

# MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

## Consultation Report Appendices - Part 1 (A1 to B1)

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Image of an offshore wind farm

**MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS**

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**Prepared by:**

**RPS**

**Prepared for:**

**Morgan Offshore Wind Ltd.**

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## **Appendix A: Introduction**

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## A.1. Summary of consultation methods, locations and projects

Combined materials	Location	Projects represented
Consultation invitation postcard	Wales	Mona Offshore Wind Project Morecambe Offshore Windfarm Generation Assets
	Isle of Man	Mona Offshore Wind Project <b>Morgan Offshore Wind Project Generation Assets</b>  Morecambe Offshore Windfarm Generation Assets  Morgan and Morecambe Offshore Wind Farms: Transmission Assets
	Mainland England	<b>Morgan Offshore Wind Project Generation Assets</b>  Morecambe Offshore Windfarm Generation Assets  Morgan and Morecambe Offshore Wind Farms: Transmission Assets
Consultation Poster	Wales	Mona Offshore Wind Project  Morecambe Offshore Windfarm Generation Assets
	Isle of Man	Mona Offshore Wind Project <b>Morgan Offshore Wind Project Generation Assets</b>  Morecambe Offshore Windfarm Generation Assets  Morgan and Morecambe Offshore Wind Farms: Transmission Assets
	Mainland England	<b>Morgan Offshore Wind Project Generation Assets</b>  Morecambe Offshore Windfarm Generation Assets  Morgan and Morecambe Offshore Wind Farms: Transmission Assets
Online print, Google and audio advertising	Wales	Mona Offshore Wind Project  Morecambe Offshore Windfarm Generation Assets
	Isle of Man	Mona Offshore Wind Project <b>Morgan Offshore Wind Project Generation Assets</b>  Morecambe Offshore Windfarm Generation Assets  Morgan and Morecambe Offshore Wind Farms: Transmission Assets

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Combined materials	Location	Projects represented
	Mainland England	<p><b>Morgan Offshore Wind Project Generation Assets</b></p> <p>Morecambe Offshore Windfarm Generation Assets</p> <p>Morgan and Morecambe Offshore Wind Farms: Transmission Assets</p>
Consultation events (online, exhibition, pop-ups)	Wales	<p>Mona Offshore Wind Project</p> <p>Morecambe Offshore Windfarm Generation Assets</p>
	Isle of Man	<p>Mona Offshore Wind Project</p> <p><b>Morgan Offshore Wind Project Generation Assets</b></p> <p>Morecambe Offshore Windfarm Generation Assets</p> <p>Morgan and Morecambe Offshore Wind Farms: Transmission Assets</p>
	Mainland England	<p><b>Morgan Offshore Wind Project Generation Assets</b></p> <p>Morecambe Offshore Windfarm Generation Assets</p> <p>Morgan and Morecambe Offshore Wind Farms: Transmission Assets</p>
Consultation briefings with stakeholders	Wales	<p>Mona Offshore Wind Project</p> <p>Morecambe Offshore Windfarm Generation Assets</p>
	Isle of Man	<p>Mona Offshore Wind Project</p> <p><b>Morgan Offshore Wind Project Generation Assets</b></p> <p>Morecambe Offshore Windfarm Generation Assets</p> <p>Morgan and Morecambe Offshore Wind Farms: Transmission Assets</p>
	Mainland England	<p><b>Morgan Offshore Wind Project Generation Assets</b></p> <p>Morecambe Offshore Windfarm Generation Assets</p> <p>Morgan and Morecambe Offshore Wind Farms: Transmission Assets</p>

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### Separate Materials

- Each project produced its own consultation brochure
  - Each project produced its own Statement of Community Consultation (SoCC)
  - Each project produced its own feedback form
  - Each project produced its own exhibition panels
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## **Appendix B: Legislation Policy and Guidance**

## **B.1. Consultation Compliance Checklist**

### **B.1.1 Applicable legislation and guidance**

- B.1.1.1.1 The following checklist identifies the consultation obligations imposed by sections 37, 42, 45, 46, 47, 48, 49, 50 of the 2008 Act, as well as the statutory guidance about the pre-application procedure published under section 50 of the 2008 Act. It includes an outline of how the Applicant has met each of these requirements and cross refers to where the details can be found within the Consultation Report.
- B.1.1.1.2 This checklist demonstrates how the Applicant has complied with the following regulations and guidance:
- The Planning Act 2008 (the 2008 Act)
  - Infrastructure Planning: (Applications: Prescribed Forms and Procedure) Regulations 2009
  - Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
  - Planning Inspectorate Advice Note Three: EIA Notification and Consultation (Version 7)
  - Planning Inspectorate Advice Note Six: Preparation and submission of application documents (Version 11)
  - Planning Inspectorate Advice Note Fourteen: Compiling the Consultation Report (Version 3)
  - Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015).

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Reference	Requirement	Compliance
<b>The Planning Act 2008</b>		
Section 37(3)	<p>Applications for orders granting development consent</p> <p>An application for an order granting development consent must, so far as necessary to secure that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory –</p> <p>(c) be accompanied by the consultation report</p>	<p>A Consultation Report has been compiled and submitted with the application for the order granting development consent. This compliance checklist, an appendix to the Consultation Report, cross refers to the Consultation Report throughout.</p>
Section 37(7)	<p>In subsection (3)(c) “the consultation report” means a report giving details of –</p> <p>a. what has been done in compliance with sections 42, 47 and 48 in relation to a proposed application that has become the application,</p> <p>b. any relevant responses, and</p> <p>c. the account taken of any relevant responses.</p>	<p>The Consultation Report has provided details pursuant to section 37(7) which have been cross referenced elsewhere in this document below. In regard to (a), (b) and (c);</p> <p>(a) section 5 of the Consultation report provides detail on compliance with sections 42, 47 and 48</p> <p>(b) section 5.8 includes an overview of the feedback responses from statutory consultation</p> <p>(c) section 5.8 also details any change to the project as a result of statutory consultation and account taken of any relevant responses.</p>
Section 42(1)	<p>Duty to Consult</p> <p>The applicant must consult the following about the proposed application:</p> <p>a. Such persons as may be prescribed;</p> <p>(aa) The Marine Management Organisation (MMO), in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection (2);</p>	<p>The Applicant consulted all relevant persons prescribed by the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations). See section 5 of the Consultation report and Appendix D.16 for a full list of the section 42 consultees.</p> <p>The voluntary consultation was undertaken alongside the statutory consultation that the Applicant was required to undertake under section 42 of the 2008 Act. The Applicant made no distinction between different stakeholders and the information made available to them. As such, the consultation undertaken voluntarily and statutorily is fully reported in the statutory consultation section of the report (section 5) and referred to as statutory consultation.</p> <p>The Applicant consulted with the MMO. See section 5.3 and Appendix D.16 of the Consultation report for a full list of section 42 consultees.</p>

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Reference	Requirement	Compliance
	(b) Each local authority that is within section 43;	The Development Consent Order (DCO) application boundary for Morgan Generation Assets is located wholly within the marine environment. Therefore, there is no associated onshore infrastructure and thus no defined relevant local authority in line with section 43 of the 2008 Act. However, the Applicant identified and consulted with local authorities; the host authorities identified under section 43 for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets and/or those potentially affected visually by the Morgan Generation Assets. See section 5.3.5 of the Consultation report for further details.
	(c) The Greater London Authority if the land is within Greater London; and	The requirement to consult is only if the land is within Greater London. In the case of Morgan Generations Assets, the Greater London Authority have not been consulted as no part of the development is within Greater London.
	(d) Each person who is within one of more of the categories set out in Section 44.	Only The Crown Estate (TCE) have been consulted as a section 44 consultee. Please see section 5.3.6 of the Consultation report.
Section 42(2)	The areas are - (a) waters in or adjacent to England up to the seaward limits of the territorial sea	The Applicant consulted with the MMO. See section 5.3 and Appendix D.16 of the Consultation report for a full list of section 42 consultees.
Section 45	Timetable for consultation under Section 42	
	1) The applicant must, when consulting a person under section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation.	The Applicant notified all those consulted under section 42 of the deadline in writing. See section 5.3.8 and Appendix D.12 of the Consultation report for direct email communications to section 42 consultees.
	2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.	The Applicant aligned their section 42 and section 47 consultation to the same period, running from 19 April 2023 to 4 June 2023 to allow all consultees an opportunity to comment simultaneously. Consultees had six weeks to respond to the consultation materials. See section 5.3 of the Consultation report for further details.  Additional targeted statutory consultations were subsequently undertaken. In all cases, notification included a deadline date of a period of 28 days that began the day after consultation. See section 5.4 of the Consultation report.
	3) In subsection (2) 'the consultation documents' means the documents supplied to the person by the applicant for the purpose of consulting the person.	Emails with links to consultation materials (and statutory notices where applicable) were sent to consultees. Those who were subsequently consulted via post, were sent a set of consultation materials which included a statutory consultation brochure, the Preliminary Environmental Information Report (PEIR) Non-Technical Summary (NTS), Statement of Community Consultation (SoCC), a paper copy of the feedback form and a USB containing the full PEIR.

