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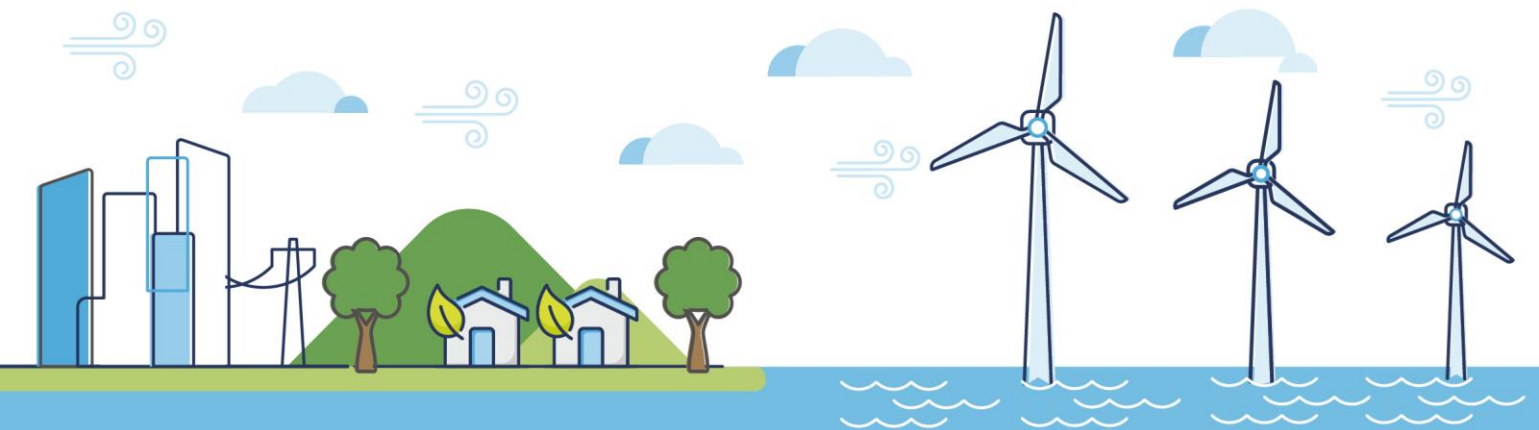
Morecambe Offshore Windfarm: Generation Assets Examination Documents

Volume 9

Draft Statement of Common Ground with Harbour Energy

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Glossary of Acronyms

AfL	Agreement for Lease
ATC	Air Traffic Control
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
IFR	Instrument Flight Rules
MCA	Maritime Coastguard Agency
MNEF	Marine Navigation Engagement Forum
MOD	Ministry of Defence
NPS	National Policy Statement
OSP	Offshore substation platform
PEIR	Preliminary Environmental Information Report
REWS	Radar Early Warning System
RR	Relevant Representation
SECEs	Safety and Environmentally Critical Element
SoCG	Statement of Common Ground
UK	United Kingdom
VFR	Visual Flight Rules
WTG	Wind turbine generator

Glossary of Units

km ²	square kilometre
MW	Megawatt
nm	nautical miles

Glossary of Terminology

Agreement for Lease (AfL)	Agreements under which seabed rights are awarded following the completion of The Crown Estate tender process.
Applicant	Morecambe Offshore Windfarm Ltd
Application	This refers to the Applicant's application for a Development Consent Order (DCO). An application consists of a series of documents and plans which are published on the Planning Inspectorate's (PINS) website.
Generation Assets (the Project)	Generation assets associated with the Morecambe Offshore Windfarm. This is infrastructure in connection with electricity production, namely the fixed foundation wind turbine generators (WTGs), inter-array cables, offshore substation platform(s) (OSP(s)) and possible platform link cables to connect OSP(s).
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.
Windfarm site	The area within which the WTGs, inter-array cables, OSP(s) and platform link cables would be present.



