



Morecambe Offshore Windfarm: Generation Assets Examination Documents

Volume 9

Statement of Common Ground with Spirit Energy

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Glossary of Acronyms

AfL	Agreement for Lease
ATC	Air Traffic Control
DCO	Development Consent Order
DIO	Defence Infrastructure Organisation
EIA	Environmental Impact Assessment
ES	Environmental Statement
ETG	Expert Topic Group
MCA	Maritime Coastguard Agency
MNEF	Marine Navigation Engagement Forum
MOD	Ministry of Defence
NPS	National Policy Statement
OSP	Offshore Substation Platform
PEIR	Preliminary Environmental Information Report
SoCG	Statement of Common Ground
UK	United Kingdom
WTG	Wind Turbine Generator

Glossary of Units

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 Overview of 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 windfarm 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 Statement of Common Ground (SoCG) has been prepared by Morecambe Offshore Windfarm Ltd (the Applicant) with input from Spirit Energy Production UK Limited, (a Spirit Energy Limited group company) (hereafter referred to as Spirit Energy). 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 ('the Application') for the Morecambe Offshore Windfarm Generation Assets (hereafter 'the Project').
7. The need for a SoCG between the Applicant and Spirit Energy is set out in section 1 of Appendix G of the Rule 6 letter issued by the Planning Inspectorate on 23rd September. The SoCG will be updated during the Examination and submitted at the Deadlines indicated in the Rule 6 letter.

8. The Applicant has had regard to the Planning Act 2008: Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
9. Spirit Energy is the operator of the Morecambe Hub which currently comprises three gas fields in the East Irish Sea: North Morecambe, South Morecambe and Rhyl. Spirit is also designated duty holder, and therefore operator, of the East Irish Sea fields including Calder. The South Morecambe and Calder fields are located within close proximity to the Project. Spirit Energy is also the holder of a Carbon Dioxide Appraisal and Storage Licence granted on 7 September 2023 (reference CS010).
10. This SoCG has been structured by the Applicant to reflect topics of the Application which it considers are of interest to Spirit Energy. In this SoCG, reference to 'Spirit' means Spirit Energy.
11. Matters that are the subject of ongoing discussion ('In Discussion') between the Applicant and Spirit Energy should be taken as not agreed between the parties but where there is continuing engagement with a view to reach agreement on each matter wherever possible or refine the extent of disagreement between parties.
12. Throughout the SOCG the phrase 'Agreed' identifies any point of agreement between the Applicant and Spirit Energy. The phrase 'Not Agreed' identifies any points not agreed between the Applicant and Spirit Energy and, in the absence of any possibility of agreement, or narrowing the extent of disagreement, discussion between the parties has concluded.
13. **Table 1.1** lists topics and documents of the Application which are of key interest to Spirit Energy.

Table 1.1 Topics included in the SoCG

Topic/chapter	Applicant reference
Draft DCO	3.1
Chapter 14 - Shipping and Navigation	5.1
Appendix 14.1 - Navigation Risk Assessment	5.1.14.1
Appendix 14.2 - Cumulative Regional Navigation Risk Assessment	5.1.14.1
Chapter 17 - Infrastructure and Other Users	5.1.17
Appendix 17.1 - Helicopter Access Study	5.1.17.1
Appendix 17.2 - Radar Early Warning System Technical Report	5.1.17.2

1.2.1 Consultation with Spirit Energy

1.2.1.1 Pre-Application

14. The Applicant has engaged with Spirit Energy on the Project during the pre-application process, both in terms of informal non-statutory consultation and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008.
15. Spirit Energy provided comments on the PEIR on 2nd June 2022 as part of the statutory consultation process. The Applicant considers that it has had regard to the comments and is presented in Volume 4 - Consultation Report Appendices Part 4 (I) (APP-019), however in Spirit Energy's view its comments have not been taken into account by the Applicant. Further detail on engagement undertaken with Spirit Energy is presented in **Table 2.1**.
16. The Applicant had also engaged with shipping and navigation consultees in regional consultation throughout the pre-application process via the Marine Navigation Engagement Forum (MNEF) and hazard workshops as described in Table 2.1 in co-ordination with the Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets.
17. For further information on the consultation process please see the Consultation Report (APP-015).

