MGN Towage of Floating Structures
MCA responses to first consultation comments

Consultee	Comment	Response
1	We believe that this guidance note consultation is both timely and very helpful in reminding all parties of the necessary applicable legislation and as such we welcome its publication. Re Point 10. Wet Storage Is it possible to use the term “Safe Anchorage” [or “Safe Anchorage (wet storage)”] to avoid the confusion of the term ‘wet storage’ which also refers to the temporary storage of cables or subsea components on the seabed. We believe the term Safe Anchorage also better reflects the necessary safety requirements of the temporary anchoring of floating units prior to installation.	Wet storage sites can have mooring gear on the seabed and in the water column to which the floating turbines can be secured. The term ‘safe anchorage’ could create the impression to the mariner that the designated area is a place to safely anchor a vessel. As such MCA does not support using the term ‘safe anchorage’ to describe wet storage sites. After consideration, Section 10 Wet Storage has been removed as this guidance is specifically for towage and further guidance from UK Government departments on wet storage will be needed in due course. .
	Re Point 4.2.4 Is a Safe Anchorage (wet storage) location for floating wind structures to be regarded as a ‘final’ destination for a single voyage or can it simply be regarded as a temporary holding point within a longer single voyage to either another port or the final offshore deployment location. The anticipated holding time within a Safe Anchorage location is estimated to be a short duration (days/weeks) whilst awaiting a suitable weather window or tow vessel availability to enable safe onward movements. Accepting this may fall under the ‘case-by-case’ certification of extended validity, if all assets within a Safe Anchorage location are kept under detailed 24/7 surveillance to ensure maintenance of seaworthiness (e.g. by live monitoring asset performance against existing designed motion characteristics, &/or by keeping under visual surveillance and positional confirmation etc.), supported by documented records/evidence, would this scenario suffice to maintain a ‘single’ voyage.	It would be case by case subject to detail – it is common practice to issue “single voyage” certification with a margin of validity to cover anticipated delay and weather windows. This is conditional on the structure not undergoing any material change (by accident or design) whilst in “wet storage” which could affect the certification. There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements, provided there is no structural changes to the tow and the same towing vessel is used. Regarding UK Load Line exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage. UK approved ROs can issue UK and International Load line certificates. A load line exemption certificate can be issued by the MCA only. However, this can be based on surveys by an approved surveyor.
2	No comments	Noted with thanks.

3	[We] have no comments to provide.	Noted with thanks.
4	[We] would state that any Aids to Navigation (AtoN) fitted to the floating wind turbine must be extinguished during the tow to avoid confusion with any signals displayed as per the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs). This should include any lights, hazard warning signals, and electronic AtoN including AIS broadcasting Message 21. There is no mention anywhere in the draft MGN for Guidance on towing requirements for offshore floating structures (excluding oil and gas infrastructure), that the towed object should only display signals required under the COLREGs to avoid confusion of the mariner.	New Lighting & Marking section added.
	The section on “Wet Storage” is strange within a document on “Towage”. If it is to remain it should be referenced within the initial paragraph of the Summary. Any signals displayed whilst the turbines are in wet storage will need to be discussed with all parties at the time, and it is likely that Trinity House will require all AtoN, and especially AtoN broadcasting AIS Message 21 to be extinguished whilst the turbine are stored. We consider that the requirement for signals being displayed during storage will need to be included in Para 10.2 as a matter for discussion alongside wet storage locations.	The section has been removed and your comments regarding lighting in wet storage had been added to a new Lighting & Marking section.
5	[We] welcome the guidance and this proactive approach by the MCA. The floating offshore wind sector requires certainty to facilitate investment and development, and documents such as this from regulators will help to deliver that. We appreciate that the MCA is trying to cover all bases with this guidance, and must take into consideration different types of port and different regulators / regulations across the different parts of the UK. This naturally leads to some lack of clarity, which we have covered in our specific feedback raised below.	Noted.

	Point 2.1 is slightly equivocal. The text implies that offshore floating structures are 'unconventional vessels'. However, MCA's position on this is not entirely clear. Offshore floating renewable energy structures are "craft[s] capable of travelling in, on or under the water, whether self-propelled or not" and are therefore "vessels" as defined in section 64 of the Marine (Scotland) Act 2010. We consider it would be clearer for the guidance expressly to refer to them as a type of vessel. This specificity would be helpful for everyone. Having taken legal advice, it is the view of [ ] that the anchoring and mooring of vessels are not licensable marine activities which require a marine licence under section 21 of the Marine (Scotland) Act 2010 as such activities do not constitute the deposit of objects in the sea. (This is also the position of the Scottish Ports Group.) This would also apply to licensing under the Marine and Coastal Access Act 2009. The definition of vessels in section 115 of the 2009 Act as in the Scottish 2010 Act and licensable marine activities are also defined similarly in section 66 of the 2009 Act as in section 21 of the Scottish 2010 Act. This update would deliver a more direct read across between different legal documents relating to the sector and would avoid confusion. This is especially important in a global industry where many developers are dealing with multiple countries and legal systems. If this point can be agreed, we would also suggest that the name of the guidance is updated to reflect the position (i.e. floating offshore wind "vessels" rather than "structures")	Under the Merchant Shipping Act, as tows they do fall under merchant shipping legislation and must meet MCA requirements. It should be noted that there are many international regulations which are applicable for different types of structures, and that these structures will be classified as ships under MARPOL, Ballast Water Convention etc as they are located offshore and are for the prevention of pollution. 2.1 amended and 2.3 added to confirm the towage of these structures falls under the Merchant Shipping Act. Vessel anchoring as part of normal navigation and vessels mooring to existing mooring gear is indeed not a licensable activity, however the deposit of mooring gear on the seabed is and will require prior navigation risk assessments. If the deposit of mooring gear falls under the exempt activity criteria then it must not be a hazard to navigation, and therefore there must be an assessment on the risks to navigation. The intention of the document is not to provide a definition of a vessel but to help developers in complying with existing national towage requirements.
	Point 4.2.4 covers the single voyage validity of a Load Line Certification. Could the document be updated to clarify whether this only refers to the tow out to a windfarm site, or whether this also applies to inshore tows?	The guidance applies to towage in UK Internal Waters, Territorial Sea and Exclusive Economic Zone, as per paragraph 1.1.
	In the event of the latter being the case, the practicalities of the sector are such that a floating offshore wind vessel is likely to undertake multiple moves, possibly over a short period of time. For example, the floating foundation (substructure vessel) is	There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements. Regarding

