



The Planning Inspectorate

National Infrastructure
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All Interested Parties, Statutory Parties and any
Other Person invited to the Preliminary Meeting

Your Ref:

Our Ref: EN010121

Date: 23 September 2024

Dear Sir/ Madam

Planning Act 2008 – Section 88 and 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6, 9 and 13

Application by Morecambe Offshore Windfarm Ltd for an Order Granting Development Consent for the Morecambe Offshore Windfarm Generation Assets

Invitation to the Preliminary Meeting, notification of Hearings and other Procedural Decisions

Following my appointment by the Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government as the lead member of the Examining Authority (ExA) to carry out an Examination of the above application I am writing to introduce myself and the other members of the ExA. My name is Robert Jackson and, following a change to the ExA, the other members of the ExA are Guy Rigby and Marc Willis. A copy of the appointment notices can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

We would like to thank those of you who submitted Relevant Representations. These representations have assisted us when considering how we will examine this application.

Other National Infrastructure Projects

All parties should be aware that this application for the **Morecambe Offshore Wind Generation Assets** relates to offshore works in the Irish Sea only. The transmission assets, with electricity connection to the National Grid, will form part of a separate Nationally Significant Infrastructure Project (NSIP). [The Morgan and Morecambe Offshore](#)



[Wind Farms: Transmission Assets](#) project (Planning Inspectorate Reference EN020028) (the Transmission Project) will include onshore works such as landfall, cables and substations in north-west England. It is expected to be submitted to the Planning Inspectorate for consideration by a separate ExA in autumn 2024.

You may also be aware of other proposals for offshore wind related projects in and around the Irish Sea and onshore in England, Wales and the Isle of Man. The examination of those projects will also be conducted separately. Therefore, to ensure that we receive your submissions in relation to the **Morecambe Offshore Wind Generation Assets**, please take care to make them in accordance with the specific procedures for this project as set out in this letter, and as subsequently notified.

We will consider overlapping matters during our Examination, including the cumulative effects with the other projects. The way that we intend to deal with the interrelationship with the other projects is set out in **Appendices D and G** to this letter and will also be discussed at the Preliminary Meeting.

Interested Parties who have submitted a Relevant Representation which relates only to the onshore works should be aware that they will need to submit a separate representation to the Transmission Project at the appropriate time.

Should you decide to make representations only in relation to the Transmission Project and not in respect of the **Morecambe Offshore Wind Generation Assets**, and subsequently do not wish to be involved in the examination process on the basis of the separate projects, please inform the case team in writing as soon as possible by using the '[Have Your Say](#)' tab on the [project webpage](#) or by emailing the [project mailbox](#).

The Preliminary Meeting

As a recipient of this letter you are invited to the Preliminary Meeting on **Wednesday 23 October 2024** to discuss **the procedure** for the Examination of the application. Notification of the time and place of the meeting, the draft agenda and instructions on how to observe or participate are set out at **Appendix A** of this letter.

Purpose of the Preliminary Meeting

The purpose of the Preliminary Meeting is to enable views to be put to us about how the application should be examined. This will include consideration of how we propose the application will be examined, which is set out in **Appendix B**, and the draft Examination Timetable, which is set out in **Appendix E**. More Information is also available in the Planning Inspectorate's Advice Page "[What to expect at a Nationally Significant Infrastructure Project Event](#)".

The Preliminary Meeting is **not** an opportunity for you to give your views about what you like or don't like about the application. The merits and disadvantages of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed. All relevant and important matters will be taken into account when we make a recommendation to the Secretary of State for Energy Security and Net Zero (the Secretary of State), who will take the final decision in this case.



You are not required to attend, or make written submissions to, the Preliminary Meeting in order to participate in the Examination. If you are an Interested Party you can make written submissions during the Examination and participate in hearings regardless of whether or not you attend the Preliminary Meeting. Should you no longer wish to be an Interested Party and do not wish to be involved in the Examination process, you can notify the Case Team of this in writing.

The agenda for the Preliminary Meeting is at **Appendix A** to this letter. This has been set following our Initial Assessment of Principal Issues arising from our reading of the application documents and the Relevant Representations received. The Initial Assessment of Principal Issues is set out in **Appendix C** to this letter.

Written submissions about how the application should be examined

The Planning Act 2008 establishes a principally written process for the Examination of applications for Development Consent Orders and **representations made in writing carry equal weight to oral representations at all stages of the process.**

We are now requesting written submissions from recipients of this letter about how the application should be examined. We particularly wish to hear from you if you consider changes need to be made to the draft Examination Timetable set out at **Appendix E** and/or you wish to comment about the arrangements for future Examination hearings.

Your submission should be made using the Have Your Say tab on the project webpage on or before **Procedural Deadline A**. **Appendix I** to this letter provides further information about using the [‘Have Your Say’](#) tab.

Format of Examination Events – Preliminary Meeting and Hearings

The Examination of the application will be principally a written process (see the Planning Inspectorate’s Advice Page [“What to expect at a Nationally Significant Infrastructure Project Event”](#)).

We have decided that the Preliminary Meeting and initial hearings will be blended events where some attend at the venue in person, and some attend using Microsoft Teams. Both blended and fully virtual events form part of the Planning Inspectorate’s operating model. We remain flexible and will confirm the format of any hearings to be held during the Examination Stage when we provide formal notification of each hearing. Please see our comments in **Appendix B** on this. Parties will be given reasonable notice of each hearing in advance of it taking place.

After the Preliminary Meeting we will issue a letter (known as the Rule 8 letter) setting out the finalised Examination Timetable. A note of the meeting will also be published on the [project webpage](#).



Notification of initial hearings

We have made a Procedural Decision to hold the following initial hearings:

- Open Floor Hearing 1 (OFH1) (if required) on Wednesday 23 October 2024 (Blended event)
- Issue Specific Hearing 1 (ISH1) on Thursday 24 October 2024 (Blended event) in relation to the Project Description and Parameters and the draft Development Consent Order.

Important information about these hearings is contained in **Appendix F** to this letter, including what details need to be provided with a request to be heard at a hearing and the procedure that will be followed.

Other Procedural Decisions made by the Examining Authority

We have made some further Procedural Decisions which are set out in detail at **Appendix G** to this letter. They are summarised as follows:

- Acceptance of Additional Submissions into the Examination.
- Statements of Common Ground.
- The Conservation of Habitats and Species Regulations 2017.
- Request for suggested locations for an Accompanied Site Inspection (if necessary).

Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with '2004' you are in Group A. If your reference number begins with 'MCOW-SP' you are in Group B. If your reference number begins with 'MCOW-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Awards of costs

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders.](#)



Examination correspondence and management of information

Given the volume of letters that we need to send to Interested Parties during an Examination, we aim to communicate by email as this is more environmentally friendly and cost effective for the taxpayer. If you have received a letter by post but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#). Therefore, please look at the project webpage if you haven't already done so, because it will be used to communicate with you and documents will be published and can be accessed via [this page](#). Examination documents can also be viewed electronically at the locations listed in **Appendix H**.

The '[Get updates](#)' function on the left-hand side of the project webpage provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination. Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully

Robert Jackson

Lead Member of the Examining Authority

Appendices

- A** Agenda for the Preliminary Meeting
- B** Introduction to the Preliminary Meeting
- C** Initial Assessment of Principal Issues
- D** Interrelationship with other projects
- E** Draft Examination Timetable
- F** Notification of initial hearings
 - (i) ExA Initial Observations on Drafting of dDCO
- G** Other Procedural Decisions made by the Examining Authority
 - 1. Statements of Common Ground
 - 2. Accompanied Site Inspection
 - 3. Comments on Relevant Representations
 - 4. Request for regular updated documents through the Examination
 - 5. Report on the interrelationship with other infrastructure projects
 - 6. Submission of draft Development Consent Order
 - 7. Use of Artificial Intelligence



8. Closing Statements
 9. Additional Submissions
 10. Response to the Applicant's letter of 17 September 2024
- H** Availability of Examination Documents
- I** Information about the Have your say section of the project page

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.



Agenda for the Preliminary Meeting

You must register by completing the [Event Participation Form](#) by Tuesday 15 October 2024 if you intend to participate in the Preliminary Meeting and provide all the information requested (see below).

If you simply wish to observe the Preliminary Meeting then you do not need to register as you will be able to either:

1. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Alternatively, you can attend the physical event at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **Tuesday 15 October 2024** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **Tuesday 15 October 2024**.

Please note that by attending the event either in person or online you are agreeing to be filmed for the purposes of the online livestream of the event and the recording of the event which will be published on the [project page](#). A limited number of seats will be available for observers who wish not to be filmed at the venue. Please contact the case team to notify them if you prefer not to be filmed at the event. A transcript of the event will also be published on the project page of our website after the event.

| | |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date: | Wednesday 23 October 2024 |
| Registration Process: | 1:15pm |
| Meeting start time: | 2:00pm |
| Venue: | Blended event at Pullman Hotel Liverpool, King's Dock, Port of Liverpool, Liverpool L3 4FP and by virtual means using Microsoft Teams Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered |
| Attendees: | Invited parties who have pre-registered |

| Agenda for the Preliminary Meeting | |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1:15pm | Registration and seating available at venue for in-person attendees |
| 1:30pm | <p>Virtual Registration Process</p> <p>Please arrive at 1:30pm to enter the virtual lobby. From here you will be admitted to the virtual meeting by the Case Team, greeted and given further instructions.</p> <p>The Registration Process will commence at 1:30pm. This will be hosted by the Case Team and cover the housekeeping arrangements for the Preliminary Meeting and allow for any questions to be asked about how to take part.</p> |
| 2:00pm | <p>Preliminary Meeting</p> <p>The Preliminary Meeting will formally open at 2:00pm. The Examining Authority will join, welcome participants and lead introductions.</p> |
| Item 1 | The Examining Authority will join, welcome participants and lead introductions. |
| Item 2 | The Examining Authority's remarks about the Examination process – Appendix B to this letter |
| Item 3 | Initial Assessment of Principal Issues – Appendix C to this letter |
| Item 4 | Draft Examination Timetable – Appendix E to this letter |
| Item 5 | Procedural Decisions taken by the Examining Authority – Appendix G to this letter |
| Item 6 | Any other matters |
| Close of the Preliminary Meeting | |

If you are participating using Microsoft Teams please join the virtual lobby promptly using the instructions that will be sent to you. The event will start at **2:00pm** irrespective of any late arrivals, for whom access may not be possible.