1.2.1.2 Post-Application

18. Spirit Energy submitted a Relevant Representation (RR-077) in August 2024.
19. The Applicant's position is that it is committed to ongoing post-application engagement with Spirit Energy. Following submission of the Application, meetings have been established with Spirit Energy as detailed to date in **Table 2.1** provides a summary of the consultation undertaken to date with Spirit Energy. Thereafter, **Table 2.2** sets out the topics agreed, in discussion or not agreed with the Spirit Energy as informed by the consultation and information exchanged between the Applicant and the Spirit Energy during the pre-application and examination phases of the Application.

1.2.2 Summary of 'Agreed', 'Not Agreed' and 'In Discussion' matters

20. 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.
21. 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 Spirit Energy 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 Spirit Energy is considered to result in a materially different impact to the assessment conclusions.	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

22. A summary by the Applicant of the consultation undertaken to date with Spirit Energy is set out in **Table 2.1**. Thereafter, **Table 2.2** sets out the topics agreed, in discussion, or not agreed with the Spirit Energy as informed by the consultation and information exchanged between the Applicant and the Spirit Energy during the pre-application and examination phases of the Application. Chrysaor Resources (Irish Sea) Limited a Harbour Energy plc group company ('Harbour Energy') was also present at a number of these meetings.
23. There is a fundamental disagreement between the Applicant and Spirit Energy in relation to the Project's anticipated impacts. This has been stated within written submissions throughout the examination. Therefore, these have not been repeated here to avoid omitting key parts of each parties position within this document. The matter will be addressed by both parties within their respective closing submissions. The Applicant has provided signposting to the relevant submissions with **Table 2.2**.

Table 2.1 Summary of consultation with the Spirit Energy

Date	Contact type	Owner	Topic
Pre-application			
14 th August 2019	Meeting	Applicant	Update meeting to discuss status of current Spirit Energy and Harbour Energy assets in the Irish Sea.
5 th February 2020	Meeting	Applicant	Project information, overall Project status, timeline, surveys, data gathering, site selection development and future ways of working.
20 th February 2020	Meeting	Applicant	Project information, overall Project status, timeline, surveys, data gathering, site selection development, future ways of working and operational overlaps.
6 th May 2020	Meeting	Applicant	Project information, overall Project status and timelines.
24 th September 2020	Meeting	Applicant	Project information, overall Project status and timelines.
15 th November 2020	Meeting	Applicant	Meeting providing Project information, overall Project status, timeline, surveys and feasibility studies.
26 th March 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, data gathering, site selection development, future ways of working, operational overlaps and feasibility studies.
16 th April 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, data gathering, site selection development, future ways of working and operational overlaps and feasibility studies.
4 th May 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, data gathering, site selection development, future ways of working and operational overlaps and feasibility studies.
20 th May 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
31 st May 2021	Meeting	Applicant	Data sharing, communication going forward and regular meeting

Date	Contact type	Owner	Topic
Pre-application			
			schedule, Geotechnical Investigations (GI) and data needed.
2 nd June 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
9 th June 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
16 th June 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
23 rd June 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
30 th June 2021	Meeting	Applicant	Project information, overall project status, timeline, surveys, site selection development and scoping.
6 th July 2021	Meeting	Applicant	Discussions on future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, Carbon Capture Storage (CCS) planning and operational overlaps.
27 th July 2021	Meeting	Applicant	Discussions on future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, Carbon Capture Storage (CCS) planning and operational overlaps.
6 th August 2021	Meeting	Applicant	Discuss future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, CCS planning and operational overlaps.
11 th August 2021	Meeting	Applicant	Discuss future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning,

