



Morecambe Offshore Windfarm: Generation Assets Examination Documents

Volume 8

Combined Examination Progress Tracker and Statement of Commonality (Tracked)

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Glossary of Acronyms

AfL	Agreement for Lease
CCUS	Carbon Capture Usage and Storage
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ExA	Examining Authority
HE	Historic England
HRA	Habitat Regulations Assessment
IFP	Instrument Flight Procedures
IoMSPC	Isle of Man Steam Packet Company
IoMTSC	Isle of Man Government Territorial Sea Committee
JNCC	Joint Nature Conservation Committee
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
NATS	National Air Traffic Services
NE	Natural England
NFFO	National Federation of Fishermen's Organisations
NRW	Natural Resources Wales
OSP	Offshore Substation Platform
PAD	Principal Areas of Disagreement
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
PLC	Public Limited Company
RAF	Royal Air Force
RSPB	Royal Society for the Protection of Birds
RR	Relevant Representation
REWS	Radar Early Warning Systems
SoCG	Statement of Common Ground
TBC	To Be Confirmed
TH	Trinity House
UK	United Kingdom
WoDS	West of Duddon Sands
WR	Written Representation
WTG	Wind Turbine Generator
WFA-CPC	Welsh Fishermen's Association - Cymdeithas Pysgotwyr Cymru (WFA-CPC)

Glossary of Units

km	kilometre
km ²	square kilometre
MW	Megawatt

Glossary of Terminology

Agreement for Lease (AfL)	Agreements under which seabed rights are awarded following the completion of The Crown Estate tender process.
Applicant	Morecambe Offshore Windfarm Ltd
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).
Wind turbine generator (WTG)	A fixed structure located within the windfarm site that converts the kinetic energy of wind into electrical energy.
Windfarm site	The area within which the WTGs, inter-array cables, OSP(s) and platform link cables would be present.



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1 Introduction

1. This document has been prepared to support a Development Consent Order (DCO) application by Morecambe Offshore Windfarm Ltd (hereafter 'the Applicant') for Morecambe Offshore Windfarm Generation Assets ('the Project').
2. On 23 September 2024, the Examining Authority (ExA) published the Rule 6 Letter in relation to the Examination of the application by the Applicant for the Project.
3. The Rule 6 letter (PD-007) sets out a requirement for submission of a Pre-examination Progress Tracker, Statements of Common Ground (SoCG) and a Statement of Commonality (or as combined with the Progress Tracker) in the draft examination timetable. This Progress Tracker and Statement of Commonality therefore reports on what the Applicant considers are the principal and other notable issues in the Examination, in addition to capturing the commonality between the Applicant and each party with whom the ExA has requested a SoCG.
4. SoCGs are being prepared between the Applicant and other parties to set out areas where there is agreement, areas of disagreement, and areas which remain under discussion in relation to the DCO application.
5. The Applicant understands it would be helpful and reduce duplication if the Statement of Commonality could be combined with the Examination Progress Tracker at the earliest opportunity. This document therefore presents the Examination Progress Tracker together with progress on SoCGs.
6. The Examination Progress Tracker and Statement of Commonality is intended to be a live document and the tables will be updated throughout the Examination. The first submission was at Procedural Deadline A (15 October 2024), and an update was submitted at Examination Deadline 1 (26 November 2024), 2 (12 December 2024) and 3 (22 January 2025). It ~~has~~ was ~~been~~ updated again at Examination Deadline 4 ~~—this document—~~ (18 February 2025) as a mid-Examination Progress Tracker and Statement of Commonality and provided (this document) again at Deadline 5 to aid the tracking of live matters. As part of the mid-examination progress tracker a summary of live matters has also been provided in (also reflected in **Appendix A**). A final version will be submitted at the Close of Examination Progress Tracker (and Final Statement of Commonality at Deadline 6 (15 April 2025). Submission deadlines are defined in the Rule 8 letter (PD-010).

2 Overview of the Project

7. The Morecambe Offshore Windfarm is a proposed offshore windfarm located in the Eastern Irish Sea, which when fully operational, would have an anticipated nominal capacity of 480 Megawatts (MW) and would have the potential to generate renewable power for over 500,000 homes in the United Kingdom (UK).
8. The windfarm was one of six projects selected by The Crown Estate in its Offshore Wind Leasing Round 4 in 2021. The Agreement for Lease (AfL) for the windfarm was received in 2023.
- ~~9.~~ The AfL comprises an area of up to 125km² and reflects the windfarm site assessed in the Preliminary Environmental Information Report (PEIR). Following design development, surveys, assessments and consultation on the PEIR, the proposed windfarm site development area has been reduced to approximately 87km².
- ~~9.~~ The Project relates to the Generation Assets of the Morecambe Offshore Windfarm (including wind turbine generators (WTGs), inter-array cables, offshore substation platforms (OSP(s)), and possible platform link cables to connect the OSP(s)).
- 10.
11. The key Project components briefly comprise:
 - Up to 35 WTGs and their associated foundations
 - Up to two OSPs and their associated foundations and platform link cables
 - Inter-array cables
 - ~~12.~~▪ Scour protection around foundations and subsea cable protection, where required
- ~~13.~~~~12.~~ A separate consent for the Transmission Assets associated with the Morecambe Offshore Windfarm and the Morgan Offshore Wind Project (another proposed windfarm to be located in the Irish Sea) is being sought.

3 Methodology

- ~~14.~~~~13.~~ This Examination Progress Tracker has been prepared in response to the ExA's Rule 6 letter (PD-007) requesting an Examination Progress Tracker. It has been presented in the form of a table, reporting on what the ExA (in the Rule 6 letter, Appendix C) considers are the principal and other notable issues in the Examination.

45.14. **Table 4.1** sets out the principal issues, logs the Interested Parties that have raised them, summarises the concern(s)/objection(s) and the progress being made towards resolution.

46.15. The Examination Progress Tracker combines the Statement of Commonality as suggested by the ExA. The table sets out where a SoCG is being progressed and its status in **Table 5.1**. For full details of the items under discussion with each stakeholder, please refer to the relevant SoCG (once available).

47.16. For ease of reference, the table uses a ‘traffic-light’ system to guide the reader to the likelihood of resolving the issues as shown in **Table 3.1**.

Table 3.1 Position definitions and colour coding

Position Colour	Definition
Agreed	Agreed The matter is considered to be agreed between the parties.
Not Agreed – no material impact	Not Agreed – no material impact The matter is not agreed between the parties; however, the outcome of the approach taken by either the Applicant or other parties is not considered to result in a material impact to the assessment conclusions.
Not Agreed – material impact	Not Agreed – material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or other parties is considered to result in a materially different impact to the assessment conclusions.
In Discussion	In Discussion The matter is neither ‘agreed’ or ‘not agreed’ and is a matter where further discussion is required between parties, for example, final wording of DCO conditions or where further information sharing/clarification is required.

48.17. The summary of the issues and the assessment of likely progress are based upon the Relevant Representations (RRs) that have been submitted. They also reflect the ongoing discussions between the Applicant and other stakeholders.

4 Examination Progress Tracker

Table 4.1 Examination Progress Tracker

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
1. Aviation and Radar				
Effects on safety and operations of civil and military aviation including search and rescue	Assessment of effects to civil or military aviation and proposed mitigation – Impacts to Instrument Flight Procedures (IFPs)	BAE Systems Marine Limited	<p>The Applicant and BAE Systems Marine Limited have agreed that impacts to Walney Aerodrome IFP have been correctly identified. It is also agreed between parties that a mitigation solution is available, and the required mitigation is realistic and achievable.</p> <p>Discussions are also being undertaken on the wording of the DCO requirement. <u>The latest draft wording is provided within the draft DCO Rev 05 Clean (Document Reference 3.1).</u></p> <p>Detailed discussions on proposed mitigation solutions are now underway, which would require the Applicant to amend IFP procedures, (with an additional IFP assessment undertaken by NATS now also available), noting that these discussions would continue post-examination.</p>	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Defence Infrastructure Organisation DIO are liaising with BAE Systems (Operations) Ltd in regard to Warton Aerodrome	<p>The Applicant, DIO and with BAE Systems (Operations) Ltd have agreed that impacts to Warton Aerodrome IFP have been correctly identified. It is also agreed between parties that a mitigation solution is available, and the required mitigation is realistic and achievable.</p> <p>Discussions are also being undertaken on the wording of the DCO requirement. <u>The latest draft wording is provided within the draft DCO Rev 05 Clean (Document Reference 3.1).</u></p> <p>Detailed discussions on proposed mitigation solutions are now underway, which would require the Applicant to amend IFP procedures, noting that these discussions would continue post-examination.</p>	<p>Issues addressed in the SoCG – Status in Table 5.1</p> <p>It is noted a joined SoCG between the DIO and BAE Systems (Operations) Ltd has been progressed (for Warton Aerodrome) in addition to a separate SoCG with the DIO for other matters.</p> <p>Matters relating to Warton radar are identified in sections below.</p>
		Blackpool Airport Ltd	<p>The Applicant and Blackpool Airport Ltd have agreed that impacts to Blackpool Airport IFP have been correctly identified. It is also agreed between parties that technical mitigation solutions are available, and the required</p>	<p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>mitigation is realistic and achievable.</p> <p>Discussions were undertaken on the wording of the DCO requirement which have now been agreed by both parties.</p> <p>Detailed discussions on proposed mitigation solutions are now underway, which would require the Applicant to design a new IFP procedure, noting that these discussions would continue post-examination.</p>	
	Assessment of effects to civil or military aviation and proposed mitigation – Impacts to Very High Frequency (VHF)	Blackpool Airport, Walney Aerodrome, and Warton Aerodrome	<p>Concerns around VHF, DF and UHF were identified to the Applicant post-application and the Applicant has commissioned <u>completed and shared with interested parties</u> an assessment in response.</p> <p>The Applicant is engaged with Blackpool Airport, Walney Aerodrome, and Warton Aerodrome to add the necessary requirements to the draft DCO that secures appropriate mitigation for any potential effects, should this be required.</p>	Issues addressed in the SoCG – Status in Table 5.1
		Isle of Man Airport	The Applicant is engaged with the Isle of Man Territorial Sea	

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Isle of Man Government Territorial Sea Committee (IoM TSC)	Committee and Isle of Man Airport and has agreed the necessary requirements to the draft DCO, that secures appropriate VHF mitigation for any potential effects, should this be required (noting that VHF assessments are ongoing to confirm if the requirement is necessary).	Sea Committee – Status in Table 5.1
	Effects on access to, and the operations of and oil and gas development.	Spirit Energy	<p>A summary of the position at Deadline 4 is set out in 5.2.1 below.</p> <p><u>The Applicant was promised by Spirit Energy their drafting of Protective Provisions following Issue Specific Hearing 3, having previously been promised them following Issue Specific Hearing 1. These have not been forthcoming; therefore, the Applicant has unilaterally drafted updated Protective Provisions in favour of both Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1).</u></p>	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>Notwithstanding the above the Applicant is still very much willing and hoping to engage and reach an agreed solution with Spirit Energy ahead of Deadline 6.</u></p> <p>The Applicant included updated Protective Provisions in favour of Spirit Energy in the draft DCO at Deadline 2 (REP2-002); discussions are ongoing directly and via each parties' legal teams on the updating the Protective Provisions.</p> <p>An in-person meeting, and follow-up technical meetings have been held between the parties with a view to agreeing a resolution. Meeting minutes are included within Response to Actions arising from Issue Specific Hearings 2, 3 and 4 (Document Reference 9.54). Spirit Energy have confirmed that they will be progressing their drafts of the Protective Provision following these technical meetings.</p>	
		Chrysaor Resources (Irish Sea)	A summary of the position at Deadline 4 is set out in 5.2.2 below.	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Limited/Harbour Energy plc	<p>The Applicant included updated Protective Provisions in favour of Harbour Energy in the draft DCO at Deadline 2 (REP2-002). <u>Harbour Energy have stated Discussions are ongoing, noting that</u> in their submissions at Deadline 3 Harbour Energy confirmed that they would be seeking to align the Protective Provision in their favour with those being agreed between the Applicant and Spirit Energy.</p> <p><u>Noting these have not been forthcoming; therefore, the Applicant has unilaterally drafted updated Protective Provisions in favour of both Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1).</u></p> <p><u>Notwithstanding the above the Applicant is still very much willing and hoping to engage and reach an agreed solution with Harbour Energy ahead of Deadline 6.</u></p>	

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			It is anticipated that these updates will be provided once Spirit Energy have shared their draft of Protective Provisions.	
	Effects on access to, and the operations of, existing offshore infrastructure including operational offshore wind farms - Assessment of effects to civil or military aviation and proposed mitigation	Other wind operators who have made RRs: Burbo Extension Ltd and Walney Extension Limited	<p>The Applicant has held meetings with the Orsted IPs to seek to understand the potential effects of the Project to their proposed aviation mitigation.</p> <p>The Applicant has been informed by the Orsted IPs that the radar mitigation solution is currently undergoing testing, but that as there is a non-disclosure agreement in place no details can be shared with the Applicant.</p>	Issues to be addressed in the SoCG – Status in Table 5.1
Effects to radar	Assessment and mitigation of effects on air traffic radars at Lowther Hill, St Annes and Great Dun Fell	NATS (En Route) plc	<p>The Applicant and NATS have agreed that impacts to Lowther Hill, St Annes and Great Dun Fell radars have been correctly identified. It is also agreed between parties that technical mitigation solutions are available, and the required mitigation is realistic and achievable.</p> <p>Provision is made within the draft DCO for the required radar mitigation. The contracts</p>	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			in relation to mitigation are being discussed by each parties' legal teams.	
	Assessment and mitigation of effects on air traffic radars at Warton Aerodrome	Defence Infrastructure Organisation (DIO) DIO are liaising with BAE Systems (Operations) Ltd	<p>The Applicant and the DIO have agreed that impacts to Warton Aerodrome radar have been correctly identified. It is also agreed between parties that technical mitigation solutions are available, and the required mitigation is realistic and achievable.</p> <p>As such, the Applicant has now provided a proposed radar mitigation solution to the DIO and BAE Systems (Operations) Ltd (31 January 2025).</p> <p>Provision is made within the draft DCO for the required radar mitigation. Technical and operational assessments of the mitigation solution are underway.</p>	Issues addressed in the SoCG – Status in Table 5.1 (noting a SoCG has been progressed joined with the DIO).

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	Assessment and mitigation of effects on air traffic radars at Isle of Man Airport	Isle of Man Airport IoM TSC	The Applicant is engaged with the Isle of Man Territorial Sea Committee and Isle of Man Airport and has agreed the necessary requirements to the draft DCO, that secures appropriate radar mitigation for any potential effects, should this be required (noting that radar assessments are ongoing to confirm if the requirement is necessary).	Issues addressed in the SoCG with IoM TSC (with no separate SoCG with Ronaldsway Airport required) – Status in Table 5.1
2. Biodiversity and Ecology				
Benthic ecology and marine physical processes, including dredging and contamination	Matters relating to benthic ecology, offshore habitats and species and physical processes	IoM TSC	The Applicant considers matters are agreed.	Matters confirmed in the SoCG – Status in Table 5.1
		Joint Nature Conservation Committee (JNCC)	No specific comments from JNCC were provided ¹ until Deadline 3. These comments have been responded to by the Applicant at Deadline 4 and summarised below in Appendix A: Summary of environmental live matters with Interested Parties , but do not	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties and expected that these will be noted in an updated issues tracker and PAD by NE. No SoCG will be pursued between the Applicant and JNCC.

