

Morecambe Offshore Windfarm: Generation Assets Development Consent Order Documents

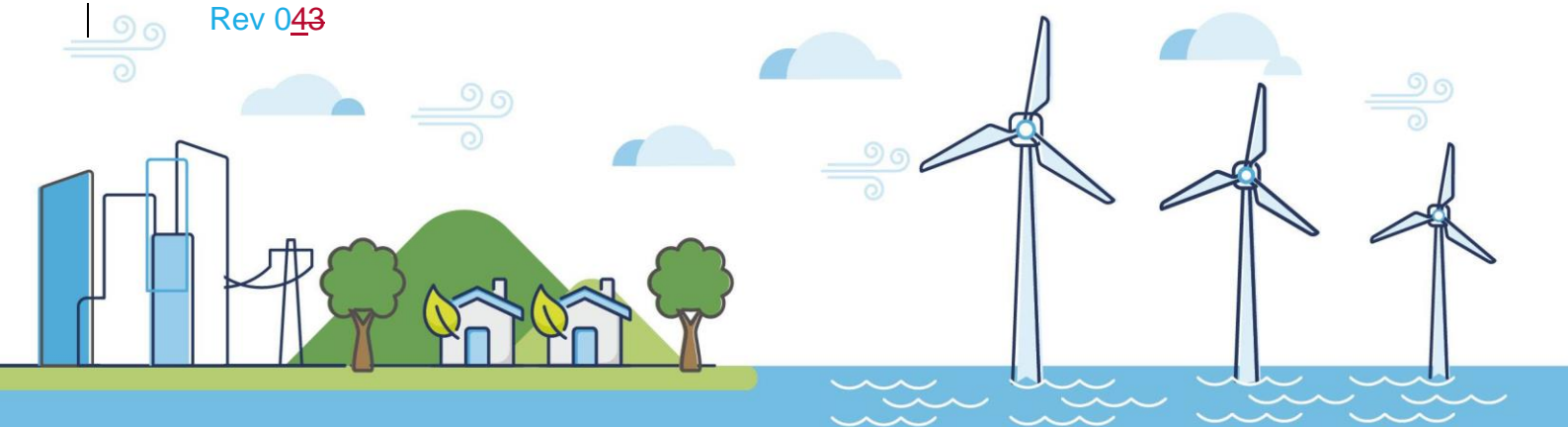
Volume 6

Outline Fisheries Liaison and Co-Existence Plan (Tracked)

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Glossary of Acronyms

CFWG	Commercial Fisheries Working Group
COLREGS	Convention on the International Regulations for Preventing Collisions at Sea
DCO	Development Consent Order
DML	Deemed Marine Licence
ES	Environmental Statement
FIR	Fishing Industry Representative
FLCP	Fisheries Liaison and Coexistence Plan
FLO	Fisheries Liaison Officer
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
GPS	Global Positioning System
ICES	International Council for the Exploration of the Sea
IPMP	In Principle Monitoring Plan
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
MOWL	Morecambe Offshore Windfarm Limited
NFFO	National Federation of Fishermen's Organisations
NtM	Notice(s) to Mariners
NWIFCA	North West Inshore Fisheries and Conservation Authority
OFLO	Offshore Fisheries Liaison Officer
OSP	Offshore substation platform
UK	United Kingdom
VMS	Vessel Monitoring System
WTG	Wind turbine generator
Zol	Zone of Influence

Glossary of Unit Terms

km	Kilometre
MW	Megawatt
nm	Nautical mile

Glossary of Terminology

The 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.
Agreement for Lease (AfL)	Agreements under which seabed rights are awarded following the completion of The Crown Estate tender process.
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 OSPs ¹ , interconnector cables, Morgan offshore booster station, 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
Order limits	The limits shown on the works plans within which the authorised project may be carried out.
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).
Safety Zone	An area around a structure or vessel which should be avoided, as set out in Section 95 of the Energy Act 2004 and the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations due to the flow of water.
Study area	This is an area which is defined for each Environmental Impact Assessment (EIA) topic which includes the offshore development area

