

MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009 (AS AMENDED), PART 4 MARINE LICENSING

LICENCE FOR MARINE RENEWABLES CONSTRUCTION WORKS AND DEPOSIT OF SUBSTANCES OR OBJECTS IN THE SCOTTISH MARINE AREA

Licence Number: 06294/17/0

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

Hywind (Scotland) Limited
One Kingdom Street
London
W2 6BD

Under the Marine (Scotland) Act 2010,

- 1) To deposit any substance or object (except for dredge spoil) within the Scottish marine area, either in the sea or on or under the seabed;
- 2) To deposit any substance or object (except for dredge spoil) in the sea or on or under the seabed from a vessel which was loaded with the substance or object either in Scotland or in the Scottish marine area; and
- 3) To construct any works within the Scottish marine area either in or over the sea, or under the seabed,

Under the Marine and Coastal Access Act 2009,

- 1) To deposit any substance or object (except for dredge spoil) within the United Kingdom marine licensing area in the sea or on or under the seabed; and
- 2) To construct any works within the United Kingdom marine licensing area in or over the sea, or under the seabed,

required in the execution of the Works described in Part 2 of the Schedule attached to this licence. The issue of this licence is subject to conditions as set out in Part 3 of the Schedule.

This licence remains in force from **14th July 2017 to 31st December 2017**

Signed:

Nicola Bain

For and on behalf of the Licensing Authority

Date of issue: 14 July 2017

1. PART 1 – GENERAL

1.1 Interpretation

In this licence, unless otherwise stated, terms are as defined in sections 1, 64 and 157 of the Marine (Scotland) Act 2010 and sections 66(4), 115 and 322 of the Marine and Coastal Access Act 2009 (as amended), and;

- a) **“the Application”** means the Application letter, marine licence application and Execution Plan Statoil Frame Agreement (Subsea Rock Installation Services) submitted to the Licensing Authority, by the Company on 16th December 2016;
- b) **“Commencement of the Works”** means the date on which the first vessel arrives on the Site to begin carrying on any Licensed Activity in connection with the construction of the Works, as described in Part 2 of this licence;
- c) **“Completion of the Works”** means the date on which the Works have been installed, or the Works have been deemed complete by the Licensing Authority, whichever occurs first;
- d) **“the 2009 Act”** means the Marine and Coastal Access Act 2009 (as amended);
- e) **“the 2010 Act”** means the Marine (Scotland) Act 2010;
- f) **“Licensable Marine Activity”** means the activities listed in section 66 of the 2009 Act and 21 of the 2010 Act authorised under this licence;
- g) **“Licensed Activities”** means any activity, or activities, listed in section 66 of the 2009 Act and in section 21 of the 2010 Act which is, or are, authorised under this licence;
- h) **“Licensee”** means Hywind (Scotland) Limited having its registered offices at One Kingdom Street, London W2 6BD and company registration number as 08709450;
- i) **“the Licensing Authority”** means the Scottish Ministers;
- j) **“Decommissioning of the Works”** includes removal of the Works from the seabed, demolishing the Works or dismantling the Works;
- k) **“Decommissioning Programme”** means the programme for decommissioning the Works, to be submitted by the Licensee to the appropriate authority under section 105(2) of the Energy Act 2004 (as amended);
- l) **“the Site”** means the area outlined in the figure 1 contained in Part 4 of this licence;
- m) **“the Works”** means the Hywind Pilot Park Project, as described in Part 2 of this licence; and
- n) **“MHWS”** means mean high water spring tide;

All geographical co-ordinates contained within this licence are in latitude and longitude format World Geodetic System 84 (“WGS84”).

1.2 Contacts

All correspondence or communications relating to this licence should be addressed to:

Marine Scotland
Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Email: MS.MarineRenewables@gov.scot

1.3 Other authorisations and consents

The Licensee is deemed to have satisfied themselves that there are no barriers or restrictions, legal or otherwise, to the carrying on of the licensed activities in connection with Works. The issuing of this licence does not absolve the Licensee from obtaining such other authorisations and consents, which may be required under statute.

