

## Lees E (Emma)

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**From:** Helen Croxson <Helen.Croxson@mcga.gov.uk>  
**Sent:** 19 May 2020 10:14  
**To:** MS Marine Renewables  
**Cc:** Nick Salter; Lees E (Emma)  
**Subject:** RE: Seagreen Alpha & Bravo Offshore Wind Farm - Navigational Safety Plan - Consultation - Response by 13 May 2020

Hello Emma,

My apologies, the recent response from me regarding the Navigational Safety Plan for Seagreen stated that BEIS should be notified of any infringements to Safety Zones. This of course should state Marine Scotland in this case. It was clear one was missing from the document, and I failed to consider that the project was in Scottish waters on this occasion

My apologies for any confusion caused.

Kind regards

Helen



**Helen Croxson, Offshore Renewables Advisor**

Navigation Safety Branch, Bay 2/25  
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**From:** Helen Croxson  
**Sent:** 13 May 2020 20:09  
**To:** 'MS.MarineRenewables@gov.scot' <MS.MarineRenewables@gov.scot>  
**Cc:** Nick Salter <Nick.Salter@mcga.gov.uk>; Emma.Lees@gov.scot  
**Subject:** RE: Seagreen Alpha & Bravo Offshore Wind Farm - Navigational Safety Plan - Consultation - Response by 13 May 2020

Emma,

Thank you for the opportunity to comment on the Navigation Safety Plan for the Seagreen Alpha and Bravo Project. The MCA has no concerns to raise regarding this document on this occasion, and there are just two observations for consideration by the project:

- 1) Section 3.6 states: *Construction safety zones shall be monitored for infringements. The MCA will be notified of any incidents of a vessel repeatedly infringing the safety zones, or any isolated incidents considered as representing dangerous behaviour. Any such notification to the MCA would be accompanied by supporting evidence of the infringement.*

The MCA would expect the Department for Business, Energy & Industrial Strategy (BEIS) to be notified of any infringements to Safety Zones as Safety Zones are enforceable under BEIS' legislation. The MCA would also like to be notified for information.

2) Section 3.8 states:

*All vessels used on site as part of the Seagreen Project during the operational phase will be audited to check compliance with contractor's obligations to comply with legislation appropriate for class and area of operation..... Any required survey, certification and inspection arrangements will be discussed with the relevant MCA Marine Office in advance of works commencing where necessary.*

The MCA would expect vessels involved in the project to comply with all maritime safety legislation. Contact should be made with the relevant local MCA Marine Office with regards to any survey, inspection or safety related certification required, including any planned towage operations.

Kind regards

Helen



**Helen Croxson, Offshore Renewables Advisor**

Navigation Safety Branch, Bay 2/25

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# Northern Lighthouse Board

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Your Ref: SWEL – NSP – Consultation  
Our Ref: AL/OPS/ML/O6\_02\_648

Ms Emma Lees  
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15 April 2020

## **ELECTRICITY ACT 1989**

*The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)*

## **MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING**

*The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) and  
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)*

Thank you for your e-mail correspondence dated 14<sup>th</sup> April 2020 relating to Navigational Safety Plan (NSP) submitted by Seagreen Wind Energy Limited (SWEL) for the Seagreen Alpha and Seagreen Bravo offshore wind farm sites.

Northern Lighthouse Board have no objections to the NSP, and are content that it satisfies the requirements of condition 17 of the Section 36 consents and condition 3.2.2.9 of the OTA marine licence.

NLB note Section 3.3 (Temporary Lighting and Marking), Section 3.4 (Construction Buoyage) and Section 4.3 (Operational Lighting and Marking), which all make reference to Seagreen document LF000009-CST-OF-PLN-0010) Offshore Lighting and Marking Plan.

Northern Lighthouse Board also note Section 6, covering the promulgation of information relating to the construction and operation of the windfarm, throughout all stages of construction and operation.

