessed. Timing constraints benefit people/logistics more than lizards. The only seasonal control offered is “no works on the beach between November and March inclusive” (i.e. hibernation). That still allows works from April–September, when sand lizards are most active. They are not only at risk in winter (during hibernation). Disturbance during basking, mating and egg-laying directly harms survival and breeding success, yet the plan gives no measures to avoid those peak-sensitivity windows. Such sensitivity relates to: - Basking (daily spring-autumn): Sand lizards must bask to reach a workable body temperature. If vehicles/people keep flushing them from sunny banks, they can't warm up, can't feed or digest properly, and condition drops, ultimately increasing starvation and mortality risk. - Mating (spring/early summer): Courtship and mating need time, warmth and calm. Repeated disturbance reduces encounters and interrupts mating, leading to fewer clutches and weaker recruitment. - Oviposition (late spring-summer): Females need warm, loose, undisturbed sand to bury eggs. Vibration, compaction, stockpiles or machinery near those patches can cause nest abandonment, force poor site choice, or damage/compact the sand so eggs fail.	<i>“The predicted vehicle movements would be the full length of the track i.e. from Clifton Drive North onto the beach and temporary compound 2, and then the return journey.”</i> <i>“Single directional movement of vehicles would be enforced to ensure that there is only one vehicle moving in one direction on the track at any one time.”</i> Trenchless method risk pathways downplayed The Applicants notes the concerns raised by FBC regarding the risks associated with the direct pipe trenchless method at landfall. At Deadline 5, the outline Landfall Construction Method Statement (AS-081) was updated to include an outline Trenchless Crossing Mitigation Plan, which sets out the mitigation measures and contingency plans associated with the direct pipe technique, including management of drilling fluids. These risks will be managed through a combination of pre-construction ground investigations, detailed design and closely monitored operational controls. In the unlikely event of drilling fluid break-out, the Applicants will adhere to the measures set out in the final Bentonite Breakout Plan (an Outline Bentonite Breakout Plan has been provided within the examination, APP-206) as approved by the relevant local authority, in consultation with the relevant stakeholders including Natural England, prior to the commencement of construction. The outline Hydrogeological Risk Assessment of Lytham St Annes Dunes SSSI (REP3061) has considered the interaction of the cable installation with the shallow water table. As mentioned in the sand lizard mitigation plan, sand lizard burrows are expected to be at no greater depth than 1m from the surface. Therefore, the minimum drill depth of 10m underneath

Reference	ExA Question	IP submission	Applicants' response
		- Hatchlings (late summer/early autumn): Newly emerged lizards are small and highly sensitive to disturbance and ground compaction; track traffic and compound edges raise direct mortality and dispersal failure risks. Avoidance and/or mitigation measures. Deferral of essential detail is not an implementable mitigation plan. The document repeatedly defers key measures to future plans and even states <i>"final avoidance and/or mitigation measures... will be agreed... through discharge of the final sand lizard mitigation plan(s)."</i> This is not adequate at DCO stage for a European Protected Species risk. Robust, specific, and enforceable measures should be fixed now. No site-specific protection along the access track or at the compound. The Plan acknowledges <i>"increased vehicle movements on the beach and beach access road"</i> but does not commit to practical safeguards. There is no reptile fencing along the track, no mapped buffers around winter sleeping sites or egg-laying areas, no seasonal speed limits or escorted movements, no refuge checks or phased clearance, and no daily pre-works checks by a licensed ecologist. Instead, the Plan relies on a generic toolbox talk. Reliance on chestnut paling is misplaced. The Plan states: <i>"The seaward boundary of the accreting dunes is already fenced with chestnut paling fencing ... to discourage pedestrian access from the most sensitive areas of dunes."</i> In practice, chestnut paling is installed primarily to trap wind-blown sand and build wider, higher dunes as a soft sea defence. Any reduction in	the Dunes SSSI will have no impact to the sand lizards in the subsurface voids. On this basis, and with the outline plans, risk assessments and construction method statements provided, the Applicants considers the potential effects of the trenchless installation at landfall has been appropriately assessed. Timing constraints benefit people/logistics more than lizards The risks to sand lizard year-round are acknowledged and have been assessed, with mitigation measures outlined for all relevant life stages. The implementation of further seasonal restrictions during the sand lizard activity/ breeding season is not considered proportionate to the low risk of disturbance to these species. Additional seasonal restrictions would serve to extend the landfall and overall construction period further, thus increasing the length of time for which activities would occur at the landfall site. Avoidance and/or mitigation measures. Further information is not available to the Applicants at this stage, which is why the mitigation plan is 'outline' at this stage. The Applicants maintain that they have demonstrated that the low risk to sand lizard can be adequately addressed through reasonable and proportionate avoidance/ mitigation measures. As the detailed timetable for works is not yet known, and nor has the detailed design being completed, it is not possible to provide further detail on exactly how and where the landfall works will be conducted within the maximum design parameters, which is why the assessment has adopted a Rochdale envelope approach in order to ensure that a worst-case has been

Reference	ExA Question	IP submission	Applicants' response
		trampling of planted areas is a secondary benefit. Chestnut paling is not an exclusion fence for reptiles and does not manage construction access, vehicle movements or vibration. It should not be relied upon as mitigation for sand lizards. Handling and licensing are not set up correctly. The Plan states: <i>"Any lizards encountered will be recorded and re-located to a place of safety... by the ECoW"</i> and that the ECoW <i>"will hold a Natural England survey licence."</i> A survey licence does not authorise capture and relocation during construction. Moving lizards during works requires an EPS mitigation licence that explicitly covers these activities. To say an EPS licence is "disproportionate" is not supported by evidence. Vehicle disturbance is played down without data. The Plan states construction traffic will not add to disturbance because the area is publicly accessible. Sporadic use by light vehicles is not the same as frequent heavy construction traffic. There are no traffic counts, no swept-path analysis, and no vibration modelling near the dunes. There is also no comment or commitment in relation to speed limits, driver briefings, or seasonal working-hour controls that reflect lizard activity. FBC provided details of the current type and frequency of vehicle use in Section 7.3 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134]. Noise and vibration controls are not tied to reptiles. The Plan cites <i>"PPV below 1.0 mm/s and 59 dB at human receptors"</i> to conclude there will be no significant disturbance. It sets	assessed. This is a standard approach to environmental impact assessments. Detailed Sand Lizard Mitigation Plan(s) will be developed in accordance with the Outline Sand Lizard Mitigation Plan, post consent. This is secured by Requirement 12 of Schedules 2A & 2B of the draft development consent order (C1/F06). Detailed EMP(s) will be implemented by the Applicants as approved by the relevant planning authorities. No site-specific protection along the access track or at the compound Following discussions at ISH 3, the Applicants have committed to installation of temporary exclusion fencing around temporary compound 3, which would be installed and maintained in such a way as to minimise the impacts to the surrounding dune habitats. The specific details regarding the fencing of the compounds would be agreed with Natural England as part of the full Sand Lizard EPS licence application post consent. Reliance on chestnut paling is misplaced. It is acknowledged that the chestnut paling does not prevent public access to the dunes, and nor is it intended to; however, it can be reasonably assumed that the presence of such fencing would naturally discourage/ constrain people from walking across those sections of dunes. The presence of the existing fencing is not being relied upon as a mitigation measure, and reference to it has been included in Table 1 to provide context to the baseline environment only. Vehicle and personnel movements will be constrained to the existing tracks and staff will be instructed as part of the toolbox talk not to stray into the dunes whilst

Reference	ExA Question	IP submission	Applicants' response
		no reptile-focused trigger levels, no stop-work criteria, no exclusion distances to winter sleeping sites, and no on-site monitoring of ground vibration during piling or cofferdam works. There is also no commitment to switch to lower-vibration methods if needed. Lighting, dust, and pollution risks omitted for reptile receptors. The Plan lacks specific controls for temporary lighting (glare/spill to dune margins), dust suppression (sand egg-laying sites; basking banks), and pollution (fuel/chemical storage, spill response) with receptor-based buffers and monitoring. These are standard in sensitive habitats and should be explicit, not deferred. No quantitative monitoring, no success criteria, no adaptive management. There is no commitment to a reptile monitoring programme with pre, during, and post construction surveys, no measurable success criteria, and no adaptive measures if monitoring shows displacement or mortality. Saying <i>"requirement for an EPS licence will remain under review"</i> is not a substitute for a monitoring and response framework. Reptile exclusion fencing dismissed without options analysis. The Plan labels temporary reptile exclusion fencing and targeted translocation as disproportionate but provides no receptor mapping, no risk ranking, and no trials of short, targeted fencing at likely hotspots such as along the track edge near basking banks. Proportionality should be shown through a site-specific options appraisal, not simply stated.	moving between temporary compounds. There is therefore no reasonable risk of any additional trampling of the dunes during the construction period. Handling and licensing are not set up correctly. The Applicants have agreed that a European Protected Species (EPS) mitigation licence would be sought for the construction works at the landfall site and temporary compound 3/ beach access road, and a draft EPS licence application method statement has been submitted into the examination at Deadline 5 (REP5-149). Section 4 of the OSLMP has therefore been amended. Vehicle disturbance is played down without data. There will be no construction activities at the landfall site for the period November to March, which therefore avoids the sensitive hibernation period for reptiles. The Applicants maintain that the low risk to sand lizards and their habitats can be adequately mitigated without the need for further seasonal restrictions on construction activities. The predicted use of the track by vehicles during construction was provided in the Applicant's response to Fylde Borough Council's Deadline 3 submission (REP3-082) in REP4-097 which stated "The forecast levels of HGV movements via the access track would equate to approximately eight two-way movements per day on average whilst the access is in use (i.e. four arrivals and four departures)". The Applicants have committed to enforcing a site speed limit of 10 mph along the beach access road (in the Outline Construction Traffic Management Plan (REP4-056), and this has been added into Table 1 of the OSLMP (REP5-112). Consideration to the use of track matting or similar to reduce the low risk of vibration to sand dunes as a

Reference	ExA Question	IP submission	Applicants' response
		Toolbox talk-only approach is inadequate. The reliance on “a toolbox talk” to avoid staff straying into dunes is weak. There’s no commitment to supervised access routes, physical barriers, spotters during peak activity hours, mandatory sign-off for new starters, or lizard ID training covering juveniles and egg clutches. “All areas equally suitable” leads to blunt, non-targeted mitigation. By assuming uniform suitability, the plan justifies not surveying and not targeting mitigation where it matters (e.g. sunny south-facing banks, embryonic dune ridges). This produces generic measures that won’t manage risk at hotspots along the track/compound interface. No commitment to constrain works during peak daily activity windows. There is no proposal to avoid early to mid-morning and late afternoon (peak basking) movements on the track, or to introduce seasonal working-hour controls on high-vibration activities during warm, still days. No measured buffers. The Plan provides distances to the SSSI boundary (100m and 600m) instead of setting simple exclusion distances from real lizard hotspots. The Plan should map the hibernacula, oviposition sands and basking corridors, then set firm exclusion zones around them and lower speed limits nearby. Compounds and access not reptile safe. The Plan does not include basic design features to keep lizards safe (e.g. to stop lizards getting in or being harmed). There is no smooth vertical	result of HGV movements, where practicable, has been added to Table 1. The risk of vibration transmission to the dunes from piling for the exit pits on the beach (temporary compound 2) has been addressed through the commitment to an offset distance of at least 100 m from the edge of the SSSI. Noise and vibration controls are not tied to reptiles The response is noted. The general points regarding noise levels have been provided to place the construction activities into context with existing disturbance (by humans and vehicles) to enable a greater understanding of the potential risk to sand lizards. It is not intended to be a detailed assessment of sand lizard responses to noise and visual stimuli. There will be no construction activities at the landfall site for the period November to March, which therefore avoids the sensitive hibernation period for reptiles. The exit pits will be a minimum of 100 m from the edge of the SSSI. The location of these will minimise the risk of vibration from piling activities transmitting to the dunes (based on the propagation properties of the underlying substrate). The Applicants are not aware of any published reptile-specific vibration/ noise trigger levels that could be applied to the project, but would welcome any further evidence that could be provided in this respect from Fylde Borough Council. Lighting, dust, and pollution risks omitted for reptile receptors The Applicants have prepared an Outline Construction Artificial Light Management Emissions Plan (REP4-048), which outlines best practice measures for the management

Reference	ExA Question	IP submission	Applicants' response
		skirting to prevent ingress, no plan to manage pits and trenches, no staged sand removal with ecologist supervision, and no refuge management inside compounds. Mitigation should include smooth solid edging at the base of site fencing and cabins, cover or ramp any pits and trenches, remove sand in stages with an ecologist on site, and sort any places inside the compound where lizards could hide and get trapped. As the Plan expects to encounter lizards and to relocate them, prevention by design should come first, not relocation. More generally, FBC is concerned about the apparent over-reliance on future, non-specified plans. At DCO stage, this should be a workable and enforceable reptile mitigation plan with maps, buffers, counts, triggers, and method statements, rather than a placeholder. As well as responding to the above specific issues, FBC considers that a fit-for-purpose plan should be prepared in accordance with the following characteristics: Fine-scale mapping showing buffers and seasonal constraints. Quantified construction traffic profile and reptile-specific vibration/noise trigger levels with stop-work criteria and ecological monitoring. A clear licensing strategy which state when an EPS mitigation licence is required, for example capture, handling, relocation, disturbance, or risk to breeding or resting places. It should confirm no capture or relocation without it. It should include method statements and programmes, name the licence holder and accredited agents, and set a 'stop work and call	of lighting during construction. There would be no lighting of the access track.. This has been clarified in Table 1. The Applicants have prepared an Outline Dust Management Plan (REP4-030) and Outline Pollution Prevention Plan (REP4-034). Standard measures for lighting, air quality, dust management and pollution during construction are also set out in the Outline Code of Construction Practice (REP4-026). No quantitative monitoring, no success criteria, no adaptive management. The sand lizard population at Lytham St Anne's is already regularly monitored by frequent surveys across the active period from April through to September, which are undertaken by licensed surveyors on behalf of FBC. Further surveys by the Applicants are therefore not considered necessary given the large dataset that currently exists, and will continue to be gathered annually; however, if this situation changes prior to the commencement of construction activities at the landfall site, the Applicants would undertake any necessary pre-construction surveys for sand lizards. Given the limited spatial and temporal duration of construction activities at the landfall site, any disturbance to sand lizards would similarly be temporary (a maximum of 48 weeks within 66 months under the worst-case sequential scenario) and localised and would not reasonably significantly affect the overall ability of the species to survive and reproduce at the Lytham St Anne's dunes. The heat map data show that the species occurs along the majority of the dune/ beach interface between the beach access road and North Beach car park, and extending further north towards Starr Gate, the vast majority of which would be undisturbed during the works. Reptile exclusion fencing dismissed without options analysis

