

Summary of the Written Representation (WR)

The MMO's Written Representation details the issues which remain outstanding following discussions with the Applicant on their Statement of Common Ground between July and October 2018. The main outstanding issues in relation to the draft DCO, DMLs and the ES are in relation to the following topics:

Arbitration

Set out in Article 36 of the DCO and described within condition 12 and 13 of the Array DML and the Transmission DML respectively and Schedule 13. The MMO has currently not reached an agreement with the Applicant on this issue and will update their position as the examination progresses.

Timescales

Given the numerous issues that the MMO encounters throughout this process and the increased size and complexity of Round 3 projects, the MMO consider that a 6 month submission timeframe would be more appropriate.

Monitoring requirements

The MMO has remaining concerns regarding the monitoring requirements as they are currently set out in the DMLs. Here concerns have been raised in relation to the content of the reports, post construction monitoring requirements and timescales to be agreed for the submission of any noise modelling reports.

Environmental Statement (ES)

The MMO has outstanding concerns regarding the only limited commitment for benthic monitoring. The MMO consider that not only monitoring for Annex 1 species but also for general benthic habitats should be undertaken. Furthermore, there is remaining uncertainty regarding the impacts of underwater noise on Flamborough Head Spawning Ground and also fish behaviour. From this, the MMO has recommended that updated modelling should be provided.