It may take some time to admit participants from the virtual lobby: your patience whilst you are waiting is appreciated.

The agenda for the Preliminary Meeting is subject to change at the discretion of the Examining Authority (ExA), although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all Invited Parties.

Any request to participate in the Preliminary Meeting **must include** the following information and be made on the [Event Participation Form](#):

- name and unique reference number (found at the top your letter or email from the Planning Inspectorate);

- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person; and
- the agenda item on which you wish to speak and a list of the points you wish to make.

Introduction to the Preliminary Meeting

Background

The Preliminary Meeting (PM) will be a blended event with some participants attending in person and some taking part virtually using Microsoft Teams.

The Examining Authority (ExA) will aim to keep the proceedings focussed and as efficient as possible. This Appendix provides advance access to information that would usually be included in the ExA's introductory remarks. Please read this carefully. The ExA will only present a summary of the key points set out here in order to ensure that the time available for participants to speak is maximised.

The Examining Authority and the Case Team

The ExA will introduce themselves at the start of the PM.

The ExA will be supported by the Planning Inspectorate Case Team. During the Registration Process a member of the Case Team will welcome and admit participants from the virtual lobby, and will be available to answer questions by email before and after the PM. The contact email address is:

MorecambeOffshoreWindProject@planninginspectorate.gov.uk.

The purpose of the Preliminary Meeting

The PM is being held to discuss the arrangements for the Examination of the application for a Development Consent Order (DCO) for the Morecambe Offshore Windfarm Generation Assets, which is a Nationally Significant Infrastructure Project (NSIP), and which will generally be referred to in the PM and Examination as the 'Proposed Development'. The application has been made by Morecambe Offshore Windfarm Ltd, which will be referred to as 'the Applicant'.

You will find information about the application and, in due course, documents produced for the Examination on the project webpage of the National Infrastructure Planning website ([project webpage](#)). The project webpage has links to the Examination Timetable, Relevant Representations and Examination documents and Examination procedure.

You are encouraged to look at the [project webpage](#) if you haven't already done so, because it will be used to communicate with you and to provide access to documents throughout the Examination.

The main purpose of the PM is to discuss the arrangements for the Examination of the application. It focuses on the process only, and it will not be looking at the substance of the proposals: Questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself which will begin the day after the close of the PM.

The PM will be your opportunity to influence the process that the ExA intends to follow. The agenda for the PM is attached to this Rule 6 letter at **Appendix A**. It is

important to have the letter and the agenda in front of you and to refer to them during the course of the PM. You may wish to print these in advance of the PM for reference.

Government guidance and policy

The application is a NSIP under the Planning Act 2008 (PA2008) being an application for the construction of an offshore wind turbine generating station in England that would have a generating capacity greater than 100 megawatts and therefore is within the scope of section 15 of the PA2008.

The National Policy Statements (NPS) for Energy Infrastructure, specifically the Overarching NPS for Energy (EN-1), Renewable Energy Infrastructure (EN-3) and Electricity Network Infrastructure (EN-5) (all designated on 17 January 2024) apply to this Examination and to decision-making relating to this application.

The ExA will consider the Proposed Development in accordance with the NPSs and any other applicable policy or considerations the ExA deem to be important and relevant. The PA2008 makes it clear that, in making a decision, the relevant Secretary of State (SoS) “*must decide the application in accordance with any relevant NPS*” (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.

The SoS is entitled to disregard any representations that relate to the merits of the designated NPS. In practice, this means that the ExA will not spend time examining representations that challenge policy set out in NPSs, or the validity of NPSs themselves. The focus will be on the merits and disadvantages of the Proposed Development, tested to the appropriate extent using the tests set out in relevant designated NPSs that are in force.

Other important and relevant planning policies that the ExA may consider include policies in the relevant local authorities’ development plans, and Marine Policy Statements and any Marine Plans. However, if these conflict with policy in a NPS, then the NPS will take precedence.

In summary, the PM will establish the procedures and timetable for the Examination of the Proposed Development. It will set a framework for the ExA to enable the SoS to consider and decide the application. In doing so, the ExA will have regard to:

- The positions and representations of all Interested Parties (IPs), including those of the governments of Belgium and the Isle of Man and United Kingdom local authorities and the Marine Management Organisation;
- other prescribed matters; and
- any other matters that appear to be both relevant and important to the relevant SoS’s decision.

Other infrastructure projects

The ExA would like to highlight to all parties at an early stage of the process that the scope of the Examination for the Morecambe Offshore Wind Generation Assets is in relation to **offshore works** within the Irish Sea only. The cables, landfall and substations associated with the grid connection, which includes onshore works within North West England, will form part of a separate NSIP (The Morgan and Morecambe Offshore Wind Farms: Transmission Assets project), which is expected to be submitted to the Planning Inspectorate for consideration by a separate ExA in Autumn 2024. There are also a number of other infrastructure projects in and around the Irish Sea. The way that we intend to deal with the interrelationship with the other projects is set out in Appendices D and G and this will be discussed at the Preliminary Meeting.

Preliminary Meeting invitees

The Applicant is invited to the PM and is generally given the opportunity to reply to any representations made.

Everyone who has made a valid Relevant Representation has been registered as an Interested Party (IP) and has been invited to the PM. All IPs are entitled to involvement in the Examination.

Certain bodies are Statutory Parties and they have been invited to the PM. Statutory Parties can elect to become IPs without having made a valid Relevant Representation by notifying the ExA in writing.

The ExA has the power to involve people who are not IPs in the Examination as though they are IPs, including by inviting them to the PM. However, this is only done in exceptional circumstances, for example if it was clear that the application would materially affect a person, they are not automatically an IP or eligible to elect to become an IP and they had been unable to take the necessary action to register as an IP.

Due to potential effects in Scotland and Northern Ireland the ExA has decided to invite the following Other Persons to the PM:

- NatureScot in Scotland
- Department of Agriculture, Environment and Rural Affairs (DAERA) in Northern Ireland

Furthermore, we have received a letter from Agentschap Landbouw & Zeevisserij (the Flemish Agency for Agriculture and Fisheries) which we have accepted as an Additional Submission (see **Appendix G**). In light of this we have also invited this body to the PM and to participate in the Examination as an Other Person.

Conduct of the Preliminary Meeting

The ExA estimates that the PM will take some of the afternoon to complete.

During the PM participants may have to make allowances and be patient if there are delays associated with the technology used. In recognition of the fatigue associated with on-screen communication, the ExA will provide breaks during the PM as appropriate.

A digital recording of the PM will be made available on the project webpage as soon as practicable following the close of the PM. The recording allows any member of the public who is interested in the application and the Examination to find out what has been discussed at the PM. The making and publication of these recordings are a means by which the ExA meets the legal requirement to hold the PM (and any other hearings) in public. In this regard, **anyone speaking at the PM will need to introduce themselves each time they speak**, to ensure that someone watching or listening to the recording after the event is clear who was speaking. A written note of the PM will be produced and published as soon as practicable following the close of the PM.

As the recordings are retained and published, they form a public record that can contain personal information to which the UK General Data Protection Regulation (UK GDPR) applies. Participants must do their best to avoid providing any information which should otherwise be kept private and confidential. If there is a need to refer to such information, it should be in written form. Although this will also be published, personal and private content can be redacted or removed before it is made publicly available. Any person who is unclear on this point should ask the Case Team for guidance before they place personal and private information into the public domain.

The Planning Inspectorate's practice is to publish the recordings and retain them for a period of five years from the SoS's decision on the DCO. If you actively participate in the PM, it is important that you understand that you will be recorded and that the recording will be made available in the public domain. Please see our [Privacy Notice](#) for more information about how we handle your data.

Following the ExA's introductions, each participant who has been registered to speak will be asked to introduce themselves, including any organisations or groups that they represent. The ExA will then conduct the meeting in accordance with the agenda. If you prefer not to have your image recorded, you can switch off your camera at any point.

The Examination process

The Examination of NSIPs follows different processes from those, for example, of a Public Inquiry into a planning appeal following the refusal of planning permission. The main differences are that the Examination of NSIPs is primarily a written process and hearings take on an inquisitorial approach as opposed to an adversarial one.

This means that the ExA will probe, test and assess the evidence primarily using written questions. While some hearings are held to provide supplementary evidence, questions to the Applicant or to witnesses will come from the ExA. Questioning or cross-examination of witnesses by other parties will not generally be allowed.

In terms of opportunities to provide evidence in writing, the draft Examination Timetable makes provision for the following written processes:

- IPs can make Written Representations (WRs) and comment on WRs made by other parties.
- IPs can respond to the ExA's written questions (ExQs) and comment on responses to these written questions provided by others.
- IPs may be asked to contribute to the making of Statements of Common Ground (SoCG) if it appears that there are matters on which they and the Applicant agree, and if it would be useful for this to be clarified. SoCGs most usefully extend to catalogue matters that are not agreed or are outstanding.

