



The Sizewell C Project

9.10.36 Statement of Common Ground - Maritime and Coastguard Agency

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CONTENTS

1	INTRODUCTION	1
1.1	Status of the SOCG	1
1.2	Purpose of this document	1
1.3	Parties to this Statement of Common Ground	2
1.4	Structure of this Statement of Common Ground	3
2	POSITION OF THE PARTIES	3

TABLES

Table 2.1	Position of the Parties - SZC Co. and Maritime and Coastguard Agency on Marine Navigation	4
Table 2.2	SOCG meetings held between SZC Co. and Maritime and Coastguard Agency	8
Table 2.3	Pre-application meetings held between SZC Co. and Maritime and Coastguard Agency	9

APPENDICES

APPENDIX A:	ENGAGEMENT ON THE SOCG	8
APPENDIX B:	SECTION 56 COMMENTS	10

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1 INTRODUCTION

1.1 Status of the SOCG

1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of the application for a development consent order ('DCO') to the Planning Inspectorate ('PINS') under the Planning Act 2008 ('the Application') for the proposed Sizewell C Project.

1.1.2 This SoCG version 2.0 has been prepared by NNB Generation Company (SZC) Limited ('SZC Co.') as the Applicant and the Maritime and Coastguard Agency and agreed on 01 September 2021.

1.1.3 This SoCG has evolved through a programme of engagement and series of versions as detailed in Section 2.

1.2 Purpose of this document

1.2.1 The purpose of this SoCG is to set out the position of the parties on a range of issues arising from the application for development consent for the construction and operation of the Sizewell C nuclear power station and together with the proposed associated development (hereafter referred to as 'the Sizewell C Project').

1.2.2 This SoCG has been prepared in accordance with the 'Guidance for the examination of applications for development consent' published in March 2015 by the Department of Communities and Local Government (hereafter referred to as 'DCLG guidance').

1.2.3 Paragraph 58 of the DCLG Guidance states:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence"

1.2.4 The aim of this SoCG is therefore to inform the Examining Authority and provide a clear position of the state and extent of discussions and agreement between SZC Co. and the Maritime and Coastguard Agency on matters relating to the Sizewell C Project.

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1.2.5 This SoCG does not seek to replicate information which is available elsewhere within the DCO application documents. All documents are available on the Planning Inspectorate website <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/the-sizewell-c-project/>).

1.3 Parties to this Statement of Common Ground

1.3.1 SZC Co. has submitted an application for development consent to build and operate a new nuclear power station, Sizewell C, along with the associated development required to enable construction and operation.

1.3.2 The Maritime and Coastguard Agency is responsible for

- the safety policy for vessels in UK waters
- the safety of all seafarers on UK flagged vessels
- making sure all equipment on UK vessels is fit for purpose
- making sure all seafarers on UK vessels have correct documentation
- the environmental safety of UK coast and waters
- the accuracy of hydrographic data on UK charts
- overseeing coastal rescue volunteers, hydrographic surveys, seafarer certification and the port state control inspection regime

It provides a 24-hour maritime search and rescue service around the UK coast, and international search and rescue through HM Coastguard. The MCA is responsible for the safety of navigation outside of port limits, as a coastal State under the International Maritime Organization's International Convention for the Safety of Life at Sea, 1974 (SOLAS). MCA also has responsibilities under the Merchant Shipping Act 1995.

1.3.3 Collectively SZC Co. and the Maritime and Coastguard Agency are referred to as 'the parties'.

1.3.4 Matters of interest to the Maritime and Coastguard Agency and which are detailed in Section 2 of this SoCG are as follows:

- Proposed development on the main development site.
- Volume 2 Chapter 24 (including appendices) of the Environmental Statement

1.3.5 In addition, other DCO application documents of interest to the Maritime and Coastguard Agency include:

- Draft DCO (Requirements)

- Draft DCO (Harbour Powers)
- Draft DCO (Deemed Marine Licence, including Conditions)
- Code of Construction Practice
- Mitigation Route map

1.4 Structure of this Statement of Common Ground

1.4.1 Chapter 2 provides schedules which detail the matters of agreement and disagreement between the parties.

1.4.2 **Appendix A** provides a summary of engagement undertaken to establish this SoCG.

1.4.3 **Appendix B** provides a schedule which identifies pre-application meetings and workshops between SZC Co and the Maritime and Coastguard Agency, including joint stakeholder meetings and workshops.

2 POSITION OF THE PARTIES

2.1.1 Table 2.1 provides details on the areas of agreement and disagreement between the parties.

Table 2.1 Position of the Parties - SZC Co. and Maritime and Coastguard Agency on Marine Navigation

Ref.	Matter	Book ref.	SZC Co. Position	Maritime and Coastguard Agency	Further Action / Additional Documentation	Agreed / Not Agreed
Consultation						
MDS_NAV1	The MCA has been adequately consulted regarding shipping and navigation to date.		Agreed	Agreed.		
Environmental Impact Assessment						
MDS_NAV2	Marine traffic survey data collected for the Sizewell C area for the characterisation of shipping and navigation are suitable for the assessment.	6.3	Agreed	Agreed.		
MDS_NAV3	The baseline environmental characteristics within the offshore works area of the proposed development and in the surrounding area as detailed in Section 24.4 of Volume 2 Chapter 24, section 10 of Appendix 24A of the ES and Volume 1 Chapter 2 section 2.19 d)i) of the ES Addendum are adequate.	6.3 6.14	Agreed	Agreed.		