¹ Natural England's remit extends to the territorial sea adjacent to England, up to the 12 nautical mile limit from the coastline. The Examining Authority should note that pursuant to an authorisation made by the JNCC under the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200nm) adjacent to England.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>relate to benthic ecology or physical processes.</p> <p>The Applicant has been informed by Natural England (NE) that they do not wish to undertake in the SoCG process but via submission of their issues tracker and Principal Areas of Disagreement (PAD).</p> <p>NE have stated that they will be representing the views of JNCC (RR-061) and these will be incorporated into the NE issues tracker and PAD.</p>	
		Marine Management Organisation (MMO)	<p>The Applicant is engaged and working with the MMO on outstanding matters. In their Deadline 3 submissions the MMO noted that issues on benthic ecology and coastal processes are closed. The designation of the order limits as a disposal ground is being actioned by the MMO (as summarised in Appendix A: Summary of environmental live matters with Interested Parties).</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>
		NE	<p>The Applicant is engaged and working with NE on outstanding matters. There are</p>	<p>Matters are summarised in Appendix A: Summary of</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>minimal items in discussion around benthic ecology and physical processes as shown in Appendix A: Summary of environmental live matters with Interested Parties. <u>It is considered matters will be resolved or as no material impact by the close of examination.</u></p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD, noting that NE highlight matters will not be resolved until updates are made in the appropriate documentation.</p>	<p>environmental live matters with Interested Parties.</p> <p>Matters (in detail) will be noted in an updated issues tracker and PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and NE.</p>
Fish and shellfish ecology	Matters relating to fish and shellfish ecology including assessment of effects, cumulative impacts and mitigations proposed	IoM TSC	The Applicant considers matters are agreed.	Matters confirmed in the SoCG – Status in Table 5.1
		MMO	<p>The Applicant is engaged and working with the MMO on outstanding matters which, as shown in Appendix A: Summary of environmental live matters with Interested Parties, relate to DCO conditions for cod spawning and noise impacts. <u>The Applicant and the MMO have agreed wording</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<u>included in the DCO if considered to be required by determining authorities.</u>	
		NE	The Applicant is engaged and working with NE on outstanding matters. There are minimal items in discussion around fish and shellfish as shown in Appendix A: Summary of environmental live matters with Interested Parties. <u>No matters with NE in the risks and issue log are amber or red and no further action or discussion is considered to be required.</u> The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	Matters are summarised in Appendix A : Summary of environmental live matters with Interested Parties. Matters (in detail) will be noted in an updated issues tracker and PAD by NE. No SoCG will be pursued between the Applicant and NE.
		Natural Resources Wales (NRW)	NRW have provided a WR at Deadline 1, and further submissions at Deadline 3. No comments have been provided on Fish and Shellfish Ecology.	No comments have been provided in Fish and Shellfish Ecology.
		National Federation of Fishermen's	The Applicant has progressed discussions with the NFFO	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Organisations (NFFO) and Welsh Fishermen's Association - Cymdeithas Pysgotwyr Cymru (WFA-CPC)	around the fish and shellfish baseline and impact assessment. There are remaining concerns around the shellfish baseline and the available methods for EIA assessment, but it has been agreed there is no material impact to the assessment conclusions.	
Marine mammal ecology	Matters relating to marine mammal ecology (and underwater noise) including assessment of effects, cumulative impacts and mitigations proposed	JNCC	<p>No specific comments from JNCC were provided² until Deadline 3. These comments have been responded to by the Applicant at Deadline 4 and summarised below in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p> <p>NE have stated that they will be representing the views of</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters will be noted in an updated PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and JNCC.</p>

² Natural England's remit extends to the territorial sea adjacent to England, up to the 12 nautical mile limit from the coastline. The Examining Authority should note that pursuant to an authorisation made by the JNCC under the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200nm) adjacent to England.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			JNCC (RR-061) and these incorporated into the NE issues tracker and PAD.	
		IoM TSC	The Applicant considers matters are agreed.	Matters confirmed in the SoCG – Status in Table 5.1
		MMO	The Applicant is engaged and working with the MMO on <u>the final</u> outstanding matters <u>(and discussed Deadline 4 comments and outstanding issues at a meeting on 4 March 2025)</u> which, as shown in Appendix A: Summary of environmental live matters with Interested Parties , relate to noise <u>assessments, condition wording and</u> mitigation.	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties . Issues addressed in the SoCG – Status in Table 5.1
		NE	The Applicant is engaged and working with NE on outstanding matters. There are minimal items in discussion around noise impacts <u>and associated mitigations</u> as shown in Appendix A: Summary of environmental live matters with Interested Parties . The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties . Matters (in detail) will be noted in an updated issues tracker and PAD by NE. No SoCG will be pursued between the Applicant and NE.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	Matters relating to marine mammal ecology in relation to Welsh designated sites and cumulative effects.	NRW	<p>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadline 3 <u>and 4</u>.</p> <p>The Applicant is engaged with NRW on outstanding matters, <u>(and discussed Deadline 4 comments at a meeting on the 6 March 2025)</u> as shown in Appendix A: Summary of environmental live matters with Interested Parties, with Deadline <u>4-5</u> submissions of the marine mammal chapter and RIAA considered to address NRW comments.</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues to be addressed in the SoCG – Status in Table 5.1</p>
Ornithology	Matters relating to marine ornithology including assessment of effects, cumulative impacts and mitigations proposed	IoM TSC	The Applicant considers matters are agreed, noting residual concerns stated by the IoM TSC.	Matters confirmed in the SoCG – Status in Table 5.1
		NE	<p>The Applicant has provided clarifications in response to RRs as well as submissions made by NE at Deadline 2 and 3.</p> <p>This has included provision of gap filling for historical projects for the CEA and in-</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters (in detail) will be noted in an updated issues tracker and PAD by NE.</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>combination assessments. As summarised in Appendix A: Summary of environmental live matters with Interested Parties it is considered that matters will be largely agreed, with <u>material</u> disagreement remaining only on the conclusions within the RIAA (see <u>HRA section</u> below)</p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p>	No SoCG will be pursued between the Applicant and NE.
		Royal Society for the Protection of Birds (RSPB)	<p>The Applicant is engaged with the RSPB on <u>final</u> outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties. <u>Items not agreed related to industry wide matters rather than Project specific details.</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		JNCC	<p>No specific comments from JNCC were provided³ until Deadline 3. These comments have been responded to by the Applicant at Deadline 4 and summarised below in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p> <p>NE have stated that they will be representing the views of JNCC (RR-061) and these incorporated into the NE issues tracker and PAD.</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters will be noted in an updated issues tracker and PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and JNCC.</p>
	Matters relating to marine ornithology and ecology in relation to Welsh designated sites <u>(HRA)</u>	NRW	NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadline 3 which the Applicant	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.

³ Natural England's remit extends to the territorial sea adjacent to England, up to the 12 nautical mile limit from the coastline. The Examining Authority should note that pursuant to an authorisation made by the JNCC under the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200nm) adjacent to England.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>has responded to at Deadline 4.</p> <p>The Applicant is engaged with NRW on outstanding matters as shown in <u>has agreed with NRW, following the submission of the RIAA at Deadline 4</u> there are no Adverse effects on the Integrity of Welsh sites, as also noted in Appendix A: Summary of environmental live matters with Interested Parties, with Deadline 4 submissions of RIAA considered to address NRW comments. The Applicant will also update the Ornithology Chapter at Deadline 5 to address EIA comments to be provided by NRW at Deadline 4.</p>	Issues to be <u>are</u> addressed in the SoCG – Status in Table 5.1
	<u>Matters relating to marine ornithology - ES and Welsh SSSI's.</u>	<u>NRW</u>	<p><u>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadlines 3 and 4 which the Applicant has responded to at Deadlines 4 and 5.</u></p> <p><u>The Applicant is engaged with NRW on outstanding matters</u></p>	<p><u>Matters are summarised in</u> Appendix A: Summary of environmental live matters with Interested Parties.</p> <p><u>Issues to be addressed in the SoCG – Status in</u> Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			as shown in Appendix A: Summary of environmental live matters with Interested Parties. <u>The Applicant has also been in discussion with NRW and has updated the Ornithology Chapter at Deadline 5 to address EIA comments provided by NRW at Deadline 4.</u>	
	Matters relating to the CEA and Barrow OWF	Ørsted Interested Parties	The Applicant will look to progress issues with relevant Interested Parties. It is considered by the Applicant that the CEA undertaken in respect to ornithology is robust and precautionary, despite Barrow OWF not being included in the additional gap filling exercise cumulative effect or in combination assessment for ornithology. Given the small impact these projects would have on the assessments (as noted by NE), NRW has noted (meeting on the 6th March) that the inclusion of these projects would not altered their ability to agree there is no AEoI on Welsh sites.	Issues addressed in a SoCG – Status in Table 5.1 It has been agreed with Ørsted Interested Parties that a joint SoCG would be submitted for all projects, noting that ScottishPower Renewables (WoDS) Ltd are represented under Morecambe Wind Limited in the joint SoCG.
3. Commercial Fisheries				

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
Displacement of any fishing activities, adequacy of mitigation measures and approach to monitoring and any consequent social, economic or environmental effects	Assessment of baseline data	NFFO and WFA-CPC	The Applicant has progressed discussions with the NFFO around the commercial fish baseline and impact assessment. There are remaining concerns around the shellfish baseline and the available methods for EIA but it has been agreed there is no material impact to the assessment conclusions.	Issues addressed in the SoCG – Status in Table 5.1
		Flemish Agency for Agriculture and Fisheries	The Applicant has not received feedback from the interested party but considers the updates made in the commercial fisheries technical report at Deadline 2 (REP2-014) should resolve matters.	The Applicant has updated the commercial fisheries technical report in response to the RR provided. Status in Table 5.1 (noting a SoCG has not been requested by the ExA)
		IoM TSC	The Applicant <u>has</u> engaged with the IoM TSC, with remaining matters not considered to materially impact the assessment conclusions.	Issues addressed in the SoCG – Status in Table 5.1
	Assessment and proposed mitigation of effects on commercial fishing including the Outline Fisheries Liaison and Coexistence Plan	NFFO and WFA-CPC	The Applicant has progressed matters with the NFFO. Details of the proposed monitoring and the draft FLCP <u>are being discussed, with a view to resolution have been agreed</u> , noting the FLCP will	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			be further developed and agreed-finalised post-consent <u>and maintained through the operation of the Project.</u>	
		IoM TSC	The Applicant engaged with the IoM TSC, with remaining matters not considered to materially impact the assessment conclusions, <u>and with matters agreed,</u> noting the IoM TSC considers that monitoring should be comparable regionally.	Issues addressed in the SoCG – Status in Table 5.1
		Flemish Agency for Agriculture and Fisheries	The Applicant has not received feedback from the interested party but considers the updates made in the commercial fisheries technical report at Deadline 2 (REP2-014) should resolve matters.	The Applicant has updated the commercial fisheries technical report in response to the RR provided. Status in Table 5.1 (noting a SoCG has not been requested by the ExA)
4. Habitats Regulations Assessment (HRA)				
Interrogation of data and information on which the HRA would be based	Collision Risk Modelling and the applicant's displacement assessments and subsequent apportioning	NE	The Applicant is engaged with NE regarding the assessments <u>with</u> the RIAA, with minimal matters remaining relating to methodologies <u>matters expected to be resolved upon NR review of the RIAA submitted updated at Deadline 54, as summaries summarised</u>	Matters are summarised in Appendix A : Summary of environmental live matters with Interested Parties. Matters will be noted in an updated issues tracker and PAD by NE.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p>	No SoCG will be pursued between the Applicant and NE.
		NRW	<p>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadlines <u>3 and 4</u> which the Applicant has responded to at Deadlines <u>4 and 5</u>.</p> <p>The Applicant is engaged with NRW on outstanding matters as shown in Appendix A: Summary of environmental live matters with Interested Parties and the RIAA has been updated at Deadline 4 to address comments received. <u>As discussed with NRW on the 6th March 2025, it is considered that matters in relation to ornithology are agreed.</u> -</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		RSPB	<p>The majority of matters have been agreed. The Applicant is engaged with the RSPB on final outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties. Items not agreed related to industry wide matters rather than Project specific details. The Applicant is engaged with the RSPB on outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p>	<p><u>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u></p> <p><u>Issues addressed in the SoCG – Status in Table 5.1 Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u></p> <p><u>Issues addressed in the SoCG – Status in Table 5.1</u></p>
Screening of protected sites, likely significant effects, and those taken forward for assessment	The approach the Applicant has taken to the HRA screening and assessment	NE	<p>The Applicant has provided clarifications in response to RRs and comments received from NE and the ExA on the HRA screening report with and updated version submitted at Deadline 3 (REP3-006).</p> <p><u>Following comments made by NE in response to Examiners questions, a technical note considering the pathway for effects on bats has been provided at Deadline 4.</u></p> <p>The Applicant is engaged with NE on outstanding matters as shown in Appendix A:</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters will be noted in an updated issues tracker and PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and NE.</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			Summary of environmental live matters with Interested Parties. The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	
		NRW	<p>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadline 3 which the Applicant has responded to at Deadline 4. has agreed that the appropriate sites have been screened in.</p> <p><u>Methods for ornithology have been agreed through examination for ornithology.</u></p> <p><u>Remaining matters in relation to marine mammals assessments have been discussed around the in-combination assessment and addressed in the RIAA provided at Deadline 5.</u></p> <p>The Applicant is engaged with NRW on outstanding matters as shown in Appendix A:</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues to be addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			Summary of environmental live matters with Interested Parties.	
		RSPB	It is agreed that appropriate designated features have been screened into the assessment for ornithology. The Applicant is engaged with the RSPB on outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties.	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties. Issues to be addressed in the SoCG – Status in Table 5.1
Likelihood of adverse effects on the integrity of habitat sites including information to assess any potential derogation	Presentation of data and conclusion that the project would not have an adverse effect alone or in-combination on the integrity of the designated sites	NE	The Applicant has provided clarifications in response to comments received on data presented in the RIAA. As summarised in Appendix A: Summary of environmental live matters with Interested Parties , there remains disagreement in the conclusions of no AEOI in respect to Red-throated diver and Lesser Black Backed Gull. The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties. Matters will be noted in an updated issues tracker and PAD by NE. No SoCG will be pursued between the Applicant and NE.
		NRW	NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline	Matters are summarised in Appendix A: Summary of

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>2 and Deadline 3. NRW has provided further comments at Deadline 3 which the Applicant has responded to at Deadline 4. agreed with the applicant with the conclusions of no AEoI for Welsh sites in regard to ornithology.</u></p> <p><u>The Applicant has discussed marine mammals matters raised at Deadline 4 with NRW and agreed updates provided at Deadline 5.</u></p> <p><u>The Applicant is engaged with NRW on outstanding matters. This is as shown in Appendix A: Summary of environmental live matters with Interested Parties.</u></p>	<p>environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>
		RSPB	<p>The Applicant is engaged with the RSPB on outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p><u>Items not agreed related to industry wide matters rather than Project specific details.</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		IoM TSC	The Applicant considers matters are agreed.	Matters confirmed in the SoCG – Status in Table 5.1
In-combination effects	Approach to the projects cumulative and in-combination assessments and the assessment of historic projects.	NE	<p>The Applicant has provided gap filling data at Deadline 1, <u>expected to be resolved with the submission of the ES chapter at Deadline 5, with a summary of matters provided in Appendix A: Summary of environmental live matters with Interested Parties.</u></p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters will be noted in an updated issues tracker and PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and NE.</p>
		NRW	<p>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has provided further comments at Deadline 3 which the Applicant has responded to at Deadline 4. The Applicant considers that <u>methodology and historical project gap filling have been completed and this has been discussed with NRW, with the RIAA conclusions agreed for Welsh sites.</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>Final matters around marine mammals have been discussed with NRW and updates have been included in the ES Chapter and RIAA forat Deadline 5 to resolve residual concerns.</u></p> <p>The Applicant is engaged with NRW on outstanding matters as shown in Appendix A: Summary of environmental live matters with Interested Parties.</p>	
		RSPB	<p><u>The Applicant is engaged with the RSPB on final outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u></p> <p><u>Items not agreed related to industry wide matters rather than Project specific details. The Applicant is engaged with the RSPB on outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Issues addressed in the SoCG – Status in Table 5.1</p>
	Habitats compensation delivery	Spirit Energy	The Applicant agrees that the proposed without prejudice compensation at Barrow Gas	N/A

