

XLINKS' MOROCCO-UK POWER PROJECT

Other Consents and Agreements

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XLINKS MOROCCO – UK POWER PROJECT

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1 INTRODUCTION

1.1 Introduction

- 1.1.1 This Other Consents and Agreements document has been prepared for the United Kingdom (UK) elements of Xlinks' Morocco UK Power Project (the 'Project'). For ease of reference, the UK elements of the Project are referred to in this Statement as the 'Proposed Development'.
- 1.1.2 Xlinks 1 Limited (the 'Applicant') have prepared this Other Consents and Agreements document as part of an application for development consent for the Proposed Development. This includes the offshore elements within the UK Exclusive Economic Zone (EEZ) and the onshore elements within the administrative area of Torrington District Council (and Devon County Council at the County level).
- 1.1.3 This document has two purposes. The first is to outline what other consents and agreements are required for the construction and operational phases of the Proposed Development. This includes a list of proposed consents and/or permits which are proposed to be disapplied through powers within the Development Consent Order. The second purpose is to outline the consenting process of other jurisdictions in which Project works are being undertaken, namely France, Spain, Portugal and Morocco.
- 1.1.4 A full description of the Project is provided within Volume 1, Chapter 3: Project Description of the Environmental Statement (document ref. 6.1) submitted as part of this application. The Project Description also includes a glossary and list of acronyms.

1.2 Summary of other jurisdictions

Offshore HVDC Cables

- 1.2.1 The offshore cable route will run from the El Ouatia region in Morocco to Cornborough Range in Devon, along a total route of approximately 4,000 km that has been optimised for minimum length at a maximum joint depth of approximately 700 metres. The route is typically in shallower waters (the average depth of the route is 120 metres for 97% of the route), with four short (approximately 4-6 km) deeper canyon segments.
- 1.2.2 The offshore HVDC cables will pass through the territorial waters (TW) and exclusive economic zones (EEZs) of Morocco, Portugal, Spain, France and the UK, and where this occurs, permits will be required. The Applicant (or its contractors where appropriate) will be submitting survey and installation permit applications in line with existing processes.
- 1.2.3 Permits for route reconnaissance surveys were obtained over 2022 and 2023 and the reconnaissance surveys for all relevant countries, UK, Morocco, France, Spain, and Portugal, have been completed. No major issues were identified along the offshore route and a suitable cable route identified through all four of the major canyons along the subsea route.

- 1.2.4 Detailed seabed surveys, including geophysical, geotechnical, benthic, and environmental marine surveys, have been completed for the UK and are underway for the other relevant countries. Permits for these were obtained for the UK, Morocco, France, and Portugal during 2023 and 2024. The permitting process for the survey activities in Spain is ongoing.
- 1.2.5 Installation permits will be sought following completion of the marine surveys and the detailed Environmental Impact Assessments (EIAs). Installation permits will be applied for in all non-UK countries commencing in 2025.

Onshore Transmission – Morocco

- 1.2.6 The onshore cables and overhead line (OHL) in Morocco will run approximately 150 km onshore from the converter stations at the Moroccan generation site to a landing point near El Ouatia on the Moroccan coast. This route has been discussed and approved in principle with local stakeholders and the relevant Moroccan ministries. The preliminary route will be finalised in Q4 2024 after the required engineering, land and environmental surveys. The onshore planning consents in Morocco will be obtained via the Regional Investment Committee (CRI).

Onshore Generation – Morocco

- 1.2.7 Xlinks' Morocco UK Power Project will be powered by a circa 4 GW wind farm and a circa 7.5 GW solar farm, approximately 1,000 km² in size, within Morocco's Guelmim Oued Noun region, supported by a 22.5 GWh / 5GW battery storage facility.

2 UK ONSHORE CONSENTING APPROACH

2.1 Onshore Consents

2.1.1 The DCO is the primary means of consent for the Proposed Development within the UK and UK waters, however there are a small number of additional consents that may be required to undertake specific works during construction, which require the approval of either the local relevant planning authority, local highway authority, or statutory environmental body. The additional consents that may be required for the UK onshore scope is set out in the Table 1.

Table 1 UK Onshore Consents

Consent Type	Legislation	Consenting Authority	Anticipated Application Date	Reason for Consent / Permit / Licence
General				
Building Regulation approval (if necessary)	Building Regulations 2010	Local Planning Authority	Post grant of DCO	Operational buildings within the Converter Site may require Building Regulation approval if they are manned and therefore not covered by the exemption set out in Building Regulations 2010; Regulation 9; Schedule 2; Exempt Buildings and Work – Class II; Buildings not frequented by people.
Crown Consent	Section 135 of the Planning Act 2008	Crown Estate Commissioners Department of Environment, Food and Rural Affairs Department for Transport	Post grant of DCO (if required)	Consent to acquire interests other than the Crown in Crown Land
F10 – Notification of Construction Project	Construction (Design and Management) Regulations 2015	Health and Safety Executive	Post DCO	The Construction (Design and Management) Regulations 2015 require particulars of the Project to be notified to the Health and Safety Executive in advance of construction. This would be sought by the appointed contractor.
Electricity Act Licence	Electricity Act 1989	Ofgem	NA / Prior to commencement of the licenced activity (operation)	The Applicant will obtain a licence pursuant to section 6(1) of the Electricity Act 1989 to authorise relevant activities requiring a licence under section 4(1) of that Act or pursuant to such other relevant statutory provisions applicable to the operation of the Project.

