

Moray Offshore Windfarm (West) Limited  
C/O Shepherd and Wedderburn LLP  
Octagon Point  
5 Cheapside  
London  
EC2V 6AA

13 December 2022

Dear

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)  
(SCOTLAND) REGULATIONS 2017**

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

**MARINE (SCOTLAND) ACT 2010**

**MARINE AND COASTAL ACCESS ACT 2009**

**THE ELECTRICITY ACT 1989**

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

**CONSTRUCTION AND OPERATION OF THE MORAY WEST OFFSHORE WIND  
FARM AND ASSOCIATED OFFSHORE TRANSMISSION INFRASTRUCTURE,  
APPROXIMATELY 22.5KM SOUTHEAST FROM THE CAITHNESS COASTLINE**

## **1. Description of the Application**

- 1.1 On 14 June 2019 the Scottish Ministers granted in favour of Moray Offshore Windfarm (West) Limited (Company Number 10515140), having its registered office at Shepherd and Wedderburn LLP Octagon Point, 5 Cheapside, London, England, EC2V 6AA, (“the Company”), consent under section 36

("the s.36 consent") of the Electricity Act 1989 for the construction and operation of the Moray West Offshore Wind Farm. Subsequently the s.36 consent was varied by the Scottish Ministers on 7 March 2022. Condition 27 of the s.36 consent requires the Company to submit a Fisheries Management and Mitigation Strategy ("FMMS") for approval by the Scottish Ministers, prior to commencing works.

- 1.2 On 14 June 2019 the Scottish Ministers, granted in favour of the Company a marine licence under part 4 of the Marine and Coastal Access Act 2009 for the construction of the generating station relative to the above works. This marine licence was subsequently varied by the Scottish Ministers on 11 April 2022 ("the GS marine licence"). Condition 3.2.2.21 of the GS marine licence requires the Company to submit a FMMS for approval by the Scottish Ministers prior to commencing the above works
- 1.3 On 14 June 2019 the Scottish Ministers also granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 and the Marine and Coastal Access Act 2009 for the construction of the offshore transmission infrastructure, relative to the above works. This marine licence was subsequently varied by the Scottish Ministers on 11 April 2022 ("the OfTI marine licence").
- 1.4 On 26 May 2022 the Company submitted to the Scottish Ministers the FMMS for approval and applied for multi-stage regulatory approval and consent in relation thereto in accordance with condition 27 of the s.36 consent, condition 3.2.2.21 of the GS marine licence and condition 3.2.2.20 of the OfTI marine licence.

## **2. Reasons and Considerations on which this decision is based**

- 2.1 Following consultation with the Scottish Fishermen's Federation an amended FMMS was submitted to the Scottish Ministers by the Company on 24 November 2022.
- 2.2 The information contained with the FMMS is within the parameters of what has already been assessed within the Environmental Impact Assessment Report and additional information submitted in respect of the s.36 consent, GS marine licence and the OfTI marine licence.
- 2.3 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.

## **3. Determination and Terms of Decision**

- 3.1 The Scottish Ministers, hereby approve the FMMS as submitted on 24 November 2022 and grant multi-stage regulatory approval and consent in relation thereto
- 3.2 In the event that the Company wishes to update or amend the FMMS, 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
- 3.3 Unless otherwise agreed, in writing by the Scottish Ministers, all works must proceed in accordance with the FMMS.
- 3.4 This Decision Notice has been published on the Scottish Government's website: <https://marine.gov.scot/ml/moray-west-offshore-windfarm>
- 3.5 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

Marine Scotland  
Marine Planning and Policy  
Licensing Operations Team  
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