

Redacted

From: Redacted
Sent: 30 January 2019 15:31
To: MS Marine Renewables
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited
Attachments: 1800274S36 AC Response to Consultation.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

In response to the consultation the requested variations are minor and our comments in relation to the previous scheme remain and the proposed variation does not alter our position. I have attached a copy of my Council's response to the previous application. Therefore my Council has no specific comments to make on this consultation.

Yours sincerely

Redacted

Redacted



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Your Ref:
Our Ref: 18/00274/S36

16 August 2018

Redacted

Marine Scotland

By email to: MS.MarineRenewables@gov.scot



PLACE
Redacted

Dear Redacted

The Electricity Act 1989

The Electricity Generating Stations (Applications for Variation of Consent) (Scotland) Regulations 2013

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

Application for Consent Under Section 36 of The Electricity Act 1989 (As Amended) and Marine Licence Under Part 4 of The Marine (Scotland) Act 2010 to Construct and Operate Neart Na Gaoithe Offshore Windfarm (Revised Design), 15.5 Km East off Fife Ness

I write in response to your email of 10 April 2018 in respect the above noted application, requesting comments from Angus Council as a consultee.

Appendix 1 to this letter forms Angus Council's formal response to the consultation.

I trust that the above/enclosed are in order. Should you have any queries, however, please do not hesitate to contact my colleague Redacted or e-mail Redacted. We look forward to hearing of progress with the application/consent in due course.

Yours sincerely

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Appendix 1: Angus Council Response to Consultation

Angus Council has previously provided responses for the original application and a variation to the consented project. The parameters of the consented and the project now proposed are:

Parameter	The Consented Project	The Proposed Project
Maximum Turbine Generating Capacity	450MW	450MW
Total Number of Turbines	75	54
Maximum Turbine Hub Height	115m above LAT	126m above LAT
Maximum Turbine Height	197m above LAT	208m above LAT
Maximum Rotor Diameter	154m	167m
Maximum Turbine Platform Height	21m	21m

As previously identified the proposed development will give rise to some potentially significant impacts on Angus Council's administrative area. The assessment for the purposes of the current consultation will focus on any changes arising from the proposed variations to the scheme for the material considerations identified by Angus Council in the original consultation, which are:

1. Seascape, Landscape and Visual Impacts;
2. Cumulative Seascape, Landscape and Visual impacts
3. Impact on Cultural Heritage.

Seascape, Landscape and Visual Impacts

Chapter 14 of the Environmental Impact Assessment Report assesses Seascape, Landscape and Visual Impacts (including cumulative effects). This undertakes an assessment of the 'worst case' design scenario and considers the effects of installing 54 turbines with a hub height of 126m above LAT, a maximum blade tip height of 208m above LAT and a maximum rotor diameter of 167m. It is considered that this assessment captures the potential effects associated with the proposed turbine specification sought when compared to the consented project, and the associated impact, would not be any greater than that predicted in the EIA Report.

Whilst the development proposes to reduce overall number of turbines the respective increase in tip height and rotor diameter will invariably make the individual turbines more visible. It is considered that there would be significant impacts upon landscape and seascape character however these are not considered to be unacceptable. In relation to visual impacts notwithstanding the separation distances from Angus to the proposed development the turbines will result in a significant visual impact. Notwithstanding this, the findings of the ES are considered to be accurate; the visual impact on Angus is not considered to be unacceptable.

This Authority previously highlighted concerns in its consultation to the original proposal regarding the lighting of the windfarm for both shipping navigation and aviation. It is evident that this matter has been assessed in greater detail in the EIA

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Report although it is highlighted that there are limitations to this assessment. The night time viewpoints confirm that the lighting would be viewed in close association and at a similar height to the light on the Bell Rock Lighthouse. Such a scenario would result in significant impacts on the setting of the lighthouse. It is evident from the visualisations that lighting both aviation and navigation would have significant night seascape impacts. Further consideration requires to be given to this matter in order to ensure an appropriate technical solution is identified and if this is the case the associated effects would be unlikely to be unacceptable.

Cumulative Seascape, Landscape and Visual Impacts

In relation to cumulative impacts the EIA Report at Chapter 14 identifies the 'worst case' design scenario for the other offshore windfarm developments as those presented in the Scoping Reports submitted to Marine Scotland for the respective developments which assume a smaller number of larger turbines. Such an approach to the cumulative assessment appears logical as it seems unlikely the consented projects will now be constructed.