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Reference	Requirement	Compliance
		See section 5.3.8 and Table 5.11 of the Consultation report; example correspondence is provided in Appendix D.12. Section 5.4 provides further information regarding those consultees contacted via post through additional targeted statutory consultations.
Section 46	<p>Duty to notify Secretary of State of proposed application</p> <p>1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the applicant would supply to the Secretary of State for the purpose of complying with section 42 if the applicant were required by that section to consult the Secretary of State about the proposed application.</p> <p>2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.</p>	<p>The Applicant notified the Secretary of State under section 46 on 19 April 2023, on the same day as commencing the section 42 consultation.</p> <p>As a 'soft bounce' for the email to the Planning Inspectorate appeared on the project email's delivery report, the Applicant re-sent the section 46 notification on 24 April 2023, with the 28-day requirement, which the Planning Inspectorate confirmed receipt of on the same day.</p> <p>See section 5.5 of the Consultation report and Appendix D.20 for further details.</p>
Section 47	<p>Duty to consult local community</p> <p>1) The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land.</p> <p>2) Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement.</p> <p>3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the</p>	<p>Since the DCO application boundary for Morgan Generation Assets is located wholly within the marine environment there is no requirement to prepare a SoCC under section 47 of the 2008 Act. However, the Applicant believes consulting with people who may be affected by Morgan Generation Assets is an important part of the DCO planning process. Section 5.2 and 5.3 of the Consultation report set out how the Applicant has aligned with the requirements of the 2008 Act.</p> <p>The Applicant prepared an initial draft SoCC, which was subject to minor amendments resulting in a second draft SoCC. See section 5.2.2 for details on how the SoCC was prepared and Appendix D.2 of the Consultation report for the draft SoCCs. Once finalised, no further changes were made to the SoCC, provided at Appendix D.1.</p> <p>Consultation on the draft SoCC was undertaken with local authorities who were identified as either host authorities as defined in section 43 of the 2008 Act of the Morgan and Morecambe Wind Farms: Transmission Assets and/or had the potential to be visually affected by the Morgan Generation Assets. The Applicant also consulted with the MMO due to a potential interest in the SLVIA of the Morgan Generation Assets.</p> <p>The draft SoCCs each were subject to a formal consultation. The first undertaken from 15 February to 14 March 2022 and the second between 09 March and 06 April 2023. These dates overlap due to changes in the program determined by the Applicant in spring 2023. The same list of bodies and</p>

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Reference	Requirement	Compliance
	day after the day on which the local authority receives the consultation documents.	organisations were provided with the draft SoCC for review each time via email requesting comments on the draft SoCC. See section 5.2.2 of the Consultation report for further details.
	4) In subsection (3) “the consultation documents” means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).	The draft SoCCs which were consulted upon, have been provided at Appendix D.2 of the Consultation report.
	5) In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).	Table 5.1 in section 5.2.2 of the Consultation report details the responses received and actions taken.
	<p>6) Once the applicant has prepared the statement, the applicant must –</p> <p>(za) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land,</p> <p>a. publish in a newspaper circulating in the vicinity of the land a notice stating where and when the statement can be inspected, and</p> <p>b. publish the statement in such manner as may be prescribed.</p>	<p>Printed copies of the SoCC were made available for from 19 April to 4 June 2023 in the following locations:</p> <ul style="list-style-type: none"> <li>• Abbots Vale Community Centre, Barrow-in-Furness, LA13 9PA</li> <li>• Barrow-in-Furness Main Public Library, Ramsden Square, Barrow-in-Furness LA14 1LL</li> <li>• Egremont Community Centre, Egremont Mission, Guildford Street, Wallasey CH44 0BP</li> <li>• Henry Bloom Noble Library, Douglas Borough Council, Douglas, Isle of Man IM1 2AY</li> <li>• Penwortham Town Council and Community Centre, Kingsfold Drive, Penwortham, Preston PR1 9EQ</li> <li>• Preston City Council, Town Hall, Lancaster Road, Preston PR1 2RL</li> <li>• Ramsey Library, Parliament Square, Ramsey, Isle of Man IM8 1RT</li> <li>• Southport Library, Lord Street, Southport PR8 1DJ.</li> </ul> <p>The SoCC was also made available on the consultation website<sup>1</sup>.</p> <p>Newspaper notices (section 47 notices) were published in the following publications stating where and when the SoCC could be inspected:</p> <ul style="list-style-type: none"> <li>• Blackpool Gazette (19 April 2023)</li> </ul>

<sup>1</sup> [www.morganandmona.com](http://www.morganandmona.com)

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Reference	Requirement	Compliance
		<ul style="list-style-type: none"> <li>• Lancashire Post (19 April 2023)</li> <li>• Barrow Mail (19 April 2023)</li> <li>• Isle of Man Courier (21 April 2023)</li> </ul> <p>See section 5.2.3 of the Consultation report for further details and Appendix D.3 for copies of section 47 notices.</p>
	7) The applicant must carry out consultation in accordance with the proposals set out in the statement.	<p>The Applicant carried out consultation in accordance with the proposals set out in the SoCC.</p> <p>See section 5.2.21 of the Consultation report for further details.</p>
Section 48	<p>Duty to publicise</p> <p>(1) The applicant must publicise the proposed application in the prescribed manner</p> <p>(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.</p>	<p>The Applicant prepared and published a section 48 notice in the manner prescribed by the APFP Regulations 2009.</p> <p>See section 5.6 of the Consultation report and Appendix D.21.1 for a copy of the section 48 notice.</p> <p>The section 48 notice was available on the consultation website from 19 April 2023 and appeared in the following newspapers:</p> <ul style="list-style-type: none"> <li>• Fishing News (fishing journal) - 12 April 2023</li> <li>• Lloyd's List (shipping news)– 12 April 2023</li> <li>• London Gazette (national newspaper) - 12 April 2023</li> <li>• The Guardian (national newspaper) - 12 April 2023</li> <li>• Barrow Mail (local newspaper) - 12 and 19 April 2023</li> <li>• Blackpool Gazette (local newspaper) – 12 and 19 April 2023</li> <li>• Lancashire Post (local newspaper) – 12 and 19 April 2023</li> <li>• Isle of Man Courier (local newspaper) - 14 and 21 April 2023</li> </ul> <p>These notices, as they appeared in situ, are provided at Appendix D.21.2.</p> <p>The APFP Regulations require that a deadline for receipt of responses to section 42 consultation made pursuant to section 48 of the Act is no less than 28 days (Regulation 4(3)(i)).</p> <p>The deadline was 04 June 2023 (see section 5.2.6 of the Consultation report) providing six weeks for consultation responses, in excess of the prescribed 28 days.</p>
Section 49	Duty to take account of responses to consultation and publicity	

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	<p>(1) Subsection (2) applies where the applicant</p> <p>(a) has complied with sections 42, 47 and 48, and</p> <p>(b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application).</p> <hr/> <p>(2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.</p> <hr/> <p>(3) In subsection (2) "relevant response" means</p> <p>(a) a response from a person consulted under section 42 that is received by the applicant before the deadline imposed by section 45 in that person's case,</p> <p>(b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or</p> <p>(c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity.</p>	<p>The Applicant has had regard to all relevant responses to consultation in accordance with sections 42, 47 and 48. Details can be found in section 5.8 of the Consultation report, providing an overview of the consultation responses and key issues raised, and a description of how the Applicant had regard to feedback received. Also see Appendix D.24 for tables of response summaries and Applicant regard.</p> <p>In addition, all feedback received has been incorporated up to as close to the submission of the DCO application as possible, even where this was outside the specified statutory consultation periods.</p>
Section 50	<p>Guidance about pre-application procedure</p> <ol style="list-style-type: none"> <li>1. Guidance may be issued about how to comply with the requirements of this Chapter</li> <li>2. Guidance under this section may be issued by the Secretary of State</li> </ol>	<p>The Applicant has had regard to the Department for Communities and Local Government (DCLG) Planning Act 2008 Guidance on the pre-application process (2015) and Planning Inspectorate Advice Note Fourteen: Compiling the Consultation report. See section 3.2 of the Consultation report.</p>

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Reference	Requirement	Compliance
	3. The applicant must have regard to any guidance under this section.	
<b>The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009</b>		
Reg 3	Prescribed consultees	
	The persons prescribed for the purposes of section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in relation to each such person in column 2 of that table.	The Applicant has consulted all those persons prescribed in column 1 of the table in schedule 1 who were deemed relevant to this application by the descriptions set out in column 2 of that table. See section 5.3 of the Consultation report and Appendix D.16 for a full list of those consulted.
Reg 4	Publicising a proposed application	
	<p>(2) The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application –</p> <p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development –</p> <p>(i) once in Lloyd’s List; and</p> <p>(ii) once in an appropriate fishing trade journal.</p>	<p>A section 48 notice was published in the prescribed manner pursuant to Reg 4(2) and (3). See section 5.6 of the Consultation report for further details.</p> <p>Appendix D.21.2 provides a copy of these notices as published in the following:</p> <ul style="list-style-type: none"> <li>• Fishing News (fishing journal) - 12 April 2023</li> <li>• Lloyd’s List (shipping news)– 12 April 2023</li> <li>• London Gazette (national newspaper) - 12 April 2023</li> <li>• The Guardian (national newspaper) - 12 April 2023</li> <li>• Barrow Mail (local newspaper) - 12 and 19 April 2023</li> <li>• Blackpool Gazette (local newspaper) – 12 and 19 April 2023</li> <li>• Lancashire Post (local newspaper) – 12 and 19 April 2023</li> <li>• Isle of Man Courier (local newspaper) - 14 and 21 April 2023</li> </ul>
	<p>(3) The matters which the notice must include are:</p> <p>(a) the name and address of the applicant;</p>	

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	<p>(b) a statement that the applicant intends to make an application for development consent to the Commission;</p> <p>(c) a statement as to whether the application is EIA development;</p> <p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p> <p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge on a website maintained by or on behalf of the applicant ;</p> <p>(ea) the address of the website where the documents, plans and maps may be inspected;</p> <p>(eb) the place on the website where the documents, plans and maps may be inspected;</p> <p>(ec) a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps;</p> <p>(f) the latest date on which those documents, plans and maps will be available for inspection on the website (being a date not earlier than the deadline in sub-paragraph (i));</p> <p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p> <p>(h) details of how to respond to the publicity; and</p> <p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published.</p>	