1.4 Variation, suspension, revocation and transfer

Under section 30 of the 2010 Act and section 72 of the 2009 Act, the Licensing Authority may by notice vary, suspend or revoke this licence if it appears to the Licensing Authority that there has been a breach of any of the provisions of this licence. Under section 30(3)(d) of the 2010 Act or section 72(3)(d) of the 2009 Act, the Licensing Authority may by notice vary etc. this licence for any such other reason that appears to be relevant to the Licensing Authority. Under the 2010 Act variations etc. of licences are subject to the procedures set out in section 31 of the Act.

Under section 30 of the 2010 Act and section 72 of the 2009 Act the Licensing Authority may on an application made by the Licensee, transfer this licence from the Licensee to another person

Under section 30 of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.

1.5. Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act and section 85 of the 2009 Act it is an offence to carry out a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6. Defences: actions taken in an emergency

Under section 40 of the 2010 Act and section 86 of the 2009 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act and section 85(1) of the 2009 Act, respectively, in relation to any activity to prove -

- a) the activity was carried out for the purpose of saving life or for the purpose of securing the safety of a vessel, aircraft or marine structure (*'force majeure'*) and,
- b) that the person took steps within a reasonable time to provide full details of the matters to the Licensing Authority which are set out in section 40(2) of the 2010 Act and section 86(2) of the 2009 Act.

1.5 Offences relating to information

Under section 42 of the 2010 Act and section 89 of the 2009 Act it is an offence for a person to make a statement which is false or misleading in a material way, either knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act and Part 4 of the 2009 Act or by this licence.

2. PART 2 – THE WORKS

2.1 Title of the Works

The title of the Works to which this licence relates to is the ‘Additional deposits and cable protection’ for the Hywind pilot park.

2.2 Description of the Works

The existing Marine Licence (Ref: 05515/16/0) permits the installation of five 6 MW wind turbine generator units, connected by inter-array cables. An export cable will transport electricity from the Pilot Park to shore at Peterhead. These works present an update to the permanent deposits contained within the existing license as follows;

- Remedial mitigation works to the export cable route by means of rock installation to sections of the export cable where target burial depth is not achieved due to the nature of the seabed soil conditions.
- Additional quantities of rock deposits for stabilisation of the dynamic sections of the inter-array cables.

The Development must be constructed in accordance with that specified in the Application, supporting documentation and by the conditions imposed by the Licensing Authority.

2.3 Location of the Works

The project includes the marine elements (which are all elements of the project other than the onshore infrastructure) of the Works, to be sited within the Scottish marine area, at the Buchan Deep, approximately 25 km off the coast at Peterhead, within the area bounded by joining the following points:

57°30.967" N	01°47.361" W	57°27.603" N	01°22.797" W
57°31.773" N	01°44.466" W	57°28.417" N	01°23.762" W
57°31.765" N	01°41.780" W	57°29.317" N	01°24.430" W
57°30.444" N	01°37.620" W	57°29.632" N	01°32.779" W
57°30.102" N	01°35.383" W	57°29.821" N	01°35.447" W
57°29.909" N	01°32.783" W	57°30.184" N	01°37.804" W
57°29.989" N	01°23.573" W	57°31.486" N	01°41.889" W
57°30.302" N	01°23.033" W	57°31.485" N	01°44.102" W
57°29.715" N	01°19.542" W	57°30.680" N	01°46.571" W
57°29.023" N	01°18.691" W	57°30.789" N	01°47.013" W

2.4 Deposits

This licence authorises the deposit of the undernoted substances and objects required in connection with the Works, subject to the maximum amounts as specified below:

PERMANENT DEPOSITS

Concrete mattresses	75 (3m x 6m x 0.3m = 5.4m3)
Rock sacks	120 m ³
Rock carpet	39,500 m ³

2.5 Persons responsible for the deposits of the substances or objects

The operators, vessels and vehicles engaging in the Works must be notified to the Licensing Authority under condition 3.1.2 prior to their engagement in the Works:

Name of Vessel or Vehicle Registration	Operator	Type(s)
To be confirmed	To be confirmed	To be confirmed

2.6 Persons acting on behalf of the Licensee

The name and address of any agents, contractors or sub-contractors appointed to carry out any part, or all, of the Works must be notified to the Licensing Authority under condition 3.1.2 prior to their engagement in the Works:

Role	Company Name	Address	Contact Name
To be confirmed	To be confirmed	To be confirmed	To be confirmed

3. PART 3 – CONDITIONS

3.1 General Conditions

3.1.1 Compliance with the Application and approved plans

The Licensee must at all times construct and operate the Works in accordance with this Licence, the Application and the Execution Plan Statoil Frame Agreement (Subsea Rock Installation Services) approved by the Licensing Authority.