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1 Introduction

1.1 Overview of the Project

1. The Morecambe Offshore Windfarm is a proposed offshore windfarm located in the Eastern Irish Sea.
2. The 'Project' relates to the Generation Assets of the Morecambe Offshore Windfarm (including wind turbine generators (WTGs), inter-array cables, offshore substation platforms (OSP(s)), and possible platform link cables to connect OSP(s)).
3. A separate consent for the Transmission Assets associated with the Morecambe Offshore Windfarm and the Morgan Offshore Wind Project (another proposed windfarm to be located in the Irish Sea) is being sought.

1.2 Purpose of this document

4. This draft Statement of Common Ground (SoCG) has been prepared by Morecambe Offshore Windfarm Ltd ('the Applicant') with input from Chrysaor Resources (Irish Sea) Limited (a Harbour Energy plc group company) (hereafter referred to as Harbour Energy). This identifies topic areas where there is agreement, areas of disagreement, and areas which remain under discussion in relation to the Development Consent Order (DCO) application ('the Application') for the Morecambe Offshore Windfarm Generation Assets (hereafter 'the Project').
5. The need for a SoCG between the Applicant and Harbour Energy is set out in section 1 of Appendix G of the Rule 6 letter issued by the Planning Inspectorate on 23rd September. The SoCG will be updated during the Examination and submitted at the Deadlines indicated in the Rule 6 letter.
6. The Applicant has had regard to the Planning Act 2008: Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this draft SoCG.
7. Harbour Energy is the owner of the Calder gas field which is within 3.3nm of the proposed development.
8. This draft SoCG has been structured to reflect topics of the Application which are of interest to Harbour Energy.
9. Matters that are not yet agreed will be the subject of ongoing discussion ('In Discussion') between the Applicant and Harbour Energy to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.

10. Throughout the draft SOCG the phrase ‘Agreed’ identifies any point of agreement between the Applicant and Harbour Energy. The phrase ‘Not Agreed’ identifies any points not agreed between the Applicant and Harbour Energy.
11. **Table 1.1** lists topics and documents of the Application which are of key interest to Harbour Energy.

Table 1.1 Topics included in the draft SoCG

Topic/chapter	PINS reference
Draft DCO	APP-012
Chapter 14 Shipping and Navigation	APP-051
Chapter 17 Infrastructure and Other Users	APP-054

1.2.1 Consultation with the Harbour Energy

1.2.1.1 Pre-Application

12. The Applicant has engaged with Harbour Energy on the Project during the pre-application process, both in terms of informal non-statutory consultation and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008.
13. Harbour Energy provided comments on the PEIR on 2nd June 2022 as part of the statutory consultation process. The Applicant had regard to the comments and is presented in Volume 4 - Consultation Report Appendices Part 4 (I) (APP-019).
14. The Applicant had also engaged with shipping and navigation consultees in extensive regional consultation throughout the pre-application process via the Marine Navigation Engagement Forum (MNEF) and hazard workshops in co-ordination with the Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets. Further details of this topic and relevant consultation held to date can be found in the Consultation Report (APP-015).

1.2.1.2 Post-Application

15. Harbour Energy submitted a Relevant Representation (RR) (RR-027) in August 2024.
16. The Applicant is committed to ongoing post-application engagement with Harbour Energy. Following submission of the Application, regular meetings have been established with Harbour Energy. **Table 2.1** sets out the topics agreed, in discussion or not agreed with the Harbour Energy as informed by

the consultation and information exchanged between the Applicant and the Harbour Energy during the pre-application and examination phases of the Application.

1.2.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters

17. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or ‘in discussion’, the colour coding system set out in **Table 1.2** has been used.
18. Details on specific matters that are ‘Agreed’, ‘Not Agreed’ or ‘In Discussion’ are presented in **Table 2.1**.

