



Mr Ruaridh Danaher
Moray Offshore Windfarm (East) Limited
C/O Shepherd And Wedderburn LLP
Condor House
10 St Paul's Churchyard
London
EC4M 8AL

30 September 2021

Dear Mr Danaher,

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

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

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

**FOR THE CONSTRUCTION AND OPERATION OF MORAY EAST OFFSHORE WINDFARM
OFFSHORE TRANSMISSION INFRASTRUCTURE IN THE OUTER MORAY FIRTH**

1. Description of the Application

1.1. On 25 September 2014 the Scottish Ministers granted in favour of Moray Offshore Windfarm (East) Limited (Company Number 07101438), previously known as Moray Offshore Renewables Limited and having its registered office at C/O Shepherd And Wedderburn Llp, Condor House, 5-10 St. Paul's Churchyard, London, EC4M 8AL ("the Company") a marine licence under part 4 of the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009 for the Modified Offshore Transmission Infrastructure associated with the Moray East Offshore Windfarm. This marine licence was subsequently varied by the Scottish Ministers on 19 July 2019 and again on 15 December 2020 ("the OfTI marine licence"). Condition 3.2.3.2 of the OfTI marine licence requires the Company to submit an Operations and Maintenance Programme ("OMP"), for approval by the Scottish Ministers, prior to commissioning of the first Offshore Substation Platform ("OSP").

1.2. On 1 August 2017 the Scottish Ministers granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009 for the Modified Offshore Transmission Infrastructure associated with the Moray East Offshore Windfarm. This marine licence was subsequently varied by the Scottish Ministers on 19 July 2019 and again on 15 December 2020 ("the OfTI marine licence"). Condition 3.2.3.2 of the OfTI marine licence requires the Company to submit an Operations and Maintenance Programme ("OMP"), for approval by the Scottish Ministers, prior to commissioning of the first Offshore Substation Platform ("OSP").

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www.gov.scot/Topics/marine/Licensing/marine

Act 2009 for the construction of up to two additional OSPs. This marine licence was subsequently varied by the Scottish Ministers on 14 September 2017 and again on 19 July 2019 (“the OSP marine licence”). Condition 3.2.3.1 of the OSP marine licence requires the Company to submit an Operation and Maintenance Plan (otherwise referred to as an OMP) for approval by the Scottish Ministers, prior to the commissioning of the first OSP.

- 1.3. On 15 January 2021 the Company submitted to the Scottish Ministers an OMP for approval and applied for multi-stage regulatory approval in accordance with condition 3.2.3.2 of the OfTI marine licence and condition 3.2.3.1 of the OSP marine licence.

2 Reasons and Considerations on which this decision is based

- 2.1 The Marine Licensing Operations Team consulted with NatureScot, the Maritime and Coastguard Agency, the Northern Lighthouse Board, Scottish Environment Protection Agency (“SEPA”), the Royal Society for the Protection of Birds, Aberdeenshire Council, The Highland Council and Moray Council. No response to the consultation was received from SEPA or Moray Council. Following consultation, an amended OMP was submitted to the Scottish Ministers by the Company on 7 June 2021.
- 2.2 The information contained in the OMP is within the parameters of what has already been assessed within the Environmental Statement (“ES”) submitted in respect of the OfTI marine licence and additional information submitted in respect of the OfTI marine licence and the OSP marine licence.
- 2.3 The Company was not required to submit additional information under regulation 27 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the application for multi-stage regulatory approval.

3 Determination and Terms of Decision

- 3.1 The Scottish Ministers, hereby approve the OMP as submitted on 7 June 2021 and grant multi-stage regulatory approval in relation thereto.
- 3.2 In the event that the Company wishes to update or amend the OMP, 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 OMP.
- 3.4 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government’s website: <https://marine.gov.scot/ml/moray-east-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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