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
Deliverability of potential compensation			Terminal will not be progressed further.	
		NE	<p>The Applicant has provided clarifications in response to RRs and comments received by engaged with NE throughout examination <u>on both compensation measures for LBBG and RTD</u> as summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.</p> <p>Discussions are on-going between NE and the Applicant on the delivery of 'without prejudice' compensation measures, with provisions included in the dDCO if required. <u>However, the suitability of the measures are considered to have been agreed between parties.</u></p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p> <p>Matters will be noted in an updated issues tracker and PAD by NE.</p> <p>No SoCG will be pursued between the Applicant and NE.</p>
		NRW	<p>NRW have provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2 and Deadline 3. NRW has</p>	<p>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</p>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			provided further comments at Deadline 3 which the Applicant has responded to at Deadline 4. The Applicant is engaged with NRW on outstanding matters as shown in Appendix A: Summary of environmental live matters with Interested Parties. defer to NE on English sites and as such are not providing comment on compensation plans.	Issues addressed in the SoCG – Status in Table 5.1 N/A
		RSPB	The Applicant is engaged with the RSPB on outstanding matters, as summarised in Appendix A: Summary of environmental live matters with Interested Parties. Matters not agreed relate to industry positions.	Issues to be addressed in the SoCG – Status in Table 5.1
5. Other Offshore Infrastructure and Other Sea Users				
Oil and gas infrastructure owners and operators who have made RRs	Issues relating to oil and gas infrastructure including: <ul style="list-style-type: none">Assessment of effects on Radar Early Warning Systems (REWS)	Spirit Energy	A summary of the position at Deadline 54 is set out in 5.2.1 below. The Applicant submitted an updated REWS assessment at Deadline 3 (REP3-034), this confirms the conclusions that there will be no significant	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	<p>and microwave communications</p> <ul style="list-style-type: none"> Impacts affecting mutually exclusive simultaneous operations (marine and aviation) Impacts affecting futures operations such as Carbon Capture Usage and Storage (CCUS) 		<p>effect on their REWS as a result of the Project. <u>Which was confirmed by Spirit Energy in their Comments on any other submissions received at Deadline 3 (REP4-069).</u></p> <p>Discussions are ongoing directly and via each parties' legal teams on the updating of Protective Provisions in favour of Spirit Energy in relation to impacts affecting mutually exclusive operations.</p> <p>An in-person meeting has been held between the parties, follow-up technical meetings are planned to cover issues including impacts affecting future operations such as CCUS. Meeting minutes are included within Response to Actions arising from Issue Specific Hearings 2, 3 and 4 (Document Reference 9.54).</p> <p>Spirit Energy have confirmed that they will be progressing their drafts of the Protective Provision following these technical meetings.</p> <p><u>The Applicant was promised by Spirit Energy their drafting of Protective Provisions</u></p>	

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>following Issue Specific Hearing 3, having previously been promised them following Issue Specific Hearing 1. These have not been forthcoming; therefore, the Applicant has unilaterally drafted Protective Provisions in favour of both Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1). Notwithstanding the above the Applicant is still very much willing and hoping to engage and reach an agreed solution with Spirit Energy ahead of Deadline 6.</u></p>	
	Issues relating to oil and gas infrastructure	Chrysaor Resources (Irish Sea) Limited/Harbour Energy plc	<p>A summary of the position at Deadline 4 is set out in 5.2.2 below.</p> <p>The Applicant included updated Protective Provisions in favour of Harbour Energy in the draft DCO at Deadline 2 (REP2-002). Discussions are ongoing, noting Harbour Energy have stated that in their submissions at Deadline 3 Harbour Energy confirmed</p>	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p>that they would be seeking to align the Protective Provision in their favour with those being agreed between the Applicant and Spirit Energy.</p> <p>It is anticipated that these updates will be provided once Spirit Energy have shared their draft of Protective Provisions.</p> <p><u>Noting these have not been forthcoming; therefore, the Applicant has unilaterally drafted updated Protective Provisions in favour of both Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1).</u></p> <p><u>Notwithstanding the above the Applicant is still very much willing and hoping to engage and reach an agreed solution with Harbour Energy ahead of Deadline 6</u></p>	
Telecommunications and electricity transmission infrastructure	Proximity of Telecommunications and electricity transmission	Vodafone group Public Limited Company (PLC)	<p>Provision is made within the Draft DCO (protective provisions).</p> <p>A meeting has been held and parties have agreed that no</p>	No SoCG will be pursued between the Applicant and Vodafone group Public Limited Company (PLC) (noting also no RR was made).

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	infrastructure to the Project		alternative mechanism for co-existence is required. Further discussions regarding the proposed windfarm site layout to be held to determine the need for a proximity agreement.	
		EXA Infrastructure Express UK Limited	Provision is made within the Draft DCO (protective provisions). A meeting has been held and parties have agreed that no alternative mechanism for co-existence is required. Further discussions regarding the proposed windfarm site layout to be held to determine the need for a proximity agreement. Discussions on crossing agreements would also be required, as appropriate.	No SoCG will be pursued between the Applicant and EXA Infrastructure Express UK Limited (noting also no RR was made).
Other offshore renewable energy installations (wind and transmission operators both existing and proposed) who have made RRs	Assessment of effects to existing and proposed infrastructure including search and rescue (SAR), shipping and navigation and wake effects	Other wind operators who have made RRs: Barrow Offshore Wind Limited Burbo Extension Ltd Morecambe Wind Limited (West of Duddon Sands (WoDS))	The Applicant is progressing issues with relevant Interested Parties with a view to agreeing a resolution. The Applicants consider that some of the issues raised to be capable of resolution, with a GHG updated provided at	Issues to be addressed in a SoCG – Status in Table 5.1 It has been agreed with Ørsted Interested Parties that a joint SoCG would be submitted for all projects, noting that ScottishPower Renewables (WoDS) Ltd are represented

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		ScottishPower Renewables (WoDS) Ltd Walney (UK) Offshore Windfarms Limited Walney Extension Limited and Ørsted Burbo (UK) Limited	Deadline 4 <u>and Climate Change Chapter at Deadline 5.</u> The Applicant has included a commitment within the updated Vessel Traffic Management Plan submitted as Deadline 3 (REP3-047) to maintain the Marine Navigation Engagement Forum for a minimum of five years into the operational and maintenance phase. It is considered that this will ensure there is sufficient engagement with other offshore renewable energy installations to mitigate any residual effects around SAR, and shipping and navigation.	under Morecambe Wind Limited in the joint SoCG.
Recreational sea users	N/A	N/A	No interested party has submitted a RR that makes comment in respect of recreational sea users. This item has been included for completeness as a matter noted as a 'principal issue' in the Rule 6 letter.	N/A
Mechanisms for co-existence and/ or co-operation	Co-existence with other offshore renewable installations and oil and gas infrastructure	Other wind operators who have made RRs: Mona Offshore Wind Limited and Morgan Offshore Wind Limited	Parties have agreed that no formal mechanism for co-existence is required.	No SoCG will be pursued between the Applicant and either Mona Offshore Wind Limited or Morgan Offshore Wind Limited.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Vodafone group Public Limited Company (PLC)	Provision is made within the Draft DCO (protective provisions). A meeting has been held and parties have agreed that no alternative mechanism for co-existence is required.	No SoCG will be pursued between the Applicant and Vodafone group PLC (noting also no RR was made).
		EXA Infrastructure Express UK Limited	Provision is made within the Draft DCO (protective provisions). A meeting has been held and parties have agreed that no alternative mechanism for co-existence is required.	No SoCG will be pursued between the Applicant and EXA Infrastructure Express UK Limited (noting also no RR was made).
		Chrysaor Resources (Irish Sea) Limited/Harbour Energy plc	<u>A summary of the position at Deadline 4 is set out in 5.2.2 below.</u> A draft Co-existence Agreement was shared with Chrysaor Resources (Irish Sea) Limited/ Harbour Energy plc before submission by the Applicant. <u>Discussions are ongoing, noting that Harbour Energy have stated</u> in their submissions at Deadline 3 <u>Harbour Energy confirmed</u> that they would be seeking to align the Protective Provision in their favour, and in the related	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			mitigation solution with those being agreed between the Applicant and Spirit Energy. <u>Noting these have not been forthcoming the Applicant is still very much willing and hoping to engage and reach an agreed solution with Harbour Energy ahead of Deadline 6.</u>	
		Spirit Energy	<p>A summary of the position at Deadline 4 is set out in Section 5.2.1 below.</p> <p>A draft Co-existence Agreement was shared with Spirit Energy before submission by the Applicant.</p> <p><u>An in-person meeting, and follow-up technical meetings have been held between the parties with a view to agreeing a resolution and reaching an understanding of each others position in relation to potential impacts. Meeting minutes are included within Response to Actions arising from Issue Specific Hearings 2, 3 and 4 (Document Reference 9.54).</u></p> <p><u>Spirit Energy have confirmed that they will be progressing their drafts of the Protective</u></p>	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>Provision following these technical meetings.</u></p> <p><u>The Applicant was promised by Spirit Energy their drafting of Protective Provisions following Issue Specific Hearing 3, having previously been promised them following Issue Specific Hearing 1.</u></p> <p><u>These have not been forthcoming; therefore, the Applicant has unilaterally drafted updated Protective Provisions in favour of both Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1).</u></p> <p>It is anticipated that further discussion between the parties on a co-existence and commercial agreement to supplement the Protective Provisions will follow <u>agreement on the Protective Provisions.</u></p> <p><u>Noting that these have not been forthcoming the Applicant is still very much willing and hoping to engage and reach</u></p>	

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<u>an agreed solution with Spirit Energy ahead of Deadline 6.</u>	
6. Shipping and Navigation				
Safe marine navigation including to existing and proposed facilities	Assessment of effects and mitigations on Shipping and Navigation	Chrysaor Resources (Irish Sea) Limited/ Harbour Energy plc	<p><u>A summary of the position at Deadline 4 is set out in 5.2.2 below.</u></p> <p>The Applicant included updated Protective Provisions in favour of Harbour Energy in the draft DCO at Deadline 2 (REP2-002), which the Applicant considers provide Harbour Energy with sufficient access to mitigate any impacts to safe marine navigation to existing and proposed facilities.</p> <p>Discussions are ongoing, noting that Harbour Energy in their submissions at Deadline 3 Harbour Energy confirmed that they would be seeking to align the Protective Provision in their favour with those being agreed between the Applicant and Spirit Energy.</p> <p><u>Noting these have not been forthcoming the Applicant is still very much willing and hoping to engage and reach an agreed solution with</u></p>	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<u>Harbour Energy ahead of Deadline 6.</u> It is anticipated that these updates will be provided once Spirit Energy have shared their draft of Protective Provisions.	
		Spirit Energy	<p>A summary of the position at Deadline 4 is set out in 5.2.1 below.</p> <p>The Applicant included updated Protective Provisions in favour of Spirit Energy in the draft DCO at Deadline 2 (REP2-002) which the Applicant considers provide Spirit Energy with sufficient access to mitigate any impacts to safe marine navigation to existing and proposed facilities.</p> <p><u>The Applicant was promised by Spirit Energy their drafting of Protective Provisions following Issue Specific Hearing 3, having previously been promised them following Issue Specific Hearing 1.</u></p> <p><u>These have not been forthcoming; therefore, the Applicant has unilaterally drafted updated Protective Provisions in favour of both</u></p>	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>Spirit and Harbour within the draft DCO. These are found within Schedule 3, Parts 2 and 3 of the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1).</u></p> <p><u>Notwithstanding the above the Applicant is still very much willing and hoping to engage and reach an agreed solution with Spirit Energy ahead of Deadline 6.</u></p> <p>Discussions are ongoing directly and via each parties' legal teams on the updating the Protective Provisions.</p> <p>An in-person meeting, and follow-up technical meetings have been held between the parties with a view to agreeing a resolution. Meeting minutes are included within Response to Actions arising from Issue Specific Hearings 2, 3 and 4 (Document Reference 9.54).</p> <p>Spirit Energy have confirmed that they will be progressing their drafts of the Protective Provision following these technical meetings.</p>	
		Other wind operators who have made RRs:	The Applicant is progressing issues with relevant Interested	Issues to be addressed in a SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
		Barrow Offshore Wind Limited Burbo Extension Ltd Morecambe Wind Limited (WoDS), ScottishPower Renewables (WoDS) Ltd, Walney (UK) Offshore Windfarms Limited Walney Extension Limited and Ørsted Burbo (UK) Limited	<p>Parties with a view to agreeing a resolution. Engagement via e-mail was initiated in response to their submitted RR, and a subsequent meeting held. The Applicant has submitted response to their WR at Deadline 2 and a response to their Deadline 2 submission. Discussions are ongoing.</p> <p>The Applicant has included a commitment within the updated Vessel Traffic Management Plan submitted as Deadline 3 (REP3-047) to maintain the Marine Navigation Engagement Forum for a minimum of five years into the operational and maintenance phase. It is considered that this will ensure there is sufficient engagement with other offshore renewable energy installations to mitigate any residual effects around SAR, and shipping and navigation.</p>	It has been agreed with Ørsted Interested Parties that a joint SoCG would be submitted for all projects, noting that ScottishPower Renewables (WoDS) Ltd are represented under Morecambe Wind Limited in the joint SoCG.
		BAE Systems Marine Limited	Meetings have been held in response to their submitted RR and SoCG development and this matter has been resolved.	Issues have been addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
Maintenance of safe marine navigation	Assessment and mitigation of navigational safety effects	Maritime and Coastguard Agency (MCA)	-Meetings have been held in response to their submitted RR and SoCG development and this matter has been resolved.	Issues addressed in the SoCG – Status in Table 5.1
		Trinity House (TH)	-Meetings have been held in response to their submitted RR and SoCG development and this matter has been resolved.	Issues addressed in the SoCG – Status in Table 5.1
		The UK Chamber of Shipping	The Applicant is progressing matters with a view to agreeing a resolution, noting discussions reflect the status with other parties. Meetings have been held in response to their submitted RR and further <u>meetings and</u> correspondence undertaken in relation to the development of the SoCG. Discussions are ongoing.	Issues addressed in the SoCG – Status in Table 5.1
	Outline Vessel Traffic Management Plan	TH	-Meetings have been held in response to their submitted RR and SoCG development and this matter has been resolved.	Issues addressed in the SoCG – Status in Table 5.1
		MCA	The Applicant has resolved all matters with the MCA.	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	Compliance with Marine Guidance Note 654, assessment and mitigations proposed including outline vessel traffic management plan, design layout principles and outline offshore operation and maintenance plan	MCA	-Meetings have been held in response to their submitted RR and SoCG development and all matters has been resolved.	Issues addressed in the SoCG – Status in Table 5.1
Effects on routeing and operations of ferries, commercial shipping and ports, including deviation and adverse weather routeing for lifeline ferry services and any consequent social, economic or environmental effects	Effects on shipping and routing including lifeline/scheduled ferry services	IoM TSC	The Applicant has progressed matters and align with discussions with the IoM SPC where matters have been confirmed at no material impact.	Issues addressed in the SoCG – Status in Table 5.1
		Isle of Man Steam Packet Company (IoM SPC)	-Meetings have been held in response to their submitted RR and SoCG development and this matter has been regarded as no material impact concerning cumulative effects given limited the contribution of the Project to any such effects.	Issues addressed in the SoCG – Status in Table 5.1
		Stena Line	The parties are in advanced discussions on the form of Protective Provisions for the benefit of Stena to include in the draft DCO and on the detail of a commercial side agreement.	Issues to be addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			<p><u>While these are not yet finalised discussion have advanced between Deadline 4 and 5</u>While these are not yet finalised (noting that the parties are aiming for Deadline 5 to do so will now agree this by Deadline 6), it is considered that, once agreed, the Protective Provisions and Commercial Side Agreement will resolve Stena's concerns. Until such point, however, many of the remaining discussion points in this Statement of Common Ground remain 'In Discussion'.</p>	
		MCA	<p>Meetings have been held in response to their submitted RR and SoCG development and all matters have been resolved.</p>	Issues addressed in the SoCG – Status in Table 5.1
		The UK Chamber of Shipping	<p>The Applicant is progressing matters with a view to agreeing a resolution, noting discussions reflect the status with other parties. Meetings have been held in response to their submitted RR and further <u>meetings and</u> correspondence undertaken in relation to the</p>	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			development of the SoCG. Discussions are ongoing.	
	Consequent social, economic or environmental effects	Stena Line Ltd	<p>The parties are in advanced discussions on the form of Protective Provisions for the benefit of Stena to include in the draft DCO and on the detail of a commercial side agreement.</p> <p>While these are not yet finalised discussion have <u>advanced between Deadline 4 and 5 (noting that the parties will now agree this by Deadline 6)</u> noting that the parties are aiming for Deadline 5 to do so, it is considered that, once agreed, the Protective Provisions and Commercial Side Agreement will resolve Stena's concerns. Until such point, however, many of the remaining discussion points in this Statement of Common Ground remain 'In Discussion'.</p>	Issues addressed in the SoCG – Status in Table 5.1
		The UK Chamber of Shipping	The Applicant is progressing matters with a view to agreeing a resolution, noting discussions reflect the status with other parties. Meetings have been held in response to their submitted RR and further	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			meetings and correspondence undertaken in relation to the development of the SoCG. Discussions are ongoing.	
		IoM TSC	Meetings have been held in response to their submitted RR and SoCG development and this matter has been resolved.	Issues addressed in the SoCG – Status in Table 5.1
Assessment of effects on Search and Rescue operations	Assessment of effects on Search and Rescue operations	MCA	Meetings have been held in response to their submitted RR and SoCG development and all matters have been resolved.	Issues addressed in the SoCG – Status in Table 5.1
Effects to marine communications and mobile radar operations	Effects to marine communications and mobile radar operations	Effects to marine communications and mobile radar operations were not raised by any shipping and navigation stakeholders within RRs.	It is noted that this item is incorporated into ' <i>Safe marine navigation including to existing and proposed facilities</i> ' above. This item has been included for completeness as a matter noted as a 'principal issue' in the Rule 6 letter.	N/A
7. Project wide considerations				
Effects to marine archaeology and setting of terrestrial heritage assets	Effects on marine archaeology	Historic England (HE)	The Applicant has progressed matters with Historic England which are resolved.	Issues addressed in the SoCG – Status in Table 5.1
	Effects on setting of terrestrial heritage	HE		