Table 1.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters

Position status	Position colour coding
Agreed The matter is considered to be agreed between the parties.	Agreed
Not Agreed – no material impact The matter is not agreed between the parties; however, the outcome of the approach taken by either the Applicant or Harbour Energy is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG.	Not Agreed – no material impact
Not Agreed – material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or Harbour Energy is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed – material impact
In Discussion The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties	In Discussion

2 Statement of Common Ground

19. The Applicant and Harbour Energy have held frequent and constructive meetings together since the outset of the Project in August 2019. Spirit Energy Production UK Limited (‘Spirit Energy’) was also present at a number of these meetings.
20. Further detail of the consultation undertaken with Harbour Energy is provided in the Consultation Report (APP-015).

Table 2.1 Topics agreed, in discussion or not agreed with Harbour Energy

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
Project wide considerations				
HE 1	Consultation	The Applicant has undertaken frequent consultation with Harbour Energy on matters to date. Discussions have been constructive.	Harbour Energy agree.	Agreed
HE 2	Policy and planning	The Applicant has identified and considered the relevant National Policy Statements in relation to coexistence between offshore wind development and Harbour Energy as one of the other infrastructure and users.	Harbour Energy understands that the relevant National Policy Statements being referenced are EN-1 and EN-3.	Agreed
HE 3	Baseline environment	The Applicant has correctly identified Harbour Energy's assets in the East Irish Sea with the potential to be impacted by the Project.	Harbour Energy agree.	Agreed
Development Consent Order				
HE 4	Protective Provisions	The Applicant has included protective provisions in favour of Harbour Energy within the draft Development Consent Order (draft DCO) (APP-012). These secure the mitigation on which the Applicant's assessment of the impacts on Harbor Energy's operations is based, including	Harbour Energy has provided suggestions for inclusion within revised protective provisions in respect of marine access and mutually exclusive simultaneous operations to the Applicant and awaits the Applicant's comments thereon. Harbour Energy's suggestions in this respect are set out under the	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
		<p>providing for a 1.5nm buffer zone.</p> <p>The Applicant is drafting revised protective provisions in favour of Harbour Energy to be included in the next update of the draft DCO to be submitted at Deadline 2.</p>	<p>corresponding mitigating measures in Harbour Energy's Written Representation to be submitted at DL1.</p> <p>In respect of civil aviation however, the Applicant's protective provision in the draft DCO are insufficient to mitigate the impact on Harbour Energy's operations and discussion are at an early stage.</p>	
HE 5	Co-existence agreement	<p>The Applicant provided Harbour Energy with a draft co-existence agreement on 11 April 2024. Discussion of the principal terms is ongoing.</p>	<p>Discussion of the principle terms of the Co-existence agreement is ongoing..</p>	In Discussion
Civil Aviation				
HE 6	Helicopter Access Study	<p>The Applicant and Harbour Energy are engaging on the further analysis of effects on helicopter access for all Harbour Energy's current and future activities at the Calder Field.</p>	<p>Harbour Energy consider that the Applicant's Helicopter Access Study (APP-081) correctly identifies the proportion of times when met-ocean conditions in the available historic data indicate that flying is currently:</p> <ul style="list-style-type: none"> ▪ Not be possible ▪ Possible under Instrument Flight Rules (IFR) 	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
			<ul style="list-style-type: none"> ▪ Possible under Visual Flight Rules (VFR). <p>Harbour Energy's assessment of the distance needed to make an approach/landing and a take-off under VFR differ from that presented in the Applicant's Helicopter Access Study.</p> <p>In addition Harbour Energy considers that the Applicant's Helicopter Access Study makes a number of omissions when assessing the operational impact of the Project on helicopter operations in support of the Calder Field, which results in a significant difference in assessment of the impact of the Project. Harbour Energy's assessment as set out in detail in its Written Representation to be submitted at DL1.</p> <p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm its view in respect of aviation during the production phase of the Calder Field.</p>	

