

# DLP Group Services

Re: 1733      Date: 22 January 2025

Application by Morecambe Offshore Wind Limited for Morecambe Offshore Windfarm Generation Assets

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 18 December 2024

Representations on behalf of BAE Systems (BAE Systems Marine Limited – Walney and BAE Systems (Operations) Limited – Warton)

Responses are due by Deadline 3: Wednesday 22 January 2025.

EXQ1	Question to	Question	Response
<b>Civil and Military Aviation and Radar (CAR)</b>			
1CAR8	The Applicant BAE Systems (Operations) Ltd BAE Systems Marine Ltd Blackpool Airport DIO NATS	<p><b>Mitigation</b></p> <p>Paragraph 16.161 of ES Chapter 16 [<a href="#">REP1-036</a>] sets out that CAP764 Policy and Guidelines on Wind Turbines (published by CAA) Outlines other mitigation options that could be used either singly or in combination.</p> <p><u>To the Applicant:</u></p> <p>a) Could the Applicant please set out what mitigation options it considers would be most suitable to ensure that the adverse effects of the Proposed Development caused by permanent interference with civil and military PSRs are fully mitigated?</p> <p><u>Other parties:</u></p>	<p><b><u>BAE Systems (Operations) Limited, Warton</u></b></p> <p>In relation to the Primary Surveillance Radar (PSR) the interests of BAE Systems at Warton Aerodrome are being channelled through the DIO.</p> <p>Currently there is not an identified mitigation that has been proven to effectively fully mitigate all adverse effects nor has one been proposed by the Applicant for consideration.</p> <p>Any proposed mitigation will need to ensure that it does not adversely affect BAE System's current or future operations.</p> <p>BAE Systems understands that the Civil Aviation Authority document CAP764 is out of date and pending a review by the CAA. Issues not covered by this document are provided to aerodromes as matters arise and appropriate mitigation is required against any potential matters found.</p>

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		Do relevant IPs have any views on whether the identified adverse effects can be fully mitigated?	
1CAR10	The Applicant BAE Systems (Operations) Ltd DIO	<p><b>Warton Aerodrome – Radar mitigation</b></p> <p>In the Ørsted IPs WR <a href="#">[REP1-112]</a> they have advised mitigation for the Warton PSR is currently being implemented and that they require assurances that the Project will not impact on the effectiveness or cost of this already agreed radar solution. For this Project we note that discussions between the Applicant and DIO/ BAE Systems have commenced to identify potential mitigation solutions to Warton’s PSR and at D2 a new Requirement relating to this has been added to the dDCO <a href="#">[REP2-002]</a>.</p> <p><u>To BAE Systems/ DIO:</u></p> <p>a) Can BAE Systems/ DIO confirm what radar mitigation solution has been agreed/ secured in relation to the Burbo Bank Extension and Walney Extension OWFs and whether this is now active or when it is due to become active? If the mitigation has not been implemented, how have impacts on the radar system been managed in</p>	<p><b><u>BAE Systems (Operations) Limited, Warton</u></b></p> <p>a) BAE Systems is unable to comment on the progress of other windfarm developments. Some temporary mitigation measures in relation to earlier windfarm projects were agreed, including radar blanking, transponder mandatory zones and a shutdown protocol. These were only agreeable due to the geographical location of these developments. However, these temporary solutions are not suitable for the Proposed Development and will not be implemented as the Proposed Development is situated within a critical operational area for Typhoon test flights. This is still subject to further internal review and operational assessment.</p> <p>b) No significant discussion has yet taken place on any potential mitigation solutions nor has a mitigation been proposed by the Applicant.</p> <p>c) As above, these discussions have not yet taken place between BAE Systems and the Applicant. Any mitigation solution for the Proposed Development will need to be distinct and separate.</p> <p>d) Discussion on the wording of the DCO Requirement which relates to the Primary Surveillance Radar at Warton is being led by the DIO. In relation to more general potential impacts and implications on air traffic services at Warton Aerodrome we have suggested without prejudice wording for a further DCO Requirement at Appendix 2.</p>