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	assets including World Heritage Sites			All matters with Historic England are agreed in the SoCG submitted at Deadline 4.
	Adequacy of Outline Offshore Written Scheme of Investigation for archaeology and Protocol for Archaeological Discoveries	HE		
	Proposed temporary and permanent Archaeological Exclusion Zones and their radius or extent	HE		
	Principles for cable laying and protection	HE		
Cumulative effects with other offshore wind farms and associated grid connection projects	Consideration of the indirect, secondary and cumulative impacts from multiple/linked Nationally Significant Infrastructure Projects	NE	The Applicant will undertake any further discussions as required with NE to resolve issues <u>notes NE's position within their WR, noting that</u> A additional cumulative assessment for ornithology was provided at Deadline 2. The Applicant has further provided an interrelationships report at Deadlines 3 and 4 to provide updated information on linked projects.	Matters will be noted in an updated issues tracker and PAD by NE. No SoCG will be pursued between the Applicant and NE.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	
		NRW	<p>NRW provided a WR at Deadline 1 which the Applicant has responded to at Deadline 2. Further information on cumulative effects for ornithology and marine mammals have also been provided at Deadline 3 and 4 for NRW review.</p> <p>Four meetings have been held post submission. The Applicant will engage further once comments on the Application have been received. NRW are covered above in ornithology and marine matters (with NRW not commenting on other topics)</p>	Issues addressed in the SoCG – Status in Table 5.1
		MMO	The Applicant has further provided an interrelationships report at Deadlines 3 and 4 to provide updated information on linked projects, with no further comments on Project wide	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			considerations received from the MMO.	
Transboundary effects	Effects on Belgian fishing fleets	Flemish Agency for Agriculture and Fisheries	The Applicant has not received feedback from the interested party but considers the updates made in the commercial fisheries technical report at Deadline 2 (REP2-014) should resolve matters.	The Applicant has updated the commercial fisheries technical report in response to the RR provided. Status in Table 5.1 (noting a SoCG has not been requested by the ExA)
Decommissioning	Drafting of the conditions within the draft DCO	MMO	Updates have been made to the Draft DCO and Marine Licence at Deadline 45, <u>but does not contain changes to wording on decommissioning. While where comments have been provided by the MMO. The Applicant also awaits further comments from the MMO at Deadline 4, the Applicant is engaged with the MMO on matters in discussion it is not expected that positions will be agreed in examination.</u>	<u>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u> <u>An email was received from the MMO on 11 March 2025 with links to condition wording used in a submission on a project located off the East Coast without context as to what would or would not be proposed for the Project.</u> Issues addressed in the SoCG – Status in Table 5.1
	Principles for decommissioning	NE	Given the Applicant is not in a position to provide an outline Decommission Plan <u>pre consent</u> this matter is <u>considered likely to stay remain</u> unresolved. However an outline Construction Method Statement has been	<u>Matters are summarised in Appendix A: Summary of environmental live matters with Interested Parties.</u> <u>Matters Status</u> will be noted in an updated issues tracker and PAD by NE.

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
			provided which includes decommissioning considerations, as summarised in Appendix A : Summary of environmental live matters with Interested Parties. The Applicant has been informed by NE that they do not wish to undertake in the SoCG process but via submission of their issues tracker and PAD.	No SoCG will be pursued between the Applicant and NE.
Compliance with Marine Policy Statement and North West Marine Plan 2021	How the Application is compliant with the Marine Policy Statement and North West Marine Plan 2021	MMO	The Applicant provided this information as part of the DCO Application (Marine Plan Policy Review ((APP-025)), as communicated and incorporated in the SoCG with the MMO. The Applicant made the MMO aware of the Marine Policy Review (APP-025).	Issues addressed in the SoCG – Status in Table 5.1
Drafting of the DCO and Deemed Marine Licence	Acceptability of conditions and outline plans within the Draft DCO and Marine Licence	MMO	Updates have been made to the Draft DCO and Marine Licence at Deadline 4 <u>and 5</u> , where comments have been provided by the MMO. The Applicant also awaits further comments from the MMO at Deadline <u>45</u> .	<u>Matters are summarised in Appendix A</u> : Summary of environmental live matters with Interested Parties. <u>An email was received from the MMO on 11 March 2025 with links to condition wording used in a submission on a project located off the East Coast without context as to what</u>

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
				would or would not be proposed for the Project. Issues addressed in the SoCG – Status in Table 5.1
Outline plans submitted with the Application	Coverage and content of all outline plans submitted with the Application	MMO	<p>The Applicant has <u>progressed matters with the MMO. The following Outline plans are considered to be resolved, with no further comments anticipated at Deadline 5:</u></p> <ul style="list-style-type: none"> ▪ <u>IPMP</u> ▪ <u>MMMP</u> <p>The Applicant has updated the following plans based on the MMO's Deadline 4 submission and awaits any further comments from the MMO at Deadline 5:</p> <ul style="list-style-type: none"> ▪ <u>Outline UWSMS</u> ▪ <u>Outline Scour and Cable Protection Plan</u> ▪ <u>Outline CMS</u> ▪ <u>Outline OOMP</u> <p>responded to comments provided by the MMO to date and awaits any further comments from the MMO at Deadline 4.</p>	Issues addressed in the SoCG – Status in Table 5.1
	Time periods for securing the review	MMO	A proposed list of timescales has been provided to <u>discussed</u>	Issues addressed in the SoCG – Status in Table 5.1

Principal Issue	Summary of Issue	Interested Party	Current Position	SoCG Status
	and approval of detailed plans post consent		<u>with the MMO (and NE for comment). Discussions are ongoing, with the dDCO updated to 6 months for some plans. The dDCO provides for where plans have been agreed to increase to 6 months. It is noted that it is still the preference generally from the MMO and NE that all plans should be 6 months.</u>	
	Principles of proposals for safety zone applications	MMO	The MMO responded to queries made by the Applicant and information provided regarding safety zones via e-mail on 17 October 2024. The MMO confirmed by e-mail on 1 November that the MMO agrees with the approach to safety zones.	Confirmed outwith the SoCG – Status in Table 5.1

5 List of Statements of Common Ground

~~49.18.~~ **Table 5.1** provides the list of SoCGs that are being prepared by the Applicant in accordance with the list as requested by the Planning Inspectorate in Appendix G of the Rule 6 letter issued on 23 September 2024.

~~20.19.~~ The ExA has specified that SoCGs should be submitted at the deadlines as set out in the draft Examination Timetable published in the Rule 6 Letter and mentioned in **Section 1**.

5.1 Summary of Current Position of SoCGs

~~21.20.~~ The SoCGs submitted alongside this document at Deadline ~~4.5~~ will reflect the current position of the Applicant and stakeholders.

~~22.21.~~ **Table 5.1** provides an overview of the status of each SoCG throughout the examination. In addition, a SoCG with Lancashire County Council (~~Document Reference 9.36)-REP4-052~~) has been submitted at Deadline 4 (although not specifically required by the ExA) following further proactive engagement between the parties post submission.

5.2 SoCGs not being submitted at Deadline ~~4.5~~

~~23.22.~~ The information provided below is representative of the position at Deadline ~~5.4~~ where a draft SoCG requested by the ExA has not been agreed or is not required and will not be submitted at Deadline ~~5.4~~.

5.2.1 Spirit Energy

~~24.23.~~ The Applicant and Spirit Energy have agreed not to submit a SoCG into Examination at Deadline ~~4.5~~ and are working to submit one at ~~a subsequent deadline~~ Deadline 6.

~~25.~~ Following Issue Specific Hearing 3, the Applicant has met with Spirit Energy on two occasions, 13 February 2025 and 18 February 2025. The agendas and (where possible) minutes of these meetings have been submitted at Deadline 4 (see Section 5 of Response to Actions arising from Issue Specific Hearings 2, 3 and 4 (Document Reference 9.54)). Further detail of the engagement between the Parties, and of the Applicants position on further engagement is set out in Section 2.5 of The Applicant's Response to Spirit Energy's Deadline 4 Submission (Document Reference 9.59). ~~Note that the minutes from the meeting on 18 February were not available in time for submission on the same day. The Applicant considers that good progress has been made at both meetings, with each respective party coming to a greater understanding of the others' position. The Applicant is further assured that with co-operation and commitment, Spirit Energy's concerns can be dealt with by Protective Provisions and a Side Agreement, agreed within the remaining timeframe of~~

~~the Examination, and is actively pursuing both of these. The Applicant's solicitors, CMS Cameron McKenna Nabarro Olswang LLP, had arranged for a meeting on 12 February 2025 with Spirit Energy's solicitors, Eversheds Sutherland LLP, to discuss the Protective Provisions following ISH3, however this meeting was cancelled by Spirit Energy (it is understood Spirit considered such a meeting should be rescheduled to follow the meetings of 13 February 2025 and 18 February 2025).~~

~~26. To date, the Applicant has not received draft Protective Provisions from Spirit Energy's solicitors. But the Applicant understands from Spirit Energy that they have been working on their draft, which will be informed by the outcomes of the two recent technical meetings, and of further meetings and engagement to be undertaken between the parties over the coming days.~~

~~27.24. The Applicant's position, in the absence of revised Protective Provisions from Spirit Energy, remains as set out in its submissions to date. The Protective Provisions within the draft DCO_Rev 4 Clean (Document Reference 3.1) provide for a 1.5 nautical mile (nm) aviation buffer zone around the CPP1 and Calder platforms, a 1nm marine buffer zone around the CPP1 and Calder platforms, and the aviation and marine corridors between the CPP1 and Calder platforms (as shown on the Spirit and Harbour Protective Provisions Plan). The corridor mitigation is fully explained in the Applicant's Response to Spirit Energy Deadline 1 Submissions Appendix B: Helicopter Access IMC Corridor (REP2-032). These mitigations, together with a capped compensation liability (figure TBC), as set out in the Protective Provisions, do, in the Applicant's position, enable Spirit Energy to retain sufficient helicopter and marine access to and from the CPP1 platform and the other affected assets, including in Instrument Meteorological Condition (IMC), to operate safely whilst acknowledging that some impairment (described by the Applicant's safety consultant DNV as "operational nuisance") is adequately provided for by way of compensation for additional costs during operation and decommissioning phases. The Applicant does not consider it is in a position to meaningfully update the Protective Provisions to account for interaction with MNZ or other points made by Spirit without specificity from Spirit on what they are requesting in relation to these matters—it remains anticipated that this detail will be included in the revised draft Protective Provisions once provided.~~

~~— The Applicant's full position has been set out in the following documents, and the Applicant maintains that these documents contain all the relevant information necessary to enable the Examining Authority to make a decision with regards to impacts to Spirit Energy. The Applicant's full position is as detailed across two three key submissions:~~

~~— (i) The Applicant's Response to Spirit Energy's Deadline 1 Submissions, together with its appendices (REP2-030, REP2-031, REP2-032 and REP2-033); and~~

- ~~(ii) the Applicant's Remaining Responses from the Applicant to Spirit Energy Deadline 1 Submissions, together with its appendices (REP3-070, REP3-071, and REP3-072) and the revised Radar Early Warning System Technical Report (REP3-034).~~
- ~~(iii) The Applicant's Response to Spirit Energy's Deadline 4 Submission (Document Reference 9.59), together with its appendices (Document References 9.59.1 to 9.59.7).~~
- ~~Reference is also made to the Applicant's oral submissions made at ISH3 and submitted at Deadline 4 with Written Summary of the Applicant's Oral Submissions – Issue Specific Hearings 2, 3 and 4 (Document Reference 9.52). The Applicant is aware that to date its position as set out in writing to the Examination has been reactive to representations and to Examining Authority Questions.~~
25. ~~In that event that~~As substantive issues remain between the Applicant and Spirit at Deadline 5 (11 March 2025), the Applicant ~~reserves its position to~~has submitted a ~~submit~~ a consolidated position ~~(detailed in The Applicant's Response to Spirit Energy's Deadline 4 Submission (Document Reference 9.59), together with its appendices (Document References 9.59.1 to 9.59.7)).~~ This would also include a figure for a liability cap, along with the supporting evidence.
26. ~~In the absence of any engagement from Spirit and their legal advisors the Applicant has unilaterally drafted revised Protective Provisions within the Draft Development Consent Order Rev 05 (Document Reference 3.1) being submitted at Deadline 5. These provide for a number of practical, fair, and safe mitigations to ensure the ongoing operational activities at both CPC-1 and Calder, whilst also ensuring that Spirit's CCUS Project, MNZ, can also proceed.~~
28.
- 29-27. The Applicant will continue to work with Spirit Energy with an aim to bringing matters to a satisfactory conclusion as soon as possible. The Applicant reserves its position to respond ~~to Spirit Energy's Deadline 3 submissions at a time at Deadline 6 if when~~ further information is ~~available~~submitted by Spirit Energy at Deadline 5, including Protective Provisions as drafted by Spirit Energy.

