



Our Ref: APP/2012/2892  
Your Ref:

Ask for: Stuart Murison  
Direct Dial: 01467-537696  
Email: stuart.murison@aberdeenshire.gov.uk

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

9 April 2019

Dear Madam,

**ELECTRICITY ACT 1989 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017; MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended), The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)**

**Proposal: Discharge conditions 9 and 10 of Moray East's Section 36 consents (as varied) awarded to Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited on the 19 March 2014 (varied on 22 March 2018), conditions 3.2.2.3 and 3.2.2.4 of the OfTI Marine Licence (licence number: 05340/14/0) and conditions 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence (licence number: 06347/17/1).**

**Address: Moray East Offshore Wind Farm, Moray Firth**

Thank you for your consultation on the above, received on 4 April 2019. This response is provided further to our previous response on these conditions provided on 27 July 2018 and takes cognisance of the updated information within the submissions from that point.

Having reviewed the submitted Construction Programme (CoP) and Construction Method Statement (CMS) documents, as revised, I can confirm the following with regard to each.

CoP: The revisions to dates and timings of construction works compared to the previous submission are noted. Notwithstanding the revisions to dates however, the information provided is still considered to meet the requirements of the condition itself, which I can confirm is considered to be fit for purpose and appropriate in terms of addressing Aberdeenshire Council's interests.



CMS: The coverage of the required good working practices and delivery of required mitigation remains to be detailed and robust and again is considered to address the requirements of the condition and is therefore considered to be fit for purpose and appropriate in the circumstances.

I trust the above response has addressed your enquiry. In the event that you wish to discuss any matters relating to this issue please contact the case officer on the number at the head of this letter.

Yours faithfully



**Head of Planning and Building Standards**

Redacted

)

**From:** Redacted

**Sent:** Redacted

**Subject:** tion on revised Construction Programme and Construction Method Statement - by 18/04/2019

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Redacted

Thank you very much for the opportunity to comment on the revised Construction Programme and Method Statement. We have considered the revised document and have the following observations to make:

- 1) We see that (although not shown in a track change), our previous comment has been incorporated stating ...”should include that all contractors and subcontractors will comply with all relevant maritime safety related legislation regarding vessel certification, manning and safety requirements, and any required survey, certification and inspection arrangements should be discussed and agreed with the relevant MCA Marine Office in advance of works commencing”.
- 2) Although not a change required in the document, our previous comment on Section 3.7 still applies. One of the bullet points states ‘A number of bathymetry, geotechnical, geophysical and UXO surveys will have been undertaken by Moray East by the time the construction starts. The GIS data obtained from those surveys shall be integrated in the marine co-ordination system’. If it has not been done so already, the Hydrographic Survey data should be submitted to MCA as per MGN 543.
- 3) The document does make reference to the Emergency Response Cooperation Plan (ERCOP). It should be noted that the ERCoP must be reviewed and updated in consultation with MCA.

We do also have a couple of further observations:

- 4) Although it is not currently listed as a good working practice to minimise the effect on other sea users (p74), we note that guard vessels are proposed during construction, which we would consider this good practice. The establishment of safety zones during construction is listed and these are only effective if there are monitoring arrangements in place i.e. a guard vessel.

- 5) Section 5.2.3 UXO strategy – this focuses on the impact of flora, fauna and cetaceans. How will impacts to other marine users be addressed?
- 6) Reference to ‘Alerts for guard zones and geofences’ (p24). Do we mean safety zones here?

Many thanks

Redac  
and

Redacted

Please note I currently work Tuesdays, Wednesdays and Thursdays.

---

**From:** Redacted  
**Sent:**  
**To:** Redacted

n on revised Construction Programme and Construction Method Statement - by 18/04/2019

**ELECTRICITY ACT 1989**

*The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017*

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

*The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)*

*The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)*

Dear Sir/Madam,

Moray Offshore Windfarm (East) Limited (“Moray East”), on behalf of Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited, having received consent under the above legislation in order to discharge conditions of their Section 36 consents (as varied) and the Offshore Transmission Infrastructure (“OfTI”) Marine Licence and Offshore Substation Platform (“OSP”) Marine Licence, have submitted to MS-LOT a revision to the post-consent Construction Programme (CoP) and Construction Method Statement (CMS).

Please find enclosed the proposed revision of the CoP and CMS. For ease of reviewing a tracked changes version has also been submitted. The purpose of the CoP and CMS is to satisfy the requirements of conditions 9 and 10 of Moray East’s Section 36 consents (as varied) awarded to Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited on the 19 March 2014 (varied on 22 March 2018), conditions 3.2.2.3 and 3.2.2.4 of the OfTI Marine Licence (licence number: 05340/14/0) and condition 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence (licence number: 06347/17/1).