Reference	ExA Question	IP submission	Applicants' response
		the ecologist' procedure. It should make it clear that a survey licence is not sufficient for construction, give a simple decision tree so unlicensed staff do not handle reptiles, and should explain how compliance will be checked and recorded. Include a trenchless installation Drilling Fluid and Ground Risk Plan with monitoring and contingency specific to dune systems. Include lighting, dust, pollution controls tailored to dune reptiles (with measurable standards). Include a monitoring and adaptive management plan (pre/during/post) with success criteria and reporting. In light of the Above comments, FBC considers that the proposed Sand Lizard Mitigation Plan and EPS licensing strategy following discussion with the Applicants and Officers remains inadequate and inappropriately high-level lacking specificity and control. Furthermore, FBC considers that these issues must be resolved prior to any consent being granted, in order to ensure that appropriate and effective mitigation can be secured in a way which is compatible with the commitments, management plans and DCO.	See previous response above. Toolbox talk-only approach is inadequate The use of toolbox talks to highlight sensitive ecological features is common practice for construction projects. Any additional requirements for supervision of construction personnel walking between the beach and temporary compounds, physical barriers and spotters would be disproportionate to the likely disturbance they could cause to sand lizards. The toolbox talk would include an ID guide for sand lizards and their eggs and burrows, and this has been added for clarity to Table 1 of the OSLMP (REP5-112). “All areas equally suitable” leads to blunt, non-targeted mitigation The location of ‘hot spots’ for sand lizard has been provided to the Applicants in the monitoring survey data supplied by Fylde Borough Council. However, the precautionary approach set out in the OSLMP has been to assume that all areas of sand dune habitat (including the accretion of dunes beyond the SSSI boundary) are equally suitable for the species and therefore highly sensitive; the measures proposed would therefore apply to all works in the vicinity of the dunes. No commitment to constrain works during peak daily activity windows This response is noted. The Applicants do not propose to impose seasonal restrictions on activities other than the avoidance of the sensitive wintering period, because it is considered that the low risk to sand lizard can be adequately mitigated through the measures proposed in the OSLMP (REP5-112) (and administered by way of an EPS mitigation licence from Natural England). The Applicants maintain that the imposition of additional timing restrictions that would extend the

Reference	ExA Question	IP submission	Applicants' response
			overall construction period at the landfall are disproportionate to the impacts to sand lizards. No measured buffers The exclusion distances referred to relate to the offsets imposed for construction activities requiring piling (the exit pits on the beach and the TJBs respectively), to avoid the risk of the transmission of noise/ vibration to the sand dunes. It would not be possible to establish an exclusion buffer for construction activities associated with temporary compound 3 or the beach access road without removing them from the Order Limits entirely, because these parts of the scheme occur immediately adjacent to the sand dunes. Compounds and access not reptile-safe The Applicants have not proposed specific measures to exclude sand lizards from the exit pits on the beach (temporary compound 2) because they will be located a minimum distance of 100 m seaward from the edge of the dunes. At this distance from the dunes there is therefore a negligible risk of encountering sand lizards as they will be very unlikely to be basking or moving around on the open beach area. The additional measures proposed to reduce the risk of sand lizards being present inside temporary compound 3 have been added to Table 1 of the OSLMP. This includes temporary exclusion fencing at temporary compound 3, subject to NE agreement. See also previous response regarding the use of temporary exclusion fencing. A monitoring and adaptive management plan (pre-during/post) with success criteria and reporting Post-construction monitoring and habitat management is not proposed. This is on the basis that the potential

Reference	ExA Question	IP submission	Applicants' response
			impacts of construction on sand lizards are limited to temporary disturbance to a very small proportion of the edge of the dunes close to temporary compound 3 and the beach access track. There is already an extensive programme of sand lizard monitoring being undertaken annually of the dunes and ongoing favourable habitat management (e.g. Christmas tree planting), none of which would be impacted by construction activities.
ExQ2 Q2:6.1.7	Peat CoT101 states that where high concentrations of peat are identified these, will be avoided where practicably possible for the placement of the plant and infrastructure to avoid the possibility of ground gas build up. Where this is not possible, further investigation and appropriate monitoring will be identified undertaken, if necessary. and the results will be used to inform detailed design of the permanent infrastructure as appropriate Is this commitment adequate to ensure appropriate management and mitigation? If, not, can you propose alternative wording/ mechanism?	FBC remains concerned about the vague wording of this and other commitments. The caveats “where practically possible” and “if necessary”, without qualification, render the commitment ineffective. Commitments should reference management plans and other commitments in order to provide a greater level of detail, confidence and certainty. CoT101 should also be reworded to fully respond to the likely consequences of impacts on peat. Works both directly and in-directly (via impacts on ground water) impacting peat deposits may cause drying and shrinkage, which in turn cause localised ground stability issues and could also limit groundwater abstraction and re-use. CoT101 should also properly qualify what is meant by “high concentrations” or otherwise be reworded. The potential for smaller areas of peat lenses within and close to the Work Order limits has been identified and there is no justification for excluding these from the commitment.	CoT101 relates to ground gas build up associated with peat rather than direct impacts to peat. Regarding likely consequence of impacts on peat from a geological and hydrogeological perspective, this is covered and assessed within section 1.11.10 of Volume 3, Chapter 1: Geology, hydrogeology and ground conditions (APP-068). It is therefore considered that it is not appropriate to respond to the likely consequences within the wording of the commitment itself. The Applicants note FBC’s concern regarding use of qualifiers such as “where practically possible” or “if necessary”, however it is the Applicants’ position that their use is appropriate and necessary within the DCO context and this language is frequently used in other large-scale NSIP projects. These ensure that commitments remain deliverable and enforceable across these large and complex projects whilst retaining sufficient flexibility when detailed design is not yet complete and is dependent on specific site conditions. Where relevant, commitments do reference the specific management plans in which they will be addressed, and the relevant commitments are also reiterated within the key management plans.

Reference	ExA Question	IP submission	Applicants' response
ExQ2 Q2:6.1.8	Peat NE state “We note the surveys undertaken in the outline Interim Trial Trenching Report [REP3-017]. This report identified that peat was present within the trial pits. In light of the confirmed peat occurrences, a detailed peat survey should be carried out to establish peat depth, condition, and extent within the onshore order limits, ensuring that appropriate management and mitigation measures can be developed. These surveys are necessary to understand if any of the peat is restorable and to inform a Peat Management Plan (which we previously advised in our Relevant Representations, RR-1601).” a) Please comment on the above statement and provide an update. b) If resolution can't be reached before the end of the examination what mechanism would be appropriate to ensure no peat disturbance and appropriate management, and mitigation is ensured post consent.	FBC has continued to liaise with the Applicants and their consultees on a range of topic specific meetings, which has included discussion of potential impacts on peat. FBC has provided comments to the Applicants through these meetings and has confirmation in these meetings from the Applicants that updates will be made specifically with regards to peat. FBC expects these updates to include a Peat Management Plan with a detailed hierarchy for decision making, setting out how peat will be avoided where possible as well as measures to store, protect and reinstate peat if peat is encountered during works. Any such plan should be made a Requirement of the DCO. Whilst FBC notes the Natural England position [RR-1601] that this information should be provided in advance and agrees that this would be preferable, FBC considers that if the scheme were to be consented then this should only be done with the benefit of a suitably detailed and secured avoidance hierarchy and defined through the DCO.	Applicants have updated the Outline Soil Management Plan at Deadline 6 (J1.7/F02), to clarify the Peat Mitigation Hierarchy that would be adopted. With regard to the suggestion that a peat management plan should be secured in the DCO, the Applicants would highlight that the outline Soil Management Plan (REP5-059) provides for a peat management plan to be prepared where required. This is therefore secured under the draft DCO as detailed soil management plans must be prepared as part of the discharge of requirement 8 of Schedules 2A and 2B of the draft DCO (REP5A-018).
ExQ2 Q2:6.2.4	Biodiversity and bird strike risks NPS EN-1 4.6.12 says that when delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic	FBC echoes the repeated request from the ExA in Q2:6.2.1 for the full biodiversity metric spreadsheet to be provided. This aligns with the repeated requests the written submissions by FBC, most recently in Sections 6.2, 6.3 and 6.6 of its 'Response to matters raised at the	The biodiversity net gain area at Lea Marsh fields is located between two existing Biological Heritage Sites (BHSs); Mason's Wood BHS and Lea Marsh BHS. The biodiversity benefits proposed will enhance habitat and species connectivity between them, as well as creating a substantial high ecological value habitat buffer to the

Reference	ExA Question	IP submission	Applicants' response
	outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. a) If SoS was minded to agree with BAE Systems position, can the applicant comment on the quoted paragraph 4.6.12 of NPS EN-1? b) If SoS was minded to agree with BAE Systems position and on-site delivery of BNG was therefore not possible, could the councils and the applicants reach an agreement on alternatives that would align with the NPS EN-1? c) If SoS was minded to agree with BAE Systems position, will the applicants consider submitting a without prejudice strategy for off-site delivery of BNG to satisfy the NPS EN-1, section 4.6 with additional focus on 4.6.1?	Specific Hearings for Deadline 4' [REP4-134], for further assessment and associated evidence relating to the ability of the development to deliver and secure the proposed measurable net gains for biodiversity. With regards to a scenario where on-site delivery of some or all BNG was not possible, FBC would refer to the relevant policy and guidance, which notably includes the Lancashire Country Council 'Local Nature Recovery Strategy' (2025). However, a specific response would depend upon the details of the site and characteristics of the desired BNG. There are a number of different important habitats and species, and it is likely that any strategy would need to respond to site-specific conditions. FBC remains concerned that the proposed bird mitigation or compensation areas for birds may be too small to be used as effective mitigation. This creates the potential that birds displaced by construction activities may be subject to further movement pressures which could in turn increase bird strike risk. FBC does not consider that it has been conclusively demonstrated that the proposed areas will provide sufficient mitigation for the numbers of birds which may be displaced during construction. FBC notes that mitigation areas will be less likely to be used, the further they are from any impacts. FBC maintain its position that the mitigation hierarchy should be followed and that on-site BNG should be prioritised.	existing BHS network to increase its resilience to current and future pressures. The land at Lea Marsh fields is within an area identified in the Lancashire Local Nature Recovery Strategy (LNRS) as "Areas that Could Become of Particular Importance", which are locations within the county where there are opportunities to create, connect or improve habitats most likely to provide the greatest benefit for nature and the wider environment. The location of Lea Marsh fields will therefore contribute to wider strategic outcomes and ecosystem services and connectivity. The Applicants' preference is to deliver biodiversity benefit at Lea Marsh Fields, but if this is not possible the Applicants would work through the Biodiversity Benefit Hierarchy identified in Table 5 of the Biodiversity Benefit Supporting Statement (REP5-145). Option 1-3 aims to support the delivery of local biodiversity benefits insofar as possible. Option 4, should all other options not be possible, would involve the purchasing of Biodiversity Credits. As the biodiversity benefit area at Lea Marsh fields is not to specifically benefit ornithological features, as demonstrated in the Outline Wildlife Hazard Management Plan (S_D3_8/F08) the delivery of Lea Marsh fields when considered in light of monitoring and control measures will not increase or change the use of birds within the 13km safeguarding area. Therefore there is no increase in bird strike risk associated with the development of Lea Marsh fields. The Applicants further note that they have proposed an update to Requirement 26 of the draft DCO, originally submitted at Deadline 5 on a without prejudice basis, which would secure the delivery of biodiversity benefit.

Reference	ExA Question	IP submission	Applicants' response
			The Applicants explained the mechanisms of this Requirement during Issue Specific Hearing 4 (S_D6_12) and the updated drafting can be read in the draft DCO (C1/F09) and updated Explanatory Memorandum (C3/F08). This revised mechanism would secure biodiversity benefit through a formal plan, replacing the existing Biodiversity Benefit Supporting Statement (REP5-145). The Applicants confirmed that the updated requirement is no longer without prejudice.
ExQ2 Q2:7.1.1	Additional information and assessment In [REP4-134] FBC quote Section 5.6.10 of NPS EN-1 that sets out a clear requirement for applicants to undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures. Concerns are raised that this requirement has not been met and that "if sediment transport systems are interrupted this could impact accretion rates and the effectiveness of the management techniques leading to weakening of the dune system for coastal defence. Major disruption would result in sediment gain being reversed and coastal erosion occurring and accelerating". a) Please comment in full on the concerns that are being highlighted. b) Is it likely that a resolution will be found during this examination?	Whilst this question refers to the previous relevant FBC representation on this matter [REP4-134], FBC wish to note that related concerns and requests have also been made by Natural England throughout the examination process and notes with concern the lack of any progress being made with regards to this particular matter, as outlined in the Natural England Risk and Issues Log [REP4-139]. FBC wishes to emphasise the importance of sediment transfer processes in this area. Any changes to the sediment transfer system could potentially impact on the Fylde Dunes project. One of the key objectives for the Fylde Dune Project is to improve the efficiency of the dunes as a soft sea defence, essential for the delivery of the Environment Agency Shoreline Management Plan (Unit 11B1.21). The applicants have indicated they would be prepared to support the Fylde Dune Project through Community Benefits which is welcomed. However, FBC regards these matters to be directly and proportionally linked to the development and commitments should be secured through a Section 106 Agreement.	The Applicants have responded to Q2:7.1.1 in Applicants' Response to Examining Authority's Written Questions (ExQ2) (REP5-130). It is noted that the apparent lack of progress may be attributed to the Natural England approach which focuses engagement during Examination on reviewing relevant updated documents/outline plans submitted by the Applicants. Therefore a 'no change' within the Risk and Issues Log (REP5-177) does not necessarily indicate that a response has not been provided or that no progress is being made; but rather that this has not been captured in an updated Application document at the time. Furthermore, 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 and to include reference to all new commitments made at previous deadlines. The Applicants note that their comments regarding the Fylde Dune Project and community benefit are welcomed. The Applicants would reiterate their position that a section 106 agreement is not the appropriate mechanism for Fairhaven Saltmarsh mitigation and its

Reference	ExA Question	IP submission	Applicants' response
	c) If no progress is made by the end of examination, suggest if/ how those issues could be dealt with post consent.	This is completed through active management realignment techniques to accrete the dune system seawards. This work is only possible due to the sediment gains that are seen from Starr Gate to the mouth of the Ribble Estuary. 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. In terms of managing these issues post-consent, FBC relies primarily upon the submissions made by Natural England in terms of what information is needed to potentially reach an acceptable position.	enhancement; Sand Dune mitigation/protection; BNG; and, localised habitat protection.
ExQ2 Q2:12.1.11	Section 106 agreement Please provide your comments on the proposed section 106 Agreement?	Specifically in relation to the St Annes FC/Blackpool Road, Section 106 agreement in principle and final drafting of the Section 106 is well advanced. On other matters FBC requested that ExA recommends that matters relating to: Fairhaven Saltmarsh mitigation and its enhancement; Sand Dune mitigation/protection; BNG; and, localised habitat protection, are also dealt with via Section 106 agreement as these matters are directly related to development, rather than by voluntary community benefits as offered by the Applicants. FBC welcomes the Applicants commitment to enter into agreements across a number of community, economic, energy and environmental projects for Kirkham, East Fylde villages and South Ribble.	The Applicants are continuing to discuss this with FBC. The Applicants would emphasise that the additional measures FBC references are not necessary in order to mitigate any EIA impacts. The Applicants' position is therefore that seeking to include this in a s106 Agreement which is focused on delivery of the Blackpool Road Recreation Ground mitigation (as identified as necessary mitigation in the Environmental Statement) does not comply with Regulation 122 of the Community Infrastructure (CIL) Regulations 2010 or the tests at paragraph 57 of the NPPF. These require consideration of what is fair and reasonable based on the circumstances of the s106, which in this case is to ensure necessary mitigation is secured for Blackpool Road Recreation Ground which cannot otherwise be secured through the management plans and requirements of the DCO. All other mitigation measures identified as necessary through the Applicants EIA have been secured through the requirements and the management plans. See also row AS-084.2 below.