Date	Contact type	Owner	Topic
Pre-application			
			CCS planning and operational overlaps.
18 th August 2021	Meeting	Applicant	Discuss future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, CCS planning and operational overlaps.
25 th August 2021	Meeting	Applicant	Providing updates on survey planning, layouts and data sharing.
8 th September 2021	Meeting	Applicant	Discuss future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, CCS planning and operational overlaps.
16 th September 2021	Meeting	Applicant	Providing updates on survey planning, layouts and data sharing.
29 th September 2021	Meeting	Applicant	Discuss future ways of working, initial meetings covered site selection developments and scenario timelines, stage gate review, commercial planning, energy integration planning, CCS planning and operational overlaps.
11 th October 2021	Meeting	Applicant	Providing updates on survey planning, constraints analysis, layouts and data sharing.
24 th November 2021	Meeting	Applicant	Providing updates on survey planning, layouts and data sharing.
26 th January 2022	Meeting	Applicant	Providing project and survey updates including imminent scoping submission and vessel traffic surveys. Continue discussions on constraints and layout considerations.
2 nd March 2022	Meeting	Applicant	Updates on winter VTS, Scoping Report submission delay, and continued discussion on constraints, layout considerations and next steps.
23 rd March 2022	Meeting	Applicant	Providing information on upcoming surveys.

Date	Contact type	Owner	Topic
Pre-application			
			Provide update on Scoping Report submission. Continue discussions on constraints and layout considerations.
27 th April 2022	Meeting	Applicant	Provide survey programme update, concept design overview. Continue discussions on constraints and layout considerations.
6 th May 2022	Meeting	Marine Navigation Engagement Forum (MNEF)	Navigation safety, cumulative assessments with the Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets and development of the CRNRA.
7 th September 2022	Meeting	Applicant	Providing project update including consenting timeline, Concept Design Scope and surveys.
10 th October 2022	Meeting	MNEF	Navigation safety and cumulative assessments with the Project, Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets.
12 th October 2022	Hazard Workshop	Applicant	In-person hazard workshop, attended by representatives from ferry operators, regulators, commercial bodies, IoM Government, oil and gas, ports, fishing communities and recreational users.
18 th January 2023	Meeting	MNEF	Navigation safety and cumulative assessments with the Project, Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets pre- PEIR.
1 st February 2023	Meeting	Applicant	Provided update on the consenting process, Statement of Community Consultation and upcoming surveys. Update on oil and gas interaction study provided. Request for update on decommissioning and carbon capture plans.
1 st March 2023	Meeting	Applicant	Consenting and consultation update Engineering update including surveys and project boundary. Oil and gas interaction study update

Date	Contact type	Owner	Topic
Pre-application			
			SIMOPS HAZID Workshop discussion.
23 rd March 2023	Meeting	Applicant	Updates on winter VTS, Scoping Report submission delay and continued discussion on constraints, layout considerations and next steps.
19 th April 2023	Statutory Consultation	Applicant	Notification sent to Spirit Energy to participate in the statutory consultation and provide comment under PEIR.
26 th April 2023	Meeting	Applicant	Updates on consenting and upcoming statutory consultation, engineering, gas field interaction study, SIMOPS HAZID workshop and next steps.
27 th June 2023	Meeting	Applicant	Consenting and consultation update and discussion of PEIR comments Engineering update including surveys and project boundary Oil and gas interaction study update Update on Spirit and Harbour independent aviation study to identify air space requirements in relation to Morecambe generation assets.
5 th July 2023	Meeting	Spirit Energy	Introductory meeting to discuss the Carbon Capture Storage Project.
23 rd August 2023	Meeting	Applicant	Consenting and consultation update Engineering update including surveys, FEED and actions from HAZID Overview of Vessel Management Plan (VMP).
21 st September 2023	Meeting	MNEF	Project updates and review of site boundary changes made since PEIR by the Project, Mona Offshore Wind Project and Morgan Offshore Wind Project Generation Assets.
28 th September 2023	Hazard Workshop	Applicant	Updated hazard workshop to inform the updated NRA/CRNRA for ES, attended by representatives from ferry operators, regulators, commercial bodies, oil and gas, ports, fishing communities and recreational users.
29 th September 2023			