	likely to be towed from the fabricator to an inshore anchorage, from that anchorage to an integration facility (where it has its turbine added), from the integration facility to a pre-commissioning location and from the pre-commissioning location to the windfarm site (possibly via another inshore anchorage in the event of bad weather). The guidance provides optionality for an extended validity and [we] believes that provision for a single survey lasting a set period of time (e.g. 6 months) might provide a workable solution for all parties. We are sure this is being considered, however [we] would also like to highlight the numbers involved in these projects, which will be a step change from previous offshore wind projects. There may be 35 floating vessels per annum, per windfarm project being moved and there will be multiple moves, as above. This will have resource implications for the MCA team which will need additional support to avoid any bottlenecks or delays in assessments (something the industry has been experiencing in marine consenting, due to lack of resource and skills).	UK Load Line exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage. If there is a structural change to the initially surveyed structure/ object then further survey might be needed to establish structural integrity before issuing any certificates. If there are no structural changes expected within the duration of the tow, a single voyage UK LLE can be considered on a case-by-case basis. Our primary concern will be the safety of navigation in UK waters and EEZ. Single plan approval process can be considered for a group of structures on a case-by-case basis to reduce resource implications, provided early engagement with the relevant local marine office regarding survey and inspection requirements.
	Point 9.1 - emergency towing arrangements to be reviewed as part of marine licence / consenting requirements. [We] would expect floating offshore wind vessels to be able to hold position if a line fails. SHAs may benefit from certain exemptions, for example oil rigs do not require a marine licence or consent in [our] jurisdiction. We believe this clause should be updated to reflect the fact that some ports will not be subject to marine licensing and/or consents for this activity.	Whilst SHAs may not require marine licences for certain activities, there is an expectation that arrangements will be in place for emergency towing if a mooring line fails or a structure breaks free from its mooring or tow. On the assumption that wet storage sites will be licenced then provisions for these arrangements will be included. Oil rigs are secured to the seabed in a different way to that of a wind turbines and hence difficult to make a comparison.
	Point 10: The regulators in Scotland have advised that the term ‘wet storage’ causes some confusion, as it can apply both inshore and offshore for windfarm projects. They have requested that the ports update our terminology to 'inshore anchorages' and we would request this is reflected in the MCA guidance to provide similar clarity across the country	MCA does not support the use of ‘anchorage’ to describe (inshore/ offshore) wet storage. After consideration, Section 10 has been removed since the purpose of the document is to provide towage guidance.
	Point 10.2: We believe this clause also requires some additional clarity. In Scotland, there is currently a discussion ongoing between ports and renewable energy developers and the	MCA’s understanding is that the deposit of mooring gear on the seabed is a licensable activity. If the deposit of mooring gear falls under the exempt activity criteria then it

	regulator, Marine Scotland, as to whether a marine licence is required for inshore anchorages. (This refers to the point above on the legal definition of 'vessel'.)	must not be a danger to navigation, therefore there must be an assessment on the risks to navigation.
	10.2 'as appropriate' leaves the topic open to interpretation. This may be needed to cover different types of port, but we wonder if it could it be more closely defined?	This refers to an appropriate risk assessment and application of appropriate risk controls.
	10.2 final sentence – could we seek clarity on why consultation is deemed to be required, and under what regulation? [We] understand that a SHA is exempt from requiring consent or consultation to moor vessels in our waters. This position is aligned with other Scottish ports operating in this sector	Consultation with MCA and navigation stakeholder is required for any deposit that requires a marine licence, including marine licence exemptions. For an activity to be exempted from marine license, the applicant should demonstrate that the risk to navigation safety is acceptable.
6	Paragraph 1.1: "Certain legislative requirements may also apply once the structure is on site" – can references be included to the relevant legislation?	These are provided within the document but it wouldn't be appropriate to list them in the Introduction.
	Paragraph 1.2: The first sentence of Para 1.2 should be merged with the first half of Para 1.1 as there is a degree of repetition.	Whilst the maritime limits referred to in each sentence are the same, the subjects are different. 1.1 confirms that an increasing number of applications in our maritime limits and 1.2 confirms the guidance is applicable to towage within these limits.
	Paragraph 1.2: "if it is to proceed from UK waters to waters under the jurisdiction of another Administration" – should this also be for proceeding to UK waters (not just from)?	Yes, this applies to towage of structures within UK waters and EEZ.
	Paragraph 2.1: Useful to include reference to where in the Merchant Shipping Act the aspects described apply.	Yes, this is covered in the subsequent sections.
	Paragraph 3.1: Multiple regions are referenced here upfront in Para 1.1 and later in Para 4.1 ("UK Categorised waters") – it is quite difficult to follow the various versions of UK waters used throughout.	A link is provided to MSN1837 which defines UK Categorised Waters. It is not necessary to define UK Internal Waters, Territorial Sea and EEZ in this guidance.
	Paragraph 3.1: Suggest tabulation of information as current textual layout is difficult to process and correctly interpret.	There are only two scenarios described in this paragraph.
	Paragraph 4.2.1: "marine consultant" – should be marine surveying consultant.	Amended
	Paragraph 4.2.4 / Sub Paragraph 2: Not clear whether the "procedures for routine inspection and maintenance" relate to the structure under tow or in situ. Also not clear whether this applies to	Related to maintenance and inspection once in situ, and in relation to consideration for extended validity of

