



# MORGAN AND MORECAMBE OFFSHORE WIND FARMS: TRANSMISSION ASSETS

## Consultation Report Annex

### Annex E1.12: Duty to notify the Secretary of State under section 46 of the Planning Act 2008



September 2024  
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**Prepared by:**

**RPS**

**Prepared for:**

**Morgan Offshore Wind Limited  
Morecambe Offshore Windfarm Ltd**

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## Contents

### E1.12 DUTY TO NOTIFY THE SECRETARY OF STATE UNDER SECTION 46 OF THE PLANNING

<b>ACT 2008</b> .....	<b>1</b>
E1.12.1 Section 46 notification issued to the Planning Inspectorate 11 October 2023 .....	2
E1.12.2 Email receipt confirmation for section 46 notification .....	6
E1.12.3 Section 46 response from the Planning Inspectorate 11 October 2023.....	10

## **E1.12 Duty to notify the Secretary of State under section 46 of the Planning Act 2008**

## E1.12.1 Section 46 notification issued to the Planning Inspectorate 11 October 2023

## **Morgan and Morecambe Offshore Wind Farms: Transmission Assets**

### **NOTIFICATION UNDER S46 OF THE PLANNING ACT 2008**

We write on behalf of the Morgan Offshore Wind Limited and Morecambe Offshore Windfarm Limited (the “Applicants”), in connection with the Morgan and Morecambe Offshore Wind Farms: Transmission Assets (“the Project”).

In accordance with Section 46 of the Planning Act 2008 (“the Act”), detailed below is the required information as will be supplied to prescribed consultees in compliance with Section 42 of the Act, in relation to the Applicants and the Project.

Morgan Offshore Wind Limited, a joint venture between bp Alternative Energy Investments Ltd and Energie Baden-Württemberg AG (EnBW), is developing the Morgan Offshore Wind Project.

Morecambe Offshore Windfarm Limited, a joint venture between Cobra Instalaciones y Servicios, S.A. (Cobra) and Flotation Energy Limited, is developing the Morecambe Offshore Windfarm.

The Applicants are collaborating to connect the proposed Morgan Offshore Wind Farm and Morecambe Offshore Wind Farm, both being developed in the Irish Sea to the national grid via the Project. The two offshore wind farms are expected to form a key contribution to the UK’s target of generating 50 gigawatts (GW) of power from offshore wind by 2030. Combined they will generate approximately 2 GW of energy.

In October 2022, the Secretary of State for Business, Energy and Industrial Strategy issued a direction under Section 35 of the Act that the Project should be treated as a development for which development consent is required.

The application will seek powers for the Applicants to construct, operate and maintain and decommission the Project. It will also cover:

- The temporary and permanent compulsory acquisition of land and/or rights which are required for the Projects and/or are required to facilitate or are incidental to the Project;
- Overriding easements and other rights over or affecting the land for the Project;
- The application and or disapplication of legislation relevant to the Projects including legislation relating to compulsory acquisition; and
- Such ancillary, incidental and consequential provisions, permits and consents as are necessary and convenient including deemed marine licences.

### **About the Project**

The Project will comprise both permanent and temporary infrastructure for the transmission of electricity from the Morgan and Morecambe Offshore Wind Farms and connection into the existing National Grid substation at Penwortham, Lancashire, including, but not limited to:

- Offshore infrastructure including offshore export cables, offshore substation platform(s), interconnector cables and a Morgan offshore booster station.
- Landfall works (where the offshore cables reach the shore in the vicinity of Blackpool Airport) between Mean Low Water Springs and the transition joint bays including the offshore and onshore cables, intertidal working area and landfall construction compound(s), and temporary and permanent access.
- Onshore infrastructure from the transition joint bays to the electricity transmission network connection. This includes onshore export cables to two new substations, temporary construction

compounds, temporary and permanent access, and onward connections to the existing National Grid substation at Penwortham, Lancashire.

- Areas for biodiversity net gain, enhancement and/or mitigation, including permanent access for operation and maintenance of those areas.

This letter forms the Applicants' notification to the Secretary of State of the proposed Application pursuant to section 46 'Duty to notify Secretary of State of proposed application' of the Act.

The Applicants will commence consultation pursuant to section 42 by issuing an email and/ or letter (the 'Consultation Letter') accompanied by consultation documents (the 'Consultation Documents' – see links below) on or around 12 October 2023.

A notice pursuant to section 48 'Duty to publicise' of the Act will be published nationally in The Guardian, London Gazette, Fishing News and Lloyd's List on 19 October 2023.