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Highways and Public Rights of Way				
Section 278 Agreement	Section 278 Highways Act 1980	Devon County Council	Post grant of DCO	Agreement to undertake works in the highway
Section 38 Agreement	Section 38 Highways Act	Devon County Council	Post grant of DCO	Adoption by Highways Authority of widened roads
Temporary Traffic Regulation Order	Road Traffic Regulation Act 1984	Devon County Council	Post grant of DCO	Temporary revisions to traffic regulations, including temporary closure (with diversion) of a Street or Public Right of Way
Notice of Street Works	Traffic Management Act 2004	Devon County Council	Post grant of DCO if required	If a permit scheme under the Traffic Management Act 2004 is in place in relation to any relevant street the Applicant would have to comply with that scheme as necessary including e.g. booking time on the street.
Permit for transport of abnormal loads (if necessary)	Road Vehicles (Authorisation of Special Types) (General) Order 2003 Road Traffic Act 1988 Road Vehicles (Construction and Use) Regulations 1986	Department for Transport National Highways Devon County Council Police Bridge owners as appropriate	Post grant of DCO	To make arrangements for transport of Abnormal Indivisible Loads.
Water				
Land Drainage Consent (for structures in ordinary watercourses)	Water Resources Act 1991	Lead local flood authority	Post grant of DCO, if required	Land Drainage Consent may be required pursuant to the Land Drainage Act 1991 from lead local flood authority for works affecting ordinary watercourses.
Water Abstraction Licence	Water Resources Act 1991	Environment Agency	Post grant of DCO, if required	A Water Abstraction Licence may be required pursuant to the Water Resources Act 1991 from the EA if required by the contractor for the abstraction of water and dewatering during construction works.
Consent under section 23 of the Land Drainage Act 1991	Land Drainage Act 1991	Lead Local Flood Authority, or Environment Agency	Post grant of DCO, if required	This permit, to allow an obstruction of an ordinary watercourse, will be sought post grant of DCO if required.
Waste and Processing				
Environmental Permit for water	Environmental Permitting	Environment Agency	Post grant of DCO if required	The Environmental Permitting (England and

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discharge or waste operations / registration of exempt waste operations and water discharges (as necessary)	(England and Wales) Regulations 2016			Wales) Regulations 2016 require most waste management activities and discharges to surface or groundwater to have a permit.
Application for a 'Part B' permit for crushing and screening	Local Authority Pollution Prevention and Control Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2016	Torrige District Council	Post grant of DCO if required	Permit to operate mobile plant crushing and screening plant and equipment
Application for a 'Part B' permit for concrete batching	Local Authority Pollution Prevention and Control Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2016	Torrige District Council (TDC)	Post grant of DCO if required	Permit to operate concrete batching plant
Ecology				
European Protected Species (EPS) Licence	The Conservation of Habitats and Species Regulations 2017	Natural England	Post grant of DCO	Licence to allow persons to carry out activities affecting protected species that would otherwise be prohibited, without committing an offence.
Licence for work affecting badgers	Protection of Badgers Act 1992	Natural England	Post grant of DCO, if required	Licence to close or disturb the badger sett

3 OFFSHORE CONSENTING APPROACH

3.1 Overview

- 3.1.1 Within UK Waters, the Proposed Development is governed by a Deemed Marine Licence (DML), agreed with the Marine Management Organisation (MMO) as part of the DCO process.
- 3.1.2 Separate jurisdictional requirements are required for survey and installation works within French, Portuguese, Spanish and Moroccan waters. These requirements are detailed in Sections 3.4-3.7 below.

3.2 UK Waters

- 3.2.1 The Planning Act 2008 enables DCOs for projects which affect the marine environment to include provisions deeming a marine licence to have been issued under Part 4 of the Marine and Coastal Access Act 2009. The MMO is responsible for enforcing, post-consent monitoring, varying, suspending, and revoking any conditions included within the DML as part of the DCO. An initial draft DML was provided to, and discussed with the MMO, prior to DCO application and is anticipated to be updated, where required during the examination process as part of ongoing engagement with the MMO.
- 3.2.2 Unexploded ordnance (UXO) clearance, if required, will be governed under a separate marine licence post consent, as agreed with the MMO during consultation.
- 3.2.3 A Habitat Regulations Assessment Report to Inform Appropriate Assessment (HRA RIAA) (document ref 7.16), Water Framework Directive (WFD) assessment (document ref. 7.14) and Marine Conservation Zone (MCZ) assessment (document ref 7.15) have been prepared in tandem with the DCO application for approval by the Secretary of State for Energy Security and Net Zero. The Applicant consulted with relevant statutory bodies throughout the development of the HRA, WFD and MCZ assessments.
- 3.2.4 There may be the requirement for a Wildlife Licence under the Wildlife and Countryside Act 1981 to affect designated species. Further consultation is ongoing with the MMO to determine the need for a licence.
- 3.2.5 Table 2 provides further details about the other consents that are associated with proposed offshore works associated with the Proposed Development.