Reference	ExA Question	IP submission	Applicants' response
DCO Q1:3.1	Requirement 1 – Time limits a) The Examining Authority (ExA) notes the decision of the SoS to allow a 7-year commencement period in the Morgan Offshore Wind Project Generation Assets Order 2025 (“Morgan”). However, that project is entirely offshore and does not lead to and has not considered the potential onshore effects on local communities that could arise from the proposed development in this case (the transmission assets). Therefore, notwithstanding the Morgan decision, would a reduced commencement period of 5 years be justifiable for the transmission assets development taking into consideration the implications this may have including for landowners and local communities? b) In the event that the SoS considers that the maximum time period between projects should be reduced by two years or more, what drafting implications would this have for the Development Consent Order (DCO) and any other certified documents? c) The SoS, in granting the Morgan DCO removed the provision for an additional year to deal with any judicial review as he considered that any delay caused by a judicial review will not have a significant impact set against the 7-year overall period. Notwithstanding the matters raised above, the ExA suggests	FBC maintains its position that because the proposal is for two separate developments, with no commitments around cooperation or collaboration to minimise or reduce the likely impacts arising, then the likely harmful impacts will inevitably be amplified when compared to one scheme coming forward. FBC concluded that a greater quantum of development will naturally give rise to greater impacts, and that given the limited commitments around the timing, duration, work programme, design content and frequency of works will without doubt exacerbate issues and also introduces additional risks and the possibility for new types of harm. For example, a repeat period of construction in a localised area after a short delay may cause harm to the environment, economy and human health in a manner which exceeds the harm of either instance in isolation. Conversely, a greater lapse between phases of construction may also undermine remediation works. At a broader level, the longer the overall period of construction, the greater the potential for some types of harm. For example, reputational harm to the tourism industry and operational limitations to agricultural land will likely worsen as the overall period extends. The issue is complex and multi-faceted. FBC has continued to advocate for a greater level of detail and commitment with regards to the phasing, design duration and frequency of construction and remediation activities, so that each of the issues can be appropriately assessed and controlled.	The Applicants maintain their position as set out in their response to this question at Deadline 5 (REP5-141) with regards to why a seven year time limit is appropriate for this DCO. However, following further discussion with the Examining Authority at Compulsory Acquisition Hearing 3 and acknowledging that the transmission assets of each project will be constructed with the associated generation assets, the Applicants have amended Requirement 1 of Schedules 2A and 2B (C1/F09) to link the seven year time period for implementing the Morgan element of the Transmission Assets to the date the Morgan Offshore Wind Project Generation Assets Order 2025 came into force and the Morecambe element of the Transmission Assets to the Morecambe Offshore Windfarm Generation Assets Order 202.

Reference	ExA Question	IP submission	Applicants' response
	that Requirement 1(2) is similarly deleted.	The requested extended seven-year commencement period has the potential to exacerbate some issues, particularly with regards to human health, and it is likely that an overall reduction in the total commencement would therefore be beneficial in this regard.	
DCO Q1:3.3	Requirement 4 – Substation works At issue specific hearing 2 (ISH3) the applicants stated that they would engage with FBC on Requirement 4 drafting as part of the development of the outline Design Principles with an aim to demonstrate progress by deadline 5. Please provide an update on the progress of this engagement and any revised/additional drafting necessary to Requirement 4?	FBC have had a series of topic-specific meetings with the Applicants, including with regards to design principles. FBC understands that the Applicant is updating documents for submission at Deadlines 5 and 6. FBC has provided detailed verbal and written comments to the Applicants with regards to this matter since Deadline 4. FBC will review and comment upon documents as they are formally submitted to the examination. At a high level, FBC still has significant concerns with regards to the approach taken by the Applicants. The Applicants state that the overarching National Infrastructure Commission's Strategic Design Principles have guided the design process up to the DCO submission, ensuring that the substations are integrated sensitively, mitigated as far as practical, respectful of the local communities' interests and deliver enhancements where feasible. However, the location, duality, scale and type of the development proposed makes it very difficult to understand how this has been effectively achieved. FBC will continue to advocate for circumstances which would require the Applicants to ensure that if and when consent is granted, the Design Principles and Codes form	The Applicants thank FBC for their continued engagement throughout the Examination and acknowledge the Council's comments regarding the outline Design Principles (oDP) document (J3/F03), the final version of which has been submitted at Deadline 6. The Applicants acknowledge FBC's concerns regarding the process through which the DCO submission was informed by the overarching National Infrastructure Commission's (NIC) <i>Design Principles for National Infrastructure</i>. In response, the Applicants refer to the Project-Level Design Principles and Design Codes, which have been collaboratively developed and refined between the Applicants, FBC, and other relevant local authorities for the final D6 submission. This document establishes a robust and enforceable design framework to ensure that 'good design' and compliance with the agreed Design Codes can be effectively secured and delivered, should development consent be granted.

Reference	ExA Question	IP submission	Applicants' response
		the cornerstone of real commitments to good design and are bound into the procurement process through a Statement of Compliance.	
DCO Q1:3.4	Requirement 4 – Substation works The applicants are of the view that it is not necessary or appropriate for BAE Systems or the DIO to be named as consultees in this requirement (Action point ISH3.22 of REP4-108]. a) Does the Council and the DIO agree with the applicants view on this? b) For planning applications under the Town and Country Planning Act 1990 regime, would the Council be required to consultee BAE Systems or the DIO for similar forms of development that might affect defence interests? c) Is the town and country planning (safeguarded aerodromes, technical sites and military explosives storage areas) direction 2002 of relevant to this matter?	FBC raises no objection to the Applicants' position as set out in their response to Action Point ISH3.22 [REP4-108]. FBC routinely consults BAe on relevant applications and there are no proposals to change this approach. However, FBC expects the Applicants would consult BAe and the DIO in advance on any aviation and defence matters as part of a preapplication process before formal submission, and that any consultation response from BAe would be given appropriate consideration when determining any relevant applications. FBC operates a series of agreed processes with BAe and other sensitive industries that complies with NSPA major infrastructure" classification. FBC notes the significant interest that BAe and the DIO have in this matter and will take any further responses and advice into consideration.	The Applicants note FBCs comments. Further, the Applicants have updated the draft DCO at Deadline 6 (C1/F09) to incorporate drafting suggested by BAE and the DIO into Requirements 4 and 5 of Schedules 2A and 2B to the draft DCO.
DCO Q1:3.7	Requirement 6 – Provision of landscaping Should 6(2) of this requirement also include details of existing trees and hedgerows to be retained and those to be removed, given that such details are likely to be factors in the consideration of the acceptability of a proposed landscaping scheme?	FBC recommends that Requirement 6 should include details of existing trees and hedgerows to be retained and those to be removed. Including a clear schedule of retained and removed trees and hedgerows is essential for assessing the acceptability of the landscaping scheme. It would enable FBC and other stakeholders to understand the impact of the proposal on landscape character, biodiversity, and amenity.	Paragraph 1.5.1.1 of the Outline Arboriculture Method Statement (S_D5_10/F02) has been updated at Deadline 6 to state that a detailed schedule and plan (aligned with BS5837:2012) of all trees and hedgerows to be removed, protected and retained will be provided as part of the detailed AMS(s). In addition to further clarification within the Outline Arboriculture Method Statement, Articles 35 and 36 of the draft DCO (C1/F09) submitted at Deadline 6 have been updated to include cross referencing to the

Reference	ExA Question	IP submission	Applicants' response
		FBC considers that Requirement 6(2) should be amended to include: a retention and removal schedule, identifying all existing trees and hedgerows affected; integration with the TPO and Hedgerow Plan, ensuring consistency and transparency; and a commitment to species-specific replacement planting, with native and locally appropriate species. Any such schedule should be submitted prior to commencement, and form part of the final landscaping scheme. It should also be supported by a site-based survey to confirm actual conditions and inform planting design. FBC notes with concern that at present, the relevant outline plans caveat the retention of trees and hedgerows with “where practicable” and “except where temporary construction, access or enabling works are required”. This is very open ended and does not enable a clear understanding of where and how impacts may be experienced, or how and if there would be sufficient provision for them be mitigated. FBC remain concerned that the level of mitigation which may be required once this information becomes available post-consent may be insufficient to adequately offset the visual effects and integrate the proposed scheme and the two proposed substations into their landscape setting. FBC remains concerned that the trenchless techniques proposed in order to retain many of the mature trees around the proposed substation sites may have long lasting consequences which affect their survival and	Outline Arboriculture Method Statement and Outline Ecological Management Plan to ensure that the safeguards referenced within these plans are adhered to.

Reference	ExA Question	IP submission	Applicants' response
		the number of trees which would be subjected to this process should be identified. FBC has received verbal confirmation from the Applicants that some updated information will be submitted at Deadline 5 and we will review and comment on this information once received.	
DCO Q1:3.8	Requirement 7 – Implementation and establishment of landscaping Are the Councils satisfied with the approach taken by the applicants in distinguishing between the 'establishment' of landscaping through Requirement 7 and the further maintenance of landscaping which the applicants explain would be secured through the outline Ecological Management Plan [REP4-059]? If not, please suggest how this might be resolved?	FBC considers that Landscape Management and Ecological Management have different objectives. Whilst one management plan may be used to secure the ongoing maintenance regime of landscape features, it is essential that the goals and objectives of both topics are agreed and monitored. A separate Site Management Plan developed and overseen by a working group which consists of both Landscape and Ecology professionals, would help to ensure the delivery of soft landscaping achieves both objectives in the long term. FBC recommends that the management plans should be updated with consideration of the following Operating Principles: Minimum 10-Year Management Period Works Completion: Trees and hedgerows should be managed for at least 10 years after planting to ensure proper establishment and ecological function. Annual Monitoring and Reporting: Monitoring should begin in Year 1 and continue annually. Reports should be submitted to the Council by 31 March each year, including survival rates, species counts, photographic evidence, and any remedial actions taken.	The Applicants agree with FBC that the Landscape Management Plan and Ecological Management Plan have different objectives. The Applicants note that discharge of requirements in the post-consent phase would ensure that both an LMP and an EMP would be brought forward together. By bringing these plans forward together, this will enable the review of the goals and objectives of these plans to be agreed in parallel. This is further secured by the commitment to the Construction Coordination Working Group in the oCoCP (J1/F05), oEMP (J6/F06) and oLMP (J2/F05). The Applicants do not consider that a separate Site Management Plan is necessary as the discharge of the certified documents are sufficient controls and consistent with the precedent set in other major national infrastructure projects. The Applicants have updated the outline Design Principles to capture the need for this discussion in the Deadline 6 submission (J3/F03). The Applicants have clarified in the Deadline 6 updates to the oLMP (J2/F05) and the oEMP (J6/F06) that discharge of the detailed LMP will include a specification and programme of maintenance works covering items such as weeding, screening, mulching, watering, repair to plant protection. The oLMP has been updated to commit to a minimum 10-year period for maintenance of any ecological or landscape works at the onshore substation and a maximum 10-year period

Reference	ExA Question	IP submission	Applicants' response
		Rolling Replanting Obligation: Any failed planting should be replaced in the next available planting season, not deferred to the end of the 10-year period. The management period should reset for any replacement planting to ensure full establishment. Responsibility and Enforcement: The applicant or their appointed contractor should be responsible for monitoring and reporting. The Council must retain the right to inspect and enforce compliance if failures are not addressed. Integration with the DEMP: The Detailed Ecological Management Plan (DEMP) should complement, not duplicate, the landscaping obligations. It must include species-specific maintenance regimes and hedgerow connectivity measures.	for maintenance of any ecological or landscape works at along the onshore cable corridor. During the establishment phase (up to five years following the planting or spreading of seed) any failed plants will be replaced like-for-like as required to prevent any significant gaps in planting and as agreed with landowners. The establishment phase will be reset upon replanting. Once established, new planting will be managed in accordance with the measures set out in the LMP. The oLMP (J2/F05) has been updated at Deadline 6 to reflect these clarifications. Section 1.5.5 of the oLMP includes details of monitoring and reporting. The oLMP (J2/F05) has been updated at Deadline 6 to include specific reference for the monitoring reports to include survival rates, species counts, photographic evidence and any remedial actions taken. Section 1.2 of the oLMP outlines the responsibilities of the Applicant and the appointed contractor, which includes the responsibility for monitoring and reporting. Requirement 6 of the draft DCO (REP5a-018) states that no works may commence until a written landscaping scheme and associated work programme in accordance with the oLMP for the relevant stage has been submitted to and approved by the relevant planning authority. This ensures that any landscaping obligations, including the need for any species-specific maintenance regimes and hedgerow connectivity measures will be included.
DCO Q1:3.11	Requirement 12 – Ecological management plan The applicants have made further amendments to this requirement at D4 [REP4-008].	FBC notes the request made by Lancashire County Council [REP4-136] with regards to Requirement 12 of the dDCO and will review the Applicants' response when it is made available.	Noted. The Applicants refer Fylde Borough Council to row REP4-136.22 of Annex 2.3 to the Applicants' Response to Deadline 4 submissions from Statutory Consultees and other organisation: Lancashire County Council (AS-086).

