



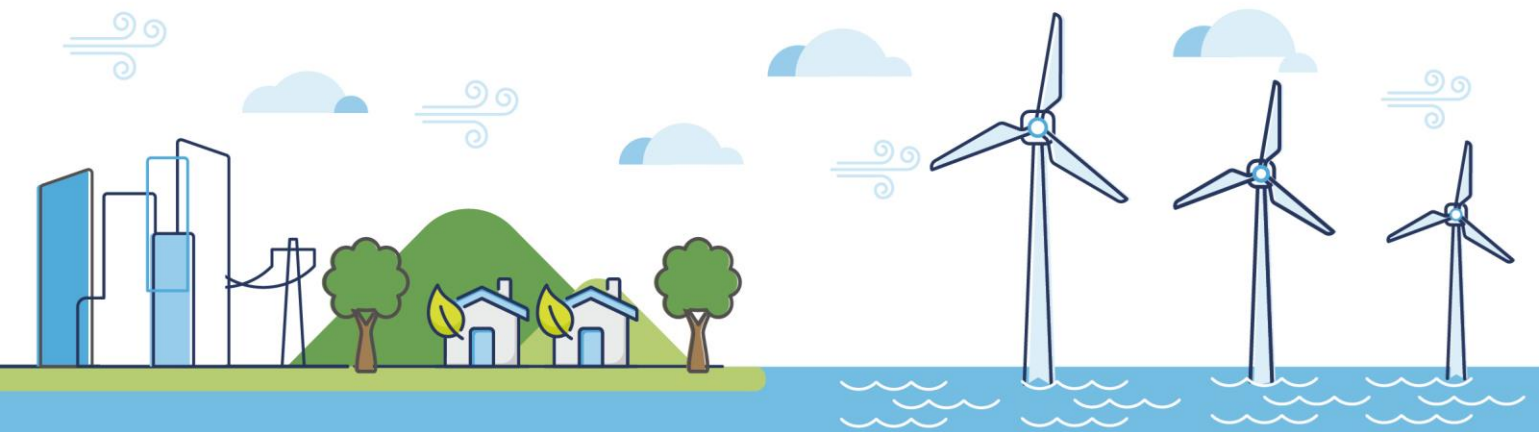
Morecambe Offshore Windfarm: Generation Assets Examination Documents

Volume 9

Update on Without Prejudice Compensation Measures

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Glossary of Acronyms

DCO	Development Consent Order
DML	Deemed Marine Licence
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExA	Examining Authority
HRA	Habitats Regulations Assessment
IPMP	In-Principle Monitoring Plan
KAMT	The Kenneth Allsop Memorial Trust
LBBG	Lesser black-backed gull
MRF	Marine Recovery Fund
NNR	National Nature Reserve
OSP	Offshore substation platform
RIAA	Report to Inform Appropriate Assessment
RSPB	Royal Society for the Protection of Birds
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
UK	United Kingdom
WTG	Wind turbine generator

Glossary of Unit Terms

ha	hectares
km	kilometre
kV	kilovolt
m	metre

Glossary of Terminology

Applicant	Morecambe Offshore Windfarm Ltd
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).
Inter-array cables	Cables which link the WTGs to each other and the OSP(s).
Morgan and Morecambe Offshore Wind Farms: Transmission Assets	The transmission assets for the Morgan Offshore Wind Project and the Morecambe Offshore Windfarm. This includes the offshore export cables, landfall site, onshore export cables, onshore substations, 400kV cables and associated grid connection infrastructure such as circuit breaker infrastructure. Also referred to in this document as the Transmission Assets, for ease of reading.
Offshore substation platform(s)	A fixed structure located within the windfarm site, containing electrical equipment to aggregate the power from the WTGs and convert it into a more suitable form for export to shore.
Platform link cable	An electrical cable which links one or more OSP(s).
Windfarm site	The area within which the WTGs, inter-array cables, OSP(s) and platform link cables will be present.



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1 Introduction

1.1 Purpose of this document

1. The purpose of this document is to provide an update on the progress on potential compensation measures required for the Morecambe Offshore Windfarm Generation Assets (the Project).
2. The Applicant submitted its Report to Inform Appropriate Assessment (RIAA) (APP-027), which identifies no adverse effect on the integrity of any designated site. It is noted that Natural England in their Relevant Representation (RR-061) does not agree that it can conclude that there is no adverse effect on integrity on the following designated sites:
 - Ribble and Alt Estuaries SPA and Ramsar site
 - Morecambe Bay and Duddon Estuary SPA and Ramsar site
 - Liverpool Bay /Bae Lerpwl Special Protection Area (SPA).
3. Within this document the Applicant has provided further details on their position around each of these designated sites and the progression of compensation measures since the submission of the DCO Application in May 2024. The Applicant is willing to update this document at appropriate deadlines during Examination as requested. This is to assure the Examining Authority (ExA) and key stakeholders of the progress that is being made with respect to compensation.

1.2 Position on compensation

1.2.1 Ribble and Alt Estuaries SPA and Ramsar site and Morecambe Bay and Duddon Estuary SPA and Ramsar site

4. The Applicant maintains the position that there would be no adverse effects in relation to the breeding Lesser Black-Backed Gull (LBBG) (*Larus fuscus*) feature of Morecambe Bay and Duddon Estuary SPA and Ramsar site and the breeding LBBG feature of the Ribble and Alt Estuaries SPA and Ramsar site. The Applicant provided a 'without prejudice' derogation case and compensation options within the DCO Application (APP-029 and APP-030) and progress has been made on compensation options since the submission of the DCO Application. As such, this document provides an update at Deadline 1 on the progress made on the proposed compensatory measures in respect of the LBBG feature of the Morecambe Bay and Duddon Estuary SPA and Ramsar site and the LBBG feature of the Ribble and Alt Estuaries SPA and Ramsar site. The proposed compensatory measures have been developed on a without prejudice basis in the event that compensation is required for LBBG as part of the DCO.

5. The potential compensatory measures are outlined in the Habitats Regulations Assessment Without Prejudice Derogation Case (APP-029) and its appendices and annexes. These form part of a set of documents that support the Development Consent Order (DCO) application submitted by Morecambe Offshore Windfarm Ltd (the Applicant) for the Project.
6. This document does not provide any further assessment to support the conclusions of the RIAA, which concludes for the breeding LBBG feature of the Morecambe Bay and Duddon Estuary SPA and Ramsar site and the Ribble and Alt Estuaries SPA and Ramsar site that there would be no adverse effect on site integrity for the Project-alone and that the Project is below the threshold that would make any measurable contribution to in-combination values. Further assessment to support this can be found in the following documents:
 - RIAA (APP-027), submitted as part of the Applicant's DCO Application submission
 - Offshore Ornithology Technical Note 2 (Habitat Regulations Assessment (HRA)) (Document Reference 9.23, submitted at Deadline 1)
7. This document sets out a summary of the site selection development process, position on each option considered and where relevant (i.e. where options have been progressed) further detail on the proposed measure. In relation to the proposed compensation measures for LBBG, this document provides information on:
 - Additional stakeholder consultation that has been undertaken
 - Land agreement updates
 - Engineering design
 - Planning, licences and consents
 - Delivery programme.
8. This document aims to collate all the information relevant to the Applicant's potential compensatory measures for LBBG that has become available and progress that has been made on these measures since the submission of the DCO Application, with signposting to other Deadline 1 submissions where further information has been provided.
9. **Table 1.1** presents a list of key documents relevant to compensatory matters submitted as part of the DCO application in relation to LBBG.

Table 1.1 Relevant derogation and compensation documents for LBBG

Topic/chapter	Revision No.	Document references
Report to Inform Appropriate Assessment (RIAA)	Rev 2	(APP-027, Rev 1) (Rev 2 submitted at Deadline 1)
Habitats Regulations Assessment Without Prejudice Derogation Case	Rev 1	APP-029
Outline Compensation Implementation and Monitoring Plan	Rev 1	APP-030
Draft DCO and DML	Rev 2	PD1-002
Offshore Ornithology Technical Note 2 (HRA) (submitted at Deadline 1)	Rev 1	Document Reference 9.23

1.2.2 Liverpool Bay /Bae Lerpwl Special Protection Area (SPA)

10. The Applicant has provided further information to support its conclusions of no adverse effect on integrity in regard to Liverpool Bay /Bae Lerpwl SPA at Deadline 1 (Document Reference 9.24). Any need for the development or submission of information around compensation for this SPA would be considered following Natural England’s response to the Applicant’s Deadline 1 submission. Given the strong case presented by the Applicant that it is considered there is no adverse effect on site integrity, no further update on Liverpool Bay /Bae Lerpwl SPA is presented in this document. Regardless, the Applicant is developing potential compensation options for Red-Throated Diver should these be required.
11. The Applicant has also provided response in their Response to Relevant Representations at Procedural Deadline A (PD1-011) to comments raised by the RSPB on species and sites they have referred to in their RR (RR-073), for which the Applicant maintains there are no adverse effects on site integrity.