Table 2 UK Offshore Consents

Consent Type	Legislation	Consenting Authority	Anticipated Application Date	Reason for Consent / Permit / Licence
Appropriate Assessment (Habitats Regulations Assessment)	The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore	Secretary of State for Energy Security and Net Zero	Part of Development Consent Order (DCO) process – parallel with DCO application.	The relevant Secretary of State is the competent authority for the purposes of the Habitats Directive and the Habitats Regulations. The Applicant has submitted a Report to Inform Appropriate Assessment with the Application, confirming an

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	Marine Habitats and Species Regulations 2017			assessment of no Adverse Effect on Integrity.
WFD Assessment	The Water Environment (Water Framework Directive) (England & Wales) Regulations 2017	Secretary of State for Energy Security and Net Zero	Part of Development Consent Order (DCO) process – parallel with DCO application.	The Applicant has submitted a WFD assessment report with the Application. The report confirms that the Proposed Development will cause no deterioration to the WFD status, or objectives of relevant water bodies (and their associated WFD Protected Sites).
MCZ Assessment	Marine and Coastal Access Act (MCAA) (2009)	Secretary of State for Energy Security and Net Zero	Part of Development Consent Order (DCO) process – parallel with DCO application.	The Applicant has submitted a MCZ assessment report with the Application. The MCZ assessment confirms no predicted impacts on MCZs.
Marine licence(s)	Marine and Coastal Access Act 2009	MMO	Post DCO application, prior to seabed preparation works commencing	Required for UXO identification, and clearance activities as part of preinstallation seabed preparation works.
The Crown Estate Lease(s)	Crown Estate Act 1961	Crown Estate Commissioners	Parallel to the DCO application	Lease agreement(s) for the occupation of the Crown Land (offshore, foreshore and the river crossing)
European Protected Species (EPS) Licence	Conservation of Offshore Marine Habitats and Species Regulations 2017 (COHSR) Conservation of Habitats and Species Regulations 2017 (CHSR) Wildlife and Countryside Act 1981 (as amended) (WCA)	MMO (in consultation with JNCC and/or Natural England)	Post DCO application, prior to seabed preparation works commencing	EPS licence with regard to cetaceans and turtles may be required. An EPS risk assessment in line with JNCC guidance will be undertaken to determine whether an EPS licence will be required for works.

4 OTHER JURISDICTIONS' CONSENTING PROCESSES

4.1 Overview

- 4.1.1 Consenting processes for offshore cables are established in all countries. Early engagement with the permitting authorities has been undertaken, particularly to identify the lead authority, informal scoping (where a formal process does not exist), and confirmation of the need and extent of any public consultation, particularly in the transit countries of France, Spain and Portugal.
- 4.1.2 In each of the countries, permits are needed for the installation, protection and operation of the Project. They have similar requirements, with all countries requiring:
- An **Environmental Authorisation**, which includes either a full Environmental Impact Assessment (EIA) or a more simplified version. The simplified process still includes a full assessment of the environmental impacts of the project, but the requirements for consultation may be less. The exact scope of the environmental assessment will be agreed with the relevant authorities as part of the early engagement activities..
 - A second permit covering **Seabed Occupancy**. This permit will cover the installation, operation and maintenance of the marine cables, and also cover the associated fees required to occupy the seabed.
- 4.1.3 A summary of the offshore other jurisdictional consenting requirements is presented in Table 7, Appendix A.

4.2 France – subsea cables

- 4.2.1 Separate consents are required for the Territorial Waters (TW) and the European Economic Zone (EEZ).

Territorial Waters

- 4.2.2 Within the TW the following consents are required from the appointed Direction Départementale des Territoires et de la Mer (DDTM) – either DDTM40 or DDTM33 (appointed by the Préfet):
- An Environmental Authorisation (Demande d'Autorisation Environnementale (DAE)); and
 - A Seabed Occupancy Permit (Convention d'utilisation du domaine public maritime (CUDPM)).

European Economic Zone

- 4.2.3 In the EEZ:
- An Environmental Authorisation is required from the Préfet Maritime de l'Atlantique (PREMAR)

- There is no Seabed Occupancy Permit required for the development of the Project in the French EEZ. The PREMAR should be informed about the development of the Project, but this process is purely informative and does not include a determination period.

TW and Contiguous Zone (12 to 24 nautical miles from the coast

- 4.2.4 In addition to the permits above, a preventive archaeological assessment leading to the agreement from the Département de Recherche Archéologique Sous Marine (DRASSM) is also required. This assessment ensures that remains of archaeological interest are identified and protected, where necessary (e.g., by avoidance, removal, or rerouting). Once DRASSM is satisfied that all archaeological risks have been addressed, they issue a letter confirming no rerouting of the cable required up to 24 nautical miles (therefore covering TW and some of the route in the EEZ).