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Yours sincerely  
[Redacted]

Peter Douglas  
Navigation Manager

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In Salutem Omnium  
For the Safety of All



Our Ref: MM/

Your Ref:

11 May 2020

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Dear Sirs

**Seagreen Alpha & Bravo Offshore Wind Farm - Navigational Safety Plan (NSP) – Consultation**

The Scottish Fishermen's Federation is pleased to respond to this consultation on behalf of the 500 plus fishing vessels in membership of its constituent associations, The Anglo Scottish Fishermen's Association, Fife Fishermen's Association, Fishing Vessel Agents and Owners Association, Mallaig & North West Fishermen's Association, Orkney Fisheries Association, Scottish Pelagic Fishermen's Association, the Scottish White Fish Producer's Association and Shetland Fishermen's Association.

The SFF supports the need for a clearly defined NSP, in order to give fishers in the area some assurance of safety, but must object to the lack of detail in this paper on fishing, until the following issues are addressed.

Page 18 has the bold assertion that all contractors and sub-contractors must comply with the NSP, and continues on P21 to claim that all vessels employed will be audited for safety purposes. The SFF would seek a consent condition to ensure at this stage that vessels carry English speakers to ensure good communications with local vessels, in order to enhance safety.

The descriptions on P21 & P24 of the recommended routes during construction and operation and maintenance, do not show any evidence of consulting with the local fleet to maximise cooperation and buy-in on these routes. This should be the first step in producing the NSP, but, as we know the developer is claiming to be unaware of the Nephrops trawl fishery in the area, the SFF would seek confirmation that proper consultation has taken place rather than risk disruption to both the Nephrops fishery and the biggest Lobster fishery on the East Coast of Scotland.

These same points are again relevant to the discussion of Anchorages on P25 (and Appendix C), where they consider 7 bullet points but show no evidence of consulting the local fleet. The SFF expects all vessels to abide by the laws of the sea, and that means we cannot condone dangerous behaviour by fishing vessels, but by the same token, the fishing vessels in the area should not be intimidated by any contractors vessels, 20 times their size, as we have seen happen before. The SFF would look for a consent condition to prevent any such unhelpful behaviour.

Members:

Anglo Scottish Fishermen's Association · Fife Fishermen's Association · Fishing Vessel Agents & Owners Association (Scotland) Ltd · Mallaig & North-West Fishermen's Association Ltd · Orkney Fisheries Association · Scottish Pelagic Fishermen's Association Ltd · The Scottish White Fish Producers' Association Ltd · Shetland Fishermen's Association

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The specific problem of tugs with towed barges must be addressed, the area of sea that surrounds the development has become saturated with creels, and since these tugs must be continuously underway, there needs to be a consent condition keeping them away from the site and any fishing gear.

Furthermore, before any agreement on this NSP is possible the developer must have in place an agreed system for compensating fishers for any gear damaged and earnings lost, and accept responsibility for their contractors and sub-contractors conduct. The developer has to show they have understood, through the various consultations with the fishing industry, that they are dealing primarily with family firms, not big business, and the SFF would point to the protection afforded fishing in Scotlands National Marine Plan as a direction of travel for developers.

P27 on Promulgation of information, it is not good enough to say “as soon as reasonably possible” the developers must understand that between them making a choice of a work opportunity and fishers being aware and able to deal with it is a matter of days rather than hours. This is a prime example of the need for prompt FLO/FIR interaction to make this process, and whilst all efforts have been made to ensure appropriate FIRs are in place, the SFF feels that the FLO structure needs to be as quick and flexible in action as anybody else in a 24/7 industry.

Looking at Appendix B, the flow chart includes the position of ECOW, the SFF would seek a consent condition to ensure that this post operates in the way that MS (LOT) expects, or change the reporting route that the post works under, ideally a charge on the developer and management by MS (LOT).

Finally the SFF would seek to highlight that Appendix D includes a plethora of Safety and other industry commitments, there is no commitment to mitigate the impact on fishing, the one industry that stands to lose from this development.

Yours faithfully

Malcolm Morrison  
**Fisheries Policy Officer, Scottish Fishermen's Federation**