5.2.2 Harbour Energy

- 30-28. The Applicant and Harbour Energy have agreed not to submit a SoCG into Examination at Deadline 4-5 and are working to submit one at a ~~subsequent deadline~~Deadline 6.

29. The Applicant has not received revised Protective Provisions from Harbour Energy. Although the Applicant understands, as set out in their Response to ExQ1 submitted at Deadline 3 (REP3-105), and Comments on any other submissions received at Deadline 3 submitted at Deadline 4 (REP4-071), that Harbour Energy will work together with Spirit Energy to ensure commonality between those areas where there is a shared potential impact and consensus on the related mitigation solution. To that end the Applicant understands that Harbour Energy will await feedback following the drafting of the updated Protective Provisions between the Applicant and Spirit Energy, noting that these discussions are still in progress.
- 31-30. Noting the above, and as substantive issues remain between the Applicant and Spirit at Deadline 5 (11 March 2025), the Applicant has submitted a consolidated position (detailed in The Applicant's Response to Spirit Energy's Deadline 4 Submission (Document Reference 9.59), together with its appendices (Document References 9.59.1 to 9.59.7)). While this document is primarily focused on responding to the issues that remain between the Applicant and Spirit Energy it does also address some of the remaining issues raised by Harbour Energy. Noting that both Harbour Energy and Spirit Energy have stated in submissions at Deadline 3 (REP3-101 & REP3-105) that they will work together to ensure commonality between those where there is a shared potential impact and consensus on the related mitigation solution.
32. ~~The Applicant's position, in the absence of revised Protective Provisions from Harbour Energy, remains as set out in its submissions to date. The Protective Provisions within the draft DCO_Rev 4 Clean (Document Reference 3.1) provide for a 1.5 nautical mile (nm) aviation buffer zone around the CPP1 and Calder platforms, a 1nm marine buffer zone around the CPP1 and Calder platforms, and the aviation and marine corridors between the CPP1 and Calder platforms (as shown on the Spirit and Harbour Protective Provisions Plan). The corridor mitigation is fully explained in the Applicant's Response to Spirit Energy Deadline 1 Submissions Appendix B: Helicopter Access IMC Corridor (REP2-032). These mitigations, together with a capped compensation liability (figure TBC), as set out in the Protective Provisions, do, in the Applicant's position, enable Harbour Energy to retain sufficient helicopter and marine access to and from the Calder platform and other affected assets, including in Instrument Meteorological Conditions (IMC), to operate safely whilst acknowledging that some impairment (described by the Applicant's safety consultant DNV as "operational nuisance") is adequately provided for by way of compensation for additional costs during operation and decommissioning phases.~~
- 33-31. ~~The Applicant's full position has been set out in the following documents, and the Applicant maintains that these documents contain all the relevant information necessary to enable the Examining Authority to make a decision~~

~~with regards to impacts to Harbour Energy. The Applicant's full position is as detailed across two key submissions: (i) The Applicant's Response to Spirit Energy's Deadline 1 Submissions, together with its appendices (REP2-030, REP2-031, REP2-032 and REP2-033); and (ii) the Applicant's Remaining Responses from the Applicant to Spirit Energy Deadline 1 Submissions, together with its appendices (REP3-070, REP3-071, and REP3-072) and the revised Radar Early Warning System Technical Report (REP3-034). Reference is also made to the Applicant's oral submissions made at ISH3 and submitted at Deadline 4 with Written Summary of the Applicant's Oral Submissions - Issue Specific Hearings 2, 3 and 4 (Document Reference 9.52). The Applicant is aware that to date its position as set out in writing to the Examination has been reactive to representations and to Examining Authority Questions. In that event that substantive issues remain between the Applicant and Spirit at Deadline 5 (11 March 2025), the Applicant reserves its position to submit a consolidated position. This would also include a figure for a liability cap, along with the supporting evidence.~~

~~34.32.~~ The Applicant will continue to work with Harbour Energy with an aim to bringing matters to a satisfactory conclusion as soon as possible. The Applicant reserves its position to respond ~~to Harbour Energy's Deadline 3 submissions at a time when at Deadline 6 if~~ further information is ~~available~~submitted by Harbour Energy at Deadline 5, including when revised Protective Provisions are received from Harbour Energy.

5.2.3 Mona Offshore Wind Limited

~~35.33.~~ The Applicant and Mona Offshore Wind Limited have agreed not to submit a SoCG into Examination based on the established working relationship between the projects.

5.2.4 Morgan Offshore Wind Limited

~~36.34.~~ The Applicant and Morgan Offshore Wind Limited have agreed not to submit a SoCG into Examination based on the established working relationship between the projects.

5.2.5 Natural England and JNCC

~~37.35.~~ The Applicant has engaged with NE regarding the submission of a SoCG into Examination. However, following discussions, NE has expressed a preference not to submit a SoCG. As a result, NE's issue tracker and a PAD will be provided as required. NE has stated that the views of JNCC will be incorporated into the NE issues tracker and PAD (RR-061).

~~5.2.6~~ Natural Resources Wales

~~38.~~ Engagement between the Applicant and NRW is ongoing. A SoCG has been submitted at Deadline 4 in respect to ornithology. Positions in regard to marine mammals will be included following review of documentation by NRW including updates made by the Applicant at Deadline 4.

~~5.2.75.2.6~~ Scottish Power Renewables

~~39-36.~~ The SoCG in relation to West of Duddon Sands will be progressed with the joint venture entity Morecambe Wind Ltd (Ørsted and ScottishPower Renewables (UK) Ltd.) as part of a joint Ørsted Interested Parties SoCG.

~~5.2.85.2.7~~ SoCGs submitted at Deadline 1, 2, 3 or 43

~~40-37.~~ The Applicant submitted a number of SoCGs at Deadline 1, Deadline 2, ~~and~~ Deadline 3 and Deadline 4. **Table 5.1** indicates those submitted again at Deadline 54, ~~which a where required, All SoCGs~~ will be resubmitted at Deadline ~~5 and or 6 depending on progress made with each party~~.

Table 5.1 Status of SoCG submissions at **Deadline 4-5 (To be updated at Deadline 56)**

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
9.13	BAE Systems Marine Limited	Yes	22 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted	Draft submitted at Deadline 1	Update submitted at Deadline 3	Update submitted at Deadline 4	<u>Update Submitted at Deadline 4 – final to be submitted at Deadline 6</u> All matters concluded – final version to be submitted at Deadline 6	
N/A (See 9.10 below)	BAE Systems (Operations) Ltd	Yes	4 October 2024 Input coordinated through the DIO	A SoCG will be progressed with the DIO in relation to Warton Aerodrome, as instructed by the DIO	Not being progressed further - progressed as part of a SoCG joined with the DIO for Warton					
9.14	Barrow Offshore Wind Limited	Yes	23 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	<u>Draft submitted at Deadline 1 – final to be submitted at Deadline 6</u>	

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
9.11	Blackpool Airport Ltd	Yes	4 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Update submitted at Deadline 3	Update submitted at Deadline 4	<u>Update submitted at Deadline 5</u>	
9.14	Burbo Extension Limited	Yes	23 October 2024	Draft in progress, submission to be agreed between parties.	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	<u>Draft submitted at Deadline 1 – final to be submitted at Deadline 6</u>	
9.15	Chrysaor Resources (Irish Sea) Limited/ Harbour Energy plc	Yes	23 October 2024	Draft in progress, submission date to be agreed by parties.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	<u>Draft submitted at Deadline 1 – final to be submitted at Deadline 6</u>	
9.17	DIO	Yes	19 November 2024	Draft in discussion, with the intention of submission at Deadline 1.	Progressed for DIO matters only, separate to a joint SoCG with BAE Systems (Operations) Ltd. Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>All matters concluded agreed – final version to be submitted at Deadline 6</u>	
9.10	DIO	Yes	4 October 2024	N/A	Progressed as a joint SoCG	Draft submitted	Draft submitted	Update submitted	<u>Submitted at</u>	

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
	and BAE Systems (Operations) Ltd		Input coordinated through the DIO		Draft submitted	at Deadline 1	at Deadline 1	at Deadline 4	<u>Deadline 4 – final to be submitted at Deadline 6</u>	
9.34	HE	Yes	4 December 2024	Draft in progress, to be submitted following WRs.	Draft in progress, to be submitted following WR	Draft submitted – noting the HE position is under their internal review and not populated	Draft submitted at Deadline 2 and awaiting input from HE	Update submitted at Deadline 4	<u>All matters concluded – final version to be submitted at Deadline 6</u>	
9.7	IoM TSC	Yes	24 September 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Update submitted at Deadline 3	Update submitted at Deadline 4	<u>Update submitted at Deadline 5 (all matters concluded) All matters concluded – final version to be submitted at Deadline 6 Update submitted at Deadline 5</u>	
9.8	IoM SPC	Yes	11 October 2024	Draft in discussion,	Draft submitted	Draft submitted	Draft submitted	Update submitted	<u>Update submitted at</u>	

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
				with the intention of submission at Deadline 1.		at Deadline 1	at Deadline 1	at Deadline 4	<u>Deadline 5 (all matters concluded)</u>	
N/A	JNCC	Yes	N/A							
9.1	MMO	Yes	12 March 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>Draft submitted at Deadline 4 – further discussion ongoing with final version to be submitted at Deadline 6</u>	
9.9	MCA	Yes	11 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Update submitted at Deadline 3	Update submitted at Deadline 4	<u>All matters agree – final version to be submitted at Deadline 6</u>	
9.14	Morecambe Wind Limited (WoDS)	Yes	23 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	<u>Draft submitted at Deadline 1 – final version to be submitted at Deadline 6</u>	

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
N/A	Mona Offshore Wind Farm Limited	Yes	N/A							
N/A	Morgan Offshore Wind Farm Limited	Yes	N/A							
9.4	NFFO and WFA-CPC	Yes	14 October 2024	Draft in progress, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>Update submitted at Deadline 5 (all matters concluded)</u>	
9.5	NATS Safeguarding	Yes	4 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Update submitted at Deadline 3	Update submitted at Deadline 4	<u>Update submitted at Deadline 5 (all matters concluded)</u> All matters agreed — final version to be submitted at Deadline 6 <u>Update submitted at Deadline 5</u>	
N/A	NE	Yes	N/A							

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
9.50	NRW	Yes	6 December 2024	Draft in progress, to be submitted following WRs.	Draft in progress, to be submitted at Deadline 3 following WRs.	Draft in progress, to be submitted at Deadline 3	Draft still awaiting input from NRW and now anticipated to be submitted at Deadline 4	Submitted at Deadline 4 – for ornithology only	Update submitted at Deadline 5	
9.14	Ørsted Burbo (UK) Limited	Yes	23 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1 – final version to be submitted at Deadline 6	
9.14	Scottish Power Renewables (WoDS) Ltd.	Yes	N/A	Draft in progress, submission to be agreed between parties	A SoCG progressed with Morecambe Wind Ltd in relation to West of Duddon Sands Windfarm with a draft submitted as part of the joint Ørsted Interested Parties SoCG					

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
					(Document Reference 9.14)					
9.2	RSPB	Yes	24 September 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>Update submitted at Deadline 5</u>	
9.16	Spirit Energy	Yes	23 October 2024	Draft in progress, submission date to be agreed by parties.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	<u>Draft submitted at Deadline 1 – final version to be submitted at Deadline 6</u>	
9.3	Stena Line Ltd	Yes	11 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>Submitted at Deadline 4 – final version to be submitted at Deadline 6</u>	
9.6	TH	Yes	11 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	<u>All matters agreed – final version to be submitted at Deadline 6</u>	

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
9.12	UK Chamber of Shipping	Yes	11 October 2024	Draft in discussion, with the intention of submission at Deadline 1.	Draft submitted	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Update submitted at Deadline 4	Draft submitted at Deadline 4 - Final SoCG to be submitted at Deadline 6	
9.14	Walney (UK) Offshore Windfarms Limited	Yes	23 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1 – final version to be submitted at Deadline 6	
9.14	Walney Extension Limited	Yes	23 October 2024	Draft in progress, submission to be agreed between parties	Draft submitted as part of the joint Ørsted Interested Parties SoCG	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1	Draft submitted at Deadline 1 – final version to be submitted at Deadline 6	
N/A	Vodafone group Public Limited Company (PLC)	No	N/A							
N/A	EXA Infrastructure Express UK Limited	No	N/A							

Doc Ref	Party	Requested by ExA	Date first draft issued to Stakeholder	Status at Procedural Deadline A	Status at Deadline 1	Status at Deadline 2	Status at Deadline 3	Status at Deadline 4 (mid Examination)	Status at Deadline 5	Status at Deadline 6 (FINAL)
<u>9.36</u>	<u>Lancashire County Council</u>	<u>No</u>		<u>Draft in progress</u>	<u>Draft in progress</u>	<u>Draft in progress</u>	<u>Draft in progress</u>	<u>Draft submitted at Deadline 4</u>	<u>Draft submitted at Deadline 4 (all matters concluded) - final version to be submitted at Deadline 6</u>	

5.3 Summary of commonality of each topic covered

~~41.38.~~ This section provides a summary of the topics covered in each SoCG and identifies where there is a commonality in the topics or matters being discussed with the stakeholders.

~~42.39.~~ **Table 5.2** presents a summary of commonality at Deadline 4 on each overarching topic or matter discussed between the Applicant and stakeholder using the colour code presented in **Table 3.1**.