The draft Examination Timetable includes a series of numbered Deadlines for receipt of written submissions. Timely submissions received by the relevant Deadline and that address its purpose will be accepted. **Documents received after the relevant Deadline are only accepted at the discretion of the ExA and may not be accepted to ensure fairness to all parties.** Circumstances where documents are submitted late without good reason, causing inconvenience or delay to other parties, can amount to unreasonable behaviour.

These written processes will be the principal means used by the ExA to gather information, evidence and views about the application. However, the Examination will only be effective if all parties resolve to give timely, full, frank, clear and evidenced answers to every question that is relevant to their interests and to engage fully with any other related processes such as the completion of WRs and SoCGs.

There is no merit in withholding or delaying information, or in failing to co-operate, and should it occur, any unreasonable behaviour that caused another party to incur wasted expenditure could lead to an award of costs against the offending party.

The ExA has discretion to make amendments to the Examination Timetable for the wider benefit of the Examination. If possible, events will be arranged for times when all relevant parties are available, but the ExA is under a duty to complete the Examination by the end of the six-month period beginning with the day after the close of the PM. This requirement is set by legislation, and while the ExA will try to rearrange event dates to accommodate all relevant parties, in practice there will be limited scope to alter dates set out in the draft Examination Timetable.

The statutory time limit for the Examination means that where there are matters that still need to be discussed and agreed between the Applicant and IPs, it will be very helpful to the ExA if these could be progressed as early as possible.

Hearings

The draft Examination Timetable includes provision for hearings, at which the ExA takes oral evidence from the various parties.

Any registered IP may request an **Open Floor Hearing** (OFH) to make oral representations about the application if they believe this to be preferable to relying on their written representation, though both carry equal weight. Oral submissions

should be based on representations previously made in writing, but they should not simply repeat matters previously covered in the written submission. Rather, they should focus on specific detail and explanation to help inform the ExA. There should be no new or unexpected material in oral representations. A written summary note with any supporting evidence or references will be requested of each speaker following the hearing. The draft Examination Timetable includes a Deadline (**Tuesday 15 October 2024**) for participants to notify the ExA that they wish to speak at an OFH.

As with all Examination events, OFHs are subject to the powers of control of the ExA, as set out in the PA2008 and supporting legislation. Participants must register in advance by the Deadline shown in the Examination Timetable and in accordance with the instructions. It is common practice for the ExA to set a time limit for each speaker, and speakers with common points are asked to come together to nominate a spokesperson or representative speakers to cover specific topics so as to avoid repetition. Speakers representing public authorities, community and membership organisations or multiple IPs are normally provided with an additional time allowance, recognising their representative role. Timings will be confirmed following **Procedural Deadline A (Tuesday 15 October 2024)**.

The ExA has the discretion to hold **Issue Specific Hearings (ISHs)** if it would aid in the Examination and there is a specific reason this would be more helpful than reliance on written evidence only. The lack of an ISH on one or more topics does not suggest that that topic is less important than others which are subject to a hearing. Rather, it is an indication that the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions and that each party has had a fair opportunity to put its case.

The draft Examination Timetable includes a number of dates reserved for ISHs and IPs may make suggestions for topics to be discussed at an ISH in their written or oral representations to the PM.

It may be necessary for the ExA to hold more than one ISH on the draft DCO. This is normal practice, and they are held on a without prejudice basis. Parties can suggest modifications and amendments to the draft DCO provided by the Applicant with the application, without prejudicing their overall position on the application.

Holding such hearings does not imply that the ExA has reached any judgements on the merits of the application. Whatever the ultimate recommendation is, the ExA must make sure that the draft DCO is fit for purpose if the SoS decides to grant consent, as any consent will be subject to Requirements (ie conditions) set out in the DCO.

At hearings it will not normally be necessary for parties to make long and detailed submissions that require visual presentations. Any supporting detail/information can be provided in writing following the event by the relevant Deadline.

Historically, hearings were held in a single room which required participants to attend physically and, for some, involved considerable resource. During the Coronavirus

pandemic, hearings were held entirely online through the mechanism of Microsoft Teams. This allowed hearings to continue.

Currently, most hearings are held as 'blended' events. This means that some participants, who wish to and are able, attend in a single room and others participate online within the same hearing.

While we are holding the hearings in the week commencing 21 October 2024 in a 'blended' form, given the principal issues we have identified for the Examination, we are considering whether it might be more efficient for some or all of the future hearings to be held entirely online. We are intending to ask participants at the PM for their views before making our decisions on this.

Site inspections

As part of the Examination process the ExA will undertake site inspections. These can be either unaccompanied or accompanied.

The purpose of these is for the ExA to see features of the proposals within the context of the evidence put forward. We have already undertaken three Unaccompanied Site Inspection (USI) and Notes of these are being published on the [project webpage](#).

Accompanied Site Inspections (ASI) will only be necessary to view land to which there is no public right of access, or with no clear view from nearby locations with open public access. The purpose of ASIs is familiarisation only and no discussion of the merits of the Proposed Development will be entertained during an ASI.

The ExA may decide to hold further USIs to relevant nominated locations, supported by the submission of additional written, photographic, video or drone material if this would be preferable to not visiting sites or holding ASIs in circumstances which could make them difficult and unduly time-consuming to conduct. The ExA may also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of a USI on an access required basis; an Access Required Site Inspection (ARSI).

The draft Examination Timetable includes a Deadline for IPs to make submissions suggesting sites and locations that the ExA should visit. These will be used to inform further USIs/ ARSIs as well as possible ASIs.

Initial Assessment of Principal Issues

This is the Initial Assessment of Principal Issues prepared as required under section 88(1) of the Planning Act 2008 (PA2008). It has been prepared by the Examining Authority (ExA) following its reading of:

- the application documents;
- the Relevant Representations received in respect of the application; and
- its consideration of any other important and relevant matters.

This initial assessment has guided the Examining Authority in forming a provisional view as to how the application is to be examined. It is not a comprehensive or exclusive list of the issues that will be subject to examination and inevitably some issues will overlap or interrelate. The ExA will have regard to all important and relevant matters during the Examination and when it writes its Recommendation Report to the Secretary of State after the Examination has concluded.

The order of the issues listed is alphabetic and does not imply any order of prioritisation or importance.

The policy and consenting requirements and documents associated with the PA2008 are an integral part of the Examination and are therefore not listed as main issues.

It should also be noted that whilst the effects of the proposal in relation to human rights and equalities duties are not listed as main issues, the ExA will conduct all aspects of the Examination with these in mind.

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| 1. Aviation and Radar |
| Including (but not limited to) issues relating to: <ul style="list-style-type: none"> • Effects on safety and operations of civil and military aviation including search and rescue • Effects to radar, including Primary Surveillance Systems, at Lowther, St Annes, Great Dun Fell, Blackpool Airport, Walney and Warton Aerodromes • Effects on access to, and the operations of, existing offshore infrastructure including operational offshore wind farms and oil and gas development. |
| 2. Biodiversity and Ecology |
| Including (but not limited to) issues relating to: <ul style="list-style-type: none"> • Benthic ecology and marine physical processes, including dredging and contamination • Fish and shellfish ecology • Marine mammal ecology • Ornithology |

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| <p>3. Commercial Fisheries</p> |
| <p>Including (but not limited to) issues relating to:</p> <ul style="list-style-type: none"> • Displacement of any fishing activities, adequacy of mitigation measures and approach to monitoring and any consequent social, economic or environmental effects |
| <p>4. Habitats Regulations Assessment</p> |
| <p>Including (but not limited to) issues relating to:</p> <ul style="list-style-type: none"> • Interrogation of data and information on which the HRA would be based • Screening of protected sites, likely significant effects, and those taken forward for assessment • Likelihood of adverse effects on the integrity of habitat sites including information to assess any potential derogation • In-combination effects |
| <p>5. Other Offshore Infrastructure and Other Sea Users</p> |
| <p>Including (but not limited to) issues relating to:</p> <ul style="list-style-type: none"> • Oil and gas infrastructure • Telecommunications and electricity transmission infrastructure • Other offshore renewable energy installations • Recreational sea users • Mechanisms for co-existence and/ or co-operation |
| <p>6. Shipping and Navigation</p> |
| <p>Including (but not limited to) issues relating to:</p> <ul style="list-style-type: none"> • Safe marine navigation including to existing and proposed facilities • Effects on routeing and operations of ferries, commercial shipping and ports, including deviation and adverse weather routeing for lifeline ferry services and any consequent social, economic or environmental effects • Effects to marine communications and mobile radar operations |
| <p>Common to all topics:</p> <ul style="list-style-type: none"> • Data sources, methodology and assumptions behind the Environmental Assessment • Cumulative effects with other offshore wind farms and associated grid connection projects • Transboundary effects • Social or economic effects • Proposals and security for mitigation and monitoring |

Interrelationship with other projects

Other infrastructure projects

There are a number of other infrastructure projects within and around the Irish Sea and in England, Wales and the Isle of Man, which are either consented, in Examination or pre-Examination or pre-Application. These include:

- [Awel y Môr Offshore Wind Farm](#)
- [Mona Offshore Wind Project](#)
- [Morgan Offshore Windfarm: Generation Assets](#)
- [Morgan and Morecambe Offshore Wind Farms: Transmission Assets \(the Transmission Project\)](#)
- Mooir Vannin Offshore Wind Farm

The Examining Authority

The Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government has appointed the Examining Authority (ExA) for the Morecambe Offshore Wind Generation Assets to examine this project alone. The Examinations of the other projects will be conducted by other ExAs, as separately appointed by the Secretary of State (or by the Isle of Man Government for Mooir Vannin Offshore Wind Farm).

