



# FIVE ESTUARIES OFFSHORE WIND FARM

## STATEMENT OF COMMON GROUND

### MARITIME AND COASTGUARD AGENCY

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In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for the purpose.

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## DEFINITION OF ACRONYMS

Term	Definition
DCO	Development Consent Order
dML	Deemed Marine Licence
ES	Environmental Statement
ETG	Expert Topic Groups
HHA	Harwich Haven Authority
km	Kilometre
MCA	Maritime and Coastguard Agency
MGN	Marine Guidance Note
MW	Megawatts
NIP	Navigation Installation Plan
NRA	Navigational Risk Assessment
nm	Nautical Mile
NSIP	National Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
PLA	Port of London Authority
SAR	Search and Rescue
SoCG	Statement of Common Ground
UXO	Unexploded Ordnance
VEOWF	Five Estuaries Offshore Wind Farm



## 1 INTRODUCTION

### 1.1 BACKGROUND

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Five Estuaries Offshore Wind Farm Limited (hereafter referred to as ‘the Applicant’) and the 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 Five Estuaries Offshore Wind Farm (hereafter referred to as “VE”).
- 1.1.2 Following detailed discussions undertaken between the parties, the Applicant and the MCA have sought to progress a SoCG. It is the intention that this document provides the Planning Inspectorate with a clear overview of the level of common ground between both parties. This document will be updated if any additional points are identified or any positions change during the Examination.

### 1.2 APPROACH TO SOCG

- 1.2.1 This SoCG sets out the topic, a brief summary of the issue or matter subject to disagreement or agreement, the position of the Applicant and that of the MCA, and a colour coding to illustrate the level of agreement and/or materiality.
- 1.2.2 A full description of the approach adopted is set out in 9.33 Approach to Statements of Common Ground [APP-266] submitted as part of the DCO application.

### 1.3 THE PROPOSED DEVELOPMENT

- 1.3.1 VEOWF is the proposed extension to the operational Galloper Offshore Wind Farm. The project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres (km) (20 nautical miles (nm)) off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure near to the existing Lawford Substation to the west of Little Bromley in order to connect the development to National Grid’s proposed East Anglia Connection Node substation, which would be located nearby.
- 1.3.2 All onshore connection infrastructure would be located in the administrative area of Tendring District Council, within Essex County Council. VEOWF will have an overall capacity of greater than 100 Megawatts (MW) and therefore constitutes a Nationally Significant Infrastructure Project (NSIP) under the Section 15 (3) of the Planning Act 2008.
- 1.3.3 A full Project description is included in the Environmental Statement (ES), in particular 6.2.1 Offshore Project Description [APP-069] and 6.3.1 Onshore Project Description [APP-083].



## 2 THE MCA'S REMIT

### 2.1 INTRODUCTION

- 2.1.1 The MCA is an executive government agency with focus on the prevention of loss of life on the coast and at sea. To this end they produce legislation and guidance to maritime matters, as well as facilitate correspondence on marine safety. The MCA will therefore be responding on matters concerning the safety of maritime navigation and maritime Search and Rescue (SAR), providing comments on the Navigation Risk Assessment, Shipping & Navigation chapter of the EIA Report, and the content of the DCO and DML.
- 2.1.2 The following application documents have informed the discussions with the MCA and address the elements of VEOWF that may affect the interests of the interested party:
- > 6.2.9 Shipping and Navigation [APP-078]
  - > 9.10 Navigational Risk Assessment [APP-240]
  - > 9.20 Outline Navigation Installation Plan [REP1-039]
- 2.1.3 The main areas of interest raised by the MCA were the approach to the undertaking of the Navigational Risk Assessment (NRA) and the assessment of navigational issues for both commercial and recreational craft, including in relation to SAR.
- 2.1.4 The MCA and the Applicant have been working together to minimise possible impacts of the project of concern to the MCA.

### 2.2 CONSULTATION SUMMARY

- 2.2.1 Since 2019, the project has been engaging with relevant stakeholders through different levels of activity. The project has undertaken the necessary consultations before submitting the application and has held Expert Topic Groups (ETG) on a number of specific topics, as well as bilateral meetings with key stakeholders. The comments received and the meetings between the project and the interested party have informed the basis for this SoCG and are presented in [Table 2.1](#) ~~Table 2.1~~.

**Table 2.1 MCA Consultation Overview**

Date	Consultation Type	Consultation
18 January 2021	Virtual meeting	Discussion following project design updates and to agree requirements for baseline vessel traffic data collection.
30 March 2021	Virtual meeting	Discussion following further project design updates.
24 August 2021	Email correspondence	Email correspondence related to vessel traffic survey approach.