Reason: *To ensure compliance with the marine licence and the Application.*

3.1.2 Licence conditions binding other parties

All conditions attached to this licence bind any person who for the time being owns, occupies or enjoys any use of the Works for which this licence has been granted in relation to those licensed activities authorised under item 5 in section 21(1) of the 2010 Act and item 7 in section 66(1) of the 2009 Act whether or not this licence has been transferred to that person.

Reason: *To safeguard the obligations of the licence, in accordance with s.29(5) of the Marine (Scotland) Act 2010 and s.71(5) of the Marine and Coastal Access Act 2009.*

3.1.3 Vessels, vehicles agents, contractors and sub-contractors

The Licensee must provide, as soon as reasonably practicable in advance of their engagement in the Works authorised under this licence, the name and function of any vessel, vehicle, agent, contractor or sub-contractor appointed to engage in the Works to the Licensing Authority. Where applicable the notification must include the vessel type, vessel IMO number and vessel owner or operating company.

The Licensee must ensure that any changes to the supplied details must be notified to the Licensing Authority, in writing, 14 days prior to any vessel, vehicle, agent, contractor or sub-contractor engaging in the Works.

The Licensee must ensure that only those vessels, vehicles, operators, agents, contractors or sub-contractors notified to the Licensing Authority are permitted to carry out any part of the Works.

The above details must be recorded in section 2.5 and 2.6 of this licence, if not provided at application these details and any subsequent changes will require a variation to the licence to update section 2.5 and 2.6 prior to engagement in the Works.

The Licensee must satisfy themselves that any masters of vessels or vehicle operators, agents, contractors or sub-contractors are aware of the extent of the Works for which this licence has been granted, the activity which is licensed and the terms of the conditions attached to this licence. All masters of vessels or vehicle operators, agents, contractors and sub-contractors permitted to engage in the Works must abide by the conditions set out in this licence.

The Licensee must give a copy of this licence, and any subsequent variations made to this licence in accordance with section 30 of the 2010 Act and section 72 of the 2009 Act, to the masters of any vessels, vehicle operators, agents, contractors or sub-contractors permitted to engage in the Works and must ensure that the licence and any such variations are read and understood by those persons.

Reason: *To ensure all parties involved in the Works are aware of the licence and its conditions, to reduce the risk of a breach of the licence, in accordance with s.39(1)(b) of the 2010 Act and s.85.(1)(b) of the Marine and Coastal Access Act 2009*

3.1.4 Force Majeure

Should the Licensee or any of their agents, contractors or sub-contractors, by any reason of *force majeure* deposit anywhere in the marine environment any substance or object, then the Licensee must notify the Licensing Authority of the full details of the circumstances of the deposit within 48 hours of the incident occurring (failing which as soon as reasonably practicable after that period of 48 hours has elapsed). *Force majeure* may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel or vehicle operator determines that it is necessary to deposit the substance or object other than at the Site because the safety of human life or, as the case may be, the vessel, vehicle or marine structure is threatened. Under Annex II, Article 7 of the Convention for the Protection of the Marine Environment of the North-east Atlantic, the Licensing Authority is obliged to immediately report force majeure incidents to the Convention Commission.

Reason: *To provide a defence for the Master to protect himself and his crew in the event of a force majeure, in accordance with s.29(2)(a) of the 2010 Act and s71(2)(a) of the Marine and Coastal Access Act 2009 .*

3.1.5 Material alterations to the licence application

The Licensee must, where any information upon which the granting of this licence was based has after the granting of the licence altered in any material respect, notify the Licensing Authority of this fact, in writing, as soon as is practicable.

Reason: *To ensure that the Works are carried out in accordance with the Application documentation, in accordance with s.29(2)(a) of the 2010 Act and s71(2)(a) of the Marine and Coastal Access Act 2009.*

3.1.6 Chemical usage

The Licensee must ensure that all chemicals which are to be utilised in the Works have been approved prior to use. All chemicals which are to be utilised in the Works must be selected from the List of Notified Chemicals assessed for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002 (as amended) or as exempted for sealed units. The Licensee must submit a report of all chemicals and quantities to be used (e.g. oils and fluorinated gases) during the construction and operation of the works to the Licensing Authority no later than one calendar month prior to the Commencement of the Works. Any changes to the types of chemicals which are proposed to be utilised must be consulted on with the Licensing Authority before the Commencement of the Works or; as the case may be, after the Commencement of the Works but prior to their utilisation.