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		<p>the intervening period?</p> <p>b) What potential mitigation solution(s) are being discussed with the Applicant for the Proposed Development and are BAE Systems/ DIO content that any such mitigation is realistically achievable?</p> <p>c) Having regard to the answers to (c) above, is the mitigation being discussed in relation to this Project distinct and separate from that already agreed/ secured and as such are the solutions and costs associated with each of these independent of one another?</p> <p>d) Having regard to Schedule 2, Req 8 of the latest version of the dDCO <a href="#">[REP2-002]</a>, are BAE Systems/ DIO in agreement with the drafting? If amendments are sought, please provide alternative drafting.</p> <p><u>To all parties:</u> Can all parties provide an update as to any progress made towards agreement on the proposed mitigation identified and likely timeframe for this mitigation solution to be secured/ implemented?</p>	
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1CAR12	The Applicant BAE Systems Marine Ltd NATS	<p><b>Walney Aerodrome – Minimum Sector Altitude (MSA)</b> Paragraph 2.10.3.2 of Appendix 16.2 [APP-078] indicates that the published MSA for Walney Aerodrome would need to be increased to maintain the necessary 300m obstacle clearance protection. In its RR BAE Systems Marine Ltd [RR-007] has indicated that the gap must be 305m and that BAE needs the height of the wind turbines to be verified by NATS. The Applicant’s response ([PD1-011], RR-007-005) states that NATS has been commissioned to carry out an Instrument Flight Procedure (IFP) assessment on behalf of BAE and Walney Aerodrome and the results of this are expected in late 2024.</p> <p><u>To BAE Systems Marine Ltd:</u></p> <p>a) Please clarify and confirm what the published MSA for Walney Aerodrome is and provide evidence to support this – i.e. is this 300m or 305m?</p> <p><u>To the Applicant and NATS:</u> Please provide a copy of the NATS IFP assessment and its findings or, if this is not yet available, an update and likely timeframe for when this will be completed?</p>	<p><b><u>BAE Systems Marine Limited, Walney</u></b></p> <p>The Cyrrus report which was conducted for the Applicant incorrectly stated 300m as the required separation.</p> <p>The minimum figure required by CAA Regulation is 1000ft (305m).</p> <p>AIP shows the sector safe height is currently 1800ft (aviation height is measured in feet not metres). <a href="https://nats-uk.ead-it.com/cms-nats/opencms/en/Publications/AIP/Current-AIRAC/graphics/368877.pdf">https://nats-uk.ead-it.com/cms-nats/opencms/en/Publications/AIP/Current-AIRAC/graphics/368877.pdf</a></p> <p>For the required 1,100ft tip height a sector safe altitude of 2,100ft would be required with associated change to approaches and MSA.</p>
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1CAR13	The Applicant Blackpool Airport BAE Systems (Operations) Ltd BAE Systems Marine Ltd DIO NATS	<p><b>Instrument Flight Procedures (IFPs)</b> IFPs for Warton, Walney, Lowther and Blackpool Airport would require revision. In the Applicant's response to Blackpool Airport's Relevant Representation ([<a href="#">PD1-011</a>], RR-013-02) it is stated IFP mitigation is predicated on revisions to Blackpool Airports IFPs following the CAA five-year audit review. This review is stated to be ongoing and due for completion by November 2024. If necessary, the IFP assessment may need to be reassessed.</p> <p><u>To the Applicant:</u></p> <ul style="list-style-type: none"> <li>a) Can the Applicant clarify and explain whether the CAA five year audit applies to all airports/ aerodromes or just Blackpool Airport?</li> <li>b) Can the Applicant please advise if this audit has been completed, summarise its findings (if known) and advise whether an update to the IFP assessment submitted as part of the application is required? If an update is required, please can the Applicant set out a likely timeframe for submission of such an assessment?</li> <li>c) Can the Applicant explain who would</li> </ul>	<p><b><u>BAE Systems (Operations) Limited, Warton</u></b> This is subject to ongoing review. In relation to more general potential impacts and implications on air traffic services at Warton Aerodrome (including impacts on IFPs) we have suggested without prejudice wording for a DCO Requirement at Appendix 2.</p> <p><b><u>BAE Systems Marine Limited, Walney</u></b></p> <p>The possible issue with regard to the sector safe altitude and changes to the approach for Walney are dependent on the results of the Morgan Wind Project IFP assessment, and the other IFP assessments for the other windfarms proposed and anticipated. As of 14 January 2025, BAE Systems Marine Limited understands that NATS, the approved APDO for Walney Aerodrome, had I not been contracted by the Morgan Project Team. The possible change in height required for that development has a direct impact on the Morecambe IFP requirements for the Walney approach. As the developments in the Irish Sea are being treated independently for the same section of airspace, it is difficult to confirm what is required by one would be the same for the others. This is causing the aerodrome a lot of extra work and expense to resolve.</p> <p>The NATS IFP assessment commissioned by the Applicant and undertaken on behalf of BAE Systems Marine Limited and Walney Aerodrome has now been received and discussion on proposed mitigation solutions are now underway with the Morecambe Project Team. Proposed, without prejudice, wording for a DCO Requirement that relates to potential impacts and implications for air traffic services at Walney Aerodrome is included at Appendix 1.</p>
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		<p>be responsible for making the changes to IFPs and the likely timeframe for completion? Would the timeframes differ for each airport or would these be the same?</p> <p><u>All Parties:</u></p> <p>d) Is there any reason or identifiable impediment why the required changes to the IFPs would not be agreed/ achieved?</p> <p>Having regard to Schedule 2, Requirements 5, 6 and 7 of the latest version of the dDCO [<a href="#">REP2-002</a>], do parties agree with the drafting or are any amendments sought? If amendments are sought, please can all parties explain and provide any alternative drafting by Deadline 3?</p>	
1CAR18	<p>The Applicant BAE Systems (Operations) Limited BAE Systems Marine Ltd Blackpool Airport Ronaldsway Airport</p>	<p><b>Very High Frequency (VHF) and Direction Finding (DF) Communications</b> In the draft SoCG submitted at Deadline 1 (BA 14, [<a href="#">REP1-070</a>]) it is noted that Blackpool Airport has identified impacts to VHF radio and DF communications and stated that an assessment is required and needs to take into account other adjacent offshore wind farm projects. No such assessment is</p>	<p><b><u>BAE Systems (Operations) Limited, Warton</u></b></p> <p>a) The Civil Aviation Authority (CAA) and the Safety and Regulation Group (SARG) identified issues with VHF radio communications that had been experienced by another airfield due to wind turbines. This issue had not been previously considered in their guidance. BAE Systems at Warton has been instructed by its SARG inspector to consider these implications when approving any new developments. This is not limited to offshore developments and BAE Systems will be incorporating this into the assessment of all applications</p>