¹ At the time of writing the Environmental Statement (ES), a decision had been taken that the offshore substation platforms (OSPs) would remain solely within the Generation Assets application and would not be included within the Development Consent Order (DCO) application for the Transmission Assets. This decision post-dated the Preliminary Environmental Information Report (PEIR) that was prepared for the Transmission Assets. The OSPs

are still included in the description of the Transmission Assets for the purposes of this ES as the Cumulative Effects Assessment (CEA) carried out in respect of the Generation/Transmission Assets is based on the information available from the Transmission Assets PEIR.

	as well as potential spatial and temporal considerations of the impacts on relevant receptors. The study area for each EIA topic is intended to cover the area within which an effect can be reasonably expected.
Windfarm site	The area within which the WTGs, inter-array cables, OSP(s) and platform links cables will be present.
Zone of Influence (Zoi)	The maximum anticipated spatial extent of a given potential impact.



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1 Introduction

1. This Outline Fisheries Liaison and Co-existence Plan (FLCP) forms part of a set of documents that supports the Development Consent Order (DCO) Application submitted by Morecambe Offshore Windfarm Ltd (the Applicant) for the Morecambe Offshore Windfarm Generation Assets (the Project).

1.1 Project background

2. The Project is located approximately 30 km from the Lancashire coast, sitting just outside of the UK's 12 nm limit, with the boundary of the windfarm site shown in **Figure 1.1**~~Figure 1.4~~.
3. The Agreement for Lease (AfL) for the windfarm was awarded to the Applicant in early 2021 by The Crown Estate during the Offshore Wind Leasing Round 4. If the indicative timeline is followed, The Applicant shall make an application to the Secretary of State under Section 37 of the Planning Act 2008 and Regulation 14 of the EIA Regulations 2017 for an Order granting development consent. The earliest anticipated start of construction would be in 2027 and the earliest anticipated operation of the windfarm is expected to be 2028/29.
4. The Project is within, and occupies a portion of, the International Council for Exploration of the Sea (ICES) rectangle 36E6.
5. A full description of the Project can be found in **Chapter 5 Project Description** of the Environmental Statement (ES) (Document Reference 5.1.5).

Figure 1.1 Morecambe Offshore Windfarm Generation Assets site boundary

1.2 Purpose of this document and Applicant obligations

6. This document provides a high-level outline of the Applicant's Fisheries Liaison and Co-existence Plan (FLCP). It sets out the Applicant's strategy to facilitate coexistence between the Project and the commercial fishing industry. It provides an outline of the approach to fisheries liaison and preliminary mitigation measures throughout the lifetime of the Project from construction to decommissioning of Project.
7. This document forms the basis for preparing the final FLCP. The requirement to prepare a final FLCP post-consent is to be secured in the relevant condition of the deemed Marine Licence (DML) in the draft DCO (Document Reference 3.1), which states that:

9(1)(k) a fisheries liaison and co-existence plan (in accordance with the outline fisheries liaison and co-existence plan) to ensure relevant fishing fleets are notified of commencement of licensed activities pursuant to condition 4 and to include -

(i) the appointment and responsibilities of a fisheries liaison officer; and

(ii) measures to address the interaction of the licensed activities with fishing activities
8. The Applicant has no intention to restrict or apply for permanent restrictions on fishing activities within the Order Limits during the construction, operation and maintenance, and decommissioning, of the Project. Restrictions, if required, would be temporary and to meet health and safety and the Convention on the International Regulations for Preventing Collisions at Sea (COLREGS) obligations.
9. There will be restrictions associated with the need to implement Safety Zones during construction and operation as outlined in the Safety Zone Statement (Document Reference 4.5).
10. The aim of this outline FLCP is to provide an overview of sections that would be included in the FLCP, such as details on fisheries liaison, consultation, legislation, health and safety issues and mitigation strategies. The FLCP would be produced post-consent, based on this outline document, and developed, periodically reviewed and updated throughout the lifetime of the Project as appropriate. This process would facilitate document consultation and engagement with commercial fishing representatives to form an audit trail. It is likely that the FLCP would evolve as the Project progresses, based on this ongoing consultation.