Reason: *To minimise the environmental impact in the event of a release through the use of authorised chemicals in the interest of protecting the environment, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.1.7 Fluorinated greenhouse gases

The Licensee must ensure that all equipment to be utilised in the Works that contains fluorinated greenhouse gases (hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and other greenhouse gases that contain fluorine, listed in Annex I of Regulation (EU) 517/2014 and The Fluorinated Greenhouse Gases Regulations 2015 (the Regulations), or

mixtures containing any of those substances) must take precautions to prevent the unintentional release ('leakage') of those gases. They must take all measures which are technically and economically feasible to minimise leakage of fluorinated greenhouse gases.

Where a leakage of fluorinated greenhouse gases is detected, the Licensee must ensure that the equipment is repaired without undue delay.

The Licensee must ensure that all equipment to be utilised in the Works that contains fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more and not contained in foams must ensure that the equipment is checked for leaks in accordance with Annex 4 of the Regulations. Records of leak checks must be kept in accordance with Annex 6 of the Regulations. These records must be submitted to the Licensing Authority annually, and immediately in the event of discovery of any leak.

Where the equipment is subject to leak checks under Article 4(1) of the Regulations, and a leak in the equipment has been repaired, the Licensee must ensure that the equipment is checked by a certified person within **one** calendar month after the repair to verify that the repair has been effective. In such event, the Licensing Authority must be informed of the date of discovery, date of repair and date of inspection.

Reason: *To ensure compliance of the Works with Regulation (EU) 517/2014 and The Fluorinated Greenhouse Gases Regulations 2015, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.1.8 Environmental protection

The Licensee must ensure that all reasonable, appropriate and practicable steps are taken at all times to avoid or minimise any damage to the Scottish marine area caused as a result of the undertaking of the licensed activities.

The Licensee must ensure that all personnel adhere to the Scottish Marine Wildlife Watching Code where appropriate during all installation, operation and maintenance activities authorised under this licence.

The Licensee must ensure that any debris or waste material placed below MHWS during the construction of the Works are removed from the Site, as soon as is reasonably practicable, for disposal at a location above the MHWS approved by the Scottish Environment Protection Agency ("SEPA").

The Licensee must ensure that all substances and objects deposited during the execution of the Works are inert (or appropriately coated or protected so as to be rendered inert) and do not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

The Licensee must ensure that the risk of transferring marine non-native species to and from the Site is kept to a minimum by ensuring appropriate bio-fouling management practices are implemented during the Works.

The Licensee must ensure that if oil based drilling muds are utilised they must be contained within a zero discharge system. Any drill cuttings associated with the use of water-based drilling muds situated within Site of the Works need not be removed from the seabed.

Reason: *To ensure environmental impacts are minimised, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.1.9 Availability of the licence for inspection

The Licensee must ensure that copies of this licence and any subsequent amendments or variations are available for inspection at any reasonable time by any authorised by the Licensing Authority at:

- a) the premises of the Licensee;
- b) the premises of any agent, contractor or sub-contractor acting on behalf of the Licensee;
- c) any onshore premises directly associated with the Works; and
- d) aboard any vessels permitted to engage in the Works.

Reason: *To ensure the licence is available for the purpose of inspection, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.1.10 Inspection of the Works

Any persons authorised by the Licensing Authority, must be permitted to inspect the Works at any reasonable time. The Licensee must, as far as reasonably practicable, on being given reasonable notice by the Licensing Authority (of at least 72 hours), provide transportation to and from the Site for any persons authorised by the Licensing Authority to inspect the Site/Works.

Reason: *To ensure access to the Site for the purpose of inspection, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.1.11 Emergencies

If the assistance of a Government Department (to include departments of Administrations other than the Scottish Government) is required to deal with any emergency arising from:

- a) the failure to mark and light the Works as required by this licence;
- b) the maintenance of the Works; or
- c) the drifting or wreck of the Works,

to include the broadcast of navigational warnings, then the Licensee is liable for any expenses incurred in securing such assistance.