2 Stakeholder Consultation

12. The proposed compensatory measures for LBBG were developed in consultation with stakeholders including Natural England, the RSPB and the Kenneth Allsop Memorial Trust (KAMT) (for one of the options). Full details of pre-application consultation in relation to LBBG are provided in the Consultation Report (APP-015) and Appendices to the Consultation Report (APP-016 to APP-019).
13. Regular meetings have continued with the relevant statutory and non-statutory consultees in relation to LBBG, including discussions with contractors who would undertake the proposed works. Further details summarising post-DCO Application submission consultation activities in relation to LBBG have been provided in **Sections 3.2.1 and 3.3.1**.

3 Project-Led Without Prejudice LBBG Compensatory Measures Update

14. The following sections provide an update on the Applicant's progress in relation to developing the key Project-led potential compensatory measures for LBBG. Supporting evidence has been included as appendices to this document.

3.1 Site Selection update

15. An evaluation of potential compensation sites was undertaken as part of the development of the potential compensatory measures for LBBG. This identified the following four sites considered suitable for compensatory measures (in addition to strategic compensation) at the time of submission of the DCO application:

- Barrow Gas Terminal
- Lagoon complex and fencing at South Walney (3 areas)
- Banks Marsh
- Steep Holm island

16. An update on each potential location/measure is provided in the following sub-sections.

3.1.1 Barrow Gas Terminal

17. Barrow Gas Terminal is considered to have a medium likelihood of LBBG presence; high likelihood that mammal predation or lack of suitable breeding habitat is the key factor limiting breeding success; and medium likelihood that the site can be used for compensation.
18. At the time of the Application, a compensation option was presented for predator exclusion fencing on land at Barrow Gas Terminal where LBBG had formerly nested. Mammal predation was noted to be a recent impediment to gull nesting success at this location.
19. Barrow Gas Terminal is owned by Spirit Energy, who submitted a relevant representation (RR-077) to the Planning Inspectorate on 19 August 2024. Spirit Energy advised that they cannot provide the Project with a location suitable for LBBG compensation due to future plans to utilise the former South Morecambe Terminal area.
20. The Applicant is not, therefore, progressing any further with the Barrow Gas Terminal predator exclusion fence compensation option (RR-077-87).

3.1.2 Lagoon complex and fencing at South Walney

21. The South Walney lagoon complex and fencing at the spit and gull meadow (3 areas) are considered to have a high likelihood of LBBG presence; high likelihood that mammal predation or lack of suitable breeding habitat is the key factor limiting breeding success; and medium likelihood that the site can be used for compensation. Given existing fencing at South Walney, and progression on the megafence and Steep Holm options below, those measures are being progressed ahead of the Lagoon complex and fencing schemes at South Walney. The option remains to further explore potential works if required.

3.1.3 Banks Marsh (megafence)

22. Banks Marsh (megafence) enclosure was noted by the Applicant within the DCO Application to have a high likelihood of LBBG presence; medium likelihood that mammal predation or lack of suitable breeding habitat is the key factor limiting breeding success; and medium likelihood that the site can be used for compensation. Further information provided by an RSPB feasibility report, summarised in this report, suggests that there is a high likelihood the site can be used for compensation.
23. The proposed area for the megafence enclosure encompasses approximately 1750 hectares (ha) of land on the south bank of the River Ribble estuary. This is identified as having the potential for predator exclusion, and includes a substantial area of the Ribble Estuary National Nature Reserve (NNR), including both Banks Marsh saltmarsh (owned by Natural England) and Hesketh Out Marsh (owned by RSPB), and incorporates an area of managed realignment saltmarsh. The RSPB and Natural England work in partnership to manage the two sites under a management agreement with the Environment Agency, who are responsible for the flood defence assets.
24. The megafence proposal has been developed following a series of meetings and site visits since the publication of the most recent management plans but is aligned with the existing conservation objectives for the Ribble NNR, Site of Special Scientific Interest (SSSI) and SPA. Whilst plans for the work have been progressing, landowner funding has not been available to construct and maintain the fence as a management option. The site was proposed as an improvement measure by the RSPB and Natural England and has only progressed to this stage following on-going discussions with outside parties to secure funding.
25. Discussions have been continuing with Natural England and the RSPB on the Ribble megafence site improvement option (see **Section 3.2.1** below). Funding discussions are progressing on the basis that contributions by a number of parties could be made to finance the overall megafence scheme,

given the fencing improvement would provide substantially more compensation than potentially required for the Project.

26. The proposal builds on local trial works which have provided evidence of the effectiveness of excluding mammalian predators using in-water fences at Hesketh Out Marsh and is in response to repeated failures of the Banks Marsh large gull colony with evidence of predation being a significant factor in this. A 1.7km in-ditch barrier fence was constructed by the landowners (RSPB) on Hesketh Out Marsh East in Autumn 2021 to trial predator exclusion on breeding wader productivity. The fence provided 16ha of protected habitat with three lagoons and raised shingle/shelled areas for avocet, ringed and little ringed plover and terns to nest. In Autumn 2022, the landowners enclosed two smaller predator exclusion areas at Hesketh West, creating 1.9ha and 0.4ha of protected areas. The following 2022 and 2023 breeding seasons were very successful. Both years had over 40 pairs within the fenced area with productively reaching 1.55 chicks per pair in 2023, well above the 0.7 target needed to sustain the population.
27. Construction of the new megafence is planned over two phases, which include removal of existing stock fencing as the new fencing is installed. The proposed fence has an expected functional lifespan of 40 years, however due to the tidal location, presence of cattle and the public, some degree of damage and subsequent repair and maintenance is expected.
28. Land ownership has been identified as shared between Natural England, the RSPB and the Environment Agency. The necessary consents and permits for the works are in preparation and will be obtained by the RSPB and Natural England. Permission has been obtained from the relevant landowners for works within their jurisdiction (see **Appendix A – Evidence of Banks Marsh landowner permissions**). The Environment Agency has provided email permission to the RSPB and Natural England for the works covering their interests.

3.1.4 Steep Holm island

29. Steep Holm is considered to have a high likelihood of LBBG presence; high likelihood that mammal predation or lack of suitable breeding habitat is the key factor limiting breeding success; and high likelihood that the site can be used for compensation. The Applicant's approach has been informed by feedback from KAMT (the landowner of Steep Holm) and Natural England as well as a site visit by the Applicant.
30. Microsoft Teams meetings have been held between the Applicant, KAMT and Natural England on regular occasions since the DCO Application was submitted, as detailed in **Section 3.3.1**. The land is owned by the KAMT, and SSSI consent will be required from Natural England for the clearance works

(Section 3.3.4). The SSSI consent has been discussed with Natural England and considered to be straightforward. A trial clearance (to provide further information for costing purposes) was arranged with the contractors recommended for the main scrub clearance works, with methodology and location agreed between parties via the Teams meetings and email correspondence. Poor weather conditions over Autumn 2024 have so far delayed the trial, however a successful site visit to the island took place on 1 November 2024.

31. The site visit provided an opportunity for the Applicant's ornithology experts to further evidence the areas where gulls are currently nesting and identify appropriate areas which could be cleared to increase nesting habitat. Maintenance plans were discussed for cleared areas, together with provision of equipment, transport and storage, and development of appropriate facilities within existing buildings on Steep Holm for contractor staff welfare.
32. The Severnside Ringing Group have been in discussion with the Applicant regarding gull monitoring to evaluate the success of the proposed compensation measure. Drone surveys have been proposed by KAMT to survey vegetation and potentially nesting gulls, using thermal cameras. Potential contractors have been contacted to further discuss the planned methodology and timetable for the surveys.
33. The Applicant is preparing Terms of Reference for the establishment of the Steep Holm Lesser Black backed Gull Compensation Steering Group. The scrub clearance methodology and location are to be approved by the Group for baseline survey works planned to commence in 2025. Further discussions are anticipated between the Applicant, KAMT, Natural England and survey contractors to develop the scrub clearance proposals and associated works, following baseline surveys of existing habitat and nesting gull populations in the first half of 2025.

3.1.5 Summary

34. The Applicant has focused its development of compensatory measures for LBBG on those which have good stakeholder support, strong ecological evidence, and the highest chance of successfully delivering the required scale of compensation. The Applicant has made substantial progress with the proposals since the submission of the DCO Application. This progress has led to the identification and further development of two preferred compensation measures for LBBG:
 - Banks Marsh (megafence)
 - Steep Holm
35. Landowner permissions have been obtained for works at both of these locations (**Appendix A – Evidence of Banks Marsh landowner**

permissions and APP-029). Both schemes are on track to commence in 2025, subject to contractual agreements between the Applicant and relevant parties being finalised. This is in line with the Applicant’s Habitats Regulations Assessment Without Prejudice Derogation Case (APP-029), noting compensation measures to boost LBBG breeding success may need to be in place to compensate for adult birds four years prior to windfarm operation.