The ExA will therefore carry out the Examination for this project only and will have no responsibility for the Examination of those other projects. Similarly, the ExA for the other projects will have no responsibility for the Examination of this one.

Examination documents, communications, and submissions

All documents, communications and submissions will be available through the project webpages and will be dealt with separately from those for the other projects. Therefore, to ensure that we receive your submissions for this project, please take care to make them in accordance with the specific procedures for this project, as set out in this letter, and as subsequently notified by the ExA.

If you wish to make submissions in relation to another project, you should do so separately at the appropriate time for that project. Any representations made in relation to a different project received by the ExA will not be forwarded to that project.

Examination timetable

The ExA's draft Examination timetable is set out in **Appendix E**. The ExA anticipates that several parties will also wish to participate in the Examination of one or more of the other projects, as well as this one. The ExA is also aware that there is likely to be an overlap of the Examination stage of this project with that for one or more other projects. As such, the ExA recognises the potential for resource challenges for parties wishing to participate in more than one Examination at the same time.

The ExA has developed the draft Examination Timetable as necessary for its Examination. Consistent with that, it has also sought to increase the opportunity for the Examination Timetables for other projects to be able to identify Deadlines and events that do not clash with those for this project.

To do this the ExA has sought to maximise the time between Deadlines and events by minimising the number of Deadlines. If the ExA decides to change the Examination Timetable, then it will seek to minimise any overlap with events and deadlines for other projects.

Overlapping issues

The chapters of the Environmental Statement include consideration of cumulative and in-combination effects of this project with those of the proposed Transmission Project and the other infrastructure projects listed above. The location of the above listed projects is shown in Figure 1.2 of Volume 5 Chapter 1 Introduction Figures [\[APP-088\]](#).

Given the proximity of some of these projects, the ExA has recognised the importance of considering cumulative and in-combination effects with other offshore wind farm and associated grid connection projects, as set out in its Initial Assessment of Principal Issues in **Appendix C**.

Recognising the potential for the information available on other projects to change during the Examination, the draft Examination Timetable in **Appendix E** sets out a request for the Applicant to provide a '**Report on the interrelationship with other infrastructure projects**' at **Deadline 1 (26 November 2024)** and for it to be updated at regular intervals during the Examination.

The content of the report is to include the matters set out in **Appendix G** under the heading of '**Report on the interrelationship with other infrastructure projects**'.

Draft Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

| Item | Matters | Date |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 1. | <p>Pre-Examination Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including any submissions about the draft Examination Timetable • Comments on Relevant Representations (RRs) (Appendix G) • Summaries of all RR's exceeding 1500 words • Submission of Pre-examination Progress Tracker (Appendix G) • Receipt of matters requested in Rule 9 letter of 4 September 2024 [PD-006] (apart from those items referred to in Appendix G item 10). • Requests to be heard orally at the Preliminary Meeting including which agenda items you wish to speak on (Appendix A) • Requests to participate in the Open Floor Hearing (OFH1) on Wednesday 23 October 2024 • Requests to participate in the Issue Specific Hearing 1 (ISH1) on Thursday 24 October 2024 • Suggested locations for site inspections for consideration by the ExA, including justification, and whether such locations can be seen from public land or require private access | <p>Tuesday 15 October 2024</p> |
| 2. | <p>Preliminary Meeting</p> | <p>Wednesday 23 October 2024</p> <p>2:00pm</p> |

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 3. | Open Floor Hearing (OFH1) (if required) | Wednesday 23 October 2024 5:00pm |
| 4. | Issue Specific Hearing (ISH1) ISH1 on the Scope of Development and Interrelationship with other Infrastructure Projects, the Development Consent Order (DCO) and Explanatory Memorandum (EM) | Thursday 24 October 2024 10:00am |
| 5. | Issue by the ExA of: <ul style="list-style-type: none"> • Examination Timetable • Any Written Questions deemed necessary arising from ISH1 (if required) | As soon as possible following the Preliminary Meeting |
| 6. | Deadline 1 For receipt by the ExA of: <ul style="list-style-type: none"> • Post-hearing submissions for OFH1 and ISH1, including written submissions of oral cases and comments on any oral submissions put at the hearings • Declarations of use of Artificial Intelligence in preparation of any submissions to date (Appendix G). • Written Representations (WRs) including summaries if exceeding 1500 words • Summaries of all RRs exceeding 1500 words (if not provided at the pre-Examination Procedural Deadline) • Responses to RRs (if not provided at the pre-Examination Procedural Deadline) • Initial Statements of Common Ground (SoCGs) and Statement of Commonality (or as combined with the Progress Tracker) (Appendix G) • Submission of Report on interrelationship with other infrastructure projects (Appendices D and G) • Outstanding information from the Applicant in response to Rule 9 letter of 4 September 2024 [PD-006] | Tuesday 26 November 2024 |

| | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| | <ul style="list-style-type: none"> • Requests by Interested Parties to be heard at a Further Open Floor Hearing (OFH) • Notification by Statutory Parties of their wish to be considered as an IP by the ExA • Notification of wish to have future correspondence received electronically • Comments on any further information/ additional submissions accepted by the ExA • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 | |
| 7. | <p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Responses to any written questions arising from ISH1 (if supplied) • Applicant’s Progress Tracker / Statement of Commonality • Applicant’s first update to the draft DCO and EM • Applicant’s first update to the Guide to the Application • Applicant’s draft itinerary for ASI (if required) • Any other updated documents and statements from the Applicant deemed necessary following responses at Deadline 1 (if required) • Comments on any other submissions received at Deadline 1. • Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 | <p>Thursday 12 December 2024</p> |
| 8. | <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Written Questions (ExQ1) | <p>Wednesday 18 December 2024</p> |
| 9. | <p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ1 | <p>Wednesday 15 January 2025</p> |

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|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| | <ul style="list-style-type: none"> • Comments on the Applicant's first update to the draft DCO and EM • Comments on the progress tracker / Statement of Commonality • Comments on the Applicant's draft itinerary for the ASI (if required) • Notification of wish to attend the ASI (if required) • Any other updated documents and statements from the Applicant deemed necessary following responses at Deadline 2 (if required) • Comments on any other submissions received at Deadline 2 • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 | |
| <p>10.</p> | <p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Final itinerary for the ASI (if required) | <p>Wednesday 22 January 2025</p> |
| <p>11.</p> | <p>Dates reserved for:</p> <ul style="list-style-type: none"> • Further Issue Specific Hearings (if required) • Further Open Floor Hearing (if required) • Accompanied Site Inspection (if required) | <p>Week commencing 27 January 2025</p> |
| <p>12.</p> | <p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post-hearing submissions including written submissions of oral cases (if required) • Applicant's mid-Examination Progress Tracker / update to the Statement of Commonality • Mid-Examination Report on interrelationship with other infrastructure projects • Applicant's second update to the draft DCO and EM • Applicant's second update to the Guide to the Application | <p>Tuesday 11 February 2025</p> |

| | | |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| | <ul style="list-style-type: none"> Any other updated documents and statements from the Applicant deemed necessary following responses at Deadline 3 (if required) Comments on any other submissions received at Deadline 3 Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 | |
| 13. | Publication by the ExA of: <ul style="list-style-type: none"> Further Written Questions (ExQ2) (if required) | Thursday 20 February 2025 |
| 14. | Deadline 5 For receipt by the ExA of: <ul style="list-style-type: none"> Responses to ExQ2 (if required) Any other updated documents and statements from the Applicant deemed necessary following responses at Deadline 4 (if required) Comments on any other submissions received at Deadline 4 Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 | Tuesday 11 March 2025 |
| 15. | Publication by the ExA of: <ul style="list-style-type: none"> Report on the Implications for European Sites (RIES) and any associated questions (if required) ExA's commentary on, or schedule of changes to, the draft DCO (if required) | Tuesday 25 March 2025 |
| 16. | Reserve dates for: <ul style="list-style-type: none"> Further Hearings (if required) | Week commencing 31 March 2025 |
| 17. | Deadline 6 For receipt by the ExA of: <ul style="list-style-type: none"> Post-hearing submissions including written submissions of oral cases (if applicable) Comments on responses to ExQ2 (if provided) Comments on the RIES (if provided) | Tuesday 15 April 2025 |

| | | |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| | <ul style="list-style-type: none"> • Comments on the ExA's commentary on, or schedule of changes to, the draft DCO (if provided) • Finalised Statements of Common Ground • Final Statement of Commonality/ Close of Examination Progress Tracker • Applicant's Closing Statement with summary of areas of disagreement • Closing Statements from Interested Parties regarding matters that they have previously raised during the Examination and have not been resolved to their satisfaction (if desired) • Final Report on interrelationship with other infrastructure projects • Final draft DCO to be submitted by the Applicant in the SI template with the SI template validation report together with final draft EM • Final Guide to the Application • Any other updated documents and statements from the Applicant deemed necessary following responses at Deadline 5 (if required) • Comments on any further information/ submissions received by Deadline 5 • Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 | |
| <p>18.</p> | <p>The ExA is under a duty to complete the Examination of the application by the end of the period of six months.</p> <p>Please note that the ExA may close the Examination before the end of the six-month period if it is satisfied that all relevant matters have been addressed and discussed.</p> | <p>Wednesday 23 April 2025</p> |

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are anticipated to be at **23:59 hours** on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and Regulation 28 of The Offshore Marine Regulations.