Reference	ExA Question	IP submission	Applicants' response
	a) Are BAE Systems, Blackpool Airport Operations Ltd and the Councils content with the revised wording? If not, what potential drafting changes are suggested? b) What is the latest position between LCC and the applicants on the points raised by LCC in paragraph 3.19 of [REP4-136]?		
DCO Q1:3.12a	Requirement 14 – Construction hours a) 14(2) refers to works that may take place outside of the hours specified in sub-paragraph (1) for certain identified works. Should the last word of this opening sentence therefore say “comprising” rather than “including” as the later indicates that it is not a closed list?	Clarity and clear restrictions on out-of-hours works would be welcome by FBC.	The Applicants have amended the last word in sub-paragraph (1) to ‘comprising’, and removed sub-paragraphs (2)(c) to (2)(e) which previously related to landfall, airport and River Ribble works, in the draft DCO (REP5A-018) submitted at Deadline 5. For further clarity on out-of-hours- works, this is set out in section 1.7.2 of the Code of Construction Practice (REP5-044), which is secured via Schedules 2A & 2B Requirement 8 of the draft DCO (REP5A-018). The Applicants and FBC have updated the SoCG to reflect the agreed position in relation to the wording of Requirement 14(2) in the post-Deadline 5 additional submission (C1/F09).
DCO Q1:3.12b	Requirement 14 – Construction hours b) Referring to the definition of “mobilisation activities” in 14(6) can the applicants explain what is meant by “general preparation and site maintenance work”? Why does this need to be included as part of the mobilisation activities bearing in mind that, whilst it would not include the operation of heavy machinery or generators, it might still possibly lead to issues of noise and	FBC considers that the inclusion of preparation and maintenance work would only be acceptable as part of the mobilisation activities if they are unlikely to generate any significant noise levels at neighbouring properties, so clarity would be welcomed. FBC suggests that this could be clarified in clause 14(6)a, to make it clear that preparation and maintenance activities would exclude for example noisy repairs, movement of heavy	The Applicants refer FBC to their Deadline 5 response to Q1:3.12(b and c). The Applicants do not consider it necessary to introduce a further sub-clause excluding specific noise sources, as the Construction Noise and Vibration Management Plan (updated at Deadline 5 (REP5-054)) already secures noise control mitigation measures and noise limits on mobilisation activities undertaken during start-up (06:00 to 07:00) and during shutdown (19:00 to 20:00).

Reference	ExA Question	IP submission	Applicants' response
	disturbance when occurring in proximity to residential receptors between 6.00am and 7.00am?	equipment or plant, running pumps, or other noise sources.	The Applicants must comply with the construction noise and vibration management plan for each stage of works as secured under Requirement 8. Specific noise criteria for significant noise levels in relation to the hours that mobilisation activities would be undertaken is now included in Table 1.4 of the outline CNVMP.
DCO Q1:3.12c	Requirement 14 – Construction hours c) For clarity, the ExA suggests adding similar wording from paragraph 1.6.1.6 of the outline Noise Management Plan [REP4-032] to this requirement.	FBC considers that a reference to the noise criteria for significant noise levels defined in the outline Noise Management Plan would provide an appropriate fall-back for this level.	Additionally, the Applicants have added a new subparagraph to Requirement 14 of Schedules 2A and 2B at Deadline 5 which reads: <i>“(6) Mobilisation activities must be undertaken in accordance with the construction noise and vibration management plan approved under requirement 8.”</i> The Applicants and FBC have updated the SoCG to reflect the agreed position in relation to the updates to the oCNVMP in the post-Deadline 5 additional submission (C1/F09).
DCO Q1:3.12e	Requirement 14 – Construction hours e) Whilst noting the amendment already made to Saturday working hours, would it be reasonable to push forward the start time of construction works on Saturdays from 0700 to 0800, given that there may generally be an expectation for less disturbance on Saturday mornings in comparison to weekday mornings?	FBC supports and welcomes the amendments of Saturday morning hours beginning at 08:00 rather than 07:00. This would align more closely with the general preferred working hours set out in the previous FBC response to ExQ1 Q1.1.5b [REP3-082], which were 08:00–18:00 (Monday–Friday) and 08:00–13:00 (Saturday), with no works on Sundays or Bank Holidays. The requirement for start-up and set down periods should be included within these operating hours for sensitive human and environmental receptors. Locations for holding areas outside the zone of sensitive receptors for delivery/machinery/plant should also be identified.	The Applicants refer FBC to their response to ExA Question 2:14.1.4 (REP5-130), which sets out their position on working hours in full.
DCO Q1:3.12f	Requirement 14 – Construction hours	FBC considers that as drafted, clauses c) to f) in 14(2) is ambiguous as they could suggest	The Applicants have amended Requirement 14 of the draft DCO (REP5A-018) to remove clause (c), (d) and

Reference	ExA Question	IP submission	Applicants' response
	f) Do the local authorities have any outstanding comments on this requirement, including any suggested alternative drafting should any concerns remain?	that out-of-hours work may be allowed for all of the landfall works, Blackpool Airport works, etc. The wording needs to be clarified to relate more closely to the activities specified in clause 14(2)a) only. FBC has discussed this matter with the Applicants and understands that they will amend the drafting to improve the preciseness of these clauses.	(e). The Applicants position is that Requirement 14 is now sufficiently precise.
DCO Q1:3.14	Requirement 16 – Restoration of land used temporarily for construction The applicants have made further amendments to this requirement at D4 [REP4-008]. a) Is FBC and LCC content with the revised wording? If not, what potential drafting changes are suggested? b) What further measures and drafting be provided to resolve the concerns of FBC and Lancashire County Council in paragraphs 3.2 and 3.3 of [REP-136]	With regards to Requirement 16, FBC does not consider that the revised wording fully addresses the concerns raised. The current drafting lacks clarity on timing, standards, and enforcement. FBC recommends updates are made with regards to the following: - Restoration Timeframe: Restoration of temporarily used land should be completed within 6 months of the cessation of construction activities, unless otherwise agreed in writing with the Local Planning Authority. - Two schemes: The Applicants should provide a greater level of detail within their current submissions regarding the proposed and anticipated timing of the two schemes and whether the works would be concurrent or sequential. Only with this information can informed decisions on the timing of and requirements of restoration be made. - Pre-Commencement Restoration Management Plan: A Restoration Management Plan should be submitted and approved prior to commencement. This plan should set out soil handling and	The Applicants note this was discussed during Issue Specific Hearing 4 Day 2 (S_D6_13) and have engaged with FBC on this Requirement and are awaiting feedback. The concerns raised at July hearings related to ensuring this requirement allowed for flexibility where sequential construction takes place but with a small gap such that in certain locations it may not be appropriate for the first project to remediate or restore, for example, accesses. Therefore, the wording now allows for the undertaker and relevant planning authority to agree an alternative restoration period. The Applicants also stated that they would make updates to ensure that it is clear on the face of the drafting that undertaking of restoration is clearly tied to the reinstatement measures included in management plans approved under other requirements, hence the drafting was updated to cross refer to Requirement 6 (landscaping), Requirement 8 (Code of Construction Practice – which includes the outline Soil Management Plan) and Requirement 12 (Ecological Management Plan). To respond to the specific points raised: Restoration time frame:

Reference	ExA Question	IP submission	Applicants' response
		reinstatement methods, hedgerow and vegetation reinstatement specifications, drainage reinstatement measures, and monitoring and reporting arrangements. - Monitoring and Reporting: The applicant should carry out post-restoration surveys and submit a restoration completion report to the Council within 3 months of restoration works. This should include photographic evidence, soil condition assessments, and confirmation of hedgerow and vegetation reinstatement. - Rolling Reinstatement and Species Matching: Where hedgerows or trees are reinstated, the species mix should match the original composition as closely as possible. Any failed planting should be replaced in the next available planting season, with a rolling 10-year management period applied to ensure establishment. - Council Oversight and Enforcement: FBC should retain the right to inspect restored areas and require remedial works if standards are not met. This ensures that restoration is not only completed but also maintained to an acceptable standard.	The Applicants maintain that 12 months is reasonable. The drafting of this requirement aligns to Article 29 (temporary use of land for carrying out the authorised development) of Schedules 2A and 2B of the draft DCO (REP5a-018) which also provides a 12 months (unless otherwise agreed) period for restoration of land. In addition, 12 months is a standard period included in DCOs for restoration. 6 months would be unprecedented and there is no justification to reduce this period to 6 months for these projects. Especially as some areas will be more complex to reinstate than others and 6 months will not be sufficient. Two Schemes: The Applicants have already provided detailed responses on this. In particular, see the Applicants response to the Examining Authority's written question Q2:1.1.1 (REP5-130). The Applicants would also flag that they made further updates at Deadline 5 with regards to the setting up of a Construction Coordination Working Group (CCWG) which is secured through Requirements 6, 8, 9, 11 and 12 of Schedules 2A and 2B of the draft DCO (REP5a-018). The CCWG will provide a forum for post-consent engagement between the Applicants and the local planning authorities, to ensure consideration is given to the potential for coordination (where appropriate) between the projects. This will also ensure that the planning authorities are engaged, and can provide input, throughout the Applicants' process of preparing information to discharge requirements of the made Order. In particular, the CCWG will facilitate discussion of detailed management plans and enable feedback on how comments have been addressed between each of the Applicants, specifically in the context of Requirement 25 (onshore collaboration) in Schedules

Reference	ExA Question	IP submission	Applicants' response
			2A and 2B of the draft DCO (REP5a-018), which applies to any plan, scheme, details or document that each undertaker has to submit to the relevant planning authorities under the requirements. Minor amends were made to Requirement 25 at Deadline 5 to clarify this. The Applicants have also updated Requirement 25 of Schedules 2A and 2B of the draft DCO (C1/F09) to confirm that when the undertaker submits any information for approval under the requirements this must include a statement setting out how the other undertaker's comments have been taken into account and if they have not, the statement must explain why not. Pre-commencement Restoration Management Plan: The Applicants maintain that the relevant controls around restoration are already included in the code of construction practice, soil management plan, landscape management plan and ecological management plan and therefore a separate management plan is not required. CoT84 states - An Outline Code of Construction Practice (CoCP) has been prepared and submitted with the application for development consent. Detailed CoCP(s) will be developed in accordance with the outline CoCP. In order to manage impacts to field drainage, the outline CoCP stipulates field drainage plans will be developed in consultation with the relevant landowners. If required, additional field drainage will be installed to ensure the existing drainage of the land is maintained during and after construction. In addition Section 1.7.13.8 of the outline Code of Construction Practice (REP5-044) states - reinstatement of land drainage systems, where necessary post construction drains may be installed, typically parallel to the onshore cable corridor.

Reference	ExA Question	IP submission	Applicants' response
			The Applicants note that they have strengthened the controls in relation to tree and hedgerow removal and retention through submission of an outline Arboriculture Method Statement (REP5-144) and updates to the outline Ecological Management Plan (REP5-069) at D5. Requirement 16 of Schedules 2A and 2B of the draft DCO (REP5a-018) already ensures compliance with these controls as reinstatement must be undertaken in accordance with the details approved under Requirements 6, 8 and 12 as set out above. Monitoring and reporting: As noted above, controls are already included within the outline Soil Management Plan (REP5-059), outline Landscape Management Plan (REP5-062) and outline Ecological Management Plan (REP5-069) and will be further developed post consent through discharge of Requirements 6, 8 and 12. Rolling Reinstatement and Species Matching: Requirement 7 (implementation of landscaping) of Schedules 2A and 2B already provides for any tree or shrub planted as part of an approved landscaping scheme to be replaced where they die or become severely damaged or diseased to be replaced with same species on a five year rolling basis. The outline Landscape Management Plan (J2/F05) has been updated to provide further clarity around the duration of management measures. Section 1.5.1.2 confirms that landscape management measures within the onshore export cable corridor and 400kV cable corridor will be carried out for a maximum of 10 years. At the substations landscape management measures will be carried out for a minimum of 10 years with the expectation that this will be carried out for the operational lifetime of each substation. Council Oversight and Enforcement: The Applicants consider that the council already has sufficient

Reference	ExA Question	IP submission	Applicants' response
			oversight and enforcement powers through requirements 6, 7, 8 and 11 of Schedules 2A and 2B of the draft DCO (REP5a—018). A broad, general right to inspect restored areas and require remedial works across the Order limits isn't necessary. Where land has been restored in agreement with individual landowners and then handed back to them, the Applicants will in most cases have limited control with regards to access and how the landowner uses its restored land in the future.
DCO Q1:3.15	Requirement 18 – Control of noise during the operational stage This requirement has been wholly re-drafted at D4 [REP4-008]. a) Is FBC content with the revised wording in both Schedules 2A and 2B? If not, what potential drafting changes are suggested? b) What would the process and procedures be for monitoring operational noise levels and any complaints through the lifespan of the proposed substations, including provision that may need to be made for any further noise attenuation and mitigation?	FBC has made recommendations with regards to the redrafting of Schedules 2A and 2B in the response to Q2:14.1.1 (also submitted in this response). FBC requires that the requirement to agree an Operational Noise Management Plan is reinstated to clarify the monitoring procedures. If this monitoring determines that the noise limit represents a breach of the noise limit set out in the requirement, this will constitute a breach of the requirement which would need to be remedied and therefore it is not considered necessary to specify provisions for further mitigation.	The Applicants have already updated the noise requirement to provide for a scheme of management and monitoring at Deadline 5 (see Requirement 18 of Schedules 2A and 2B of the draft DCO (REP5a-018)). The Applicants had a meeting with FBC on Monday, 6th October and FBC confirmed agreement on noise matters including the drafting of this requirement. This was confirmed and is reflected in the SoCG submitted by the Applicants to the ExA on 6.10.25 (AS-089).
DCO Q1:3.17	Requirement 20 – Operational drainage management plan a) This requirement needs amendment to only refer to the lead local flood authority as discussed at ISH3 [REP4-106]. b) Notwithstanding the above, do LCC and FBC have any remaining concerns	FBC considers that the Outline Operational Drainage Management [REP4-065] is lacking in details of the flood mitigation measures of the substantial detention basins and the extensive potential BNG opportunities. FBC notes that Lancashire County Council as the Lead Local Flood Authority would be responsible for approving details relating to this matter but requests that FBC and Parish	The Applicants note that the Outline Operational Drainage Management (REP4-065) provides an outline drainage strategy at this stage. Further details will be provided during detailed design including the attenuation pond designs and whilst aiming to maximise biodiversity benefit in line with the recent National Standards for Sustainable Drainage Systems (SuDS) published by the Department for Environment, Food & Rural Affairs (DEFRA) in June 2025

Reference	ExA Question	IP submission	Applicants' response
	about the responsibility for approval of this plan?	Councils are secured as a consultee within the outline plan.	Requirement 20 of the draft DCO (REP5-010) was updated at Deadline 5 to reflect that the detailed Operational Drainage Management Plans will be submitted to and approved by relevant local planning authority in consultation with the lead local flood authority, the highway authority, and the Environment Agency as appropriate.
DCO Q1:3.19	Requirement 25 – Onshore collaboration a) In the event of overlapping construction work programmes between the two projects (which is understood to be a possible scenario), do definitions of “sequential” and “concurrent” construction need to be provided or alternative wording to cover an overlapping scenario? b) What progress has been made between the applicants and FBC regarding the Council's concerns about collaboration at D4 [section 2.1 of REP4-134]? c) Do the local authorities have any outstanding comments on the drafting of this requirement, including any suggested alternative drafting should concerns remain?	Whilst FBC has engaged with a proactive and busy programme of meetings and exchanges of information with the Applicants since Deadline 4, matters relating to Onshore Collaboration and Requirements 25 have not been discussed any further. FBC is not aware that the Applicants are planning any updates to both Requirements 25. FBC therefore maintains the position set out in Section 2.1 of its 'Response to matters raised at the Specific Hearings for Deadline 4' [REP4-134].	This is noted. The Applicants also refer to their updates set out above (see row Q1:3.14) concerning the CCWG. The Applicants consider that the minor tweaks made to this requirement at Deadline 5 together with the commitment to a CCWG provide for robust and sufficient controls for post consent collaboration secured through the DCO. However, the Applicants have subsequently received a request from FBC in response to ISH4_37.2 for further clarification regarding the Construction Coordination Working Group. In response to this, the Applicants have updated the Construction Coordination Working Group text in the following management plans: - Outline Code of Construction Practice (REF) - Outline Construction Traffic Management Plan (REF) - Outline Ecological Management Plan (REF) - Outline Landscape Management Plan (REF) - Outline Written Scheme of Investigation (REF) The Applicants have also updated Requirement 25 of Schedules 2A and 2B of the draft DCO (C1/F09) at Deadline 6 further to ongoing discussions with Fylde Borough Council and Lancashire County Council's deadline 5 submissions. Requirement 25 of Schedules 2A and 2B of the draft DCO (C1/F09) confirms that when the undertaker submits any information for approval under the requirements this must include a