1.3 Guidelines and regulations

11. The FLCP would be written with reference to the guidelines given and information collected from:

- Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) Best Practice Guidance for Offshore Renewables Developments. Recommendations for Fisheries Liaison. 2014
 - FLOWW Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds. 2015
 - Direct consultation with fishing organisations (UK and foreign, individual fishers and other fisheries stakeholders)
 - Consultation with the Marine Management Organisation (MMO), National Federation of Fishermen's Organisation (NFFO) and North-West Inshore Fisheries and Conservation Authority (NWIFCA)
 - Consultation with other Irish Sea Offshore Windfarms, with the endeavor to align methodology collection where practicable
12. The Applicant will take into account any revised guidance where it becomes available within the relevant timeframe.
13. The Project will also attend the Regional Commercial Fisheries Working Group (CFWG) (see **Section 3.2.1**).

1.4 Linkage to other Consents Plans

14. The FLCP sets out procedures relating to mitigation of effects on commercial fisheries. It would form part of a suite of approved documents that would provide the framework for the management of the construction and operation of the Project. It would be updated throughout the lifetime of the Project, including before the Project decommissioning. A number of these other management plans and procedures are relevant to commercial fisheries and have linkage with the FLCP as detailed in **Table 1.1**.

Table 1.1 Linkage with other Consent Plans

Consent plan	Consistency with and linkage to FLCP
Cable Statement	Provides details on cable specifications, routing, installation methods and protection.
Scour Protection and Cable Protection Plan	
Cable Specification, Installation and Monitoring Plan	
Project Environmental Management Plan	Sets out the environmental management framework for the construction and operation of the Project.
Construction Programme and Construction Method Statement	Provides details on the timing and sequencing of construction works and commissioning of the Project.
Vessel Traffic Management Plan	Provides details on the navigational safety measures to be employed during the construction and operation of the Project.
Aids to Navigation Management Plan	Provides details of lighting and marking of the Project during construction and operation.

Consent plan	Consistency with and linkage to FLCP
Safety Zone Statement	Outlines the legislative requirements relating to an application for Safety Zones for Offshore Renewable Energy Installations (OREI), under Section 95 of the Energy Act 2004 (the '2004 Act') and the Applicant's approach and the scope of the works for which the DCO is being sought.
Offshore Operation and Maintenance Plan	Provides an outline of reasonably foreseeable offshore operation and maintenance activities and the broad approach to be taken for each activity
In Principle Monitoring Plan	Provides an outline of the proposed fisheries monitoring

2 Fisheries overview

2.1 Commercial Fisheries

15. **Chapter 13 Commercial Fisheries** of the ES (Document Reference 5.1.13) contains an assessment of the commercial fisheries in the study area and the potential impacts and associated mitigation for the construction, operation and decommission phases of the Project. The fishing methods most likely to be encountered in the areas relevant to the Project include:

- UK potting for whelk and lobster
- UK dredge and demersal trawling for scallop species
- UK and Belgian beam trawling for sole and thornback ray

3 Fisheries liaison

3.1 Roles and responsibilities

16. The Applicant is responsible for the overall management of the fisheries stakeholder liaison team, including the employment of a Fisheries Liaison Officer (FLO) and Fishing Industry Representative (FIR). The Applicant would provide the stakeholder liaison team with up-to-date project information and would work to an agreed fisheries cooperation agreement strategy.
17. The Aapplicant has appointed a Fisheries Liaison Officer (FLO) and a Fishing Industry Representative (FIR) to facilitate liaison with the fishing industry and maintain an open and transparent relationship (**Table 3.1Table 3-1**). If required, Aadditional fisheries liaison roles ~~may~~would include an Offshore Fisheries Liaison Officer (OFLO) during relevant offshore works.