Notification of initial hearings

The Examining Authority (ExA) provides notice of the following initial hearings:

| Date | Hearing | Start time | Venue and Joining details |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wednesday 23 October 2024 | Open Floor Hearing | Registration and seating available at venue from: 4:30pm Virtual Registration Process from: 4:30pm Hearing starts: 5:00pm | Pullman Hotel Liverpool, King’s Dock, Port of Liverpool, Liverpool L3 4FP and by virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre- registered |
| Thursday 24 October 2024 | Issue Specific Hearing | Registration and seating available at venue from: 9:15am Virtual Registration Process from: 9:15am Hearing starts: 10:00am | Pullman Hotel Liverpool, King’s Dock, Port of Liverpool, Liverpool L3 4FP and by virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre- registered |
| <p>NOTE: If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the project webpage, providing reasonable notice to Interested Parties of the decision to cancel them.</p> | | | |

You must register by completing the [Event Participation Form](#) by Tuesday 15 October 2024 if you intend to participate in either of the hearings and provide all the information requested (see below).

If you simply wish to observe either of the hearings then you do not need to register as you will be able to either:

1. watch a livestream of the event - a link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin; and/or
2. watch the recording of the event which will be published on the project webpage shortly after the event has finished.

Alternatively, you can attend the physical hearing at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **Tuesday 15 October 2024** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **Tuesday 15 October 2024**.

Any request to participate in a hearing **must include** the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in, the agenda item(s) on which you wish to speak and/or brief details of the topic(s) that you would like to raise;
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

Requests to participate should be made using the [Event Participation Form](#) on or before **Procedural Deadline A**.

Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend any of the hearings, either virtually or in person.

Please Note; In the event that no requests are received to hold an Open Floor Hearing by Procedural Deadline A, Tuesday 15 October 2024, then it is likely the ExA will cancel the Hearing. Any decision to cancel the Hearing will be posted on the project website as soon as possible. **Parties are reminded that this Examination relates only to the Morecambe Offshore Wind Generation Assets**

application and representations should relate to that project alone or cumulative effects with other projects.

Hearing agendas

The outline agenda for this hearing set is set below. A more detailed agenda may be published in accordance with the information set out above.

Open Floor Hearing 1 (if required)

23 October 2024 at 5:00pm

| Agenda for Open Floor Hearing 1 | |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item 1 | Welcome, introductions and arrangements for the hearing |
| Item 2 | Purpose of the Hearing |
| Item 3 | Confirmation of those who notified the ExA of a wish to be heard at the OFH |
| Item 4 | <p>Oral Submissions from Interested Parties</p> <ul style="list-style-type: none"> • Each Interested Party who has indicated a wish to speak will be invited forward in turn. Each party will be given a limited amount of time. <p>These are:</p> <ul style="list-style-type: none"> ○ 3 minutes for individual IPs ○ 5 minutes where one IP speaks on behalf of a number of IPs ○ 8 minutes for membership organisations and formal groups. <ul style="list-style-type: none"> • Any other party who has not registered but would wish to speak on the day (if time) <p>Following each submission the ExA may wish to ask the speaker questions.</p> <p>Oral submissions should be based on representations previously made in writing by the particular participant. However, representations made at the hearing should not simply repeat matters previously covered in a written submission, but rather provide further detail, explanation and evidential corroboration to help inform the Examining Authority.</p> |
| Item 5 | <p>Responses by the Applicant</p> <ul style="list-style-type: none"> • The Applicant will be invited to respond to matters raised and to questions arising from the ExA either orally after all IPs and Non-IPs have spoken, or in writing by Deadline 1 on 26 November 2024. |
| Item 6 | Next steps |
| Item 7 | Closing |
| Close of Open Floor Hearing 1 | |

Issue Specific Hearing 1

24 October 2024 at 10:00am

| Agenda for Issue Specific Hearing 1 | |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item 1 | Welcome, introductions and arrangements for the hearing |
| Item 2 | Purpose of the Hearing |
| Item 3 | <p>Scope and description of the Proposed Development</p> <ul style="list-style-type: none"> • Clarification of the Works as described in Schedule 1 of the draft Development Consent Order (dDCO) • Design parameters as defined in Requirement 2 of the draft DCO and Condition 1 of the draft Deemed Marine Licences • Array layout principles including spacing and micro-siting • The Land Plan and status of Crown Land |
| Item 4 | <p>Interrelationship with other projects</p> <ul style="list-style-type: none"> • Interrelationship Report with other Infrastructure Projects – content and the Applicant’s progress on the Report • Interrelationship with examination of the Morgan Offshore Windfarm: Generation Assets project and alignment of data • Expected timescales for submission of the Morgan and Morecambe Offshore Wind Farms: Transmission Assets project and implications for the commencement period proposed in Requirement 1 of the draft DCO • Updates to the Cumulative Effects Assessment and In-Combination assessment |
| Item 5 | <p>The Overall Structure of the dDCO</p> <ul style="list-style-type: none"> • The Applicant will be asked to explain its overall approach to the drafting of the dDCO and clarify if any matters are to be secured by alternative methods, such as Planning Obligations and other forms of agreement. |
| Item 6 | <p>ExA’s Questions on the DCO</p> <ul style="list-style-type: none"> • The ExA will ask questions about the dDCO and seek observations from IPs present. Noting that this hearing is in the earliest stages of the Examination, the primary purpose of this Agenda item will be for the ExA to raise its own initial questions. Other IPs will be welcome to participate but will not be expected to frame their own detailed positions until the submission of their Written Representations and participation in a DCO ISH later in the Examination. <p>Attached at Annex F(i) are the ExA’s initial observations on the drafting of the DCO. As will be seen, some of these are typographic and others of more fundamental nature. The Hearing will concentrate on those matters which are of a more fundamental nature</p> |

| | |
|-----------------------------|------------|
| Item 7 | Next Steps |
| Close of the Hearing | |

In relation to the fourth bullet in Item 3, the ExA asks that Interested Parties, including the Applicant, familiarise themselves before the discussions with the case of *R (Parkes) v Secretary of State for the Home Department* [2024] EWHC 1253 (Admin) in respect of the definition of “land”.

While the draft agendas are set out above, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

Procedure at hearings

The Examination will principally be a written process (see the Planning Inspectorate’s [Advice pages](#)).

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

Hearing livestream and recording

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the [project webpage](#) as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

ExA Initial Observations on Drafting of dDCO

Abbreviations:

| | | | |
|------|-----------------------------------------------------------|--------|-----------------------------------------|
| Art | Article | m | metre |
| Cond | Condition (in DML, Schedule 6 of dDCO) | MoD | Ministry of Defence |
| DCO | Development Consent Order | OSP | Offshore Substation Platform |
| dDCO | Draft Development Consent Order [APP-012] | PA2008 | Planning Act 2008 |
| DML | Deemed Marine Licence | Para | Paragraph |
| EM | Explanatory Memorandum [APP-013] | PATP | Port Access and Transport Plan |
| ExA | Examining Authority | Sch | Schedule |
| HAT | Highest Astronomical Tide | Req | Requirement (in Schedule 2 of the dDCO) |
| IPMP | In Principle Monitoring Plan [APP-148] | WTG | Wind Turbine Generator |

Notes:

1. Due to the drafting of the DML, being essentially separate from the rest of the dDCO, some of the points raised will equally apply to the DML (Sch 6). The Applicant is asked to consider this without further specific reference and make any necessary amendments.
2. There are various examples within the EM where precedent provisions are cited, but not a full reason why the provision is required in the particular circumstances of this Proposed Development. The Applicant is asked to review the document with this in mind as well as updating it in light of any changes made as a result of these questions.
3. There are a number of locations, for example in Art 3 and Art 7(2), where there is text following a list continuing an earlier paragraph. In each case the row should be justified to the left margin rather than indented. Could the dDCO be comprehensively checked for typographic errors and amended as necessary.

| Matter | Provision | Issue or Question Raised |
|--------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Art 2 | <p>Definition of “bank holiday” The Banking and Financial Dealings Act 1971 does not include the two public holidays (Christmas Day and Good Friday) as bank holidays.</p> <p>Could the Applicant please explain why the restrictions relating to bank holidays should not include public holidays? Alternatively, could the dDCO be amended to include appropriate restrictions for public holidays?</p> <p>This matter also has implications for Schedule 5 – Arbitration Rules.</p> |
| 2. | Art 2 | <p>Definition of “m2” The Système international d'unités (SI) unit for area is “m²” (that is the “2” in superscript) and is ‘square metre’ nor ‘metres squared’ (which is different). Also, neither cubic metre (m³) nor kilometre (km) have been defined, although used, for example in Req 2 of Sch 2. (Note: km² is often defined in the ES as ‘kilometre squared’ while it should be ‘square kilometre’. The interpretation given is incorrect and will need to be amended in due course.)</p> |
| 3. | Art 2 | <p>Definition of “Marine Management Organisation” The definition of “Marine Management Organisation” concludes with “... and “MMO” must be construed accordingly”. Would the drafting be better set out so that it commences ““Marine Maritime Organisation” and “MMO” both mean the ...”?</p> |
| 4. | Art 2 | <p>Definition of “offshore substation platform”</p> <p>(a) In the definition of ‘offshore substation platform’ the term ‘high voltage’ has been used twice. Could the Applicant explain why this and the term ‘low voltage’ are needed as they could be considered to be otiose?”</p> <p>(b) The term “OSP” is used elsewhere in the dDCO. Could this please be added to the definition.</p> |
| 5. | Art 2 | <p>Definition of “wind turbine generator” The term “WTG” is used elsewhere in the dDCO. Could this please be added to the definition.</p> |
| 6. | Art 4 | <p>Approval of matters specified in requirements While appreciating the desire for an appeals mechanism in relation to refusals of details by non-Secretary of State bodies, is such a mechanism appropriate for matters to be approved by the</p> |