Table 3 French Consents

Permit, convention or agreement	Zone	Applicable regulation	Responsible Authority
Demande d’Autorisation Environnementale (DAE)	TW	Articles L.214-1 and R.214-1 of the Environment Code	Appointed DDTM-Water Police by the Prefect (either DDTM des Landes (DDTM 40) or DDTM des Pyrénées Atlantiques (DDTM 64))
Concession d’utilisation du Domaine Public Maritime (CUDPM)	TW	Articles L.2124-1 and R.2124-1 of the Property Code Article D.181-15-2 of the Environment Code	Appointed DDTM-Management of the Public Maritime Domain (PMD) (either DDTM 40 or DDTM 64) and the Prefect
Preventive archaeological assessment - Letter of no rerouting	24nm	Articles R.523-1 and R.523-15 of Heritage Code	DRASSM (up to 24nm)
Formal agreement including prescription for construction, operation (including maintenance and repairs) and decommissioning	EEZ	If required, the EIA to be prepared in line with articles L.181-1 and R.181-1, of the Environment Code	PREMAR de l’Atlantique
Letter of information from Xlinks on the cable route in the EEZ	EEZ	Decree no. 2013-611 of 10 July 2013 modified (Articles 19 III)	PREMAR de l’Atlantique

Status of Consents

- 4.2.5 The reconnaissance and detailed geophysical surveys in France are complete, along with the necessary archaeological surveys. Geotechnical and environmental surveys are expected to be complete by the end of 2024.
- 4.2.6 Initial engagement has been held with the lead permitting authorities; and many of the administrators and key stakeholders including the military, fishing associations and cultural heritage (archaeology).
- 4.2.7 Consultation with the military resulted in an amendment to the proposed route in southern France. This has required additional surveys to complement those already completed which are currently underway and are expected to be complete by the end of 2024.
- 4.2.8 The PREMAR is currently considering whether the permitting process could be simplified by combining the currently separate processes for TW and the EEZ under a single lead authority (DDTMs or PREMAR). Discussions are ongoing with a legal review expected back from PREMAR in by the end of 2024.
- 4.2.9 In France the processes for the Environmental Authorisation and Seabed Occupancy can be run in parallel. The current expectation for submission is:
- Environmental Authorisation applications (currently separate for TW and EEZ) to be submitted mid-2025 following completion of the marine surveys, associated assessments and pre application discussions with key stakeholders. Expected determination periods 12 months (TW) and 6 months (EEZ).
 - The Seabed Occupancy application (TW) will be submitted around the same time (mid-2025). Expected determination period 12 months. There is no Seabed Occupancy Permit required for the EEZ. The informal letter to PREMAR is expected to be sent alongside the TW application (mid-2025).
- 4.2.10 Any new information and progress will be communicated, and this document updated accordingly.

4.3 Spain – subsea cables

- 4.3.1 In Spain the consenting process is the same for both TW and EEZ and covers required permits for the Project in both Northern and Southern of Spain.
- 4.3.2 The competent authority to authorise the Project ('Órgano Sustantivo') is expected to be the Dirección General de la Costa y el Mar (DGCM). Given the Project's characteristics (particularly that there is no landfall in Spain), it is also expected that the Project will follow the Simplified EIA process, referred to as an Evaluación de Impacto Ambiental Simplificada.
- 4.3.3 The Simplified EIA process involves fewer steps, and a shorter timeline compared to the Ordinary EIA. It still requires an Environmental Document assessing the likely environmental effects resulting from the Project, which is subject to consultation and review. But the overall process is streamlined to facilitate quicker decision-making.
- 4.3.4 The Dirección General de Calidad y Evaluación Ambiental (DGCEA) (part of the Ministerio para la Transición Ecológica y el Reto Demográfico (MITERD)), will review the Environmental Document and issue a consent in the form of an Environmental Impact Report, this constitutes the Environmental Authorisation.

- 4.3.5 In order to gain a Seabed Occupancy Permit the Project must first have a positive outcome from the Environmental Authorisation.
- 4.3.6 The Seabed Occupancy Permit (Concesión de Ocupación del Dominio Público Marítimo-Terrestre (DPMT)) will cover all works (construction, operation (including maintenance and repairs)) undertaken in Spanish waters. A request for this permit will be submitted to the Dirección General de la Costa y el Mar (DGCM), also part of MITERD. The successful outcome of the permit application will result in the occupancy permit of the DPMT in TW, and the consenting for the seabed occupancy in the EEZ.

Table 4 Spanish Consents

Permit, Convention or Agreement	Applicable Regulation	Responsible Authority
Concesión de Ocupación del Dominio Público Marítimo-Terrestre (DPMT)	Law 22/1988 of Coasts Title III, Chapter V and Chapter VI	Dirección General de la Costa y el Mar (Ministerio para la Transición Ecológica y el Reto Demográfico).
Evaluación de Impacto Ambiental (EIA) Simplificada	Law 21/2013 on Environmental Assessment, under Article 7.	Dirección General de la Costa y el Mar (to be confirmed) and Dirección General de Calidad y Evaluación Ambiental (Ministerio para la Transición Ecológica y el Reto Demográfico).

Status of Consents

- 4.3.7 The reconnaissance surveys are complete in Northern and Southern Spain. Detailed geophysical, geotechnical and environmental surveys are expected to be complete by mid-2025.
- 4.3.8 Initial engagement has been held with the lead permitting authorities to confirm the appropriateness of the simple EIA approach and identify the lead authority for the occupancy permit process. Discussions are ongoing (conclusion of the review are expected in October 2024).
- 4.3.9 In Spain the Environmental Authorisation must be obtained before the Seabed Occupancy application can be submitted. The current expectation for submission is:
- Environmental Authorisation application to be submitted early 2026 following completion of the marine surveys, associated assessments and pre application discussions with key stakeholders. Expected determination period 5 months.
 - The Seabed Occupancy application will be submitted following the approval of the Environmental Authorisation (mid-2026). Expected determination period 6 months.
- 4.3.10 Any new information and progress will be communicated, and this document updated accordingly.

