

MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

Statement of Common Ground between Morgan Offshore Wind Limited and NATS (En Route) plc

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Image of an offshore wind farm

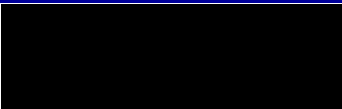
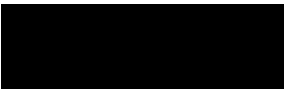
MORGAN OFFSHORE WIND PROJECT: GENERATION ASSETS

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Glossary

Term	Meaning
Applicant	Morgan Offshore Wind Limited.
Deemed Marine Licence	The Marine and Coastal Access Act 2009 requires a marine licence to be obtained for licensable marine activities. Section 149A of the Planning Act 2008 allows an applicant for a DCO to apply for a 'deemed' marine licence as part of the DCO process.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Morgan Offshore Wind Project	The Morgan Offshore Wind Project is comprised of both the generation assets and offshore and onshore transmission assets, and associated activities.
Morgan Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, scour protection, cable protection and offshore substation platforms (OSPs) forming part of the Morgan Offshore Wind Project: Generation Assets will be located.
Morgan Offshore Wind Project: Generation Assets	This is the name given to the Morgan Generation Assets project as a whole (includes all infrastructure and activities associated with the project construction, operations and maintenance, and decommissioning).
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects.

Acronyms

Acronym	Description
ACP	Airspace Change Procedure
ATC	Air Traffic Control
DCO	Development Consent Order
NATS	NATS En Route plc
EIA	Environmental Impact Assessment
MDD	Mitigation Description Document
OSP	Offshore Substation Platform
PSR	Primary Surveillance Radar
SoCG	Statement of Common Ground
TMZ	Transponder Mandatory Zone
TOPA	Technical and Operational Assessment

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Units

Unit	Description
kV	Kilovolts

1 STATEMENT OF COMMON GROUND BETWEEN MORGAN OFFSHORE WIND LIMITED AND NATS

1.1 Introduction

1.1.1 Overview

- 1.1.1.1 This initial Statement of Common Ground (SoCG) has been prepared between Morgan Offshore Wind Limited (hereafter referred to as 'the Applicant') and NATS En Route plc, (hereafter referred to as NATS), together as the parties. The SoCG sets out the areas of agreement and disagreement between the parties in relation to the Development Consent Order (DCO) application for the Morgan Offshore Wind Project: Generation Assets (hereafter referred to as the 'Morgan Generation Assets').
- 1.1.1.2 The need for a SoCG between the Applicant and NATS Safeguarding is set out within the Rule 6 letter that was issued by the Planning Inspectorate on 05 August 2024 (PD-001).
- 1.1.1.3 This document is intended to provide the Examining Authority with an overview of the level of common ground between the parties. The SoCG will facilitate further discussion between the parties and will be updated during the Morgan Generation Assets Examination and submitted at the Deadlines indicated in the Rule 6 letter (PD-001).

1.1.2 Morgan Generation Assets elements under NATS's remit

- 1.1.2.1 NATS provides Air Traffic Control (ATC) services to aircraft flying in airspace over the UK and the eastern part of the North Atlantic. The elements of the Morgan Generation Assets which may affect the interests of NATS are detailed in Schedule 1 (Authorised Development), Part 1 (Authorised Development) of the Draft DCO (AS-003).
- 1.1.2.2 This SoCG covers the following topics of relevance to NATS:
 - Assessment and mitigation of effects to Primary Surveillance Radar (PSR) (Lowther Hill and St Anne's) and mitigation measures.

1.1.3 Overview of Morgan Generation Assets

- 1.1.3.1 Morgan Generation Assets is a proposed offshore wind farm located in the east Irish Sea. The Morgan Generation Assets will include offshore infrastructure and consists of:
 - Morgan Array Area: This is where the wind turbines, Offshore Substation Platforms (OSPs), foundations (for both wind turbines and OSPs), inter-array cables and interconnector cables will be located.

1.1.4 Approach to SoCG

- 1.1.4.1 This SoCG has been developed during the pre-Examination phase and will be progressed during the Examination phase of the Morgan Generation Assets. In accordance with discussions between the parties, the SoCG is focused on those issues raised by NATS within its response to Scoping and Section 42 consultation and as raised through pre-application consultation between the parties. This SoCG also includes those issues raised by NATS during the post-application phase (i.e. relevant representations and pre-Examination meetings).
- 1.1.4.2 The structure of this SoCG is as follows:

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- Section 1.1: Introduction
- Section 1.2: Summary of SoCG
- Section 1.3: Summary of consultation
- Section 1.4: Agreement Log.

