



Mrs Sarah Pirie
Head of Development
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02 November 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)

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE CONSENT AND REGULATORY APPROVAL

FOR THE CONSTRUCTION AND OPERATION OF MORAY EAST OFFSHORE WINDFARM AND ASSOCIATED OFFSHORE TRANSMISSION INFRASTRUCTURE IN THE OUTER MORAY FIRTH

1. Description of the Application

1.1. On 19th March 2014 the Scottish Ministers granted in favour of Telford Offshore Windfarm Limited (Company Number 07386810), Stevenson Offshore Windfarm Limited (Company Number 07386838) and MacColl Offshore Windfarm Limited (Company Number 07386891), all having their registered office at 1st Floor 14/18 City Road, Cardiff, CF24 3DL, consents under section 36 ("s.36") of the Electricity Act 1989 (as amended) for the construction and operation of Telford Offshore Windfarm, Stevenson Offshore Windfarm and MacColl Offshore Windfarm respectively, collectively referred to as Moray East Offshore Windfarm. The said s.36 consents were varied by the Scottish Ministers on 22nd March 2018 ("the s.36 consents"). Subsequently, on 8th June 2018, the s.36 consents were assigned, with the authority of the Scottish Ministers, to Moray Offshore

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www.gov.scot/Topics/marine/Licensing/marine

Windfarm (East) Limited (Company Number 07101438), previously known as Moray Offshore Renewables Limited and having its registered office at C/O 7side Secretarial Limited, 1st Floor 14/18 City Road, Cardiff, CF24 3DL (“the Company”). Condition 12 of the s.36 consents require the Company to submit a Development Specification and Layout Plan (“DSLSP”), for approval by the Scottish Ministers, prior to commencing works.

- 1.2. On 25th September 2014 the Scottish Ministers granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009 for the Modified Offshore Transmission Infrastructure (“the OfTI marine licence”). Condition 3.2.2.6 of the OfTI marine licence require the Company to submit a DSLP for approval by the Scottish Ministers, prior to commencing works.
- 1.3. On 1st August 2017 the Scottish Ministers granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009 for the construction of Offshore Substation Platforms (“OSP”). The said OSP marine licence was subsequently varied by the Scottish Ministers on 14th September 2017 (“the OSP marine licence”). Conditions 3.2.2.7 of the OSP marine licence require the Company to submit a DSLP, for approval by the Scottish Ministers, prior to commencing works.
- 1.4. On 9th July 2018 the Company submitted to the Scottish Ministers the DSLP for approval and applied for multi-stage consent and regulatory approval in relation thereto all in accordance with condition 12 of the s.36 consents and condition 3.2.2.6 of the OfTI marine licence and condition 3.2.2.7 of the OSP marine licence.

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 of what has already been considered. 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 of the DSLP and noted that details on marking will be addressed in the LMP. MCA requested for the designated area for helicopter winching to be included in the DSLP. MCA underlined their preference is for straight corridor boundary between Moray East Offshore Windfarm and Beatrice Offshore Windfarm Limited.
- 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 DSLP 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 Environmental Statement (“ES”) and Additional Ornithological Information (“AOI”) submitted in respect of the s.36 consents and the Environmental Statement submitted in respect the OfTI marine licence the OSP marine licence (“OfTI ES”).
- 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 application for multi-stage consent and regulatory approval.

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, AOI and OfTI ES previously assessed in respect of the s.36 consents 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 and regulatory approval 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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02 November 2018