

**Offshore Wind Strategic Research and Monitoring Forum**  
**OWSMRF**

**Terms of Reference [FINAL]**

OWSMRF Terms of Reference V1.0

DATE Agreed: 17<sup>th</sup> May 2019

OWSMRF Developers

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## 1. Overview

### 1.1 Background

The Offshore Wind Strategic Monitoring Research Forum (OWSMRF) was established following two workshops held by SPR in Oct 2016 and Nov 2017. At the latter workshop, stakeholders agreed on the benefits of forming a forum to assist with identifying and undertaking key research and monitoring in relation to marine birds to reduce consenting risk for offshore wind development.

In October 2018 SPR, Orsted and Vattenfall agreed to progress a pilot OWSMRF for a period of one year. The objective of the pilot is set out within the pilot Terms of Reference and it is the intention to review and update these wider OWSMRF Terms of Reference following completion of the pilot (see Section 5).

### 1.2 OWSMRF scope

- OWSMRF will consider ornithology issues related to offshore wind development during the pilot year. Following the initial one-year period OWSMRF will be reviewed with the option to include other key consenting topics, such as marine mammals.
- OWSMRF will discuss strategic monitoring and research, i.e. issues of relevance across more than one offshore wind project. The forum will not discuss monitoring and research of relevance to an individual project, unless it has bearing on wider strategic monitoring and research.
- Working Groups (WG's) will be formed of developers interested in taking forward a specific project.

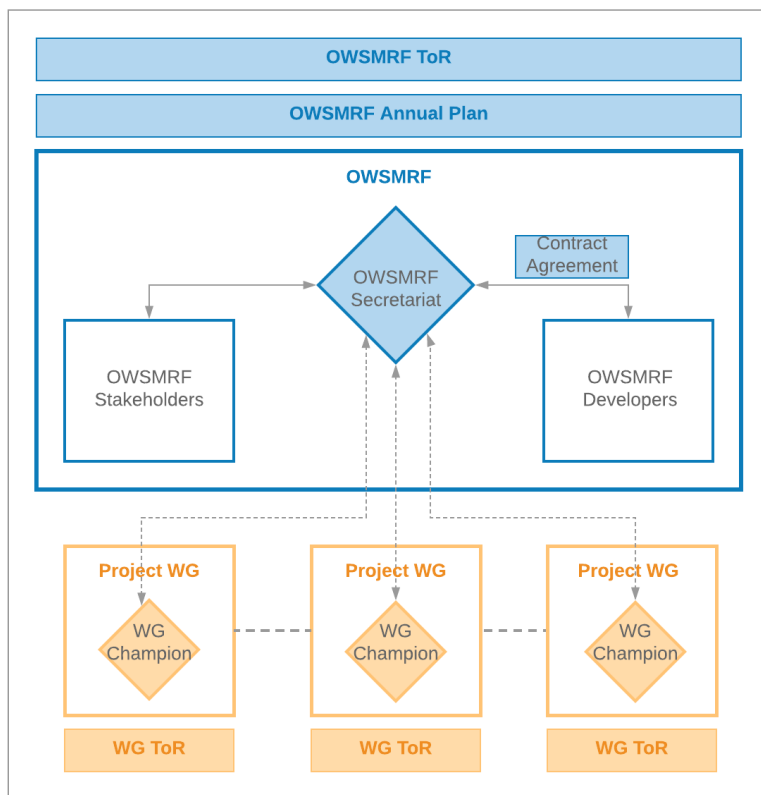
The scope of OWSMRF and WG's through the process of developing strategic research and monitoring projects is outlined in Section 4.1.

### 1.3 OWSMRF structure

OWSMRF is made up of the following core groups:

- OWSMRF Developers – *Forum funders/project delivery*
- OWSMRF Stakeholders – *Forum Advisors*
- OWSMRF Secretariat – *Forum Coordinator*

The structure of OWSMRF is outlined in Figure 1.1 below.