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Reference	Requirement	Compliance
<b>Infrastructure Planning (Environmental Impact Assessment) Regulations 2017</b>		
Reg 8	<p>Procedure for establishing whether environmental impact assessment is required</p> <ol style="list-style-type: none"> <li>1. A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either —               <ol style="list-style-type: none"> <li>a. ask the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or</li> <li>b. notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development.</li> </ol> </li> </ol>	<p>The Applicant notified the Planning Inspectorate in its letter dated 26 May 2022 that they proposed to provide an Environmental Statement with the DCO application under Regulation 8(1)(b). See section 5.7 and Appendix D.22 of the Consultation report for a copy of the Applicants letter.</p>
Reg 10	<p>Application for a scoping opinion</p> <ol style="list-style-type: none"> <li>1. A person who proposes to make an application for an order granting development consent may ask the Secretary of State to state in writing their opinion as to the scope, and level of detail, of the information to be provided in the environmental statement.</li> <li>3. A request under paragraph (1) must include —               <ol style="list-style-type: none"> <li>a. A plan sufficient to identify the land;</li> <li>b. A description of the proposed development, including its location and technical capacity;</li> <li>c. An explanation of the likely significant effects of the development on the environment; and</li> </ol> </li> </ol>	<p>The Morgan Generation Assets Scoping Report was submitted to the Planning Inspectorate (on behalf of the Secretary of State) on 14 June 2022 (Morgan Offshore Wind Ltd, 2022). The Scoping Report contained details of the proposed approach to Environmental Impact Assessment (EIA) for each topic as well as those in accordance with Regulation 10(3). A Scoping Opinion was subsequently received from The Planning Inspectorate on 22 July 2022 (The Planning Inspectorate, 2022). See section 5.7 of the Consultation report.</p>

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	d. Such other information or representations as the person making the request may wish to provide or make.	
Reg 11	<p>Procedure to facilitate preparation of environmental statements</p> <p>Regulation 11, inter alia, provides the procedure to facilitate the preparation of an Environmental Statement for EIA development. This includes provisions for the notification of the consultation bodies of their duties in providing information to facilitate the ES, the provision of a list of those bodies so notified to the applicant and notifying the applicant of those persons considered likely to be affected or have an interest in the project or unlikely to become aware of the proposed development by other means.</p>	<p>The Regulation 11 list of consultation bodies and interested person was received from the Planning Inspectorate in July 2022, alongside the Scoping Opinion, and is provided at Appendix D.17.</p>
Reg 12	<p>Consultation statement requirements</p> <p>1. The consultation statement prepared under section 47 (duty to consult local community) must set out —</p> <p>a. whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p> <p>b. if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.</p>	<p>The SoCC provided the relevant detail as required.</p> <p>See section 5.2.2 of the Consultation report and Appendix D.1 which provides a final copy of the SoCC.</p>
Reg 13	<p>Pre-application publicity under section 48 (duty to publicise)</p> <p>Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application</p>	<p>The relevant consultation bodies, in accordance with Regulation 11(1)(c), were issued a copy of the section 48 notice on 19 April 2023, after the first publication of the section 48 notice on the 12 April 2023. See section 5.3.8 of the Consultation report and Appendix D.12 for a copy of the email communications sent to section 42 consultees, including a link to the section 48 notice on the consultation website.</p>

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	under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 11(1)(c).	
Reg 32	Development with significant transboundary effects	
	Regulation 32 of the EIA Regulations sets out a prescribed process for notifying and consulting European Economic Area (EEA) states that maybe affected by a development that is likely to have significant transboundary effects.	<p>The Planning Inspectorate were notified of the potential for transboundary impacts through the Scoping Report which presented the identification and screening of transboundary impacts. A transboundary impacts screening report was also produced and consulted upon as part of the PEIR (Morgan Offshore Wind Ltd, 2023) .</p> <p>A Regulation 32 notice was published by the Planning Inspectorate on 10 October 2022 (Appendix D.23.1 alongside a notice in the London Gazette on 17 October 2022 (Appendix D.23.2). A Regulation 32 response was received from the Republic of Ireland on 21 November 2022 (Appendix D.23.3).</p> <p>Whilst not an EEA State, the Isle of Man Government has been consulted throughout the pre-application stages.</p> <p>See section 5.7.3 of the Consultation report provides details of Transboundary Consultation.</p>

Reference	Requirement	Compliance
<b>Planning Inspectorate Advice Note Three: EIA Consultation and Notification (Version 7)</b>		
Appendix A	Prescribed Consultees	
A1	Schedule 1 of the APFP Regulations	
A1.3	Applicants should be aware that amendments made to the APFP Regulations in 2013 introduced differences to the approach required to identify consultation bodies in England and Wales. This is in terms of both the application of the relevance test and the bodies listed in Schedule 1 of the APFP Regulations.	Appendix D.16 of the Consultation report provides a table of the section 42 consultees consulted, which are in the same order as Schedule 1 of the APFP Regulations 2009, as amended in 2013.
A3	Applying the 'circumstances test' of the APFP Regulations	

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Reference	Requirement	Compliance
A3.1	The Planning Inspectorate applies the 'circumstances test', as set out in column 2 of the table in Schedule 1 of the APFP Regulations. This will determine whether it is necessary to notify or consult bodies identified as 'relevant', or certain bodies prescribed in the APFP Regulations.	The circumstances test in Schedule 1 of the Infrastructure APFP Regulations 2009 has been given due regard as demonstrated in Appendix D.16 of the Consultation report. As demonstrated in the section 42 consultee list provided in Appendix D.16 of the Consultation report, the Applicant has consulted wider than the Planning Inspectorate in the Regulation 11 list, demonstrating a precautionary approach. All prescribed consultation bodies where 'the circumstances test' in column 2 of Schedule 1 is 'all proposed applications likely to affect land in; England,' have been consulted, despite Morgan Generation Assets not likely to affect land.
A3.2	The Planning Inspectorate applies a precautionary approach; where the circumstances test is 'likely to affect', it will be taken there is a probability or risk the Proposed Development will have an effect, and not that the Proposed Development will definitely have an effect.	See Appendix D.16 of Consultation report for a full list of section 42 consultees.
A3.3	With the probability or risk that every Proposed Development will have an effect on the environment, the Planning Inspectorate considers it reasonable to notify and consult all the prescribed consultation bodies where the 'circumstances test' in column 2 of Schedule 1 is 'all proposed applications likely to affect land in' England or Wales.	
A3.4	In all other cases, a decision on the need to notify or consult will be reached on a case by case basis. The Planning Inspectorate will have regard to the nature and location of the development, likely geographical extent of the impacts (where known) and statutory responsibilities and functions of the consultation bodies.	
Appendix C	Non-prescribed consultation bodies	
C3	Relevant British Crown Dependencies	
C3.1	The Planning Inspectorate has identified the following British Crown Dependencies, which are not listed in Schedule 1 of the APFP	The Isle of Man Government has been consulted as a section 43 consultee. See section 5.3.5 of the Consultation report for further details.

## MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

Reference	Requirement	Compliance
	Regulations but have planning functions akin to a local authority: <ul style="list-style-type: none"> <li>• The Isle of Man; and</li> <li>• The Channel Islands (the Bailiwicks of Jersey and Guernsey).</li> </ul>	
C6	Consulting where a Proposed Development includes an offshore element	
C6.1	A number of bodies have both statutory and non-statutory responsibilities in relation to the marine environment, in particular, maritime search and rescue (SAR) authorities and authorities responsible for the protection of wrecks. The Planning Inspectorate will exercise judgement to consult these bodies on a discretionary basis.	The statutory and non-statutory bodies with responsibility for the marine environment including SAR authorities and those responsible for the protection of wrecks have been consulted as either prescribed or non-prescribed consultees as part of the section 42 consultation. See Appendix D.16 of the Consultation report for a full list of section 42 consultees.
C6.2	Some of the non-prescribed consultation bodies also appear as prescribed consultees, however, they have functions and responsibilities that extend to the offshore area that are not reflected in the relevance or circumstances tests. Where the Planning Inspectorate considers that these functions and responsibilities are relevant, these bodies will be consulted on a non-statutory basis, if not already identified as a prescribed consultee.	A number of non-prescribed consultees were also consulted at the same time as section 42 consultees. See Appendix D.16 of the Consultation report for a full list of prescribed and non-prescribed consultees who were consulted either via email or post.
SAR Authorities: C6.3	The UK Government assumes responsibility for civilian maritime SAR within the UK and its aviation and maritime search and rescue regions, which extends beyond territorial waters (12 nautical miles). This is a legal obligation derived from the UK Government's adherence to international conventions (the Convention on the Law of the Sea (UNCLOS), the Convention on Safety of Life at Sea (SOLAS) (1974), the Maritime Search and Rescue Convention (1979) and the	The SAR authorities listed in C6.3 and C6.4 have been consulted either as a Prescribed Consultee or Non-Prescribed Consultee as part of the section 42 consultation. See Appendix D.16 of the Consultation report for a full list of section 42 consultees.