- 36. Other consents have also been considered and are mostly in place for the Banks Marsh (megafence), with a detailed feasibility study also drafted by the RSPB.
- 37. Consents for Steep Holm can easily be obtained for works on the island as explained in **Section 3.3.4** below. Planning for vegetation and nesting gulls baseline surveys at Steep Holm is also advancing and a scrub clearance location and methodology have been discussed.
- 38. A summary of the options and status of each of the Applicant led options is provided in **Table 3.1** below.

Table 3.1 'Without Prejudice' LBBG Compensation Measures summary

Site	Progress	Status
Barrow gas terminal	Confirmed with land owner this could not be progressed at this time	Discounted and not taken further
Banks Marsh (megafence)	Consultation ongoing as the project is developing	Ongoing discussions and substantial details of the scheme provided
Steep Holm	Ongoing discussion, site visit undertaken and methodologies being developed	Significant development and progress made by the Applicant
South Walney (3 sites)	No further discussion or progress made at this time	Not developed further at this stage but remains and option to be explored if appropriate

3.2 Banks Marsh (megafence) progression

3.2.1 Stakeholder Engagement

- 39. Following the submission of the DCO Application, the Applicant has continued discussions with the key stakeholders in order to develop the without prejudice proposed compensatory measures for LBBG at Banks Marsh as detailed in **Table 3.2**. The Project is working on this measure on the basis that the Applicant could contribute to the cost of the fence construction.

Table 3.2 Post-submission programme of stakeholder engagement for Banks Marsh compensation measure (ordered chronologically by commencement date).

Date	Consultee(s)	Format	Details
25 September 2024	Natural England, RSPB	Microsoft Teams	Discussions on land ownership, funding mechanisms and feasibility report.
7 November 2024	Natural England, RSPB	Microsoft Teams	Discussions on feasibility report, potential monitoring and construction programme.

40. On-going fence maintenance costs and the seabird monitoring requirements for a compensation scheme are the subject of continuing discussions. There is an existing data source of historic ornithology monitoring for the Ribble and Alt Estuaries SPA and an on-going bird monitoring programme. Specific monitoring proposals to assess the success of compensation measures are to be developed in consultation with the RSPB and Natural England. Every effort will be made for the data to be shared and to add value where possible to existing research programmes at the site.
41. The Applicant expects to undertake the following activities in the future to support the development of without prejudice proposed compensatory measures for LBBG:
- Further engagement with relevant statutory bodies and landowners (including Natural England and the RSPB)
 - Further engagement with relevant key stakeholders (including Natural England and RSPB)
42. Stakeholder engagement has been carried out by Natural England and the RSPB in advance of the construction of the fence. Partner organisations with an interest in management of the Ribble NNR have been contacted by the RSPB regarding the proposals, as reported in their draft feasibility study. Local authorities including Sefton Council and West Lancashire Council have been contacted regarding the fence, with the latter happy in principle with the scheme subject to detailed gate works. Initial engagement with farmers who graze the proposed megafence enclosure has been undertaken and wider public engagement will be integrated into the existing RSPB Ribble Reserves public engagement operations.

3.2.2 Land Agreements

43. The works form part of improvement plans put forward by the RSPB and Natural England, working in partnership as the primary owners of the site. The Environment Agency have given their email approval for the works, following a site visit on 23 July 2024 where detailed design was agreed.

3.2.3 Engineering Design

3.2.3.1 Description of measure

44. The scheme involves the construction of a circa 9.7km long permanent predator exclusion fence along the boundary of Banks Marsh NNR and Hesketh Out-Marsh, effectively creating an approximately 1750ha mammalian predator (fox and badger) exclusion zone between the Crossens channel and River Douglas channel south of the Ribble estuary. The fence will be a 'barrier' type predator exclusion fence and built to RSPB specification.

3.2.3.2 Exclusion fence specification

45. Fence specification has been drafted by the RSPB following discussions with Natural England, the Environment Agency and RSPB Ecology teams and is informed by the RSPB Predator exclusion fencing handbook (see Plate 3.1 and **Plate 3.2**, from the RSPB draft Feasibility Study). Local contractors have been consulted to discuss installation and site-specific considerations.

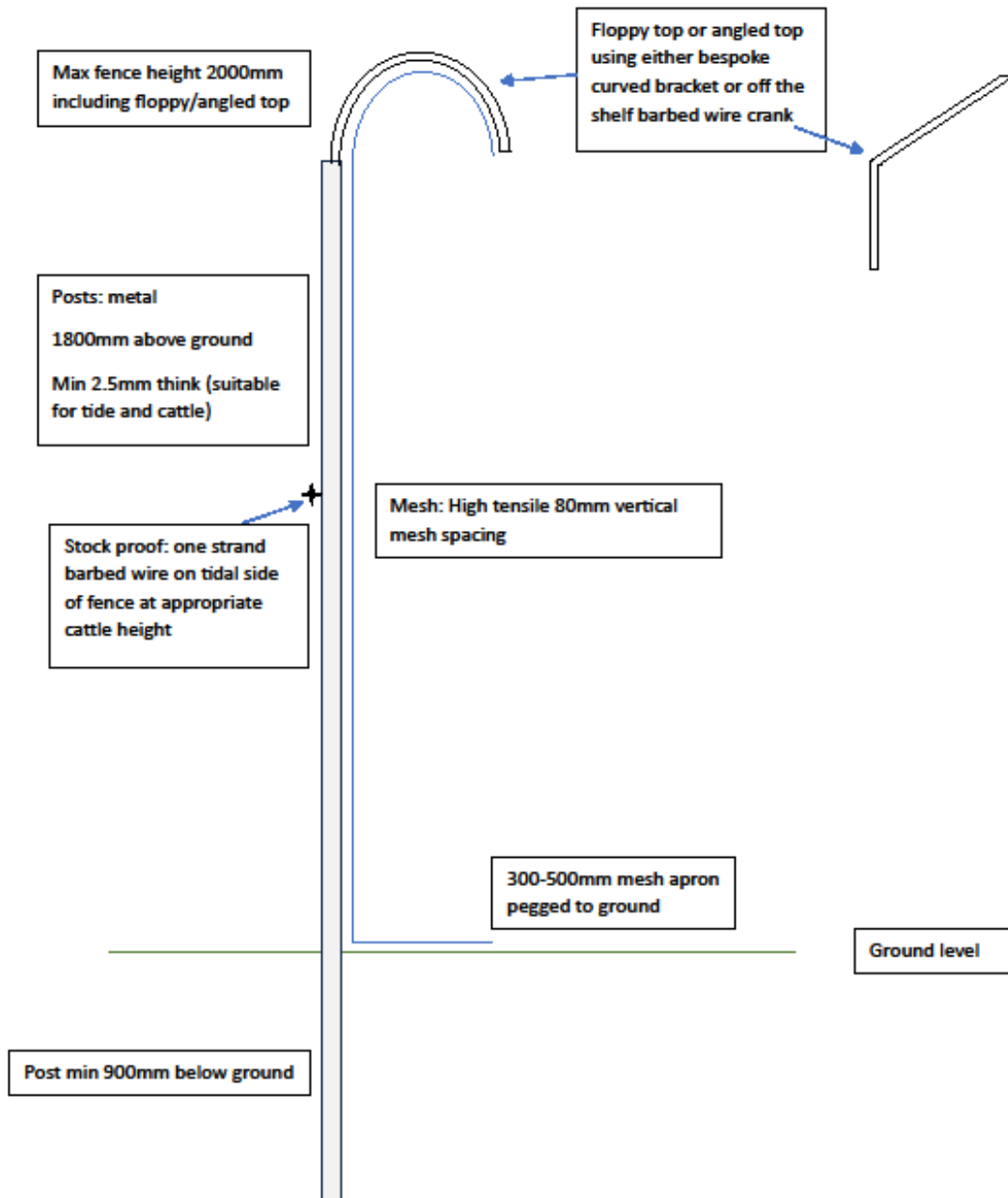


Plate 3.1 Exclusion fence specification (Source: RSPB)



Barrier Fence, RSPB Wallesea



Barrier fence, RSPB Bowers Marsh

*Plate 3.2 Examples of similar fences showing curved floppy top and or metal posts
(Source: RSPB Wallesea- R. Fancy and RSPB Bowers Marsh - S. Roach.)*

3.2.4 Planning, Licences and Consents

46. For the majority of its length, the predator exclusion fence will directly replace existing post and wire stock fencing. The final fence will be less than 2m tall (including overhanging section) and in appearance very similar to other fencing found on the Ribble estuary, notably the BAE Warton perimeter fence and the landfill perimeter fence on the north sides of the river (see **Plate 3.2**).
47. The fence falls within The Town and Country Planning (General Permitted Development) (England) Order 2015, being that it is required for management of cattle grazing on the marsh. It is considered materially similar enough to a stock fence that no formal planning permission is required from the local planning authority.
48. The works are likely to fall within Environmental Permit regulations, notably under flood risk activities in that works are required on and within 16m of an engineered sea defence. Standard rules permits are not applicable for the megafence and a flood risk activity environmental permit application will need to be made to Environment Agency.
49. For the majority of the route, and notably in areas where the fence crosses the embankment, it will be replacing existing fences, gates and access infrastructure. As the works are unintrusive and are considered to be materially similar to the like-for-like replacement of the existing fence, it is expected the permit process will be straightforward.
50. Local Environment Agency staff have been informally consulted on the outline proposals and have not raised any issues. Detailed design of the fence has been agreed following a site visit with Environment Agency staff on 23 July 2024.