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	<p>currently contained within the application documents, having previously been agreed to be scoped out.</p> <p><u>To Blackpool Airport/ BAE Systems:</u></p> <p>a) Please can Blackpool Airport/ BAE Systems explain why the concerns about potential impacts to VHF and DF communications were not identified earlier or whether something has changed since the Application was submitted which gives rise to these concerns?</p> <p><u>To BAE Systems (Operations) Limited, BAE Systems Marine Ltd and Ronaldsway Airport</u></p> <p>b) Do any of the operators of other aerodromes/ airports have any comments or concerns in relation to impacts on VHF and DF communications? If so please can summarise these concerns.</p> <p><u>To the Applicant:</u></p> <p>c) Discussions have commenced with Blackpool Airport about its concerns on VHF and DF communications and that an update will be given at a future deadline. Please can the</p>	<p>received.</p> <p>b) BAE Systems does not share this data or concerns with other aerodromes. Each aerodrome is responsible for its own operation and the mitigation of any adverse effects.</p> <p><b><u>BAE Systems Marine Limited, Walney</u></b></p> <p>The CAA highlighted the issue to Walney and Blackpool Aerodromes on the back of evidence from Prestwick airport, that additional wind generation assets installed are blocking communications between aircraft and ground stations and vice-versa. This was only notified as an issue to Walney Aerodrome by the CAA at the Air Navigation Service Providers Audit in November 2024. Ronaldsway airport has undertaken a survey with NATS to look at the possible interference to communications arising from the Mooir Vannin wind project, and BAE Systems Marine Limited understands that the report showed a significant issue for traffic at low level. Guidance documents from the CAA have not yet been updated, but aerodromes that could be impacted by developments of this nature are being told that this is a serious flight safety issue.</p> <p>In summary, VHF assessments are due to be carried out for Walney, Warton and Blackpool aerodromes. An assessment of Mooir Vannin has already been undertaken by NATS, and BAE Systems Marine Limited understands that and has shown that there will be a problem with low level radio communications to/from aircraft.</p>
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		<p>Applicant provide an update by no later than Deadline 3 which includes:</p> <ul style="list-style-type: none"> <li>i) confirmation of whether an assessment is to be carried out and whether this is only required for Blackpool Airport or will include other aerodromes / airports in the study area (and if so which ones);</li> <li>ii) if an assessment is to be undertaken, the timeframe for carrying out such an assessment and when it will be submitted into the Examination (albeit this must be received no later than D4 in order that parties have an opportunity to comment upon it).</li> </ul> <p>if it is considered an assessment is not required, an explanation and</p>	
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		justification to support the position and how the concerns raised by IPs will be addressed.	
<b>Effects on Shipping and Navigation</b>			
ISN12	The Applicant MoD/ DIO BAE Systems Marine Ltd	<p><b>Submarine Nautical Paths</b></p> <p>BAE Systems Marine Ltd [<a href="#">RR-007</a>] has commented that there appears to have been no consideration regarding potential impacts on submarine nautical paths. Submarines are part of national defence and national security and so BAE requires further and more in-depth consultation with the Royal Navy/ MoD on the matter of submarine nautical paths.</p> <p>In its response [<a href="#">PD1-011</a>] the Applicant indicates that previously no concerns had been raised, by the MoD and ABP.</p> <p>Could all parties please set out their latest understanding of the situation.</p>	<p><b><u>BAE Systems Marine Limited, Walney</u></b></p> <p>BAE Systems Marine Limited have held internal discussions and can confirm no impact to boat exit through the Walney Channel.</p>

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## Appendix 1 – Without prejudice proposed DCO wording for Walney Aerodrome.

