



Morgan & Morecambe Transmission Cables Examination

IP Reference-20053931

June 2025

Deadline 2 – Written Statement

This statement is provided by Fylde Borough Council [FBC] for submission at Deadline 2 and is organised into two main sections. The first summarises the overall position of FBC at this current date. The second provides comments on documents submitted by other parties at Deadline 1 and issues arising from those documents.

Overall Position

At a high level, FBC is of the opinion that the Environmental Statement does not include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment. This is evidenced through the repeat submissions from Interested Parties, including Statutory Bodies, identifying deficiencies in the Environmental Statement and requesting significant additional information.

FBC notes that requests for more information have been made from virtually all Interested Parties and the Examining Authority at all stages of the pre-examination and examination stages. Whilst requests for and subsequent submission of new information is of course typical, the amount and breadth of new information requested is high.

The EIA Regulations clearly set out in Regulation 18(4b) that an Environmental Statement must include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment.

FBC considers that it is clear that the Environmental Statement as it exists does not meet this requirement and that the time remaining for this Examination will not be sufficient to enable compliance alongside appropriate assessment.

Irrespective of the lack of information, FBC has main areas of concern which it considers may not be overcome. These are explained below.

Developer Co-ordination

Section 4 of the FBC Local Impact Report [LIR] [APP-REP1-078] explains that the Draft Development Consent Order [dDCO] is broad and loosely defined. This includes specific

comments relating to lack of appropriate detail for: the scope of works; the timing, duration and frequency of works; and, restoration.

The applicant has repeatedly asserted the unprecedented benefits of two separate developers progressing a joint DCO application. The argument presented is that a joined-up approach will reduce harmful impacts, including disruption. The applicant's response [REP1-034] to Hearing Action Point [HAP] ISH1_25 asserts that a co-ordinated approach has been taken and that it will avoid proliferation. However, the proposal(s) includes no sharing of infrastructure, work areas, commissioning or programming of works.

Whilst it is accepted that it is unlikely that two schemes subject to separate DCOs would come forward in such close proximity, the closeness of the two schemes is in no way inherently special or beneficial.

In reality, the application is devoid of any commitments to delivering any such benefits. There is no explanation or evidence to support how harmful impacts have been reduced and conversely, the larger land area required by combining both schemes has made them demonstrably less flexible (see comments with regards to Green Belt below).

The dDCO as it stands seeks to retain maximum flexibility in terms of the extent of the work order limits and potential duration of works. The applicant seeks to allow each developer to bring forward all elements of the works, including cabling, substations and works areas, completely independently of each other.

FBC considers that the approach taken is not automatically beneficial and that the applicants must do more to demonstrate that the approach is appropriate with regards to its impacts.

Green Belt

FBC maintain the position set out in Section 12.6 of its LIR that the Green Belt impacts have not been properly assessed and justified, and that the additional information submitted at Deadline 1 is not sufficient to overcome this objection.

The applicant's response to HAP ISH1_7 relates to the BRAG assessment and Green Belt impacts. FBC are concerned to note that the applicant confirms that Green Belt was not included as an assessment criterion for the cabling, on the basis that once complete, the cables will be "buried for its entire length maintaining the openness of the Green Belt."

FBC has three comments in response to this.

Firstly, an assessment must still be carried out – it is not sufficient to simply state that there will be no impacts.

Secondly, proposal as drafted would allow for significant above ground impacts on openness for a period of up to 12 years which again must be assessed.

Thirdly, excluding the substations, the proposed works do include above ground infrastructure along the cable route, so the statement by the applicant here is false.

Therefore, the applicant's assumption that there would be "no impact on the fundamental aim of Green Belt policy" is unqualified and wholly inappropriate.

With regards to the substations, FBC notes that in the same section of HAP ISH1_7 response, the applicants state that "lack of available land for siting" was an assessment criterion for discounting areas with lower Green Belt coverage. The DCO process allows the applicants to make use of compulsory purchase powers and therefore FBC request a more detailed explanation as to what the applicants means by "availability" in this regard, in order to understand whether the applicants position is sound.