Locally, a notice pursuant to section 48 will be published in Isle of Man Courier, Lancashire Evening Post, Blackpool Gazette and The Lytham St Anne's Express for two consecutive weeks on 12 and 19 October 2023. A copy of this is included with this notice.

The Project is an Environmental Impact Assessment ("EIA") development for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations"). The Applicants are therefore consulting on the contents of the EIA, including the potential environmental impacts associated with the Project. This information is in the Preliminary Environmental Information Report (PEIR) which is summarised in the consultation materials. Copies of the consultation materials will be provided to relevant consultees for the purposes of complying with section 42 of the Act, and a copy of the PEIR will be available to view on the Project website. Printed paper copies will be provided on request and costs starting from £0.28p per page may be associated with larger requests to cover printing and postage.

In accordance with Regulation 13 'Pre-application publicity under Section 48 (duty to publicise)' of the EIA Regulations, the Applicant will also send a copy of the Section 48 Notice to the relevant consultation bodies and to any person notified to the Applicant in accordance with EIA Regulation 11(1)(c) on 12 October 2023.

The deadline stated in the Consultation Letter (and on the section 48 Notice) for the receipt of comments and representations on the proposed Application is 23:59 on Thursday 23 November 2023.

### **Consultation materials**

The Applicant has published the following consultation materials to support this consultation ("the Consultation Materials"):

- **Statutory Consultation Brochure**, which outlines the Project's proposals, consultation activities and summarises the PEIR;
- **Statutory Consultation Feedback Form**, which provides a structured method for consultees to provide their feedback;

### **Other consultation information**

The Applicant has also published other consultation information including the following:

- **Preliminary Environmental Information Report (PEIR)**, which sets out the current environmental baseline, assesses the potential environmental impacts of and to the project, and proposes mitigations for potential likely significant effects;
- **PEIR Non-Technical Summary**, which summarises key points from the PEIR;

- **Draft Development Consent Order;**
- **Draft Work Plans**, and plans and maps showing the nature and location of the Project;
- **Statement of Community Consultation (“SoCC”)**, which sets out how the Applicants will consult local communities during the statutory consultation;
- **Statutory Consultation Poster**, which explains how people can take part in the consultation, attend an event and provide feedback;
- **Consultation newsletter**, a newsletter which summarises key information about the Project;
- A copy of the notice published in accordance with **section 48** of the PA 2008 and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment)

The Consultation Materials and Preliminary Environmental Information Report can also be accessed via the Project website: <https://morecambeandmorgan.com/transmission/>.

All consultation materials will be available on the Project website from Thursday 12 October 2023. If you would like a paper copy of the consultation materials, or any other document that has been published in connection with the consultation, please let us know, using the contact details given below. In accordance with this notice, costs starting from £0.28p per page may be associated with larger requests to cover printing and postage. Alternatively, if you would like a USB containing the documents, please let us know and we will send one free of charge. For any queries relating to accessing documents, plans and maps please email [info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com) or call 0800 915 2493 (option 3).

The above items, along with a copy of the section 42 letter and section 47 notice are all available for the Secretary of State for Energy Security and Net Zero to view and download via this link: [REDACTED]  
[REDACTED] The Consultation Documents are also provided to the Secretary of State via WeTransfer via this link.

Printed copies of the statutory Consultation Materials, PEIR Non-Technical Summary (“NTS”) and Statement of Community Consultation, will be available to view for the duration of the consultation at the deposit locations listed below:

- Freckleton Library, Preston Old Road, Freckleton, PR4 1PB
- Kirkham Library, Station Road, Kirkham, PR4 2HD
- St Annes Library, 254 Clifton Drive South, Lytham St Annes, FY8 1NR
- Lytham Library, Dicconson Terrace, Lytham St Annes, FY8 5JY
- Ansdell Library, 59 Commonsides, Ansdell, Lytham St Annes, FY8 4DJ
- Penwortham Town Council and Community Centre, Kingsfold Drive, Penwortham, Preston PR1 9EQ
- Henry Bloom Noble Library, 8 Duke Street, Douglas, Isle of Man IM1 2AY

We look forward to receiving the Secretary of State’s acknowledgement of the Applicants’ notification. In the meantime, should you have any questions please do not hesitate to contact us at: [info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com).