Table 5.2 Summary of Commonality with each stakeholder in relation to each topic covered at Deadline **54**

ID	Party	Project-wide considerations	Marine Geology, Oceanography and Physical Processes	Marine Sediment and Water Quality	Benthic Ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Marine Archaeology and Cultural Heritage	Civil and Military Aviation and Radar	Infrastructure and Other Users	Seascape, Landscape and Visual Impact Assessment	Human Health	Socioeconomics, Tourism and Recreation	Climate Change	Traffic and Transport	Draft Development Consent Order and Deemed Marine License	DCO Mitigation	RIAA	Management Documents
1	BAE Systems Marine Limited																					
2	BAE Systems (Operations) Ltd and DIO																					
3	Barrow Offshore Wind Limited																					
4	Blackpool Airport Ltd																					
5	Burbo Extension Limited																					
6	Chrysaor Resources (Irish Sea) Limited/ Harbour Energy plc																					
7	DIO																					
8	HE																					
9	IoM TSC																					
10	IoM SPC																					
11	JNCC																					
12	MMO																					
13	MCA																					
14	Morecambe Wind Limited (WoDS)																					
15	Mona Offshore Wind Limited																					
16	Morgan Offshore Wind Limited																					
17	NFFO and WFA-CPC																					
18	NATS Safeguarding																					

ID	Party	Project-wide considerations	Marine Geology, Oceanography and Physical Processes	Marine Sediment and Water Quality	Benthic Ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Marine Archaeology and Cultural Heritage	Civil and Military Aviation and Radar	Infrastructure and Other Users	Seascape, Landscape and Visual Impact Assessment	Human Health	Socioeconomics, Tourism and Recreation	Climate Change	Traffic and Transport	Draft Development Consent Order and Deemed Marine License	DCO Mitigation	RIAA	Management Documents
19	NE (topics to be included in issues tracker/PAD)																					
20	NRW																					
21	Ørsted Burbo (UK) Limited																					
22	Scottish Power Renewables (WoDS) Ltd																					
23	RSPB																					
24	Spirit Energy																					
25	Stena Line Ltd																					
26	TH																					
27	UK Chamber of Shipping																					
28	Walney (UK) Offshore Windfarms Limited																					
29	Walney Extension Limited																					
30	Vodafone group Public Limited Company (PLC)																					
31	EXA Infrastructure Express UK Limited																					
32	Ørsted Interested Parties																					
33	Lancashire County Council																					

Appendix A: Summary of environmental live matters with Interested Parties

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
Marine Geology, Oceanography and Physical Processes; Benthic Ecology and Marine Sediment and Water Quality⁴				
Antifouling and biocides	<p>MMO (RR-047-35) note a request for new wording for the condition on chemical use (Chemicals, drilling and debris 7(1)).</p> <p><u>Within the MMO RR0-47 was suggested wording around the source or rock within the DCO.</u></p> <p>The MMO considers matters in relation to benthic ecology closed.</p> <p>Currently, the MMO considers matters regarding marine geology, oceanography and physical processes closed.</p>	<p>The Applicant has reviewed the <u>initial chemical condition</u> wording and is in discussions with the MMO on the stated timescales and details of the new wording but believes suitable wording can be agreed. A further discussion was had on the 4 March and an email was received from the MMO on 11 March 2025 with links to condition wording used in a submission on a project located off the East Coast without context as to what would or would not be proposed for the Project. While the Applicant has thus not responded at Deadline 5, it is considered wording could be agreed for inclusion in the DCO by the end of examination.</p> <p><u>The Applicant also added wording to the Outline Construction Method Statement to cover off comments in relation to the source of rock.</u></p> <p>The Applicant has also provided clarification at Deadline 4 (Hearing Actions Points) on the use of antifouling and biocides across the Project.</p>	It is expected that this matter <u>will be resolved</u> during examination.	<p>It is considered <u>chemical condition</u> wording would be agreed for inclusion in the DCO by the end of examination, noting the ExA has also asked questions to the MMO on the suggested wording <u>and the wording is in discussion across a number of projects.</u></p> <p><u>It has been agreed with the MMO that the source of rock used in construction would be included in the outline Construction Method Statement (as provided for Deadline 5).</u></p> <p>There are suitable controls within DCO conditions with wording to be agreed during examination.</p>
Decommissioning and scour and cable protection materials	<p>NE advises (risks and issues reference RI_E14 and RI_F12 and RI_P7) that the Applicant considers using scour and cable protection which is more readily removable at the time of decommissioning and would encourage this to be secured as a commitment.</p> <p>The MMO (reference RR-047-48) request that the final design of frond mattresses should be detailed in the offshore construction method statement that will be submitted to and approved by the MMO prior to commencement of development.</p>	<p>The Applicant will prepare a decommissioning programme under Section 105 of the Energy Act 2004 post consent. The Applicant requires further detailed design to be undertaken to identify the scour and cable protection specifications. To provide extra comfort the Applicant has included the consideration of scour and cable protection which is more readily removable, and consideration of the introduction of plastics within the Outline CMS at Deadline 4 (Document Reference 9.49).</p>	It is not expected that this matter will be fully resolved during examination, given that detailed design will be undertaken post consent. The choice of scour protection and cable projection cannot be determined during examination and the decision on materials and the subsequent removal of infrastructure will include consideration of the engineering and environmental considerations more widely.	<p>An Outline CMS (Document Reference 9.49) has been submitted to secure the consideration of readily removable scour and cable protection as well consideration of the risks of plastic infrastructure.</p> <p>There are suitable controls within DCO conditions.</p>

⁴ No live comments are in progress with JNCC, NRW or RSPB

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
Disposal ground designation	The MMO note ongoing items (RR-047-15, RR-047-47, RR-047-53) in relation to disposal site designation.	<p>The Applicant notes that full information on contaminant sampling undertaken as part of the EIA baseline has been presented in the PEIR and ES. Given the sampling undertaken to date and the low levels of contaminants identified, the Applicant does not consider further information or sampling is required and that the disposal ground can be designated as part of the DCO as the order limits of the Project.</p> <p>Cefas consider matters relating to analysis of contaminants resolved (as discussed on the 14 Feb, but the MMO are yet to complete the disposal ground designation process as required confirmation the order limits also defined the disposal area (which has now been provided).</p> <p><u>A further discussion was had on the 4 March and the Applicant received an email from the MMO on 11 March with suggested condition wording providing either a placeholder for an identified disposal ground or with wording to be used in the event that a disposal ground was not designated within the examination period. However, given the order limits are the same at the disposal area the Applicant does not consider any change to the DCO is required, and the Applicant notes that the wording currently included in its DML (Schedule 6, Part 3, Condition 7(5)) is already in the form of wording suggested by the MMO in the event that a disposal ground was not designated within the examination period.</u></p> <p><u>The Applicant will continue to engage with Marine Management Organisation (MMO) on this matter.</u></p>	It is expected that this <u>matter can be resolved</u> during examination but is dependent on MMO timescales.	<p>It is considered that the activities listed as part of the dDCO facilitate the disposal of sediment within the order limits.</p> <p>A shapefile has been provided to the MMO as requested for them to confirm the disposal site limits <u>and disposal site reference number</u>. The Applicant considers this should close out any residual issues <u>and no further changes to the DCO required given the disposal site is the same area as the order limits</u>.</p>
Benthic monitoring	NE state (risks and issues reference RI_P2 and RI_A5) that no pre- or post-construction benthic monitoring is secured by conditions and that monitoring conditions should be included as standard.	The Applicant has included monitoring for INNS within the IPMP (Document Reference 6.4), as well as geophysical surveys pre and post construction. The Applicant has not identified any requirement for further benthic monitoring as a result of the EIA, with no significant effects or high levels of uncertainty identified.	It is <u>not expected</u> that the positions will fully align during examination as the Applicant does not agree that monitoring is required to validate the ES conclusions.	<p>While there might not be alignment between the Applicant and NE, it is noted that the final monitoring plan (Condition 9(1)(c) in the dDCO (Document Reference 3.1)) must be agreed post-consent.</p> <p>Therefore, it is considered there are suitable controls within DCO conditions.</p>

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
		It is also noted that the MMO have not sought <u>raised</u> the need for further benthic monitoring.		
Commitments to standard mitigation	NE state (risks and issues reference RI_E13 and RI_P7) that commitments to standard mitigation measures for benthic habitats have not yet been secured.	The Applicant has included all mitigation measures in the Schedule of Mitigation (Document Reference 5.5) and Commitments Register (Document Reference 9.31). The Applicant has further provided an Outline CMS at Deadline 4 (Document Reference 9.49), to provide further comfort (outside that already provided in the Schedule of Mitigation (Document Reference 5.5) that these measures are secured as required. It is noted some measures are considered to be applicable during design and or construction to reduce effects, rather than being mitigation required to reach the conclusions made in the ES.	It is expected that this matter <u>will be resolved</u> during examination.	An Outline CMS has been submitted (Condition 9(1)(d) in the dDCO (Document Reference 3.1))) to ensure all mitigations are demonstrated to be secured in addition to the Commitments Register (Document Reference 9.31) and Schedule of Mitigation (Document Reference 5.5). Therefore, it is considered there are suitable controls within DCO conditions.
Worst case scenario for benthic ecology	NE advises that (risks and issues reference RI_E11 and RI_P7) boulder clearance has not been addressed in the updated ES chapter, so this issue around the worst case assessment cannot yet be resolved.	The Applicant has previously addressed this matter at Procedural Deadline A (ID RR-061-248 of PD1-011). The Applicant does not consider any further assessment is required, as boulder clearance is considered to be assessed as part of the worst case footprint. <u>This has been discussed with NE prior to Deadline 5, with no further action considered to be required.</u>	It is expected that this matter <u>will be resolved</u> during examination.	The dDCO parameters (Schedule 1 Part 1 Authorised Project (Document Reference 3.1)) controls the disturbance footprint assessed within the ES. Therefore, it is considered there are suitable controls within DCO conditions.
Micrositing	NE advises (risks and issues RI_A8) including a requirement to micro-site around features of conservation importance.	A micro-siting condition has been added to the draft DCO (Schedule 6, Part 2, Condition 9(1)(a)(v) submitted at Deadline 4 (Document Reference 3.1).	It is expected that this matter <u>will be resolved</u> during examination.	A micro-siting condition is included in the dDCO (Condition 9(1)(a)(v) (Document Reference 3.1)). Therefore, it is considered there are suitable controls within DCO conditions.
Cable crossings	NE advises (risks and issues reference RI_E8) more specific information is required on the maximum volume figures used for cable/pipeline crossings, noting information on the location of cable crossings should also be provided.	The Applicant has previously addressed this matter at Deadline 2 (see ID WR-097-160 of REP2-028). It is further noted the Outline Scour and Cable Protection Plan (Document Reference 6.8) lists the maximum volume and footprint of cable protection. The Applicant is unable to provide specific locations of cable/pipeline crossings as the Project does not yet have a defined layout.	It is <u>not expected</u> that the Applicant will be able to resolve this comment during examination as the layout and final position of cable crossings will not be known, since detailed design and layout will be undertaken post-consent. However, all assessments consider the worst case.	The dDCO (Document Reference 3.1) requires the Design Plan to be approved post-consent (Condition 9(1)(a)). It is further noted the Outline Scour and Cable Protection Plan (Document Reference 6.8) and Condition 9(1)(d)(ii) in the dDCO (Document Reference 3.1) lists the volume and footprint of cable protection, which must be approved and finalised post-

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
				consent and be in line with ES assessments. Therefore, it is considered there are suitable controls within DCO conditions.
HRA conclusions	It is not considered that there are any outstanding matters, and that the conclusions of the RIAA in relation to benthic habitats are agreed (no adverse effects <u>on</u> integrity).			
Ornithology				
Vessel disturbance on RTD	NE raise (risks and issues reference RI_B31) that further mitigation may be required such as seasonal restrictions to avoid impacts at particularly sensitive areas within the Liverpool Bay SPA.	The Applicant has included best practice measures as part of the PEMP (Document Reference 6.2) and Outline VTMP (Document Reference 6.9) in regard to vessel disturbance. It is not considered there is anything further the Project could implement, noting the existing vessel disturbance from shipping activity across Liverpool Bay SPA and the best practice also committed to (which is in-line with that offered by the Project) by the Mona and Morgan Generation projects which have a longer construction period.	Positions may not fully align at the end of examination, however the Project includes standard best practice measures that allow the effects to be suitably mitigated.	It is noted that the VTMP and PEMP (Conditions 9(1)(j) and 9(1)(e) in the dDCO (Document Reference 3.1)) will be finalised and agreed post-consent, and will be finalised once a port location is secured. Therefore, it is considered there are suitable controls within DCO conditions.
Historical project gap filling for cumulative and in combination assessments	NE states (risks and issues reference RI_P3 and RI_B8) some historic projects have not been considered quantitatively for the cumulative and in-combination assessments. NE have confirmed <u>that updates provided in technical notes during the Examination (REP3-056 and REP3-058) address their concerns in principle</u> al , the matter is in progress but request changes are reflected in the RIAA and the ES chapter.	The Applicant has provided the suggested gap filling at Deadline 1 (Document Reference 9.22 and 9.23), which did not identify any changes to the assessments undertaken as part of the DCO Application.	It is expected that this matter <u>will be resolved</u> during examination. However, there may be points of detail that are not fully closed out, which the Applicant considers do not to material impact the conclusions of the ES or the RIAA. An updated Chapter 12 (Document Reference 5.1.12) will be <u>has been</u> provided at Deadline 5 and an updated RIAA (Document Reference 4.9) has been provided at Deadline 4.	It is considered confidence can be taken on the robust nature of the CEA and in-combination assessments and conclusions. The historic gap filling did not change the conclusions made in the DCO Application. NE has confirmed in its Deadline 3 submissions (REP3-090) that for most features it will be in a position to agree with the Applicant's conclusions once the updates provided during the Examination are incorporated into these documents (with only disagreement on LBBG and RTD AEoI conclusions). It is noted <i>NRW (A) draw attention to the Mona Offshore Windfarm, where we have recently been able to conclude that an AEoSI can be ruled out for all in-combination impacts for all marine ornithology features of Welsh SPAs...</i> <i>...we would expect the same projects to be included within the in-combination assessments and that the in-combination totals for</i>
	NRW (A) note (Deadline 3 comments REP3-094) that updates to fill the gaps in the CEA have been undertaken in REP1-080 for guillemot, herring gull, lesser black-backed gull, great black-backed gull, little gull and Manx shearwater. No gap filling has been undertaken for kittiwake, gannet, razorbill and puffin. This could potentially have implications for Welsh SPA features and hence gaps will likely need to be filled before we can reach agreement on integrity conclusions. Given that there are issues/lack of clarity regarding consented lifespans of early offshore wind projects (such as North Hoyle and Barrow), we would recommend that these projects are included within the cumulative and in-combination assessments and are gap filled where required. We would also recommend that the Llyr 1 project is included within the cumulative assessments.	The Applicant notes NRW's comment in respect of razorbill at Skomer, Skokholm and seas off Pembrokeshire SPA, and has provided an update to the in-combination assessment for this species within the RIAA (Document Reference 4.9) at Deadline 4. The Applicant does not consider that additional information in respect of kittiwake, gannet or puffin is required to enable the Secretary of State to conclude that there would be no risk of an adverse effect on integrity (AEoI) in respect of these species. Llyr 1 will be added to the CEA and in-combination assessments for Deadline 4 and/or 5. In regard to the inclusion of Barrow in the gap filling exercise the CEA already includes a high degree of precaution as includes a large number of other		