Our concerns in relation to cumulative impacts remain as previously expressed in our consultation to the original proposal. We would stress that a key cumulative consideration is the relative height and design of the three different off-shore windfarm developments. A level of consistency is important to prevent the collective view becoming visually inconsistent or distorting seascape perspective by for example having turbines of noticeably different sizes within the same view. The proposal for Neart Na Gaoithe proposes the use of 208m high turbines (blade tip). Despite their distance from Angus, their size gives rise to significant visual impacts. Although this proposal is not unacceptable, the replicating of turbines of this size or at a greater size much closer to Angus and the Bell Rock Lighthouse as part of future applications may not be considered acceptable and design options available may become limited if this application is approved at 208m. It is also considered that overly broad "Rochdale Envelopes" could lead to significant differences in size and proportion of turbines between different developments or within individual developments.

It is also relevant for consideration to be given to the cumulative impacts associated with the lighting of the proposed developments. The presence of three developments will result in them being viewed alongside or in front of each other typically extending the extent of horizon effected by aviation lighting. There will also be lights in front of lights along some parts of the horizon which will significantly increase night time impacts of the developments. The lighting will likely be visible in prominent views from long distances across Angus with navigation lighting likely to be visible from higher ground which will further increase the cumulative impacts of the developments. The Bell Rock Lighthouse would be typically viewed within the same part of the horizon which would contain the turbine lighting which would significantly erode the presence of this landmark in the seascape. Further consideration requires to be given to the lighting of the developments in order to ensure a consistent lighting solution is identified and to identify methods to mitigate adverse impacts.

Impact on Cultural Heritage

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Chapter 13 of the EIA Report assesses the potential impacts on cultural heritage interests resulting from the construction and operation of the wind farm in a worst case scenario. Historic Environment Scotland notes the presence of nationally important designated cultural heritage assets within the vicinity of the development – such as Bell Rock Lighthouse and Ladyloan Signal Tower, Arbroath. They are content that the impact does not raise issues of national significance. However, we consider that this impact is likely to be higher than the 'minor' value assigned to it for both setting impacts and cumulative impacts.

Angus Council has previously expressed its concerns regarding the impact of the development on the Bell Rock Lighthouse and would concur with the assessment of Historic Environment Scotland but would highlight that the EIA Report does still have limitations in terms of assessing impacts of aviation and navigation lighting on the setting of the asset.

Conclusion

It is concluded that the impacts of the proposed Nearth Na Gaoithe offshore wind farm, in terms of material considerations relevant to Angus Council administrative area, do not raise any new or significant issues. The comments provided previously by Angus Council on the original Section 36 application and subsequent variation still, to some extent, remain relevant. Angus Council does not object to this application.

Redacted

From: Redacted
Sent: 15 February 2019 15:32
To: Redacted
Subject: 19/00082/CON 36 Consent - Consultation - Application to Vary Section 36
Consent Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted,

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS
2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART
NA
GAOITHE OFFSHORE WIND LIMITED**

I refer to the above and, having consulted with local Elected Members and colleagues, I can confirm that Fife Council has no comment to make on this variation application.

Kind regards,

Redacted

Redacted

Redacted

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

Our Ref: CONS/GOV/2019 NNG Variation
Your Ref: None given

Date: 03/04/2019

Redacted

Via email to Redacted

Redacted

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (AS AMENDED)
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2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS
AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED**

I refer to your email of 27 March 2019. This letter should be read in conjunction with the Council's response dated 23 January 2019.

The Council objected to this application unless it was consulted over the Lighting and Marking Plan as regards the elements removed from the Section 36 consent. The Council noted it also would prefer to be consulted over the Design Specification and Layout Plan (DSLSP) and the Operation and Maintenance Programme (OMP). The Council did not object otherwise, provided SNH are content that any adverse effects on the integrity of a Natura 2000 sites within or adjacent to East Lothian, or where the qualifying interests visit the East Lothian or the coast off East Lothian, are no worse than the currently consented scheme.

In your email you state that conditions will be placed on the marine licence to cover the elements which are to be removed from the Section 36 consent, and that in particular this will include the Offshore Transmission Infrastructure Lighting Management Plan. East Lothian will be a consultee on this plan as well as the DSLSP and OMP.

The Council is content with this and on this basis withdraws the objection it made on the grounds of its consultation on the Lighting and Marking Plan. The Council appreciates being made a consultee on the DSLSP and OMP.