The Decision Letter and Conditions, as well as other relevant documents, can be found on our website, following the link below:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Moray3>

The conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with Scottish Natural Heritage (“SNH”), Scottish Environment Protection Agency (“SEPA”), the Northern Lighthouse Board (“NLB”), the Maritime and Coastguard Agency (“MCA”), Royal Society for the Protection of Birds (“RSPB”) Scotland, Aberdeenshire Council, the Highland Council and Moray Council, and any such other advisors as may be required at the discretion of the Scottish Ministers. Any updates or amendments made to the CoP and CMS by the Company must be submitted, in writing, by the Company to the Scottish Ministers for their written approval.

We would appreciate any comments you may have on the proposed revision to the CoP and CMS, in order to determine whether it is fit for purpose for the Scottish Ministers to give it their written approval. Please note that we do not seek comments on the Consent, the Marine Licence nor on the conditions, which will not be amended.

If you wish to submit any comments, please send to [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot) before the **18 April 2019**. If you are unable to meet this deadline please contact MS-LOT on receipt of this email.

Yours Faithfully

Redacted

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a’ toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma ’s e is gun d’fhuair sibh seo gun fhiosd’, bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil.

Dh’fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh’fhaodadh nach eil beachdan anns a’ phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

---

This email has been scanned by the BT Assure MessageScan service  
The service is delivered in partnership with Symantec.cloud

For more information please visit <http://www.globalservices.bt.com>

=====

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

Redacted

---

**From:** Redacted  
**Sent:** Redacted  
Redacted  
**Subject:** E Consultation on revised Construction Programme and Construction Method Statement - by 18/04/2019  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Redacted,

Thank you for the consultation below. We provided comments on an earlier version of the CoP and CMS on the 8<sup>th</sup> August 2018. We have no further comments on this latest version.

Kind regards

Redacted

Redacted

---

**From:** Redacted  
**Sen**  
Redacted

ion on revised Construction Programme and Construction Method Statement - by 18/04/2019

## **ELECTRICITY ACT 1989**

*The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017*

## **MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4 MARINE LICENSING**

*The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)*

*The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)*

Dear Sir/Madam,

Moray Offshore Windfarm (East) Limited (“Moray East”), on behalf of Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited, having received consent under the above legislation in order to discharge conditions of their Section 36 consents (as varied) and the Offshore Transmission Infrastructure (“OfTI”) Marine Licence and Offshore Substation Platform (“OSP”) Marine Licence, have submitted to MS-LOT a revision to the post-consent Construction Programme (CoP) and Construction Method Statement (CMS).

Please find enclosed the proposed revision of the CoP and CMS. For ease of reviewing a tracked changes version has also been submitted. The purpose of the CoP and CMS is to satisfy the requirements of conditions 9 and 10 of Moray East’s Section 36 consents (as varied) awarded to Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited on the 19 March 2014 (varied on 22 March 2018), conditions 3.2.2.3 and 3.2.2.4 of the OfTI Marine Licence (licence number: 05340/14/0) and condition 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence (licence number: 06347/17/1).

The Decision Letter and Conditions, as well as other relevant documents, can be found on our website, following the link below:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Moray3>

The conditions state that the plan is to be submitted to the Scottish Ministers for their written approval, following consultation with Scottish Natural Heritage (“SNH”), Scottish Environment Protection Agency (“SEPA”), the Northern Lighthouse Board (“NLB”), the Maritime and Coastguard Agency (“MCA”), Royal Society for the Protection of Birds (“RSPB”) Scotland, Aberdeenshire Council, the Highland Council and Moray Council, and any such other advisors as may be required at the discretion of the Scottish Ministers. Any updates or amendments made to the CoP and CMS by the Company must be submitted, in writing, by the Company to the Scottish Ministers for their written approval.

We would appreciate any comments you may have on the proposed revision to the CoP and CMS, in order to determine whether it is fit for purpose for the Scottish Ministers to give it their written approval. Please note that we do not seek comments on the Consent, the Marine Licence nor on the conditions, which will not be amended.

If you wish to submit any comments, please send to [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot) before the **18 April 2019**. If you are unable to meet this deadline please contact MS-LOT on receipt of this email.

Yours Faithfully



\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

\*\*\*\*\*

This email has been received from an external party and has been swept for the presence of computer viruses.

\*\*\*\*\*

--

\*\*\*\*\*

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager or the sender.

Please note that for business purposes, outgoing and incoming emails from and to SNH may be monitored.

Tha am post-dealain seo agus fiosrachadh sam bith na chois dìomhair agus airson an neach no buidheann ainmichte a-mhàin. Mas e gun d' fhuair sibh am post-dealain seo le mearachd, cuiribh fios dhan manaidsèar-siostaim no neach-sgrìobhaidh.

Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a-mach bho SNH.

