

Communications Strategy and Policy Group



Daniel Hurley
Case Officer National Infrastructure (Energy)
The Planning Inspectorate

22 January 2025

Application by Morecambe Offshore Wind Limited for Morecambe Offshore Windfarm Generation Assets

Dear Daniel,

On 18 December 2024, the Examining Authority (ExA) published written questions and requests for information (ExQ1). For those questions which were directed at the Civil Aviation Authority, along with other interested parties, the table below provides the answers from the Civil Aviation Authority.

1CAR5	CAA	<p>New Civil Aviation Authority Regulations</p> <p>Paragraph 6 of Appendix 17.1 [APP-081] notes that there are proposed changes in Civil Aviation Authority (CAA) Regulations which could mean day Visual Meteorological Conditions (VMC) only access is permitted to an offshore installation (helideck) located within 3nm of a wind turbine. In their WR paragraph 2.21, [REP1-116] Spirit Energy states that it understands the 3nm restriction will be secured by a regulatory change in 2025; however in its response at D2 (paragraph 49 of [REP2-030] the Applicant states that the latest consultation on changes to CPA764 did not incorporate such a change and so it is unclear whether the regulatory change could be secured by 2025 as suggested.</p> <p>Furthermore, in its response at D2 (Section 3 of [REP2-033]) the Applicant raises concerns that the new CAA Regulations might seek to impose different separation distances for WTGs owned by a gas installation operator and that of a third party. In cases where the WTG is owned by a gas operator it is suggested the separation distance could be reduced from 3nm to 2nm.</p>
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Civil Aviation Authority

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		<p>a) Can the CAA provide an update on the progress of the new CAA Regulations and likely timeframe for these coming into force?</p> <p>b) Can the CAA please confirm whether the new CAA Regulations being proposed will include exceptions such as those suggested by the Applicant?</p> <p>c) If safety is the determining factor for the proposed new CAA Regulations, what is the justification/ rationale for allowing exemptions for WTGs owned by an oil and gas operator as opposed to those owned by a third party? Please can the CAA explain?</p> <p>CAA answer</p> <p>CAA Rule Making Task 0187 - General update of the Air Operations Regulations (UK Regulation No 965/2012) related to Specific Approval SPA.HOFO includes the following item (text copied from the corresponding Aviation Legislation & Policy Mandate):</p> <p><i>Add Acceptable Means of Compliance (AMC) and Guidance Material (GM) material to cover operations to and in the vicinity of windfarms - There were no significant wind farm operations at the time SPA.HOFO was produced and, consequently, no specific material was included. Since then, the offshore wind industry has grown significantly and with it the associated helicopter support operations. Due to their proximity to offshore oil and gas installations, wind farms are also impacting oil and gas support operations despite the guidance published in CAP 764 CAA Policy and Guidelines on Wind Turbines. The current offshore operating limits are inappropriate for operations to and in the vicinity of windfarms, hence it is proposed that new, objectively based acceptable means of compliance (AMC) and guidance material (GM) be produced and included. It is also proposed that CAP 764 be referenced in the AMC or GM (subject to OGC approval).</i></p> <p>The target for RMT 0187 is the November 2025 SI. Items involving IR changes are presently being prioritised, hence work has yet to start on the above item. However, some early discussions have taken place in relation to oil & gas support operations in the vicinity of wind farms/wind turbines, but no conclusions have been reached. Thus far, there have been no proposals to apply different separation standards for wind turbines associated with oil & gas installations vs other wind turbines. Any new AMC and/or GM material will be subject to public consultation.</p>
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1CAR7	CAA	<p>New Civil Aviation Authority Regulations: Alternative Means of Compliance</p> <p>The Applicant states (Paragraph 18 of [REP2-030]) that even if the CAA regulatory change covering helicopter flights within 3nm of wind turbines did progress, then the combination of the newly proposed Aviation Corridor and existing unobstructed airspace would allow helicopter operators to demonstrate an Alternative Means of Compliance (AltMoc).</p> <p>Does the CAA agree with this stance and are there examples of similar AltMoc having been granted for similar situations?</p> <p>CAA answer</p> <p>An Acceptable Means of Compliance (AMC) published by the CAA lays down a means by which the Regulatory requirements to which it refers could be met. If an operator wishes to meet the requirements of the Regulation in a different way, they may propose an AltMoC to the CAA, demonstrating that an equivalent level of safety and compliance is achieved. The use of an AltMoC does not alter the requirements laid down in the Regulation which must still be met, merely how the operator meets those requirements. Any specific limitation laid down in the Regulation would not be able to be amended by the use of an AltMoC.</p> <p>In this case the use of an AltMoC would only be able to be considered if the 3nm flight restriction was laid down within AMC not within Regulation.</p> <p>CAA Rule Making Task 0187 will only add AMC and/or GM hence it will be possible for AltMoCs to be considered. It is not possible to comment on whether any AltMoC would be acceptable at this stage, i.e. the AMC/GM has not yet been formulated.</p> <p>The CAA is not currently aware of the use of an AltMoC in a similar situation, but AltMoCs are proposed and accepted from time to time against various parts of the Regulation and are listed in CAP 1721 on the CAA Publications website.</p>
1CAR15	The Applicant NATS CAA Isle of Man Ronaldsway Airport IoM TSC	<p>Isle of Man Airport - Ronaldsway Airport Primary Surveillance Radar (PSR)</p> <p>Paragraph 16.157 of ES Chapter 16 [REP1-036] indicates that Ronaldsway Airport has concerns about the number of offshore wind projects proposed in the Irish Sea and that there may be a technical impact with the processing capacity of the PSR. Paragraph 16.219 states that engagement is continuing to further understand any potential radar issues and mitigate these concerns.</p>