	towage throughout the life of the structure – given the content of Sub Para 3 consider moving Sub Para 2 to after Sub Para 3.	certification for subsequent towage. Will be applicable throughout the life of the structure – if intending to tow.
	Paragraph 4.2.4 / Sub Paragraph 5: MGN 592 requirement is onerous as suggests an inspection would be required prior to any tow operation. Additionally, the hyperlink to MGN 592 is outdated (links to recently withdrawn version).	The survey is required as part of the Load Line Exemption Certificate, which will needed for the towage. Hyperlink updated.
	Section 7: Is the detail in this section purely for during tow operations and if so are there equivalent requirements when the structure is on station?	The section applies during towage operations. When on station the requirements do not fall under MCA's remit.
	Section 10: We have found that the term 'wet storage' is being interpreted and used by developers in different ways and therefore a definition should be included for both storage of floating infrastructure and storage of cables/chains on the seabed. Also, more information is needed on how wet storage is assessed and managed, noting that MGN 654 (referenced in the text) contains only very limited information.	This should be referred to the devolved marine licensing authorities. Section 10 has been removed from the document.
7	1.3 - With anywhere between 2 and up to 6 tow operations per unit (from the moment it is launched until it's moored in its Final permanent position offshore), and up to 80 units per large FLOW project, has any consideration been given to streamlining the process for MCA review and approvals. On a per project basis, these operations have the potential to be carried out simultaneously (e.g. towage of one unit from assembly port to wet storage potentially simultaneously with towage of another unit from integration port to final mooring location offshore) across multiple assets daily between March and October and across multiple years. It is also expected that multiple projects will be carrying out towage operations in the same summer periods.	It would be case by case subject to detail. Exemption from annual surveys until the renewal (if a five-year certificate is issued), may decrease MCA involvement if there is evidence of the company's inspection, maintenance, and condition survey being confirmed. This is conditional on the structure not undergoing any material change (by accident or design) whilst in "wet storage" which could affect the certification. Survey needs to be carried out for post-structural changes.
	1.3 - In line with the previous comment, is it possible to give consideration towards which elements of the operations/structures could be required to be MCA approved once for a specific design/vessel/operation, and which elements of the operation could be reviewed and approved for every single tow or can a set of 'conditions' be provided, similar to MWS repetitive CoAs, where by a specific towage operation and/or specific structure are approved in repetition.	An assessment of adequate structure and stability can potentially be achieved for a series of identical vessels by following a single plan approval process. However, initial and renewal surveys will need to be customized for each vessel. For additional identical tows, a single towage plan may be sufficient, although this depends on the towing vessel being used. Towage plans or declarations are typically required as a condition of insurance.

	4.2.4 - Point of clarity but 'final location' could have multiple meanings given that multiple tows are required per unit from it's point of launching to it's Final destination offshore. Hence the assumption is that final location simply refers to the final destination of each specific tow e.g. wet storage temporary mooring, alongside at integration port or its final offshore position.	Footnote added to confirm the consented or licenced location.
	4.2.4 – Re. MCA towing vessel inspection. Will such inspection of the towing vessel be carried out once or prior to every towage or could this be done for each year of operation? Further, could verification of such an inspection be provided via submission of IMCA Vessel Survey or similar e.g. trying to make best use of the many vessel and structure surveys that will be carried out across multiple stakeholders.	Amended text to "may" inspect rather than "will". However, MCA reserve the right to inspect the towing vessel at their discretion. Repetitive tow self-declarations maybe considered on a case-by-case basis and will be confirmed by the relevant Marine Office.
8	While it is not clear from either the draft MGN or MGN 654 that MCA considers there is a need for a marine licence or other consenting process in respect of assembly/wet storage with regard to off shore wind turbines or other partially submerged vessels etc within a statutory harbour, given the importance of the issue we consider it would be better if the draft MGN did not deal with this issue in the fairly cursory way that it does. We therefore ask that the MCA considers an amendment to para 10 so that it simply says that licensing requirements are for the appropriate bodies under the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010, and that for navigational safety, reference should also be made to MGN 654.	Section 10 on wet storage has been removed as this guidance is specifically for towage and further guidance from UK Government departments on wet storage will be needed in due course.
9	Section 4.2.4 'Dive survey' should be extended to accepted underwater survey. Where possible diving operations are to be minimised due to the safety case. Due to the shallow draft and offshore location, diving may not be the safest or most appropriate form of inspection. Confirmation is required that the 5-year inshore inspection requirement is only applicable for maintaining a valid and in date load line exemption. If a 5-yearly inshore inspection is a	MCA will consider alternative means to manned dive survey on a case-by-case basis in line with current policy for in water surveys and "remote" survey. If the operator wishes to maintain certification to allow for routine "movements under tow" then certification will need to remain valid and is subject to 5 yearly renewal – including survey of the underwater section – normally