**Figure 1.1 OWSMRF structure**

1.4 Membership & contacts

The members of OWSMRF and key contacts from each organisation are listed in Table 1.1 below.

New members can apply to join OWSMRF and membership will be appointed where the majority of OWSMRF members agree. Details on the dispute resolution process is set out in Section 5 of the Terms of Reference.

**Table 1.1 OWSMRF membership and contacts**

| Organisation                   | Membership Type | Primary Contact | Secondary Contact       |
|--------------------------------|-----------------|-----------------|-------------------------|
| JNCC                           | Secretariat     | Sue O’Brien     | Julie Black/Helen Baker |
| Marine Management Organisation | Stakeholder     | Chris Sweeting  |                         |
| Marine Scotland                | Stakeholder     | Tom Evans       | Janelle Braithwaite     |
| BEIS                           | Stakeholder     | Davy Still      | Alex Thompson           |
| Natural England                | Stakeholder     | Tim Frayling    |                         |
| Scottish Natural Heritage      | Stakeholder     | George Lees     | Alex Robbins            |

|                           |             |                    |                    |
|---------------------------|-------------|--------------------|--------------------|
| Natural Resources wales   | Stakeholder | Matty Murphy       |                    |
| The Crown Estate          | Stakeholder | Ed Salter          | Mark Hazelton      |
| The Crown Estate Scotland | Stakeholder | Hannah Whyte       |                    |
| RSPB                      | Stakeholder | Aly McClusky       |                    |
| ORJIP                     | Stakeholder | Liam Leahy         |                    |
| Hartley Anderson Ltd      | Stakeholder | John Hartley       |                    |
| Orsted                    | Developer   | Gareth Johnson     |                    |
| Vattenfall                | Developer   | Jesper Kyed Larsen |                    |
| Scottish Power Renewables | Developer   | Gillian Sutherland | Christie Patterson |
| EDF-Renewables            | Developer   | Ewan Walker        | Nancy Mclean       |
| Innogy                    | Developer   | Clare Davies       |                    |
| Equinor                   | Developer   | Sophie Banham      | Magnus Eriksen     |

## 2. OWSMRF aims, objectives and deliverables

### 2.1 Purpose

There are knowledge gaps on the impact of offshore windfarms on marine birds which create consent risk for future offshore wind development. The purpose of OWSMRF is to provide a forum to enable SNCBs and regulators to help developers identify, prioritise and agree research and monitoring that will fill critical knowledge gaps for future consenting of offshore wind.

### 2.2 Aims, objectives and deliverables

Table 2.1 below details the primary aims, objectives and deliverables of OWSMRF. Specific deliverables will be agreed annually by the OWSMRF forum through the OWSMRF Annual Plan. The Annual Plan will include details on timeframes.

**Table 2.1 Aims, objectives and deliverables of OWSMRF**

| Aim   | Objectives   | Deliverables   |
|---|--|--|
| <p>1. Identify, prioritise and agree ornithological research and monitoring needs</p> | <ul style="list-style-type: none"> <li>• Identification of key ornithological consent risk for future offshore wind development of SNCBs and regulators;</li> <li>• Identification of key ornithological evidence needs of developers, informed by offshore wind consent risk; and</li> <li>• Prioritisation and agreement of research and monitoring that will fill key evidence needs.</li> </ul>  | <ul style="list-style-type: none"> <li>• OWSMRF will produce and keep up to date a long list of key evidence needs to reduce ornithological consenting risk for offshore wind;</li> <li>• OWSMRF members will agree/provide a clear position on evidence priorities;</li> </ul>  |
| <p>2. Identify feasible research projects</p>   | <ul style="list-style-type: none"> <li>• Feasibility review of priority evidence needs (identified in step 1, Table 4.1) to identify and agree what research could be feasibly undertaken to fill evidence needs;</li> <li>• Identify benefits and limitations of research to fill evidence needs; and</li> <li>• Develop high level concept notes of feasible research projects.</li> </ul>   | <ul style="list-style-type: none"> <li>• OWSMRF will undertake a feasibility review of agreed evidence needs to identify what research could be undertaken to fill evidence gaps. The review will set out clear benefits and limitations of proposed research;</li> <li>• OWSMRF will develop high level concept notes of agreed feasible research projects. A concept note is a short high-level description of the proposed research;</li> </ul> |
| <p>3. Support project scope development and project delivery</p>                      | <ul style="list-style-type: none"> <li>• Identify a Project Champion and form a Working Group of members interested in pursuing a specific work area; and</li> <li>• Members of OWSMRF to participate in Working Groups through the development of project scopes to ensure stakeholder buy-in of approach.</li> <li>• Members of OWSMRF to support Working Groups through project delivery to ensure stakeholder acceptance of approach.</li> </ul> | <ul style="list-style-type: none"> <li>• OWSMRF members will provide comments on project scopes developed through project Working Groups to ensure stakeholder buy-in of approach.</li> <li>• OWSMRF members will join meetings and provide comment and input to Working Groups though project delivery as required to ensure stakeholder buy-in of approach.</li> </ul>   |