		<p>NATS have not commented on impacts to the Isle of Man Ronaldsway Airport in its RR [RR-060] and Ronaldsway Airport did not register a RR and so are not an IP. However, the RR from the IoM TSC [RR-031] does request continued engagement in relation to potential impacts on air travel and any mitigation and this is referenced within the draft SoCG with the IoM TSC submitted at Deadline 1 (item TSC 22 in REP1-066)).</p> <p>To All Parties:</p> <p>a) Please explain if and how the Isle of Man (IoM) Ronaldsway Airport regulations on air traffic safety relate to relevant UK regulations and guidance?</p> <p>To IoM TSC:</p> <p>b) Noting paragraph 14 of the draft SoCG submitted at D1 [REP1-066]), can the IoM TSC confirm it is representing the views of the airport at this Examination and, if so, can the SoCG be amended to make this clear; and does it wish to make any further submissions in relation to the assessment or mitigation of potential interference with the airports PSR?</p> <p>To the Applicant</p> <p>c) Can the Applicant provide an update on discussions with the airport about potential concerns on radar processing capacity given the number of offshore projects and in particular whether any mitigation to address this has been agreed? If so, how is this to be secured?</p> <p>CAA answer</p> <p>a) The following extracts are taken from the Memorandum of Cooperation between the Isle of Man Civil Aviation Administration and CAA International Ltd.</p> <p><i>The Isle of Man is a self-governing British Crown Dependency separate from the United Kingdom (UK). The Isle of Man recognises that the UK ratification of the Chicago Convention 1944 extends to all of the Crown Dependencies and that the UK as a contracting state has an international obligation to ensure that the provisions of the Convention and the Standards and Recommended Practices are implemented in the Isle of Man. These obligations are detailed in a Memorandum of Understanding between the Department for Transport and the Isle of Man Government's Department for Enterprise (DfE).</i></p> <p><i>The Isle of Man Civil Aviation Administration (IOM CAA), headed by the Isle of Man Director of Civil Aviation (DCA), is a division of the DfT responsible for regulating aviation in the Isle of Man.</i></p>
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If the ExA has further questions on these or any other topic, we will be happy to provide whatever assistance we can.

Yours sincerely,



Andy Wells
Head of Policy