4.4 Portugal – sea cables

- 4.4.1 The regulatory process to obtain consents and permits is the same in TW and EEZ.
- 4.4.2 In Portugal it is expected that the Project will need to undertake an EIA, and that the type of EIA procedure to be followed for the Project in Portugal will be a Simplified environmental assessment, hereafter referred to as Anexo IV.
- 4.4.3 As part of the EIA, an assessment under the Habitats and Birds Directive is also required to consider potential significant effects on designated European Protected Sites (Natura 2000 sites). This assessment will be covered within the Anexo IV, with no separate report required for the Project in Portugal.
- 4.4.4 The Anexo IV will have sufficient information to provide a full understanding of the Project and support the decision-making process of the Portuguese Environment Agency, Agência Portuguesa do Ambiente (APA).
- 4.4.5 The Anexo IV is submitted to APA to review in accordance with the Request for Prior Assessment procedure (Pedido de Apreciação Prévia). This is a procedure that confirms with APA that a request for a waiver of the EIA process is being submitted in accordance with the Regime Jurídico da Avaliação de Impacto Ambiental (RJAIA). The confirmation of the RJAIA is then issued.
- 4.4.6 The Project will also require a Seabed Occupancy Permit. A request for this permit will be submitted to General Directorate of Natural Resources, Security and Maritime Services (DGRM).
- 4.4.7 The successful output of the permit application will result in obtaining the Título de Utilização Privativa do Espaço Marítimo (Title for Private Use of the Maritime Space) otherwise known as (TUPEM), consenting the seabed occupancy for the Project.

Table 5 Portuguese Consents

Permit, Convention or Agreement	Applicable Regulation	Responsible Authority
RJAIA (Regime Jurídico da Avaliação de Impacto Ambiental)	Decree-Law 151-B/2013	Agencia Portuguesa Do Ambiente (APA)
Título de Utilização Privativa do Espaço Marítimo (TUPEM)	Decree-Law 38/2015	Direção-Geral dos Recursos Naturais, Segurança e Serviços Marítimos (DGRM)

Status of Consents

- 4.4.8 The reconnaissance surveys and detailed geophysical surveys are complete in Portugal. Geotechnical and environmental surveys are expected to be complete by the end of 2024.
- 4.4.9 Initial engagement has been held with the lead environmental authorities to confirm the o Anexo IV process. Discussions are ongoing with APA (confirmation expected by the end of 2024).

- 4.4.10 Discussions have commenced with DGRM regarding the occupancy TUPEM and these will continue following throughout the EIA process. The preparation of the required information supporting documentation is expected to take one month (mid-2025).
- 4.4.11 In Portugal the Environmental Authorisation must be obtained before the Seabed Occupancy application can be awarded. The current expectation for submission is:
- Environmental Authorisation application to be submitted mid-2025 following completion of the marine surveys, associated assessments and pre application discussions with key stakeholders. Expected determination period 6 weeks.
 - The Seabed Occupancy application will be submitted around the same time (mid-2025).. Expected determination period 3 months.
- 4.4.12 Any new information and progress will be communicated, and this document updated accordingly.

4.5 Morocco – subsea cables

- 4.5.1 The construction and operation (including maintenance and repairs) of the Project in the Moroccan waters involves a number of permits and consents that need to be obtained within the TW, (outer limits is 12 nm), the contiguous zone (12nm to 24nm) and the EEZ (outer limits is 200 nm).
- 4.5.2 The Environmental Authorisation Permit (Décision d'acceptabilité environnementale) (DAE) is granted by the National Committee of Environmental Assessments (Comité National d'Evaluation Environnementale) (CNEE) according to Law No. 12-03. This Committee is coordinated and chaired by the Sustainable Development Department (Département du Développement Durable - DDD) in the Ministry of Energy Transition and Sustainable Development (Ministère de la Transition Énergétique et du Développement Durable - MTEDD). The CNEE is an inter-ministerial Committee with representatives from many Ministries as permanent members. The president of the CNEE may, as deemed necessary, invite any other relevant people or public/ private entities to participate in an advisory capacity.
- 4.5.3 In the Domaine Public Maritime (DPM), the Authorisation of Temporary Occupation (Autorisation d'Occupation Temporaire (AOT)) is granted by the Directorate of Ports and Maritime Public Domain (DPDPM) in the Ministry of Equipment and Water (MEE). This permit will be issued according to the Dahir of 30 November 1918 relating to temporary occupations in the public domain. The AOT permit will be sought for the expected life of the Project.
- 4.5.4 The DPDPM under the MEE is the primary authority responsible for issuing the AOT for activities within the DPM. The involvement of other ministries is also possible depending on the nature and complexity of the project. In the case of a subsea power cable project, it is likely that there would be coordination and collaboration among multiple ministries including:
- MEE: The DPDPM within this ministry would be the main authority responsible for issuing the AOT and ensuring compliance with regulations related to the occupation of the maritime public domain.
 - MTEDD: The Energy Transition Department within this ministry would be involved in overseeing the overall energy aspects of the project, including the technical assessment.