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Reference	Requirement	Compliance
	<p>Convention on International Civil Aviation (Chicago 1944) (Annex 12)). SAR authorities consist of:</p> <ul style="list-style-type: none"> <li>• relevant police and crime commissioner (the responsibility for the co-ordination of land-based and inland waters SAR operations including the inland aspects of those incidents that originate at sea rests with the Police Service;</li> <li>• relevant fire and rescue authorities;</li> <li>• relevant ambulance trusts (the NHS ambulance trusts which operate in England and Wales may have helicopter emergency medical service assets which may assist in SAR operations); and</li> <li>• Royal National Lifeboat Institute (RNLI).</li> </ul>	
<p>Authorities for the protection of wrecks: C6.4</p>	<p>The authorities responsible for the protection of wrecks in English and Welsh territorial waters are:</p> <ul style="list-style-type: none"> <li>• The Historic Buildings and Monuments Commission for England (Historic England);</li> <li>• Cadw (the relevant body in Wales); and</li> <li>• Ministry of Defence (MoD), in relation to the wreckage of (any) crashed, sunken or stranded military aircraft or designated vessels.</li> </ul>	
<p>C7</p>	<p>Local authorities within zones of visual influence (ZVI)</p>	
<p>C7.1</p>	<p>Developments, such as those with an offshore element, may present a potential visual impact to areas in local authorities which are not identified as 'A', 'B', 'C' or 'D' authorities under section 43 of the 2008 Act. The Planning Inspectorate will exercise discretion in determining whether to consult with these</p>	<p>The Applicant has identified and consulted with local authorities which fell into 2 categories, the host authorities identified under section 42(1)(b) for the Morgan and Morecambe Offshore Wind Farms: Transmission Assets and/or those potentially affected visually by Morgan Generation Assets. Section 5.3.5 of the Consultation report details the local authorities consulted and why, along with Appendix D.16 which provides a full list of section 42 consultees.</p>

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Reference	Requirement	Compliance
	local authorities on a non-statutory basis, having regard for the likely ZVI.	
<b>Planning Inspectorate Advice Note Six: Preparation and submission of application documents (Version 11)</b>		
Section 14	Data protection and privacy	
14.1	As application documents will be published to the National Infrastructure website, Applicants should avoid including any personal, individual data; in particular within the consultation report including photographic images of individuals faces who have not consented to their images being used and the written signatures.	The Consultation report and its appendices are in full compliance with the General Data Protection Regulations (GDPR), including the removal of all identifying information. Please see section 3.3 for details regarding the Applicant's approach to GDPR.
<b>Planning Inspectorate Advice Note Fourteen: Compiling the Consultation Report (Version 3)</b>		
Section 2	Purpose of a Consultation Report	
2.1	<p>The Consultation Report must explain how the Applicant has complied with the pre-application consultation requirements, in particular:</p> <ul style="list-style-type: none"> <li>• The requirement to consult with prescribed consultees (section 42);</li> <li>• the requirement to consult with the community (section 47);</li> <li>• the requirement to publicise the proposed application (section 48); and</li> <li>• the requirement to have regard to consultation responses (section 49).</li> </ul>	<p>The Consultation report has complied with the pre-application consultation requirements in the following locations:</p> <ul style="list-style-type: none"> <li>• The requirement to consult with prescribed consultees (section 42) – see section 5.3</li> <li>• the requirement to consult with the community (section 47) – See section 5.2</li> <li>• the requirement to publicise the proposed application (section 48); - see section 5.6 and</li> <li>• the requirement to have regard to consultation responses (section 49) see section 5.8.</li> </ul>
2.2	The Consultation Report should also detail any non-statutory consultation, outside the requirements of the 2008 Act, providing a clear understanding of all the consultation activity.	Non-statutory consultation took place from July 2021 with full details of all non-statutory consultation provided within section 4 of the Consultation report and the Technical Engagement Plan (TEP) (Document Reference E4)

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Reference	Requirement	Compliance
2.3	The Consultation Report should also demonstrate compliance with section 50 of the 2008 Act by illustrating how relevant statutory guidance has been followed. Any divergence from guidance should be robustly justified within the Consultation Report.	Section 3 of the Consultation report details the guidance and advice notes taken into consideration and complied with in accordance with section 50 of the 2008 Act.
Section 3	Format and content of the Consultation Report	
Introductory Text		
3.2	Provide an overview including a summary of the consultation activities undertaken and a table or timeline summarizing statutory and non-statutory consultation in chronological order.	The stages of consultation undertaken are outlined in Figure 2.1 of section 2.5 of the Consultation report. Appendix A.1 also summarises the consultation methods, locations of events and the projects represented.
3.3	This section should explain the relationship between any initial strategic options stage, any subsequent non-statutory consultation that may have taken place, and the statutory consultation carried out under the 2008 Act.	The Executive Summary at section 1 of the Consultation report provides an overview of the Morgan Generation Assets from inception through to consultation.
Multi Stage Consultations		
3.5	The report should reflect all stages of the pre-application consultation. Each stage of consultation can be presented and explained chronologically in a separate chapter or section, including non-statutory consultation. This can also include separate summary schedules of consultation responses.	The Consultation report has clearly set out all stages of pre-application consultation at the following section of the Consultation report: <ul style="list-style-type: none"> <li>• section 4 – Non-Statutory Consultation</li> <li>• section 5 – Statutory Consultation</li> <li>• section 6 – Post Statutory Consultation Engagement</li> <li>• section 7 – Ongoing Engagement Activities and Statements of Common Ground</li> </ul>
Duty to Consult (s42)		
3.6	The report should include a list of all persons and bodies who were consulted and when.	Appendix D.16 provides a full list of section 42 and section 43 consultees and Appendix D.4 provides a full list of section 47 consultees. Section 5.2.6 of the Consultation report confirms that consultation began on 19 April 2023 with the section 42 and section 47 consultation coinciding.

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Reference	Requirement	Compliance
Duty to Consult (s42) – Prescribed consultees (s42(1)(a), s42(1)(aa) and s42(1)(c))		
3.8	The list of the prescribed organisations should follow the order they are presented in Schedule 1 of the APFP Regulations. Any variations between the two lists should be robustly justified.	Appendix D.16 of the Consultation report, setting out all section 42 consultees, follows the order the prescribed organisations are presented within Schedule 1 of the Infrastructure APFP Regulations as amended in 2013. Therefore, no justification for any variations is necessary.
3.9	Where relevant, the list of prescribed consultees should also include the Marine Management Organisation (MMO) and the Greater London Authority.	Due to the location of Morgan Generation Assets being entirely located within English waters, the MMO has duly been consulted. See section 5.3.2 of the Consultation report.  Morgan Generation Assets is not located within the jurisdiction of the Greater London Authority and therefore were not consulted with.
Relevant local authorities – s42(1)(b)		
3.10	A short description of how section 43 of the 2008 Act has been applied in order to identify the relevant local authorities should be included. This could be supported by a map showing the site and identifying the boundaries of the relevant local authorities.	A description of how section 43 of the 2008 Act has been applied and justification provided in section 5.3.5 of the Consultation report, with consideration given to Morgan Generations Assets being located wholly within the marine environment.  The Applicant identified and consulted with the local authorities that fell into 2 categories: a host authority for Morgan and Morecambe Offshore Wind Farms: Transmission Assets and/or those with a potential visual impact from the Morgan Generation Assets. Table 5.12 of the Consultation report lists all local authorities identified under section 43 and/or those with a potential for a visual impact.
Persons with an interest in land – s42(1)(d)		
3.11 – 3.13	The Applicant must demonstrate that diligent enquiry was undertaken to identify persons under section 44 of the 2008 Act and ensure an up-to-date Book of Reference is submitted. In that context it is useful to set out the methodology for identifying persons in Category 3 (those who may make a relevant claim). An explanation should be given as to how many persons with an interest in land were consulted, under which category and when. If additional persons with an interest in land were consulted following changes, it is useful to describe; how many were consulted, when and how they were consulted with and the information they were provided.	Only The Crown Estate (TCE) have been identified and consulted upon under section 44 of the 2008 Act. See section 5.3.6 of the Consultation report for further details.

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Reference	Requirement	Compliance
Duty to consult the local community (s47)		
3.14	Evidence should be submitted as part of the consultation report which shows; which local authorities were consulted about the draft SoCC; the local authorities' comments; confirmation that the local authorities were given 28 days to provide comments and a description of the regard given to Local Authority comments.	Section 5.2.2 of the Consultation report details the preparation of the SoCC including two consultations with local authorities, a summary of responses received and the Applicants regard to these responses, tabulated in Table 5.1 of the Consultation report. Appendix D.2 provides draft copies of the two SoCCs that were consulted upon.
3.15	Applicants should make the SoCC available for online inspection and evidence that this has been done should be provided in the Consultation Report along with confirmation that the webpage could be accessed free of charge.	Section 5.2.10 of the Consultation report provides details of the consultation website and confirmation it was accessible free of charge. Screen grabs of the website at the launch of statutory consultation are provided at Appendix D.6.
3.16	Copies of the published SoCC notice as it appeared in the local press should be provided along with confirmation of which local newspaper it was published in and when. Where it was not possible to place the SoCC notice in a printed newspaper, then a screen shot of the notice as it was published in an online local newspaper publication should be provided (including the full website address and relevant telephone number for enquiries as required by the 2020 Regulations), ensuring the date of publication is visible.	Newspaper notices (statutory section 47 notices) were published in relevant publications, stating where and when the SoCC could be inspected. See section 5.2.3 of the Consultation report and Appendix D.3 for copies for the notices as they appeared in print.
3.17	Where more than one SoCC was prepared for a project, e.g., where a SoCC was subject to one or more updates, the updated SoCC or SoCC should be included together with a narrative about why the preceding SoCC was reviewed and updated.	Section 5.2.2 of the Consultation report discusses the preparation of the initial draft SoCC, and the minor amendments resulting in a secondary draft SoCC. Appendix D.2 provides both draft SoCCs. The final SoCC was not subject to any updates and is provided at Appendix D.1.