### 3. Roles and responsibilities

OWSMRF is made up of a secretariat, stakeholder organisations and developers. The structure of OWSMRF and definitions of the various members are set out in Section 1.3. The role and responsibilities of each type of member are listed below.

#### 3.1 OWSMRF Secretariat

The role of the secretariat is to provide overall coordination between OWSMRF members and to ensure the group works to the agreed aims and objectives as set out within the Terms of Reference. Detailed information on the role, responsibilities and specific deliverables for the OWSMRF Secretariat will be included within the contract. A high-level overview of the specific responsibilities of the Secretariat is provided below.

- Provide secretariat support for OWSMRF meetings as agreed in the Annual Plan;
- Propose 2019 objectives to be agreed under the Annual Plan;
- The Secretariat will act as the central point of contact for OWSMRF communications;
- Coordination and facilitation of OWSMRF to achieve agreed OWSMRF aims, objectives and deliverables;
- Facilitation of communication between OWSMRF members to manage and achieve agreed OWSMRF aims, objectives and deliverables;
- Responsible for maintaining long list of evidence needs and coordinating input from other OWSMRF members;
- Responsible for feasibility review of priority evidence needs and coordinating input from other OWSMRF members;
- Responsible for development of high level concept notes of feasible research projects and coordinating input from other OWSMRF members;
- Support development of project specific Working Groups;
- Where required, coordinate OWSMRF member feedback on project scopes developed through the Working Groups and liaise with the relevant 'Project Champion';
- Manage funding contributions to deliver; and
- Recording of lessons learnt (pilot, wider industry, stakeholder groups).

#### 3.2 OWSMRF Stakeholder

Stakeholder members of OWSMRF form an advisory role in relation to the aims and objectives of OWSMRF set out in Section 2. The specific responsibilities of stakeholder members of OWSMRF are:

- Assist and advise the group to determine key ornithological evidence needs informed by consent risk;
- Provide a clear position on key ornithological research priorities informed by consent risk;
- Provide input to a feasibility review of priority evidence needs to identify and agree what research could be feasibly undertaken to fill evidence needs;
- Provide input to high level concept notes of identified feasible research projects;
- Provide input to support project specific Working Groups in the development of project scopes; and
- Increase awareness of new, ongoing or existing research, monitoring or other relevant ornithological work.

### 3.3 OWSMRF Developer

The role of developer members in the OWSMRF will ultimately be to take forward feasible research projects identified as able to address key ornithological evidence needs to reduce consenting risk for offshore wind and agree the scope of the project. Developers may form Working Groups (WG's) of interested parties to take forward specific projects. Developers may identify and appoint an appropriate body (e.g. scientist expertise or consultant) to support on project scope development. Where relevant WGs will have separate ToR specific to the project being delivered. The structure of OWSMRF and WGs is set out in Figure 1.1.