3.2.4.1 SSSI Consent

51. The construction of a predator exclusion fence requires SSSI consent from Natural England in that it is related or pertaining to:

Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables, above or below ground.
52. Natural England have been involved in detailed discussions regarding the megafence throughout planning and development stages. The megafence requires SSSI Assent from Natural England along several sections of its length, this will be provided through the Natural England National Nature Reserve Management planning process.

3.2.4.2 Habitats Regulations Assessment

53. A Habitats Regulations Assessment has been completed and approved by Natural England for construction of the megafence. No detrimental impacts or pathways for potential impacts to protected site features were identified. Control measures have been defined which are to be followed during the construction phase as part of this process.

3.2.4.3 Landscape and Visual Impact

54. Due to the fence constituting permitted development there is no formal requirement to conduct a full landscape and visual impact assessment. However, landscape appeal and visual impact has been a consideration throughout the design process for the exclusion fence, as detailed in the draft RSPB feasibility study.

3.2.4.4 Flood Risk Assessment

55. Flood risk considerations will form part of the required environmental permit. The fence will not prevent, retain or otherwise obstruct the flow of water across site so the draft feasibility study deemed there not to be any increased flood risk associated with its installation.

3.2.5 Delivery Programme

3.2.5.1 Phase details

56. The works are planned to be delivered in two phases, commencing in 2025 subject to funding being secured. Phase 1 includes fence construction works between Crossens corner to Old Hollows Marsh and from Old Hollows to Hundred End Gutter / Hesketh Out Marsh West, which would take place in between July and March. Fence construction at Old Hollows Marsh, yard, and cattle pens would be carried out between August and October.
57. All remaining works from Crossens channel to Crossens corner, Hesketh Out Marsh East and the River Douglas and Hesketh Out Marsh West to Hesketh Out Marsh East would be completed in Phase 2, between August and October (**Table 3.3**).

Table 3.3 Installation programme for Banks Marsh megafence (Source: RSPB)

Construction Phase	Section	Seaward/landward side of embankment	Distance (approx. in metres)	Duration (estimated)	Timing
Phase 1 (NE)	2. Crossens corner to Old Hollows Marsh	Landward	905	10 days	July – March (i.e. not during spring due to hedges) August - October
Phase 1 (NE)	3. Old Hollows Marsh, yard, and cattle pens	Landward	1010	10 days	
Phase 1 (NE)	4. Old Hollows to Hundred End Gutter / Hesketh Out Marsh West	Landward	2180	25 days	July – March
Phase 2 (NE)	1. Crossens channel to Crossens corner	Seaward	1330	15 days	August - October
Phase 2 (RSPB)	5. Hesketh Out Marsh West to Hesketh Out Marsh East	Seaward	2156	25 days	August - October
Phase 2 (RSPB)	6. Hesketh Out Marsh East and River Douglas	Seaward	2125	25 days	August - October
TOTAL			9706	110 Days	

3.2.5.2 Ongoing maintenance schedule

58. Once complete, the fence will require ongoing monitoring and maintenance. The all-steel design specified above is far more robust than conventional stock fencing and overall has a lower maintenance burden in terms of staff resource. Monitoring outputs (fence checks, predation and breeding birds) will be reported in the reserve annual report.
59. Fence condition checks, breeding bird monitoring and predator monitoring would take place on a regular basis, with the latter two focused between March and August to cover the breeding season. The fence as designed has an expected functional lifespan of 40 years. However, due to the tidal location, presence of cattle and public some degree of damage is expected and regular fence checks would identify areas where remedial repairs are required.

3.3 Steep Holm progression

3.3.1 Stakeholder Engagement

60. Following the submission of the DCO application, the Applicant has continued discussions with the key stakeholders in order to develop the without prejudice proposed compensatory measures for LBBG (as detailed in **Table 3.4**).

Table 3.4 Post-submission programme of stakeholder engagement for Steep Holm compensation measure (ordered chronologically by commencement date).

Date	Consultee(s)	Format	Details
4 June 2024	Kenneth Allsop Memorial Trust (KAMT), Natural England	Microsoft Teams	Discussions on DCO documents submitted, project update. Data sources for historic survey reports.
2 July 2024	KAMT, Natural England	Microsoft Teams	Detailed discussion on compensation proposal requirements, health and safety and ecological considerations
18 July 2024	KAMT, Natural England	Microsoft Teams	Site visit planning, discussion of potential contractors and monitoring methods
13 August 2024	KAMT, Natural England	Microsoft Teams	Site visit planning, detailed contractor discussions, monitoring group updates.
3 September 2024	KAMT, Natural England, Green Mantle	Microsoft Teams	Introduction to NE approved scrub clearance contractors, discussion on health and safety considerations for island access and works.
11 October 2024	KAMT, Natural England	Microsoft Teams	Site visit planning and agreement of methodology for planned trial works
15 October 2024	KAMT, Natural England, Green Mantle	Microsoft Teams	Steep Holm trial methodology run through with scrub clearance contractors
1 November 2024	KAMT, Natural England, Bay Island Voyages	Steep Holm site visit	Site clearance areas, health and safety issues, welfare facility requirements. Identifying current nesting areas and public access routes.
5 November 2024	KAMT, Natural England, Green Mantle	Microsoft Teams	Allocation of responsibilities and timescales for quotes for various elements of the works.

61. The Applicant expects to undertake the following activities in the future to support the development of without prejudice proposed compensatory measures for LBBG at Steep Holm:
- Further engagement with relevant statutory bodies and landowners (including KAMT for Steep Holm)
 - Further engagement with relevant key stakeholders (i.e. Natural England, KAMT volunteers and RSPB)
 - Contracting of survey and scrub clearance workers, i.e. Severnside Ringing Group, drone surveyors and Green Mantle; and
 - Establishment of the Steep Holm LBBG Compensation Steering Group to take forward survey and scrub clearance work.
62. Regular Microsoft Teams meetings are on-going with KAMT, Natural England and contractors to further develop the compensation measure.

3.3.2 Land Agreements

63. Steep Holm is owned and managed by KAMT. The Applicant can confirm that they are working together with KAMT and Natural England to develop the proposals and plans for the works are progressing positively. A letter from KAMT supporting the Project's habitat management measure to enhance the habitat for breeding lesser black-backed gulls on KAMT's land at Steep Holm Island is available in Appendix 3 of Habitats Regulations Assessment Without Prejudice Derogation Case (APP-029).
64. KAMT agrees that scrub clearance is needed on the island and supports the measures to create additional gull habitat on the plateau at the top of the island. Gulls are currently nesting near to footpaths and on the roofs of historic buildings and can sometimes become problematic for day visitors. The plateau is known to have supported high populations of gulls in the past and is located away from the main footpaths and many of the historic buildings on Steep Holm (see **Plate 3.3**).

3.3.3 Engineering Design

65. A methodology has been agreed for trial clearance works around a ruined farmhouse on the island. Green Mantle, the scrub clearance contractors, had planned to take a workforce over to conduct a trial clearance of a set area of scrub to help determine the potential number of days required for the full works in 2025. Poor weather conditions in Autumn 2024 meant that the trial was cancelled, however following the site visit in November 2024 and a report back to Green Mantle, a quote is to be provided based on previous similar works and a full methodology for the 2025 clearance works is being developed as detailed below.

66. A Health and Safety inspection of Steep Holm was carried out by the Applicant's HSE Manager on the site visit (**Appendix B – HSE Site Inspection Report: Steep Holm**). This identified additional facilities to be provided to enable overnight stays by the contractors, which would also benefit volunteers from the Trust who stay overnight on occasion for extended periods. Detailed engineering design for the new facilities is planned to follow in 2025.
67. Baseline surveys will be required to build on existing data available. Discussions are on-going with drone survey contractors and a detailed methodology for vegetation surveys will be agreed in advance with the Compensation Steering Group. The Applicant will liaise with Natural England to agree methodologies for gull ringing, nesting success and productivity surveys and apparently occupied nest surveys. The feasibility of using thermal drones to count birds, supported by ground-truthing, is also being explored.
68. Vegetated areas close to existing footpaths at the top of the island have been identified as suitable locations for scrub clearance, with exact areas to be agreed in a works methodology (**Plate 3.3**). The scrub itself, as confirmed on the site visit, largely consists of bramble, privet and elder. Some existing machinery on the island can be used to clear the scrub, with other specialist equipment to be provided by the clearance contractors.
69. Detailed methodologies are being developed for the scrub clearance, including information obtained from the site visit. Some elder shrubs are proposed to be left as shelter for the gulls, which prefer a variety of habitat in their nesting sites. Currently cleared areas at the top of the plateau are to be maintained on an annual or biannual basis and the resultant green waste is to be chipped or cut and stacked for use as habitat piles or on the existing footpaths (see **Plate 3.3**). Herbicide clearance of the fast-growing Alexanders on site is also under consideration.
70. Further work has been undertaken, reinforced by the site visit, to support the Applicant's position that the area available for scrub clearance is vastly larger than that which could be potentially required for compensation.



