

Application by Morgan Offshore Wind Limited for an Order Granting Development Consent for the Morgan Offshore Wind Project: Generation Assets

Issue Specific Hearing 2

Date: 26 and 27 November 2024

Venue: Delta Hotel, Liverpool City Centre and MS Teams

ACTION POINTS

Where possible, each party is invited to combine their action point responses with written notes of their oral submissions to the hearing. Examination Library references and paragraph or page number references for any material already within the examination should be cited in all submissions.

No	Party	Action	Deadline
1	Marine Management Organisation Stena Line Any other Interested Parties (IPs)	Review the recording of Issue Specific Hearing 2 (ISH2) and submit any comments on or additional responses to the discussions in the hearing.	Deadline 4 (D4) Tuesday 10 December 2024
2	Applicant	Submit an illustrated note clarifying Environmental Statement (ES) Volume 2 Chapter 7 section 7.5.3 identifying location, size and frequency of deep draught vessels sheltering or transferring pilots east of Douglas in the northern part of the study area; including identification of what the likely routing would be to pass around the Proposed Development on passage to Liverpool.	D4
3	Applicant	Submit a note elaborating ES Volume 2 Chapter 7 section 7.6.3 on precedent (whether in the United Kingdom or elsewhere) for restricted “pinch-points” in navigation corridors or gaps between or alongside Wind Farm arrays, for which navigation risk has been assessed as tolerable if controlled to as low as reasonably practicable (ALARP), and providing diagrams or plans describing	D4

No	Party	Action	Deadline
		comparative context to the worst-case passage between the Proposed Development and the Agreement for Lease (AfL) area for the proposed Mooir Vannin Offshore Wind Farm (OWF).	
4	Applicant	<p>Submit a detailed study of the use of sea space adjacent to the Isle of Man and United Kingdom Exclusive Economic Zone territorial sea boundary, indicating:</p> <ul style="list-style-type: none"> a) any constraints to navigation features and any aids to navigation present or proposed plus any temporary safety zones likely to be applied for construction and major maintenance adjacent to the territorial boundary; b) prudent clearing distances for vessels passing the Proposed Development in each direction including any north-south passage, in normal metocean conditions; and c) the same information for reasonable worst case adverse metocean conditions in which prudent mariners would be making passage. 	Deadline 5 (D5) Thursday 16 January 2025
5	Applicant	Submit a report on the Applicant's participation in the Mooir Vannin NRA workshop planned for December and on any other engagement undertaken with Mooir Vannin OWF on navigation risk control.	D5
6	Applicant	<p>Submit a paper providing:</p> <ul style="list-style-type: none"> a) consideration of policy and transboundary jurisdictional matters concerning post-consent control (should development consent be forthcoming) of navigational safety risk in the sea space between and adjacent to the two developments; and b) without prejudice draft wording for a Development Consent Order (DCO) requirement and Deemed Marine Licence (DML) condition to exclude structures to reduce navigational safety risk to tolerable and ALARP, 	D5

No	Party	Action	Deadline
		<p>such requirement only to take effect in the contingency that a Moir Vannin OWF consent, if made, precedes a decision on the application for the Proposed Development; and</p> <p>c) consideration whether the draft DCO and DMLs should be amended such that no safety zone for construction or major maintenance shall cross the territorial seas boundary.</p>	
7	Moor Vannin Offshore Windfarm Limited	<p>The ExA invites Moor Vannin OWF Limited to submit (having reviewed the recording of ISH2) any comments you may have on or observable hazards to or constraints to navigation of ferries and commercial shipping in the sea space between the Isle of Man and the Cumbrian coast indicated on the chart submitted as Figure 14.3 in your Scoping Report [REP3-043] with regard to the AIS-tracked traffic routes indicated on the Shipping and Navigational Study Area Figure 14.2 in that same submission.</p>	D4
8	Moor Vannin Offshore Windfarm Limited	<p>The ExA invites Moor Vannin OWF Limited to submit a detailed study of the use of sea space adjacent to the Moor Vannin southern and eastern Agreement for Lease (AfL) boundaries recognising the constraint of the Morgan Generation Assets Proposed Development order limits, indicating:</p> <p>a) any constraints to navigation features and any aids to navigation present or proposed plus any temporary safety zones likely to be applied for around turbines for construction and major maintenance;</p> <p>b) the prudent clearing distances for vessels passing in each direction including any north-south passage, in typical metocean conditions; and</p> <p>c) the same information for reasonable worst-case adverse metocean conditions in which</p>	D5