- Ministry of Foreign Affairs, African Cooperation and Moroccan Expatriates (Ministère des Affaires Etrangères, de la Coopération Africaine et des Marocains Résidant à l'Etranger (MAECAMRE)), as responsible for the legal jurisdiction of the Kingdom of Morocco over its entire maritime domain, would likely be involved in the coordination of the authorisation process.

4.5.5 The specific roles and responsibilities of each ministry can vary depending on the specifics of the project and the inter-ministerial coordination mechanisms in place. In practice, it's common for a lead ministry (in this case, likely the MAECAMRE) to take the primary responsibility for coordinating with other ministries and ensuring a streamlined permitting process.

4.5.6 Engagement with all relevant ministries as part of the project planning process is necessary to ensure a clear understanding of the roles and responsibilities and to facilitate smooth coordination throughout the project lifecycle.

Table 6 Moroccan offshore consents

Permit, Convention or Agreement	Applicable Regulation	Responsible Authority
Décision d'acceptabilité environnementale (DAE)	Law No.12-03 on environmental impact studies	The National Committee of Environmental Assessments (CNEE) chaired by the Sustainable Development Department (DDD) in the Ministry of Energy Transition and Sustainable Development (MTEDD)
Autorisation d'Occupation Temporaire (AOT)	Dahir of 30 November 1918 relating to temporary occupations in the public domain ¹	The Directorate of Ports and Maritime Public Domain (DPDPM) in the Ministry of Equipment and Water (MEE)

Status of Consents

4.5.7 The nearshore and reconnaissance surveys are complete in Morocco. Detailed geophysical surveys have commenced, and (along with the geotechnical and environmental surveys) are expected to be complete by mid-2025.

4.5.8 Initial engagement has been held with the lead authorities to confirm the process for consenting the contiguous zone and EEZ, and the level of public consultation needed for an asset with the characteristics of the Project. These discussions are planned to conclude by the end of 2024 ahead of completion of the marine surveys and commencement of the environmental assessments.

4.5.9 In Morocco the Environmental Authorisation must be obtained before the Seabed Occupancy application can be submitted. The current expectation for submission is:

- Environmental Authorisation application to be submitted mid-2026 following completion of the marine surveys, associated assessments and pre application discussions with key stakeholders. Expected determination period 3 months.

- The Seabed Occupancy application will be submitted following the approval of the Environmental Authorisation (Q3 2026). Expected determination period 2 months.

4.5.10 Discussions are ongoing and any new information and progress will be communicated, and this document updated accordingly.

5 MOROCCO ONSHORE CONSENTING APPROACH

5.1 Overview

- 5.1.1 There are several Government permits and authorisations that are required for the Generation assets in Morocco. These are related to the construction works of the generation and onshore connection components as well as the export of power.
- 5.1.2 The Applicant has undertaken significant actions and is progressing the permits necessary for onshore works within Morocco which are expected to be received in Q4 2025/Q1 2026, and some provisional stages have already been achieved.
- 5.1.3 Environmental Social Impact Assessments (ESIA) are required to assess the potential impacts of construction and operation activities, much the same as the Environmental Impact Assessment (EIA) process in the EU/ UK. An overview of the ESIA process is provided below.
- 5.1.4 The process of obtaining the environmental permit is summarised below:
- a. The first step is to prepare a complete file including :
 - i. A request to open a public inquiry
 - ii. An Environmental and Social Impact study conducted by an accredited consultancy firm
 - iii. An Environmental and Social Management Plan
 - iv. A site plan of the project
 - v. A non-technical summary of the ESIA
 - vi. Project description sheet
 - b. Once the file is complete, it is submitted to the Regional Investment Centre (CRI) in the concerned region. The CRI reviews the application for completeness and issue a deposit receipt.
 - c. The public inquiry is a crucial stage in the Environmental and Social Impact Assessment process in Morocco and generally lasts 20 days. Its aim is to inform the public about the project and gather their comments. CRI is responsible of the following steps :
 - i. Publish the notice of public inquiry in two newspapers (one in Arabic and one in French)
 - ii. Post the notice of public inquiry on the premises of the commune concerned.
 - iii. Make the ESIA file available for public consultation.
 - d. The file is then examined by either a national or a regional environmental impact assessment committee, depending on the scope, size and budget of the project. The committee is chaired by the government authority responsible for the environment or his or her representative and includes representatives of the government authorities responsible the internal affairs, infrastructure, transportation, urban planning, Culture, tourism, energy and mining; water,

health, agriculture, sea fishing, industry; forests, biodiversity and any other authority that might be relevant for the examination of the project.

Following the conclusion of the public inquiry, the committee examines the EIA file, taking into account the comments received during the inquiry. The Committee may request additional information or modifications to the study if necessary.

- e. If the committee issues a favourable opinion, a certificate of environmental acceptability is issued to the investor. This certificate is required to obtain the other authorizations required for the project mainly land lease and the construction permit.