Plate 3.3 Steep Holm island

3.3.4 Planning, Licences and Consents

71. Due to Steep Holm's designation as a SSSI, consent is required from Natural England for any proposed operation or management change on land. This is to be progressed in consultation with Natural England, who have confirmed in a meeting that consent would not present a difficulty. SSSI Consent has already been obtained for the trial works and will be sought from Natural England by KAMT for the planned scrub clearance works in Autumn 2025.
72. No further consents are required.

3.3.5 Delivery Programme

73. Works are being progressed for the compensation measures to be in place for planned operation of the Project, accounting for the time period for juvenile LBBG to have fledged into adults prior to the anticipated start of operation. On-going maintenance of cleared areas and annual gull monitoring work will continue after the initial scrub has been cleared.
74. A programme of works has been developed for baseline survey collection in the first half of 2025. Costs for the different elements of work in 2025 are being amalgamated to form a proposal for the works. Scrub clearance works are planned take place over Autumn 2025, with the aim to have works complete before the end of the public boat timetable in October 2025. The proposed programme of works is as follows:
 - **January to end March 2025** – Baseline vegetation survey by drone using specialist contractors. This is the planned window for works,

however there is some contingency here since vegetation needs to be surveyed prior to clearance works planned for Autumn 2025.

- **Late March to June 2025** – Gull nesting period. Ringing surveys, Apparently Occupied Nest surveys. Baseline gull surveys (following on from Natural England’s dataset from previous years), with thermal drone surveys being explored together with ground truthing.
- **Autumn 2025** – scrub clearance works.

3.4 Strategic & Collaborative Compensation Update

75. The Energy Act 2023 includes provision for the Secretary of State to create a Marine Recovery Fund (MRF) to help deliver compensation measures at a strategic level across multiple projects. The Applicant will continue to monitor the progress of strategic measures should this become an available option for the Project.
76. A contribution to the MRF may be considered as an alternative to a Project-led compensation measure if it is considered that there is a mechanism by which strategic compensation can be delivered. Defra’s intention to introduce legislation to enable the establishment of the MRF and the recent consent award for Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects should give decision-makers confidence that a strategic solution can be relied upon by the Secretary of State in their decision to grant the Project’s development consent.
77. Since the submission of the DCO Application, the Applicant has:
 - Monitored emerging policy and legislative developments in relation to the MRF
 - Continued to engage with relevant authorities to understand timescales for the emergence of a suitable delivery mechanism for strategic compensation
 - Continued to discuss strategic measures with Natural England and the RSPB
 - Continued to participate in the Offshore Wind Industry Council’s Derogation Subgroup and delivery groups for specific Strategic Ecological Compensation Studies being delivered as part of the Collaboration on Offshore Wind Strategic Compensation initiative.
78. The Applicant remains open to providing a contribution to the MRF if this is established within the examination and decision-making process for the Project. The Applicant is aware that strategic projects are already being established elsewhere in the UK, for example The Crown Estate (2024) Offshore Wind Leasing Round 4 Kittiwake Strategic Compensation Plan on the east coast of the UK.

79. Should the opportunity arise for a contribution to a similar project focused on LBBG or associated with improvements to the Ribble and Alt Estuaries and Morecambe Bay and Duddon Estuary SPAs, the Applicant would welcome early discussions with the relevant stakeholders on a without prejudice basis.

4 References

The Crown Estate (2024) Offshore Wind Leasing Round 4 Kittiwake Strategic Compensation Plan. Available at:

https://assets.ctfassets.net/nv65su7t80y5/17AnpAwydDxhtwpalkUOzv/0f96aa29b63fa32bf9f500e9a5b5cc32/43569-TCE-DOC-062_Kittiwake_Strategic_Compensation_Plan_FINAL_SIGNED.pdf

Appendix A – Evidence of Banks Marsh landowner permissions

25/11/2024



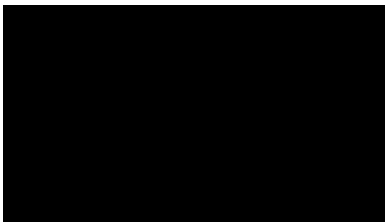
Natural England
Ainsdale Sand Dunes
2 West End Lodge
Pinfold Lane
Southport
PR8 3QW

The Ribble Estuary National Nature Reserve 'Mega Fence' Project

The above project is a partnership project between RSPB and Natural England.

I am writing to confirm that on behalf of Natural England, I am giving permission for the project to take place on Natural England's land at Banks Marsh and Crossens Marsh, on the understanding that all legal and statutory obligations pertaining to the project are fulfilled prior to commencement.

Yours faithfully,



Dave Mercer
Senior Reserve Manager

The Ribble Estuary NNR

Mob [REDACTED]
Tel. [REDACTED]

Appendix B – HSE Site Inspection Report: Steep Holm



MORECAMBE



FLOTATION ENERGY

HSE Site Inspection Report



Doc No	MOR001-FLO-PMG-HSE-RPT-0003	Rev	01
Alt Doc No	N/A	Alt Rev	
Document Status	Information	Doc Date	04/11/2024

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01	14/06/2024	Issued for Information	Neil Kirton <small>Digitally signed by Neil Kirton Date: 2024.11.08 20:41:43 Z</small>	Richard West 08/11/24	Richard West 08/11/24	

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1 Introduction

This report is documenting the outcome of a site visit to 'Steep Holm Island' on 01/11/2024. The visit was to evaluate the site ahead of some potential habitat management works that the Morecambe Offshore Wind Farm (OWF) project may undertake as 'without prejudice' compensation measures for breeding Lesser Black Backed Gulls. Steep Holm is an English island based in the British channel, nearly six miles offshore from the seaside resort of Weston-super-Mare in Somerset. The Island is owned and managed by the 'Kenneth Allsop Memorial Trust' (KAMT).

The site visit was attended by the Morecambe Project HSE Lead, Principal Offshore Consenter and Principal Ornithologists (external). The trip was hosted and lead by the site warden/ members of the KAMT.

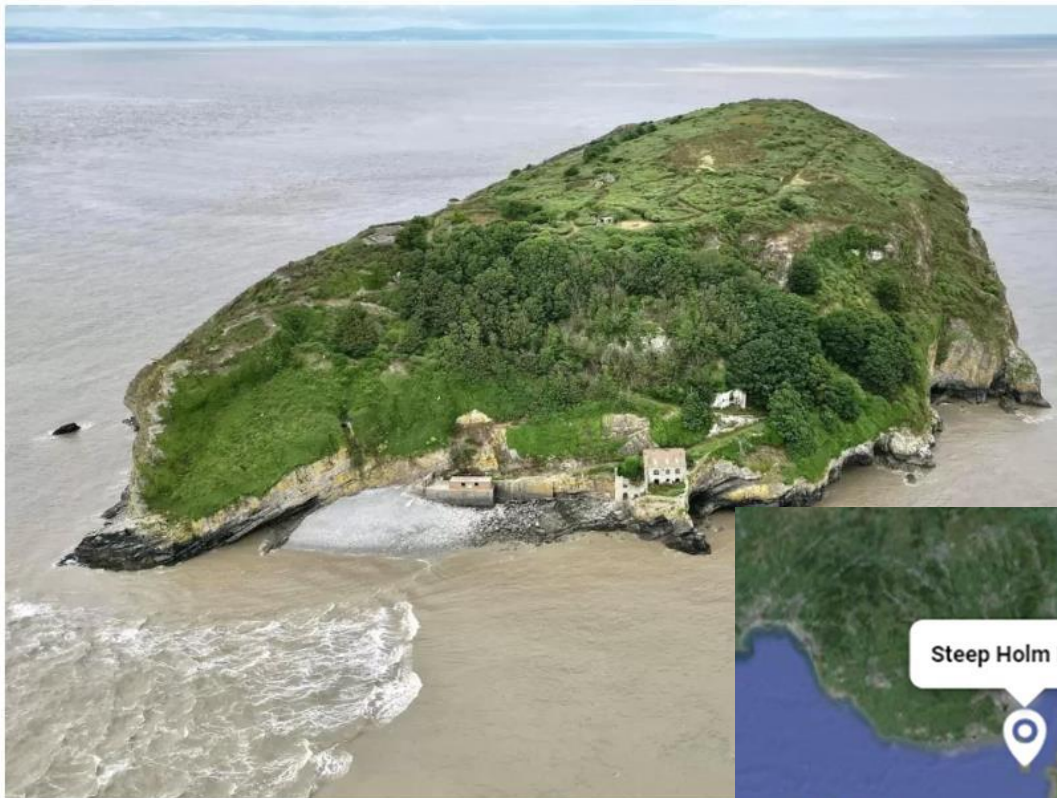
Access to the Island is only by organised trips from 'Bay Island Voyages' on behalf of the Kenneth Allsop Trust. Trips to the Island are typically 12 hours from departure to return to the mainland but determined by the tide and weather. We departed from the Cardiff departure point at 0800hrs and returned at 1600hrs. This is shorter than usual trips based on the time of year and changing tides.