Date	Contact type	Owner	Topic
Pre-application			
13 th December 2023	Meeting	Applicant	Consenting and consultation update Engineering update including surveys undertaken and planned for 2024 Update on Spirit and Harbour independent aviation study
21 st March 2024	Meeting	Applicant	Consenting and consultation update Engineering update including surveys undertaken and planned for 2024 Discussion of results of Spirit and Harbour independent aviation study Provision of results from OWL study on helicopter access to Spirit and Harbour Assets
22 nd April 2024	Meeting	Applicant	Discussion of draft Coexistence and Cooperation agreement Discussion of updated OWL helicopter access study Discussion of DCO process and process required to reach an agreement between parties
Post-application			
1 st July 2024	Meeting	Applicant	To provide an overview of the DCO application documents, overview of the examination process, key findings from the helicopter access study, and summary of proposed mitigations and agreements.
30 th July 2024	Workshop	Applicant	To provide further clarity on the helicopter assessment undertaken by Anatec on behalf of the Applicant, and progress discussions on proposed mitigations, including Protective Provisions and Coexistence Agreement
31 st October 2024	Meeting	Applicant	To discuss and review the helicopter assessment undertaken by Anatec on behalf of the Applicant, AviateQ studies and assessments produced by Spirit Energy, and potential mitigation options.
13 th February 2025	Meeting	Applicant	Shared understanding meeting covering aviation and the related operational safety implications

Date	Contact type	Owner	Topic
Pre-application			
18 th February 2025	Meeting	Applicant	Shared understanding meeting covering aviation and the related operational safety implications
26 th March 2025	Meeting	Spirit Energy	Shared understanding meeting covering decommissioning
26 th March 2025	Meeting	Spirit Energy	Shared understanding meeting covering Morecambe Net Zero / Carbon Capture & Storage

Table 2.2 Topics agreed, in discussion or not agreed with Spirit Energy

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
Project wide considerations				
SE 1	Consultation	<p>The Applicant has undertaken adequate consultation with Spirit Energy on matters to date as outlined in Table 2.1, holding regular engagement since the site selection stage of the Project prior to the signing of the Agreement for Lease with The Crown Estate.</p> <p>Additionally, the Applicant had also engaged with Spirit Energy through the statutory consultation process and, in regional consultation throughout the pre-application process via the MNEF and hazard workshops as described in Table 2.1.</p> <p>During the course of the Examination, the Applicant and Spirit Energy have held detailed technical discussions on the latest information available. This has included four technical shared understanding meetings on a range of technical topics (see Table 2.1 above).</p>	<p>Spirit consider that consultation to date has been regular. However, the dDCO as submitted comprises development at a location that is within proximity of Spirit's offshore assets and without adequate safeguards. That being the case, consultation to date has not resulted in Spirit's concerns being properly taken into account. Accordingly, it cannot be characterised as "adequate".</p> <p>The Summary of Consultation provided in Table 2.1 is not a complete record of consultation. It features inaccuracies and omissions, and discussion in relation to Spirit Energy's carbon capture and storage developments are entirely omitted. Furthermore, the quantity of meetings listed in Table 2.1 does not reflect the high level nature of these conversations. The quantity of meetings does not serve to demonstrate that Spirit's concerns have been adequately taken into account and addressed.</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>The Applicant is committed to further engagement with Spirit Energy post-examination.</p> <p>The Applicant attended a meeting in July 2023 led by Spirit Energy in relation to their CCS project as part of the consultations for their application for a Carbon Dioxide Appraisal and Storage Licence.</p>	<p>The information provided by the Applicant in consultation thus far has not been sufficient for Spirit to fully assess the impact of the Proposed Development on its assets. The Applicant will be aware that a key component of consultation (and statutory requirement in respect of pre-application consultation) is that it must be sufficient to enable the consultee to reach an informed view on the effect of the proposals. Spirit has not been in a position to fully appraise this and respond accordingly given the level of detail provided by the Applicant and the limited technical specificity of the project.</p> <p>Moreover, Spirit's responses on the limited information provided, as set out in detail in Spirit's Relevant Representation [RR-77] and subsequent submissions to the examination have not been reflected in subsequent amendments to the Proposed Development, in the structure of the SoCG or the provision of sufficient safeguards in the Protective Provisions. For the</p>	