5.1.5 The process for obtaining the construction permits for the generation site is summarised below:

- a. Preparation of the building permit application and submission to the regional unified investment committee (CRUI). This process can only start once the Project has a final design for the generation site (obtained after the selection of the EPC Contractor).
- b. CRUI feedback, which includes feedback from local representation of several Ministries, as well as the Local Communities' council.
- c. Issuance of the Building Permit by the President of the local commune.

5.2 Overview of Moroccan ESIA process

5.2.1 The ESIA for the generation site is carried out in two steps; a preliminary environmental and social screening and scoping and at a more detailed level scale with specific studies.

5.2.2 A preliminary environmental and social scoping and screening was undertaken in 2021 to identify the major environmental and social constraints of the site and to determine the available area for the development of the wind and solar farm project.

5.2.3 The assessment indicated that there were no major environmental and social constraints that would not allow the site to be developed, however there were environmental and social sensitive areas which were excluded from the development footprint.

5.2.4 Several environmental and technical studies formed the basis of the second step of the ESIA, the results of which were used to further delineate the proposed development site.

5.2.5 The ESIA topics assessed are consistent with those assessed for the UK onshore Environmental Statement and include:

- Socio-economic
- Air quality
- Noise and vibration
- Soils and groundwater
- Hydrology
- Biodiversity and critical habitats
- Solid waste and hazardous and non-hazardous materials management

- Water usage
- Wastewater management
- Traffic and transportation
- Archaeology and Cultural heritage
- Landscape and visual impact
- Community health, safety and security
- Aviation, Radar and Telecommunications
- Climate change
- Greenhouse gas emissions
- Cumulative Impacts Assessment.
- Noise assessment for the wind farm
- Shadow flicker assessment for the wind farm
- Visual impact assessment
- Bird impact assessment
- Bat impact assessment

5.2.6 The ESIA is conducted in line with the Moroccan legislation as well as the most stringent environmental and social international standards including International Finance Corporation (IFC), Equator Principles, namely :

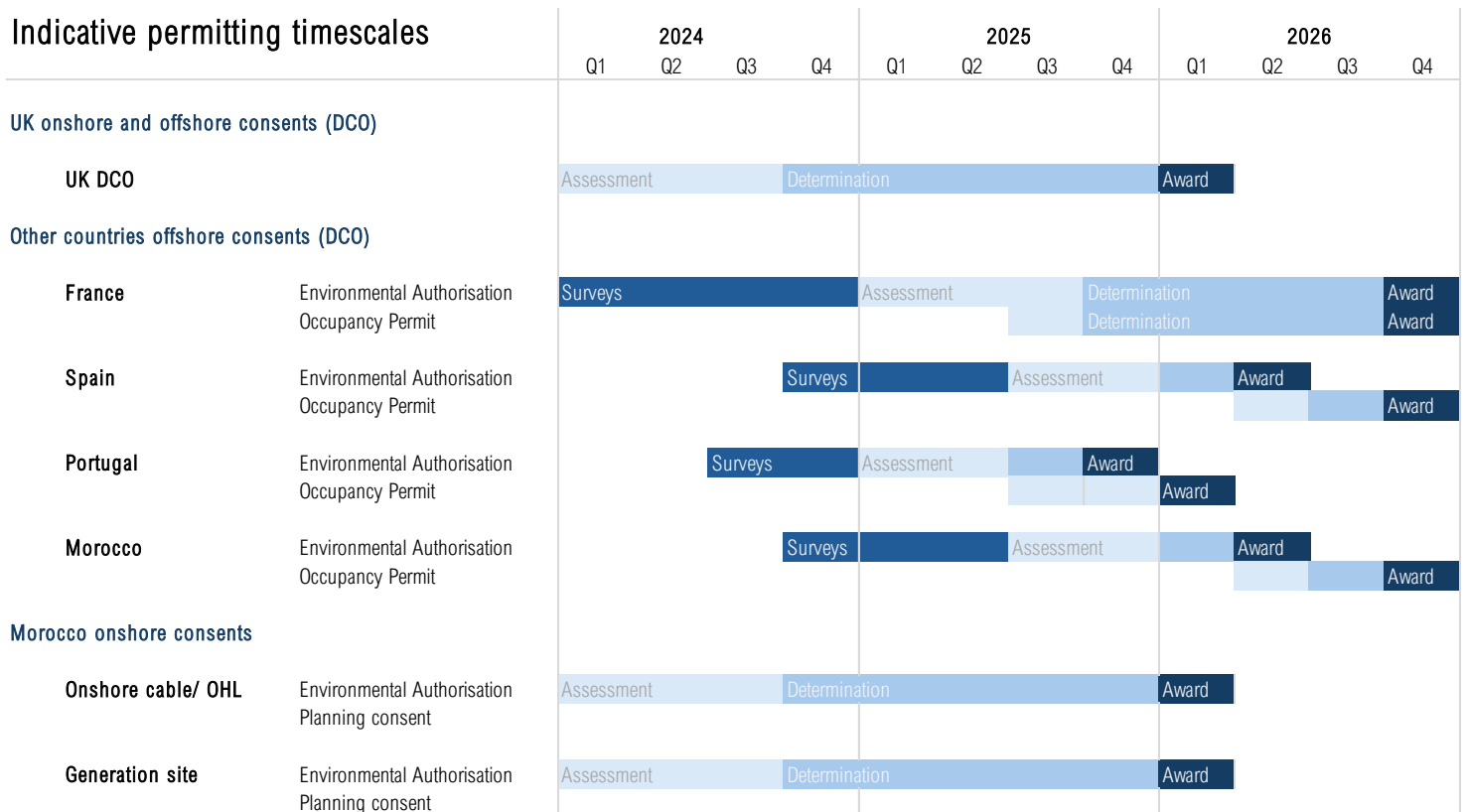
- IFC Performance Standards 1-6 and 8
- IFC Environment Health & Safety Guidelines
- Equator Principles 1-10
- The Scottish Natural Heritage recommended bird survey methods to inform impact assessment of onshore wind farms
- German shadow flicker guidelines (based on scientific studies such as Belästigung durch periodischen Schattenwurf von Windenergieanlagen aborpilotstudie)
- UK Institute of Acoustics Guidelines