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
HE 7	Oil and gas operations, infrastructure and facilities	<p>The Applicant has assessed potential impacts on oil and gas assets including in relation to Civil Aviation as part of assessments as well as access studies within Environmental Statement (ES) Chapter 17 Infrastructure and Other Users (APP-054), Appendix 17.1 Helicopter Access Study (APP-081) which concluded that, following the implementation of additional mitigation measures, all residual effects across all phases of the Project were not significant.</p> <p>The Applicant is developing further additional mitigation measures in relation to impacts on Civil Aviation which will be secured as protective provisions in favour of Harbour Energy to be included in the next update of the draft DCO to be submitted at Deadline 2.</p>	<p>As noted against HE 6 above, Harbour Energy consider that the Applicant's Helicopter Access Study does not present a correct assessment and therefore the Applicant's assessment of impact on oil & gas assets, including Harbour Energy's Calder platform is incorrect.</p> <p>It is Harbour Energy's assessment that as currently proposed the Morecambe Generation Assets would threaten the viability of continuing production from the Calder Field during and following construction of the Morecambe Generation Assets and that there would be very significant economic losses during subsequent decommissioning.</p> <p>This will be set out in detail in Harbour Energy's Written Representation to be submitted at DL1.</p> <p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm its</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
			requirements in respect of aviation during the production phase of the Calder Field.	
HE 8	Operations of existing facilities	<p>The Applicant does not consider that in relation to Civil Aviation that the presence of the Project, taking account of mitigation secured in the draft Protective Provisions, would present a safety risk to the operation of Harbour Energy's assets in the East Irish Sea, or materially or adversely affect its future viability. As stated in the Applicant's response to Spirit Energy's RR (doc ref: TBC) (RR-077-25, RR-077-40), it is the Applicant's view that it is not credible that a short delay in flight access due to the presence of the Project will significantly adversely impact on the functioning of a Safety and Environmentally Critical Elements (SECE).</p> <p>The Applicant is developing further additional mitigation measures in relation to impacts on Civil Aviation which will be secured as protective provisions in favour of Harbour Energy to be included in the next update of the draft Development</p>	<p>To the extent that the Project will restrict civil aviation, Harbour Energy believes there will be a significant adverse impact on safety due to the inability to maintain SECEs. As set out in Spirit Energy's RR, Spirit Energy believes that the loss of flying opportunities is likely to prevent carrying out necessary maintenance and verification work on SECEs. In this eventuality, production from the Calder Field would have to be suspended. Thus, the presence of the Project could threaten the future viability of continuing production from the Calder Field.</p> <p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm its requirements in respect of aviation during the production phase of the Calder Field.</p> <p>Given there is a requirement to maintain SECEs following</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
		Consent Order to be submitted at Deadline 2. The Applicant is also committed to agreeing a Cooperation and Co-existence agreement and/or side agreement as appropriate to supplement protective provisions – see HE[5].	cessation of production until the Calder Field facilities are hydrocarbon free, such concern is also relevant post cessation of production, when Harbour Energy will be operator.	
Shipping and Navigation				
HE 9	Oil and gas operations, infrastructure and facilities	<p>The Applicant has assessed potential impacts on oil and gas assets including in relation to Shipping and Navigation as part of shipping and navigation assessments as well as access studies within ES Chapter 14 Shipping and Navigation (APP-051), and Navigation Risk Assessment (APP-073) which concluded that, following the implementation of additional mitigation measures, all residual effects across all phases of the Project were not significant.</p> <p>The Applicant and Harbour Energy are engaged in developing further additional mitigation measures in relation to impacts on Shipping and Navigation which will be secured as Protective Provisions in favour of Harbour</p>	<p>Harbour Energy is satisfied that, despite the impairment of the effectiveness of the Radar Early Warning System (REWS) at Morecambe South which currently provides early warning of potential vessel allision events with Calder, operations at the Calder Field during the decommissioning phase will not be at significantly greater risk of allision by passing vessels.</p> <p>Harbour Energy believes that, to prevent significant disruption to operations at the Calder Field during the decommissioning phase additional Protective Provisions are required as set out in Harbour Energy's Written Representation to be submitted at DL1.</p>	In discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
		<p>Energy to be included in the next update of the draft Development Consent Order to be submitted at Deadline 2. The Applicant is also committed to agreeing a Cooperation and Co-existence agreement and/or side agreement as appropriate to supplement protective provisions – see HE[5].</p>	<p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm its requirements in respect of shipping and navigation during the production phase of the Calder Field.</p>	
HE 10	Operations of existing facilities	<p>The Applicant does not consider that in relation to Shipping and Navigation that the presence of the Project, taking account of mitigation secured in the draft protective provisions, would present a safety risk to the operation of Harbour Energy's assets in the East Irish Sea, or materially or adversely affect its future viability.</p> <p>The Applicant and Harbour Energy are engaging on the drafting of revised protective provisions in favour of Harbour Energy in relation to the Shipping and Navigation aspects of the operation of the Calder Field. Revised protective provisions will be included in the next update of the draft DCO to be submitted at Deadline 2. The</p>	<p>Subject to securing appropriate protective provisions as set out in Harbour Energy's Written Representation to be submitted at Deadline 1, specifically in relation to shipping and navigation during the decommissioning phase, the Project, as proposed, would not significantly increase the marine safety risk to Harbour Energy's operations at the Calder Field.</p> <p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm its requirements in respect of shipping and navigation during the production phase of the Calder Field.</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
		Applicant is also committed to agreeing a Cooperation and Co-existence agreement and/or side agreement as appropriate to supplement protective provisions – see HE[5].		
Mutually Exclusive Simultaneous Operations				
HE 11	Simultaneous Operations	<p>The Applicant and Harbour Energy are engaging on the drafting of revised protective provisions in favour of Harbour Energy in relation to mutually exclusive simultaneous operations , to be included in the next update of the draft DCO to be submitted at Deadline 2.</p> <p>The Applicant agrees that suitable mitigations can be secured through revised protective provisions which will ensure that the presence of the Project will not present a safety risk to mutually exclusive simultaneous operations associated with Harbour Energy's Calder Field. The Applicant is also committed to agreeing a Cooperation and Co-existence agreement and/or side agreement as appropriate</p>	<p>Harbour Energy believes that, in order to prevent significant disruption and safety risk to mutually exclusive simultaneous operations at the Calder Field during the decommissioning phase, arrangements need to have been agreed regarding the conduct of such activities, for example diving, piling and seismic.</p> <p>This could most effectively be addressed by means of a Protective Provision as outlined in Harbour Energy's Written Representation at Deadline 1.</p> <p>As Spirit Energy operate the Calder field facilities during the production phase it would be for Spirit Energy to confirm their requirement in respect of mutually exclusive simultaneous</p>	In discussion