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
			foregoing reasons, it cannot be agreed that the Applicant has meaningfully taken into account consultation responses to date.	
SE 2	Policy and planning	<p>The Applicant has identified and considered all appropriate plans, policies and guidance.</p> <p>The assessment of potential impacts upon Shipping and Navigation (Environmental Statement (ES) Chapter 14 Shipping and Navigation_Rev 02 (REP3-020)), and Infrastructure and Other Users (ES Chapter 17 Infrastructure and Other Users_Rev 02 (REP1-038)), and submissions made during the examination (including the Applicant's Response to Spirit Energy's Deadline 4 Submission (REP5-062) and its associated appendices) has been made with specific reference to the relevant National Policy Statements (NPS), legislation, policy and guidance.</p>	<p>See the Applicant's Response to Relevant Representations [PD-011] – ID RR-077-22 to RR-77-24. See further Spirit Energy's submissions on policy at sections 7 of its Deadline 3 Submission [REP3-102], section 3 of its Deadline 4 submission [REP4-069] and section 8 of its Deadline 6 submission. Spirit Energy and the Applicant are not agreed on interpretation of the relevant plans, policies and guidance.</p>	Not Agreed.
SE 3		<p>In their Relevant Representation (RR-077) Spirit Energy identified other health and safety legislation, which they consider is relevant to their operations and activities. The Applicant notes this response and</p>	Spirit notes this response.	Agreed