	requirement for all floating wind structures, this puts the economic viability of floating offshore wind in question.	undertaken at dry dock, consideration will be given to alternative means of survey as noted above. Where certification has lapsed, any planned move will need to be agreed with MCA and arrangements put in place for potential survey and certification of the structure on site.
	Section 10.1 and 10.2 The definition of wet storage requires improvement and detail. Suggestions for consideration in a more detailed definition: • It should not be considered wet storage if the activity occurs within an approved anchorage. • It should not be seen as wet storage if the asset has less or similar environmental impact of that of a MODU.	Section 10 on wet storage has been removed. MCA believes that existing anchorages will not be converted to wet storage sites as they are established for use by vessels. Wet storage sites can have multiple fixed underwater structures and if anchorages are shared with other commercial vessels, this will have snagging effects and will affect the safety of vessels navigating or anchored in or near the vicinity of such sites.
	The term temporary needs to be defined and should exclude emergency conditions or where weather has required the tow to seek shelter. It is our recommendation that the duration of temporary be defined as a period that is longer than 14 days. A duration of 14 days allows for short term load in load out and ballasting operations to be conducted for Floating Wind Major Component Replacement activities. This short duration will allow ports to support marshalling and add value to the local economy. A precedent for these activities has been set through oil and gas; having a short duration will allow for some leeway to undertake operations that Oil and Gas Infrastructure can undertake without any limitations.	Section 10 on wet storage has been removed as this guidance is specifically for towage and further guidance from UK Government departments on wet storage will be needed in due course. Any definition will need to be agreed between regulators and industry.
	The guidance needs to define that wet storage requirements are not applicable to a floating offshore asset when moored to a quayside or mooring dolphins.	N/A. Section 10 on wet storage has been removed. The intention of Section 10 was to confirm there must be a navigation risk assessment of the site, not to confirm the requirements of the structure when in wet storage. Further guidance on wet storage will be needed.
	The guidance needs to define that wet storge requirements are not applicable to a floating offshore asset while a tug is providing heading control.	N/A. Section 10 on wet storage has been removed. If the floating asset is under tow wet storage is not applicable as it will be not connected to the seabed.

	The guidance requires the following exemption: If an offshore floating structure is not yet fitted with an energy conversion system (WTG or wave convertor) the impact would be less or similar to that of a MODU, therefore, it should be considered in the same way as oil and gas infrastructure (i.e. exempt).	It is not clear to which exemption this is referring. Irrespective of whether an energy conversion system has been fitted the floating structure is still a navigation hazard.
	General Comments: The guidelines as currently set out could have the unintended consequence of increasing the risk of developing projects in the UK and decreasing the attractiveness of UK ports, given the additional requirements. This guidance could make European ports more attractive as these would be able to accept foundations for major component replacement on immediate request. As projects may Class and Flag the floating foundations to account for this new risk; European fabrication becomes an easier and more attractive option.	There are no new or additional towage requirements being proposed in this draft MGN. The purpose of this MGN is to draw the relevant and current MCA requirements into one place to help the planning of towage operations.
	The guidance appears to target the renewable industry and small-scale industries while allowing Oil and Gas Infrastructure special privileges. Has the impact on fish farming been considered? Has the impact on port construction and the storage of caissons been considered?	The guidance is targeted at the offshore renewable energy and aquaculture industries. The document is developed to aid developers in complying with existing national towage requirements.
10	Clause 3.1. This requires that the floater is classed if towing into the UK or out of the UK. This may increase cost (by mandating Class) for initiatives that look to setup industrial ports serving multiple projects, e.g. concrete floater fabrication in UK and wet tow (only floater – not integrated unit) to France and Ireland, or vice versa. Please consider that Project Certification is also acceptable in-place of Classification.	There is no legal requirement for the structure to be classed however the safety standards and certification requirements must be met and it therefore may be beneficial.
	Clause 4.2.4. This clause implies that tow to port (TTP) is required at 5-yr interval, or alternatively diving inspections may be acceptable. Requiring TTP introduces more risk and diving is a high risk activity in upstream O&G. Please consider the clause is re-written so structural integrity can be confirmed with unmanned subsea drones.	Alternatives to dry dock and dive survey will be considered on a case-by-case basis and in line with current policy for in water and “remote” survey.

11	General comments It would be helpful to raise awareness of this guidance in the salmon farming and shellfish farming sectors. This will help ensure the sectors are aware of requirements for towing that they may carry out e.g. towing of cages, rafts and feed barges.	Noted
	Section 1.2 Can it be clarified that the guidance will apply to structures being towed from overseas to UK waters. And the guidance applies as soon as the vessel and towed structure enter UK waters?	Amended to confirm it applies to structures towed in UK waters and EEZ.
	Section 2.1 Can it be clarified if fish farm barges are considered vessels under merchant shipping legislation.	Towage of fish farm barges will also need to meet MCA towage requirements.
	Section 7.1 Can it be clarified if fish farm barges are considered vessels and therefore must have financial security or insurance to cover the costs of locating, marking and removing wrecks (if they have a gross tonnage of 300GT or more). In the past it has been difficult to make operators of sunken fish farm barges recover and remove a sunken barge. Operators often cite the costs of recovery as a reason sunken fish farm barges cannot be recovered. In the past this has led to sunken barges being left on the seabed.	Under the Nairobi Convention, a 'ship' "means a seagoing vessel of any type whatsoever and includes hydrofoil boats, air-cushion vehicles, submersibles, floating craft and Wreck Removal Convention Act 2011 (c. 8) Schedule — Wreck Removal Convention 11 floating platforms, except when such platforms are on location engaged in the exploration, exploitation or production of seabed mineral resources". Under the Nairobi Convention a 'wreck' means: "(a) a sunken or stranded ship; or (b) any part of a sunken or stranded ship, including any object that is or has been on board such a ship; or (c) any object that is lost at sea from a ship and that is stranded, sunken or adrift at sea; or (d) a ship that is about, or may reasonably be expected, to sink or to strand, where effective measures to assist the ship or any property in danger are not already being taken".
	Section 9 This section should avoid confusing merchant shipping / maritime legislation with marine licensing regulations. I suggest that this	9.1 amended to confirm MCA will review the arrangements through ML consultations.

	section should only set out merchant shipping / maritime legislation requirements for towed structures that break free or for structures that break free from moorings and subsequently need to be towed. It should be clarified under what legislation the term force majeure relates to, I assume it is from merchant shipping / maritime legislation. If you wish to refer to marine licensing requirements in this section I'm happy to discuss this further. Marine licensing requirements in relation to emergency towing requirements for moored floating structures may vary depending on MCA advice for the activity or structure moored. Suggest that if you wish to reference marine licensing the following could be added to this section - The marine licensing authorities should be contacted to advise on marine licensing requirements for the mooring of floating structures.	Force majeure applies under merchant shipping legislation. Amended to confirm MCA survey and certification requirements.
	Section 10 This section should avoid confusing merchant shipping / maritime legislation with marine licensing regulations. I suggest that this section should only set out merchant shipping / maritime legislation requirements for storage of structures, and if this would be any different to the previous sections on towing to and from storage sites and section 9 consideration of structures that break free from moorings and subsequently need to be towed. The MGN referred to (MGN 654) relates to offshore renewable energy installations. Can it be clarified if section 10 only applies to the temporary storage and assembly of offshore renewable energy structures at sea? If this is the case then suggest text along the lines of: The MCA encourage early engagement with maritime stakeholders when identifying locations for temporary storage and assembly of offshore renewable energy structures at sea. Temporary storage and assembly of structures at sea is likely to require a navigation risk assessment. Relevant guidance includes: MCA guidance on offshore renewable energy installation: impact on shipping https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping	We have decided to remove section 10 since it is separate to towage requirements and that further guidance from UK Government departments on wet storage will be needed in due course. Our understanding is that if the wet storage sites are designed with underwater fixed structures for moorings (floaters to be connected to), these sites will be subject to marine licensing requirements.

	MGN 654 Offshore renewable energy installations safety response https://www.gov.uk/government/publications/mgn-654-mf-offshore-renewable-energy-installations-orei-safety-response The marine licensing authorities should be contacted to advise on marine licensing requirements for the temporary storage and assembly of structures at sea.	
12	**General** - The draft guidance does not seem to set out the requirements for risk assessments for towage operations between OWFs, ports/harbours or wet storage areas. We understand that the MCA would expect to see a Risk Assessment and Method Statement (RAMS) to be developed and noting the uncertainty on construction methodology at the time of Application, this would be a post-consent requirement. We suggest that a section is included on the expectations the MCA may have on this being prepared, consulted on and reviewed by the MCA and other key bodies (e.g. General Lighthouse Authorities).	These risks assessments for towage don't need to be included in the application for consent or marine licence. They will be part of the requirements described under 4.2 during the post-consent stage.
	Section 4.2.4 – it is not clear to us in this section whether this is mandating that each structure must be brought into port/sheltered waters for survey more frequently than once every five years as a matter of course or whether is applies only if the developer wants to maintain a perpetual UK Load Line Certificate. If this is the former, we believe this would be impractical for the operation of a deep water floating OWF and a significant cost.	Noted, the load line requirements are applicable when the structure is being towed. Therefore the requirement will only be applicable when the structure is towed to port for maintenance or decommissioning, in such cases a remote/ video survey may be considered for a single towage, provided a detailed survey will be carried out when the structure is in sheltered waters. If the operator wishes UK Loadline Certification beyond the "single voyage", the maximum would be 5 year duration subject to maintenance and inspection procedures (to be agreed between MCA / operator) and a renewal survey every 5 years – including inspection of the underwater section. If there is no intention to move the structure once in situ then there is no real requirement to maintain LL Certification, bearing in mind that any subsequent planned move will need to be agreed with MCA and arrangements put in place for potential survey and certification of the structure on site.
	Section 9 – whilst the requirement for emergency towage is an appropriate risk control, it may be challenging for developers to define such arrangements at the time of consent application.	

	a. The existing approach to Maximum Design Scenario necessitates different design options (substructure/size/moorings) or construction/O&M bases and so it would not be possible to define exactly what emergency towage arrangements are appropriate. b. Furthermore, whilst this section notes the caveats on safe havens, to what extent does the MCA expect the developer to set out which safe havens it plans on using, establishing agreements were it a port/harbour or preparing an emergency response plan, and if this needs review by the MCA. c. We suggest this is made explicitly to be a <u>post-consent requirement</u> (such as layout/design plan or construction methodology etc.) when information is more defined. d. In the event that emergency towage provisions may prove prohibitive for an offshore wind farm, we seek to clarify if there is alternative preventative options of meeting requirements of mitigating the risk of breakout with an appropriate safety case, such as through engineering design redundancy, together with review, approval and management plans, and redundancy design certification. e. We also note that the breakout of a floating turbine is likely to be in adverse weather under which conditions the effectiveness of an emergency towage asset may be limited (response time and/or difficulties establishing a tow without jeopardising the safety of the crew or vessel).	a. Outline arrangements or possible options can be included within the consent process. Details can be included and agreed within a post consent document, possibly at layout agreement stage. But it should be noted that the emergency towing details should be consulted with MCA prior to the floater is in water, i.e, prior to them being stored in wet storage sites. b. MCA would expect these details to be confirmed in the developers emergency response plans, including the ERCoP which will be reviewed by MCA. c. We recognise that the details are likely to be confirmed post-consent and the section has been amended to say MCA will review them as part of the ML consultations. d. MCA and HSE has published regulatory expectations on mooring arrangements where this is contained. e. Agreed, this should be captured within the document and details regarding alternate options to warn mariners operating in the vicinity and recovery methods should be detailed within the document.
	1. **Section 10** – we welcome the clarification around wet storage requirements, however, as set out in our review of "Navigation Planning and Risk Assessment" for the ORE Catapult (https://cms.ore.catapult.org.uk/wp-content/uploads/2023/09/FOW-Navigational-Planning-and-Risk-	Section 10 has been removed as this guidance is specifically for towage and further guidance from UK Government departments on wet storage will be needed in due course.

	Assessment-Summary-Report.pdf), we believe that dedicated wet storage guidance is required. a. MGN654 has potentially onerous requirements for vessel traffic surveys which whilst useful may not be appropriate to single wet stored structures. b. With respect to Section 9 – Emergency Towage, it is not clear if the aforementioned safe haven would be considered wet storage and whether this requirements of MGN 654 (or other alternative guidance noting comment a) would apply prior to the site being considered a safe haven for this application. c. It is not clear if this would also be an expectation if the wet storage were within port limits. d. To what extent do the Search and Rescue requirements of MGN654 regarding lines of orientation and spacing apply to wet storage. e. An MGN654 compliant risk assessment has a long lead time (consultation/data analysis etc.) which would not be suitable for very short-term wet storage.	
13	**Vessel Definitions and Jurisdictions** The Project expects the Floater design to be certified by a Classification society, but the Project is not clear whether this will be sufficient to satisfy the "Survey and Certification requirements under MCA jurisdiction" for the structure under tow. The Guidance refers to MGN 322 which specifies that "unclassed" vessels will need to be built to an equivalent standard as fully classified vessels. We would expect that design certification for the Floater from a recognised Classification Society would provide this assurance but would welcome confirmation from the MCA on this. As the Project could build up to 265 Floaters, we would like to seek clarification from the MCA on the possibility to secure a one-off approval applicable to all Floaters produced following the same design method and process in the same manufacturing location, rather than individual approval for each Floater.	Class Certification per se, cannot be accepted in lieu of Statutory requirements, however, certification by a Classification Society may be accepted by MCA in support of Statutory compliance. Much would depend on what ruleset(s) have been used by the Class Society and to what elements and extent Class have certified. MCA may give consideration to "Repetitive Tow" procedures where appropriate. However, this is restricted to survey and certification requirements for towage and does not cover any other survey and certification which may be applicable to the unit when on station.
	• **Registration and Classification** We understand that under this guidance, if all towing operations of the Floater or the Integrated Floater are to happen within UK	In case of emergency, the structures would be dealt with on a case-by-case basis and the safety of people,

	territorial waters or EEZ, then registration and classification will not be required. The Project would like to seek clarification on how the "Registration and Classification" rule will apply when the Floater or Integrated Floater needs to be towed back to port in an emergency, and there might not be a UK port available, therefore requiring towing to the nearest European port (outside of the EEZ zone). We could see conditions where there is no material time to raise all required registrations and or classification documentation. We understand this is potentially covered by the Emergency Towing provision (Paragraph 8) but clarification would be welcome. In the case where Floaters are delivered from Asia / Europe via Heavy Transport Vessel (HTV), to then be "floated-off" and towed to a wet storage location, the guidance does not clearly specify whether the Floaters would require Classification, providing that all float-off and towing operations are confined within UK ports and territorial waters. The Project understanding is that as the Floaters 4 would be delivered on HTV, they would be considered as cargo until entering the EEZ and so the Project would not expect Classification to be required.	navigation and environment will be prioritised during emergencies. MCA cannot guarantee/ provide assurances about the requirements of a foreign administration however we believe requirements to be in line with established international legislation. In the said case, the certification requirements apply when the floater is to be towed.
	Safety Standards and Certification The information required to issue a "UK Load Line Exemption Certificate" are expected to be available to the Project for the selected Floater as part of the design process (tonnage, structural integrity and stability). In relation to Paragraph 4.2.4 specifying that "UK Load line certification" would normally only be valid for a single "voyage" to the final location, with a new survey and load line certificate required for each new move. The Project would like to highlight some concerns on the resources required from all parties involved: Project, Classification Society and MCA to prepare, review and approve such documents for what could be 1500+ movements for a single 3.6GW offshore windfarm, in the wider context of a further 25GW of offshore floating windfarms expected along the UK coastline. This requirement seems highly challenging to implement and the Project would welcome any	There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements, provided there is no structural changes to the tow and the same towing vessel is used. Regarding UK Load Line exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage.

	simplification such as validity of such documentation for a given period of time; transferability between Floaters of similar design; etc. We note that this is suggested as a possibility on a case-bycase basis in the guidance, but we would welcome this being rolled out as standard for all floating offshore wind projects with clear guidance on applicability	
	MARPOL Requirements The Floaters will be designed in line with Classification Society guidelines for floating objects at sea including intact and damage stability requirements. The Project welcomes the proposal from the MCA to waive requirements for annual endorsements and would suggest this being rolled out to all offshore floating windfarms as standard.	Should be noted that this “waiver” is not automatic and is subject to detail and consideration on a case-by-case basis. Any wider disapplication of Survey requirements would be subject to amendment to Legislation / DfT policy.
	Wreck Removal The Project would like clarification from the MCA on the applicability of the Wreck Removal clause (Paragraph 7.1). As stated, the clause applies to “floating platforms (except when on location)”. It is not clear if the wet storage site and the WTG integration site would also be considered as “on location”, or if these would be considered as part of the Floater journey to its final destination in the offshore wind farm site. In relation to the insurance certificate, due to the large volume of towing operations expected, we would like confirmation from the MCA that insurance certificate could be submitted for the entire “Project” rather than on an individual tow basis.	While the structure is connected to the seabed HSE regulations apply. Single plan approval may be considered on a case-by-case basis. If no structural changes are expected a single certificate may be applicable.
	Emergency Towing The Project understands that under emergency towing and recovery of structure to a safe location, survey and certification requirements would not be applicable. We would welcome clarification from the MCA on requirements, should the Floater require towing out of the EEZ due to lack of available facilities in UK ports. If the Floater is not Classed or Registered prior, due to all operations having been performed in UK and EEZ territorial waters, would a classification or registration be required to enter the European ports, and return to the UK post-incident? This would have a bearing on the ability to return to full production from the site in a rapid manner.	In case of emergency, the structures would be dealt with on a case-by-case basis and the safety of people, navigation and environment will be prioritised during emergencies. Entry requirements to waters under the jurisdiction of another Administration, will be down to that Administration. From UK perspective where a planned move to waters outside UK jurisdiction is required, the unit would need to be certified to meet international requirements – likewise the return voyage. The exact requirements would be subject to detail.

	Wet Storage The Project would welcome clarification from the MCA on Section 10 with regards to the definition of “Wet Storage” and what would be considered “temporary” storage. In the case of the Project, there might be cases where Floaters or Integrated Floaters are stored on moorings within Statutory Harbour Authority or new sites under development solely for the benefit of floating offshore windfarm components storage, for a duration ranging from a few days to a few months potentially. An example would be, Project pre-assembling Floaters in winter and mooring them near the integration site to create a buffer stock for when the turbine integration can start in Spring / Summer. Would this be considered as “temporary” wet storage or a permanent facility like shipping anchorage locations? Paragraph 10.2 refers to MGN654 for guidance which applies to Emergency response procedures and requirements and does not mention wet storage /temporary storage. Clearer expectations from MCA with regards to wet storage should be provided. The Project acknowledges that the topic of Wet Storage is complex and likely to need a level of guidance notably beyond that provided within this proposed guidance document. Thus, it may be prudent for Wet Storage to be dealt with in a separate guidance document in the near future.	Section 10 has been removed since it is separate to towage requirements and that further guidance from UK Government departments on wet storage will be needed in due course.
	[We] welcome the draft guidance prepared by the MCA to clarify the requirements applicable to the towing of floaters and fully integrated turbine on floaters for offshore floating windfarms. The MCA guidelines are usually applied to a single vessel on a single route between two defined locations. Floating offshore windfarms will require multiple movements for each of the floaters from the assembly site to the turbine integration site and finally the offshore site; with potential additional movements to and from wet storage sites; and return to port for major component maintenance 6 operations. For each GW of offshore floating wind deployed, we can expect ~450-500 towing operations, and with close to 25GW of offshore floating wind to be delivered in the next decade this could represent close to 10,000 towing operations. In this context, we are concerned about the resource requirements associated with all the documentation required for each floater. The Project has reviewed the draft notice from the MCA, and we would	There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements, provided there is no structural changes to the tow and the same towing vessel is used. Regarding UK Load Line exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage.

	suggest some simplifications, or the possibility to transfer certifications and documentations across a “fleet” of floaters, could be made standard for offshore wind farms rather than on an individual basis as suggested by the Guidelines in their draft format. In addition, some clarifications would be welcome in the applicability of the guidelines to offshore floating structures (other than O&G structures) specifically where other MGN Guidance are referenced which were drafted with shipping and vessels in mind, and where direct application to offshore wind floating structures, “simpler in design”, is not straightforward. We look forward to continuing our engagement with the MCA on the delivery of guidance applicable to offshore wind farms and would be happy to discuss further with the MCA any questions that could arise from the content of our response.	
14	Part 10 refers to Wet Storage and sets out in 10.2 the requirement for Marine Licences to be applied for and the requirement for consultation with the MCA. It refers to MGN 654 (M+F). MGN 654 (M+F) Safety of Navigation: Offshore Renewable Energy Installations (OREIs) - Guidance on UK Navigational Practice, Safety and Emergency Response in the first instance applies to how these structures, in the first instance are managed offshore, and in relation to the developer. It also references that “port/harbour authorities may require developers to comply with their own specific criteria and/or local regulations and directions”. This is a reasonable and acceptable state. Where [we are] as a Statutory Harbour Authority have concerns is in relation to consult with the MCA and relevant maritime stakeholders. As a Statutory Harbour, we retain the right in our individual Acts to control navigation and mooring as per the incorporation of the Harbours, Docks and Piers Clauses Act 1847 section 52. We have powers to designate areas for anchoring vessels and see the OREI in the same scope as a vessels, offshore installation, barge or any other vessel that is permitted to anchor within our jurisdiction. We would also like to see why a Marine Licence is required as we presently mooring is not a licensable activity. The proposal also does not state if this would be a devolved matter too. We would have concerns about our Statutory function being eroded through this MGN as proposed.	Section 10 has been removed since it is separate to towage requirements and that further guidance from UK Government departments on wet storage will be needed in due course.

15	**Summary** Is this relating to the structure or towing vessel? If towing vessel then the following bold text could be added: Load Line Certification • MARPOL Certification • Ballast Water Certification • Wreck removal Insureance Certification • Inventory of Hazardous Materials • Emergency towing booklet and asscoaited equipment, including necessary emergency towage equipment.	This is for the structure (tow). The towing vessel will / should be certified as applicable to its size, type and operation.
	Is there a minimum time frame that a developer should contact the MCA to ensure towage operations are approved? Understand it is advised to contact the MCA as soon as possible, but if say 6 months prior to towage operations this could avoid delays for approval if set out within the MGN.	The operator should engage with MCA as early as possible. No definitive timeline for this can be given as the requirements for MCA involvement will only be known once the proposal has been reviewed. Regarding documentation submission, the earlier submissions are made, the better. The turnaround time is heavily dependent on the quality of the towage plan and structural/stability information, which must meet the satisfaction of the warranty surveyor. Class-approved plans may help expedite this process. The proper use of MSF 5591 as an aide-mémoire may serve as a key reference for ensuring consistency.
	It may be useful here to add in this section that floating or partially submerged structures will be required to comply with COLREGs re lighting and day shapes.	A new section on lighting and marking requirements has been added.
	"This should be supported by an assessment of the structural integrity to show it is able to withstand the expected metocean conditions for all stages of the tow voyage from departure until disconnected on site." Will this be required for each and every floating struture? Or is there a mechanism to obtain approval from the MCA by submitting the requested documents and in-person inspection by the MCA for a percentage of the floating structures e.g. say 10%?	For identical structures, the review of the structural integrity submission can be completed for the first in the series. However, the plans for all other floating structures should be submitted for review as well. Additionally, having class-approved drawings may expedite the process. A similar approach applies to stability; calculations for the first in the series can be used for sister units.