Reference	ExA Question	IP submission	Applicants' response
			statement setting out how the other undertaker's comments have been taken into account and if they have not, the statement must explain why not. No further amendments are proposed as it is important that the appropriate balance is struck between ensuring each project retains flexibility to implement independently (as previously explained) and there is provision for post consent collaboration in a positive but not overly restrictive or onerous manner. The Applicants considers its approach to be proportionate. Further details were set out in response to EXQ2.1.1.1 (REP5-130).
DCO Q1:3.20	Requirement 26 – Biodiversity benefit The applicants explain in the Explanatory Memorandum [REP4-009] that this newly drafted requirement is being offered on a without prejudice basis subject to compulsory acquisition powers being granted for the biodiversity benefit areas. a) Are the local authorities and parish councils' content with the revised wording? If not, what potential drafting changes are suggested? b) Can the applicants explain how the biodiversity benefits would be implemented for the proposed development and how this would be enforced?	FBC considers that the proposed wording for Requirements 26 would not be effective in ensuring that the relevant biodiversity benefit is delivered. As worded, it only requires written evidence to be submitted to the relevant planning authority prior to commencement. There is no control over content or approval. FBC also notes that neither the draft requirements nor the Biodiversity Benefit Statement [REP4- 066] include information with regards to the availability of land and any assumptions or commitments made with regards to Compulsory Acquisition. FBC is of the option that the requirements should be updated to require approval and to restrict commencement of operation until approval is confirmed. Similarly, FBC considers that appropriate updates should be made to set out the approach with regards to Compulsory Acquisition.	Please refer to the response at row Q2:6.2.4 above.

Reference	ExA Question	IP submission	Applicants' response
DCO Q1:3.21	Suggested additional requirements In response to ISH3.35 of the hearing action points [REP4-108], the applicants set out their response to several additional requirements that have been suggested by the local authorities. Are the Councils satisfied with the responses provided to each of these suggested requirements? If not please provide justification for your position and suggested drafting of any additional requirement that you still consider to be necessary?	FBC requested that an assurance protocol is secured through the DCO with regards to surface water and groundwater management, as well as hydrogeological risk assessment, specifically with regards to the Sand Dunes within the Order Limits. FBC notes the inclusion of relevant management plans in points (i) and (o) of the dDCO. The principle of this approach is supported but FBC refers to its previous and new submission relating to these matters, including the specific content of the management plans. FBC also notes outstanding concerns from Natural England relating to these same topics, notably summarised in the Natural England Risk and Issues Log [REP4-139].	The Applicants can confirm that an Outline Surface Water and Groundwater Management Plan (REP4-044), which is an appendix to the Outline Code of Construction Practice (oCoCP) (J1/F05), has been submitted as part of the Application, which provides the necessary protections. This is secured by Requirement 8 within Schedules 2A & 2B of the draft Development Consent Order (REP5a-018). Detailed CoCP(s) (and therefore detailed Surface Water and Groundwater Management Plans) will be implemented by the Applicants as approved by the Relevant Planning Authority in consultation with relevant stakeholders, as appropriate.
DCO Q1:5.2	Schedule 12(6) – Fees During the discussion of fees at issue specific hearing 3, the applicants confirmed that it is their intention for a planning performance agreement (PPA) to be put in place with FBC to fund officer time. a) Does FBC consider this to be an appropriate way to fund the Council's processing of formal applications through the Development Consent Order or should Schedule 12 include specific fees to cover the likely cost of processing applications (not including any pre-application discussions that might also be potentially subject to a PPA)?	FBC maintains its position that fees should be specified within part 6 of Schedule 12, noting that some other recently made DCOs include the same, for example for Heckington Fen Solar Park [EN010123]. FBC is open to considering alternative suggestions from the Applicants with regards to a more detailed breakdown of fee amounts for subsequent applications relating to the same requirements. However, FBC wishes to clarify that other mechanisms, whether through a PPA, s106 or otherwise, will be necessary to secure funding for officer time. FBC is in ongoing discussions with the Applicants with regards to specific contributions for operational and monitoring purposes across countryside/ coastal /planning functions for 4 PPO level post for day-to-day	The Applicants can confirm that Schedule 12(6) has been updated in the draft Development Consent Order (C1/F09) at Deadline 6 to reflect the structure within the Heckington Fen Solar Park Order 2025 as requested by Fylde Borough Council. The Applicants confirmed at the July hearings that they will enter into post-consent PPAs with the local planning authorities to ensure adequate funding for officer time (see para 172 of REP4-106).

Reference	ExA Question	IP submission	Applicants' response
	b) Can the applicants provide an update on progress being made with this matter and a timetable for the completion of any necessary agreement. c) If no agreement is reached before the end of the examination, do the applicants agree that revised fees should be included in Schedule 12(6)?	monitoring and management requirements. With specific requirements for PPA related funding for discharge (Development Management) functions.	
DCO Q1:5.3	Comments on drafting Do any of the Councils have any remaining outstanding concerns regarding the content of Schedule 12?	FBC has no further comments to make with regards to Schedule 12 at this time, with the exception of those made in response to Q1:5.2 above.	Noted.
ExQ2 Q2:13.1.1	Engagement and statements of common ground The ExA notes the schedule of meetings on landscape and visual matters, as well as green belt matters, set out in [REP4-110]. Subsequently, the ExA looks forward to the receipt of the applicants updated Outline Design Principles and relevant Statements of Common Ground (SoCG by deadline 5 (22 September 2025) as set out in the schedule. The SoCGs should include (as well as matters of agreement) any matters that remain in disagreement between the parties, along with explanation and justification for the positions taken. It should include matters concerning the Landscape and Visual Impact Assessment, outline Landscape Management Plan [REP4-054] and the applicants Green Belt Technical Note [REP4-092].	FBC has been working proactively with the Applicants, officers and consultees to progress matters relating to the preparation of the draft Statement of Common Ground. This work has included a significant number of topic-specific meetings with the Applicants' team, as well as regular meetings with its Consultative Group of Councillors. FBC understands that the Applicants will submit a copy of the agreed draft SoCG at Deadline 5. This will include areas of agreement and disagreement, in addition to comments on anticipated further progress up until Deadline 6. As a general comment, FBC officers and advisors has noted a change in the approach and emphasis from the Applicants in the latest round of discussions which is welcomed.	The Applicants thank FBC for their proactive approach in progressing matters associated with the preparation of the Statement of Common Ground. The Applicants can confirm that they submitted an updated Statement of Common Ground to the ExA on 6 October, which was subsequently accepted and published on 14 October 2025 (AS-089).

Reference	ExA Question	IP submission	Applicants' response
ExQ2 Q2:13.1.5a	Design review process, consultation and engagement a) What is the latest position of the parties regarding the possibility of an independent design review process for the proposed onshore substations?	FBC recognises the value that an independent design review process can add and noted national advice and guidance on this matter. The design of the substations and associated landscaping is certain to raise a significant amount of local interest and engagement. A significant level of local engagement is needed, this will also be influenced by wider social, environmental and economic matters at such a time when the proposals for either substation come forward. However, the principle to independent design and review processes is noted as is the output of an independent design review process which has material weight and sets an important precedent.	The Applicants note FBC's commentary regarding the value that an independent design review process can add, and their acknowledgement of relevant national advice and guidance on this matter. The Applicants reaffirm their commitment, as stated at Deadline 5 in response to this ExQ, to continued engagement with FBC as part of the post-consent design process as agreed during the Statement of Common Ground discussions between Deadlines 4, 5 and 6. The Applicants confirm that the final outline Design Principles (oDP) (J3/F03), submitted at Deadline 6 has been prepared in consultation with FBC, establishing clear governance protocols and processes to support FBC in discharging Requirement 4 of Schedules 2A and 2B of the draft DCO (REP5a-018) in relation to substation design. This includes enhanced Project-Level Design Principles and Design Codes following further discussions with FBC since Deadline 5 and ISH4. On this basis and reflecting FBC's position as recorded in the final Statement of Common Ground at FBC.OMLP.9, a formal Independent Design Review (IDR) is not presently considered necessary by either FBC or the Applicants. FBC agree with the Applicants that should an IDR be deemed appropriate, this would be agreed jointly following the grant of consent and subject to further discussion, rather than being imposed upon the Council. FBC further considers the Applicants' commitment to the appointment of Design Champions to be a material component of the design governance approach, allowing the nature and extent of stakeholder

Reference	ExA Question	IP submission	Applicants' response
			engagement to be determined by the Council in consultation with the Applicants.
ExQ2 Q2:13.1.5c	Design review process, consultation and engagement c) Bearing in mind the National Infrastructure Commission Design Group's "Design principles guide for national infrastructure" (with specific reference to "people" and "places", detail the measures that would be taken and secured to ensure that there would meaningful community and interest group engagement and involvement in the ongoing substation and substation landscaping design process? Is additional drafting needed to secure this?	FBC considers that additional drafting is required. There is a requirement in the guide to developing a truly inclusive and accessible design that is sympathetic to the social and community context in which it will operate and to serve as an active steward for the local landscape, prioritising nature-based solutions and boosting a local sense of identity. FBC retains its position as amplified in our relevant representations that this project has been guided by NESO/HDR into solution very early in the process, which has limited its ability to demonstrate the comparison of alternative sites robustly, and/or different delivery scenarios which could have anchored the preferred proposal within its landscape context and support a design narrative which is relevant to the local environment and truly reflects and addresses the concerns of the communities which would be affected. It must be demonstrated by the Applicants that the design principles being developed are more than just the iteration of earlier guidelines burdened by excessive commercial considerations and that the Applicants can guarantee the provision of tangible benefits to people and places affected by the proposal. The removal of certain caveats and the establishment of a working group of key stakeholders, landscape design and ecological professionals and the Applicants' Design Champion would be instrumental in ensuring this is achieved from the earliest stages of	The Applicants acknowledging FBC's comments regarding additional drafting of the Projects' Project Level Design Principles and Design Codes; noting that the Applicant have been refined and expanded through ongoing engagement since Deadline 5 and ISH with FBC and other stakeholders to ensure that they provide a strong foundation for delivering high-quality, contextually responsive design, and are not burdened by excessive commercial considerations. The Applicants refer to the final version of the oDP (J3/F03), in this regard, which has been submitted at Deadline 6. Furthermore, the Applicants recognise the value of continued collaboration and remain committed to maintaining a design governance structure that includes Design Champions and supports ongoing engagement with key stakeholders and relevant technical disciplines. This process will ensure that design quality, community sensitivity, and environmental enhancement remain integral to the evolution of the detailed design, including the development of future maintenance and management regimes. Regarding FBC's comments on the site selection process, the Applicants note that the identification of suitable substation sites and cable corridors was informed by a robust and proportionate alternatives assessment, as documented within the Environmental Statement and the Application, supported by technical, environmental, and deliverability criteria consistent with the requirements of the EIA Regulations.

Reference	ExA Question	IP submission	Applicants' response
		design, through to the establishment of the ongoing maintenance regimes.	
ExQ2 Q2:15.1.2	Approving authority Please provide an update on discussions between the Councils as to which one will be the single approving authority for the OESP under Requirement 19 of the dDCO [REP4-007].	A report by the Director of Planning and Building Control at FBC is to be taken to the Fylde wide Joint Economic Prosperity Board on 25th September 2025. This report references progress with the Morgan & Morecambe Transmission Cable NSIP application and recommending EPBs ongoing involvement in the monitoring and management of Section 106 and Outline Employment and Skills Plan. The report also notes FBC's continued role, as the LPA, in taking the lead on negotiations and agreements as the Relevant Planning Authority for the Fylde in respect to the DCO Requirements 19 and other requirements/agreements. Confirmation will be provided after the meeting on 25th September 2025, either at Deadline 6 or beforehand as appropriate.	The Applicants note this update and have amended Requirement 19 of Schedules 2A and 2B of the draft DCO (C1/F09) at Deadline 6 to reflect FBC will be the discharging authority.
ExQ2 Q2:15.1.8	Councils' further comments Both Councils made further representations at D4 but at that stage, there was an expectation that a detailed report on the impacts at a local level on the tourist trade would be provided. This has not occurred. Do the councils wish to add anything further notwithstanding that no further evidence has been provided by the applicants?	FBC have had a series of topic-specific meetings with the Applicants, including with regards to tourism. FBC have provided verbal and written comments to the Applicants with regards to this matter since Deadline 4. FBC understands that the Applicants will be submitting an updated detailed report including details of local impacts. FBC will review and comment on any such information once it is submitted. Until then, FBC maintains its position as set out in its most recent formal submissions to the examination.	The Applicants and FBC have been proactively engaging on the topic of Tourism and can confirm that an updated Local Tourism Report (S_D5_8/F02), was submitted to FBC on 17 October 2025.

Reference	ExA Question	IP submission	Applicants' response
ExQ2 Q2:14.1.1	Operational Noise Management Paragraph 1.8.7.7 of the Outline Code of Construction Practice [REP4-027] has been updated. It is noted that Operational Noise Management Plan(s) for the substation(s) are no longer proposed. CoT80 has also been updated, and limits and monitoring are now secured via the Requirement 18 (Control of noise during operational stage) of the DCO Schedules 2A & 2B. Please comment on this change. Do you consider that Operational Noise Management Plan(s) for the substation(s) might still be required.	The previous wording of Requirement 18, requiring a noise management plan to be submitted and approved prior to operation of either substation, has been replaced by a commitment to achieve a certain noise limit at a representative location closest to each of the substations. FBC accepts that the noise limits specified in the revised wording of Requirement 18 of the DCO Schedules 2A & 2B are in line with the limit of less than 5 dB above background which was confirmed as acceptable in FBC's response to ExQ1 Q14.1.5 [REP3-082], and represents an explicit noise limit as requested in the same response. However, the Operational Noise Management Plan provided a way to specify and agree a post-construction operational noise monitoring plan and complaints response procedure. In contrast, the current requirement wording specifies that noise levels "are to be measured", using a standard procedure, but it is not clear when and where these measurements should be undertaken. For example, this could be interpreted to suggest that operational noise should be measured continuously or on an ongoing basis, which may not be feasible in practice. It would therefore be beneficial for all parties to reinstate, within Requirement 18, the need to agree an Operational Noise Management Plan which would clearly set out the monitoring scheme and complaints procedure response. The Operational Noise Management Plan could also set out the noise attenuation and mitigation	The Applicants have already updated the noise requirement to provide for a scheme of management and monitoring at D5 (see Requirement 18 of Schedules 2A and 2B of the draft DCO (REP5a-018). The Applicants had a meeting with FBC on Monday, 6 October and FBC confirmed agreement on noise matters including the drafting of this requirement. This was confirmed and is reflected in the SoCG submitted on Monday 6 October 2025 and again at Deadline 6 (AS-089). Further, the Applicants have updated the wording of CoT 80 for clarity further to Issue Specific Hearing 4.