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		agrees that these are the primary relevant health and safety pieces of legislation.		
SE 4		The Applicant has correctly identified the relevant National Policy Statements in relation to coexistence between offshore wind development and other infrastructure and users within their application and submissions during the Examination, including the Applicant's Response to Spirit Energy's Deadline 4 Submission (REP5-062) and its associated appendices.	See the Applicant's Response to Relevant Representations [PD-011] – ID RR-077-23 and RR-77-24. See further Spirit Energy's submissions on policy at sections 7 of its Deadline 3 Submission [REP3-102], section 3 of its Deadline 4 submission [REP4-069] and section 8 of its Deadline 6 submission. Spirit Energy and the Applicant are not agreed on interpretation of the relevant National Policy Statements in relation to the Project.	In Discussion.
SE 5	Baseline environment	The Applicant has correctly identified Spirit Energy's assets in the East Irish Sea with the potential to be impacted by the Project. Sufficient data has been collated to appropriately characterise the baseline environment within the Applicant's Response to Spirit Energy's Deadline 4 Submission (REP5-062) and its associated appendices.	The Applicant had not correctly identified Spirit Affected Assets in the DCO documentation. Spirit correctly identified the Affected Assets in Spirit's RR [RR-077] and its subsequent submissions to the examination. Spirit do not consider that the Applicant has appropriately characterised the baseline environment (including the nature of Spirit's current operations).	Not Agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
SE 7	Assessment methodology	<p>The assessment methodology within the following documents is deemed appropriate for the purposes of predicting potential effects on Spirit Energy:</p> <ul style="list-style-type: none"> ES Chapter 14 Shipping and Navigation_Rev 02 (REP3-020) ES Chapter 17 Infrastructure and Other Users_Rev 02 (REP1-038) The Applicant's Response to Spirit Energy's Deadline 4 Submission (REP5-062) and its associated appendices. <p>The Applicant and Spirit Energy have held a number of technical shared understanding meetings (see Table 2.1 above) to further advance their mutual understanding of the potential effects of the Project.</p>	<p>Spirit refer to Part 6 of its Relevant Representation and the Applicant's Response to Relevant Representations [PD-011] – ID RR-077-53 to RR-77-85. Discussions are ongoing as to methodology and assumptions that underpin this assessment.</p> <p>The Applicant and Spirit Energy have held a number of technical shared understanding meetings (see Table 2.1 above) to help the Applicant understand the potential effects of the Project, but the Applicant has failed to apply these to its assessments.</p>	Not Agreed.
Development Consent Order				
SE 8	Protective Provisions	The Applicant has included draft protective provisions in favour of Spirit Energy within the draft Development Consent Order	Spirit has provided draft protective provisions at Deadline 5A (REP5a-076) and modestly updated protective provisions with plans at Deadline 6.	Not agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>(dDCO) (Document Reference 3.1).</p> <p>The Protective Provisions included in the Draft Development Consent Order Rev 05 Clean (Document Reference 3.1) secure 1.5nm buffers and IMC Take-off Corridor mitigation around the Calder and CPP1 platforms.</p> <p>Spirit Energy provided their own draft Protective Provisions at Deadline 5a (REP5a-076), but did not provide tracked change versions when compared with those provided by the Applicant.</p> <p>The Applicant will continue to engage on these, noting that there are still areas of disagreement between the parties.</p>		
SE 9	Co-existence agreement	<p>The Applicant is content to enter into a co-existence agreement to the extent appropriate in addition to the protective provisions (albeit noting that the protective provisions are sufficient and appropriate on their own to protect the Affected Assets). The Applicant provided Spirit Energy with a draft co-existence agreement on 11 April 2024. The Applicant has continued to engage with Spirit Energy to</p>	<p>Spirit agree that a draft agreement was provided. Spirit cannot meaningfully engage until correct buffer zones and other key agreement principals are defined, in the expectation is that these matters will be secured in protective provisions.</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>ensure that the definition of the buffer zones and the other operative clauses within the protective provisions is appropriate for Spirit Energy's operations and the delivery of the Morecambe Net Zero project.</p> <p>The Applicant notes that Spirit Energy have stated within their Response to ExQ3 (REP5a-076) that <i>"Spirit Energy prefers for its interests to be protected in PPs contained within the proposed Order and has drafted its proposed PPs accordingly."</i></p>		
Current operations (including to the Calder duty holder)				
SE 10	Shorter Term Co-Existence – Operational Phase – Aviation related to access during Visual Meteorological Conditions (VMC)	<p>The Applicant has correctly assessed the short-term effects on helicopter access during VMC for all Spirit Energy's current activities at the Morecambe Hub within the further assessment has been undertaken during the Examination in relation to helicopter access including:</p> <ul style="list-style-type: none"> ▪ The Applicant's Response to Spirit Energy Deadline 1 Submissions Appendix C: Helicopter Supporting 	<p>Discussions have been held. Spirit Energy however consider that the Applicant has significantly underestimated the impact.</p> <p>Spirit disagree that;</p> <ul style="list-style-type: none"> (i) Helicopters can land and take off safely with a 1.5nm aviation buffer zone; (ii) That anything under 3.76nm is acceptable. <p>The impacts of limiting Spirit Energy's aviation operations will not have only a 'shorter term'</p>	Not Agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>Information Technical Note (REP2-033).</p> <ul style="list-style-type: none"> Responses from the Applicant's to Spirit Energy Deadline 1 Submissions Appendix A: Report on Impact to Helicopter Flights (REP3-071) The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix A: Helicopter Access (REP5-063). 	<p>impact. It will impact Spirit Energy's current operations, decommissioning and MNZ. Spirit has provided comments at every deadline on this issue</p>	
SE 11	Sufficient access for night and Instrument Meteorological Conditions (IMC)	<p>The Applicant has correctly assessed the short-term effects on helicopter access during night and IMC for all Spirit Energy's current activities at the Morecambe Hub within the further assessment has been undertaken during the Examination in relation to helicopter access including:</p> <ul style="list-style-type: none"> The Applicant's Response to Spirit Energy Deadline 1 Submissions Appendix C: Helicopter Supporting Information Technical Note (REP2-033). 	<p>The Applicant has failed to correctly assess the impacts of limiting Spirit Energy's ability to conduct aviation operations in IMC and has not provided sufficient access to prevent these impacts. Spirit has provided comments at every deadline on this issue.</p>	Not agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<ul style="list-style-type: none"> Responses from the Applicant's to Spirit Energy Deadline 1 Submissions Appendix A: Report on Impact to Helicopter Flights (REP3-071) The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix A: Helicopter Access (REP5-063). 		
SE 12	IMC Take-Off Corridor	The IMC Take-off Corridor is positioned into the prevailing wind and Anatec's analysis (Section 7.1.2 of The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix A: Helicopter Access (REP5-063)) demonstrates this an adequate mitigation proposal. The Applicant refers to Section 7 of The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix A: Helicopter Access (REP5-063) for a fuller explanation by Anatec of the IMC take-off corridor.	The IMC Corridor proposed by the Applicant is not effective mitigation to the impacts of the Project on Spirit Energy. Spirit has provided comments at every deadline on this issue.	Not agreed.
SE 13	Proposed Civil Aviation Authority (CAA) AMC Change emerging flight	The Applicant agrees that the use of the IMC Take-Off Corridor, should the proposed Acceptable Means of Compliance come into	Spirit Energy agrees that an Altmoc would be required to use the IMC Corridor if the CAA introduced a restriction to VMC	Not agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
	restriction rule within 3nm of offshore wind turbines	force, would necessitate a CAA dispensation under the AltMoC process. The Applicant considers this is feasible as outlined Section 1.4 of The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix A: Helicopter Access (REP5-063).	within 3nm of a windfarm. The CAA has not confirmed that an Altmoc would be available, and in Spirit's view it would not be possible to obtain one as that would require demonstrating equivalent safety in IMC at less than 3nm.	
SE 14	Greater Increase in Vessels in the Vicinity of the Oil and Gas Platforms in relation to Shorter Term Co-Existence – Operational Phase – Shipping and Navigation	<p>The Applicant has assessed potential short-term operational phase impacts on oil and gas assets including in relation to Shipping and Navigation as part of shipping and navigation assessments as well as access studies within the following documents:</p> <ul style="list-style-type: none"> ES Chapter 14 Shipping and Navigation_Rev 02 (REP3-020) Navigation Risk Assessment (APP-073) The Applicant's Response to Spirit Energy's Deadline 4 Submission Appendix E: Shipping and Navigation (REP5-067) <p>These concluded that, following the implementation of additional mitigation measures and</p>	Spirit requires that the Applicant provides a Vessel Collision Risk Assessment including the impact rating of vessels on collision course with Spirit Energy's assets to enable Spirit Energy to evaluate the impact on its Safety Case.	In Discussion