| Matter | Provision | Issue or Question Raised |
|--------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Secretary of State? The Applicant is asked to consider whether this provision should ‘carve out’ Secretary of State approval matters from the appeals process. |
| 7. | Sch 1 Part 1 | <p>Offshore substation platforms</p> <p>It is stated that the proposal includes “up to two offshore substation platforms”.</p> <p>(a) Could the Applicant confirm that it is positively proposed to construct at least one platform? In other words, the proposal is for ‘one or two offshore substation platforms’? If not, how would the energy created be transported to the mainland given the footnote set out in the ES (for example footnote 2 to Chapter 5: Project Description of the ES [APP-042])?</p> <p>(b) In relation to the offshore wind turbine generators, the proposal is for “no fewer than 30 and no more than 35 offshore wind turbine generators”. Should there also be minimum number included so as to ensure that the Proposed Development meets the definition of a Nationally Significant Infrastructure Project under sections 14 and 15 of the PA2008?</p> |
| 8. | Sch 2 Req 2 | <p>Design Parameters</p> <p>Section 6.2 of Design Statement [APP-021] and Table 6.1 sets out the Design Code that will be applied to inform the final layout design. Some of these are also set out in Table 2 of Req 2 dDCO/ Table 3 of Cond 1 of DML as maximum parameters but not all (for example, reference to WTGs being arranged in at least two lines of orientation is not referenced but is in the Design Code).</p> <p>(a) Cond 9(a) of the DML requires detailed layout to be submitted and while this does include reference to at least two orientation lines, could the drafting of this and Req 2 be amended to make clear that final layout should adhere to the Design Statement/ Design Code rather than simply rely on the maximum parameters?</p> <p>(b) Should minimum separation distances specified for larger WTGs be included within the dDCO?</p> <p>(c) Should the maximum helideck height be specified?</p> <p>(d) The maximum pile penetration depth is not secured in dDCO. Given that the proximity to a working gas field is there a need to specify this?</p> <p>(e) Para 5.105 of ES Chapter 5 Project Description [APP-042] suggest predrilling will be required for 50% of piling locations. This is not constrained in the dDCO and will affect noise impacts. Is a control necessary?</p> |

| Matter | Provision | Issue or Question Raised |
|--------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. | Sch 2 Req 3 | <p>Aviation Safety</p> <p>(a) In sub-paragraph (1) it is indicated that “<i>Lighting installed specifically to meet Ministry of Defence aviation safety requirements must remain operational for the life of the authorised project unless otherwise agreed with the Ministry of Defence</i>”. Could the Applicant explain why this only relates to the Ministry of Defence and why not also the Civil Aviation Authority.</p> <p>(b) Could the Applicant please explain why in sub-paragraph (1) there are references to the Ministry of Defence, but in sub-paragraph (2) to the Defence Infrastructure Organisation Safeguarding. Should these be consistent?</p> <p>(c) In sub-paragraph (3) should not the word “will” be replaced by “shall”?</p> <p>(d) Could the Applicant please explain why the restriction that there are no WTGs or OSPs within 1.5 nautical miles of oil and gas platforms with active helidecks is provided for within Protective Provisions rather than either the Articles or Requirements of the dDCO?</p> |
| 10. | Sch 2 Req 5, 6 and 7 | <p>Aviation Safety</p> <p>(a) In relation to Reqs 5, 6 and 7 refers to ‘Section 36 Consents’. It is not clear under what legislation these consents are referring to. Could this please be included.</p> <p>(b) These requirements also refer to “NATS Aeronautical Information Service”, but this is not defined. Could this please be provided?</p> <p>(c) Should all the relevant mitigations be in place and operational prior to any WTG being erected? If so, should this be secured in each requirement?</p> |
| 11. | Sch 2 Req 8 | <p>Decommissioning</p> <p>(a) Should not the decommissioning plan have been approved in writing by the Secretary of State prior to any part of the authorised development commencing?</p> <p>(b) The ExA notes that no time limit is set within this Req for decommissioning. The Environmental Statement indicates as assessment of 35 years operational life although the lease is 60 years. Should a specific period be explicitly included within this Req on the basis that other periods will not have been appropriately assessed?</p> |
| 12. | Sch 2 Req 9 | <p>Port Access and Transport Plan</p> <p>Paragraph 69 of the Planning, Development Consent and Need Statement [APP-026] states that where a port is used to transport over land of major components a PATP will be submitted. However,</p> |

| Matter | Provision | Issue or Question Raised |
|--------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>the drafting of Req 9 states a PATP is only needed where "...the transport over land of wind turbine generators and/or foundations in connection with the construction of the authorised development".</p> <p>Could the Applicant explain why different drafting has been used? Should this be consistent and confirm what major components are? For example, what about other materials such as cable/ scour protection and also OSPs (which could be large and abnormal loads)?</p> |
| 13. | Sch 2 Req 10 | <p>Skills and Employment Plan</p> <p>Req 10 prevents the development from commencing until the relevant authority (that is the Port or operations/ maintenance base is located) is notified of skills and employment plan. Whilst the drafting provides that the relevant planning authority must be first consulted on the plan, why are they not required to also approve the plan rather than simply be notified? What control/ certainty is there over the final plan not changing from that the relevant planning authority are consulted upon?</p> |
| 14. | Sch 2 Req 12 | <p>Amendments to approved details</p> <p>This requirement sets out that all amendments to approved details must be by the Secretary of State. However, several of the requirements include approvals by other bodies, for example the relevant planning or highway authorities, and Civil Aviation Authority. Could the Applicant explain why 'amendment approvals' should be dealt with by the Secretary of State only, and not by the originally approving body? If, on reflection, the Applicant considers that alternative arrangements should be made, could the dDCO be amended as appropriate?</p> |
| 15. | Sch 4, para 4 | <p>Approval of matters specified in requirements</p> <p>Could the Applicant please explain this provision works in the situation where the consultee from the discharging authority considers it requires additional information given the timescales set out in paragraph 3?</p> |
| 16. | Sch 4, para 5 | <p>Approval of matters specified in requirements</p> <p>(a) Could the Applicant please seek to justify the 20 working day provision in para (2)(f) for the making of a decision by the appointed person? The ExA is concerned that may result in a loss of natural justice, for example if an external event occurred during this period which would have required the decision maker to revert to the parties, or there was some other material change in circumstances. It is noted that Advice Note Fifteen: drafting Development Consent Orders uses the following</p> |

| Matter | Provision | Issue or Question Raised |
|--------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>formulation: “(3) <i>The appointed person must make a decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable.</i>”</p> <p>(b) In para (12) should the appointed person be able to award costs on their own initiative? If so, could the dDCO please be amended to include this provision?</p> |
| 17. | Sch 6, Part 2, cond 1 | <p>DML</p> <p>Sub-para (2) refers to amending legislation. Is this drafted to include amendments made to legislation after the date of the making of any DCO or at the date of making of any DCO? Could this please be clarified.</p> |
| 18. | Sch 6, Part 2 cond 6 | <p>DML</p> <p>Para 115 of the Design Statement [APP-021] states the foundation structures are expected to be coloured RAL 1023 (traffic yellow) from HAT to a minimum of 15m above HAT, as directed by Trinity House. Para 52 of the Planning, Development Consent and Need Statement [APP-026] and Cond 6 of the DML within the dDCO only states a height as directed by Trinity House.</p> <p>Should this provision be amended to include reference to 15m minimum for clarity/ certainty?</p> |
| 19. | Sch 6, Part 2 conds 9, 12, 14 and 16 | <p>DML</p> <p>The ExA notes that the term “MGN654” is used four times in this Schedule. However, it is only entitled in its second use. Could the Applicant please amend this Schedule so that the term is defined in Part 1 of this Schedule and then used in accordance with this definition.</p> |
| 20. | Sch 6, Part 2 conds 9 and 16 | <p>Post-decommissioning monitoring</p> <p>Table 13.2 of Chapter 5 [APP-050] states that it is likely that some infrastructure could be retained in-situ including inter-array and platform cables, scour protection, crossings and cable protection and part foundations of WTG.</p> <p>Conds 9(1)(d) and 16(5) of the DML provide for post-construction monitoring to be carried out but only until the development is decommissioned. If structures and cables are to be retained in-situ post-decommissioning, should there be a provision for monitoring/ maintaining them to ensure retained infrastructure does not pose a long-term risk?</p> |

| Matter | Provision | Issue or Question Raised |
|--------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 21. | Sch 6, Part 2 cond 16 | <p>Post consent monitoring Cond 16(3) identifies matters to be covered in post-construction monitoring plan but these do not appear to reflect all those set out in the IPMP.</p> <p>(a) Although the final plan should accord with the IPMP, should Cond 16(3) be amended to make clear what the final plan will cover?</p> <p>(b) What about those matters in the IPMP where it says these would be <i>"outwith the IPMP"</i>. This includes marine mammals, seabirds, commercial fisheries. Are these necessary and if so how are these to be secured?</p> |
| 22. | Potential omission | <p>Monitoring of cable burial integrity In paragraph 13.209 of Chapter 13 of the ES [APP-050] the Applicant states <i>"The Developer is committed to regular and routine monitoring and inspection of cable burial integrity and condition of cable protection"</i>. Could the Applicant indicate where this is secured?</p> |
| 23. | Potential omission | <p>Emergency Response Cooperation Plan Paragraph 16.139 of Chapter 16 of the ES [APP-053] indicates that an Emergency Response Cooperation Plan <i>"would be developed, agreed and implemented for all phases of the Project"</i>. Could the Applicant indicate where this is secured?</p> |

Other Procedural Decisions made by the Examining Authority

The Examining Authority (ExA) has made the following Procedural Decisions:

1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Appendix C** to this letter, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft Examination Timetable at **Appendix E** to this letter therefore establishes **Deadline 1** for submission of SoCGs.