Reference	ExA Question	IP submission	Applicants' response
		measures to be taken to achieve the specified noise limit, to provide more reassurance and clarity of the measures that have been employed. Commitment CoT80 should be clarified accordingly.	
ExQ2 Q2:14.1.3	Complaints procedure Noting the updates to the Outline construction noise and vibration management plan [REP4-033]. a) Please describe the complaints procedure for noise issues during construction, including response times and escalation protocols. b) Do you consider proposed mitigation and control measures in the plan to be adequately defined?	The wording of the Outline Construction Noise and Vibration Management Plan [REP4-033], with regard to the investigation of complaints and noise monitoring appears generally consistent with the level of detail expected for an outline document. However, FBC has considered additional aspects that should be developed further: • Consideration of specific mitigation, engagement/communication measures and/or noise criteria applicable for the Century Care Home due to its acknowledged higher sensitivity. • The SOAEL criteria set out in Table 1.4 of the Outline Construction Noise and Vibration Management Plan could be further specified as set out in the Applicant's response to ExQ1 Question 14.1.12 [REP3-056], but with consideration of more stringent criteria for the Century Care Home as noted above. • Consideration of the need for vibration monitoring for specific activities (such as piling), should they be undertaken in such proximity to sensitive receptors as to be a potential source of complaint, as set out in section 1.5 of the Outline Construction Noise and Vibration	The Applicants welcome FBC's feedback on the level of detail contained in the Outline Construction Noise and Vibration Management Plan (oCNVMP) [REP4-033] with regard to the investigation of complaints and noise monitoring. With regard to the additional aspects, the Applicants confirm that these matters were discussed with FBC in SoCG meetings held on 4 September 2025 and 15 September 2025. Following these discussions, the Applicants included the following updates to the oCNVMP at Deadline 5 (REP5-054): • Specific consideration regarding the control of noise and vibration at receptors identified either in APP-117 as having increased sensitivity or requiring receptor specific mitigation. This includes Century Care Home. (Section 1.4.4 of REP5-054). • More stringent construction noise SOAEL criteria for Century Care Home proposed, taking increased sensitivity into consideration. Actual SOAEL to be applied at this receptor will be confirmed in Detailed Construction Noise and Vibration Management Plan (Table 1.4 of REP-054). • Requirement for construction vibration monitoring at receptors where a risk of adverse construction

Reference	ExA Question	IP submission	Applicants' response
		Management Plan. However, FBC acknowledges that this is unlikely based on the current assessment.	vibration impacts to be identified during detailed design (Paragraph 1.7.1.2 of REP5-054).

Table 2-3: AS-084 – Fylde Borough Council (Update Note on the Fylde Economic Prosperity Board & Section 106 Matters)

Reference	IP submission	Applicants' response
AS-084 084.1	The Fylde Economic Prosperity Board, constituted under the 1972 Local Government Act covering Fylde, Wyre and Blackpool Local Authorities has agreed at its meeting on the 25th September 2025 to undertake monitoring and oversight of Section 106 contributions and Community Benefit matters including the Skills and Workforce Action Plan for the Morgan (Project A) & Morecambe (Project B) Windfarms & Transmission Cables and confirmed Fylde Borough Council should also acting as the “Relevant Local Planning Authority” for all matters relating to Section 106 and Community Benefits. The report and minutes can be viewed here; <i>Economic Prosperity Board minutes 25/09/2025</i>	The Applicants note the response.
AS-084 084.2	Fylde Borough Council {FBC} has also written to the Applicants requesting several matters be considered for Section 106 Agreement as they directly relate to the development proposals and not via voluntary community benefit contributions as suggested by the Applicants. These include; • O&M1-Funding of operational and monitoring staff for 4 Posts relating to the following- 2 X Countryside/Coastal Ecological Monitoring and Development Work; 1 Planning-Environmental Monitoring and Enforcement officer; 1 Planning Officer for Monitoring and Enforcement. • EC1-Fairhaven Saltmarshes-Fairhaven Saltmarshes as habitat mitigation even for temporary measures requires substantial investment to reduce disturbance on the marshes-requiring	The Applicants position is that seeking to include these items in a s106 Agreement which is focused on delivery of the Blackpool Road Recreation Ground mitigation (as identified as necessary mitigation in the Environmental Statement) does not comply with Regulation 122 of the Community Infrastructure (CIL) Regulations 2010 or the tests at paragraph 57 of the NPPF. These require consideration of what is fair and reasonable based on the circumstances of this s106. This involves consideration of the planning obligations that are necessary, which in this case is to ensure necessary mitigation is secured for Blackpool Road Recreation Ground which cannot otherwise be secured through the management plans and requirements of the DCO. . In terms of the specific schemes and initiatives that FBC have listed, the Applicants have outlined below where the following items are already covered by other requirements of the draft development consent order, and these are not required to be secured as part of the s106 in order to mitigate any residual EIA impacts.

Reference	IP submission	Applicants' response
	fencing/signage/monitoring/community educational and extensive community engagement. • Turning Tides Programme FBC and Blackpool Council do not accept this should be left to community benefits. Impacts on water quality through sediment disturbance and disruption, requiring specific and specialised monitoring and corrective mitigating actions, therefore should be captured as a Section 106 matter. • EC2-The same principles apply to the Clifton North Road Dunes systems, with the potential for significant adverse effects requiring specialist monitoring and an implementation/ mitigation plan secured via Section 106. • EC3-Tree and Hedge line Replacement and Corridor Enhancement Programme. Directly related to development as shown negative impacts in evidence presented at DL5 and reduction of habitat loss dislocation/connectivity and ecological impacts caused directly by development, applicable to Fylde and South Ribble. • SE1-Skills and Workforce Plan. Welcome the Applicants commitment, however its requirements should be secure through Section 106 rather than other mechanisms.	O&M1-Funding of operational and monitoring staff - Notwithstanding the more specific responses below, the Applicants are committed to entering into post-consent PPAs which would provide for monitoring and enforcement officers. In light of the fact the current PPA is agreed, the Applicants do not envisage there would be much negotiation required and these would be quick to update and enter into post-consent. EC1-Fairhaven Saltmarshes- The implementation of the mitigation measures at Fairhaven Saltmarsh is secured via Requirement 12 of Schedules 2A and 2B of the draft DCO (REP5a-018). This requirement secures that the Applicants will prepare detailed ecological management plans (EMP) which aligns with the outline EMP. The latest draft of the oEMP is in the examination library with reference REP5-068. Section 1.9 sets out the monitoring and reporting measures which would form the basis of the detailed EMPs. In addition, Appendix B, Section B2.1.2 states that the measure that will be included at Fairhaven Saltmarsh will be informed by the findings of a site specific recreational disturbance survey of Fairhaven Saltmarsh and the surrounding area. These detailed plans must be approved by the relevant planning authority before the requirement can be discharged. Turning Tides Programme- The Applicants would note that there are no likely significant impacts on water quality in the assessment. Condition 18(1)(f) in Schedule 14 and Schedule 15 of the draft DCO (Deemed Marine Licences 1 and 2) (REP5a-018)secures: (f) an offshore environmental management plan covering the period of construction and operation to include details of— (i) a marine pollution contingency plan to address the risks, methods and procedures to deal with any spills and collision incidents during construction and operation of the authorised scheme in relation to all activities carried out; As this is secured in the deemed marine licences, this information must be provided to and approved in writing by the MMO, in consultation with Trinity House, the MCA and the UKHO as appropriate. In addition, funding a general water quality improvement programme would be unrelated to the project's impacts and not relevant to a S106 agreement. However, such initiatives may be considered separately under the community benefit fund.

Reference	IP submission	Applicants' response
		The project's community benefit funds will be aligned with DESNZ Guidance on Community Funds for Transmission Infrastructure. EC2 - This is secured via requirement 12 of Schedules 2A and 2B of the draft DCO (REP5a-018) which is secured, discharged and monitored as set out above and Requirement 8(q) of Schedules 2A and 2B of the draft DCO (REP5a-018), which requires the Applicants to prepare a detailed landfill construction method statement, which must accord with the principles of the outline landfill construction method statement (S_D\$_11/F02), for approval by Fylde Borough Council as the relevant planning authority. The outline landfill construction method statement sets out principles to ensure that the sand dune system is not impacted. EC3 - This is secured via requirement 12 of Schedules 2A and 2B of the draft DCO (REP5a-018) which is secured, discharged and monitored as set out above and Requirement 8(r) of Schedules 2A and 2B of the draft DCO (REP5a-018) which requires the Applicants to prepare detailed arboricultural method statement(s), which must accord with the principles of the outline arboricultural method statement (S_D5_10/F02) for approval by the relevant planning authorities Fylde Borough Council as the relevant planning authority. SE1 - This is secured via Requirement 19 of Schedules 2A and 2B of the draft DCO (REP5a-018), which secures the preparation of a detailed employment and skills plan, in accordance with the outline employment and skills plan (J31/F04). The detailed employment and skills plan will be discharged by Fylde Borough Council.



Final Position Statement

Morgan & Morecambe Transmission Cables Examination

IP Reference-20053931

October 2025

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1. Introduction and Approach

- 1.1.1 Fylde Council [FBC] is a statutory consultee and Interested Party for the proposed Morgan and Morecambe Offshore Wind Farms Transmission Cables proposal.
- 1.1.2 This Final Position Statement [the Statement] has been prepared for submission at Deadline 7, this being the final Deadline [DL] of the Examination.
- 1.1.3 In preparing this Statement in accordance with Section 60(3) of the Planning Act 2008 (as amended), FBC has shown due regard to relevant guidance, including the 'Nationally Significant Infrastructure Projects: Advice for Local Authorities' published by the Planning Inspectorate on 08 August 2024 (updated 16 December 2024).
- 1.1.4 FBC understands that the submission of this Statement is not a formal requirement. However, given the significance, volume and timing of information submitted by the Applicants, as well as the existence of issues which FBC considers remain unresolved, it is considered useful to submit the Statement.
- 1.1.5 The aim of this Statement is to set out a clear position as to the FBC's position on the proposals and its opinion as to what matters would need to happen to make it acceptable, by setting out a clear pathway as to how issues can be resolved where possible.
- 1.1.6 This Statement does not make materially new points but does provide updates where new information has become available, or where progress has been made.
- 1.1.7 This Statement is not intended to be exhaustive, so as not to repeat submission already made. Instead, this Statement should be read alongside the other submissions made by FBC which notably includes:
- Response to Hearing Action Points [REP6-187];
 - Post-hearing Submission [REP6-187];
 - Answers to Examining Authority's Written Questions [REP5-171];
 - Written Statement [REP5-170];
 - Post-hearing Submission [REP4-134];
 - Answers to Examining Authority's Written Questions [REP3-082];
 - Comments on Written Representations [REP2-057];
 - Written Representations [REP1-079];
 - Local Impact Report [REP1-078]; and,
 - Relevant Representations [RR-0705].
- 1.1.8 The creation of this report is the work of the officers of Fylde Borough Council, and no part of this process has been generated by AI.

2 Final Position

2.1 Introduction

- 2.1.1 This section of the Statement is arranged by topic, in a manner consistent with previous written submissions. The grouping of the topics presented is not intended to indicate significance but instead the information has been arranged with the intention to provide a coherent overall explanation, aligned with previous submissions and notably reflecting the topics as presented in the FBC Local Impact Report [REP1-078] [LIR].
- 2.1.2 By organising this Statement in this manner, FBC also intends to demonstrate that FBC has raised issues consistently throughout the Examination, including those matters which FBC considers unresolved at the Examination.
- 2.1.3 As with the LIR, the specific topic sections are followed by comments relating to over-arching issues. It is important that the entirety of this Statement and previous submissions are considered holistically, particularly as many issues are interrelated.
- 2.1.4 FBC also wishes to note upfront in this Statement that a positive, proactive and collaborative approach has been taken throughout the Examination. FBC has proactively engaged with a busy programme of meetings, information sharing and problem-solving, both with the Applicants and other interested parties. This is evident at least in part for each topic, as reflected in the FBC SoCG to be submitted alongside this Statement. The best example of this approach relates to landscape, visual impacts and design – the submission of new and updated documents, notably relating to the Outline Design Principles [Applicants submissions: APP-209; REP5-064; and, REP6-109], where FBC have discussed issues and put significant work into agreeing potential methods for creating post-consent commitments and controls to address these. However, as explained in this Statement and reflected in the FBC SoCG, some issues relate to matters which it is considered could not be resolved through post-consent controls, in a way which meeting the relevant policy tests.

2.2 Site Selection – Green Belt, Landscape and Visual Effects

- 2.2.1 Whilst FBC has previously made comments relating to site selection, Green Belt, and landscape & visual effects separately, as set out below, it is considered that the remaining main issues relevant to these topics are interrelated, with matters relating to site selection being particularly pertinent. This opinion is consistent with the most recent FBC written submissions, notably Section 2 of the FBC Written Statement at Deadline 5 [REP5-170].
- 2.2.2 The ExA confirmed at Issue Specific Hearing 4 that they would not be discussing site selection and Green Belt matters (00:34:26:10 - 00:35:02:00, Transcript of Issues Specific Hearing 4 – Part 1 – October 2025). FBC notes that the ExA confirmed that they were content that they have the relevant information before them to inform a recommendation.
- 2.2.3 However, as reflected in the FBC Statement of Common Ground [SoCG] submitted alongside this submission, FBC and the Applicants have continued to discuss matters relating to these topics. FBC therefore considers it appropriate to provide a summary of its opinion in this regard at this stage, as it builds upon previous submissions, most notably the FBC Written Statement at Deadline 5 [REP5-170]. Indeed, Section 2.1.1 of that statement noted that engagement between FBC and the Applicants was continuing.
- 2.2.4 FBC maintains the view that:
- There is no operational requirement for the close-location of the two substations;
 - There are no mitigation benefits of any relevant impacts and harm would be achieved by the close-location of the substations;
 - The close-location of the substations is not otherwise required or inevitable – the substations could be more separately located;
 - The Applicants have not appropriately considered an approach where the substations would be more separately located; and,
 - It is possible that this approach could result in one or both substations being located outside of the Green Belt.