A Risk Assessment had been conducted prior to the site visit and shared with all relevant stakeholders.

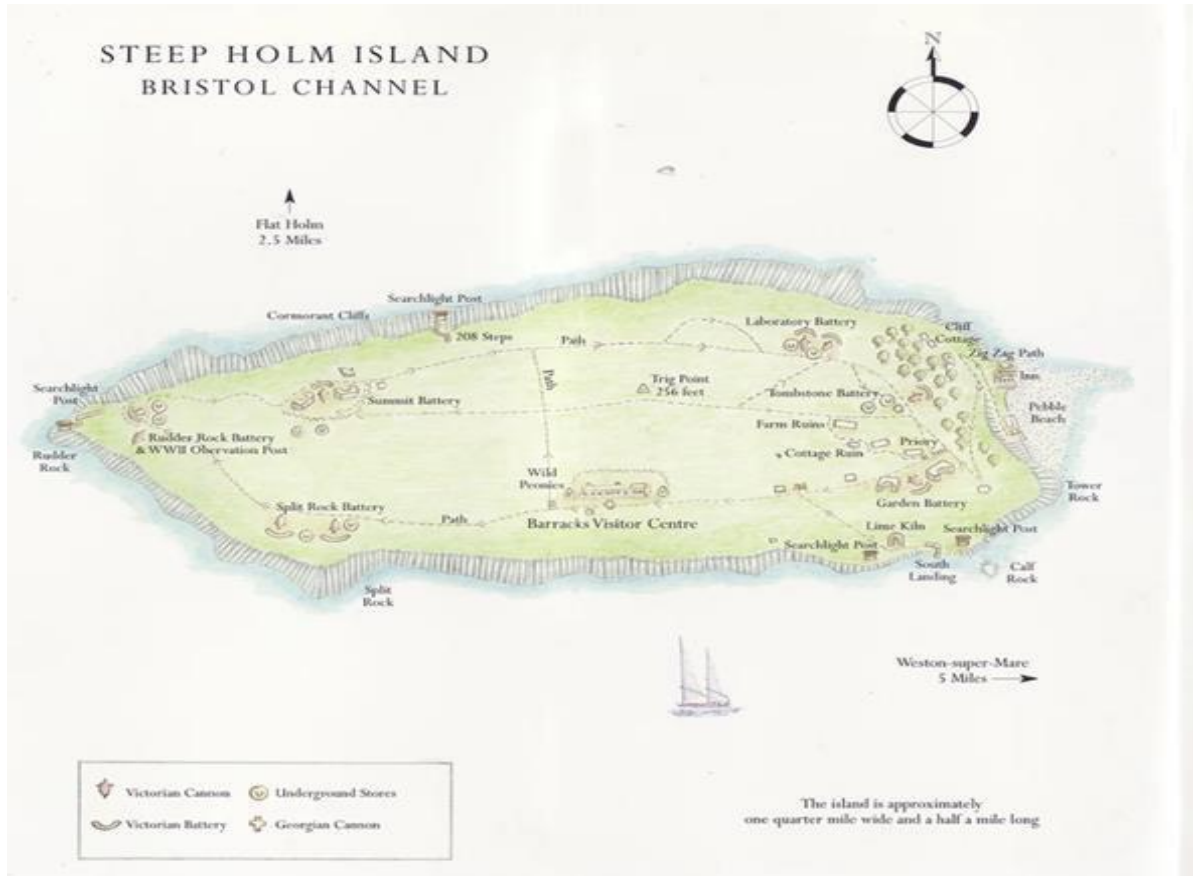
1.1 Location of Site Inspection

Location – Steep Holm Island – Bristol Channel

Departure Location – Cardiff Bay - CF64 1TP.



Map of the island and aerial view.



1.2 Project Scope

This initial visit was to have a look at the potential planned work scope, the environmental conditions and identify any hazards present for completion of the works. It is also to ensure any future work is compliant with current legislation.

This site inspection report will form part of the Pre-Construction-Information (PCI) given to any Contractor potentially carrying out works on the island and to ensure suitable planning for the health, safety and welfare of all persons who may be affected by the works and to ensure protection to the environment.

1.3 Work Scope Overview

The scrub on Steep Holm over the past decades has increased to approx. 90% of the island (from recent drone footage) and is dominated by scattered trees and low growing scrub. The scrub comprises mainly of Bramble, Privet and Elder, with Alexanders growing amongst the scrub.

The KAMT would like an opportunity to undertake a scrub management program to reduce the cover of scrub from its current 90% to 70%. This may be achieved in two ways, firstly by increasing the width of the current pathways and secondly by removing scrub from agreed areas on the island.

2 Findings from the Site Inspection

The information below has been collated from the site visit, through regular meetings with the Steep Holm warden and members of the 'Kenneth Allsop Memorial Trust' (KAMT), and from information found online.

2.1 Access and Egress to the Island

Access to the Island will be by boat, supplied only from 'BAY ISLAND Voyages', unless otherwise agreed from the KAMT.

Bay Island Voyages Contact Details:

Phone - [07393 470476](tel:07393470476)

Email - bookings@bayislandvoyages.co.uk

Website - [Homepage - Bay Island Voyages](#)

They run regular trips to the island for visitors which are booked online:

[SailingsHome](#) | [KAMT](#) | [Steep Holm](#) | [Weston-super-Mare](#)[Steepholm](#)

Further private chartering of a vessel (rigid-hull inflatable boat - RHIB) could be done directly through the company if agreed with the 'Kenneth Allsop Memorial Trust' (KAMT). It is advised that the Contractor take the boat themselves when transferring tools and equipment and this is mandatory when carrying fuel.

The departures of the trips are from 2 locations, one from Weston-Super-Mare (Knightstone Quay) and from Cardiff Bay (Penarth Marina), as seen below.

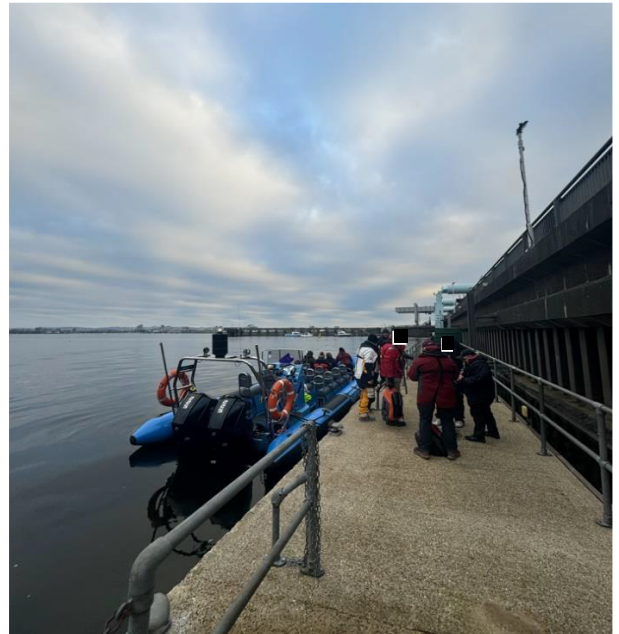
2 x departure points for Steep Holm.



Weston-Super-Mare departure Point



Cardiff Departure Point



The boat will access the beach only at the East side access point. They will assist persons to disembark/ embark the boat safely.



Main gate at the beach which will be unlocked from Island personnel on arrival.



2.2 Main Barracks and Visitor Centre

The main barracks and visitor centre are the main base for visitors and will be for contractors alike. Hot and cold drinks and confectionary can be bought here by visitors (see section 2.3 for full details).





2.3 Welfare Facilities

The welfare facilities are at the main Barracks and visitor centre. The island has the following facilities available:

- Separate toilet block with male and female toilets
 - Wash basins in the toilet block with cold water only (not drinking water).
 - Soap and hand towels available.
 - No lighting or electricity to this block.
- Large rest area for breaks with plenty of tables and chairs in the main barrack building, with suitable lighting and ventilation.
- Areas for persons to get changed.
- Means to heat water and food from a gas hob and electric available for a microwave etc.
- Drinking water is available from bottled water only.
- Running water and sink, only cold water and not suitable for drinking. This water is provided and pumped from the underground reservoir.

There is no hot running water or showers available currently.