SoCGs are requested to be prepared between the Applicant and the parties listed below. Each statement should include the following matters, together with the specific matters listed alongside the parties in the table below:

- Matters raised in Relevant Representations and Written Representations where applicable.
- Compliance with planning policy and legislation.
- The draft Development Consent Order and any relevant articles, requirements, provisions, and Deemed Marine Licence conditions. Any Interested Party seeking a change to the draft Development Consent order should provide the form of words which are being sought.
- Methodology, baseline data, modelling and assumptions in the Environmental Assessment.
- Likely effects at all phases: construction, operation and maintenance, and decommissioning.
- Feasible and deliverable mitigation and the method for securing such mitigation, and associated monitoring.
- Content of any control documents.
- In-combination and cumulative effects.
- A summary of:
 - i) matters agreed,
 - ii) matters under discussion and a timescale for them to be resolved, and
 - iii) matters not agreed, with reasons succinctly summarised.

In the draft SoCGs the ExA would appreciate if each was colour coded on a Red/ Amber/ Green (RAG) basis as to whether the parties consider that the matter is likely to be resolved during the Examination. The signed SoCG should include RAG coding as to the final situation.

The ExA would accept combined SoCGs from Interested Parties with similar/ overlapping issues to other Interested Parties (for example, the operators of existing off-shore windfarms in the vicinity) if it would enable those Interested Parties and the Applicant to make the best use of their resources.

| Parties to the SoCG | Matters to be included in the SoCG (but not limited to such matters) |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BAe Systems Marine Limited/ BAe Systems (Operations) Ltd | Assessment of effects to civil or military aviation and proposed mitigation |
| Blackpool Airport Ltd | Assessment of effects on civil aviation and proposed mitigation |
| Chrysaor Resources (Irish Sea) Limited/ Harbour Energy plc | Assessment of effects and mitigations on: <ul style="list-style-type: none"> • Civil aviation • Shipping and navigation • Proposed operations (including decommissioning of existing facilities) |
| Defence Infrastructure Organisation | Assessment of effects to military aviation and proposed mitigation |
| Historic England | <ul style="list-style-type: none"> • Effects on marine archaeology • Effects on setting of terrestrial heritage assets including World Heritage Sites • Adequacy of Outline Offshore Written Scheme of Investigation for archaeology and Protocol for Archaeological Discoveries • Proposed temporary and permanent Archaeological Exclusion Zones and their radius or extent • Principles for cable laying and protection |
| Isle of Man Government (Territorial Sea Committee) | Assessment and proposed mitigation of effects on: <ul style="list-style-type: none"> • Benthic Ecology and physical processes • Civil aviation and proposed mitigation • Commercial Fisheries • Fish and Shellfish ecology • Offshore Ornithology • Shipping and lifeline ferry services • Social or economic receptors (direct and indirect) |
| Isle of Man Steam Packet Company | Effects on shipping and lifeline ferry services |

| Parties to the SoCG | Matters to be included in the SoCG (but not limited to such matters) |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Joint Nature Conservation Committee | <p>Matters relating to benthic ecology and offshore habitats and species</p> <p>Note: This can be included within the SoCG with Natural England (although it should identify those matters within and without 12 nautical miles from the coast where necessary).</p> |
| Marine Management Organisation | <ul style="list-style-type: none"> • Compliance with Marine Policy Statement and North West Marine Plan 2021 • DCO and Deemed Marine Licence drafting and acceptability of conditions and outline plans • Assessment of effects and mitigations proposed, including cumulative impacts and effects for: <ul style="list-style-type: none"> ○ Marine physical processes and benthic ecology ○ Fish and shellfish ecology ○ Marine mammals and underwater noise • Coverage and content of all the outline plan documents submitted with the application • Time period secured for review and approval of detailed plans post-consent • Principles of proposals for safety zone applications • Principles for decommissioning |
| Maritime and Coastguard Agency | <ul style="list-style-type: none"> • Compliance with Marine Guidance Note (MGN) 654 (and its Annex 1 Assessment of risks) and with mitigations proposed, including <ul style="list-style-type: none"> ○ Outline Vessel Traffic Management Plan ○ Design layout principles ○ Outline Offshore Operation and Maintenance Plan • Assessment and proposed mitigation of cumulative impacts and effects to shipping and ferry services • Assessment of effects on Search and Rescue operations |
| NATS Safeguarding | <p>Assessment and mitigation of effects on air traffic radars at Lowther, St Annes and Great Dun Fell</p> |

| Parties to the SoCG | Matters to be included in the SoCG (but not limited to such matters) |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| National Federation of Fishermen's Organisations | <ul style="list-style-type: none"> • Assessment of baseline data • Assessment and proposed mitigation of effects on commercial fishing • Outline Fisheries Liaison and Co-Existence Plan |
| Natural England | <ul style="list-style-type: none"> • Offshore protected species • Protected habitats • Benthic Ecology and Physical Processes • European sites and features relevant to HRA <p>Note: Natural England's Principal Areas of Difference Statement can be submitted in place of a Statement of Common Ground if preferred.</p> |
| Natural Resources Wales | Assessment and mitigation related to cumulative impacts, in-combination impacts, and/ or mobile species in relation to Welsh designated sites |
| Other wind and transmission operators (both existing and proposed) who have made Relevant Representations | <p>Assessment of effects to existing and proposed infrastructure including</p> <ul style="list-style-type: none"> • Search and Rescue • Shipping and navigation • Wake effects |
| Royal Society for the Protection of Birds | Assessment of effects on ornithology |
| Spirit Energy | <p>Assessment of effects and mitigations on:</p> <ul style="list-style-type: none"> • Civil aviation • Shipping and navigation • Proposed operations (including decommissioning of existing facilities and future carbon capture) • Habitats compensation delivery |
| Stena Line Ltd | Assessment of effects on shipping and scheduled ferry services and proposed mitigation |
| Trinity House | <ul style="list-style-type: none"> • Assessment and mitigation of navigational safety effects • Outline Offshore Operations and Maintenance Plan • Outline Vessel Traffic Management Plan |

| Parties to the SoCG | Matters to be included in the SoCG (but not limited to such matters) |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The UK Chamber of Shipping | Assessment and proposed mitigation of effects on: <ul style="list-style-type: none"> • Navigation and Safety • Shipping Routes and scheduled services • Social and Economic receptors |

Where a particular SoCG cannot be agreed between the parties by **Deadline 1** draft versions of that SoCG are requested to be submitted **by the Applicant at Deadline 1**. The position of the relevant Interested Parties should then be confirmed in the course of the Examination. The draft Examination Timetable makes provision for updated SoCGs to be submitted at various Deadlines with final versions by **Deadline 6**.

The content of SoCGs will help to inform the ExA about the need to hold any Issue Specific Hearings during the Examination, and to enable the ExA and the Applicant to give reasonable notice of such hearings in advance of them taking place.

2. Accompanied Site Inspection – suggested locations

The draft Examination Timetable at **Appendix E** to this letter includes time reserved for an Accompanied Site Inspection (ASI) on the week commencing 27 January 2025.

The ExA has already undertaken Unaccompanied Site Inspections (USI) and thus has a good understanding of the location of the Application site and its relationship to the English and Welsh coasts. Details can be found in our Notes [\[EV2-001\]](#), [\[EV2-002\]](#) and [\[EV2-003\]](#). Consequently, we do not need to revisit these locations or visit other locations where the Proposed Development would have similar effects.

The ExA's starting position is that ASIs will be used only when it is necessary to inspect a site in the company of an Interested Party, for example when access to private land is required. Interested Parties are invited to submit any suggested locations for the ExA to inspect by **Procedural Deadline A (Tuesday 15 October 2024)**. Nominations must include sufficient information to identify the location and the issues to be observed. You must also indicate whether access to the private land would be required and if so, provide contact details for access. It would be helpful if nominations could be sent separately from any other written submission.

Should it be necessary, the Applicant is requested to prepare a draft itinerary for the ASI to be submitted by **Deadline 2 (12 December 2024)**. This should focus on private land to which access is required, taking account of:

- locations referred to in the Relevant Representations received;

- any other locations at which the Applicant has predicted likely significant environmental effects; and
- the locations suggested by Interested Parties submitted by **Procedural Deadline A**.

Comments by Interested Parties on the Applicant's draft itinerary must be submitted by **Deadline 3 (15 January 2025)**.

The ExA will consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. The ExA will also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of an Unaccompanied Site Inspection on an Access Required basis.

Should the ExA determine an ASI is required the final itinerary will be published at least five working days before the date of the ASI. Interested Parties attending an ASI should be aware that it is not an opportunity to make any oral representations to the ExA about the Proposed Development, however, participants may be invited by the ExA to indicate specific features or sites of interest.

3. Comments on Relevant Representations

Rule 3(2) of the Infrastructure Planning (Examination Procedure) Rules 2010 requires written comments on any RRs to be submitted either on the date of the PM, or a date specified in the Rule 8 letter, which follows as soon as practicable following the PM, whichever is the later. To comply, the ExA has requested responses to RRs and summaries exceeding 1500 words by **Deadline 1 (26 November 2024)**. However, it would be helpful to the ExA, for the PM and the subsequent hearings, if comments on RRs could be submitted by the **Procedural Deadline A**.

Comments on Relevant Representations should:

- specify the names of the parties making the representation and the relevant Examination Library reference in order to demonstrate that all Relevant Representations have been responded to; and
- where a detailed or tabular representation has been submitted, present responses in a comparable manner in order to ensure that all points are responded to in similar terms.

4. Request for regular updated documents throughout the Examination

The ExA requests that at each deadline, the Applicant submits an updated Application Guide, which provides a list of the most up-to-date documents before the Examination. The final version must be submitted by **Deadline 6 (15 April 2025)**, before the close of the Examination.