- 2.2.5 FBC also maintains its position that the relevant guidance, which notably includes the Horlock Rules, does not support or require close-location of independent infrastructure. Indeed, the guidance requires consideration to be given to minimising or appropriately managing potential effects.
- 2.2.6 FBC notes that the Applicants do not consider it necessary to consider more separate locations of the substations. FBC disagrees with this position and considers that the Applicants' assessments are therefore flawed in this regard. FBC considers that the harm is therefore not justified.
- 2.2.7 FBC does not consider that this issue can be appropriately addressed as the issue relates to fundamental features of the proposals, with significant other parts of the proposals built upon the Applicants' selection of the substation sites. The only potential exception to this would be where a retrospective assessment demonstrated that the current proposals were acceptable in this regard.

2.3 Local Tourism

- 2.3.1 As reflected in the FBC SoCG to be submitted alongside this submission, FBC considers that fundamental issues remain with regards to tourism and the related socio-economic impacts.
- 2.3.2 FBC makes specific reference to Section 13.8 of its LIR [REP1-078] which explains concerns about the inadequate assessment in relation to local tourism impacts.
- 2.3.3 FBC notes that the Applicants have provided substantially new and updated information through its first submission of a Local Tourism Assessment at Deadline 5 [REP5-142] which is welcomed and as updated at Deadline 6 [REP6-160].
- 2.3.4 However, FBC regards the Local Tourism Assessment as set out is not consistent and not soundly prepared.
- 2.3.5 The Applicants reference and show reliance on the Glasson Paper (assumed to be either the 2021 or 2022), which firstly oversimplifies its consideration and secondly misrepresents the findings in the Paper. The Paper generally finds that the Applicants do not carry out appropriate assessments, with some of the same criticisms interested parties have made with regards to scope and depth of assessment.
- 2.3.6 The BiGGAR reference was prepared by a private consultancy on behalf of an applicant for an OWF. Additionally, it has not been peer reviewed or provided any other relevant assurances.
- 2.3.7 In FBC's view, the Applicants' Local Tourism Assessment relies heavily upon these sources in seeking to justify that there would be no significant impacts on tourism and economy more generally, resulting from the proposed development. FBC considers that this position as not justifiable.
- 2.3.8 Regardless, FBC is also concerned that it has not been possible for a properly informed assessment to inform the assessment as it has been prepared and submitted late into the Examination.

- 2.3.9 Whilst FBC Tourism and Visitor officers have engaged with the Applicants, its late submission including important information has not provided the opportunity for interested parties and the wider tourism sector and hospitality businesses, to properly engage, review and comment upon these submissions. The result is that any remaining points on its inadequacy and insufficient details have not benefited from the opportunity to address issues/concerns in the time available, thereby having ineffective influence over the proposals, as well as design of mitigation and commitments.
- 2.3.10 FBC is concerned that the likely impacts arising on tourism have not been properly presented and assessed. As set out in all relevant written submissions, including at the beginning of the Examination through the LIR [REP1-078] and as per Strategic Policy EC6 of the Fylde Local Plan to 2032 [FLP] and its supporting text, tourism is an important industry, accounting for 1 in 10 jobs.
- 2.3.11 FBC considers that these issues cannot now be dealt with effectively as part of this Examination. Local businesses, residents, the impacted Authorities as well other interested parties should be provided with the opportunity to review and comment upon a proper assessment, and the proposals must appropriately respond to these matters.

2.4 Ecology and Biodiversity

- 2.4.1 As reflected in the FBC SoCG to be submitted alongside this submission, FBC considers that some significant issues remain with regards to onshore ecology and biodiversity.
- 2.4.2 FBC has engaged with its own ecological advisors and officers throughout the Examination, and has also had due regard to submissions made by other relevant interested parties. This notably includes Natural England and the Environment Agency.
- 2.4.3 Whilst FBC notes that significant progress has been with regards to some ecological matters, such as for mitigation of sand lizard impacts, a range of issues still remain. FBC notes that representations have been made from relevant interested parties on many of these matters, including prior to the Examination commencing.
- 2.4.4 FBC notes that the latest Natural England SoCG [REP6-179] still raises a number of significant issues, including those relating to matters raised by FBC. This is particularly relevant in terms of potential impacts on the Sand Dunes SSSI and surrounding coastal area, some impacts on birds, as well as impacts on agricultural land and peat deposits across the Fylde.
- 2.4.5 FBC further notes that some points of disagreement, such as relating to long-lasting habitat change in the Fylde Marine Conservation Zone [NE.MCZ.2, REP6-179], relates specifically to disagreement around proper modelling of the worst-case scenario. This is of relevance to matters discussed in the 'Interrelated Effects' section later in this Statement. FBC is concerned that the maximum design scenario and worst-case scenario for a range of topics has not been properly addressed by the Applicants.
- 2.4.6 FBC also continues to raise concerns relating to biodiversity and the suitability and capacity of land identified to provide benefit and/or gain. This is summarised most recently in the FBC SoCG to be submitted alongside this submission, with comments raised in other written submissions, including Section 10 of the FBC LIR [REP1-078].

- 2.4.7 FBC is also concerned the Applicants mitigation proposals for Fairhaven Salt Marshes for intertidal birds are insufficient, firstly due to its carrying capacity for intertidal waders, and secondly intensive human interactions at this location-principally dog walking in and amongst the salt marshes. FBC considers that the proposed mitigations measures will be ineffective and has looked to secure a more robust comprehensive programme secured by Section 106 as the most appropriate mechanism, which currently the Applicants reject.
- 2.4.8 FBC notes that Section 5.4 of EN-1 sets out requirements and expectations relating to biodiversity and geological conservation, with specific reference to different classifications of protected habitats. FBC considers that whilst significant issues remain, particularly with regards to impacts on these habitats, then the Applicants cannot be considered to have complied with the clear requirements of Section 5.4.42 of EN-1.

2.5 Agriculture

- 2.5.1 As reflected in the FBC SoCG to be submitted alongside this submission, FBC considers that fundamental issues remain with regards to agriculture and the related socio-economic impacts.
- 2.5.2 FBC notes that Applicants' Farm Business Assessment [REP6-182] provided at Deadline 6, in response to a specific request made by the ExA at Issue Specific Hearing 2 [Action Point ISH2_38]. FBC notes that this provides information relating to three landholdings, rather than for all affected agricultural businesses. FBC also notes that much of the relevant information is (necessarily) redacted and that commitments made relate to suggested future work.
- 2.5.3 FBC does not consider that this Farm Business Assessment, or the information otherwise submitted to the Examination, is sufficiently robust to assess and appropriately respond to the likely impacts of the proposed development.
- 2.5.4 Representations by affected parties have been made throughout the Examination, as well as in Section 8 of the FBC LIR [REP1-078]. These relate to both agricultural business impacts, as well as criticism of the Applicants' decision to give Grade 2 and Grade 3 land the same weight in its BRAG assessment in the Selection and Refinement of the Onshore Infrastructure [APP-033].
- 2.5.5 FBC considers that proper differentiation between Grade 2 and Grade 3 land must be made to inform any site selection refinement process. FBC also considers that an assessment of the likely impact on all farm businesses, based upon sound information, must be carried out and affected parties must be given the opportunity to review and respond to these.

2.6 Aviation and Defence

- 2.6.1 FBC has previously made submissions setting out the requirements of Strategic Policy T2 of the FLP and Section 4.17 of EN-1, as they relate to aviation and defence. In summary, FBC notes that development should not be permitted where unacceptable risk or interference with defence.

- 2.6.2 FBC notes the submission made by BAe Systems at DL6 [REP6-206] clearly states that they are not in a position confirm that proposed development complies with EN-1. FBC also notes the actions which BAe Systems considered must be completed to resolve these issues, as set out in the same submission.
- 2.6.3 Given that BAe Systems are the most impacted party and considered to have the most informed position when it comes to potential risk or interference to defence, FBC considers it is not possible to conclude that the Applicants have met the requirements of Strategic Policy T2 and EN-1 in this regard.
- 2.6.4 FBC does however note that BAe Systems expect further progress to be made, and it is therefore likely that should BAe Systems become content that the requirements of EN-1 have been met, then FBC would be of the same opinion.

2.7 Interrelated Effects

- 2.7.1 FBC set out early concerns relating to interrelated effects in Section 16 of its LIR [REP1-078] and sustained these throughout the Examination. FBC considers that Paragraph 4.1.5 of EN-1 is of pertinence. This requires that long-term and cumulative adverse impacts, along with any measures to mitigate or compensate for adverse impacts, should be taken into consideration when weighing the adverse impacts of the proposal against the benefits.
- 2.7.2 FBC notes that progress has been made in terms of setting out the likely impacts, as reflected in the FBC SoCG to be submitted alongside this submission. However, as also reflected in the SoCG and all written submissions, including this Statement, FBC considers that issues still remain.
- 2.7.3 At a high level, with regard to the definition of the maximum design scenario. FBC understands the Applicants' assessment in relation to the Rochdale Envelope Approach and has made comments on this, notably in Section 18.1.5 of its LIR [REP1-078]. However, it is still considered that some details are not sufficiently defined even at the outline stage to enable proper and full assessment of the likely impacts.
- 2.7.4 This issue exists with specific regard to matters relating to the timing, duration, frequency and characteristics of the proposed development, particularly during the design and construction phases. This issue is exacerbated by the fact that the proposal is for two completely independent developments, which creates the potential for construction activities to run up to June 2036 (assuming that the offshore DCO is made by the end of 2025) with restoration taking up to a year after that and some other mitigation measures taking much longer periods of time to embed.
- 2.7.5 The potential for all likely harmful impacts could be increased by an extended and uncertain development programme. FBC has consistently requested that the Applicants consider commitments and ways of working which would allow greater certainty, opportunity for control and implementation of effective mitigation where appropriate.

- 2.7.6 FBC notes that the Applicants have repeatedly stated that the approach being taken with this application, that two entities working together to bring forward a joint scheme, is unprecedented and that it will reduce the adverse impacts. During Issue Specific Hearing 1 (01:23:01:21 - 01:24:19:17, Transcript - Part 5 - 1 May 2025) the Applicants set out that the relevant details were set out in the Environmental Statement and that impacts would be reduced by bringing forward development in a smaller area.
- 2.7.7 FBC acknowledges that the Applicants have sought to justify their approach and have provided some more details but nevertheless is of the opinion that no significant evidence has been presented to support this general assertion and as it stands there is no public benefit being accrued from this approach. In fact, it is the opposite with extended construction commissioning periods, independent construction and decommissioning operations clearly introducing additional risks and harms.
- 2.7.8 In order to seek to resolve this issue, FBC would welcome a shorter commencement period and greater commitments in terms of collaboration between the Applicants.

3 Section 106 Matters

- 3.1.1 To date, Applicants have refused to engage on several important Section 106 Matters which have been endorsed by the Fylde Economic Prosperity Board (EPB) at its meeting on the 25th September 2025 and referenced in FBCs Briefing Note submitted on 30th September and accepted at ExA discretion on the 2nd of October 2025.
- 3.1.2 The EPB and FBC consider the matters identified below give rise to additional impacts beyond those already addressed through mitigation measures and management plans. These matters meet the legal tests in the NPPF or Regulation 122(2) of the Community Infrastructure Regulations, being necessary to make the development acceptable in planning terms, directly related to the development, and are fair and reasonably related in scale and kind to the development proposal.
- O&M1-Funding of operational and monitoring staff posts for monitoring and enforcement.
 - EC1-Fairhaven Saltmarshes additional habitat mitigation.
 - Impacts on water quality through direct sediment disturbance and disruption, requiring specific and specialised mitigation.
 - Clifton North Road Dunes systems-significant adverse effects requiring specialist monitoring and mitigation.
 - EC3-Tree and Hedge Line Replacement and Corridor Enhancement-reduction of habitat loss dislocation/connectivity and ecological impacts, applicable to Fylde and South Ribble.
- 3.1.3 FBC as the relevant Local Planning Authority will continue to engage with the Applicants on these matters and will raise directly with the Secretary of State of Energy Security and Net Zero at the appropriate time.

4 Matters Relating to Grid Connections/Stanah and Hillhouse Technology Energy Enterprise Park

- 4.1.1 With respect to matters raised by NGET [National Grid Electricity Transmissions] through their answers to written questions [REP3-088] [REP5-176].
- 4.1.2 As regards to limited physical capacity, whilst Stanah has residential properties adjoining its site, it also shares an extensive boundary with Hillhouse Technology Energy Enterprise Park, on which the promoters/owners have indicated they are willing to enter into discussions for upgrade and additional substation provision to meet their own needs and the wider network requirements.
- 4.1.3 Stanah has a 400kw connection into the “Heysham Ring” via Middleton and serves as a “step up” substation into the grid, providing the interconnection in the Grid for Walney 2 and has previously been shortlisted for other offshore interconnections.
- 4.1.4 A recent meeting has taken place between OfGEM and FBC on the 24th October 2025, following an exchange of letters. OfGEM confirm the Holistic Design Network Review (HDNR) was a national level assessment and that Stanah was assessed as part of this process, FBC has requested further details of this assessment.
- 4.1.5 OfGEM also confirmed HDNR has a critical requirement to ensure grid connections by 2030 are secured and a separate funding mechanism is available to the Applicants for whichever project comes forward first: Project A could provide elements of Project B’s infrastructure. With arrangements for costs and expenditure recovery through OfGEMs ‘Anticipatory Investment Policy’. [Decision on the Early-Stage Assessment for Anticipatory Investment | Ofgem.](#)
- 4.1.6 FBC has sought clarification from the Applicants who state this matter was dealt with in the Applicants’ response to ExQ1.1.10 [\[REP3-056\]](#), and until each project has secured its Contract of Difference (CfD), there is no guarantee it would not be feasible for Project A to deliver transmission infrastructure on behalf of Project B, and there is currently no mechanism in place that would allow for cost recovery (clawback) in any such circumstances.
- 4.1.7 The Applicants also confirmed they hold grid connection agreements which are targeting connection by 2030 to support delivery of the Government’s net zero objectives. Noting the connection dates remain dependent on external factors, such as the outcome of the CfD process, and no further engagement with NESO has been required at this stage.
- 4.1.8 FBC takes the view from evidence submitted in the Examination by the Applicants, for example [REP6-039 Project Description](#) Section 3.9.2 with the tables on the subsequent pages and Requirement 1 of the DCO-page 70 [C1 MMTA draft Development Consent Order F08 F09 Tracked](#) as well as other Outline Requirements being sought. It is very likely these projects will not be connected by 2030, and following the programming sequencing of critical events, it is more likely that connections would take place in mid-2030’s.
- 4.1.9 This therefore questions the validity of the HDNR process as it relates to the onshore transmission assets.