The specific responsibilities of developer members of OWSMRF are:

- Provide input on the key ornithological evidence needs informed by consent risk;
- Provide a clear position on key ornithological research priorities informed by consent risk;
- Provide input to a feasibility review of priority evidence needs to identify and agree what research could be feasibly undertaken to fill evidence needs;
- Provide input to high level concept notes of identified feasible research projects;
- Indicate interest in taking forward a project and nominate a 'Project Champion' to lead Working Group;
- Provide input as required to the development of detailed project scopes of work;
- Tender and let a contract for project delivery where appropriate; and
- Financial contribution for the OWSMRF Secretariat.

### 3.4 Working Group (WG) 'Project Champion'

The specific responsibilities of a nominated 'Project Champion' are:

- Organise meetings, workshops as required by the WG;
- Lead and manage the development of detailed project scopes of work with input from the WG;
- Lead on liaison with OWSMRF as required with communication through the appointed OWSMRF Secretariat Coordinator;
- Manage project workstreams and ensure progress of the project according to agreed project objectives, deliverables and timescales.

In addition, a 'Project Champion' must:

- Have sufficient time, resource and expertise to lead the delivery of a WG Project.

Where required, other responsibilities of the Project Champion may be agreed through separate specific WG ToR where these are in place.



## 4. Process and ways of working

### 4.1 Processes

#### OWSMRF process for developing projects

The following table identifies the five key steps associated with developing projects through OWSMRF. The table outlines who is involved at each of the five stages and the key outputs that will be delivered.

**Table 4.1 OWSMRF process for developing research projects**

|               | <b>What</b>  | <b>Who</b>   | <b>Outputs</b>  |
|---------------|--|--|---|
| <b>Step 1</b> | <p><b>Identify and prioritise evidence needs</b><br/>Identify all knowledge gaps/review and update evidence list.<br/>Prioritise evidence needs according to key prioritisation factors set out in section x.</p>  | OWSMRF Developers & Stakeholders and OWSMRF Secretariat Coordinator  | <p>Updated long list of all knowledge gaps.<br/>Short list of highest priority evidence needs with clear positions from OWSMRF members on priorities.<br/><i>Note, 'evidence need' is a general work area, e.g. collision risk, as opposed to a defined research project, e.g. using radar and cameras to record and quantify avoidance rates</i></p> |
| <b>Step 2</b> | <p><b>Identify feasible research projects</b><br/>Explore what is already known about the high priority evidence need (check evidence need can't be filled by existing knowledge).<br/>Consider what research could feasibly be undertaken to fill evidence need.</p>      | <p>OWSMRF Developers &amp; Stakeholders and OWSMRF Secretariat Coordinator and scientists.<br/><i>This could be done through topic/species-specific workshops, e.g. gannet workshop, red-throated diver workshop.</i></p>  | <p>Brief concept notes of feasible research projects.<br/><i>Note, a concept note is taken to be a short high level brief description of the nature of the research or analysis that could be undertaken, but would not include any detail such as costs/resources required</i></p>   |
| <b>Step 3</b> | <p><b>Developing a scope of works</b><br/>Develop the brief concept note into a fully costed scope of works. This would include establishing who, how, when and where to undertake the research. The scope of works could include an indicative costing and timeframe.</p> | <p>Working Group of developers including a nominated 'Project Champion' to lead and coordinate the group. OWSMRF Stakeholders will provide input to the Working Group on project scope development. Funding participants of the Working Group may agree additional members on a case by case basis (e.g. specialist input from consultants).</p> | <p>Detailed project description/scope of works including timeframe and costing</p>  |
| <b>Step 4</b> | <p><b>Seek project funding</b><br/>Seek and secure funding for scope of works</p>  | <p>Working Group and 'Project Champion' to pursue funding, e.g. OESEA research fund, ORJIP, developers, NERC, collaborations, e.g. with European partners.</p>   | <p>A fully funded research project.</p>   |
| <b>Step 5</b> | <p><b>Let a contract</b><br/>Tender and let a contract for work to be project managed and delivered</p>  | <p>Working Group and 'Project Champion' throughout lifetime of project. OWSMRF Stakeholders will provide input to the Working Group on the project through its delivery as required.</p>   | <p>Project successfully delivers novel evidence/knowledge that reduces consent risk for offshore wind.</p>  |