Reason: *To ensure licensee is aware of financial liabilities, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.2 Conditions specific to the Works

3.2.1 Conditions applicable to all phases of the Works

3.2.1.1 Incident Reporting

In the event of any breach of health and safety or environmental obligations relating to the Works during the period of this licence, the Licensee must provide written notification of the nature and timing of the incident to the Licensing Authority, including confirmation of remedial measures taken and/ or to be taken to rectify the breach, within 24 hours of the incident occurring.

Reason: *To keep the Scottish Ministers informed of any such incidents which may be in the public interest, in accordance with s.29(3)(c) of the 2010 Act and s71(3)(c) of the Marine and Coastal Access Act 2009.*

3.2.1.2 Bunding and storage facilities

The Licensee must ensure suitable bunding and storage facilities are employed to prevent the release of fuel oils and lubricating fluids associated with the plant and equipment into the marine environment.

Reason: *To ensure pollution prevention is undertaken, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.2.1.3 Restoration of the Site to its original condition

The Licensee must take all reasonable, appropriate and practicable steps to restore the Site to its original condition before the Works were undertaken, or to as close to its original condition as is reasonably practicable, in accordance with the Project Environmental Monitoring Plan (“PEMP”) and the Decommissioning Programme (“DP”) to the satisfaction of the Licensing Authority. Should the Works be discontinued prior to Completion of the Works, the Licensee must inform the Licensing Authority in writing of the discontinuation of the Works. A marine licence application will be required for the removal of Works.

Reason: *To mitigate the effects of the activity on the Site, in accordance with s.29(3)(e) of the 2010 Act and s71(3)(e) of the Marine and Coastal Access Act 2009.*

3.2.2 Prior to the commencement of the Works

3.2.2.1 Commencement date of the Works

The Licensee must, prior to and no less than 7 days before the Commencement of the Works, notify the Licensing Authority, in writing, of the date of Commencement of the Works authorised under this Licence.

Reason: *To inform the Licensing Authority of the date of the Works, in accordance with s.29(3)(c) of the 2010 Act and s71(3)(c) of the Marine and Coastal Access Act 2009.*

3.2.2.2 Decommissioning

Where the appropriate authority has, following consultation with the Licensing Authority, given notice requiring the Licensee to submit to the appropriate authority an updated Decommissioning Programme (“DP”) which includes these additional deposits, pursuant to section 105(2) and (5) of the Energy Act 2004.

Reason: *To ensure that decommissioning is carried out according to the approved decommissioning programme under an appropriate licence, in accordance with s.29(3)(d) of the 2010 Act and s71(3)(d) of the Marine and Coastal Access Act 2009.*

3.2.2.3 Construction Method Statement

The Works must, at all times, be constructed in accordance with the approved Construction Method Statement (“CMS”). Any updates or amendments made to the approved CMS must be submitted, in writing, to the Licensing Authority for their prior written approval.

Reason: *To ensure that the Works are carried out in accordance with the Application, in accordance with s.29(2)(a) of the 2010 Act and s71(2)(a) of the Marine and Coastal Access Act 2009.*

3.2.2.4 Navigation and Charting

The Licensee must, no later than 7 days prior to Commencement of the Works, notify the UK Hydrographic Office ("UKHO") of the proposed works to facilitate the promulgation of maritime safety information and updating of Admiralty charts and publications through the national Notice to Mariners system.

The Licensee must, no later than 7 days prior to Commencement of the Works, ensure that local mariners, fishermen's organisations and HM Coastguard, in this case the Aberdeen Coastguard Operations Centre, are made fully aware of the Works through local Notice to Mariners or by any other appropriate means.

The Licensee must ensure that details of the Works are promulgated in the Kingfisher Fortnightly Bulletin, no later than **7 days** prior to the Commencement of the Works to inform the Sea Fish Industry of the vessel routes, the timings and the location of the Works and of the relevant operations.

Reason: *To reduce the navigational risk to other legitimate users of the sea, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.2.3 During the Construction of the Works

3.2.3.1 Navigational Safety

The Licensee must notify the UKHO of the progress of the Works to facilitate the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

The Licensee must notify local mariners, fishermen's organisations and HM Coastguard, in this case the Aberdeen Coastguard Operations Centre, on a weekly basis of the progress of Construction of the Works through local Notice to Mariners or any other appropriate means.

