



Marine
Management
Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
F +44 (0)191 376 2681
www.gov.uk/mmo

Morgan Offshore Windfarm Generation Assets Case Team
Planning Inspectorate
morganoffshorewindproject@planninginspectorate.gov.uk
(Email only)

MMO Reference: DCO/2022/00003
Planning Inspectorate Reference: EN010136
Identification Number: 20048964

22 October 2024

Dear Susan Hunt,

Planning Act 2008, BP Alternative Energy Investments Ltd, Proposed Morgan Offshore Windfarm Generation Assets Order

Deadline 2 Submission Summary

On 30 May 2024 the MMO received notice under Section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by bp Alternative Energy Investments Ltd, (the Applicant) for determination of a development consent order (DCO) for the construction, maintenance and operation of the proposed Morgan Generation Offshore Windfarm (the DCO Application) (MMO ref: DCO/2022/00003 PINS ref: EN010136).

The DCO Application seeks authorisation for the construction, operation and maintenance of Morgan Offshore Windfarm Generation Assets (MOWF) located approximately 22 kilometres (km) from the Isle of Man Coastline and approximately 37 km from the Northwest coast of England; comprising of up to 96 wind turbine generators, all associated array area infrastructure and all associated development in an area approximately 280 square kilometres (km²).

Two Deemed Marine Licences (DML) are included in the draft DCO. One in relation to Wind Turbine Generators (WTG) and Associated Infrastructure, and one for Offshore Substation Platforms and Interconnector Cables.

As a marine licence has been deemed within the draft DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has an interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations.



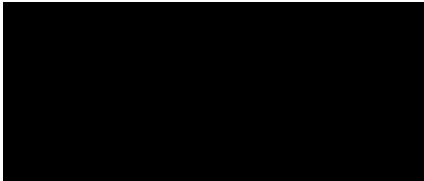
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...ambitious for our
seas and coasts



This document comprises the MMO's summary of the submission for Deadline 2. This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours sincerely



Liam Woods
Marine Licensing Case Officer

D +44 (0) [REDACTED]
E [REDACTED]@[marinemanagement.org](mailto:[REDACTED]@marinemanagement.org)



1. Comments on Pre-Examination Procedural Deadline Submissions

- 1.1. The MMO's Deadline 2 response contains detailed comments on the following documents provided by the Applicant at the pre-examination procedural deadline stage.
 - PD1-006 Applicant's response to Relevant Representation from Marine Management Organisation: Fish and Shellfish 4.6.5 (Annex 3.1)
 - PD1-007 Applicant's response to Relevant Representations from Marine Management Organisation (RR-020): Underwater Sound (Annex 3.2)
 - PD1-008 Applicant's response to Relevant Representation from Marine Management Organisation: Fish and Shellfish 4.6.12 (Annex 3.3)
 - PD1-017 Applicant's Response to Relevant Representations
- 1.2. The MMO has reviewed these documents and provided a response in section 1 of the Deadline 2 submission. The majority of MMO comments have been presented in tabular format to improve readability and understanding.
- 1.3. The MMO considers there to be several points that require amending within the DCO and DML.

2. MMO comments on the updated DCO/DML (REP1-021)

- 2.1. The MMO acknowledges the revisions to the draft DCO (dDCO) which have been submitted by the Applicant in their Deadline 1 Submission. The MMO hopes to see further amendments to the dDCO during the examination process.
- 2.2. The MMO objects to the provisions relating to the process of transferring and/or granting the deemed marine licences set out in the draft DCO at Article 7. The MMO has given a detailed response and requested amendments regarding Article 7 in section 2 of its Deadline 2 Submission.
- 2.3. The MMO also raised comments regarding Schedules 3 and 4 of the DCO which relate to the DMLs. The MMO seeks changes to Part 1 paragraph 9 to both DMLs regarding an amendment to the text.
- 2.4. The MMO has previously requested the removal of condition 19 relating to Force Majeure. That is because it unnecessarily duplicates the effect of s.86 of the Marine and Coastal Access Act, 2009 (the 2009 Act). If it is to be retained, then the relationship between this clause and section 86 of the 2009 Act should be clarified. The MMO welcomes the applicant's comments regarding Force Majeure in point RR-020.33 of document PD1-017 regarding the Applicant's response to Relevant



Representations. The MMO is currently reviewing the Applicant's comment and will provide a response in due course.

- 2.5. Regarding PD1-017, the MMO has provided a response in tabular format contained within the Deadline 1 submission which provides the MMO's stance on points regarding the DCO and DML.
- 2.6. The MMO considers there to be several points that require amending within the DCO and DML.

3. MMO comments on the Applicants response to Seasonal Piling Restrictions (REP1-009)

- 3.1. The MMO case team is still consulting with the MMO's technical advisors and will provide detailed responses to this document separately or within the MMO's Deadline 3 response.

4. MMO comments on the Applicant's response on the Statement of Common Ground between Morgan Offshore Wind Limited and the Marine Management Organisation (REP1-035)

- 4.1. The MMO attended a meeting with the Applicant on 9 October 2024 in which the categorisation of issues listed in the Statement of Common Ground (SoCG) were discussed. There was no disagreement between the MMO and the Applicant as to the status of any listed issues. Confirmation of the MMO's position on outstanding issues is summarised below and within Table 1 of the Deadline 2 submission. As requested by the ExA, the MMO will provide updated comments on the Statement of Commonality at Deadline 3.
- 4.2. The MMO has identified several points within the Applicant's SoCG which can be amended from 'Ongoing point of discussion' to 'Agreed'. These are highlighted in Table 1 of the Deadline 2 Submission which refers to MMO comments from RR-020 and the MMO's review of the Applicants pre-examination procedural deadline submissions.
- 4.3. There are several points which are an ongoing point of discussion regarding Marine Policy, dDCO, and the dDML (Table 1.10 REP1-035). These have been discussed in more detail in Table 1 of the MMO's Deadline 2 Submission.



Yours sincerely



Liam Woods

Marine Licensing Case Officer

D +44 [REDACTED]

E [REDACTED]@marinemanagement.org.uk