Where a document is being revised from a previous submission then it should be submitted in two versions 'Clean' and 'Tracked Change' from the previous version.

5. Report on the interrelationship with other infrastructure projects

Appendix D refers to the ExA's request for a 'Report on the interrelationship with other infrastructure projects'. The initial version shall be submitted at **Deadline 1 (26 November 2024)** and updated at regular intervals as set out in the draft timetable. The Report should include:

- an overview of the Proposed Development and the other projects identified in Appendix D, including the timings for submission (or current Examination), construction phasing, grid connection and expected start of operation;
- the approach taken by the Applicant to coordinate the Proposed Development with the other projects, including during the Examination;
- a plan showing the order limits for the Proposed Development and the other projects and the locations of the main features of each, including array areas, cable routes and onshore connections to grid connection;
- any provisions in the Development Consent Order required for the Proposed Development to be implemented satisfactorily in relation to other projects;
- key survey data shared with other projects;
- mitigation measures shared with other projects, and how they are to be secured;
- summary of direct, indirect, secondary and cumulative impacts with the Transmission Assets Project, and any potential conditions or requirements (with reference to Annex 1 of Natural England's Relevant Representation [[RR-061](#)]);
- a summary of any other information on the other projects relied on for the cumulative effects assessment, the level of detail, and any changes since the application was prepared for submission. The detail of the cumulative effects assessment should remain in the ES, but the Applicant is to ensure that any changes are summarised in the Report; and
- summary of progress of coordination with the other projects, setting out the matters that have been agreed, any inconsistencies or outstanding matters, and the next steps.

6. Submission of draft Development Consent Order (DCO)

Where the Applicant submits an amended draft DCO at any deadline, the submission should include a new version number identifying that the submitted draft DCO is an amended version. Amended draft DCOs submitted by the Applicant must be accompanied by:

- versions submitted in Microsoft Word. The version submitted at **Deadline 6 (15 April 2024)** must have been validated against the Statutory Instrument template.
- an amended Explanatory Memorandum.
- a consolidated schedule of changes listing all changes to the draft DCO since the application version, when (including the version number) and for what purpose each change was introduced.

7. Use of Artificial Intelligence

The Planning Inspectorate has recently issued guidance in relation to the use of Artificial Intelligence (AI).

AI is technology that enables a computer or other machine to exhibit 'intelligence' normally associated with humans. Recent advances mean that AI can now be used to create new content in the form of text, images, videos, audio, computer code and other types of data. It can also be used to alter or enhance existing content. In such cases, AI works by drawing on existing information, usually from a large database or from the internet, to provide a response to a user's prompts or requests.

If you use AI to create or alter any part of your documents, information or data, you should tell us that you have done this when you provide the material to us. You should also tell us what systems or tools you have used, the source of the information that the AI system has based its content on, and what information or material the AI has been used to create or alter.

In addition, if you have used AI, you should do the following:

- clearly label where you have used AI in the body of the content that AI has created or altered, and clearly state that AI has been used in that content in any references to it elsewhere in your documentation;
- tell us whether any images or video of people, property, objects or places have been created or altered using AI;
- tell us whether any images or video using AI has changed, augmented, or removed parts of the original image or video, and identify which parts of the image or video has been changed (such as adding or removing buildings or infrastructure within an image);
- tell us the date that you used the AI;
- declare your responsibility for the factual accuracy of the content;
- declare your use of AI is responsible and lawful; and
- declare that you have appropriate permissions to disclose and share any personal information and that its use complies with data protection and copyright legislation.

By following this guidance, you will help us and other people involved in the Examination to understand the origin, purpose, and accuracy of the information. This will help everyone to interpret it and understand it properly.

As this guidance was published since the application was accepted for Examination, we have made a Procedural Decision that all parties provide us with this information **for information submitted to date**. We have put this for **Deadline 1 (26 November 2024)**. Future submissions should be endorsed as it is submitted.

8. Closing Statements

The ExA invites the Applicant and IPs to submit closing statements by **Deadline 6 (15 April 2025)**. Closing Statements should build upon the Examination Progress Tracker/ final Statement of Commonality. They should set out a concise record of the party's position prior to the close of the Examination, specifically where it sees that areas of disagreement remain. Closing Statements should summarise the parties' positions at the end of the Examination and must not introduce any new evidence.

9. Additional Submissions

In addition to the documentation submitted by **Procedural Deadline A** the ExA has exercised its discretion and made a Procedural Decision to accept the following Additional Submissions:

- i) Applicant's Response to Acceptance Section 51 Advice [[AS-009](#)] and accompanying updated/revised documents:
 - Guide to the Application Rev 02 [[AS-001](#)]
 - Crown Land Plan [[AS-002](#)]
 - Offshore Statutory and Non-Statutory Nature Conservation Sites - Rev 02 [[AS-003](#)]
 - Marine Conservation Zone Assessment - Rev 02 (Clean) [[AS-004](#)]
 - Marine Conservation Zone Assessment - Rev 02 (Tracked) [[AS-005](#)]
 - Other Consents and Licences Required - Rev 02 (Clean) [[AS-006](#)]
 - Other Consents and Licences Required – Rev 02 (Tracked) [[AS-007](#)]
 - Marine Geology, Oceanography and Physical Processes Figures - Rev 02 [[AS-008](#)]
- ii) The submission from the Environment Agency dated 2 September 2024 [[AS-010](#)] where it indicates it will not be commenting on the application. Our view is that this supersedes the RR from the Environment Agency.
- iii) We have also received a letter dated 6 September 2024 from Agentschap Landbouw & Zeevisserij (the Flemish Agency for Agriculture and Fisheries). We have accepted this as an Additional Submission [[AS-011](#)].
- iv) On 4 September 2024, the ExA wrote to the Applicant, Natural England and Spirit Energy under Rule 9 of the Infrastructure Planning

(Examination Procedure) Rules 2010 (as amended) [PD-006] requesting certain information by 15 October 2024, with an earlier indication (by 17 September 2024) from the Applicant only, on timings for this information.

On 17 September 2024 [AS-012] the Applicant wrote to the ExA providing this earlier indication. We have accepted this into the Examination. This letter asked the ExA to consider delaying receipt of some of the information and this is considered in the next item in this Appendix.

10. Response to Applicant's letter of 17 September 2024

The Applicant's letter of 17 September 2024 [AS-012] indicated that it could provide all the information requested in the Rule 9 letter [PD-006] by 15 October, but requested that some items be delayed until Deadline 1 so as to allow that all updates, including from other relevant projects, are presented in a single response.

The ExA has carefully considered this request and has concluded that for those items identified, that is items ID 01, 02 and 03, a delay until Deadline 1 is acceptable for the reasons the Applicant has given. The draft Examination Timetable, as set out in Appendix E, indicates that this will be 26 November 2024, although the relevant date will be confirmed following the completion of the Preliminary Meeting and the issuing of the Examination timetable in the Rule 8 letter.

For the avoidance of doubt, the ExA still expects the remaining items of information requested to be submitted by **15 October 2024 (Procedural Deadline A)**.

Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage](#).

All further documents submitted in the course of the Examination will also be published under the [Documents tab](#) of the [project webpage](#).

The Examination Library

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible by clicking the blue button under the Documents tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. Please note that you will need to bring a form of identification and register as a library member in order to use a computer at the locations marked with an asterisk (*)

The opening hours and availability of information technology set out in the table below may be subject to changes. Please check the current circumstances with the relevant locations before you attend.

| Local authority | Venue/Address | Opening hours | Printing costs |
|-------------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------|
| Isle of Man | | | |
| Douglas Borough Council | Henry Bloom Noble Library 8 Duke Street, Douglas, Isle of Man, IM1 2AY | Monday to Wednesday: 8:30am to 5:00pm Thursday: 10:00am to 7:00pm | A4 20p A4 50p |

Appendix H

| | | | |
|---------------------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| | | Friday: 8:30am to 5:00pm Saturday: 9:00am to 4:00pm | |
| Ramsey Town Commissioners | Ramsey Town Library Parliament Square, Ramsey, Isle of Man, IM8 1RT | Monday to Thursday: 9:00am to 4:30pm Friday: 9:00am to 4:00pm Saturday: 9:00am to 4:30pm | A4 10p A4 50p |
| North West England | | | |
| Westmorland and Furness Council | Abbots Vale Community Centre Abbots Vale, Barrow-in-Furness LA13 9PA | Monday to Thursday: 9:00am to 4:00pm | No cost for small scale printing (10 – 20 copies) |
| Blackpool City Council | Blackpool Central Library Queen Street, Blackpool FY1 1PX | Tuesday to Friday: 9:00am to 5:00pm Saturday: 10:00am to 4:00pm | A4 10p |
| Lancashire County Council | Lytham Library Assembly Rooms, Lytham Saint Annes FY8 5JY | Monday & Saturday: 9:00am to 1:00pm Wednesday: 9:00am to 7:00pm Thursday & Friday: 9:00am to 5:00pm | A4 25p |
| Lancashire County Council | Fleetwood Library N Albert Street Fleetwood FY7 6AJ | Monday to Wednesday: 9:00am to 5:00pm | A4 25p |

Appendix H

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|--|--|-----------------------------------------------|--|
| | | Thursday: 9:00am to 7:00pm | |
| | | Friday to Saturday: 9:00am to 5:00pm | |

Information about the 'Have your say' section of the project page

The '[Have Your Say](#)' section is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top of your postcard or email from the Planning Inspectorate) beginning either 2004, MCOW-SP or MCOW-OP. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing.

If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website e.g technical reports, media articles etc. See the Planning Inspectorate's [Advice Notes](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Appendix E** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the '[Have Your Say](#)' section of the project website please contact the Case Team using the contact details at the top of this letter and they will assist.