No	Party	Action	Deadline
		prudent mariners would be making passage.	
9	Moor Vannin Offshore Windfarm Limited	The ExA invites Moor Vannin OWF Limited to submit a summarised report on your Navigational Risk Assessment (NRA) workshop planned for December including any preliminary conclusions on the top three residual <u>cumulative</u> navigational risks after mitigation, and the outline scope of any navigational bridge simulation undertaken or planned.	D5
10	Moor Vannin Offshore Windfarm Limited	The ExA invites Moor Vannin OWF Limited to submit a paper discussing transboundary jurisdictional and policy compliance considerations concerning control of navigational safety risk to tolerable and ALARP in the event that Moor Vannin OWF Limited were to be granted development consent before the Morgan Proposed Development, with focus on <u>cumulative</u> effects assessment of impact to shipping and navigation receptors.	D5
11	Ørsted IPs	Submit further evidence to back up the quoted percentage loss of Annual Energy Production (AEP) figures submitted at D3, with explanation of the modelling used and a summarised justification for the quoted figures. This should set out the loss to each of the six individual Irish Sea OWFs participating in the Examination as well as the overall loss to all and clarifying if this represents a loss at front row receptor turbines only, and therefore approximately how many of the existing turbines that you contend would suffer adverse wake effects.	D4
12	Applicant	Provide an update to the Greenhouse Gas impact assessment having regard to further analysis to be submitted by the Ørsted IPs at D4 relating to percentage loss of AEP following their initial analysis submitted at D3.	D5
13	Ørsted IPs Applicant	Provide a without prejudice response to the question asked at ISH2 regarding what potential mitigation measures might involve if effects resulting from wake loss were to be demonstrated as significant	D4

No	Party	Action	Deadline
		e.g. consideration of protective provisions or a commercial side agreement to protect interests of the Ørsted IPs.	
14	Applicant	Submit updates to Aviation and Radar Tracker/Progress Report to include two extra columns setting out next steps and expected timescales to resolve any negotiations and/ or actions being agreed with the relevant IPs.	D4 and subsequent deadlines as necessary
15	Isle of Man Government Territorial Seas Committee (IoM TSC)	Provide a copy of the independently commissioned analysis for Ronaldsway Airport with regard to potential cumulative effects of proposed OWF developments in the Irish Sea.	D4
16	Sottish Fishermen's Federation (SFF) and West Coast Sea Products (WCSP)	Submit responses (either separate or combined) to ExA Written Questions outstanding from Deadline 3.	D4
17	SFF	Provide further evidence of the extent of existing and recent (last three years) pelagic fishing activity in and adjacent to the Morgan Proposed Development, describing seasonal characteristic relating to the scallop fishery in the same sea space.	D4
18	Applicant Natural England	The ExA would like to receive an update from the Applicant at D4 and again at D5 on how the Applicant is addressing Natural England's advice given in REP3-047, parts (4) and (5) on page 3 of that representation in relation to marine mammals and ornithology. Natural England can respond at D5 and D6.	D4, D5 and D6
19	IoM TSC	Comment on the Applicant's response to ExQ1 MO1.17 [REP3-006] regarding the five proposed Ramsar Sites on the Isle of Man.	D4
20	Applicant	Provide an update to the HRA screening report to record consideration of the IoM existing and proposed Ramsar Sites, so all the information is in one place.	D5 or D6
21	Applicant JNCC Natural England	a) Confirm at Deadline 4 whether an Adverse Effect on Integrity (AEoI) on all European sites from the project	D4

No	Party	Action	Deadline
	Natural Resources Wales	alone or in-combination with other plans or projects can be excluded. b) If agreement of no AEoI with Natural England, Natural Resources Wales or JNCC is not confirmed by Deadline 4, the Applicant is requested to submit a derogation case by Deadline 5.	D5
22	SFF	Submit any evidence regarding effects on shellfish populations at other OWFs.	D4
23	Applicant	Provide further justification and commentary on reasoning for lack of proposed site-specific ornithological monitoring further to discussion at ISH2.	D4
24	Applicant	Review the Applicant's D3 response to all the MMO's D2 points about the draft DMLs [REP2-029.101 to REP2-029.139] which all have the same answer " <i>Please see response to REP2-029.100</i> " (which merely relates to Transfer of Benefit of the Order) and provide at D4 more specific responses (where appropriate) to the individual line items.	D4
25	Applicant BAe Systems	Provide either an agreed position or a statement of points of difference on wording of draft DCO requirements relating to aviation and radar mitigation at both Walney and Warton aerodromes.	D5