- 4.1.10 FBC fully accepts these are commercial and operational considerations for the Applicants and NESO. However, NESO do not seem to be engaged on these matters.
- 4.1.11 Importantly in relation to this Examination, FBC is not aware of any scenario testing of cross projects infrastructure delivery through any hypothetical Environmental Assessments in relation to impacts and/or mitigation of harms.
- 4.1.12 FBC will follow up these matters with the Applicants, OfGEM and, NESO and will submit an updated Final Position Statement to the Secretary of State regarding Stanah/Hillhouse Technology Energy Enterprise Park, grid connections, and the validity of environmental assessments based on the assumption that more information on these matters will emerge.
- 4.1.13 FBC understands that there will be an opportunity to submit an updated Final Position Statement around the time the ExA submits its report and will continue to explore these matters.
- 4.1.14 FBC remains of the view that Stanah/Hillhouse Technology Energy Enterprise Park offers a better economic, social and environmental solution which would be cheaper and quicker to deliver, as well as providing a significant economic boost and power to the sub region, reduce significant environmental harms and would have the wider support of local communities.

END.



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Date: October 2025

Review Date: October 2025

Our Ref: M&MTA DL7FPS Authorised by: [REDACTED], Head of Planning and Building Control



Morgan & Morecambe Transmission Cables Examination

Update Note

The Fylde Economic Prosperity Board & Section 106 Matters

IP Reference-20053931

30th September 2025

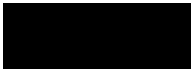
Morgan and Morecambe Examination Update Note and Publication

The Fylde Economic Prosperity Board, constituted under the 1972 Local Government Act covering Fylde, Wyre and Blackpool Local Authorities has agreed at its meeting on the 25th September 2025 to undertake monitoring and oversight of Section 106 contributions and Community Benefit matters including the Skills and Workforce Action Plan for the Morgan (Project A) & Morecambe (Project B) Windfarms & Transmission Cables and confirmed Fylde Borough Council should also acting as the “Relevant Local Planning Authority” for all matters relating to Section 106 and Community Benefits. The report and minutes can be viewed here;

[Economic Prosperity Board minutes 25/09/2025](#)

Fylde Borough Council {FBC} has also written to the Applicants requesting several matters be considered for Section 106 Agreement as they directly relate to the development proposals and not via voluntary community benefit contributions as suggested by the Applicants. These include;

- O&M1-Funding of operational and monitoring staff for 4 Posts relating to the following- 2 X Countryside/Coastal Ecological Monitoring and Development Work; 1 Planning-Environmental Monitoring and Enforcement officer; 1 Planning Officer for Monitoring and Enforcement.
- EC1-Fairhaven Saltmarshes-Fairhaven Saltmarshes as habitat mitigation even for temporary measures requires substantial investment to reduce disturbance on the marshes-requiring fencing/signage/monitoring/community educational and extensive community engagement.
- Turning Tides Programme FBC and Blackpool Council do not accept this should be left to community benefits. Impacts on water quality through sediment disturbance and disruption, requiring specific and specialised monitoring and corrective mitigating actions, therefore should be captured as a Section 106 matter.
- EC2-The same principles apply to the Clifton North Road Dunes systems, with the potential for significant adverse effects requiring specialist monitoring and an implementation/mitigation plan secured via Section 106.
- EC3-Tree and Hedge line Replacement and Corridor Enhancement Programme. Directly related to development as shown negative impacts in evidence presented at DL5 and reduction of habitat loss dislocation/connectivity and ecological impacts caused directly by development, applicable to Fylde and South Ribble.
- SE1-Skills and Workforce Plan. Welcome the Applicants commitment, however its requirements should be secure through Section 106 rather than other mechanisms.



Service Director-Planning and Building Control

Fylde Borough Council

ANNEX 2
SECTION 106 HEADS OF TERMS AS REQUESTED BY FYLDE BOROUGH COUNCIL

SECTION 106 HEADS OF TERMS – JOINT COUNCIL APPROACH – VERSION 6 – 03/12/25

OBLIGATION		TRIGGER POINT	JUSTIFICATION/REASONING	COUNCIL	RELEVANT PLANNING AUTHORITY/OBLIGATION
Operation & Management					
S1	Fylde Borough Council. Funding of operational and monitoring staff. 4 Posts relating to the following. 2 X Countryside/Coastal Ecological Monitoring and Development Work. - One Environmental Monitoring and Enforcement officer. - One Planning Officer for Monitoring and Enforcement.	Invoices submitted in respect of work undertaken to be paid within 28 days. Payment 6 months prior to construction commencement. Duration for up to 10 years following the final completion of Project A and/or Project B and operational connection to whichever is the latest.	The scale and duration of the works is highly likely to require significant officer time in assessing submitted material and determining discharge of condition and any non-material amendment (or similar) applications. To deal with post-determination matters and monitoring/development matters for the duration of the construction works and post monitoring and development.	Fylde Borough Council.	Section 106 Agreement. 4X Principal Officers FTE. Salary Range tbc [] 1.1. At the time of writing, the Applicants have refused to entertain or negotiate on any s106 obligations other than those which relate to land at Blackpool Road Recreation Ground.
S2	Blackpool Council.	Invoices submitted in respect of work	The scale and duration of the works is highly likely to require	Blackpool Council	Section 106 Agreement.

	Funding of consultant staff to cover the generated operational and monitoring requirements in respect of Development Management / Planning Enforcement.	undertaken to be paid within 28 days. Payment 6 months prior to construction commencement. Duration for up to 10 years following the final completion of Project A and/or Project B and operational connection to whichever is the latest.	significant officer time in assessing submitted material and determining discharge of condition and any non-material amendment (or similar) applications. To deal with post-determination matters and monitoring/development matters for the duration of the construction works and post monitoring and development.		
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Water Quality

W1	Contribution to the Fylde Peninsular Water Management Partnership and Turning Tides programme.	First payment six months in advance of commencement of onshore works and then annually thereafter. Annual contribution of £250k for 10 years.	Offshore and cable laying works are expected to impact detrimentally on water quality through direct and indirect impacts on groundwater across the entire lifecycle of the project. There were a number of potential activities identified in the EIA assessment for the project in relation to water quality. The Turning Tides programme works to address water quality issues and improve the quality of bathing waters. This contribution is therefore necessary to mitigate the impacts anticipated from the development. Potential impacts are; • The deterioration of groundwater quality during all phases of the projects lifecycle in relationship to the secondary aquifer units. • Potential for direct contamination from the transmission asset • Potential creation of new transport pathways for	Fylde Borough Council	Section 106
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			existing contaminants and mobilisation into shallow groundwater • Impact of groundwater quality, levels and flow from construction activities such as short term de-watering and long term ground water level control • Indirect impact of changes to hydraulic connections between surface and groundwater • Accidental spillage or release of polluting substances in the construction and decommissioning phases • Potential ground gas generation and leaching		
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Health And Well Being

R2	Blackpool Road Playing Fields- Temporary relocation/Costs	Payments in advance 12 months ahead of construction commencement of Work affecting BRBFs for period off up to 9 months relocation. Section 106 with FBC for management and monitoring purposes. programme for Projects A and/or B whichever comes first. Retaining sum of £100k for maintenance and management arrangements for each project up to 5 years following completion of works for Project A or B whichever comes later.	Relocation for 9 months of BRFC to take into account re-instatement/management of pitches G3 standards. For the following. 11 aside (646 games)-19 teams @ 17 games each per season 9 asides (272 games)-8 teams @ 17 games each per season 7 asides (238 games)-7 teams @17 games each per season 5 asides (338 games)-7 teams @17 games each per season 1 team @ 50 games (walking football twice a week)	Fylde Borough Council	Section 106 Current estimated costs being assessed.
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R3	Blackpool Road Playing Fields- Enhancement of Facilities. Capital Enhancement. Provision of enhanced carparking club house and localised facilities- play area and skatepark.	First payment at commencement of onshore works, against agreed programme of works. Estimated cost £1.5m and ongoing revenue investment and promotion for up to 5 years at £50K pa following the final completion of Project A and/or Project B whichever is the latest.	Promotion of health and wellbeing and fitness to ensure continued access. Delivery of health community benefits to meet Equality. As compensatory factors for extended disruption during construction. Loss of localised green space, well-being impacts and response to localised access and protected Equalities arrangements. Estimated Requirements. • Assessment of residential impact in terms of access, parking and disruption. • Approx £2,000 - £2,200 per annum/ per pitch to mark, maintain and renovate to G3 standards Including annual pitch renovations, line marking and seasonal turf care. • Full or pitches on this route will include 9 pitches. • Furniture, gravel footpaths, access controls and signage will also be impacted by the works £20,000 - £25,000.	Fylde Borough Council	Section 106, direct Community Benefits via JV arrangement with FBC as landowner.
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			Impacts on the western boundary public footpaths. Drainage (and associated costs), to which there has been significant historical investments by FBC. The long-term strategic development of the site between the Council, community and sports clubs to provide a new community club house, that would replace the existing changing pavilion. This facility would be available for other community sports and activities and include a permanent 'hard surface' car park (bitmac) with landscaping, 50 cars, and provision of park furniture, sun and rain cover for match attendees. The estimated cost for the pavilion and car park would be circa £1.5 million.		
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Ecology

EC1	Granny's Bay/Fairhaven Saltmarsh and Lakeside Improvements.	Fencing and ongoing costs Fairhaven Saltmarsh-currently unknown will require further discussions with Wildlife and amenity groups. Further habitat creation with displacement of silt from Fairhaven lake. Monitoring management costs are identified in staffing overhead. Fairhaven lake improvements costs as identified Options range-735,000-870,000. Nov 2023. WiP Report. 250K for operational period for up to 20 years from the final completion Project A and Project B and	Granny's Fairhaven Saltmarsh and surrounding dune area as identified as mitigation provision by the applicants requires significant investment and ongoing management to avoid disturbance and interference due to its close proximity to urban settlements and regarded as a high value area for informal and formal recreation-dog walking/cycling, health and fitness. For Granny's Bay and Fairhaven Saltmarsh to be used as mitigation as proposed the locality will need to be monitoring and managed by FBC Coastal Management Team. Tidal areas of the saltmarsh will need to be fenced off to prevent intrusions/disturbance. Regular monitoring will be required as well as management. Investment will also be required into existing facilities to improve the offer in around the lake an beach area to reduce impacts on the natural coastal in order to meet HRA Requirements as an offset.	Fylde Borough Council.	Section 106. Estimate-£1.5m Capital. £250K for operational period for up to 25 years from the final completion Project A and Project B whichever is the latest.
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		connection whichever is the latest.	The Fairhaven Lake restoration involves dredging approximately 30,000m³ of silt to restore water depth and improve ecological and recreational value. A report commissioned by FBC evaluated two dredging methods and two disposal options, each with distinct cost implications. <i>(AI Generated Summary Only) Nov/2023.</i> Dredging Options & Costs Option 1: Displacement Pump Dredging Method: Uses a floating excavator and displacement pump with screening. Option 2: Floating Excavator Method: Excavator on pontoon with tug and barge system. Disposal Options & Costs Option 1: Landfill Disposal Method: Transport dredged silt to Clifton Marsh landfill. Option 2: Habitat Creation Method: Reuse silt to build retaining structures (islands/walls). Additional Cost Considerations Pre-commencement surveys (ecology, UXO, services) and compound setup are required but assumed to be low-cost due to existing infrastructure.		
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			High salinity of silt makes it unsuitable for agricultural reuse, limiting disposal options. Recommendations Preferred combination: Floating Excavator + Habitat Creation (Piling). Offers best value, lowest risk, and long-term cost savings. Aligns with environmental goals and minimizes disruption.		
EC2	Dunes Coastal Investment	First payment 12 months ahead of commencement of beach and Dunes engineering works and then annually thereafter. DEFRA follow on revenue and capital investment-£1M per annum during able transmission construction period. £500K pa for operational period for up to 25 years from the final completion Project A and Project B	Dunes Coastal Investment. Potential impact on Fylde Dunes -key objectives for the Fylde Dune Project is to improve the efficiency of the dunes as a soft sea defence, essential for the delivery of the Environment Agency Shoreline Management Plan. Extend Dunes Habitat and improve ecology and specialised breaking programmes for invertebrates/reptiles and bird species. Dunes are a complex management and fragile systems, Need for effectiveness of the management interventions to avoid leading to weakening of the dune system for coastal defence, habitat and ecology. Significant HRA implications.	Fylde Borough Council	Section 106

		whichever is the latest.			
EC3	Rural East Fylde Tree and Hedge line Replacement and Enhancement Programme	Rural East Fylde.	Replacement of hedgerows and trees- on a two for one basis. In rural landscapes to support additional screening. Support localised Rural Fylde community initiatives against approx. 62 trees identified for removal and a hedge line removal schedule of xxx km. Support CVAs/ PCs to reduce HRA impacts on strategic mitigation sites and promote localised green space (see below). Methodology and approach to be agreed.	Fylde Borough Council	Section 106- Community Benefit Contribution/ BNG Compensatory Agreements. Direct replacement like for like tree species and promotion of species rich hedgerows.

Business & Growth

B1	Fylde Tourism Promotion.	First payment upon commencement on operational works and then annually thereafter. 250K per annum during construction period. 5 years post completion from the final completion and connection Project A and Project B. whichever is the latest.	Tourism promotion to offset negative perceptions and impacts due to closures, managed accesses. Construction on the coast and countryside. Infrastructure delays- rail/road/public transport effects.	Fylde Borough Council	Section 106.
B2	Fylde Agricultural Business Support Fund.	First payment upon commencement and then annually thereafter. First payment upon commencement on operational works and then annually thereafter. 250K per annum during construction	Follow on impacts on the agriculture and related businesses due to seasonal and localised Infrastructure delays- rail/road/public transport effects.	Fylde Borough Council	Section 106.

		periods and 5 years post completion from the final completion and connection Project A and Project B. whichever is the latest.			
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Skills and Employment

SE1	Skills And Workforce Plan.	To be determined through work programme across the construction and operation period of the Morgan & Morecambe windfarms and transmission infrastructure, including decommissioning and redundancy.	Energy Sector Economic Development Strategy. Managed and monitored through the Economic Prosperity Group. Including Fylde College for training and apprenticeships and pathways into 'green' jobs. And other local training and sector group representatives.	Economic Prosperity Board	Section 106 with the relevant Planning Authority.
SE1.1	Early outreach to schools (primary and secondary) with STEM-focused engagement and mentoring				
SE1.2	Apprenticeship & Direct Training.				
SE1.3	Direct Local Employment Initiative.				
SE1.4	Contractor/supplier preference profiling and support for 2nd/3rd/4th Tier suppliers.				
SE1.5	Dedicated website and local support to ensure that local business have opportunity to bid for contracts at second and third tier sub-contractor levels	Support training and [] apprentices in energy related sector over the construction period of Project A and Project B whichever is the latest. construction/operational phase FTEs [] and maintenance- [] jobs FTE to the contract value of [] during construction and operation, decommissioning and for 5 years from the final decommissioning of Project A and Project B whichever is the latest.			

		And Website and gateway processes within three months after the statutory challenge period for the granting of DCO by the Sec of State.			
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