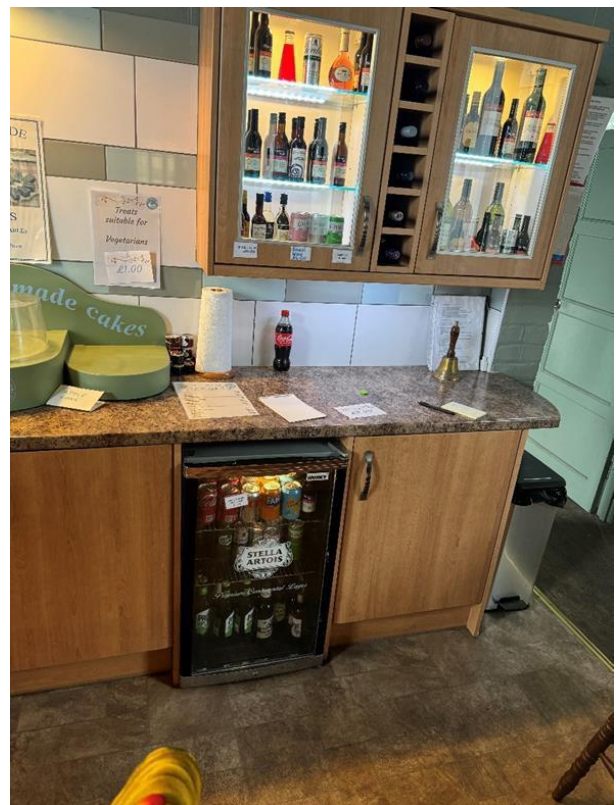
Toilet block which includes separate Male and Female toilets.



Washing facilities inside toilet block (mens).

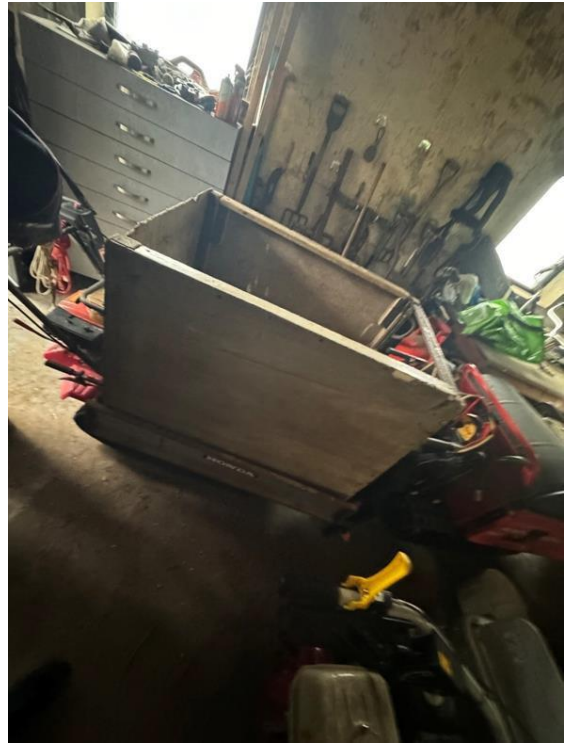
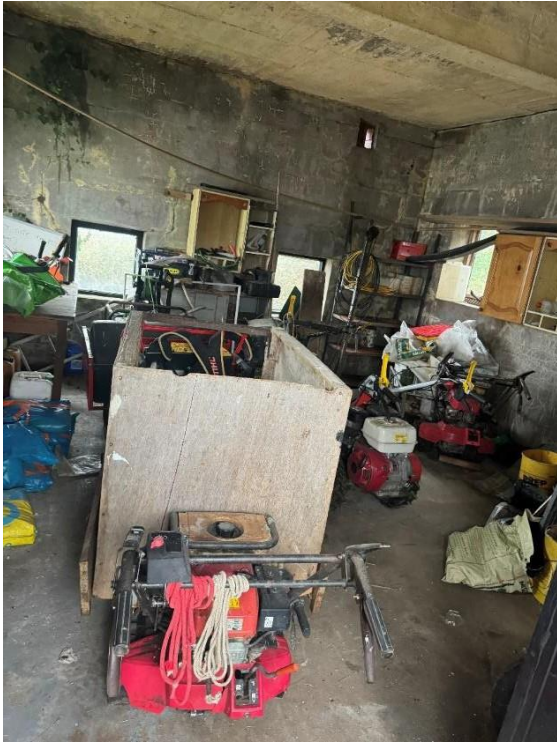


Kitchen area with means to heat food and water with a hob run from gas bottles. Electricity and fridge available.

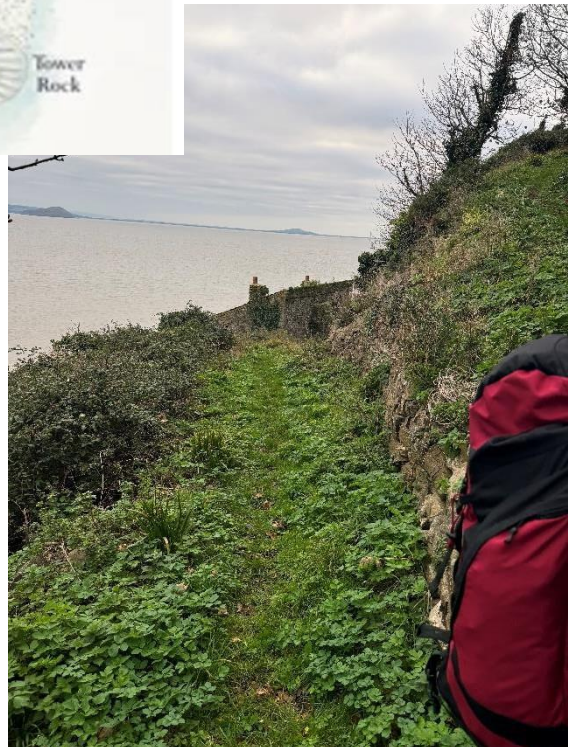
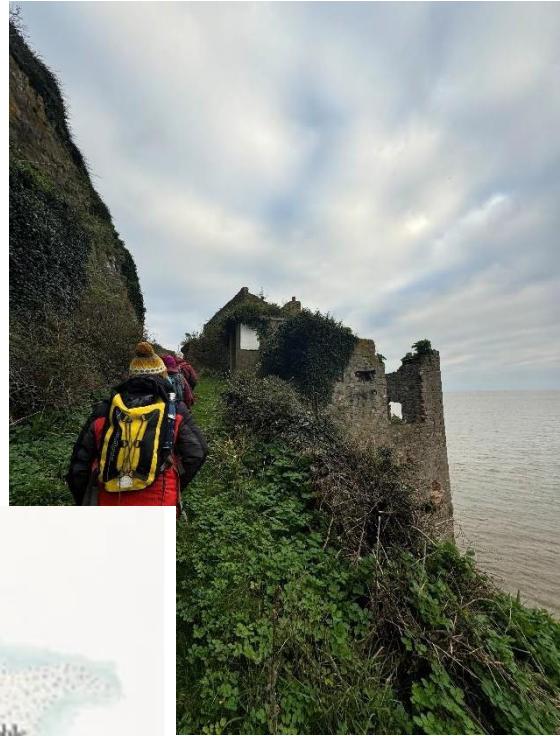
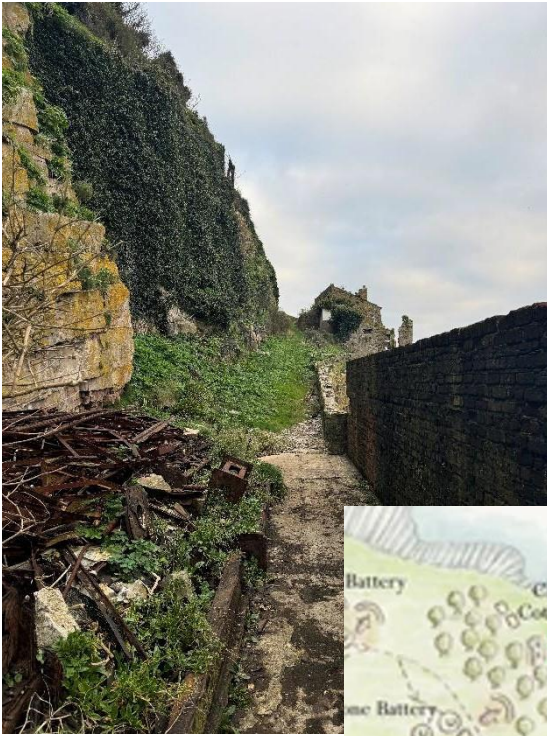


2.4 Transport of Tools and Equipment

Once on the island there is a fairly steep climb up a path to the main barracks building and work area. The island had manual handling aids (as seen below) in the way of a tracked petrol transporter, and wheelbarrow which can be used to transport tools and equipment. These are stored in a locked building at the top of the hill.



Access path from beach to top of hill



When moving around the island, the designated paths should be followed. These can be seen on the maps provided.



2.5 Areas of Scrub Management Work

The main areas of scrub management are all on fairly flat ground and inside the main path perimeter, making it clear of any cliffside, steep drops. Some of the areas have a lot of rocks in there and the ground can be uneven, which should be considered from the contractor.