Date	Consultation Type	Consultation
30 November 2021	Scoping response	Feedback following the VEOWF Scoping report.
08 April 2022	Virtual meeting	Discussion on the following project design updates.
20 October 2022	In person hazard workshop	Discussion on the potential hazards of VEOWF, as well as mitigation measures to be applied.
12 May 2023	Section 42 response	Feedback following review of the VEOWF NRA at the Preliminary Environmental Information Report (PEIR) stage.
06 October 2023	Virtual meeting	Discussion updates post PEIR stage.
15 January 2024	Email correspondence	Discussion of acceptability of baseline vessel traffic data.
25 January 2024	Virtual hazard workshop follow-up meeting	Review of potential hazards and mitigation measures for VEOWF following project updates and refinements.
14 June 2024	Virtual Navigation Installation Plan (NIP) hazard workshop	Meeting with relevant interested parties to discuss the NIP.
05 August 2024	Virtual meeting	Discussion on requirements for SoCG and procedure for Unexploded Ordnance (UXO) clearance.
<u>19 December 2024</u>	<u>Virtual meeting</u>	<u>Further discussion on SoCG.</u>
<u>3 February 2025</u>	<u>Virtual meeting</u>	<u>Discussion on In Principle Monitoring Plan (IPMP) requirements for vessel traffic monitoring.</u>





### 3 AGREEMENTS LOG

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and the MCA for the relevant areas of interest identified in paragraph 2.1.3. The tables below detail the positions of the Applicant alongside those of the MCA and whether the matter is agreed or not agreed.
- 3.1.2 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 3.1 below. Colours were chosen in order to ensure inclusivity for the visibility of data.

**Table 3.1: Position Status key**

<b>POSITION STATUS</b>	<b>COLOUR CODE</b>
The matter is considered to be agreed between the parties.	<b>Agreed</b>
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.	<b>Ongoing point of discussion</b>
The matter is not agreed between the parties.	<b>Not agreed</b>



**Table 3.2: Status of discussions**

Reference Number	Topic	Applicant's Position	MCA's Position	Position Status
MCA1	Consultation	The MCA has been adequately consulted regarding shipping and navigation to date and is satisfied with the outcomes of consultation.	Agreed	Agreed
MCA2	Marine traffic surveys	The marine traffic survey data collection is as per Marine Guidance Note (MGN) 654 therefore suitable for the assessment. This includes data collected for both the array areas and the offshore Export Cable Corridor (ECC).	Agreed, Noting MCA accepted a request from the Applicant for an extension to the 24-month period of traffic data of approximately 3 months. This was due to a slip in the timeline for submission from January 2024 to April 2024. To mitigate for the 3 months extension, an additional 12-month AIS data set for 2022 was submitted.	Agreed
MCA3	Baseline environment	The NRA [APP-240] and ES [APP- 078] adequately characterises the shipping and navigation baseline environment.	Agreed	Agreed
MCA4	NRA and assessment methodology	NRA [APP-240] is compliant with the requirements of MGN 654 including completion of an MGN 654 checklist. Appropriate legislation, planning policy and guidance relevant to shipping and navigation has been used. The approach to the assessment is also deemed appropriate for the purposes of predicting changes to the baseline environment.	Agreed	Agreed
MCA5	Hazard (impact) identification	The hazards (impacts) identified within Chapter 9 [APP- 078] and NRA [APP-240] adequately capture the potential effects on shipping and navigation that may result from the Proposed Development.	Agreed	Agreed
MCA6	Risk level (impact significance) in isolation	Based on the information provided within Chapter 9 [APP- 078] and NRA [APP-240] it is agreed that in isolation hazards (impacts), including vessel displacement and increased collision risk, third-party with project vessel collision risk, reduced access to local ports and harbours, reduction in under keel clearance, creation of allision risk, anchor interaction with subsea cables, and reduction of emergency response capability are broadly acceptable or tolerable with the mitigation measures and required monitoring in place.	Agreed	Agreed
MCA7	Risk level (impact significance) cumulative	Based on the information provided within Chapter 9 [APP-078] and NRA [APP-240] it is agreed that cumulative hazards (impacts), including those listed above for the in isolation scenario are broadly acceptable or tolerable with the mitigation measures (including the NIP [REP1-039]) and required monitoring in place.	Agreed	Agreed
MCA8	NIP	The outline NIP [REP1-039] is an appropriate mechanism for minimising the significance of risk associated with relevant shipping and navigation hazards associated with cable installation, operation	Agreed, noting that the NIP is intended to be live, and amendments may be made to it going forward.	Agreed



Reference Number	Topic	Applicant's Position	MCA's Position	Position Status
		and maintenance in the area of interest including managing the potential for concurrent working. It is recognised that compliance with the NIP is secured within the DCO (deemed Marine Licence (dML)) with the final version being agreed with relevant parties including Harwich Haven Authority HHA) and the Port of London Authority (PLA).		
MCA9	DCO/ dML condition wording	MCA provided comment on the DCO/dML wording that is relevant to the MCA within their Written Representation [REP1-065]. The Applicant deems the wording of DCO/dML conditions relevant to MCA is appropriate.	Updated conditions <del>are due to be</del> submitted at Deadline 5 <u>have now been reviewed. In response to ExQ3 regarding schedule 11, Part 2, condition 4 subsection (3) MCA is content with the wording. Regarding the same Part condition 11, subsection (10), dropped objects, MCA agree on current wording and the use of the dropped object procedure form. We would like to place emphasis on the timing of the reporting of dropped objects and point out that any recommended time limits stated on this form are, as stated in the condition, from the time that the undertaker becomes aware of an incident. This remains an ongoing point of discussion until MCA has reviewed the next iteration of the Draft DCO/dML.</u>	<b>Ongoing point of discussion</b> <b>Agreed</b>



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