

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

Other consents or licences required

Planning Inspectorate Reference: EN010136

Document Number: MRCNS-J3303-BGS-10100

Document Reference: J1

APFP Regulations: 5(2)(q)

April 2024

F01



Image of an offshore wind farm

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Document status					
Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
F01	Application	Burges Salmon LLP	Morgan Offshore Wind Ltd.	Morgan Offshore Wind Ltd.	April 2024
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Glossary

Term	Meaning
2008 Act	The Planning Act 2008
Applicant	Morgan Offshore Wind Limited.
Deemed Marine Licence	Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for 'deemed marine licences' as part of the DCO process.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Marine Licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities.
Morgan Offshore Wind Project: Generation Assets	The Morgan Offshore Wind Project is comprised of both the generation assets and offshore and onshore transmission assets and associated activities.
Ofcom	The Office of Communications
Ofgem	The Office of Gas and Electricity Markets

Acronyms

Acronym	Description
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
dML	Deemed Marine Licence
MCA	Maritime and Coastguard Agency
ML	Marine Licence
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
SNCB	Statutory Nature Conservation Body
UXO	Unexploded Ordnance

Units

Unit	Description
MW	Megawatt

1 Other consents or licences required

1.1 Introduction

- 1.1.1.1 Morgan Offshore Wind Limited (the Applicant), a joint venture of bp Alternative Energy investments and Energie Baden- Württemberg AG is developing the Morgan Offshore Wind Project: Generation Assets (hereafter referred to as the Morgan Generation Assets). The Morgan Generation Assets is a proposed offshore wind farm located in the east Irish Sea.
- 1.1.1.2 As the Morgan Generation Assets is an offshore generating station with a capacity of greater than 100 MW located in English waters, it is a Nationally Significant Infrastructure Project (NSIP) as defined by Section 15(3) of the Planning Act 2008 (the 2008 Act). As such, there is a requirement to submit an application for a Development Consent Order (DCO) to the Planning Inspectorate to be decided by the Secretary of State for the Department for Energy Security and Net Zero (DESNZ).
- 1.1.1.3 This document sets out the consents that are, or may be, required for the Morgan Generation Assets that are not contained within the draft DCO (Document Reference C.1). This document also provides details of the consents that the Applicant is seeking to disapply within the draft DCO (Document Reference C.1) and which, as a result, will not need to be applied for separately.
- 1.1.1.4 There is no requirement for this document in the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009, but it is provided to assist in the examination of the Morgan Generation Assets DCO application.

1.2 Consents which are to be disappplied or included in the DCO

- 1.2.1.1 The Applicant proposes to disapply or include the following consents within the DCO and as a result they will not need to be applied for separately (Table 1.1).

Table 1.1: Disapplication of other consents.

Consent	Legislation	Consenting authority	Content of consent/licence
Marine Licence for unexploded ordnance (UXO) clearance	Marine and Coastal Access Act 2009	Marine Management Organisation (MMO) on behalf of the Secretary of State	Clearance of UXO (if required) will be included in the DCO and deemed Marine Licences (dML). Specific methodological details and relevant mitigation methods required (such as a UXO-specific Marine Mammal Mitigation Protocol (MMMP)) would be subject to agreement with the MMO and consultation with any of their advisors and the statutory nature conservation bodies (SNCBs).

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1.3 Consents which will be required

1.3.1.1 Further information regarding additional consents and licences beyond those discussed above is provided in Table 1.2 below.

Table 1.2: Other consents and licences that will be required.

Consent	Legislation	Consenting authority	Anticipated application date	Content of consent/licence
Habitat Regulations Assessment (Appropriate Assessment)	The Conservation of Habitats and Species Regulations 2017 The Conservation of Offshore Marine Habitats and Species Regulations 2017	Secretary of State for Energy Security and Net Zero	Part of DCO and dML process – parallel with DCO	The relevant Secretary of State is the competent authority for the purposes of the Habitats Regulations. The Applicant has submitted Information to Support and Appropriate Assessment (ISAA) (ref. E 1.1 – 1.3) with the Application.
Coast Station Radio Licence	Wireless Telegraphy Act 2006	Ofcom	Post grant of DCO	The principal legislation governing the use of radio in the UK is the Wireless Telegraphy Act 1949. This Act requires the possession of a licence to install or use wireless telegraphy (radio) apparatus unless the equipment has been exempted from this requirement. Coastal Station Radio licences are designed to allow coast (base) stations on shore to communicate with vessels. The Applicant does not anticipate any issues with obtaining such a licence, as it is a matter of requesting a channel from Ofcom and paying the appropriate fee.
Decommissioning Scheme	Energy Act 2004	Secretary of State for Energy Security and Net Zero	Post grant of DCO	The Secretary of State will require a decommissioning programme to be submitted prior to commencement of authorised development pursuant to section 105(6) of the Energy Act 2004.
European Protected Species (EPS) Licence	The Conservation of Offshore Marine Habitats and Species Regulations 2017	MMO	Post grant of DCO	It is an offence to deliberately kill, capture or disturb European protected species, and to damage or destroy their breeding sites or resting places. EPS Licences can be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence. When the design of the wind farm is being finalised, discussions on the final details of the Morgan Generation Assets will be undertaken with MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a Licence will be made.

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Consent	Legislation	Consenting authority	Anticipated application date	Content of consent/licence
F10 – Notification of Construction Project	Construction (Design and Management) Regulations 2015	Health and Safety Executive	Post grant of DCO	The Construction (Design and Management) Regulations 2015 require particulars of the Morgan Generation Assets to be notified to the Health and Safety Executive in advance of construction. This would be sought by the appointed contractor.
Safety Zones	Energy Act 2004	Secretary of State for Energy Security and Net Zero	Post grant of DCO	Where a safety zone relates to a NSIP, the appropriate decision maker for safety zones is the Secretary of State, who has delegated that function to DESNZ. As set out in the Safety Zone Statement (Document reference J.6), the safety zone application will be made to DESNZ which may, if appropriate, issue a notice declaring that such areas as are specified or described in the notice are to be safety zones. Consultation with DESNZ will commence once the safety zone application has been submitted and DESNZ will then provide comments on the proposed safety zones at this time and following the notice period. The application will be subject to consultation with the Maritime and Coastguard Agency (MCA) along with any relevant shipping interests.
Energy Generation Licence	Electricity Act 1989	Office of Gas and Electricity Markets (Ofgem)	Granted	The Applicant has a generation licence pursuant to section 6(1)(a) of the Electricity Act 1989 which authorises the Applicant to generate electricity in a specified area for the purposes of giving a supply to any premises in a specified area or enabling a supply to be so given.