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Reference	Requirement	Compliance
3.18	Any inconsistencies between the SoCC and the consultation carried out should be clearly explained and justified.	Consultation was undertaken in accordance with the published SoCC. See section 5.2.21 of the Consultation report which details the compliance with the SoCC.
Duty to publicise (s48)		
3.19	A scanned copy of the section 48 notice as it appeared in the local and national newspapers and journals, clearly showing the publication's name and date of publication, should be included, with a description of where the notice was published, and confirmation of the time period for responses.	Scanned copies of the section 48 notices as they appeared in publications have been included in Appendix D.21.2 of the Consultation report. Section 5.6 of the Consultation report provides details of the publication of the section 48 notices.
3.21	Applicants should provide confirmation that the section 48 notice was sent to the EIA consultation bodies at the same time as the notice was published.	The Applicant issued a copy of the section 48 notice to the relevant consultation bodies on 19 April 2023, after the first publication of the notice on 12 April 2023 in The Guardian. See section 5.6 and Appendix D.12 of the Consultation report for examples of emails sent to consultees including a link to the section 48 notice on the consultation website.
Non-statutory consultation and engagement		
3.24	Any non-statutory consultation should be clearly indicated and identified separately. Applicants should describe the non-statutory consultation to the same level of detail as the statutory consultation. It is also useful to understand how comments received influenced the project.	Non-statutory consultation has taken place since July 2021 and has continued throughout and beyond the statutory consultation. Section 4 of the Consultation report describes the non-statutory consultation that has taken place and how comments received have influenced the project and can also be found in the TEP (Document Reference E4) which presents full details of all technical consultation carried out with stakeholders outside the statutory consultation process.
EIA Regulations consultation		
3.26	Applicants may wish to draw attention to consultation responses received under the EIA process, but any reference to that consultation should be addressed separately from the statutory consultation.	Section 5.7 of the Consultation report summarises separately the consultation undertaken and responses received in regard to the EIA Regulations and the Conservation of Habitats and Species Regulations. Full details can be found in the TEP (Document Reference E4).
Report Appendices		
3.27	Appendices should be used to provide evidence that demonstrates compliance with	Appendices have been provided and reflect the chronological order of the Consultation report using subdivision as appropriate.

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Reference	Requirement	Compliance
	the requirements of the 2008 Act. Careful consideration should be given to the structure and logic of the appendices so that they can be clearly signposted in the consultation report.	
3.28	Evidence of non-statutory consultation should be assembled chronologically in a separate appendix.	Appendix C.2 of the Consultation report includes non-statutory consultation material which has been assembled chronologically as far as is possible.
3.30	If a large volume of consultation responses were received and reported on, a summary response table in an appendix in chronological order, which demonstrates the journey through the consultation is advised.	Appendix D.24 includes tables of feedback received to statutory consultation with a summary provided in section 5.8 of the Consultation report, including the Applicants regard to feedback.
Section 4	Reporting statutory consultation responses	
Issues-led approach		
4.2	If the level of response was significant it may be appropriate to group responses under headline issues. Care must be taken to ensure that the responses are not presented in a misleading way or out of context from the original views. An explanation of the process by which consultation responses were grouped and organized is helpful, including any safeguards and cross checking that took place to ensure that the responses were grouped appropriately.	An issues led approach was taken which aligned responses with PEIR headings. See section 5.8 of the Consultation report for further details.
Summary of responses		
4.3-4.6	A summary of individual responses should be provided and categorized, identifying comments that are relevant (directly or indirectly) to change made during the pre-application stage and explaining why responses have led to no change.	See section 5.8 of the Consultation report for the feedback tables collating feedback to consultation and Appendix D.24.

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Reference	Requirement	Compliance
Section 5	Virtual Consultation Methods	
5.1	If virtual consultation methods were planned, then this should be reflected in the SoCC. The relevant local authorities will have been consulted and feedback reported in the Consultation Report.	To support the in-person events held, a webinar was held on 03 May 2023 at 6 pm. This was publicised in consultation materials (including the consultation brochure, website and the SoCC) and people were able to register online. See section 5.2.19 of the Consultation Report.
5.3	Where virtual consultation methods are planned, the SoCC should explain any mitigation measures put in place for the digitally disadvantaged members of the community.	<p>12 in person consultation events were held in accessible public locations where all consultation materials were provided. See section 5.2.19 of the Consultation report. Consultation materials were also written in Plain English.</p> <p>Regarding Seldom Heard Groups (SHG), 28 SHGs were sent to Councils as an appendix to the draft SoCC during the first SoCC consultation. 19 of the SHGs were emailed ahead of launch of the statutory consultation on 14 April 2023 and again at launch (19 April 2023). Nine groups originally listed in the draft SoCC were not consulted, and removed following review of the consultees ahead of launch, as they were deemed to not be relevant to Morgan Generation Assets.</p> <p>To ensure SHGs were able to review and respond to the consultation, consultation materials were accessible and readily available, including having materials online and in-person deposit locations.</p>
Section 6	Request for Applicant to provide consultation responses	
6.1	The Applicant may be asked to provide a copy of any, or all, of the statutory consultation responses that were received, if there is uncertainty about whether the duty to have regard to consultation responses has been met. It is the Applicant's responsibility to ensure that copies of consultation responses can be provided in a timely manner, bearing in mind any obligations the Applicant has under data protection legislation. The Acceptance stage cannot be suspended or extended pending the submission of the consultation responses.	The Applicant can provide copies of the consultation responses should they be required or requested.
Section 7	Data Protection and Redaction Guidelines	
7.1	Applicants must ensure that the Consultation Report complies with data protection legislation; this may include redaction of	The Consultation report and its appendices are in full compliance with GDPR. Please see Section 3.3 for the Applicant's approach to GDPR.

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Reference	Requirement	Compliance
	personal data, sensitive/special category data and/or obtaining informed consent from the individuals concerned as appropriate.	
7.2	As a guideline, applicants should avoid including private, individual or identifying information and sensitive or special category data within the meaning of the Data Protection Act 2018 and UK General Data Protection Regulation or information that could lead to the identification of a specific location of a protected species.	

### DCLG Planning Act 2008 Guidance on the Pre-Application Process (2015)

The pre-application consultation process

17	<i>'When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for purposes of consultation.'</i>	The Applicant made best efforts to ensure that the status of any draft document prepared to inform consultation were clearly labelled. The PEIR was clearly marked "preliminary" and this was reiterated in public documents (Morgan Offshore Wind Ltd, 2023).
18	<p><i>'Early involvement of local communities, authorities and statutory consultees can be beneficial for all parties, by:</i></p> <ul style="list-style-type: none"> <li><i>• Helping the applicant identify and resolve issues at the earliest stage, which can reduce the overall risk to the project further down the line as it becomes more difficult to make changes once an application has been submitted;</i></li> <li><i>• Enabling member of the public to influence proposed projects, feedback on potential options, and encouraging the community to help shape the proposal to maximise local benefits and minimise any downsides;</i></li> </ul>	<p>Despite the DCO application boundary being located entirely within the marine environment, the Applicant carried out a first stage non-statutory consultation with local communities on Morgan Generation Assets between 07 November and 13 December 2022, to ensure early engagement with communities.</p> <p>Non-statutory consultation with local authorities and other consultees started in Spring/Summer 2021, with written communication to stakeholders in July 2021.</p> <p>Engagement with stakeholders as part of the Evidence Plan Process (EPP) also began in November 2021, along with engagement via Expert Working Groups (EWGs) and Engagement Forums.</p> <p>Section 4 of the Consultation report provides details on all non-statutory consultation that took place across all groups, ahead of statutory consultation.</p>

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Reference	Requirement	Compliance
	<ul style="list-style-type: none"> <li>• <i>Helping local people understand the potential nature and local impact of the proposed project, with the potential to dispel misapprehensions at an early stage;</i></li> <li>• <i>Enabling applicant's to obtain important information about the economic, social and environmental impacts of a scheme from consultees, which can help rule out unsuitable options;</i></li> <li>• <i>Enabling potential mitigating measures to be considered and, if appropriate, built into the project before an application is submitted; and</i></li> <li>• <i>Identifying ways in which the project could, without significant costs to promoters, support wider strategic or local objectives.'</i></li> </ul>	
20	<p><i>'(...) to be of most value, consultation should be:</i></p> <ul style="list-style-type: none"> <li>• <i>based on accurate information that gives consultees a clear views of what is proposed including any options; ;</i></li> <li>• <i>shared at an early enough stage so the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and</i></li> <li>• <i>engaging and accessible in style, encouraging consultees to react and offer their views.'</i></li> </ul>	<p>Section 5 of the Consultation report details the statutory consultation which has taken place including when consultation was undertaken, the information provided and how it was accessible in order to encourage views from consultees. Consultation, including non-statutory consultation, was conducted at a time when the proposals were sufficiently developed, in order to provide a clear idea of the proposal, whilst also allowing consultees the ability to influence the scheme. The Applicant's regard to feedback receiving during consultation is summarised at section 5.8, with D.24 providing tables of feedback received.</p>

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Reference	Requirement	Compliance
21	<p><i>‘Compliance with this guidance alone will not guarantee that the Secretary of State will conclude that the applicant has complied with the pre-application consultation requirements introduced by the Planning Act. Applicants should satisfy themselves that they have complied with all statutory requirements and applicable guidance (including this guidance) so they can reasonably expect that their application will not be rejected on the grounds of inadequate consultation. Where an applicant has not been able to follow this guidance, they should provide comments setting out why this is the case, in the consultation report.’</i></p>	<p>For Morgan Generation Assets, as the DCO application boundary is located wholly within the marine environment, there is no associated onshore infrastructure and thus no defined relevant local authority in line with section 42(1)(b) of the 2008 Act. There is also no requirement to prepare a SoCC under section 47 of the 2008 Act. Notwithstanding this, section 5.2 and section 5.3 of the Consultation report set out how the Applicant has aligned with the requirements of the 2008 Act, taking into consideration advice notes and carried out its statutory consultation.</p>
23	<p><i>‘In brief, during the pre-application stage applicants are required to:</i></p> <ul style="list-style-type: none"> <li><i>• notify the Secretary of State of the proposed application;</i></li> <li><i>• identify whether the project requires an environmental impact assessment; where it does, confirm that they will be submitting an environmental statement along with the application, or that they will be seeking a screening opinion ahead of submitting the application;</i></li> <li><i>• produce a Statement of Community Consultation, in consultation with the relevant local authority or authorities, which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that Statement;</i></li> <li><i>• make the Statement of Community Consultation available for inspection</i></li> </ul>	<p>As set out in this document as well as detailed in the Consultation report, the Applicant has complied with all requirements listed under point 23 of the DCLG Guidance.</p>