The response for HAP ISH1_12 relates to the co-location of the substations. FBC raised concerns that there was not a proper assessment of the alternatives to co-location.

The applicants claims that co-location would "avoid infrastructure proliferation" but there is no appropriate assessment to back up the implication that this is a preferred approach. It can be the case that spreading development out over two more separated sites can result in lower overall impacts.

Relatedly, the response for HAP CAH1_2 confirms that "an important consideration of the site selection process was the objective of minimising the need for compulsory acquisition" but offers no explanation as to how this was balanced against other considerations, such as Green Belt impacts.

Importantly there is no connection to the Green Belt assessment process, where separating out the substations could have steered the development towards sites outside of the Green Belt.

Agriculture

The FBC LIR sets out a range of concerns relating to impacts on agriculture, largely relating to the impacts of the type, timing, duration and frequency of impacts on the availability and quality of agricultural land, as well as the associated economic sustainability of agricultural businesses. FBC notes the Deadline 1 submission from the NFU [REP1-185] in this regard.

FBC wishes to further comment on Sections 1.4.1.6 and 1.4.1.7 of the applicants Outline Code of Construction Practice [APP-193] where it describes some but not all of the responsibilities of the proposed Agricultural Liaison Officer.

Notably, this includes acknowledgement that the timings of activities will have an impact on farming regimes.

The level of detail in the report and commitments made are summarised in a few hundred words. This is not sufficient to properly assess the significant quantum and severity of impacts which could arise within the scope of works proposed.

FBC expected to see a much greater level of detail and more formal, quantifiable commitments made in this regard.

Regardless, given the potential type, expanse and duration of works, and the potential harmful impacts on agricultural operations, FBC is of the opinion that the harm would be so significant as to outweigh the benefits of the scheme.

The Coast

The coastline includes highly important and sensitive zones, including the Lytham St Anne's Dunes SSSI. Indeed, the FBC LIR contains repeat references to the dunes and coastline, and associated impacts. Notably, these impacts relate to: water management; ecology; landscape; tourism and human health.

The Fylde Local Plan to 2032 (incorporating Partial Review) [FLP] includes policy designed to enhance and protect the function of the coastal areas, and to appropriately manage and control development within [FLP Policy ENV2]. Notably, key policy ENV2 includes seven criteria for development within the designated Coastal Change Management Areas which includes the coastal area of dunes where landfall would occur. The proposed development would fail to meet all but criterion 'i' which relates to the exceptional need for a coastal location.

The dunes around the proposed landfall location are a delicate, irreplaceable habitat which contribute positively to water management including acting as a coastal flood barrier for the area, ecology, landscape quality, tourism and human health.

Irrespective of the absence of sufficient detail at this time to properly assess the likely impacts of the development, FBC considers that any impacts arising would result in significant harm to one or more of the functions of the coastline in this location.

Local Opinion

Additionally, FBC notes comments made by local residents, businessowners and community representatives that the absence of key information and the substantial amount of new information being submitted to the examination makes it more difficult and stressful to engage properly with the process.

FBC officers continue to liaise with local councillors, businesses and residents, seeking to help them understand what is proposed and what the likely impacts would be. However, it is not possible to do this to the satisfaction of most, if not all, of these parties, due to the deficiencies in the application.

We have already heard in the first week of hearings with regards to the exacerbating impact on wellbeing, arising from the high level of uncertainty around the proposals.

Of utmost importance to these parties is an understanding of what will be built, how it will be built and when it will be built. The alleged coordinated approach has instead resulted in a proposal for an extremely long period of time and uncertainty during which the works could be carried out.

FBC is sympathetic to the concerns of our community and considers that lack of detail and specificity in the application is not only inappropriate in policy terms but will also have a significant harmful impact on our local communities, which is unacceptable.

Other Comments Arising from Deadline 1 Documents

In its role as an Interested Party, FBC has reviewed the documents submitted at Deadline 1. It is noted that over 220 items were added to the examination library at this time and therefore the review has not been exhaustive.

With respect to the volume of new information which has now been submitted, FBC is concerned this should be a front-loaded process.

