

Mrs Sarah Pirie
Head of Development
Moray Offshore Windfarm (East) Limited
1st Floor
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Cardiff
CF24 3DL

28th September 2018

Dear Mrs Pirie

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)

THE ELECTRICITY ACT 1989 (AS AMENDED)

DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE CONSENT

FOR THE CONSTRUCTION AND OPERATION OF MORAY EAST OFFSHORE WINDFARM AND A MAXIMUM OF 4 OFFSHORE SUBSTATION PLATFORMS IN THE OUTER MORAY FIRTH

1. Description of the Application

1.1. On 19th March 2014 the Scottish Ministers, granted in favour of Moray Offshore Windfarm (East) Limited (Company Number 07101438) having its registered office at C/O 7side Secretarial Limited, 1st Floor 14/18 City Road, Cardiff, CF24 3DL (“the Company”) consents under section 36 (“s.36”) of the Electricity Act 1989 (as amended) relative to the above works. Condition 12 of the said s.36 consent, requires the Company to submit a Development Specification and Layout Plan (“DSLPL”), for approval by the Scottish Ministers prior to commencing the above works.

1.2. On 25th September 2014 the Scottish Ministers, granted the company a marine licence for the construction of two Offshore Substation Platforms (“OSPs”) (licence number: 05340/14/0). On 1st August 2017 the Scottish Ministers, granted the company a marine licence for Modified Offshore Transmission Infrastructure (“OfTI”) (licence number: 06347/17/1). Condition 3.2.2.6 of the OSFs marine licence and condition 3.2.2.7 of the OfTI marine licence require the Company to submit a DSLPL, for approval by the Scottish Ministers prior to commencing the above works.

1.3. On 5th June 2018 the Company submitted to the Scottish Ministers the DSLP for approval and applied for multi-stage consent in relation thereto in accordance with condition 12 of the said s.36 consent.

2 Summary of Consultation Responses

2.1 The Scottish Ministers consulted with Scottish Natural Heritage (“SNH”), Maritime and Coastguard Agency (“MCA”), Northern Lighthouse Board (“NLB”), Chamber of Shipping (“CoS”) and the Scottish Fishermen’s Federation (“SFF”).

2.2 SNH stated that the design and layout parameters of the wind farm array and OfTI are within the parameters stated in the Moray East Environmental Statement (“ES”) 2012. SNH submitted comments on the following: export cable corridor; landscape and visual interests; lighting and marking plan and structure locations. SNH noted that further comments on the aspects of the DSLP will be made once the Cable Plan (“CaP”), Environmental Management Plan, Design Statement and Lighting and Marking Plan (“LMP”) become available. SNH requested the GIS shapefiles mentioned within the DSLP.

2.3 MCA submitted comments on section 3.2.1 and 3.2.2 and noted that details on marking will be addressed in the LMP. MCA requested for the designated area for helicopted winching to be included in the DSLP. MCA underlined that their preference is for straight corridor boundary between Moray East and Beatrice Offshore Windfarm Limited (“BOWL”).

2.4 SFF stated that the DSLP deals with the development parameters clearly and concisely. SFF also commented on the need of cooperation concerning the CaP.

2.5 NLB were content with the plan submitted and the UKCoS submitted no comments.

3 Reasons and Considerations on which this decision is based

3.1 The amended DSLP was submitted to the Scottish Ministers by the Company on 17th August 2018.

3.2 The Scottish Ministers have fully considered all representations received regarding the DSLP.

3.3 The Scottish Ministers have considered advice provided by Marine Scotland Science that there are no additional significant effects which have not previously identified in the Moray East ES and Moray East Modified Transmission Infrastructure information.

3.4 The information contained in the DSLP is within the parameters of what has already been assessed within the ES submitted in respect of the said s.36 consents and current marine licences.

3.5 The Company was not required to submit additional information under regulation 25 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) or regulation 27 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) in relation to the multi-stage consent application

4 Reasoned Conclusion

- 4.1 As set out above the Scottish Ministers, are satisfied that they have sufficient information to enable them to reasonably conclude that the DSLP is within the parameters which have already been considered within the ES previously assessed in respect of the said s.36 consent and marine licences. No new significant effects on the environment have been identified when considering the information detailed within the DSLP.
- 4.2 In taking into account the information set out above the Scottish Ministers are satisfied that this information is relevant, appropriate and up to date.

5 Determination and Terms of Decision

- 5.1 The Scottish Ministers, hereby approve the DSLP as submitted on 17th August 2018 and grant multi-stage consent in relation thereto.
- 5.2 In the event that the Company wishes to update or amend the DSLP, the Company must submit, in writing, details of the proposed updates or amendments to the Scottish Ministers for their written approval prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.
- 5.3 Unless otherwise agreed, in writing by the Scottish Ministers, all works must proceed in accordance with the DSLP.
- 5.4 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government's website: <http://marine.gov.scot/data/moray-east-offshore-windfarm-development-specification-and-layout-plan> .
- 5.5 A copy of this Decision Notice has also been sent to the relevant planning authorities.

Authorised on behalf of the Scottish Ministers

By a member of staff of the Scottish Government

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Marine Planning and Policy Licensing Operations Team
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28th September 2018