Table 3.1 Roles and responsibilities

Role	Responsibility
Fisheries Liaison Officer (FLO)	<p>On behalf of the Project Developer, provide Morecambe Offshore Windfarm with guidance on fishing activities in the area and relay concerns and sensitivities from the fisheries stakeholders regarding the Project for the lifetime of the project.</p> <p>The FLO is the main point of contact for fisheries stakeholders. The FLO should<u>aims to</u> establish a strong working relationship and maintain clear, transparent and accurate communications between the Project, any contractors or sub-contractors and fisheries stakeholders. They should<u>would</u> also ensure compliance with best practice guidelines. Other duties include:</p> <ul style="list-style-type: none"> ▪ To monitor fishing activities within and around The Project ▪ To provide the Applicant with details of fishing activities, vessels and gear types that may be operating within the vicinity of The Project ▪ To maintain a fisheries stakeholder database and communication log ▪ To maintain regular liaison with fisheries stakeholders and distribute any necessary information and notices of Project activities that could<u>are likely to</u> interact with fisheries stakeholders ▪ To co-ordinate fisheries engagement events with relevant stakeholders to communicate Project plans and procedures as necessary ▪ To develop and distribute meeting minutes with fisheries stakeholders ▪ To obtain and transmit to Morecambe Offshore Windfarm Ltd. all relevant fisher's concerns and sensitivities in respect of the various activities associated with The Project ▪ To keep fisheries stakeholders updated of any changes in project design, or scheduling; and ▪ To make all contractors and subcontractors aware of fishing activities, appropriate conduct when communicating with fishers and their vessels. ▪ To liaise with the FIR as appropriate and share relevant project information for dissemination with the fishing industry
Onshore Fishing Industry Representative (FIR)	<p>The FIR is a third-party representative contracted by The Project who would have extensive personal experience in commercial fishing and a strong connection to the local fishing industry to provide a balanced fishing industry opinion. The FIR would be the day-to-day contact for the fishers, passing on details of fishing activity, relevant information and any communications to the FLO. The FIR would ensure the timely provision to fishers of information regarding the movement of project vessels, distribution of the Notice to Mariners (NtM), and provision of any urgent notices in the event of any potential marine hazards. They would also aim to identify any potential issues or conflicts as early as possible and suggest prospective mitigation measures to the FLO.</p>

Role	Responsibility
Offshore Fisheries Liaison Officer (OFLO)	<p>When deemed necessary, an OFLO may <u>would</u> be aboard construction vessels to assist with offshore communications with fishing vessels. This includes broadcasting vessel locations, safety zones and health and safety requirements. They would also contact any fishing vessels observed within the vicinity of the project vessels to provide sufficient information and notice on current and upcoming Project activities so that the Project and the fishing industry can coexist. They would ensure offshore operations run smoothly by providing effective communication and advice when fishing gear is sighted in the works area.</p> <p>The OFLO would keep the FLO informed of any activity offshore.</p> <p>Local OFLOs will be used, where possible</p>

18. Commercial fisheries liaison activities to date include the following:

- To identify and engage with all commercial fisheries stakeholders, statutory and non-statutory bodies and organisations relevant to the Project
- Consultation, project updates and regular liaison with individual fisheries stakeholders through port visits, meetings, emails, letters and calls (see the Consultation Report (Document Reference 4.1))
- NtM, Kingfisher Bulletins and other navigational warnings of the position and nature of the works issued to the fishing industry
- To identify any other methods of dissemination in addition to NtM and the above
- To consider lessons learnt from interactions between fisheries stakeholders and other marine users within the proposed Order Limits.
- To address the concerns of the commercial fisheries stakeholders and review mitigation strategies
- To provide an FLO as the main point of contact for fishers and an FIR to support the FLO in their duties through maintaining regular contact with the local fishing industry

19. Fisheries stakeholders would be provided with the locations of offshore activities and infrastructure, submarine cable routes, areas of cable protection (if required) and vessel movements associated with the Project such as during construction, operations and maintenance and decommissioning. In addition, all fishers operating within the offshore sites would be given access to the Applicant's Marine Operations Handbook (Captain's Handbook) WR9087. The Marine Operations Handbook outlines all requisite information essential for conducting safe and joint operations, specifically:

- Introduction to the project and O&M operating strategy
- Layout of field complete with latitude/longitude for plotting
- Wind turbine coordinates