### Operation of Walney Aerodrome (Air Traffic Services)

- (1) No construction of any wind turbine generator (or part thereof) forming part of the authorised development shall commence until the Secretary of State, having consulted with the Operator and the CAA, has confirmed in writing that it is satisfied that:
  - (i) Appropriate Mitigation will be implemented and maintained throughout the lifetime of the authorised development; and
  - (ii) appropriate arrangements have been put in place with the Operator to ensure that such Appropriate Mitigation is agreed and implemented, prior to construction of the authorised development, and maintained.
- (2) For the purposes of this requirement—

**“Appropriate Mitigation”** means all appropriate mitigation measures required to prevent or remove, throughout the lifetime of the authorised development, and for as long as the windfarms and any above waterline structures remain in situ, all risks and adverse impacts which the authorised development will have on the operation of Walney Aerodrome's operations and/or future operations, including but not limited to its ability to provide and/or deliver (1) sovereign defence capabilities; (2) safe and efficient air traffic services that are fit for purpose for Walney Aerodrome during the lifetime of the authorised development, (3) any other requirements identified by the Operator from time to time, this includes mitigation which enables the Operator to provide uninterrupted safe and efficient airport operational and air traffic services (including but not limited to mitigations arising from any impacts on IFP's, MSA's, & VHF communication systems for Walney Aerodrome);

**“Approved Mitigation”** means the Appropriate Mitigation agreed with the CAA and the Operator and approved by the Secretary of State in accordance with subparagraph (1).

**“CAA”** means the Civil Aviation Authority constituted by the Civil Aviation Act 1982; and

**“Operator”** means BAE Systems Marine Limited (incorporated in England and Wales with company number 00229770, Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX), or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services Walney Aerodrome.
- (3) The undertaker at its sole costs shall implement and thereafter comply with all obligations contained within the Approved Mitigation throughout the lifetime of the authorised development.

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## Appendix 2 – Without prejudice proposed DCO wording for Warton Aerodrome.

### Operation of Warton Aerodrome (Air Traffic Services)

- (1) No construction of any wind turbine generator (or part thereof) forming part of the authorised development shall commence until the Secretary of State, having consulted with the Operator, the CAA and the Ministry of Defence, has confirmed in writing that it is satisfied that:
  - (i) Appropriate Mitigation will be implemented and maintained throughout the lifetime of the authorised development; and
  - (ii) appropriate arrangements have been put in place with the Operator and the Ministry of Defence to ensure that such Appropriate Mitigation is agreed and implemented, prior to construction of the authorised development, and maintained.
- (2) For the purposes of this requirement—

“**Appropriate Mitigation**” means all mitigation measures required to prevent or remove, throughout the lifetime of the authorised development, and for as long as the windfarms and any above waterline structures remain in situ, all risks and adverse impacts which the authorised development will have on the operation of Warton Aerodrome’s operations and/or future operations, including but not limited to its ability to provide and/or deliver: (1) sovereign defence capabilities; (2) safe and efficient air traffic services that are fit for purpose for Warton Aerodrome during the lifetime of the authorised development; (3) the PSR at Warton Aerodrome and Ministry of Defence’s air surveillance and control operations; and (4) any other requirements identified by the Operator or Ministry of Defence from time to time, this includes mitigation which enables the Operator to provide uninterrupted safe and efficient airport operational and air traffic services (including but not limited to mitigations arising from any impacts on IFP’s, MSA’s, and VHF and UHF communication systems for Warton’s Aerodrome);

“**Approved Mitigation**” means the Appropriate Mitigation agreed with the CAA and the Operator and approved by the Secretary of State in accordance with subparagraph (1).

“**CAA**” means the Civil Aviation Authority constituted by the Civil Aviation Act 1982.

“**Ministry of Defence**” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George’s House, DIO Head Office, DMS, Whittington, Lichfield, Staffordshire, WS14 9PY or any successor body; and

“**Operator**” means BAE Systems (Operations) Limited incorporated under the Companies Act 2006 (Company Number 01996687) whose registered office is Victory Point, Lyon Way, Frimley, Camberley, Surrey, England, GU16 7EX, or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services Warton Aerodrome.

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- (3) The undertaker at its sole costs shall implement and thereafter comply with all obligations contained within the Approved Mitigation throughout the lifetime of the authorised development.