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
	<p>NRW have noted in the SoCG developed with the Applicant that the Deadline 4 RIAA update allows them to agree with conclusions of no AEol for Welsh sites.</p> <p>JNCC (1BEM46 and 1BEM47) comment on the ongoing work to allow projects as they are decommissioned to be removed from assessments.</p> <p>RSPB comment on the precautionary approach to decommissioning of operations wind farms.</p>	<p>operational projects in the Irish Sea and has no way of accounting for the fact these projects would not overlap the entire operational period of the Project. The Applicant has based its assessment on the EIA information available (including the lifespan of the project) which is in the public domain, which is considered a reasonable approach.</p> <p>Further, and noting NEs comment that 'the impacts of early wind farms are generally relatively small' (REP3-093), these projects would have little effect on the assessment, it is considered there is sufficient information to be able to conclude no AEol.</p>		<p><i>both projects would be the same/very similar'.</i></p> <p><u>Agreement on no AEol for Welsh sites is now reflected in the SoCG between the Applicant and NRW following updates to the RIAA at Deadline 4.</u></p>
Methodology and presentation of results	<p>NE notes a number of matters are in progress (risks and issues reference RI_B14, RI_B16, RI_B18, RI_B19, RI_B20, RI_B26, RI_B27, RI_B29). NE agrees with the Applicant's revised CEA conclusion, but this is not reflected in an updated ES chapter or relevant assessment reports, but anticipate this can be resolved once updates are made at a later deadline.</p> <p>NRW (A) (Deadline 3-4 comments REP3-0944-074) welcome that the Applicant intends to include an updated assessment for Manx shearwater displacement in an update to the Offshore Ornithology Technical Note 1 (EIA) (REP3-056) but will provide further comments at Deadline 4 and confirms agreement with the <u>assessment conclusions. Requested that updates are carried across to ES Chapter 12.</u></p> <p>NRW (A) (Deadline 3 comments REP3-094) advise that, following any updates to apportioned Grassholm gannet abundances, the full displacement matrices are provided so that they can consider predicted impacts at any range of impacts or at any point within the range.</p> <p>JNCC (1HRA1) agree with the conclusion that AEol from the project alone can be ruled out for all qualifying features but do not agree with</p>	<p>The Applicant expects matter will be resolved with an updated Chapter 12 Offshore Ornithology (Document Reference 5.1.12) and RIAA (Document Reference 4.9) due to be submitted at Deadline 5 and 54 respectively.</p> <p>At a meeting between the Applicant and NRW on 11/02/2025 the detail of NRW's outstanding concerns regarding the CEA for Great Orme's Head SSSI was discussed, which the Applicant intends to address <u>has addressed (see below).</u></p> <p>The Applicant notes that the predicted displacement mortality for the gannet feature of Grassholm SPA, as presented in the RIAA (REP1-012) is zero (assuming 1% mortality), and as the updated seasonal apportioning as presented by the Applicant at Procedural Deadline A (PD1-010) results in a reduction in the annual population, no changes to the assessment conclusions are predicted. The Applicant confirms that it will present a displacement matrix for <u>was presented this effect</u> in the updated RIAA at Deadline 4 (REP4-009).</p> <p>The Applicant considers that <u>has provided</u> additional information will be provided in the RIAA at Deadline 4-5 to address</p>	<p>It is expected that these matters <u>will be resolved</u> during examination, with the potential for points of details unlikely to be fully closed out.</p> <p>The ES chapter and the RIAA will be updated for completeness and to resolve points of assessment detail as far as possible.</p>	<p>It is considered confidence can be taken on the robust nature of the CEA and in-combination assessments and conclusions. It is noted that the information provided in the submitted technical notes (REP3-056 and REP3-058) identifies no changes to the overall assessment conclusions.</p> <p>It is considered sufficient evidence has been provided to justify the EIA conclusions and for the SoS to determine no AEol on all sites.</p> <p>For the HRA assessment, the Applicant confirms that the approach agreed with NRW and the Morgan Generation Assets through their examination process has been applied and documented at Deadline 4. The Applicant considers that this will enable NRW and JNCC to agree conclusions.</p>

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
	<p>elements of the in-combination assessment. However, are minded to note that for the Mona and Morgan Generation Offshore Wind Projects we were able to conclude no AEoI from those projects in-combination with other plans and projects once all the required evidence was submitted. Given the proximity of Morecambe to those two projects, we see no reason that we would be unable to come to the same conclusion for Morecambe.</p> <p>JNCC commented that it considers a displacement assessment for kittiwake should be provided.</p>	<p>remaining comments. However the Applicant does not consider that displacement assessment is required for this kittiwake. The Applicant has followed the assessment approach advocated by Natural England and NRW, which was agreed with Natural England during pre-submission Expert Topic Group (ETG) meetings, that collision assessment only is required. The Applicant considers that this approach is suitable and sufficient when considering likely effects on this species.</p>		
	<p>RSPB (RR-073 and REP1-061) considers that assessment of effects on Manx shearwater is limited by the baseline characterisation for this species, which it considers does not fully address its nocturnal activity. It also considers that assessment of collision risk is not appropriately considered for this species. However, RSPB recognises that this is an industry-wide issue, not specific to the Project. RSPB considers that it is not appropriate to consider macro-avoidance for the gannet collision assessment; however, it acknowledges that due to the low numbers of this species recorded at the Project site, this would not affect assessment outcomes.</p> <p>RSPB considers that the Applicant has not appropriately considered Highly Pathogenic Avian Influenza (HPAI) in the assessment, but recognises that this is an industry-wide issue, not specific to the Project.</p> <p>RSPB does not agree with the Applicant's approach to 'de minimis' when considering in-combination assessment.</p>	<p>The Applicant considers that the Manx shearwater assessment appropriately considers the effects on this species in accordance with best practice, and that there is no risk that effects on this species would be underestimated (PD1-011).</p> <p>The Applicant considers that other matters have been appropriately addressed within the assessment in accordance with best practice, and notes that this is supported by Natural England's position on these matters.</p>	<p>It is likely that RSPB will maintain disagreement with the Applicant on matters relating to the Manx shearwater assessment, the effects of HPAI and approach to 'de minimis' at the close of Examination. However, it is noted that these are principally industry-wide issues that the Applicant is not in a position to resolve.</p>	<p>The Applicant considers that sufficient robust assessment has been presented, in accordance with industry best practice, within the submission documents and Examination updates to enable SoS to reach appropriate conclusions to the ornithological assessment at both the EIA and HRA scales.</p>
Great Orme's Head SSSI	<p>NRW (A) <u>in its comments at Deadline 4 welcomed</u> the additional assessment but <u>request further information on the cumulative assessment, with comments to be provided at Deadline 4 identified specific concerns regarding the Applicant's approach, particularly for the cumulative assessment in respect of non-breeding season apportioning and application of PVA.</u> NRW noted that for the Mona and Morgan generation assets it has been able to confirm no significant adverse impact for Great Orme's Head SSSI, and that the cumulative effects should be essentially the same for the Project.</p>	<p>The Applicant confirms that updates to the assessment for Great Orme's Head SSSI <u>was presented at Deadline 3 in the Offshore Ornithology Technical Note 1 (EIA) Rev 02 (REP3-056).</u> The Applicant also confirms that it proposes to update ES Chapter 12 (REP1-032) to incorporate all updates provided by the Applicant to date, and comments provided at Deadline 4 by NRW at Deadline 5. It is not considered the additional information requested will alter the outcomes of the assessment provided will behave been presented in the update to Chapter 12</p>	<p>It is expected that this matter <u>will be resolved</u> during examination.</p>	<p>It is considered that the conclusions made by the Applicant provide sufficient information to conclude no significant effects.</p> <p>Further information has been <u>beinghas been</u> provided at Deadline 4 <u>5</u> as requested by NRW, as also agreed by NRW on the Mona and Morgan projects (the cumulative assessments cover the same projects with aligning conclusions).</p>

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		<u>(REP1-032) at Deadline 5. These will incorporate cumulative values derived from the Morgan transmission assets submissions, which should address NRW (A)'s concerns.</u>		
Cumulative assessment for GBBG	NE notes these matters are in progress (risks and issues reference RI_B21). Updated CEA and gap-filling now follows NE preferred approach, but is not yet reflected in updates to the ES chapter or relevant assessment reports. NE agree that this assessment indicates moderate adverse impact on great black-backed gull. This impact remains an outstanding issue.	<p>The Applicant considers this matter in regard to methodology will be resolved with an the updated Chapter 12 Offshore Ornithology due to be submitted at Deadline 5.</p> <p>The Applicant maintains that the Project does not materially contribute to cumulative effects <u>on GBBG</u> and has demonstrated no further mitigation <u>by the Project</u> would be required from the Project provide no measurable benefit. These effects are already occurring from existing projects.</p>	It is expected that this matter <u>will be resolved</u> during examination but that there remains an existing moderate EIA effect.	It has been evidenced the Project cannot implement further mitigation (further increase in air gap would not be materially beneficial). Therefore, while it remains the case that NE and the Applicant agree moderate significant effects on GBBG, and NE consider this an outstanding issue, the cumulative effects that already exist cannot be mitigated by the Project.
Effects on Red Throated Diver (RTD) – RIAA conclusions	NE have confirmed (risks and issues reference RI_P4, RI_B32, RI_B33 and RI_B34) that they do not agree that an adverse effect on RTD can be ruled out for Liverpool Bay SPA for the Project alone or in-combination.	<p>The Applicant maintains the position that there is no adverse effect on integrity, and draws attention to the density of RTD as well as the outcomes for the plan level HRA and Awel y Mor HRA.</p> <p>The Applicant has been open to discussions with NE on the separation sought between the windfarm site and the SPA but to date has not concluded there is a level upon which NE would accept there was no adverse effects of integrity other than a 10km separation, and any reduction on the red line boundary from its current position would result in a loss of capacity for the Project.</p>	It is <u>not expected</u> the position of NE, NRW or the Applicant will change over examination.	<p>The Applicant considers that it has presented a scientifically robust case to demonstrate no AEol for RTD at Liverpool Bay, noting that SoS concluded no AEol for this feature within the R4 HRA, based on identical parameters as for the Project. As there is no new or different information to inform an updated assessment, the Applicant considers that the same conclusion should be reached by the SoS (i.e. no AEol).</p> <p>Notwithstanding this view, the Applicant has provided a without prejudice derogation case as requested by the ExA should the SoS not be able to conclude no adverse effects on integrity.</p>
	<p>As NRW (A) noted [REP1-099] they defer comment/advice regarding predicted impacts and integrity judgements of the project alone and in-combination for all qualifying features of the Liverpool Bay SPA to NE, this includes the red-throated diver (RTD) feature.</p> <p>NRW (A) also clarify in regard to Awel y Môr there was considered to be no effect on RTD habitat loss from Awel y Môr project alone and as such there would be no additional habitat loss to add from the project to an in-combination total</p>	The Applicant notes NRW's comment on this matter but reiterates the evidence presented in the Offshore Ornithology Technical Note 3 (Red-Throated Diver at Liverpool Bay SPA Update Assessment) (REP1-082). Section 2.5.1 of this document demonstrates unequivocally that the effect of the Project alone on the red-throated diver feature of Liverpool Bay SPA would be substantially less than would be the case for the Awel y Môr project. Therefore, as the Secretary of State was able to conclude that there would be no AEol for this feature in respect of the Awel y Môr OWF (both alone and in- combination), there can be		

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		no justification for a different conclusion in respect of the Project alone.		
Effects to Welsh designated sites – RIAA conclusions	NRW (A) can not currently provide agreement that there will be no adverse effects on site integrity at Welsh sites welcomed updates to the assessment for Welsh SPAs (Glannau Aberdaron ac Ynys Enlli/Aberdaron Coast and Bardsey Island (ACBI) SPA, Sgomer, Sgogwm a Moroedd Penfro/Skomer, Skokholm and seas off Pembrokeshire (SSSP) SPA and Grassholm SPA) presented in REP3-058. It confirmed that it agreed with the conclusions in respect of Project alone. Outstanding concerns regarding the calculation of in-combination effects were identified.	The Applicant considers that the conclusions of the RIAA are valid. At a meeting between the Applicant and NRW on 11/02/2025 the details of NRW's outstanding concerns were discussed, and it was established that NRW's preferred approach was that used by the Morgan Generation Assets for their in-combination assessment for Welsh SPAs provided in examination, which enabled NRW to confirm no AEoI for all relevant features. The Applicant confirms that it has followed this approach for Welsh sites within the updated RIAA (Document Reference 4.9) at Deadline 4. The Applicant is therefore confident that NRW will be able to agree no AEoI for all Welsh sites and features. NRW confirmed in a meeting on 06/03/2025 that it was satisfied with the updates and that it would be able to conclude no AEoI for all Welsh SPAs (excepting Liverpool Bay SPA, where NRW (A) has deferred to NE). It is understood that this conclusion will be presented by NRW (A) in its Deadline 5 submissions.	It is expected that this matter <u>will be resolved</u> during examination.	It is considered that the conclusions made by the Applicant provide sufficient information to conclude no adverse effects, as have been agreed by NRW on the Mona and Morgan projects (the assessments conclusions align) and that this will be agreed by NRW.
Effects on Lesser Black Backed Gull (LBBG) – RIAA conclusions	NE have confirmed (risks and issues reference RI_P5, RI_B36 and RI_B38) that they do not agree that an adverse effect on LBBG can be ruled out for at Morecambe Bay and Duddon Estuary SPA and Ribble and Alt Estuary SPA in respect to an in-combination collision risk.	The Applicant maintains the position that there is no adverse effect on integrity, and draws attention to the level of collision risk predicted being below what is considered to contribute to in-combination effects. Comparison is drawn to the Mona and Morgan projects where it has been agreed that there is no contribution to in-combination effects.	It is <u>not expected</u> the position of NE or the Applicant will change over examination.	The Applicant has provided a without prejudice derogation case that has been extensively discussed with NE throughout the pre- and post-application period should the SoS not be able to conclude no adverse effects.
Lesser Black Backed Gull (LBBG) compensation	NE is confident that the measures proposed will be effective to compensate LBBG if required and discussion are on the specific detail of the measures. NE have requested (risks and issues reference RI_G6, RI_G9, RI_G10, RI_G12, RI_G16, RI_G19, RI_G20, RI_G5) adjustments to the scale of compensation proposed for LBBG. NE have provided further comments on the details of the LBBG compensation options.	The Applicant has identified issues with the proposed methods <u>advised</u> by NE but provided a way forward (as discussed with NE) and updated (and increased) the level of compensation at Deadline 3. <u>It is highlighted that the actual level of compensation that would be delivered by the proposed measures would substantially over-compensate for any predicted loss.</u> The Applicant has also provided further reassurance on the landowner agreements in relation to compensation	The Applicant considers that the level of compensation <u>will be agreed</u> during examination. It is noted that the points of detail on the compensation documents reflect how advanced the proposed measures are and these matters of detail would be further discussed and agreed post-consent.	The Applicant has provided a without prejudice derogation case that has been discussed with NE throughout the pre-and post-application period should the SoS not be able to conclude no adverse effects. The details of measures are well advanced, with implementation detail to be refined post-consent as required. The measures proposed are capable of overcompensating.

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		options and notes the plans are very well advanced and detailed considering the stage of the Project and that these are without prejudice measures. NE are represented as members of the Lesser Black-backed Gull Compensation Steering Group and are working with the Applicant to deliver the initial stages of the measure to align with first power for the Project.		
<u>Red-throated diver (RTD) compensation</u>	<u>NE considers that the without prejudice derogation case and compensation measures for RTD (REP3-064) are capable of delivering appropriate compensation for this species, noting the mismatch between the impact (effects on the wintering distribution of RTD in Liverpool Bay SPA) and compensation (enhancement to breeding habitat).</u> <u>NE has made comments on the detail of the compensation proposals -(risks and issues reference RI_G26 to RI_G29).</u>	<u>The Applicant considers that the submitted without prejudice derogation case and compensation measures for RTD (REP3-064) can provide SoS with sufficient information to have confidence that effective compensation is deliverable. An update to the document, including details of additional landowners that have provided in-principle agreement to the delivery of the measures on their land, is being has been presented at Deadline 5.</u>	<u>The Applicant considers that the deliverability of compensation will be agreed during examination. Further detail on these matters would be further discussed and agreed post-consent.</u>	<u>If the SoS concludes that AEol for RTD at Liverpool Bay SPA cannot be ruled out (and noting the Applicant considers that it has provided unequivocal evidence that this is not the case), the without prejudice derogation case and compensation measures for RTD (REP3-064) will be sufficient to enable SoS to have confidence that the measures as set out will be deliverable and provide appropriate levels of compensation.</u>
Monitoring (ornithology)	NE stated (risks and issues reference RI_P2 and RI_A5) there is no pre- or post-construction ornithological monitoring secured by conditions and monitoring conditions should be included.	The Applicant has now included ornithological monitoring for RTD in the IPMP (Document Reference 6.4).	It is <u>not expected</u> that the positions will fully align during examination.	It is noted that the final monitoring plan (Condition 9(1)(c) in the dDCO (Document Reference 3.1)) must be agreed post consent. There are suitable controls within DCO conditions.
Marine mammals				
Mitigation - Noise Abatement Systems (NAS)	NE considers (risks and issues reference RI_P6, RI_D38, RI_D45, RI_D55, RI_D67, RI_D70) that there is insufficient evidence provided to agree with the EIA assessment conclusions NE note the Applicant should fully commit to using NAS as mitigation to reduce both injury and disturbance to marine mammal receptors during construction activities. This should be reflected in a DCO/dML condition that requires consideration of NAS in the Marine Mammal Mitigation Protocol.	In line with the latest joint position statement (JNCC, Natural England and Cefas, 2025) and the marine noise policy paper (UK Government, 2025), the Applicant's position has been updated to provide a commitment to using noise reduction such as Noise Abatement System (NAS) as required considering the new policy (e.g. for its worst-case scenario (i.e., maximum strike rate and hammer energy)) and to employ primary or secondary noise reduction mechanisms based on the final Project design (which will be completed post-consent). This commitment and required mitigation measures are secured through the MMMP	The Applicant expects that updates to the draft MMMP and Outline UWSMS at Deadline <u>4-5</u> in light of the new noise guidance <u>and stakeholder comments will resolve matters</u> . It may not be agreed that the Applicant does not intend to add a requirement to the face of the DCO. As noted by NE, some detailed comments around PTS and cumulative disturbance can be addressed by securing further mitigation. As such the detailed comments are also considered to be addressed by the updated draft MMMP and Outline UWSMS, however updates to the ES	The UWSMS and MMMP (secured in Conditions 20 and 9(1)(i) in the dDCO (Document Reference 3.1)) will be finalised post consent, and must be approved by the MMO in consultation with the relevant SNCB. It will reflect requirements from the new noise guidance as well as those required for EPS licences that will follow post consent if necessary.