Topic/ ref.	Discussion point	Applicant's position	Harbour Energy position	Position summary
		to supplement Protective Provisions – see HE[5].	operations during the production phase of the Calder Field.	

3 Signatures

21. The above draft SoCG is agreed between Harbour Energy and the Applicant on the day specified below.

Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for and on behalf of Chrysaor Resources (Irish Sea) Limited	
Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for an on behalf of the Applicant	

4 References

DESNZ (2024) Overarching National Policy Statement for Energy (EN-1)

DESNZ (2024) Overarching National Policy Statement for Renewable Energy Infrastructure (EN-3)

Morecambe Offshore Windfarm Ltd (2024) Consultation Report (APP-015)

Morecambe Offshore Windfarm Ltd (2024) Draft DCO (APP-012)

Morecambe Offshore Windfarm Ltd (2024) Chapter 14 Shipping and Navigation (APP-051)

Morecambe Offshore Windfarm Ltd (2024) Appendix 14.1 Navigation Risk Assessment (APP-073)

Morecambe Offshore Windfarm Ltd (2024) Appendix 14.2 Cumulative Regional Navigation Risk Assessment (APP-074)

Morecambe Offshore Windfarm Ltd (2024) Chapter 17 Infrastructure and Other Users (APP-054)

Morecambe Offshore Windfarm Ltd (2024) Appendix 17.1 Helicopter Access Study (APP-081)

Morecambe Offshore Windfarm Ltd (2024) Appendix 17.2 Radar Early Warning System Technical Report (APP-082)