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		protective provisions, all residual effects across all phases of the Project were not significant.		
SE 15	Provision of Marine Buffer Zones to Spirit and Harbour assets	The Applicant does not consider that in relation to Shipping and Navigation that the presence of the Project, taking account of mitigation secured in the draft Protective Provisions, would present a safety risk to the operation of Spirit Energy's Morecombe Hub, or materially or adversely affect its future viability. The Applicant has included updated Protective Provisions in favour of Spirit Energy within the draft DCO (Document Reference 3.1).	See above.	In Discussion.
SE 16	Shorter Term Co-Existence – Operational Phase – Safety Considerations	The detailed analysis in terms of safety impacts is set out in Section 7 of The Applicant's Response to Spirit Energy's Deadline 4 Submission (REP5-062) and its associated appendices. This is supported by the report from oil and gas safety experts DNV at Appendix B: Effect of Proposed Morecambe Offshore	Spirit has submitted a report by independent experts ORS on the safety impact of the Project at Appendix D to Spirit's D5 Submission [REP5-089] and at Deadline 6 has submitted a full report on the safety impacts of the Project.	Not Agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>Windfarm on Offshore Oil and Gas Operations (REP5-064) and independently peer reviewed by both ERM and CPOGS</p> <p>(report included at Appendix F: Third Party Review of Safety Case by ERM (REP5-068 and Appendix G: Third Party Review of Safety Case by CityPort Oil and Gas Services Limited (REP5-069) respectively).</p>		
SE 17	Radar Early Warning Systems (REWS)	<p>The Applicant has correctly assessed the effects on the REWS in terms of ability to detect targets and the false alarms that may be generated (as part of Appendix 17.2 Radar Early Warning System Technical Report_Rev 02 (REP3-034)).</p> <p>The Applicant refers to their Response to Spirit Energy's Deadline 4 Submission Appendix E: Shipping and Navigation (REP5-067).</p> <p>The Applicant notes in their response to ExQ3 at Deadline 5a (REP5a-076) Spirit Energy confirmed that the updated assessment '<i>has incorporated all the concerns raised in Spirit Energy's Relevant Representation</i></p>	<p>Spirit has responded to ExQ3 3SN1 on Radar Early Warning Systems (REWS) with reference to the Applicant's updated ES Appendix 17.2 'Radar Early Warning System Technical Report' [REP3-034], explaining that if a modified REWS is in place before construction of the windfarm, it will help Spirit identify and track vessels that may be on a collision course with Spirit's EIS assets. However, REWS is a warning system. It does not reduce or mitigate the increased risk of collision.</p>	In Discussion