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Morgan and Morecambe Offshore Wind Farms:  
Transmission Assets project, on behalf of  
Morgan Offshore Wind Limited  
[info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com)

[REDACTED]

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Morecambe Offshore Windfarm Limited  
[info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com)

**11 October 2023**



## E1.12.2 Email receipt confirmation for section 46 notification

**Subject:**

FW: RE: Morgan and Morecambe Offshore Wind Farms: Transmission Assets - Notification under Section 46 of the Planning Act 2008

-----Original Message-----

From: "Secretary Of State (Energy [REDACTED])" <[REDACTED]>

Sent: Thursday, October 12, 2023 11:49am

To: "info@morecambeandmorgan.com" <info@morecambeandmorgan.com>

Cc: [REDACTED]

Subject: RE: Morgan and Morecambe Offshore Wind Farms: Transmission Assets - Notification under Section 46 of the Planning Act 2008

Good afternoon team,  
Confirming receipt of the below notification.

Kind regards

REDACTED

REDACTED | Locum Senior Private Secretary to the Secretary of State (29/9 – 13/10)

---

**From:** info@morecambeandmorgan.com <info@morecambeandmorgan.com>

**Sent:** Wednesday, October 11, 2023 2:07 PM

**To:** Secretary Of State (Energy Security) <[REDACTED]>

info@morecambeandmorgan.com

**Subject:** Morgan and Morecambe Offshore Wind Farms: Transmission Assets - Notification under Section 46 of the Planning Act 2008

## **Morgan and Morecambe Offshore Wind Farms: Transmission Assets**

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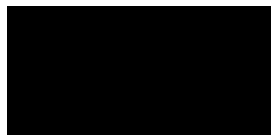
- Freckleton Library, Preston Old Road, Freckleton, PR4 1PB
- Kirkham Library, Station Road, Kirkham, PR4 2HD
- St Annes Library, 254 Clifton Drive South, Lytham St Annes, FY8 1NR
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- Henry Bloom Noble Library, 8 Duke Street, Douglas, Isle of Man IM1 2AY

We look forward to receiving the Secretary of State’s acknowledgement of the Applicants’ notification. In the meantime, should you have any questions please do not hesitate to contact us at: [info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com).

Yours sincerely,



Morgan and Morecambe Offshore Wind Farms:  
Transmission Assets project, on behalf of  
Morgan Offshore Wind Limited  
[info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com)



Morgan and Morecambe Offshore Wind Farms:  
Transmission Assets project, on behalf of  
Morecambe Offshore Windfarm Limited  
[info@morecambeandmorgan.com](mailto:info@morecambeandmorgan.com)

11 October 2023

## **E1.12.3 Section 46 response from the Planning Inspectorate 11 October 2023**



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [morganandmorecambeowfta@planninginspectorate.gov.uk](mailto:morganandmorecambeowfta@planninginspectorate.gov.uk)

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By email only

Your Ref:

Our Ref: EN010136

Date: 11 October 2023

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Dear [REDACTED] and [REDACTED]

**Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8**

**Proposed application by Morgan Offshore Limited and Morecambe Offshore Windfarm Limited for an Order Granting Development Consent for the Morgan and Morecambe Offshore Wind Farms Transmission Assets**

**Acknowledgement of receipt of information concerning proposed application**

Thank you for your letter of 11 October 2023 and the following documentation:

- Section 46 notification;
- Statutory Consultation Brochure;
- Statutory Consultation Feedback Form;
- Preliminary Environmental Information Report (PEIR);
- PEIR Non-Technical Summary;
- Draft Development Consent Order;
- Draft Work Plans;
- Statement of Community Consultation;
- Statutory Consultation poster;
- Consultation newsletter;
- Notices under sections 47 and 48;
- A copy of the section 42 letter.

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an Order granting development consent for the purposes of section 46 of the Planning Act 2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

EN010136

<https://infrastructure.planninginspectorate.gov.uk>



I also acknowledge notification in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that you propose to provide an environmental statement in respect of the Proposed Development.

I will be your point of contact for this application – contact details are at the top of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other Interested Parties on our website and, if relevant, direct parties to you as the Applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the Pre-application stage.

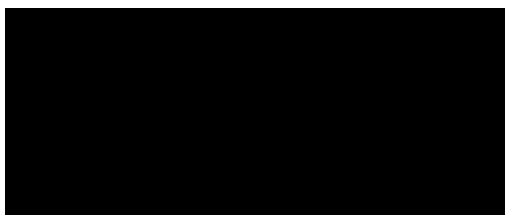
Once you have prepared draft documents we are able to provide technical advice, in particular on the draft Development Consent Order, Explanatory Memorandum, the Consultation Report and any draft Habitats Regulations Assessment. You may therefore wish to build this into your timetable.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the current data protection legislation to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely



This decision was made by officials on behalf of the Secretary of State under delegated powers.

This communication does not constitute legal advice.

Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.