1.2 Summary of SoCG

1.2.1 Overview

1.2.1.1 This SoCG outlines the consultation that has taken place between the parties during the pre-application and post-application phases of the Morgan Generation Assets. The agreement logs present the position reached on 13 January 2025 (Deadline 5).

1.2.2 Summary of Those Matters Agreed, Ongoing Points of Discussion and Not Agreed

1.2.2.1 Table 1.1 provides a summary of those matters agreed, an ongoing point of discussion or not agreed between the parties.

Table 1.1: Summary of areas agreed, ongoing points of discussion and not agreed between the parties.

Topic	Agreement status
PSR and mitigation measures	All points agreed with the exception of one.

1.3 Summary of consultation

1.3.1.1 Table 1.2 below provides a summary of the consultation undertaken by the Applicant with NATS during the pre-application phase of the Morgan Generation Assets.

1.3.1.2 Table 1.3 below provides a summary of the consultation undertaken by the Applicant with NATS during the post-application phase of the Morgan Generation Assets.

Table 1.2: Summary of pre-application consultation with NATS.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
Scoping			
22/07/2022	Scoping response	Statutory	Response included within Scoping Opinion (APP-030).
Online meetings			
01/01/2022	Meeting	Non-statutory	NATS informed that there will be a predicted impact to NATS St Anne's and Lowther Hill PSR systems created by the radar detection of the operational wind turbines and the creation of unwanted radar returns.

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Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
10/08/2023	Meeting	Non-statutory	<ul style="list-style-type: none"> Applicant provided an update on the status of the Morgan Generation Assets Discussed effects to NATS Lowther Hill and St Annes Agreed that NATS will prepare the Mitigation Description Document (MDD) which will describe their preferred mitigation for consideration by the Applicant. Subject to review of the MDD by the Applicant, mitigation would be secured through a commercial agreement.
03/11/2023	Meeting	Non-statutory	NATS provided update on progress of their MDD.
15/01/2024	Meeting	Non-statutory	NATS provided update on progress of their MDD.
13/02/2024	Meeting	Non-statutory	NATS provided update on progress of their MDD.
22/02/2024	Email from NATS	Non-statutory	NATS confirmed preferred mitigation of Large Blanking with the support of an Airspace Change Procedure (ACP).

Table 1.3: Summary of post-application consultation with NATS.

Date	Form of consultation	Statutory or non-statutory engagement	Summary of consultation
05/06/2024	Meeting	Non-statutory	Meeting to discuss next steps regarding radar blanking and Transponder Mandatory Zone (TMZ) mitigation for Morgan Generation Assets.
10/07/2024	Relevant representation	Statutory	Provision of NATS relevant representation, principally concerned with the impact to radar infrastructure and ability to provide a safe and expeditious air traffic service in the area.
06/09/2024	Meeting	Non-statutory	Meeting to discuss SoCG.
Aug 2024 – Jan 2025	Email	Non-statutory	<ul style="list-style-type: none"> Email correspondence on commercial agreement and updates to SoCG
10/01/2025	Meeting	Non-statutory	<ul style="list-style-type: none"> Meeting to discuss the final SoCG and progress of the commercial agreement.

1.4 Agreement log

1.4.1 Overview

1.4.1.1 This section of the SoCG sets out the level of agreement between the parties. For each matter the status is identified as being either agreed, not agreed or an ongoing point of discussion, according to the criteria set out in Table 1.4 below.

Table 1.4: Position definitions and colour coding.

Position and colour coding	Definition of position
Agreed	The matter is considered to be agreed between the parties.
Ongoing point of discussion	The matter is neither agreed or not agreed, and is a matter where further discussion is required between the parties.
Not agreed, but not material	The matter is not considered to be agreed between the parties, but is not deemed material.
Not agreed	The matter is not considered to be agreed between the parties.

1.4.2 Assessment and mitigation of effects to Primary Surveillance Radar (PSR) and mitigation measures

1.4.2.1 Table 1.5 sets out the level of agreement between the parties for each relevant component of the application (as identified in section 1.1.1.3) in relation to NATS.

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1.4.3 Assessment and mitigation of effects to Primary Surveillance Radar (PSR) and mitigation measures

Table 1.5: Agreement Log between the parties on assessment and mitigation of effects to Primary Surveillance Radar (PSR) and mitigation measures.