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<i>and Written Representation including setting up Spirit Energy CPA/TCPA alarms and further modelling of passing traffic through the wind farm array'..</i>		
SE 18	Medium Term Co-Existence – Decommissioning Phase	<p>The Applicant does not consider that the presence of the Project, taking account of mitigation secured in the draft Protective Provisions, would present a safety risk to the decommissioning of Spirit Energy's Morecambe Hub, or materially or adversely affect its future viability.</p> <p>The Applicant has included updated Protective Provisions in favour of Spirit Energy within the draft DCO (Document Reference 3.1).</p>	Spirit Energy does not agree that, as matters stand, the safety and viability of the Morecambe Hub is secured. Spirit Energy has provided suitable protective provisions at Deadline 5A and Deadline 6. Spirit Energy has set out the impacts of the Project on decommissioning in detail at section 6 of its Deadline 6 submission.	Not Agreed.
Proposed operations (including decommissioning of existing facilities and future carbon capture)				
SE 19	Long Term Co-Existence – Morecambe Net Zero (MNZ)	<p>The Applicant does not consider that the presence of the Project would present a safety risk to the operation or decommissioning of Spirit Energy's Morecambe Net Zero CCUS project, or materially or adversely affect its future viability.</p> <p>The Applicant refers to their response to The Applicant's</p>	MNZ is critical project for achieving the national net zero target which the Project (as currently proposed) threatens if not designed and progressed cooperatively with MNZ. Spirit Energy has provided detailed information on the status and requirements for MNZ, including	Not Agreed.

Topic/ ref.	Discussion point	Applicant's position	Spirit Energy position	Position summary
		<p>Response to Spirit Energy's Deadline 4 Submission Appendix D: Impact on Decommissioning of Gas Production Facilities (REP5-027) and notes that at present there is no current permit for CCUS operations in the area.</p> <p>Notwithstanding the above the Applicant is committed to co-existence and to engaging with Spirit Energy on agreeing the principal terms for a co-existence agreement.</p>	<p>draft protective provisions, at Deadlines 5A [REP5a-076] and 6.</p> <p>Spirit confirms that it is in receipt of a draft co-existence agreement but do not believe its terms to be reflective of the current state of play, nor specific to the MNZ Project.</p>	
Habitats Regulations Assessment				
SE 20	Without Prejudice Derogation Case	<p>The Applicant has submitted a Habitats Regulations Assessment Without Prejudice Derogation Case (REP5a-011). This includes a review of possible site locations for compensatory measures for Lesser Black-Backed Gulls (LBBG) that includes Spirit's Barrow Gas Terminal.</p> <p>The Applicant notes that the Barrow Gas Terminal option will not be progressed further at this time, noting the Applicant has provided other compensation options that are being progressed.</p>	<p>Note position and agree that it is not an option.</p>	Agreed.

3 Signatures

24. The above SoCG is agreed between Spirit Energy Production UK Limited and the Applicant on the day specified below.

Signed:	
Print Name:	
Job Title:	
Date:	
Duly authorised for and on behalf of Spirit Energy Production UK Limited	
Signed:	
Print Name:	
Job Title:	Consents Manager (Generation)
Date:	15/4/25
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)