



Awel y Môr Offshore Wind Farm

Statement of Common Ground 11 – Maritime and Coastguard Agency

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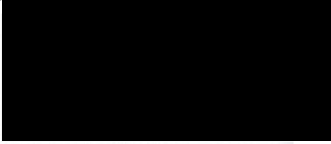
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1 Introduction

1.1 Background

- 1 This Statement of Common Ground (SoCG) has been prepared between Awel y Môr Offshore Wind Farm Limited (hereafter referred to as 'the Applicant') and Maritime and Coastguard Agency (MCA) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Awel y Môr Offshore Wind Farm (hereafter referred to as 'AyM').
- 2 This SoCG covers the topics of relevance to the MCA in the marine environment seaward of Mean High Water Springs (MHWS).
- 3 The need for a SoCG between the Applicant and MCA was set out within Rule 6 letter issued by the Planning Inspectorate (PINS) on 23 August 2022.
- 4 Following detailed discussions undertaken through pre-application consultation, the Applicant and MCA have sought to progress a SoCG. It is the intention that this document provides PINS with a clear overview of the level of common ground between both parties. This document will facilitate further discussions between the Applicant and MCA and will be updated as discussions progress prior to and during the Examination.

1.2 Approach to SoCG

- 5 This SoCG was developed during the pre-examination phase of AyM. In accordance with discussions between the Applicant and MCA, the SoCG is focused on issues raised during evidence plan meetings for Shipping and Navigation with MCA, of which Trinity House Lighthouse Service was also present.
- 6 The SoCG is structured as follows:
 - **Introduction:** Outlining the background to the development of the SoCG;
 - **MCA's remit:** Describing the remit of MCA, the relevance of their interest in the Application, the main areas of discussion within the SoCG and a summary of consultation to date; and

- ▲ **Agreements Log:** A record of the positions of the Applicant alongside those of MCA as related to the topics of discussion and the status of agreement on those positions.

2 MCA's remit

2.1 Introduction

- 7 The elements of AyM which may affect the interests of the MCA are those covering the intertidal and offshore areas seaward of MHWS, namely those described in the Offshore Project Description chapter of the ES (APP-047). These elements are covered in Part 1 of the draft DCO (AS-014) and will also require a Marine Licence to be granted by Natural Resources Wales (NRW) as the relevant Marine Licensing authority.
- 8 The key application documents forming the basis of discussions with the MCA are as follows:
 - ▲ The Shipping and Navigation chapter of the ES (APP-055); and
 - ▲ The Navigation Risk Assessment (NRA)(APP-111).
- 9 Whilst the MCA retains an interest in the following areas with respect to the provisions set out in the DCO and the Marine Licence, the MCA has not made comment on these areas and as such, they are not covered by this SoCG:
 - ▲ Commercial Fisheries;
 - ▲ Aviation, military and communications (with the exception of Search and Rescue (SAR) which is covered by the Shipping and Navigation technical topic); and
 - ▲ Other Marine Users and Activities.

2.2 Consultation Summary

- 10 Table 1 This section briefly summarises the consultation that the Applicant has undertaken with MCA including both statutory and non-statutory engagement during the pre-application and post-application phases.

Table 1: Consultation undertaken with MCA pre-application.

DATE AND TYPE	DESCRIPTION OF CONSULTATION
19/11/2019	Introductory meeting to introduce the project to MCA per-Scoping.
26/02/2020	Project update and an update to the Scoping assessment in relation to shipping and navigation.
July 2020	MCA comment on the Scoping Report received via the Scoping Opinion.
02/10/2020	Post-scoping meeting with MCA and Trinity House.
August-October 2021	Statutory consultation under Section 42 of the Planning Act 2008.
06/12/2021	Post-statutory consultation meeting to discuss changes to the project boundary and layout post-PEIR.
31/10/2022	First SoCG meeting.

3 Agreements Log

- 11 The following sections of this SoCG set out the level of agreement between the Applicant and MCA for each relevant component of the Application. The tables below detail the positions of the Applicant alongside those of MCA and whether the matter is agreed or not agreed.
- 12 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion, the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 2 below.

Table 2: Position status key.

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or MCA is not considered to result in a material outcome on the assessment conclusions.	Not agreed – No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or MCA is considered to result in a materially different outcome on the assessment conclusions.	Not agreed – material impact

Table 3: Status of discussions relating to shipping and navigation.