The Licensee must ensure that progress of the Works is promulgated regularly in the Kingfisher Fortnightly Bulletin to inform the Sea Fish Industry of the vessel routes, the timings and the location of the Works and of the relevant operations.

The Licensee must in the case of damage to, or destruction or decay of, the Works, notify the Licensing Authority, in writing, as soon as reasonably practicable, following such damage, destruction or decay. The Licensee must carry out any remedial action as required by the Licensing Authority, and intimated to the Licensee in writing, which may include any requirement to display aids to navigation, following consultation with the MCA, the NLB or any such advisers as required by the Licensing Authority.

The Licensee must ensure that any vessels permitted to engage in the Works are marked in accordance with the International Rules for the Prevention of Collisions at Sea whilst under way, and in accordance with the UK Standard Marking Schedule for Offshore Installations if the vessel is secured to the seabed.

The Licensee must ensure that navigable depth is not altered by more than 5% referenced to Chart Datum unless otherwise agreed, in writing, with the Licensing Authority in consultation with the MCA and NLB.

Reason: *To reduce the navigational risk to other legitimate users of the sea, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.2.4 Conditions upon Completion of the Works

3.2.4.1 Date of Completion of the Works

The Licensee must, no later than 1 calendar month following the Completion of the Works, notify the Licensing Authority, in writing, of the date of Completion of the Works.

Reason: *To inform the Licensing Authority of the completion of the Works, in accordance with s.29(3)(c) of the 2010 Act and s71(3)(c) of the Marine and Coastal Access Act 2009.*

3.2.4.2 Nature and quantity of deposited substances and objects

The Licensee must, no later than 1 calendar month following the Completion of the Works, submit a final audit report, in writing, to the Licensing Authority stating the nature and quantity of all substances and objects deposited below MHWS within the Scottish marine area under the authority of this licence. Where appropriate, nil returns must be provided.

Reason: *To confirm that the deposits made were in accordance with the application documentation, in accordance with s.29(3)(c) of the 2010 Act and s71(3)(c) of the Marine and Coastal Access Act 2009.*

3.2.4.3 Navigational Safety

The Licensee must notify the UKHO of the Completion of the Works to facilitate the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

The Licensee must ensure that local mariners, fishermen's organisations and HM coastguard, in this case the National Maritime Operations Centre, are made fully aware of the Completion of the Works.

The Licensee must ensure that the Completion of the Works is promulgated in the Kingfisher Fortnightly Bulletin to inform the Sea Fish Industry.

The Licensee must, where any damage, destruction or decay is caused to the Works, notify the Licensing Authority, in writing, of such damage, destruction or decay as soon as reasonably practicable following such damage, destruction or decay. The Licensee must carry out any remedial action which the Licensing Authority advises the Licensee, in writing, as requiring to be taken, which may include a requirement to display aids to navigation, following consultation by the Licensing Authority with the MCA, the NLB or any such advisers as required.

Reason: *To reduce the navigational risk to other legitimate users of the sea, in accordance with s.29(2)(b) of the 2010 Act and s71(2)(b) of the Marine and Coastal Access Act 2009.*

3.3 Removal of the Works

This licence does not permit the Removal of the Works, for which a separate marine licence is required.

The Licensee must, no later than 3 months prior to any proposed removal works, submit a plan for the Removal of the Works, in writing, to the Licensing Authority, along with a marine licence application for the Removal of the Works.

Removal of the Works must not occur until the Licensing Authority has given its prior written approval to the plan and issued a marine licence.

Reason: To ensure that removal of works is carried out under an appropriate licence, in accordance with s.29(3)(a) of the 2010 Act and s71(3)(e) of the Marine and Coastal Access Act 2009.

3.4 Decommissioning

This licence does not permit the Decommissioning of the Works, for which a separate marine licence is required.

Reason: To ensure that decommissioning is carried out according to the approved decommissioning programme under an appropriate licence, in accordance with s.29(3)(d) of the 2010 Act and s71(3)(d) of the Marine and Coastal Access Act 2009.

PART 4 – PROJECT LOCATION

Figure 1 – Hywind Project Location at Buchan Deep, approximately 25 km off the coast at Peterhead