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MDS_ NAV4	The overarching methodology for the assessment of impacts on Marine Navigation using the Formal Safety Assessment (FSA) based approach as detailed in Volume 1 Appendix 6T, section 24.3 of Volume 2 Chapter 24, section 10 of Appendix 24A of the ES is deemed appropriate.	6.3	Agreed	Agreed.		
MDS_ NAV5	The potential impacts identified in section 24.6 of Volume 2 Chapter 24, section 13 of Appendix 24A of the ES and Volume 1 Chapter 2 Section 2.19 of the ES Addendum represents a comprehensive list of potential effects on shipping and navigation from the project.	6.3 6.14	Agreed	Agreed.		
MDS_ NAV6	The definitions used for frequency of occurrence and severity of consequence defined in section 24.6 of Volume 2 Chapter 24, section 13 of Appendix 24A and Volume 1 Chapter 2 Section 2.19 of the ES Addendum are appropriate.	6.3 6.14	Agreed	Agreed.		
MDS_ NAV7	The assessment of potential changes to shipping and navigation is appropriate and the NRA has determined that no	6.3	Agreed	Agreed. All known impacts have been addressed/considered in the NRA.		

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	impacts from the construction, operation and maintenance and/or decommissioning of the project will be significant in Environmental Impact Assessment (EIA) terms when considering the embedded mitigations.					
MDS_NAV8	The NRA has determined that the cumulative assessment of potential changes to shipping and navigation is appropriate, and no cumulative impacts will be significant in EIA terms.	6.3 6.14	Agreed	Agreed. All known changes have been addressed/considered in the NRA.		
MDS_NAV9	The construction mitigation, management and monitoring measures detailed in Part B sections 12 and 13 of the Code of Construction Practice are appropriate.	8.11	Agreed.	Agreed.		
MDS_NAV10	The securing mechanisms to control impacts on Marine Navigation on the main development site as detailed in the Mitigation Route Map including: <ul style="list-style-type: none"> - DCO Article 3 (Scheme design) - Requirement 2 (PW: CoCP) 	8.12 3.1	Agreed	Agreed to the establishment of the SHA in the DCO, scheme design, construction plan and the DML conditions. In terms of the CHA, the application of the Pilotage Act remains under discussion. MCA is working with DfT with regards to CHA status		

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	<ul style="list-style-type: none"> - DCO Part 6 (Harbour Powers) - DCO Schedule 20 (Deemed Marine Licence) Conditions, in particular Conditions 13, 19, 29, 30, 34, 38, 42, 46 			within DCO as the application of the Pilotage Act falls with DfT.		
MDS_NAV11	The proposed primary, secondary and tertiary mitigation measures to mitigate impacts as detailed in in Section 24.5 of Volume 2 Chapter 24 and Section 13 of Appendix 24A of the ES are appropriate.	6.3	Agreed	Agreed.		
Draft DCO and DML						
MDS_DCO1	Part 6 of the draft DCO outlines all required details of the proposed Harbour Order		Agreed	Agreed.		
MDS_DCO2	Schedule 20 (DML) provides all relevant and necessary Conditions to mitigate navigational risk		Agreed	Agreed.		

APPENDIX A: ENGAGEMENT ON THE SOCG

A.1. Appendix Level 1

- A.1.1. The preparation of this SoCG has been informed by a programme of discussions between SZC Co. and the Maritime and Coastguard Agency following submission of the DCO application. The relevant meetings are summarised in **Table 2.2** and **Table 2.3**.

Table 2.2 SOCG meetings held between SZC Co. and Maritime and Coastguard Agency

Date	Details of the Meeting
n/a	SoCG drafted and agreed by correspondence

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Table 2.3 Pre-application meetings held between SZC Co. and Maritime and Coastguard Agency

Date	Details of the Meeting
21.09.2014	A consultation meeting was held with representatives from Trinity House, Maritime and Coastguard Agency and the Marine Management Organisation to identify any areas of concern with the marine aspects of the project.
22.05.2019	A consultation meeting was held with representatives from Trinity House and the Maritime and Coastguard Agency. The focus of the meeting was the requirements for marking of the intake and outfall structure headworks.
09.09.2020	A briefing session was held on the proposed Harbour Order applied for, and to be deemed within, the Sizewell C Development Consent Order.
08.12.2020	A consultation meeting was held to discuss the new revised and proposed additional Beach Landing Facility arrangements at Sizewell C.

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APPENDIX B: SECTION 56 COMMENTS

Commet Ref	Theme	MCA Comment	SZC Co Response
MCA_1	Infrastructure in the marine environment and any Harbour Orders	Part of the Maritime and Coastguard Agency's (MCA) wide remit includes responsibilities for the safety of navigation and search and rescue in the UK. We would like to be consulted on the establishment of any infrastructure or works in or over the marine environment, and any Harbour Orders providing statutory powers for the ongoing safe operation of the facility.	SZC Co. consulted on the Harbour facility and marine infrastructure with MCA on 9 September 2020 when feedback was positive. SZC Co will continue to engage with MCA as required pre- and during examination.
MCA_2	Marine Licence	We would also like to consider whether the works may have any impact on MCA infrastructure in the area, which on initial inspection is unlikely. Should any works be required in or over the marine environment, a Marine Licence may be required under the Marine and Coastal Access Act 2009, at which time the MCA will be invited to comment on the licence application from the safety of navigation safety perspective.	Noted
MCA_3	Port Marine Safety Code (PMSC) and its Guide to Good Practice	In addition, the MCA would point the developers in the direction of the Port Marine Safety Code (PMSC) and its Guide to Good Practice; they would need to liaise and consult with any relevant Statutory Harbour Authority to develop a robust Safety Management System (SMS) for the project under this code.	Noted