DISCUSSION POINT	APPLICANT'S POSITION	MCA POSITION	POSITION STATUS
Environmental Impact Assessment			
Consultation	The MCA has been adequately consulted regarding shipping and navigation to date and is satisfied with the outcomes of consultation with other stakeholders.	Agreed	Agreed
Assessment scope and methodology	The EIA has identified and assessed all likely significant effects relevant to shipping and navigation as identified within the Scoping Report and Scoping Opinion, and as assessed in the Shipping and Navigation chapter of the ES (APP-055) and the NRA (APP-111).	Agreed	Agreed
	The Shipping and Navigation chapter of the ES (APP-055) and the NRA (APP-111) have appropriately identified and assessed a worst-case scenario for shipping and navigation.	Agreed	Agreed
Baseline characterisation	Appropriate legislation, planning, policy and guidance relevant to shipping and navigation has been used as referenced in Section 9.2 of the Shipping and Navigation chapter of the ES (APP-055) and the NRA (APP-111). The approach to the assessment of effects is deemed appropriate for the purposes of predicting changes to the baseline environment.	Agreed	Agreed
	The marine vessel traffic survey data collection is as per Marine Guidance Note 654 and is therefore suitable for assessment.	Agreed	Agreed
	The Shipping and Navigation chapter of the ES (APP-055) and the NRA (APP-111) adequately characterise the baseline data with respect to shipping and navigation.	Agreed	Agreed
Mitigation measures	The mitigation measures described in Section 9.9 of the Shipping and Navigation chapter of the ES are appropriate.	Agreed	Agreed
	The Framework Layout Commitments identified in Section 19 of the NRA (APP-111) are appropriate for informing the overarching layout design	The MCA will continue discussions with Natural Resource Wales in terms on content of the Marine Licence. On the understanding that they are secured within the Marine Licence, as described in the Marine Licence Principles (Document 7.7 of the Applicant's	Agreed

DISCUSSION POINT	APPLICANT'S POSITION	MCA POSITION	POSITION STATUS
	<p>process that will be completed post-consent in the detailed design phase.</p> <p>As per Condition 19 of the Marine Licence Principles (Document 7.7 of the Applicant's Deadline 7 Submission), the MCA and Trinity House will agree the array layout plan before commencement of offshore works.</p>	<p>Deadline 7 Submission) Revision G dated 08/03/23, MCA is content with the mitigation measures proposed.</p>	
<p>Outcomes of the ES and NRA</p>	<p>The conclusions of the shipping and navigation chapter of the ES (APP-055) and the NRA (APP-111) appropriately reflect the potential risks to shipping and navigation users (receptors) during the construction, operation and decommissioning phases of AyM.</p> <p>In NRA terms, the potential risks from AyM are As Low As Reasonably Practicable (ALARP) on the understanding that appropriate mitigation measures (as described in Section 9.9 of the Shipping and Navigation chapter of the ES) are implemented through the Marine Licence (as per the Marine Licence Principles (Document 7.7 of the Applicant's Deadline 7 Submission)).</p> <p>In EIA terms, no significant effects have been identified on shipping and navigation receptors.</p>	<p>The MCA will continue discussions with Natural Resource Wales in terms on content of the Marine Licence. On the understanding that they are secured within the Marine Licence, as described in the Marine Licence Principles (Document 7.7 of the Applicant's Deadline 7 Submission) Revision G dated 08/03/23, MCA is content with the mitigation measures proposed.</p>	<p>Agreed</p>
	<p>Based on the conclusions of the shipping and navigation chapter of the ES (APP-055) and the NRA (APP-111), all cumulative risks are ALARP (subject to the implementation of mitigation via Marine Licence conditions (as per the Marine Licence Principles(Document 7.7 of the Applicant's Deadline 7 Submission)), therefore no significant cumulative effects in EIA terms have been identified.</p>	<p>The MCA will continue discussions with Natural Resource Wales in terms on content of the Marine Licence. On the understanding that they are secured within the Marine Licence, as described in the Marine Licence Principles (Document 7.7 of the Applicant's Deadline 7 Submission) Revision G dated 08/03/23, MCA is content with the mitigation measures proposed.</p>	<p>Agreed</p>



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