- Cable corridor plans
 - Unexploded ordnance survey findings
 - Aids to Navigation markings
 - Procedure for entering field array
 - Marine operational requirements
 - Communications plan
 - Joint operations in proximity
 - Details of safety zones
 - Emergency procedures and communications
20. Stakeholder consultation has taken place with a number of fisheries-related stakeholders. Further details of the consultation to date have been set out in **Chapter 13 Commercial Fisheries** and is set out in the Consultation Report.
21. Information would be distributed to all parties as early as possible and effective lines of communication would be maintained throughout the Project. General updates would be provided by the FIR and FLO to fishers via phone calls, WhatsApp, emails and port visits. Official construction information would be provided in NtMs which would be uploaded to Kingfisher by the FLO and circulated to the Project distribution list by the FIR. Vessel movements during offshore works would be provided as relevant to fishers by the Offshore Fisheries Liaison Officer (OFLO). **Table 3.2** provides an outline schedule for the distribution of information to fisheries stakeholders to allow for sufficient prior notice and planning for those stakeholders. This would be updated and modified throughout the lifetime of the Project.

Table 3.2 Timeframes for the distribution of Project information

Activity	Timing
Construction Plan	Notices and information distribution not less than 2 weeks prior to the commencement of offshore construction activities.
Pre- and post-construction surveys	Notices and information distribution not less than 2 weeks prior to the commencement of offshore survey activities.
Operation and Maintenance activities	Notices and information distribution not less than 2 weeks prior to the commencement of offshore operation and maintenance activities.
Meetings	Consultation meetings as required throughout the project development.
Unscheduled Liaison	Additional unscheduled liaison and consultation would be undertaken by either the FLO or the FIR as required to address issues or fisher's concerns as they arise.

Activity	Timing
Decommissioning	Notices and information distribution not less than 2 weeks prior to the commencement of offshore decommissioning activities.

3.2 Co-existence and mitigation measures

22. The Applicant views co-existence as the Project and fisheries stakeholders working collaboratively within the proposed Order Limits. Co-existence can be achieved with a proactive approach to project planning and open and transparent communication from all relevant stakeholders. The most sustainable form of coexistence is to take a pro-active approach by identifying conflict of interest, avoiding and de-escalating them and reducing impacts to both industries, as recommended in the FLOWW guidance.
23. Suitable procedures to facilitate co-existence would evolve through consultation with fisheries stakeholders but following the precedence of similar offshore windfarm developments. It is expected that the following measures would be utilised:
 - Regular and routine communications to provide suitable notice to enable decisions around operating practices to be made (See [Table 3.2Table 3.2](#))
 - Minimising fishing clearance for static gear fisheries during construction and decommissioning where safe and practicable in order to reduce the size of the impact to the fishing industry
 - Timing of activities, where feasible, to reduce overlap with seasonal fishing hotspots
 - Consideration of the use of guard vessels to assist with offshore works in order to help search for fishing gear ahead of construction vessels and liaise with fishing vessels in the vicinity of on-going or upcoming construction activities. Local guard vessels will be utilised where practicable.
 - Development of a Standard Operation Procedure (SOP) e.g. a Fisheries Communication Protocol for the Project's and contracted vessels on how to reduce interactions with fishing activity and communicate proactively with the fishing industry during construction and maintenance work
 - Provision of procedures for the safe recovery of lost, abandoned or snagged fishing gear
 - Development of a procedure for claims for loss of or damage to fishing gear
 - Early provision of construction and cable laying plans via consultation with the MMO on relevant DML condition discharges, including location and methods for cable protection, if required

- Cable monitoring throughout construction and operation to locate cable that needs remedial work and the provision of appropriate communication with relevant stakeholders, Maritime and Coastguard Agency (MCA) and MMO in the event that cables become unburied (i.e. through the FIR and FLO and other communication channels as seen fit such as the Kingfisher Information Service)

24. Requests for fisheries clearance would be provided to the fishing industry prior to construction and decommissioning where required, and individual fishers that ~~may~~would be affected by the works would be contacted directly in sufficient time to identify the need for further mitigation or where appropriate, assess eligibility for compensation using an evidence-based approach to form a Cooperation Agreement. The compensation strategy would be developed in the post- consent FLCP. If cooperation agreements cannot be reached with fishers, then an alternative dispute resolution strategy would be developed, which would also be provided in the post-consent FLCP, in line with current FLOWW guidance (FLOWW, 2014) below:

“Commercial compensation should only be used as a last resort when there are significant residual impacts that cannot otherwise be mitigated. Compensation should only be paid on the basis of factually accurate and justifiable claims. There is therefore an obligation upon Farm affected fishermen to provide evidence (such as three years’ worth of catch records and VMS data) to corroborate any such claims”.