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Reference	Requirement	Compliance
	<p><i>by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed, as required by section 47 of the Planning Act and Regulations;</i></p> <ul style="list-style-type: none"> <li>• <i>identify and consult statutory consultees as required by section 42 of the Planning Act and Regulations;</i></li> <li>• <i>Publicise the proposed application in accordance with Regulations;</i></li> <li>• <i>Set a deadline for consultation responses of not less than 28 days from the day after receipt/last publication;</i></li> <li>• <i>Have regard to relevant responses to publicity and consultation; and</i></li> <li>• <i>Prepare a consultation report and submit it to the Secretary of State.'</i></li> </ul>	
24	<p><i>'The requirements of the Planning Act and associated Regulations form the framework for the pre-application consultation process. The Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size-fits-all' approach is not, therefore, appropriate. Instead, applicants, who are best placed to understand the detail of their specific project, and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and where its impacts will be experienced.'</i></p>	<p>The Applicant actively engaged with stakeholders at an early stage, including relevant regulators, statutory bodies, lead officers and elected representatives at local authorities. See Section 4 of the Consultation report for an overview of Non-Statutory Consultation.</p> <p>Consultations were also held with relevant local authorities on the draft SoCC as detailed at section 5.2.2 of the Consultation report.</p>

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Reference	Requirement	Compliance
25	<p><i>‘Consultation should be thorough, effective and proportionate. (...) Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.’</i></p>	<p>Due to the scale of Morgan Generation Assets, consultees were given 6 weeks to respond to the initial statutory consultation held between 19 April and 04 June 2023, in excess of the prescribed 28 days. Additionally, all limited extensions to consultation have provided consultees with at least 28 days to respond.</p> <p>All feedback received has been incorporated up to as close to the submission of the DCO application as possible.</p> <p>Section 5 of the Consultation report details the statutory consultation undertaken for Morgan Generation Assets.</p>
Who should be consulted?		
26	<p><i>‘(...) Sections 42-44 of the Planning Act and Regulations set out details of who should be consulted, including Local Authorities, the Marine Management Organisation (where appropriate), other statutory bodies, and persons having an interest in the land to be developed. . Section 47 in the Planning Act sets out the applicants statutory duty to consult local communities. In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.’</i></p>	<p>Appendix D.16 of the Consultation report provides a full list of those consulted under section 42, and how, including local authorities along with other statutory and prescribed bodies as well as any non-prescribed consultees.</p> <p>Appendix D.4 of the Consultation Report provides a full list of those consulted under section 47.</p> <p>Section 5.3.6 of the Consultation report details the consultation with TCE, being the only identified section 44 consultee for Morgan Generation Assets.</p>
27	<p><i>‘The Planning Act and Regulations set out the statutory consultees and prescribed people who must be consulted during the pre-application process. Many statutory consultees are responsible for consent regimes where, under Section 120 of the Planning Act, decisions on those consents can</i></p>	

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	<p><i>be included within the decision on a Development Consent Order. Where an applicant proposes to include non-planning consents within their Development Consent Order, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such non-planning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals.'</i></p>	
<p>Statutory bodies and other relevant groups</p>		
<p>28</p>	<p><i>'From time to time a body may cease to exist, but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Inspectorate. Whether or not an alternative is identified, the consultation report should briefly not any cases where compliance with statutory requirements was impossible and the reasons why.'</i></p>	<p>Where required, successor bodies have been identified and consulted in the same manner as the original body.</p> <p>The Applicant was aware of the dissolution of Cumbria County Council and other local authorities on 01 April 2023 and noted that contact made with soon-to-be dissolved local authorities was forwarded automatically to the new Councils of Cumberland and Westmorland and Furness.</p> <p>Please see Appendix D.16 for a full list of section 42 consultees.</p>
<p>29</p>	<p><i>'Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts</i></p>	<p>The Applicant undertook an EPP for Morgan Generation Assets, through which an Evidence Plan Steering Group was established. It comprises of the key regulatory bodies alongside SNCBs. The Steering Group have met 7 times between November 2021 to October 2023.</p>

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	<p><i>of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the pre-application requirements. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages in the process. It is equally important that statutory consultees respond to a request for technical input in a timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.'</i></p>	<p>Separate EWGs have also been established to discuss topic-specific issues with relevant stakeholders.</p> <p>Engagement forums were also set up, in addition to the technical consultation undertaken under the EPP, to discuss topic-specific issues with relevant stakeholders outside of the EPP.</p> <p>See section 4.4 of the Consultation report for further details on the EPP, EWGs and Engagement Forums, and Appendix A of the TEP (Document Reference E4).</p>
<p>Consultation with Local Authorities on the Statement of Community Consultation</p>		
<p>34</p>	<p><i>'Local authorities have considerable expertise in consulting local people. They will be able to draw on this expertise to provide advice to applicants on the makeup of the community and on how consultation might best be undertaken. In addition, many authorities will already have a register of local interest groups, and should be able to readily provide applicants with an appropriate list of such groups for the purposes of consultation.'</i></p>	<p>The Applicant prepared a SoCC and carried out two consultations upon its contents with the relevant local authorities and other relevant bodies, prior to undertaking statutory consultation. See section 5.2.2 of the Consultation report, including Table 5.1 which details the feedback received to the second draft SoCC consultation and the Applicants regard.</p> <p>Appendix D.2 provides the draft SoCCs, which were consulted upon whilst Appendix D.1 provides the final SoCC.</p>
<p>35</p>	<p><i>'The applicant has a duty under section 47 of the Planning Act to prepare a Statement of Community Consultation, and then to conduct its consultation in line with that statement. Before doing so, the applicant must consult on their Statement of Community Consultation with each local authority in whose area the proposed development is situated. This may require consultation with a number of different local authorities, particularly for long, linear projects. In this situation, the local authorities in question should, as far as practiceable, co-ordinate their responses to the applicant. This will ensure that the consultation proposals set</i></p>	

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	<p><i>out in the Statement are coherent, effective and work across local authority boundaries.'</i></p>	
36	<p><i>'Even where it is intended that development would take place within a single local authority area, it is possible that its impacts could be significantly wider than just that local authority's area – for example if the development was located close to a neighbouring authority. Where an applicant decides to consult people living in a wider area who could be affected by the project (e.g. through visual or environmental impacts, or through increased traffic flow), that intention should be reflected in the Statement of Community Consultation.'</i></p>	
37	<p><i>'In its role as a consultee on the Statement of Community Consultation, the local authority should focus on how the applicant should consult people in its area. The comments that a local authority provides on the Statement of Community Consultation are separate from any views that authority may have on the merits of the proposals. They are also distinct from 'adequacy of consultation' responses. The Planning Act requires local authorities to respond to the applicant's consultation on their proposed Statement of Community Consultation within 28 days of receipt of the request. However, prior to submitting their draft Statement of Community Consultation applicants may wish to seek to resolve any disagreements or clarifications about the public consultation design. An applicant is therefore likely to need to engage in discussions with local authorities over a longer period than the minimum requirements set out in the Act.'</i></p>	

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38	<p><i>‘The role of the local authority in such discussions should be to provide expertise about the make-up of its area, including whether people in the area might have particular needs or requirements, whether the authority has identified any groups as difficult to reach and what techniques might be appropriate to overcome any barriers to communication. The local authority should also provide advice on the appropriateness of the applicant’s suggested consultation techniques and methods. The local authority’s aim in such discussions should be to ensure that the people affected by the development can take part in a thorough, accessible and effective consultation exercise about the proposed project.’</i></p>	<p>The Applicant prepared a SoCC and carried out two consultations upon its contents with the relevant local authorities and other relevant bodies, prior to undertaking statutory consultation. See section 5.2.2 of the Consultation report, including Table 5.1 which details the feedback received to the second draft SoCC consultation and the Applicants regard.</p> <p>Appendix D.2 provides the draft SoCCs, which were consulted upon whilst Appendix D.1 provides the final SoCC.</p>
39	<p><i>‘Topics for consideration at such pre-consultation discussion might include:</i></p> <ul style="list-style-type: none"> <li><i>• The size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area);</i></li> <li><i>• The appropriateness of various consultation techniques, including electronic-based ones;</i></li> <li><i>• The design and format of consultation materials;</i></li> <li><i>• Issues which could be covered in consultation materials;</i></li> <li><i>• Suggestions for places/timings of public events as part of the consultation;</i></li> <li><i>• Local bodies and representative groups who should be consulted; and</i></li> </ul>	

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	<ul style="list-style-type: none"> <li><i>Timescales for consultation.'</i></li> </ul>	
40	<i>'It is expected that in most cases applicants and local authorities will be able to work closely together and agree on the local consultation process. (...).'</i>	
41	<i>'Where a local authority raises an issue or concern on the Statement of Community Consultation which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their application.'</i>	<p>The Applicant prepared a SoCC and carried out two consultations upon its contents with the relevant local authorities and other relevant bodies, prior to undertaking statutory consultation. See section 5.2.2 of the Consultation report, including Table 5.1 which details the feedback received to the second draft SoCC consultation and the Applicants regard.</p> <p>Appendix D.2 provides the draft SoCCs, which were consulted upon whilst Appendix D.1 provides the final SoCC.</p>
42	<i>'Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. (...) However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project and, once satisfied, to proceed with the consultation. Provided that applicants can satisfy themselves that they have made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development, it would be unlikely that their application would be rejected on grounds of inadequate public consultation.'</i>	
Local Authorities as Statutory Consultees		
43	<i>'Local authorities are also themselves statutory consultees for any proposed major infrastructure project which is in or adjacent to their area. Applicants should engage with them as early as possible to ensure that the impacts of the development on the local area</i>	<p>Non-statutory consultation started in Spring/Summer 2021, with written communication to stakeholders in July 2021. Table 4.1 at section 4.3 of the Consultation report details to whom this communication was sent to, which includes representatives of local authorities.</p> <p>Despite not falling within the definitions prescribed under section 43, as the DCO boundary is located wholly within the marine environment, the Applicant identified and consulted with local</p>

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	<i>are understood and considered prior to the application being submitted to the Secretary of State.'</i>	authorities The local authorities consulted are set out within Table 5.12 in section 5.3.5 of the Consultation report as well as within the section 42 consultee list, provided at Appendix D.16.
44	<i>'Local authorities will be able to provide an informed opinion on a wide number of matters, including how the project relates to Local Plans. Local authorities may also make suggestions for requirements to be included in the draft Development Consent Order. These may include the later approval by the local authority (after the granting of a Development Consent Order) of detailed project designs or schemes to mitigate adverse impacts. It will be important that any concerns local authorities have on the practicality of enforcing a proposed Development Consent Order are raised at the earliest opportunity.'</i>	Engagement with stakeholders as part of the EPP EWGs has also been undertaken, with regular meetings held since February 2022, as detailed at section 4.4.
Statements of Common Ground (SoCGs)		
48	<i>'Local authorities are encouraged to discuss and work through issues raised by the proposed development with applicants well before an application is submitted. Agreements reached between an applicant and relevant local authorities can be documented in a statement of common ground. This will contain agreed factual information about the application and can accompany the application. The statement of common ground can also set out matters where agreement has not been reached. This can then be looked at during examination. (...).'</i>	Where possible, the Applicant will seek to agree SoCGs with key consultees. See section 7.4 of the Consultation report for further details.
Persons with an interest in land		
49	<i>'Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who</i>	Only TCE has been identified and consulted with as a section 44 consultee. See section 5.3.6 of the Consultation report for further details.

