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

20 December 2022

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**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 SOUTH EAST FROM THE CAITHNESS COAST**

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 previously at Condor House, 10 St Paul's Churchyard, London and now at Shepherd and Wedderburn LLP Octagon Point, 5 Cheapside, London, EC2V 6AA, ("the Company"), consent under section 36 ("s.36") 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 3 of the s.36 consent requires the Company to submit a decommissioning programme for approval by the Scottish Ministers, prior to commencing above 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 3.2.1.3 of the GS marine licence requires the Company to submit a decommissioning programme 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 (“OfTI”), relative to the above works. This marine licence was subsequently varied by the Scottish Ministers on 11 April 2022 (“the OfTI marine licence”). Condition 3.2.1.3 of the OfTI marine licence requires the Company to submit a decommissioning programme for approval by the Scottish Ministers prior to commencing the above works.
- 1.4 On 26 November 2021 the Company submitted to the Scottish Ministers the Decommissioning Programme and applied for multi-stage regulatory approval and consent in relation thereto in accordance with condition 3 of the s.36 consent condition 3.2.1.3 of the GS marine licence and condition 3.2.1.3 of the OfTI marine licence.

2. Reasons and Considerations on which this decision is based

- 2.1 Following consultation with Crown Estate Scotland an amended decommissioning programme was submitted to the Scottish Ministers by the Company on 11 November 2022.
- 2.2 The environmental impacts of the works to be undertaken during decommissioning activities, which are described within the decommissioning programme, are within the parameters of those already assessed in the Environmental Impact Assessment Report.
- 2.3 The Company was not required to submit additional information under regulation 25 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 or regulation 27 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the application for multi-stage consent and regulatory approval.

3. Determination and Terms of Decision

- 3.1 Approval of the decommissioning programme has already been granted by the Scottish Ministers under section 106 of the Energy Act 2004, the primary regulatory mechanism for decommissioning on 19 December 2022.
- 3.2 For the purposes of condition 3.2.1.3 of the GS marine licence, condition 3.2.1.3 of the OfTI marine licence and condition 3 of the s.36 consent, the Scottish Ministers grant multi-stage consent and regulatory approval in relation to the Decommissioning Programme submitted on 11 November 2022.

- 3.3 This Decision Notice does not permit any works to be undertaken in accordance with the Decommissioning Programme.
- 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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20 December 2022