16	Section 4.2.4 We feel this requirement to be exceptionally impractical that the MCA would attend every towing vessel and carry out inspections which are above current requirements prior to towing these structures. In practice vessels operating in UK waters should be either on UK flag and subject to the appropriate inspection regimes to ensure compliance with “relevant legislation” or be foreign flag subject to their own flag requirements and inspection by UK port state if required. The reality of preparing for such a tow, especially in the offshore renewables space would be that the towing vessel would be inspected by a surveyor appointed by the owner of the structure / company engaging the tug for the tow, or similarly as a requirement of the structure’s insurer. As this industry grows and inspection becomes more regular, we would expect an industry response to create a common accredited standard for inspection such as CMID or OVID currently used in the offshore oil and gas industry.	Amend text to “may” inspect rather than “will”. However, MCA reserve the right to inspect the towing vessel at their discretion.
	Section 4.3 The Voluntary Towage Endorsement (VTE) Scheme indeed may be applicable to the towage of structures in the aquaculture industry, managed by the workboat association for small vessels. The scheme is voluntary as the name suggests and the wording used in the draft MGN implies that this provides the guidance for competence, specific knowledge, understanding and proficiency required for safe towage operations, this is not generally the case especially for tugs over 24m in length and over 200t GT. The industry best practice for towage is for STCW qualified crew with relevant towage experience, this is particularly the standard for the towage of floating offshore structures associated with the offshore renewables industry which are generally towed with large and powerful tugs rather than workboats.	MGN 468 provides guidance for best practice for those involved in towage on smaller vessels, but may be of use to others.
	Introduction With reference to renewables and aquaculture- very different sectors on differing scales and should be reflected in the MGN	Basic principles of requirements for survey and certification whilst under tow and potentially applicability of legislation whilst on station are the same.
	Section 7 Wreck Removal What is applicable when the platform is on station?	When on station HSE requirements apply.

	Section 9 Emergency Towing These arrangements will be reviewed as part of marine licence or consent requirements through the devolved marine licensing authorities. Not aware this is presently taking place during the consenting process.	The details on emergency response plans are reviewed by MCA.
	Section 10- Wet Storage Will the MGN be updated as presently it provides no explicit guidance on wet storage areas?	Guidance from UK Government departments, including MCA, on wet storage are yet to be developed. Section 10 has been removed from this document.
17	General – The proposed text could be improved to add significantly more clarity	Noted
	General - It would be helpful to include a summary/table of the sea area definitions referred to. For example “UK waters” is linked under section 1.1 to the Merchant Shipping Act and under 4.1 to MSN 1837 Amendment 3 which doesn’t appear to offer a definition.	The footnote in 1.1 confirms UK waters means within the seaward limits of the Territorial Sea. MSN 1837 defines Categorised Waters.
	Section 3.1 it would be clearer to separate the requirements for Classification and Registration and discuss them independently	Paragraph separated.
	Section 4.2.1/2/3 - No reference is provided to appropriate standards for structural integrity, stability or survey.	Although MGN 322 applies to Ships, this document can be considered as general guidance and a proportional approach towards this guidance will be applicable in this case.
	Section 4.2.4 – It is not clear whether this section calls for a specific MCA survey prior to issue of the loadline exemption or whether the routine inspection regime the owner has in place can be used as evidence. Particularly in winter, personnel on board to perform ad hoc surveys ahead of unplanned maintenance tows adds an additional weather window requirement which may be onerous.	There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements, provided there is no structural changes to the tow and the same towing vessel is used. Regarding UK Load Line exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage
	Section 4.2.4 – It is not clear how single voyage validity would be applied to construction solutions which utilise multiple ports, or port and inshore anchorage locations where multiple discrete voyages may be made within a short duration. Could extended validity be offered on new units?	There is the potential within the current Load Line Regulations to issue certifications for up to five years. This may be considered on a case-by-case basis and generically, allowing for multiple movements, provided there is no structural changes to the tow and the same towing vessel is used. Regarding UK Load Line

		exemptions, these can be issued based on UK Load Line Certificates for a specific area rather than being limited to a particular voyage Repetitive tow self-declarations maybe considered on a case-by-case basis and will be confirmed by the relevant Marine Office
	Section 4.2.4 - Ideally extended validity of the loadline exemption certificate would provide flexibility for unplanned maintenance tows in floating offshore wind farms. Removal of units from field to port or sheltered location every 5 years however will not be economic and the planned use of divers for in field survey is a safety challenge. Are there other ways this requirement could be met?	As per above comments.
	Section 4.2.4 - How will MCA surveys be aligned with the design approach, for example structure designed for no inspection?	Survey requirements will be based on legislative requirements and case-by-case detail.
	Section 10 - “Wet Storage” is not defined. It is assumed in the context of a guidance document about towing floating structures that this refers to safe inshore anchorage/mooring of floating units that they are towed to/from during construction or maintenance?	Section 10 has been removed, as this guidance is specifically for towage and further guidance from UK Government departments on wet storage will be needed in due course subject to guidance to be developed.
	Section 10 – Whilst the linked document MGN654 offers general guidance there are no specific requirements around temporary inshore mooring	Section 10 has been removed and further guidance from UK Government departments on wet storage will be needed in due course.