5.2.7 The ESIA for the onshore cable corridor is following the same process and commenced in January 2024. The assessment incorporates the same ESIA topics and is developed under the same standards. With the exception of impacts relating to wind turbines, operational noise and shadow flicker.

6 SUMMARY TIMELINE

6.1.1 A summary of the consenting timeline for each jurisdiction is presented below. The summary provides indicative timeframes for the various elements of the environmental assessment process, including surveys (where applicable), assessment, determination and award of the relevant consent.

Figure 1 Summary of indicative consenting timeline



7 OTHER AGREEMENTS

7.1.1 A number of agreements will be sought outside of the Development Consent Order. These may include agreements for:

- Voluntary land option agreements for land and/or rights.
- Section 106 agreement with the relevant local authorities.
- Side agreements with Statutory Undertakers (where required).
- Side agreement with National Grid Electricity Transmission relating to the design and construction of the new substation within the existing Alverdiscott substation site which the Applicant will connect to.
- Co-operation agreements with UK potting fleet vessels affected by the temporary loss of fishing grounds and associated displacement during the construction phase

7.1.2 With the exception of the Section 106 agreements, the details of agreements are commercial in confidence and will not be made public as part of the Development Consent application.

A.1 Summary of other offshore jurisdictional consents

A.1.1 Table 7 provides a summary of the consents required for other offshore jurisdictions.

Table 7 Summary of other offshore jurisdictional consents

Permit, convention or agreement	Offshore Jurisdiction	Applicable regulation	Responsible Authority
Demande d'Autorisation Environnementale (DAE)	France TW	Articles L.214-1 and R.214-1 of the Environment Code	Appointed DDTM-Water Police by the Prefect (either DDTM des Landes (DDTM 40) or DDTM des Pyrénées Atlantiques (DDTM 64))
Concession d'utilisation du Domaine Public Maritime (CUDPM)	France TW	Articles L.2124-1 and R.2124-1 of the Property Code Article D.181-15-2 of the Environment Code	Appointed DDTM-Management of the Public Maritime Domain (PMD) (either DDTM 40 or DDTM 64) and the Prefect
Preventive archaeological assessment - Letter of no rerouting	France 24nm	Articles R.523-1 and R.523-15 of Heritage Code	DRASSM (up to 24nm)
Formal agreement including prescription for construction, operation (including maintenance and repairs) and decommissioning	France EEZ	If required, the EIA to be prepared in line with articles L.181-1 and R.181-1, of the Environment Code	PREMAR de l'Atlantique
Letter of information from Xlinks on the cable route in the EEZ	France EEZ	Decree no. 2013-611 of 10 July 2013 modified (Articles 19 III)	PREMAR de l'Atlantique
Concesión de Ocupación del Dominio Público Marítimo-Terrestre (DPMT)	Spain	Law 22/1988 of Coasts Title III, Chapter V and Chapter VI	Dirección General de la Costa y el Mar (Ministerio para la Transición Ecológica y el Reto Demográfico).
Evaluación de Impacto Ambiental (EIA) Simplificada	Spain	Law 21/2013 on Environmental Assessment, under Article 7.	Dirección General de la Costa y el Mar (to be confirmed) and Dirección General de Calidad y Evaluación Ambiental (Ministerio para la Transición Ecológica y el Reto Demográfico).
RJAIA (Regime Jurídico da Avaliação de Impacto Ambiental)	Portugal	Decree-Law 151-B/2013	Agencia Portuguesa Do Ambiente (APA)
Título de Utilização Privativa do Espaço Marítimo (TUPEM)	Portugal	Decree-Law 38/2015	Direção-Geral dos Recursos Naturais, Segurança e Serviços Marítimos (DGRM)
Décision d'acceptabilité environnementale (DAE)	Morocco (offshore)	Law No.12-03 on environmental impact studies	The National Committee of Environmental Assessments (CNEE) chaired by the Sustainable Development

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Permit, convention or agreement	Offshore Jurisdiction	Applicable regulation	Responsible Authority
			Department (DDD) in the Ministry of Energy Transition and Sustainable Development (MTEDD)
Autorisation d'Occupation Temporaire (AOT)	Morocco (offshore)	Dahir of 30 November 1918 relating to temporary occupations in the public domain ¹	The Directorate of Ports and Maritime Public Domain (DPDPM) in the Ministry of Equipment and Water (MEE)