## Prioritisation process

Work to address ornithological evidence needs will be prioritised by:

- The likelihood of that piece of work would reduce future consent risk for offshore wind;
- The feasibility of addressing the issue with sufficient scientific rigor that uncertainty around impacts will be reduced.
- The feasibility of getting funding to deliver the work to a high standard;
- Consensus by members that a workstream needs to be progressed (minimum two promoters)

The process shall be recorded by the secretariat with documented decision points including any non-resolved queries

## 4.2 Ways of working

### Meetings

- Meetings will take place in accordance with the relevant agreed Annual Plan.
- The Secretariat will organize and chair meetings in accordance with the relevant agreed Annual Plan.
- Each OWSMRF member to nominate a primary contact as a representative for each meeting. A secondary contact should also be appointed to attend where the primary contact is unavailable.
- Meetings will take the form of a round table discussion (unless otherwise agreed) based on a pre-circulated agenda. Meetings shall be face to face unless otherwise agreed.

### Communication

- The OWSMRF distribution list will be composed of the primary and secondary contacts listed in the membership table (Table 1.1) of the Terms of Reference.
- The Secretariat will act as the central point of contact for OWSMRF communications.
- Where relevant, the Secretariat will seek views of relevant OWSMRF members before communication of OWSMRF matters externally.
- Communications between the project specific Working Groups and OWSMRF will be managed between the Working Group Project Champion and OWSMRF Secretariat.
- All proposed press releases or presentations relevant to OWSMRF or OWSMRF work will be provided to the OWSMRF Secretariat at least a week in advance. The Secretariat will circulate the proposals to all OWSMRF members for comment and consent. Press release and presentations may not be made without consent from all members of OWSMRF. Consent must not be unreasonably withheld.
- Meeting minutes to be circulated within 1 month of meeting (secretariat).

### Knowledge sharing

The OWSMRF will aim to facilitate knowledge sharing. This will be done through OWSMRF meetings as agreed under the Annual Plan and other communication channels as appropriate. Specifically, OWSMRF will aim to:

- Increase and promote awareness of monitoring and research that is being planned or currently undertaken (including project-specific work under licence conditions and strategic work);

- Increase and promote awareness of existing data that would assist with addressing identified evidence needs;
- Increase awareness of potential project funding opportunities; and
- Facilitate data sharing.

### Collaboration

The OWSMRF will aim to promote collaboration among members by:

- Promote informal collaboration among members e.g. through sharing data and information;
- Promote formal collaboration including jointly funding initiatives; and
- Encourage collaborative initiatives to collect, collate and analyse new and existing data to address evidence needs.

## 5. Other

### 5.1 Timeframe

OWSMRF will be trialled for a one-year period from the date of agreement of these Terms of Reference. One month to the end of the trial year, OWSMRF members will discuss and agree whether to extend the timeframe and scope of OWSMRF.

### 5.2 Review

These Terms of Reference will be subject to annual review, one year after the last review. Where it is agreed to extend OWSMRF beyond the first year, lessons learned from the pilot (recorded by the OWSMRF Secretariat) will be considered and incorporated where agreed in the review of these Terms of Reference.

### 5.3 Dispute resolution

In the event of a dispute between OWSMRF members or regarding the activities of OWSMRF, relevant members will seek to resolve the dispute in the first instance, with the Secretariat input if appropriate. OWSMRF members commit to act in good faith in resolving the dispute. Where a dispute is not able to be resolved within 30 days, the dispute will be escalated to their managers and if necessary, the senior leadership teams within the relevant members organisations. Where a dispute remains unresolved relevant OWSMRF members may seek an independent dispute resolution.