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	JNCC note in their Deadline 3 submission, given the distance between the proposed project and the SAC, they do not anticipate an adverse effect on the integrity of North Anglesey Marine SAC from the proposed development; however, have concerns regarding the mitigation provided.	and UWSMS (updated drafts submitted at Deadlines <u>4 and 5</u>).	chapter and RIAA are have also <u>been</u> provided at Deadline <u>45</u> .	Therefore, it is considered there are suitable controls within DCO conditions.
	Whilst NRW (A) agree that the UWSMS should reduce the magnitude of impacts to an acceptable level. NRW (A) agree that the UWSMS should be conditioned through both the deemed Marine Licence (dML) and standalone Marine Licence (ML). NRW (A) welcomes the opportunity to engage with the Applicant on developing the UWSMS during the examination and post-consent.			
Piling worst case scenario	NE provided comments (risks and issues reference RI_D11) around the clarity of the worst case scenario assessed.	The Applicant considers this matter will be resolved with an updated Chapter 11 Marine Mammals (Document Reference 5.1.11) and associated appendices (Document References 5.2.11.1, 5.2.11.2, 5.2.11.3 and 5.2.11.4) submitted at Deadline 4.	It is expected that this matter <u>will be resolved</u> during examination.	Piling for the project is controlled by the approval post-consent of the MMMP and UWSMS (secured in Conditions 20 and 9(1)(i) in the dDCO (Document Reference 3.1)). Therefore, it is considered there are suitable controls within DCO conditions.
	MMO (RR-047-65, RR-047-28) identified confusion over the worst case scenario assessed.			
Sensitivity of minke whale, seal and dolphin species	NE advises (risks and issues reference RI_D21, RI_D25) that dolphin and seal species should be assumed to have the same (medium) sensitivity to disturbance effects and over a similar range as harbour porpoise.	The Applicant has provided information in the technical notes submitted (Document References 9.25 and 9.26) and considers this matter will be resolved with an updated Chapter 11 Marine Mammals (Document Reference 5.1.11) submitted at Deadline 4.	It is expected that this matter <u>will be resolved</u> during examination.	Sufficiently precautionary information has been provided for confidence to be given to assessment conclusions. It is also noted that the updates to the draft MMMP (Document Reference 6.5) and UWSMS (Document Reference 9.32) reflect the required mitigation in line with current guidance.
Cumulative disturbance pathways, thresholds and iPCoD modelling	NE advises (risks and issues reference RI_D28, RI_D32, RI_D50) the Applicant to present the cumulative impact significance for each species using the worst-case numbers disturbed i.e. not only the Interim Population Consequences of Disturbance (iPCoD) modelling results. NE also requested presentation of the mean and median modelling results.	The Applicant has provided the requested information in the technical notes submitted (Document References 9.25 and 9.26) and considers this matter will be resolved with an updated Chapter 11 Marine Mammals (Document Reference 5.1.11) submitted at Deadline 4.	It is expected that this matter <u>will be resolved</u> during examination.	Sufficiently precautionary information has been provided for confidence to be given to assessment conclusions. It is also noted that the updates to the MMMP and UWSMS reflect the required mitigation in consideration of the latest guidance.
	NRW (A) fully agree that the iPCoD model is an appropriate tool to assess the potential impacts of disturbance, however we clarify that our preference is to interpret the results from iPCoD	The Applicant highlights that Section 2.3 in the Marine Mammal Technical Note 1 (EIA) (Document References 9.25) further compares and considers the use of		

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	modelling within the context of other approaches. <u>NRW (A) identify residual concerns with the cumulative assessment at Deadline 4 (REP4-074) in respect of repeated disturbance.</u>	quantified disturbance methods versus the iPCoD results. <u>The Applicant has discussed outstanding matters with NRW and agreed amendments to the ES chapter to seek to resolve matters.</u>		
	JNCC noted in their Deadline 3 submission, given the distance between the proposed project and the SAC, they do not anticipate an adverse effect on the integrity on North Anglesey Marine SAC from the proposed development; however, had concerns regarding the information presented to support some of the conclusions.	The Marine Mammal ES Chapter and the RIAA have been updated to incorporate changes made following comments from the MMO, JNCC, NE and NRW, as presented in the technical notes (Marine Mammal Technical Note 1 (EIA); REP1-083; Marine Mammal Technical Note 2 (HRA) - Revision 02 REP3-062), and submitted at Deadline 4.		
	NE, MMO and NRW do not consider TTS should be used as a proxy for disturbance.	The Applicant notes TTS has only been used as a comparison and that EDRs, DRCs and literature based disturbance ranges have been used for the worst case assessments. The worst case is applied to population modelling and all assessment methodologies.		
In-combination disturbance pathways, thresholds and iPCoD modelling	NE comments (risks and issues reference RI_D60) on the CEA are also relevant to the HRA in-combination assessments. Changes to the CEA should also be reflected in the in-combination assessment. Further mitigation to reduce impacts to the marine mammal populations would also reduce the risk of an impact to English marine mammal SACs in the region. NRW and MMO comments on the CEA also apply to the RIAA in-combination assessments.	In line with the latest joint position statement (JNCC, Natural England and Cefas, 2025) and the marine noise policy paper (UK Government, 2025), the Applicant has committed to using noise reduction such as NAS as required applying new policy (e.g. for its worst-case scenario) and to employ primary or secondary noise reduction mechanisms based on the final Project design. This commitment is secured through the MMMP and UWSMS (updated drafts submitted at Deadline 45).	The Applicant expects that updates to the MMMP and UWSMS at Deadline 4-5 in light of the new noise guidance <u>and stakeholder comments will resolve matters.</u> It may not be agreed that the Applicant does not intend to add a requirement to the face of the dDCO.	The UWSMS and MMMP will be agreed and finalised post consent, and will reflect requirements from the new noise guidance as well as guidance related to EPS licences that will follow post consent.
Disturbance from vessels	NE further advise (risks and issues reference and RI_D51) that the Applicant should consider measures to reduce temporal overlap with other activities to ensure that cumulative disturbance impacts are sufficiently mitigated.	The Applicant has included best practice measures as part of the PEMP (Document Reference 6.2) and Outline VTMP (Document Reference 6.9) in regard to vessel disturbance. It is not considered there is anything further the Project could implement, noting the existing vessel disturbance from shipping activity across the region and the best practice measures also in place from the other regional projects (which is in line with that proposed by the Project).	Positions may not fully align at the end of examination.	It is noted that the VTMP and PEMP (Conditions 9(1)(j) and 9(1)(e) in the dDCO (Document Reference 3.1))) will be finalised and must be approved by the MMO (in consultation with the relevant SNCB) post-consent once a port location is secured. Therefore, it is considered there are suitable controls within DCO conditions.
	NRW (A) acknowledge and welcome the changes made to the chapter in the VTMP	The measures outlined in the VTMP (Document Reference 6.9) are in line with		

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	[APP-153] and seek confirmation that these measures essentially match those in the WiSe scheme.	the publicly available guidance <u>such as the Sea Watch Foundation</u> . It is noted the WiSe scheme is a training scheme directed to leisure users, <u>but uses the principles of the Sea Watch Foundation that informs the WiSE scheme</u> .		
Marine mammal monitoring	<p>NE state (risks and issues reference RI_D61) that marine mammal monitoring should be undertaken in addition to the standard monitoring of underwater noise generated from the piling of the first four piles</p> <p>Given the additional commitments made by the Applicant, NRW (A) may be able to agree that no monitoring may be required from a consenting perspective, however any additional data collection carried out by the applicant would be welcome. Therefore, using the additional aerial surveys proposed during the winter season (potentially November to March) for Red Throated Diver to provide information on marine mammal presence and densities would be highly appreciated.</p>	The Applicant has further considered the request for monitoring and agrees that winter aerial surveys proposed for Red Throated Diver provide a means to provide information on marine mammal presence and densities.	It is <u>not expected</u> that the positions will fully align during examination.	It is noted that the final monitoring plan (Condition 9(1)(c) in the dDCO (Document Reference 3.1) must be approved by the MMO (in consultation with the relevant SNCB) post consent.
Breaks in piling	<p>NE note (risks and issues reference RI_D68) the break procedure outlined in the MMMP does not adhere to the JNCC piling mitigation guidelines and the Applicant should revise the break procedure in the draft MMMP.</p> <p>MMO note (reference RR-047-27) the JNCC (2010) guidance recommends that if there is a pause in piling operations for a period of greater than 10 minutes, then the pre-piling search and soft-start procedure should be repeated before piling recommences. The MMO is reviewing the updated MMMP submitted at Deadline 2 and may have further comments on this matter</p>	The Applicant considers the JNCC guidance on breaks in piling (dated 2010) may not be appropriate given the level of mitigation now committed to in the MMMP and UWSMS and considers breaks in piling should be assessed alongside the final design and mitigation implemented for the Project to ensure piling efficiency and reduce overall duration of activities. Appropriate procedures would be agreed post-consent with SNCBs, reflecting and new guidance that may be available at the time (and included as appropriate in the MMMP / UWSMS which must be approved by the MMO in consultation with the relevant SNCB).	It is <u>not expected</u> that the positions will fully align during examination. <u>The Applicant has shared wording added to the MMMP at Deadline 4 with NE and the MMO for considered to allow breaks procedure to be agreed post-consent. The Applicant is open to amendments to this wording.</u>	It is noted the MMMP (Condition 9(1)(i) in the dDCO (Document Reference 3.1)) will be finalised and approved by the MMO (in consultation with the relevant SNCB) post-consent alongside the final design of the Project and breaks in piling will be agreed post consent.
UXO clearance assessment (also relevant for fish)	<p>MMO do not support the use of TTS as a proxy for disturbance. The MMO notes that applying an EDR (Effective Deterrent Range) for harbour porpoise to other species is conservative. However, the MMO maintains that this would be a suitable precautionary option RR-047-32, RR-047-31, RR-047-31, RR-047-30 and RR-047-29).</p> <p>NRW, JNCC and NE confirmed at Deadline 3 they are content with the assessment on UXO clearance provided at this stage, with a separate application to be made post consent if</p>	<p>The Applicant recognises that TTS is not a behavioural effect per se, but use this auditory effect as a de facto behavioural threshold until better measures are identified.</p> <p>The EDR for low order UXO clearance has been applied for all species. The EDR for high order clearance for harbour porpoise has also been used, but not applied to other species as there is no equivalent EDR available (and we</p>	It is not expected that the positions will fully align on methodology during examination, however all SNCBs have agreed with the sufficiency of the UXO assessment undertaken within the DCO Application.	<p>Sufficient information has been provided for a robust consideration of the Project in full (despite the intent to apply for a separate marine licence for UXO clearance if required).</p> <p>UXO clearance is not part of the DCO Application and assessment was provided for information, noting a marine licence application for UXO clearance, if required, would be</p>

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
	necessary. This is also confirmed in the SoCG with the MMO.	understand EDRs are currently being reviewed by SNCBs across the industry). The MMMP for UXO has been updated at Deadline 4 to reflect new guidance and required mitigations and it is noted that the separate application of UXO clearance would be submitted post-consent and would take account of any new information on disturbance thresholds at the time.		made post-consent. Available methods will be reviewed at the time of the application.
Fish and Shellfish Ecology⁵				
Ecological monitoring	NE, JNCC and NRW have no further comments on fish and shellfish ecology. No request for ecological fish and shellfish monitoring has been sought by these parties. The NFFO have requested monitoring in their Relevant Representation, but now agreed no material impact and agree commercial fisheries monitoring identified is appropriate which will be reported through the FLCP.	The Applicant has not identified a specific driver for fish and shellfish ecological monitoring, noting that any monitoring proposals must be balanced with associated fishing restrictions. The Applicant proposes to undertake fisheries monitoring reporting into the FLCP which will remain for the duration of the Project.	It is expected that this matter <u>will be resolved</u> during examination, <u>noting that parties have been asked to comment in Examiner Questions 2.</u>	It is noted that fisheries monitoring is secured in the IPMP and FLCP (Conditions 9(1)(c) and 9(1)(k) of the dDCO (Document Reference 3.1)).
Fish spawning and piling restrictions	The MMO do not agree with the ES conclusion that there will be no signification effect on cod spawning. The MMO request a seasonal restriction and/or noise reduction (RR-047-60, RR-047-59 and RR-047-58).	The Applicant acknowledges the comments and has secured consideration of noise abatement and seasonal restrictions in the Outline UWSMS. It is not considered that both measures would be required and that any time period for potential restrictions should only consider the peak cod spawning season.	It is expected that this matter <u>will be resolved</u> during examination, however there may remain disagreement on the need for a condition on the face of the DCO , in addition to being secured in the UWSMS as proposed by the Applicant.	It is noted that the mitigation is controlled via the UWSMS (Condition 20 of the DML in the dDCO (Document Reference 3.1)) that must be approved post-consent by the MMO (based on the Outline UWSMS, which expressly provides for consideration of either/or noise abatement or seasonal restrictions) <u>Wording of a condition has been agreed between the Applicant and the MMO should it be considered that this is needed.</u>
	The MMO are to confirm they are content with herring spawning maps presented (RR-047-57)	The Applicant expects confirmation that the information provided is acceptable (following a meeting with the MMO on the 14 February 2025) and notes no direct or indirect effects from the project overlap with herring spawning grounds.	It is expected that this matter will be resolved during examination <u>This matter has been resolved as shown in the Deadline 4 response from the MMO</u>	No further mitigation is required in relation to herring.
HRA conclusions	It is not considered that there are any outstanding matters, and that the conclusions of the RIAA in relation to fish and shellfish are agreed (no adverse effects in integrity).			

⁵ No live comments are in progress with Natural England, JNCC or NRW

Topic/ specific matter	Stakeholder Position	Applicant Position	Position expected at the end of examination	Consequence of positions
Bats				
Pathway to effects on bats	Natural England does not agree (risks and issues reference RI_11) with the Applicant's conclusion that there is no impact pathway for bats.	The Applicant acknowledges Natural England's concerns regarding impacts to bats. Therefore, a technical note providing assessment of impacts to bats has been provided at Deadline 4 (Document Reference 9.48).	It is expected that this matter <u>will be resolved</u> during examination.	It is considered that there will be sufficient information for the SoS to conclude no adverse effects on bats.