25. The process for identifying the legitimate recipients and values to be paid as commercial compensation shall be evidence-based utilising information such as those outlined in the FLOWW (2015) guidance (where these are applicable) including, but not limited to:

- Copy of certificate of registry for each vessel for which a claim is being made
- Copy of a valid MCA certification or equivalent
- Copy of the relevant vessel fishing licenses and entitlements for each vessel for which a claim is being made
- Sight of vessels fishing charts and Global Positioning System (GPS) plotter records to provide clear historic evidence of potential disruption in the area of the operations
- Evidence of sales notes where available for an agreed time period
- Fishing accounts of the vessels concerned for an agreed time period
- Fishing vessel or and/or fisheries landings data held by fisheries authorities. Due to the requirements of the Data Protection Act, for access to individual records a declaration would need to be completed in order for records to be released

- It may be appropriate to validate sources of evidence not obtained directly from claimants in order to verify accuracy (for example, transcription errors may exist in official landings data). Similarly, corroboration/validation of evidence provided by claimants may be possible via independent sources such as fishery officers, for example.

26. This process will be led by the Applicant, with support of the FLO. It is understood the MMO will not act as an arbitrator in determination of legitimate claimants.

3.2.1 Commercial Fisheries Working Group (CFWG)

27. The Project would attend any Regional Commercial Fisheries Working Group (CFWG) meetings if they are set up in the local area. A CFWG ~~should~~would comprise of regularly scheduled meetings, in order to facilitate commercial fisheries dialogue to define and finalise FLCP. The aims of a CFWG would expect to include:

- Provide a platform where consent plans relevant to the fishing industry ~~could~~would be discussed, with the particular aim of defining and finalising the FLCP
- Facilitate commercial fisheries and renewables developers' dialogue, in order to define and finalise a FLCP. In terms of discussions on the FLCP, the minutes from the CFWG ~~should~~would accurately record where there is agreement/disagreement on the content of the FLCP
- Provide a forum for open and meaningful discussion to promote communication and understanding for the mutual benefit of the fishing industry and offshore wind farm developers
- Provide input to general approaches, procedures, and protocols with respect to construction management plans and potential mitigation options, promoting standardisation where possible, to achieve any possible reduction in interference. This would include reference to industry standard best practice guidance where necessary e.g. FLOWW guidance
- If practicable and beneficial, the group ~~could~~will disseminate a CFWG Newsletters with project information updates issued at regular intervals, anticipated quarterly

4 Monitoring

28. The Applicant has outlined in the In Principle Monitoring Plan (IPMP) that commercial fisheries monitoring would be undertaken to monitor available data and evidence to better understand any variations and patterns in commercial fisheries activity as a result of the Project. This would involve collation of data on commercial fisheries landings and activity by the ICES

rectangle 36E6, including landing statistics, Vessel Monitoring System data, Automatic Identification System data and Offshore FLO records. Monitoring will be provided across a minimum timeframe of 5 years post-construction, with reporting outputs provided annually. The first monitoring report will include an extension of the baseline assessment provided within the EIA and Commercial Fisheries Technical Report, so as to provide data across the pre-construction and construction periods allowing comparison with the post-construction period. Details of monitoring will be agreed in the FLCP and monitoring reports will be used to inform any FLCP updates that ~~may be~~ are required or identification of further monitoring or mitigation.

5 Conclusion

29. The Applicant considers that the strategies detailed in this outline FLCP would create positive co-existence between the Project and the fishing industry. The Applicant would continue to engage with the local fishing industry throughout the lifetime of the Project and manage any concerns that are raised by fishers. The Applicant would prepare an updated FLCP post-consent based on the content and structure of this document which would include the fisheries compensation strategy, alternative dispute resolution process, procedures for the loss or damaged of fishing gear, and procedures for the safe recovery of lost or snagged fishing gear.

6 References

FLOWW (2014). Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison.

FLOWW (2015). Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds.