

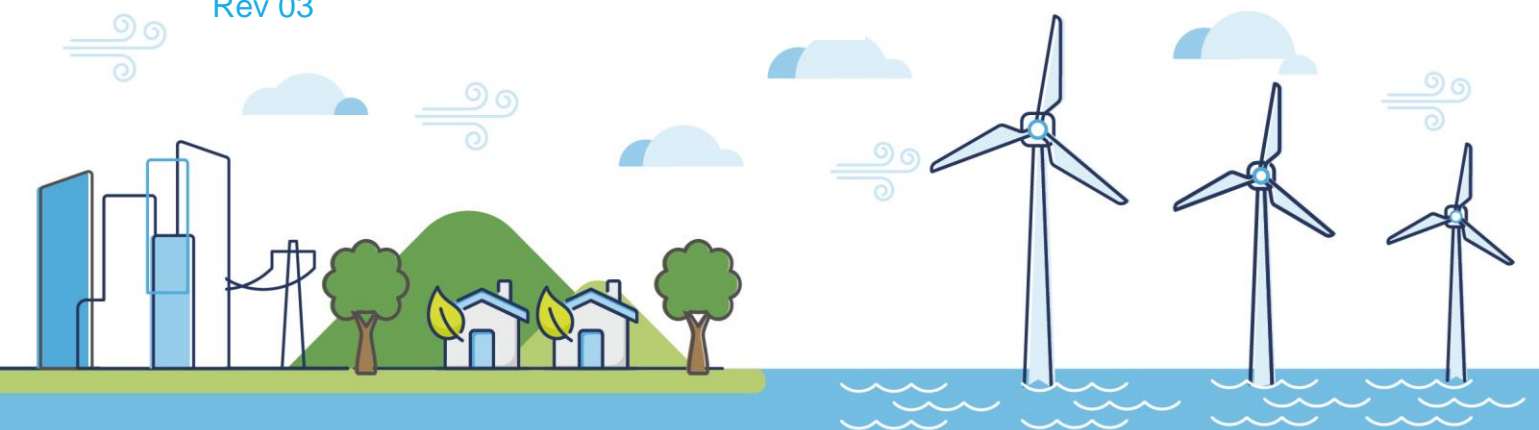
Morecambe Offshore Windfarm: Generation Assets Examination Documents

Volume 9

Draft Statement of Common Ground with the National Federation of Fishermen's Organisations and the Welsh Fisheries Association - Cymdeithas Pysgotwyr Cymru

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Glossary of Acronyms

Afl	Agreement for Lease
AtoN	Aids to Navigation
DCO	Development Consent Order
DML	Deemed Marine Licence
ES	Environmental Statement
FLCP	Fisheries Liaison and Co-Existence Plan
FLO	Fisheries Liaison Officer
MMMP	Marine Mammal Mitigation Protocol
MNEF	Marine Navigation Engagement Forum
MPA	Marine Protected Area
NFFO	National Federation of Fishermen's Organisations
NRA	Navigation Risk Assessment
MMO	Marine Management Organisation
NRW	Natural Resource Wales
OSP	Offshore Substation Platform
PEIR	Preliminary Environmental Information Report
PEMP	Project Environmental Management Plan
PINS	Planning Inspectorate
RR	Relevant Representation
SoCG	Statement of Common Ground
UK	United Kingdom
VTMP	Vessel Traffic Management Plan
WFA-CPC	Welsh Fisheries Association - Cymdeithas Pysgotwyr Cymru
WTG	Wind Turbine Generator

Glossary of Unit Terms

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
Application	This refers to the Applicant's application for a Development Consent Order (DCO). An application consists of a series of documents and plans which are published on the Planning Inspectorate's (PINS) website.
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).
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.
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

1.1 Background to the Project

1. 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).
2. 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 Morecambe Offshore Windfarm Project was received in 2023.
3. 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.
4. 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 OSP(s)).
5. 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.

1.2 Purpose of this document

6. This draft Statement of Common Ground (SoCG) has been prepared by Morecambe Offshore Windfarm Ltd ('the Applicant') with input from the National Federation of Fishermen's Organisations (NFFO). It is also noted that the SoCG is joint between the NFFO and the Welsh Fisheries Association - Cymdeithas Pysgotwyr Cymru (WFA-CPC). The WFA-CPC are members of the NFFO and have asked the NFFO to represent them, with the NFFO coordinating the SoCG. This identifies topic areas where there is agreement, areas of disagreement, and areas which remain under discussion in relation to the Development Consent Order (DCO) application for the Morecambe Offshore Windfarm Generation Assets (hereafter 'the Project').
7. The need for a SoCG between the Applicant and the NFFO is set out in section 1 of Appendix G of the Rule 6 letter issued by the Planning Inspectorate on 23 September 2024. The SoCG will be updated during the Examination and submitted at the Deadlines indicated in the Rule 6 letter.

8. This draft SoCG has been structured to reflect topics of the Application which are of interest to NFFO and WFA-CPC. The NFFO and WFA-CPC represents the interests of commercial fishing businesses in England and Wales.
9. Matters that are not yet agreed will be the subject of ongoing discussion ('In Discussion') between the Applicant and NFFO and WFA-CPC to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.
10. Throughout the draft SoCG the phrase 'Agreed' identifies any point of agreement between the Applicant and NFFO and WFA-CPC. The phrase 'Not Agreed' identifies any points not agreed between the Applicant and NFFO and WFA-CPC.
11. **Table 1.1** lists topics and documents of the Application which are of key interest to NFFO and WFA-CPC.

Table 1.1 Topics included in the draft SoCG

Topic/chapter	PINS reference
Draft DCO	REP2-002
Chapter 10 Fish and Shellfish Ecology	REP3-016
Chapter 13 Commercial Fisheries	REP3-018
Appendix 13.1 Commercial Fisheries Technical Report	APP-072
Chapter 14 Shipping and Navigation	REP3-020
Appendix 14.1 Navigation Risk Assessment (NRA)	REP3-028
Outline Fisheries Liaison and Co-Existence Plan (FLCP)	REP3-043

1.2.1 Consultation with the NFFO

1.2.1.1 Pre-Application

12. The Applicant has engaged with NFFO and WFA-CPC on the Project during the pre-Application process, both in terms of informal non-statutory engagement and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008. As described in **Table 2.1** a meeting was held with the NFFO pre and post the PEIR submission to initially discuss the scope of the assessment and then to discuss comments made in the NFFO and WFA-CPC response to PEIR on the 4 June 2023.
13. The Applicant has also been engaged in extensive regional consultation of shipping and navigation (covering risks to the fishery industry) through the Marine Navigation Engagement Forum (MNEF) as described in the consultation report (APP-015).

14. For further information on the consultation process please see the Consultation Report (APP-015).

1.2.1.2 Post-Application

15. The NFFO and WFA CPC have provided a Relevant Representation (RR) in August 2024 that has been used to populate this draft SoCG.
16. The Applicant is committed to further engagement with NFFO as described to date in **Table 2.1**.

1.2.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters

17. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or ‘in discussion’, the colour coding system set out in **Table 1.2** has been used.
18. Details on specific matters that are ‘Agreed’, ‘Not Agreed’ or ‘In Discussion’ are presented in **Table 2.2**.

Table 1.2 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ matters

Position status	Position colour coding
Agreed The matter is considered to be agreed between the parties.	Agreed
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 the NFFO and WFA-CPC is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG.	Not Agreed – no 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 the NFFO and WFA-CPC is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed – material impact
In Discussion The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties	In Discussion

2 Statement of Common Ground

19. **Table 2.1** provides a summary of the consultation undertaken to date in relation to with the NFFO regarding Commercial Fisheries and Fish and Shellfish Ecology. Thereafter, **Table 2.2** and

20. **Table 2.3** set out the topics agreed, in discussion or not agreed with the NFFO as informed by the consultation and information exchanged between the Applicant and the NFFO during the pre-application and examination phases of the Application.

Table 2.1 Summary of consultation with the NFFO

Date	Contact type	Owner	Topic
Pre-application			
30 November 2021	Online meeting	Applicant	Online meeting to introduce the Project, site selection methodology and process, Environmental Impact Assessment (EIA) scoping approach, and outline schedule.
4 June 2023	Response to statutory consultation including the PEIR	NFFO	NFFO and WFA CPC response to the PEIR
24 November 2023	Online meeting	Applicant	Online meeting to discuss PEIR findings and comments on PEIR.
Post-Application			
30 September 2024	Online meeting	Applicant	Discussion on Statement of Common Ground for the Project.
4 November 2024	Online meeting	Applicant	Discussion on Relevant Representation and Statement of Common Ground for the Project.
7 January 2025	Online meeting	Applicant	Discussion on Statement of Common Ground for the Project.
30 January 2025	Online meeting	Applicant	Discussion on Examiner's Questions, upcoming Issue Specific Hearings and Statement of Common Ground for the Project.
07 March 2025	Online meeting	Applicant	Discussion on second Examiner's Questions, Deadline 4 submission and Statement of Common Ground for the Project.

Table 2.2 Topics agreed, in discussion or not agreed with NFFO and WFA-CPC in relation to commercial fisheries

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
Commercial Fisheries				
NFFO-CF-1	Consultation	NFFO has been adequately consulted on commercial fisheries matters to date.	Agreed	Agreed
NFFO-CF-2	Policy and planning	The assessment has identified all appropriate plans, policies and guidance relevant to commercial fisheries and has given due regard to them within the assessment (see Section 13.4.1 of Volume 5, Chapter 13, Commercial Fisheries (APP-050)).	Agreed	Agreed
NFFO-CF-3	Baseline environment	Sufficient data has been collated to appropriately characterise the baseline environment for the purposes of informing the EIA (see Section 13.4.2 and 13.5 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) and Volume 5, Appendix 13.1, Commercial Fisheries Technical Report (APP-072)).	Agreed	Agreed
NFFO-CF-4	Assessment methodology	The potential impacts identified in Section 13.6 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) represent a comprehensive list of potential impacts on commercial fisheries from the Project.	Agreed	Agreed
NFFO-CF-5		The impact assessment methodology described in Section 13.4.2 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) for the EIA provide an appropriate approach to assessing potential impacts of the Project.	While it is acknowledged that the assessment is undertaken within the framework of an EIA, it is considered that the methodology across the industry should be developed further in the future to more accurately capture the socioeconomic and cultural effects on commercial fishers.	Not Agreed – No material impact
NFFO-CF-6	Assessment of the Project-alone impacts	The realistic worst-case scenarios presented in Section 13.3.2 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) are appropriate in relation to commercial fisheries.	Agreed	Agreed

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
NFFO-CF-7	Assessment of the Project-alone impacts	The conclusions of the assessment of impacts for construction, operation and decommissioning of the Project are agreed (see Section 6.11 and 6.15 of Volume 5, Chapter 13, Commercial Fisheries (APP-050)).	The assumption to resume fishing is not yet proved and the need for monitoring is fully supported (as listed in NFFO-CF-16).	Not Agreed – No material impact
NFFO-CF-8	Assessment of cumulative impacts	<p>The methodology used for assessment of cumulative impacts on commercial fisheries (see Section 6.15 of Volume 5, Chapter 13, Commercial Fisheries (APP-050)) is in line with that used for assessment of impacts as a result of the Project alone. In line with standard EIA methodology, it follows a significance matrix approach, taking account of receptor sensitivity and impact magnitude.</p> <p>The assessment considers a comprehensive range of offshore wind farm developments at different stages in the planning process, as well as dredging areas and Marine Protected Areas (MPAs).</p> <p>Consideration is given in the cumulative assessment to the increased number of plans and projects that may have an impact on the various commercial fisheries receptors, including the potential for restrictions to towed gear fishing to be implemented within MPAs. This is taken account of in defining the magnitude of the cumulative impact.</p> <p>The Applicant notes that information included in the Cumulative Impact Assessment presented in the Environmental Statement (ES) was based on best available information at the time of writing.</p>	While it is acknowledged that the assessment is undertaken within the framework of an EIA, it is considered that the methodology across the industry should be developed further in the future to more accurately capture the socioeconomic and cultural effects on commercial fishers.	Not Agreed – No material impact
NFFO-CF-9		<p>The conclusions of the Cumulative Impact Assessment are agreed (see Section 6.15 of Volume 5, Chapter 13, Commercial Fisheries (APP-050)).</p> <p>The Applicant considers given the size and location of the windfarm site the contribution to cumulative</p>	Agreed, it is noted that a moderate (and significant in EIA terms) impact is identified.	Agreed

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
		effects from the Project is low, with cumulative effects still arising in the absence of the Project.		
NFFO-CF-10	Mitigation	<p>Given the impacts of the Project, the following proposed embedded measures outlined in Section 13.3.3 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) are appropriate:</p> <ul style="list-style-type: none"> ▪ Fisheries Stakeholder Liaison ▪ Marking and lighting ▪ Dropped objects procedure ▪ Cable burial protocols 	Agreed	Agreed
NFFO-CF-11		<p>Given the impacts of the Project, the following proposed additional mitigation measures outlined in Section 13.6.2 of Volume 5, Chapter 13, Commercial Fisheries (APP-050) are appropriate:</p> <ul style="list-style-type: none"> ▪ Fisheries Liaison and Coexistence Plan ▪ Cooperation agreements ▪ Vessel activity monitoring 	Agreed	Agreed
NFFO-CF-13		The commitment to producing a Fisheries Liaison and Coexistence Plan (see Volume 3 - Draft Development Consent Order (APP-012)): Schedule 6, Part 2, Condition 9(1)(k) - Pre- construction plans and documents - FLCP that must be submitted to and approved by the Marine Management Organisation (MMO) prior to the commencement of construction activities. The final version of the FLCP will be produced in accordance with Volume 6, 6.3 Outline Fisheries Liaison and Co-Existence Plan (APP-147).	Agreed	Agreed
NFFO-CF-14		The measures identified within Volume 6, 6.3 Outline Fisheries Liaison and Co-Existence Plan (APP-147) are appropriate for liaison and consultation with the fishing industry throughout the lifetime of the Project.	Discussions have been held with the applicant and agree to the suitability of the Outline FLCP, noting that the	Agreed

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
			finalisation of the FLCP will be agreed post-consent, with further consultation.	
NFFO-CF-15	Monitoring	Geophysical surveys, as outlined in Sections 2.1 and 2.2 of Volume 6, 6.4, In Principle Monitoring Plan (APP-148) are appropriate to confirm: <ul style="list-style-type: none"> ▪ Cable burial success ▪ Adequate protection of infrastructure foundations and crossings ▪ Presence of dropped objects 	It is agreed with the mechanisms of monitoring, however there is a residual interest around surveying inter-array cable integrity.	Agreed as per NFFO position
NFFO-CF-16		Commercial fisheries data monitoring, as outlined in Section 2.7 of Volume 6, 6.4, In Principle Monitoring Plan (APP-148) is appropriate to confirm: <ul style="list-style-type: none"> ▪ Variation of fishing activity (5 years post construction) 	It is noted that the position is that 5 years of monitoring should be in the post-construction period	Agreed
NFFO-CF-17	Shipping and Navigation	Fishing activities have appropriately been considered in: <ul style="list-style-type: none"> ▪ Volume 5 - Appendix 14.1 - Navigation Risk Assessment (APP-073) 	Agreed	Agreed

Table 2.3 Topics agreed, in discussion or not agreed with NFFO and WFA-CPC in relation to fish and shellfish ecology

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
Fish and Shellfish Ecology (FSE)				
NFFO-FSE-1	Consultation	NFFO has been adequately consulted on fish and shellfish ecology matters to date.	Agreed	Agreed
NFFO-FSE-2	Policy and planning	The assessment has identified all appropriate plans, policies and guidance relevant to fish and shellfish ecology and has given due regard to them within the assessment (see Section 13.4.1 of Volume 5, Chapter 13, Commercial Fisheries (APP-050)).	Agreed	Agreed
NFFO-FSE-3	Baseline environment	Sufficient data has been collated to appropriately characterise the fish ecology baseline environment for the purposes of informing the EIA (see Section 10.5 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047)).	Agreed, on the basis the information used is within the framework of that available for EIA.	Agreed, noting residual concerns
NFFO-FSE-3	Baseline environment	Sufficient data has been collated to appropriately characterise the shellfish ecology baseline environment for the purposes of informing the EIA (see Section 10.5 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047)).	Not agreed, it is the NFFO's position that insufficient site specific shellfish data or any data to characterise population dynamics has been collected.	Not agreed – no material impact
NFFO-FSE-4	Assessment methodology	The potential impacts identified in Section 10.6 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047) represent a comprehensive list of potential impacts on fish and shellfish ecology from Morecambe Offshore Windfarm.	Agreed	Agreed
NFFO-FSE-5		The impact assessment methodology described in Section 10.4 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047) used for the EIA provide an appropriate approach to assessing potential impacts of the Project on fish and shellfish ecology.	Agreed	Agreed

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
NFFO-FSE-6	Assessment of the Project-alone impacts	The realistic worst-case scenarios presented in Section 10.3.2 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047) are appropriate in relation to fish and shellfish ecology.	Agreed	Agreed
NFFO-FSE-7		The conclusions of the assessment of impacts for construction, operation and decommissioning are agreed in relation to fish and shellfish ecology (see Section 10.6 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047)).	Not agreed, based on the lack of site specific and contemporary data.	Not agreed – no material impact
NFFO-FSE-8	Assessment of cumulative impacts	The conclusions of the assessment of cumulative impacts are agreed in relation to fish and shellfish ecology (see Section 10.7 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047)).	Not agreed, based on the lack of site specific and contemporary data.	Not agreed – no material impact
NFFO-FSE-9	Mitigation	Given the impacts of the Project, the following proposed embedded measures outlined in Section 10.3.3 of Volume 5 - Chapter 10 - Fish and Shellfish Ecology (APP-047) are appropriate: <ul style="list-style-type: none"> ▪ Cables and cable burial ▪ Foundation installation ▪ Construction practices ▪ Decommissioning works 	Comments expected to be provided at the written representation stage.	Agreed
NFFO-FSE-11	Monitoring	The monitoring relevant to fish and shellfish ecology, set out in Section 2.4 of Volume 6, 6.4, In Principle Monitoring Plan (APP-148), is appropriate noting that no site-specific monitoring of fish resource is proposed, but that the following is relevant to fish and shellfish ecology: <ul style="list-style-type: none"> ▪ monitoring of publicly available commercial fisheries data ▪ monitoring of the first four piles (as defined for marine mammals in Section 2.5 of Volume 6, 6.4, In Principle Monitoring Plan 	Discussions have been held with the applicant and agree to the suitability of the Outline FLCP, noting that the finalisation of the FLCP will be agreed post-consent, with further consultation. The NFFO note the need to review the post-construction monitoring data to identify any drivers to update the monitoring and FLCP during operation of the Project.	Agreed

Topic/ref.	Discussion Point	Applicants position	NFFO position	Position summary
		<p>(APP-148)) would also determine that the maximum underwater noise levels as assessed within the ES for fish are not being breached</p> <p>Furthermore, the Applicant remains open to involvement in existing or upcoming strategic/regional studies and commercial fisheries working groups. This would likely be managed outwith the In Principle Monitoring Plan and identified though fisheries monitoring which would be managed via the FLCP, which will be reviewed regularly throughout the lifetime of the Project.</p>		

3 Signatures

21. The above draft SoCG is agreed between the NFFO (and on behalf of the WFA-CPC) and the Applicant on the day specified below.

Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for and on behalf of the NFFO	
Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for an on behalf of the Applicant	

4 References

DESNZ (2024). Overarching National Policy Statement for Energy (EN-1)

DESNZ (2024). Overarching National Policy Statement for Renewable Energy Infrastructure (EN-3)

IMO (2018). Revised Guidelines for Formal Safety Assessment (FSA) for use in the Rule Making Process MSC-MEPC.2/Circ.12/Rev.2.

Morecambe Offshore Windfarm Ltd (2024) Consultation Report (APP-015)

Morecambe Offshore Windfarm Ltd (2024) Draft DCO (APP-012)

Morecambe Offshore Windfarm Ltd (2024) Chapter 10 Fish and Shellfish Ecology (APP-047)

Morecambe Offshore Windfarm Ltd (2024) Chapter 13 Commercial Fisheries (APP-051)

Morecambe Offshore Windfarm Ltd (2024) Appendix 13.1 Commercial Fisheries Technical Report (APP-072)

Morecambe Offshore Windfarm Ltd (2024) Chapter 14 Shipping and Navigation (APP-051)

Morecambe Offshore Windfarm Ltd (2024) Appendix 14.1 Navigational Risk Assessment (APP-073)