PLANNING ACT 2008
Morecambe Offshore Windfarm Generation Assets Development Consent Order Application

Planning Inspectorate Reference: EN010121

Summary of Relevant Representation of Spirit Energy Production UK Limited in Response to the S56 Notice

15 October 2024

1. Introduction

1.1 This is summary of the relevant representation submitted by Spirit Energy [**RR-077**]. Full details of Spirit's interests in the DCO application (the **Application**) and grounds of objection are provided therein.

1.2 'Spirit Energy' is the trading name used by Spirit Energy Limited and its subsidiaries, including Spirit Energy Production UK Limited. Spirit Energy's primary business operation is the production of natural gas from UK and Netherlands offshore fields.

1.3 The Spirit operated Morecambe Hub currently comprises three fields in the East Irish Sea: North Morecambe, South Morecambe and Rhyl. Spirit is designated duty holder, and therefore operator, of the Calder field, licenced by Chrysaor Resources (Irish Sea) Limited (a Harbour Energy plc group company).

1.4 Spirit has interests that lie within or adjacent to the order limits and the area for offshore works identified in the DCO and supporting plans that accompany the Application.

2. Spirit's Assets and Operations

2.1 The Morecambe Hub is comprised of three Seaward Production Licences P.251, P.1483 and P.153. The proximate nature of assets are illustrated within Table 7.13 of Volume 5 Chapter 17 of the ES "Infrastructure and Other Users" (PINS Document Reference: 5.1.17).

2.2 The Morecambe Hub, and associated producing fields are fundamental to ensuring sustained, long-term energy security for the UK. Despite being in production for over 30 years, the Morecambe Hub remains a cornerstone operated asset in the Spirit portfolio. Spirit's fields continue to produce in excess of 18 million cubic feet of natural gas per year, and Spirit's ambition is for continued investment in the asset so that the fields continue to produce into the 2030's.

2.3 The Morecambe Hub fields are also licenced under Carbon Storage licence CS010 and will play a pivotal part in the UK's journey to net zero. Once the gas fields have ceased natural gas production, repurposing the reservoirs and associated infrastructure for carbon storage will ensure the UK can meet its Net Zero targets.

3. Legislative and Policy context

3.1 It is highly relevant for the Examining Authority to consider the potential impacts of the Project as viewed within a health and safety context and the consequential implications for Spirit.

3.2 The legislation that gives rise to Spirit's representation, and that must be afforded full weight in appraising the safety risk, includes:

3.2.1 The Health and Safety at Work etc. Act 1974 (**HSWA**) and secondary legislation with subordinate detail set out in Approved Codes of Practice and guidance.

3.2.2 The Management of Health and Safety at Work Regulations 1999 (**MHSWR**) that require the assessment of risks to identify the measures required to comply with duties under health and safety law.

3.2.3 The Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations 2015 (SCR) that require preparation of a **Safety Case Standards** for the control of major accident risks. A **Safety Case** demonstrates that arrangements are in place which, if implemented, are capable of achieving compliance with these legal objectives. These arrangements include the **Safety and Environment Critical Elements (SECE)** to prevent major accidents or reduce their consequences.

3.2.4 Offshore Installations (Prevention of Fire and Explosion, and Emergency Response Regulations 1995) (**PFEER**): PFEER requires a formal risk assessment

of major accident hazards to be carried out. Measures specified within PFEER are SECE under SCR.

3.3 **ALARP** is short for 'As Low As Reasonably Practicable' and describes the level to which Spirit is obliged to ensure that workplace risks are controlled.

3.4 National Policy Statement for Renewable Energy Infrastructure (**EN-3**) requires applicants to comply with safety standards and reduces risks to ALARP, with site selection and design taking into account for such purposes. The Secretary of State should not consent applications which pose unacceptable risks to safety.

4. Aviation Related Safety

4.1 The minimum 1.5nm "buffer zone" between the potential siting of wind turbines and the Central Processing Complex infrastructure and Calder helipads is simply inadequate for the purposes of ensuring safe helicopter arrivals and departures to and from (and between) those Affected Assets.

4.2 It is also considered that the proximity of proposed wind turbines will lead to flight restrictions, meaning that helicopters would only be able to fly during daylight under Visual Flight Rules.