Reference Number	Discussion point	Applicant's Position	NATS Position	Status
EIA				
NATS.AR.1	Consultation	The Applicant has undertaken adequate consultation with NATS on potential impacts on aviation and radar.	Agreed in meeting 06/09/24	Agreed
NATS.AR.2	Consultation	Volume 2, Chapter 11: Aviation and radar (APP-015) has had due regard to matters raised by NATS through statutory and non-statutory consultation on potential impacts on aviation and radar.	Agreed in meeting 06/09/24	Agreed
NATS.AR.3	Policy	The Applicant has identified and considered the plans and policies relevant to aviation and radar, within NATS's remit.	Agreed in meeting 06/09/24	Agreed
NATS.AR.4	Baseline environment	The Applicant has adequately characterised the baseline environment for aviation and radar.	Agreed in meeting 06/09/24	Agreed
NATS.AR.5	Scoping	The scoping of impacts for the Environmental Impact Assessment (EIA) for aviation and radar is appropriate.	Agreed in meeting 06/09/24	Agreed
NATS.AR.6	Study area	The aviation and radar study area is appropriate for the receptors, sites and impacts assessed.	Agreed in meeting 06/09/24	Agreed
NATS.AR.7	Project design envelope	Volume 2, Chapter 11: Aviation and radar (APP-015) has identified, described and assessed the maximum design scenario for the EIA.	Agreed in meeting 06/09/24	Agreed
NATS.AR.8	Assessment methodology	The sensitivity criteria for aviation and radar receptors has been correctly identified and sufficiently described within Volume 2, Chapter 11: Aviation and radar (APP-015).	Agreed in meeting 06/09/24 (accords with NATS internal Technical and Operational Assessment (TOPA) Report)	Agreed
NATS.AR.9	Assessment methodology	The list of projects screened into the Cumulative Effects Assessment in Volume 2, Chapter 11: Aviation and radar (APP-015) are appropriate.	Agreed in meeting 06/09/24	Agreed

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Reference Number	Discussion point	Applicant's Position	NATS Position	Status
NATS.AR.10	Assessment of the effects from the project alone	Predicted impacts from the Morgan Generation Assets alone on NATS Lowther Hill PSR and NATS St Anne's PSR have been correctly identified and assessed within Volume 2, Chapter 11: Aviation and radar (APP-015).	Agreed in meeting 06/09/24 (accords with NATS internal TOPA Report)	Agreed
NATS.AR.11	Assessment of the effects from the project cumulatively with other projects	Predicted impacts from the Morgan Generation Assets alongside other plans and projects on NATS Lowther Hill PSR and NATS St Anne's PSR have been correctly identified and assessed within Volume 2, Chapter 11: Aviation and radar (APP-015).	Agreed in meeting 06/09/24 (accords with NATS internal TOPA Report)	Agreed
NATS.AR.12	Mitigation	<p>The Applicant has received details of preferred mitigation solutions from NATS (Large Blanking and an ACP as per Table 1.2 above) and the parties are engaging on a commercial agreement.</p> <p>The draft DCO (AS-003) includes under Requirement 4, restrictions on operation until the appropriate mitigation for Lowther Hill PSR and St Anne's PSR is implemented.</p> <p>The parties will provide an updates on progress through the Aviation Progress Report.</p> <p>Final position (13 January 2025): Whilst the parties have been engaging on a commercial agreement, this has not been possible to finalise by Deadline 5. The parties are however, committed to continuing engagement on the commercial agreement as a priority and will provide an update at the appropriate time either through further correspondence to the Examining Authority or, should this extend beyond the closure of the Examination, the Secretary of State for Energy Security and Net Zero.</p>	Agreed in meeting 06/09/24, ongoing discussion required to finalise agreements.	Agreed – subject to conclusion of commercial agreements.

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Reference Number	Discussion point	Applicant's Position	NATS Position	Status
NATS.AR.13	Primary Surveillance Radar	<p>Proposed requirement included as 'requirement 4' in the draft DCO:</p> <p>Lowther Hill and St. Anne's Primary Surveillance Radar</p> <p>x—(1) No part of any wind turbine generator (excluding foundations) shall be erected as part of the authorised development until a primary radar mitigation scheme agreed in advance with the Operator has been submitted to and approved in writing by the Secretary of State in order to mitigate the impact of the authorised development on the primary radar of the operator located at Lowther Hill and St. Anne's and associated air traffic management operations.</p> <p>(2) No part of any wind turbine generator (excluding foundations) shall be erected until the approved primary radar mitigation scheme has been implemented and the authorised development shall thereafter be operated fully in accordance with the approved scheme.</p> <p>(3) In this requirement—</p> <p>"Operator" means NATS (En Route) plc, incorporated under the Companies Act 2006 (Company Number 4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hampshire PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of the Transport Act 2000); and</p> <p>"primary radar mitigation scheme" or "scheme" means a detailed scheme agreed with the operator which sets out the measures to be taken to mitigate the impact of the development on the primary radar located at Lowther Hill and St Annes and air traffic management operations of the Operator.</p>	Agreed	Agreed