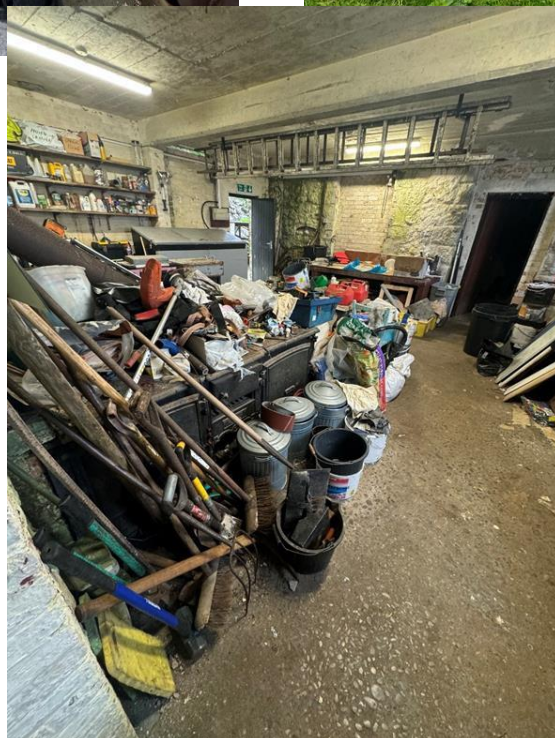
2.6 Electricity

Electricity is available in the main barracks building from a diesel generator. This generator is run in a separate key controlled building adjacent to the barracks building and will be managed by the site warden/ representative. This powers electricity to the main barracks building which also includes a workshop, clear of public/ visitors should there be visitors to the island.

Generator housed in separate building.



Workshop/ storage area in main barracks building.



2.7 Waste Management

There are bins in the main visitor centre with clear segregation. This waste is taken back off the island daily and the contractor should take their own rubbish with them. This doesn't include the green waste of scrub that is cut back. A plan will be put in place with the trust on how this will be stored or removed.



2.8 First Aid and Emergency Response

In the case of an emergency, the emergency services/ coastguard will be called by calling 999, there is no formal emergency response plan for the site. The contractor will produce emergency response details in their documentation. There is a suitable phone signal on the island.

A first aid kit is available at the main barracks building. There is also a room in the back with a bed if needed.

The contractor should take their own first aid kit based on a risk assessment for the works they are conducting.



3 Conclusion

Overall, the work area for the scrub management is away from steep edges and water and on relatively flat ground. There is some uneven ground which should be identified in the contractor risk assessment. This should also identify all other hazards associated with this work and the environment where it is taking place.

There are concerns about the suitability of welfare facilities for people carrying out the work. Firstly, there is no hot running water for washing/ cleaning. Under UK legislation the 'The Workplace (Health, Safety and Welfare) Regulations 1992 and the CDM regulations both state that there should be 'hot or warm running water' as basic welfare provisions. It is recommended that an electric water heater be fitted in an area for washing at a sink. This won't be practicable to be in the toilet unit but could be housed inside the barracks building somewhere.

It is planned that contractors will stay on the island overnight (up to 4 nights) to conduct the work planned. There is no overnight accommodation at present, although the Trust do have staff and volunteers who stay overnight. It is advised that a room at the back of the barracks is made available where suitable beds can be set up, and an electric heater can be taken to ensure there is suitable temperature control in the room. If staying overnight the generator should be kept running to ensure there are lights, heating and electricity available for the entire trip. The fridge must be available to keep food fresh and means to heat water and food is always available in the kitchen area. Sufficient fuel for the generator and a backup generator should be available where applicable.

There are no showers available where the legislation states 'suitable and sufficient washing facilities, including showers if required by the nature of the work or for health reasons, shall be provided at readily accessible places. If people stay for multiple nights, there should be showers available. This is something we could potentially look at in the future if this is going to be a long-term project over multiple years, and could also benefit the island/ Trust.

The contractor should charter their own boat to get over to the island, where they can take their tools and equipment with them. It will have to be agreed with the boat company what equipment will be taken and how to safety transit with this. When carrying fuel, no other persons can be on the boat. The contractor should arrange with the warden of planned fuel requirements and safe storage on the island.

Contractors will undergo an induction/ safety brief from the boat company for transit, and from the Kenneth Allsop Memorial Trust representative when on the Island. Any appointed contractor/s will be issued with Flotation Energy HSE minimum requirements outlining the minimum standards for planning and executing works on behalf of the company.

4 Appendices

4.1 Appendix A – Steep Holm HSE Presentation

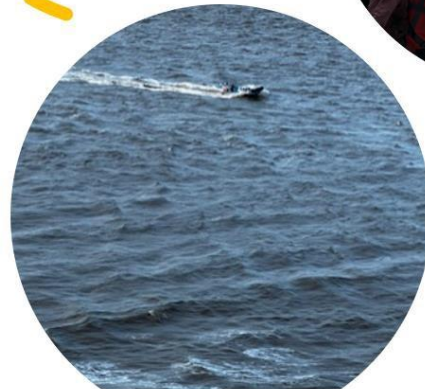
Steep Holm Health & Safety

A tour around the island



Boat safety and landing

- Arrive early to attend the safety briefing
- Wear an extra layer. It gets cold out there even on sunny days (you can take it off but can't put it on if you don't have anything)
- Put on your life belts and secure – help is on hand – follow the instructions of the crew
- Sit in the seats and hold on – it can get choppy, and we won't sail above 5 knots wind speeds, but weather can change so bring wet resistant gear
- Do not stand, sit back and enjoy the ride
- The landing onto a pebble beach requires some agility
- Steps are provided and move away from the shoreline to the assembly point
- Steep steps up to the quay and stay away from the edge



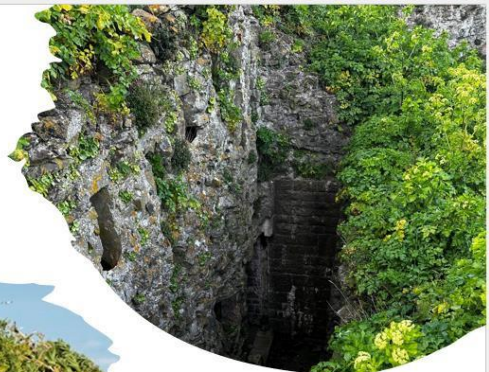
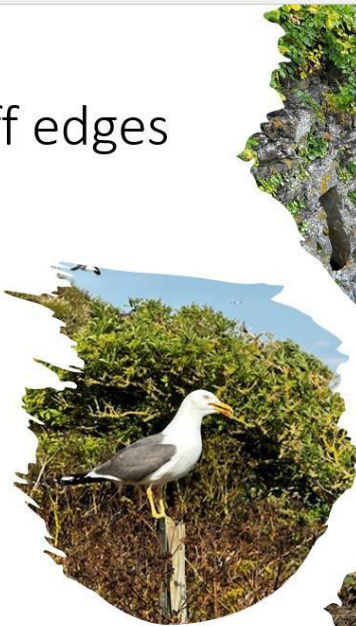
Climb to the top

- Wear sturdy footwear e.g., hiking boots. Flip flops and slippers are not suitable.
- There are old rail tracks on the way up that can be slippery and a trip hazard
- Do not enter the old pub which is unstable. The floor could collapse, or stones fall on your head
- Keep away from the edge and make your way safely to the top
- Watch your footing and take your time



Steep steps and cliff edges

- There are steep steps leading into the gunpowder rooms by the gunneries
- The steps to the look out are steep so use the railings installed by our deputy warden – there is no lift to return to the top!
- Beware of the cliff edges and stay on the footpaths
- Do not go too close to the quay edge
- Avoid climbing walls and structures
- Avoid the brown moth webs in early Spring as they are highly irritant
- There are poisonous plants so be cautious



Sea birds in the nesting season

- From mid April to mid July the seabirds are nesting, and you will find nests on the paths
- Sea gulls are a threatened species and declining in numbers, so avoid the chicks and eggs
- Wear a hat! They will dive bomb and mess on you so keep your hat on and move on. A stick held high is effective. Umbrellas are also available to hire from the barracks
- Early Spring, later Summer and Autumn sailings are more peaceful with the gulls
- Do not go near birds that appear to be sick or touch dead birds (bird flu is rarely transmitted to humans but do be cautious)



Danger path and currents

- There is a steep path to the south landing near the barracks. It is very steep and at the bottom it does not have railings so keep away from the edge. Do not attempt unless you are fit enough to get back up.
- Do not swim. The current runs at about 4 knots and will take you miles out to sea
- The Bristol Channel has the 2nd highest tide in the world
- 208 look out, as the name implies, has 208 steps so make sure you can climb back up and use the railings



Enjoy and stay safe

- Steep Holm is beautiful, and some common sense will keep you safe
- Use your phone for photos. You may want to bring your own portable charger
- You may get 4G but depends on the weather so not guaranteed.
- Cards accepted if we get a signal! Bring some cash to be sure
- The tide times means your stay is for 12 hours so bring some lunch
- Drinks, alcohol and snacks are available in the barracks plus souvenirs and books but do walk around the island and enjoy the views of the Welsh and Somerset seashores



Any questions

- The warden will give a talk if available and volunteers are available to answer your questions on the day
- New volunteers are welcome. Join as a member (£25 per annum) and ask for further details. Tasks are onshore as well as offshore (e.g., fundraising, trustees or minute takers). If you have skills e.g., builders, electricians, plumbers, dry stone wallers, that's handy!
- www.steeptholm.online

