

**PLANNING ACT 2008**

**The Morecambe Offshore Windfarm Generation Assets Development Consent Order  
Application**

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**Submission by Spirit Energy Production UK Limited**

**Response to the Secretary of State's letter dated 26 September 2025**

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**EN010121**  
**Unique Reference: 20049981**

<b>Date</b>	10 October 2025
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## 1. Introduction

- 1.1 'Spirit Energy' is the trading name used by Spirit Energy Limited and its subsidiaries, including Spirit Energy Production UK Limited, a group which collectively conducts European oil and gas operations.
- 1.2 Eversheds Sutherland (International) Limited are instructed by Spirit Energy (**Spirit**) in relation to the proposed development consent order application (the **Application**) made by Morecambe Offshore Windfarm Ltd (the **Applicant**) for the proposed Morecambe Offshore Windfarm Generation Assets (the **Proposed Development**).
- 1.3 Unless otherwise stated in this submission, Spirit adopts the definitions applied in its submission at Deadline 6 (Spirits Comments on any submission received at Deadline 5A) [[REP6-058](#)] (**Spirit's D6 Submission**)
- 1.4 The Secretary of State issued a letter dated 26 September 2025 inviting the Applicant and Spirit to provide an update on progress towards a commercial agreement to replace the proposed Protective Provisions for the protection of Spirit's interests, or whether agreement has been reached on any specific areas of disagreement as to the form of Protective Provisions that should be included in a final DCO if it has not yet been possible to finalise a commercial agreement (the **26 September Letter**). This submission provides an update from Spirit on these points.

## 2. Commercial Agreement

- 2.1 The Applicant submitted *The Applicant's Response to Secretary of State Letter and Request for Information* [[C1-011](#)] (the **Applicant's Response**) dated 3 September 2025 in response to the request for further information in the letter from the Secretary of State dated 21 August 2025 (**21 August Letter**). The Applicant's Response included a joint statement on behalf of the Applicant and Spirit in response to the Secretary of State's request for an update on progress towards agreeing the form of the Protective Provisions for the protection of Spirit's interests in the 21 August Letter (see paragraph 88 of the Applicant's Response).
- 2.2 The joint statement from the Applicant and Spirit in the Applicant's Response reflected the position of both the Applicant and Spirit at the time of that submission with regard to progressing discussion on both parties' programmes and requirements to determine if there is a window of opportunity that exists to inform an agreement in place of the Protective Provisions.
- 2.3 Discussions between the Applicant and Spirit have continued since submission of that joint statement on a without prejudice basis. There have recently been breakthroughs in the negotiations which Spirit anticipates can form the basis of an agreement, subject to finalising and documenting the terms. Both parties will endeavour to confirm the terms of this agreement and protective provisions as quickly as possible. Spirit remains committed to working in good faith with the Applicant to reach an agreement.
- 2.4 Spirit is cognisant of the anticipated date of the Secretary of State's decision. As per the email to the Planning Inspectorate from the Applicant on 10 October 2025, on behalf of both Spirit and the Applicant, it is anticipated that agreement will shortly be reached and the Applicant and Spirit will provide an update on 17 October 2025.

## 3. Protective Provisions

- 3.1 Agreement of Protective Provisions suitable for the protection of Spirit's interests requires agreement between the Applicant and Spirit on operational and programme requirements that can facilitate co-existence of the Proposed Development and Spirit's Affected Assets. While Spirit is working hard to reach agreement with the Applicant, as noted above, agreement has not yet been reached. At the point that agreement is reached, Spirit will provide the Secretary of State with updated Protective Provisions for the protection of Spirit's interests which reflect that position.

- 3.2 In the case that no agreement is reached prior to the Secretary of State reaching a decision on the Proposed Development, Spirit requires the protective provisions provided at Appendix C of Spirit's D6 Submission to ensure the safety of its assets and operations.

**Eversheds Sutherland (International) Limited**

**10 October 2025**