\*\*\*\*\*

9 August 2018

Redacted

Marine Scotland  
Marine Laboratory  
PO Box101  
375 Victoria Road  
Aberdeen  
AB11 9DB

By email only to: MS.MarineRenewables@gov.scot

Dear Redacted

## Electricity Act 1989

### Marine (Scotland) Act 2010

**Conditions 9 and 10 of the Section 36 consents (as varied) awarded to Telford Windfarm Limited, Stevenson Windfarm Limited and MacColl Windfarm Limited and conditions 3.2.2.6 and 3.2.2.4 of the OfTI Marine Licence (licence number: 05340/14/0) and conditions 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence (licence number: 06347/17/1). - Construction Programme and Construction Method Moray Offshore Windfarm (East)**

Thank you for your consultation email which SEPA received on 12 July 2018 specifically asking for comments on the attached Construction Programme (CoP) and Construction Method Statement (CMS) Document (July 2018, Moray Offshore Windfarm (East) Limited) in order to determine whether it is fit for purpose for the Scottish Ministers to give it their written approval. The CoP and CMS have been prepared to satisfy conditions 9 and 10 of the Section 36 consents and conditions 3.2.2.6 and 3.2.2.4 of the OfTI Marine Licence and conditions 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence. In summary the Construction Programme (CoP) sets out the intended construction programme for the windfarm development and the Construction Method Statement (CMS) highlights procedures and good working practices to safeguard the environment.

## Advice for Marine Scotland

### 1. Marine licence

- 1.1 The CMS proposals seem adequate regarding the landfall elements (the HDD installation from landward to sea) insofar as SEPA's remit is concerned but we have provided further advice which the CoP and CMS should address below. We will also add that where the development connects to shore, from an ecological point of view SNH takes the lead on biodiversity and geomorphology issues and should provide you with advice on these matters.

- 1.2 With regards to issue of sea bed preparations as discussed in section 5.2.2 - 'Clearance of Seabed Debris: Pre-lay Grapnel Run', any waste recovered to the surface and taken onshore for disposal must be taken to a suitably licensed facility for disposal/recycling for that waste type. Waste must only be transported by a registered waste carrier. Preference should always be to recover waste, particularly fishing nets which can contain large amounts of plastic, for disposal onshore.

## **Regulatory advice for the applicant**

### **2. Regulatory requirements**

- 2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: Shaw House, Mid Street, Fraserburgh, AB43 9JN, Tel: 01346 510502.

If you have any queries relating to this letter, please contact me by telephone on **Redacted** or e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk)

Yours sincerely

**Redacted**

#### *Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*

# Northern Lighthouse Board

**CAPTAIN PHILLIP DAY**  
**DIRECTOR OF MARINE OPERATIONS**

Your Ref: Moray East – Revised CoPMS  
Our Ref: AL/OPS/ML/O6\_01\_565

84 George Street  
Edinburgh EH2 3DA  
Switchboard: 0131 473 3100  
Fax: 0131 220 2093  
Website: [www.nlb.org.uk](http://www.nlb.org.uk)  
Email: [enquiries@nlb.org.uk](mailto:enquiries@nlb.org.uk)



Redacted

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

5 April 2019

Dear Redacted

**ELECTRICITY ACT 1989, MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009**

**MORAY OFFSHORE WINDFARM (EAST) LIMITED – REVISED CONSTRUCTION PROGRAMME AND CONSTRUCTION METHOD STATEMENT DOCUMENT**

Thank you for your e-mail correspondence dated 4 April 2019 requesting comments on the revised Construction Programme and Construction Method Statement submitted by **Moray Offshore Windfarm (East) Limited** to satisfy the requirements of their Section 36 Consent Conditions.

Northern Lighthouse Board has no objections to the revised construction programme and construction method statement, and notes the following:

- The Lighting and Marking Plan submitted by Moray Offshore Windfarm (East) Ltd, and referenced in this document, covers all phases of construction and operation, and has previously received the approval of Northern Lighthouse Board.
- Provision has already been made for the promulgation of Notices to Mariners and Navigation Warnings, through the UK Hydrographic Office, local harbour authorities and industry publications.
- Information will be communicated to UKHO with regard to relevant updates of British Admiralty charts.

We are content that the submitted documentation meets with such requirements of conditions 9 & 10 of Moray Offshore Windfarm (East) Limited's Section 36 Consent, conditions 3.2.2.6 and 3.2.2.4 of the OfTI Marine Licence, and conditions 3.2.2.3 and 3.2.2.4 of the OSP Marine Licence, which are of relevance to the Northern Lighthouse Board.

Please advise if we can be of any further assistance, or you require clarification of any of the above.

P. 2

**For the safety of all**

Certified to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS 18001

MS-LOT  
5 April 2019

Yours sincerely