4.3 A number of impacts flow from these primary concerns including:

4.3.1 A direct impact on Spirit's ability to access Normally Unmanned Installations and Central Processing Complex Infrastructure to complete safety critical maintenance and/or otherwise scheduled Maintenance, Inspection and Testing (**MIT**).

4.3.2 Increases to the number of flights required to deliver the current volume of MIT activity therefore increasing personnel transportation risk.

4.3.3 Flight restrictions places a higher reliance on lifeboat evacuation than would otherwise be the case, and hence increase risks to personnel.

4.3.4 Flight restrictions could compromise access to offshore installations by helicopter thereby severely limiting Spirit's ability to 'downman' a large population in a reasonable timeframe, extending their exposure to the health, safety or welfare threat.

4.4 Based on recent flight data, delays and cancellations will be far more frequent and severe than the Applicant has reported. The levels of delays and cancellations present a very serious risk to the safe operations of the Affected Assets and Spirit's ability to comply with related safety regulatory requirements. That necessitates increasing the buffer zone to a distance that allows for flying using both Visual Flight Rules and Instrument Flight Rules.

4.5 The only acceptable mitigation is the removal of the Flight Restrictions applying to helicopter operations to and from (and between) the Affected Assets. Spirit's early analysis (based on the work undertaken by AviateQ) indicates that at least 3.3nm is required.

4.6 Ultimately, flight restrictions could compromise Spirit's ability to maintain safe operations in compliance with the Safety Case. This could lead to regulatory enforcement action, potentially requiring a cessation of operations of nationally significant energy infrastructure assets.

5. Shipping and Navigation Safety

5.1 The Project would increase the number of marine vessels in the vicinity of the Affected Assets and licensed blocks.

5.2 Spirit considers that a lack of sea room will be one of the main impacts of the project for vessels operating in support of Spirit's oil & gas activities placing restrictions on the use of larger vessels such as drilling rigs, crane barges and accommodation vessels.

5.3 There is a far higher risk of emergency production shutdowns due to vessels on collision course with platforms or breakdowns caused as a result of emergency shutdowns and waiting for repairs. In addition, there is the risks related to the displacement of third-party passing traffic towards Spirit's assets, increasing the traffic density and hence risk of collision.

5.4 Designated access paths and exclusion areas in addition to the 500m exclusion zone around each platform will be required.

5.5 The protective provisions only secures a 1.5nm buffer between the "active" AP-1, DP-1 and Calder "heli-decks". A 1.5nm marine buffer zone must therefore be secured independently of any corresponding aviation related buffer zone.

5.6 Wind turbines near Radar Early Warning Systems (REWS) can interfere with the system. Further assessment work and appropriate mitigation is required.

6. Decommissioning

6.1 The Project raises serious concerns in terms of Spirit's ability to perform safe and efficient decommissioning activities, in accordance with its licences and the Petroleum Act 1998.

6.2 The area proposed for the windfarm includes decommissioned oil and gas infrastructure including wells and pipelines. Spirit requires access to all in-situ infrastructure for monitoring and close-out of further decommissioning activity.

6.3 Spirit requires 500m either side of previously located pipelines and a 1nm wide corridor with a 1.5nm radius around platforms for access to execute decommissioning plans.

7. MNZ and UK CCUS Implications

7.1 Whilst the need for coexistence is accepted by Spirit, it is important to recognise the challenges that the presence of the project may present for future (nationally significant) CCUS projects.

7.2 This includes compliance with an approved Monitoring Plan and an associated Corrective Measures Plans under a forthcoming Carbon Storage Permit, which commit the operator to repeated acquisition of various type of survey data to confirm the integrity of emplacement of the injected CO2. The presence of a wind farm may compromise established survey techniques and necessitate alternative technology that has not been used in the UK to date so presents regulatory uncertainty.

8. HRA Derogation Case – Compensation at Barrow Gas Terminal

8.1 Spirit cannot provide a location suitable for the project's 'Compensation Plan' due to near-term plans to utilise the former South Morecambe Terminal area for CCUS infrastructure. Should the Applicant require an HRA derogation case in respect of the protection of the Lesser Black-Backed Gulls, and therefore be obliged to secure related compensatory measures, an alternative site must be secured.

9. Protective Provisions

9.1 The protective provisions as proposed in Part 3, Schedule 3 of the dDCO are inadequate and do not serve to safeguard Spirit's assets and operations.

10. Objection

10.1 Spirit OBJECTS to the DCO application in its current form.