



04 November 2025

Energy Infrastructure Planning
Department of Energy Security and Net Zero
Darlington Economic Campus
Darlington
DL1 5BF

Your reference EN010121
Our reference MOR001-FLO-CON-LET-0021

Dear Sir,

Morecambe Offshore Windfarm: Generation Assets – Application for Development Consent Order, Planning Inspectorate reference EN010121

Morecambe Offshore Windfarm Limited (the Applicant) writes in response to the Secretary of State's letter dated 31 October 2025¹ requesting a final update from the Applicant and Spirit Energy on the commercial agreements and Protective Provisions (Consultation 5).

Engagement between the Applicant and Spirit Energy has continued, and the Applicant wishes to acknowledge the efforts made by Spirit Energy at all levels towards reaching an agreement.

To that end, the Applicant is pleased to confirm that the Applicant and Spirit Energy have now agreed Protective Provisions and the following joint response:

The Applicant and Spirit Energy Production UK Limited (Spirit Energy) are writing to jointly inform the Secretary of State that, following extensive discussions, negotiation between the parties has now concluded satisfactorily.

The Applicant and Spirit Energy have agreed the form of protective provisions suitable for the protection of Spirit Energy's interests (included as an appendix to this submission) which, should the Secretary of State be minded to grant development consent for the Morecambe Offshore Windfarm Project: Generation Assets (Morecambe DCO), the Applicant and Spirit Energy respectfully request be included in the DCO, replacing those previously submitted by the parties.

Spirit Energy will be writing formally to withdraw their objection to the Morecambe DCO on the basis that the appended protective provisions are included in the Morecambe DCO.

The agreed Protective Provisions, and protective provisions plans, are included as

¹ [EN010121-001390-Morecambe Offshore Wind Farm - Information Request - Oct 25.pdf](#)

Appendix A to this letter; these are provided as three sets of Protective Provisions in favour of Spirit as (in broad terms) licensee in relation to CPC (part 3), duty holder in relation to Calder (part 4), and licensee in relation to MNZ (part 5). This follows the format of the Protective Provisions submitted by Spirit Energy at Deadline 5A (and 6) of the Examination. The Applicant's proposed Protective Provisions in the draft DCO protect the same assets in a single Part, but this change to a common drafting approach was necessary once the parties moved into conclusion of the detailed drafting.

The agreed Protective Provisions provide for a series of buffer zones around operational and decommissioned infrastructure in which Spirit Energy has an interest, and about which it has made representations during Examination. The protections will fall away at specified stages in the decommissioning process agreed with Spirit. The protections also contain 'backstop' dates carefully tailored to ensure that the protections will have fallen away in line with the location, stage and time of a 'backstop' construction programme for the Project. The Applicant will continue to engage with Spirit Energy (and Harbour Energy) on the actual timings of cessation of production and decommissioning to ensure the Project can deliver on its objectives as soon as possible.

The Applicant highlights that the protections for Spirit Energy as the duty holder in relation to Calder (part 4) are in addition to those previously agreed with Harbour Energy² (part 2) and reflect the different responsibilities of Harbour Energy and Spirit Energy in relation to the Calder Field.

The Applicant considers it has achieved successful and mutually agreed co-existence with Spirit Energy, and all other interested parties with infrastructure or activities in the Irish Sea, in a way which ensures the timely delivery of the Project objectives and a managed transition to low carbon energy activities in this part of the Irish Sea.

The Secretary of State's information request of 26 September³ (Consultation 3) asked for an update about the implications of the slightly larger unconstrained area under the protective provisions agreed with Harbour (i.e. a 1nm enduring marine buffer, rather than a 1.5nm enduring aviation buffer around Calder which was the Applicant's position at the close of Examination and which has been agreed with Spirit Energy). The Applicant explained in response to that information request (at paragraph 28) why the area between 1nm – 1.5nm from Calder did not in fact release any additional turbine positions. Therefore, while the agreed Protective Provisions with Spirit Energy do not align, on this point, with those agreed with Harbour, it is considered that they do not result in any additional constraints being placed on the development. The Applicant has previously explained that these constraints are manageable (e.g. paragraph 34 of the Applicant's response (C1-011) to the Secretary of State request for information of 21 August 2025⁴), however, the Applicant's position remains that any additional buffer (beyond the current 6.5km) for Red-throated Diver (RTD) is not an alternative solution in terms of the HRA 'no alternative solutions' test because the whole of the remaining site is needed to ensure delivery of the

² Appendix C of [EN010121-001348-C1-011 - The Applicant's Response to Secretary of State Letter and Request for Information - to be stitched.pdf](#)

³ [EN010121-001370-Morecambe Offshore Wind Farm - Information Request - Sep 25.pdf](#)

⁴ [EN010121-001336-Morecambe Offshore Wind Farm - Information Request 1- August 2025.pdf](#)

Project objectives. The Applicant's primary position remains that it has demonstrated no AEoSI in relation to RTD at the Liverpool Bay SPA, but if the Secretary of State does not agree then the Applicant notes Natural England agrees sufficient compensation for RTD has been identified by the Applicant (see e.g. Natural England's response to the Secretary of State's request for information of 5 September) (and for completeness notes paragraph 31 of its response to the information request of 26 September).

With the confirmation from the Applicant and Spirit Energy that negotiations have now concluded the Applicant respectfully reminds the Secretary of State of the timelines for Contracts for Difference (CfD) Allocation Round 7⁵, and the now confirmed dates for the sealed bid window for all OFW and FLOW applicants of 11-17 November 2025. The Applicant also respectfully notes the importance of clarity and certainty on the scope and terms of project consents in order to make bids as competitive as possible, which is in the ultimate interests of the UK consumer.

Yours faithfully,

A black rectangular box redacting the signature of Oliver Gardner.

For and on behalf of Morecambe Offshore Windfarm Ltd
Oliver Gardner
Consent Manager (Morecambe Generation)

⁵ [AR7 Timeline | Contracts for difference CfD](#)