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	<p><i>could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them.'</i></p>	
50	<p><i>'It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort should be made to ensure that the Book of Reference (which records and categorises those land interests) is up to date at the time of submission.'</i></p>	
Local Communities		
53	<p><i>'(...)People should have as much influence as is realistic and possible over decisions which shape their lives and communities. It is therefore critical that they are engaged with project proposals at an early stage. Because they live, work and socialise in the affected area, local people are particularly well placed to comment on what the impact of proposals on their local community might be; or what mitigating measures might be appropriate; or what other opportunities might exist for meeting the project's objectives.'</i></p>	<p>Morgan Generation Assets DCO application boundary is located wholly within the marine environment, however the Applicant consulted with local communities throughout, including through early non-statutory consultation and through the statutory consultation process. See section 4 and 5 of the Consultation report for details regarding non-statutory and statutory consultation and whom this involved.</p>
54	<p><i>'In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in that process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in question. Local authorities will be able to</i></p>	<p>The SoCC provided details of consultation methods, as detailed at Table 5.11 of the Consultation report. Consultation materials were designed to ensure an inclusive approach.</p>

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	<i>provide advice on what works best in terms of consulting their local communities...</i>	
55	<i>'Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. (...).'</i>	The PEIR set out the findings of the EIA up to the point of consultation and the feedback received (Morgan Offshore Wind Ltd, 2023). A PEIR NTS was also authored for the statutory consultation. Section 5.2.7 of the Consultation report details the consultation materials which were published to aid engagement with statutory consultation and efforts were taken to ensure they were written in Plain English to make them as accessible as possible.
56	<i>'Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals (...).'</i>	Appendix D.2 of the Consultation report contains the draft SoCCs and Appendix D.1 the final SoCC, which details the proposed consultation. Table 5.11 of the Consultation report also details how the SoCC has been complied with.
Offshore Projects		
61	<i>'Applicants have a statutory duty to consult any local authority in whose land a project is sited. So, where an offshore project also features land-based development, the applicant should treat the local authority where the land-based development is located as the main consultee for the Statement of Community Consultation. The applicant is also advised to consider seeking views on the Statement of Community Consultation from</i>	As detailed at section 5.2.2 of the Consultation report, the SoCC was subject to two formal consultations with local authorities with minor changes made to the initial and second draft SoCC. This included those authorities who are the host authorities for Morgan and Morecambe Wind Farms: Transmission Assets and those which have been identified as having a potential visual impact from Morgan Generation Assets.

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	<i>local authorities whose communities may be affected by the project, (...). In addition, applicants may find it beneficial to discuss their Statement of Community Consultation with any local authorities in the vicinity where there could be an effect on harbour facilities.'</i>	
63	<i>'Applicants should ensure they consider all the potential impacts on communities which are in the vicinity of the proposed project. These are unlikely to affect all communities to the same degree but might include potential visual, environmental, economic and social impacts.'</i>	Morgan Generation Assets DCO application boundary is located entirely within the marine environment, however the Applicant consulted with neighbouring authorities and local communities who may be visually impacted by or have an interest in the project.  See section 5.3 of the Consultation report. A full list of organisations, including the Parish and Community Councils consulted with under section 42, is provided at Appendix D.16 whilst Appendix D.4 provides a list of those consulted under section 47.
64	<i>'Where the location of a proposed offshore project is such that the impacts on communities are likely to be very small or negligible, applicants are still expected to inform relevant coastal authorities and communities of the proposed project, and give them a chance to take part in any consultation. When deciding who to consult in these situations, applicants are encouraged to think laterally, by, for example, identifying nearby local authorities with busy harbours, active fishing or sailing / water-sports communities or key local environmental groups.'</i>	The Applicant consulted with authorities and local communities whom would either be directly impacted by Morgan and Morecambe Offshore Wind Farms: Transmission Assets and/or those who may be visually impacted by Morgan Generation Assets. See section 5.3 of the Consultation Report and Appendix D.16 of which provides a full list of organisations consulted.
65	<i>'Where there are no obvious impacts on local communities, applicants should consult the local communities closest to the proposed project. It may be that there are impacts which are not immediately obvious but which a consultation can identify. Equally, local communities may have concerns ... and open engagement with the applicant will allow them the chance to express their concerns and to understand how these concerns are being addressed. The level of interest shown by local authorities and communities will dictate</i>	The Applicant has consulted with the local communities throughout the pre-application consultation period. Post statutory consultation, the website was updated and a newsletter published to provide further information as it became available. For further information, see section 6 of the Consultation report.

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	<i>the degree and depth of consultation required. (...)</i>	
66	<i>'Ultimately, applicants for offshore projects should take a pragmatic approach, consulting in proportion to the impacts on communities and the size of the project, ensuring that relevant local communities are kept informed about the proposals and offered the chance to participate in shaping them. Applicants should use this as a consultation guiding principle together with the statutory requirements as set out in the Planning Act. Provided they do this, and fully explain the approach in the consultation report ... the expectation is that the application will not be rejected on the grounds of insufficient public consultation.'</i>	A pragmatic approach was taken to consultation, with full and targeted consultations being undertaken with local communities particularly having regard to those who may be visually impacted by or have an interest in the project. This has ensured that the consultation has been robust and effective, whilst remaining proportionate. Section 5.2.4 of the Consultation report provides further detail on how the initial mailing and consultation zones was defined.
67	<i>'In addition to relevant local authorities and their communities, prospective applicants for development consent for certain types of projects are required to consult and engage with the Marine Management Organisation. They will also be able to advise on what, and with whom, additional consultation might be appropriate. (...)</i>	As detailed at section 5.3 of the Consultation report, the MMO were consulted as a section 42 consultee due to the location of Morgan Generation Assets in English waters. The MMO were also part of the Evidence Plan steering group (section 4.4).
When should consultation take place and how much is enough?		
68	<i>'To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. At the same time, consultees will need sufficient information on a project to be able to recognise and understand the impacts.'</i>	In addition to statutory consultation, engagement with both statutory and non-statutory consultees took place at an early stage. See sections 4.3, 4.4 and 4.5 of the Consultation report for further details. During statutory consultation, the PEIR and a PEIR NTS were published on the consultation website and made available at exhibition events. See section 5.2.7 of the Consultation report for materials published to aid engagement with statutory consultation.
69	<i>'Applicants will often require detailed technical advice from consultees, and it is likely their input will be of the greatest value if they are consulted when project proposals are fluid,</i>	The Applicant undertook an EPP for Morgan Generation Assets, through which an Evidence Plan Steering Group was established and comprises of the key regulatory bodies alongside SNCBs. The Steering Group has met seven times between November 2021 to October 2023.

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	<i>followed up by confirmation of the approach as proposals become firmer. In principle, therefore, applicants should undertake initial consultation as soon as there is sufficient detail, allowing consultees to understand the nature of the project properly.'</i>	<p>Separate EWGs have also been established to discuss topic-specific issues with relevant stakeholders.</p> <p>Engagement forums were also set up, in addition to the technical consultation undertaken under the EPP, the engage stakeholders outside of the EPP.</p> <p>See section 4.4 of the Consultation report for further details on the EPP, EWGs and Engagement Forums, and Appendix A of the TEP (Document Reference E4).</p>
70	<i>'To manage the tension between consulting early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for large projects with long development periods. For example, applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.'</i>	<p>The Applicant developed a phased approach to pre-application consultation, giving careful consideration to the specific requirements set out in relevant legislation and guidance.</p> <p>The consultation stages are outlined in Figure 2.1, in section 2.5 of the Consultation report.</p> <p>Consultation consisted of statutory and non-statutory consultation, as detailed in sections 4 and 5 of the Consultation report.</p> <p>Section 6 details post-statutory consultation engagement whilst section 7 details the ongoing engagement activities.</p>
71	<i>'Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests.'</i>	<p>Only TCE were engaged as a section 44 consultee.</p> <p>See section 5.3.6 of the Consultation report for further details on consultation with TCE.</p>
72	<i>'(...)The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and</i>	<p>The statutory consultation period ran from 19 April to 4 June 2023, a period of 46 days (see section 5.3).</p> <p>All consultees contacted as part of all targeted extensions to consultation were given at least 28 days to respond (see section 5.4 of the Consultation report).</p> <p>Furthermore, all feedback received has been incorporated up to as close to the submission of the DCO application as possible.</p>

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	<p><i>proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.'</i></p>	
73	<p><i>'Applicants are not expected to repeat consultation rounds ... unless the project proposals have changed very substantially. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may be needed. (...) When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors.'</i></p>	<p>Whilst limited extensions to consultation have taken place and are detailed at sections 5.4 of the Consultation report, this is not due to substantial changes within the project proposals. It is considered that the Morgan Generation Assets proposals have not changed substantially which would require formal re-consultation.</p>
74	<p><i>'Where a proposed application changes to such a large degree that the proposal could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further re-consultation on the new proposals, and should supply consultees with sufficient information to enable them to understand the nature of the change and any likely significant impacts (but not necessarily the full suite of consultation documents) and allow at least 28 days for consultees to respond.'</i></p>	
75	<p><i>'If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to undertake a full re-consultation. Where a proposed application is amended in</i></p>	<p>Section 5.8 of the Consultation report details the responses to statutory consultation and the applicants regard to these responses. There were no changes made to the proposed application following consultation which would trigger a full re-consultation.</p>

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	<i>light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local communities are informed of the changes.'</i>	Section 6 of the Consultation report details how statutory consultees and the local communities have been kept informed of any changes to the Morgan Generation Assets. Section 7 details ongoing engagement.
76	<i>'In circumstances where a particular issue has arisen during pre-application consultation, or where it is localised in nature, it may be appropriate to hold a non-statutory, targeted consultation. . A Statement of Community Consultation should be drafted so it does not preclude this approach. A more bespoke approach can be adopted, which may allow developers to respond with more agility to the issue at hand. If adopting this approach, the emphasis should be on ensuring that relevant individuals and organisations are included.'</i>	In addition to non-statutory and statutory consultation, targeted statutory consultation, as detailed at section 5.4 of the Consultation report has also been undertaken in respect of a very small number of section 42 and section 47 consultees.
The consultation report and responding to consultees		
80	<p><i>'Therefore, the consultation report should:</i></p> <ul style="list-style-type: none"> <li><i>• provide a general description of the consultation process undertaken, which can helpfully include a timeline;</i></li> </ul>	Section 2.5 of the Consultation report provides a general description to the consultation processes undertaken, with Figure 2.1 illustrating a summary approach to consultation.
	<ul style="list-style-type: none"> <li><i>• set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate;</i></li> </ul>	A Consultation Compliance Checklist (this document) has been provided at Appendix B.1 of the Consultation report.
	<ul style="list-style-type: none"> <li><i>• set out how the applicant has taken account of any responses to consultation with local authorities on what should be in the</i></li> </ul>	Table 5.1 in section 5.2.2 of the Consultation report considers the feedback from local authorities following two consultations on the draft SoCC.

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	<p><i>applicant's statement of community consultation;</i></p> <ul style="list-style-type: none"> <li>• <i>set out a summary of relevant responses to consultation (but not a complete list of responses);</i></li> <li>• <i>provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed;</i></li> <li>• <i>provide an explanation as to why responses advising on major changes to a project were not followed, including advice from statutory consultees on impacts;</i></li> <li>• <i>where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and</i></li> <li>• <i>be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.'</i></li> </ul>	<p>Section 5.8 of the Consultation report provides a summary of responses to pre-application (statutory) consultation and the Applicants regard to it, along with any changes made, whilst Appendix D.24 provides a table of responses.</p> <p>Section 5.8 of the Consultation report provides a summary of the feedback received to statutory consultation, as well as the Applicant's regard to this feedback. Appendix D.24 provides full details of feedback received and the Applicant's response and this is also set out in the relevant chapters of the Environmental Statement. Post consultation changes to Morgan Generation Assets have been communicated to consultees, as detailed in section 6 of the Consultation report.</p> <p>The Consultation report is compliant with DCLG Guidance and all relevant Advice Notes, as detailed above.</p> <p>The Applicant has endeavored to make the Consultation report as clear as possible and has followed guidance within the Planning Inspectorates Advice Note Fourteen: Compiling the Consultation report in regard to Consultation reports structure.</p> <p>This Appendix demonstrates how the Applicant has complied with the necessary requirements and in the Consultation report via relevant statements of compliance.</p>
81	<p><i>'It is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate.'</i></p>	<p>The Applicant continued to engage with stakeholders post statutory consultation (See Section 6 of the Consultation report) and remains committed to ongoing engagement, intending to maintain an open, transparent dialogue with statutory consultees and the local community throughout the next phases of the Morgan Generation Assets. See section 7 of the Consultation report for further details.</p>

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Reference	Requirement	Compliance
82	<i>'As with the consultation itself, it is likely that different audiences will require different levels of information. (...).'</i>	NTSs of technical documents have been prepared to aid accessibility including a NTS of the PEIR and the Environmental Statement.  In addition, community focused consultation materials were created to aide with statutory consultation. See section 5.2.7 of the Consultation report.
83	<i>'The consultation report may not be the most appropriate formate in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area.'</i>	A newsletter update followed statutory consultation announcing refinements to offshore elements. See section 6.1.4 of the Consultation report.  Responses to individual feedback received has also been appended at Appendix D.24.  Section 7 of the Consultation report details ongoing engagement with statutory consultees, stakeholders and the local community.
Environmental Impact Assessment		
90	<i>'(...) At an early stage the applicant needs to either inform the Secretary of State of their intention to submit an environmental statement along with its application (...) The Secretary of State can also, through a scoping opinion, advise applicants on the content of any required environmental statement. The scoping opinion will be based on advice received from statutory consultees and other relevant organisations.'</i>	The Applicant notified the Planning Inspectorate that it would provide an Environmental Statement as part of the DCO Application. Please see section 5.7 of the Consultation report and Appendix D.22 for a copy of the Regulation 8 letter.
91	<i>'For major infrastructure projects, the environmental impact assessment process is governed by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. These Regulations make the pre-application publicity and consultation requirements for the environmental impact assessment process consistent with those of the Planning Act:</i>	See section 5.7 of the Consultation report for further information on consultation under the EIA and HRA Regulations.  Section 5.6 of the Consultation report details the statutory publication undertaken under section 48 of the 2008 Act.

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Reference	Requirement	Compliance
	<ul style="list-style-type: none"> <li>• Regulation 10 requires that the applicant's Statement of Community Consultation must state whether the project falls within the scope of the Directive, and, if it does, how the applicant intends to publicise and consult on the preliminary environmental information (see paragraphs 93 and 94) for requirements in relation to preliminary environmental information); and</li> <li>• Regulation 11 requires that publicity of project proposals under section 48 of the Planning Act must also encompass the requirements of the environmental impact assessment process and at the time of publishing the proposed application, applicants must notify all environmental consultation bodies.'</li> </ul>	
92	<p><i>'To ensure meaningful consultation, the pre-application consultation process for major infrastructure projects encourages applicants to give consultees as much information as possible on the characteristics of the proposed project. However, it may not be possible for applicants to share their environmental statements during the consultation process. It may also not be the most appropriate way to present the potential environmental impacts and mitigation steps.'</i></p>	<p>Section 4 of the Consultation report provides detail on all non-statutory consultation that took place, whilst section 5 provides detail on all statutory consultation.</p> <p>Whilst the Environmental Statement was not provided for consultation, a number of technical and non-technical documents were provided to aide consultation. See section 5.2.7 of the Consultation report for consultation materials which aided with statutory consultation.</p>
Preliminary Environmental Information		
93	<p><i>'For the pre-application consultation process, applicants are advised to include sufficient preliminary environmental information to enable consultees to develop an informed view of the project. The information required may be different for different types and sizes of projects. It may also vary depending on the audience of a particular consultation. The</i></p>	<p>In communications to statutory consultees on 19 April 2023, the published PEIR (Morgan Offshore Wind Ltd, 2023) was linked to, where the information could be accessed on the consultation website, along with a NTS of the PEIR (see section 5.3.8 of the Consultation report). If contacted by post, consultees were sent a USB containing the full PEIR and the PEIR NTS (see section 5.4 of the Consultation report)</p> <p>The PEIR and the PEIR NTS were also made available at consultation exhibitions alongside community focused consultation materials including a consultation brochure (see section 5.2.7). The</p>

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Reference	Requirement	Compliance
	<p><i>preliminary environmental information is not expected to replicate or be a draft of the environmental statement. (...) The key issue is that the information presented must provide clarity to all consultees. Applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information. It is therefore advisable to ensure access to such information is provided during all consultations. The applicant's Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.'</i></p>	<p>SoCC provided relevant details as required regarding the PEIR (See Appendix D.1 of the Consultation report providing a final copy of the SoCC) whilst Table 5.11 considers compliance of consultation with the SoCC.</p>
<p>Habitats Regulations Assessment (HRA)</p>		
<p>95</p>	<p><i>'When considering whether a project has the potential to significantly affect the integrity of certain European protected wildlife sites, the applicant must provide a report which should include the site(s), that may be affected, together with sufficient information to enable the Secretary of State, as decision maker, to conclude whether an appropriate assessment is required, and if so, to undertake such an assessment.'</i></p>	<p>The HRA Screening Report (Document Reference E1.4) and Information to Support Appropriate Assessment (Document References E1.1-1.3) have been submitted with the DCO application. This is discussed at section 5.7 of the Consultation report. A PEIR was also provided which identified such sites and potential impacts (Morgan Offshore Wind Ltd, 2023).</p>
<p>96</p>	<p><i>'It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulation Assessment).'</i></p>	<p>The Applicant undertook consultation on the HRA as part of the EPP, through EWGs and during statutory consultation where a draft HRA Stage 1 Screening Report and draft ISAAs were provided alongside the PEIR (Morgan Offshore Wind Ltd, 2023).</p>

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Reference	Requirement	Compliance
	<p><i>This consultation should take place as early as possible in the pre-application process. One way of doing this is for an applicant to agree an evidence plan. (...).'</i></p>	<p>Section 4.4 of the Consultation report details the participants of the EPP and section 5.7 provides further details of the Habitats Regulations Consultation. Please also see the TEP for further information (Document Reference E4).</p>