



Mr Allan MacAskill
Saltire Court
20 Castle Terrace
Edinburgh
EH1 2EN

1st June 2018

Dear Mr MacAskill

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

MARINE (SCOTLAND) ACT 2010

**DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE REGULATORY
APPROVAL**

**THE CONSTRUCTION AND OPERATION OF THE KINCARDINE FLOATING OFFSHORE
WINDFARM, APPROXIMATELY - 15 km OFF THE COAST OF ABERDEEN.**

1 Description of the Application

- 1.1 On 7th March 2017 the Scottish Ministers granted in favour of Kincardine Offshore Windfarm Ltd (Company Number SC475345) and having its registered office at Saltire Court, 20 Castle Terrace Edinburgh, EH1 2EN (“the Company”) consent under section 36 (“s.36”) of the Electricity Act 1989 (as amended) relative to the above works. The said s.36 consent was subsequently varied by the Scottish Ministers on 15th May 2018 (“current s.36 consent”). As required by Annex 2 of the current s.36 consent prior to commencing works relative to the 2 megawatt (“MW”) wind turbine generator (“WTG”) the Company must submit a Construction Method Statment (“CMS”) as detailed in condition 10 of the current s.36 consent for for approval by the Scottish Ministers.
- 1.2 On 23rd March 2018 the Company submitted to the Scottish Ministers the CMS and applied for multi-stage consent in relation thereto in accordance with Annex 2 and condition 10 of the current s.36 consent.

2 Summary of Consultation Responses

- 2.1 The Scottish Ministers consulted with Scottish Natural Heritage (“SNH”), Scottish Environment Protection Agency (“SEPA”), Ministry of Defence (“MoD”), the Maritime and Coastguard Agency (“MCA”), the Northern Lighthouse Board (“NLB”), the Scottish Fishermen’s Federation (“SFF”) and Whale and Dolphin Conservation (“WDC”) in respect of the CMS.
- 2.2 SNH commented that in respect of the cable laying works, the post-lay survey, should provide detail about the location, extent, description of material to be deposited, including character, size, source and volume of any rock or concrete mattresses should this be required to bury cables to a suitable depth. SNH also sought clarity on the timeframes for the future tranches of the entire Development. SNH welcomed the proposed As-Built Survey to confirm that the cable is laid correctly.
- 2.3 MCA advised that the mooring arrangements should be carried out in accordance with the ‘Regulatory Expectations on Moorings for Floating Wind and Marine Devices’ guidance. In addition, MCA advised that the reference to the marine guidance note should be amended to refer to the current version. The Company amended the CMS in light of MCA’s comments.
- 2.4 NLB, MOD, SEPA and SFF made no substantive comments on the CMS. No response was received from WDC.

3 Reasons and Considerations on which this decision is based

- 3.1 An amended CMS was submitted to the Scottish Ministers by the Company on 7th May 2018.
- 3.2 The information contained in the Company’s CMS is within the parameters of what has already been assessed within the Environmental Statement (“ES”), the Environmental Statement Additional Information Addendum (“ES Addendum”) and the Variation Environmental Statement (“Variation ES”) submitted in respect of the current s.36 consent.

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 there will be no new significant effects on the environment as a result of the approval of the CMS.
- 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 amended CMS as submitted on 7th May 2018 to the extent that it relates to the works relative to the installation of the 2 MW WTG and grant multi-stage consent in relation thereto.
- 5.2 In the event that the Company wishes to update or amend the CMS in relation to the 2 MW WTG, 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 An updated CMS must be submitted to the Scottish Ministers for their written approval prior to the commencement of works relative to future tranches of the entire Development. In respect of such approval, if granted, and if appropriate a further Decision Notice will be issued.
- 5.4 Unless otherwise agreed, in writing by the Scottish Ministers, the works must be constructed and operated in accordance with the CMS.
- 5.5 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government's website:
<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Kincardine>
- 5.6 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

Marine Scotland
Marine Planning and Policy
Licensing Operations Team
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Aberdeen
AB11 9DB
1st June 2018