FBC continues to rely upon the other relevant parties whose area of responsibility or expertise relates more closely to certain matters. This approach is consistent with the approach set out in the FBC Local Impact Report [LIR] [APP-REP1-078].

FBC will continue to monitor the responses made by other parties and reserves the right to comment on such matters as appropriate. For example, where additional information is made available, which could impact upon proposed design, mitigation and control – it is very likely that FBC would comment on such matters.

FBC is mindful of not simply repeating information already submitted.

The purpose of this submission is to: comment on submission made by parties whom FBC has previously deferred to (for example with regards to drainage and highways); comment on submission where information is presented which goes beyond the assessment made by FBC; and raise objections to submissions made by other parties.

With regards to the latter and excluding submissions made by the applicant, FBC notes no main areas of disagreement at this time, although some queries about specific submissions are made below.

National Grid

FBC notes with concern the submission made by National Grid Energy Transmission [NGET] [REP1-089]. Given the discussion during the Issue Specific Hearing 1 with regards to the lack of information from the applicant about agreements with National Grid and details of

potential connection dates, this response further calls into question whether the applicant has fully engaged with the operator.

Other Clean Energy

FBC notes the submissions made by other parties associated with other clean energy infrastructure, notably by the Orsted IPs [REP1-224 and REP1-225]. The issues raised have similar implications as those relating to the solar farms identified in the FBC LIR [section 16.3.2], in that the broad degree of flexibility and lack of detail in the applicant's submission increases the risk of conflict with other infrastructure projects.

FBC considers that this must be addressed and considered in the balancing exercise particularly when attributing positive weight to the delivery of clean energy by the applicant's scheme.

Point of Connection

FBC notes the continued submissions made by other parties with regards to the point of interconnection, including additional detailed information at DL1 from Lancashire Association of Local Councils Fylde Area Committee Energy Working Group [REP1-083] and Newton with Clifton and Freckleton Parish Councils [REP1-183], and similarly the applicants' response to the related HAPs [REP1-039].

As a procedural matter, Section 3.4.1.11 of REP1-039 refers to Section 3.3.3.9 of the report but this does not exist. Section 4.1.1.3 also relies on 3.3.3.9 via cross-reference to 3.4.1.10. Similarly, Section 4.1.1.8 refers to 3.3.3.5 also does not exist. These references defer part of the justification for key points to these other sections. FBC requests that the applicant updates the report with the correct reference to aid with the review of an important argument contained within the report.

FBC notes that a central issue covered is whether alternative points of interconnection are a material consideration.

Section 4.1.1.4 the applicants relies on reference to the 'Save Stonehenge' case. However, FBC is not convinced that the parallel is appropriate, in that whereas that case concluded that *"an alternative Point of Interconnection could never be an "obviously material consideration" because this would engage matters which are not obvious or knowable to the Applicants, the public, the Examining Authority and the SoS"*, the relevant matters are "knowable" as demonstrated by the detailed submissions made by other parties as referenced above.

Notably, NGET has volunteered information about wider works to the energy network in their DL1 submission [REP1-089], indicating a willingness to share relevant information. Also of note is that fact that this response from NGET raises concerns about conflict between the proposals and NGET's planned upgrade works.

The applicants go on to give the specific critique of submission made by other parties around this topic, with a view to supporting the above relevance of the 'Save Stonehenge' case. This includes an assertion that *"there is no information or evidence on the uprated or new overhead line works which would be required."* FBC would like the applicants to confirm whether they have enquired about this information when engaging with NGET or other relevant bodies. Again, FBC is of the opinion that this information is "knowable".

Offshore Ecology

FBC maintains the position that matters relating to offshore environmental effects will largely be addressed by other bodies. The FBC LIR made reference to Natural England and the Marine Management Organisation as key consultees in this regard but would also note the submission made by the Wildlife Trusts [REP1-210].

Additionally, FBC notes the submission made by the Orsted IPs [REP1-188] and shares the concern that the applicant's Environmental Impact Assessment [EIA] incorrectly scopes out Barrow offshore windfarm, as well as the comments made about offshore ecology.

Traffic & Transportation

FBC maintains the position that Lancashire County Council [LCC] are to be relied upon as Highway Authority and notes the content of the LCC LIR [REP1-085].

Flood Risk

FBC maintains the position that Lancashire County Council [LCC] are to be relied upon as Lead Local Flood Authority and notes the content of the LCC LIR [REP1-085]. However, FBC has concerns relating to flood risk. As summarised in Section 0677.3 of the Environment Agency Deadline 1 written representation [REP1-076], work is ongoing in this regard.

FBC notes that the submitted ES chapter on Flood Risk [APP-073] references the 2011 Strategic Flood Risk Assessment. However, the Fylde Coast Authorities Level 1 Strategic Flood Risk Assessment 2024 (dated June 2024) was published in December 2024. FBC requests that the applicant reviews this and update their ES as appropriate.

Section 1.7.2.4 of the Outline Code of Construction Practice [APP-193] only commits to maintaining existing levels of flood protection during construction "where practicable" and only commits to "discussions" with the Environment Agency.

FBC cannot accept an approach where flood risk would not be properly managed and would expect any such design to be made in consultation with both the Environment Agency, Lead Local Flood Authority and Local Planning Authority, as well as the Local Highway Authority where highways may be affected and the water companies where sewers may be affected.

Relatedly, there appear to be inconsistencies with the approach proposed for similar works and issues, as set out in Sections 1.7.2.4 and 1.7.2.8 of this code. FBC notes that the

Environment Agency raises similar concerns in Section 0677.19 (2.6.10.11) of their Deadline 1 written representation [REP1-076].

Onshore Ecology

FBC has continues to engage with a range of parties with regards to ecology, notably including LCC, Greater Manchester Ecology Unit [GMEU], the Wildlife Trusts and several FBC officers responsible for parks, dunes and coastal management.

As set out in the FBC LIR as well as those of other relevant parties, there are a number of areas where the baseline information provided is not considered to be accurate or complete, and thereby sufficient for a proper assessment of likely impacts to be carried out.

In turn, this means that the characteristics of all necessary mitigation measures are not known and understood at this time.

FBC anticipates that as and when more information becomes available, it is possible that the different parties with interests in ecology may make conflicting recommendations.

Ideally, engagement between those parties would enable a unified response to be provided to the examination. However, as such information is yet to be provided and timescales for review and responses during the examination are generally short relative to the amount of work required. In such cases, FBC reserves the right to make its own representations.

At this stage, FBC notes the relevant submissions made. In particular, it is noted that Natural England is still identifies 30 areas of concern which need to be addressed by the applicant [REP1-093].

However, FBC requests clarification of matters relating to peat. Specifically, Natural England raised concerns at the Relevant Representations stage [RR-1601], as summarised in Section RR-1601 1601.55 of the applicant's response [PDA-014].

The applicants set out a position in which they would not provide information in accordance with the request made by Natural England but subsequent representations do not follow on, with no confirmation from Natural England that the matter remains unresolved. Likewise, Section 10.12 of the LCC LIR recommends further specialist consultation with regards to peat be carried out.

Additionally, FBC notes the comments made by Natural England in its cover letter [REP1-092] with regards to advice relating to marine mammals, which appears to set out that as the applicants have not made any progress in responding to concerns raised during pre-application and Natural England will provide no further advice if progress is not made. This is concerning and FBC requests that the Examining Authority seek to confirm this point.

Summary

Submissions made by FBC have raised concerns regarding the lack of appropriate information to enable an assessment of likely impacts and control of those impacts to be properly carried out. This relates to a broad range of topic areas and particularly with all main topic areas.

FBC is increasingly concerned that requests for additional information are not being responded to appropriately, with reliance by the applicants upon deferring provision of information including details of investigations, design, control, monitoring and mitigation, to times after any such DCO is granted.

FBC is of the opinion that the Environmental Statement does not include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment.

Irrespective of this lack of information, FBC considers that significant harm would be caused as set out in the first part of this statement.