Redacted

Yours sincerely,
Redacted

Our Ref: CONS/GOV/2019 NNG Variation
Your Ref: None given

Date: 23/01//2019

Redacted

Redacted

Via email to MS.MarineRenewables@gov.scot

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS
2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
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AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED**

I refer to your email of 10 January 2019 seeking our inviting representations on the above.

The application seeks

1. Removal of reference to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from conditions 12 and 22 of Annex 2;
2. Amendment of minimum blade tip clearance from 35 to 36m (measured from LAT) and
3. Amendment of blade width in Annex 2 from 4.5m to 5.5m.

As regards (1) above: the Council notes that if the offshore substation platforms, interconnector cables and export cables are removed from consent, then the conditions of the Section 36 consent which apply to those elements will no longer apply. The Council notes that the Marine Licence does not appear to contain a condition requiring consultation of East Lothian Council on the layout plan, which would include the location of the substation platforms. This could potentially be of interest to the Council, especially if they are to be lit. It appears the Council would also not be consulted on the Operation and Maintenance Programme as regards these elements (condition 16 of the Section 36 consent). As activities are in some cases immediately offshore or even on the East Lothian Coast, the Council would prefer to be consulted. The Council is not certain if any elements of (1) above are relevant to the Fisheries Management Strategy (Section 36 condition 25) the Construction Traffic Management Plan (Condition 29) but if so this should also be considered as it does not appear to be included in the Marine Licence conditions.

Our main concern is however Condition 20 of the Section 36 consent which concerns the Lighting and Marking Plan, on which the Council is to be consulted. This is not replicated in the Marine Licence conditions. Although there is reference in the Marine Licence to a Lighting and Marking Plan, there is no mention of consultation of the Council on this. The Council is concerned to keep visibility of lighting from East Lothian of the project as a whole to the minimum required, and would therefore request consultation over the lighting of the parts of the project removed from the Section 36 consent.

As regards (2) and (3) above, the Council notes that it is not expected that at the distance East Lothian is from the project, that the difference in blade width will be perceptible, and that this is within the parameters assessed through EIA. The Council does not therefore anticipate any noticeable additional effects on landscape or seascape from this change.

The Council values its birdlife, including that of the Firth of Forth SPA, the Forth Islands SPA, and that of the Outer Firth of Forth and St Andrews Bay Complex proposed marine SPA. The Council does not support development that would have an adverse impact on the integrity of European sites within East Lothian, or involving such an effect on qualifying interest species of sites outwith East Lothian that visit East Lothian or its coast. Scottish Natural Heritage have expertise in this area. Provided that SNH do not consider that if there is an adverse effect on the integrity of any such Natura 2000 site or species either of this scheme alone, cumulatively or in-combination, that this is no worse than the currently consented scheme, the Council does not object on this ground.

Conclusion

The Council therefore **objects** to (1) above unless conditions can be added to the Marine Licence or through other means to ensure that the Council is consulted over the Lighting and Marking Plan as regards the elements removed.

The Council would also prefer to be consulted over the layout plan and the Operation and Maintenance Programme. The Council does not object to (2) or (3) provided SNH are content that any adverse effects on the integrity of a Natura 2000 sites within or adjacent to East Lothian, or where the qualifying interests visit the East Lothian or the coast off East Lothian, are no worse than the currently consented scheme.

Redacted

Yours sincerely,

Redacted

Redacted

From: Redacted
Sent: 14 January 2019 11:54
To: MS Marine Renewables
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

fao Redacted

Thank you for your invitation to responds to the above consultation. We have no comments to make and will place the documents on Part 1 of the Planning Register as requested.

Regards

Reda

Redacted

Redacted

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Your Ref:
Our Ref: 18/00274/S36

16 August 2018

Redacted



PLACE
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Dear Redacted

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Conclusion

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Sent: 14 January 2019 11:54
To: MS Marine Renewables
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

fao Redacted

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Regards

Reda

Redacted

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Our Ref: CONS/GOV/2019 NNG Variation
Your Ref: None given

Date: 23/01//2019

Redacted

Via email to MS.MarineRenewables@gov.scot

Dear Sir/Madam,

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The application seeks

1. Removal of reference to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from conditions 12 and 22 of Annex 2;
2. Amendment of minimum blade tip clearance from 35 to 36m (measured from LAT) and
3. Amendment of blade width in Annex 2 from 4.5m to 5.5m.

As regards (1) above: the Council notes that if the offshore substation platforms, interconnector cables and export cables are removed from consent, then the conditions of the Section 36 consent which apply to those elements will no longer apply. The Council notes that the Marine Licence does not appear to contain a condition requiring consultation of East Lothian Council on the layout plan, which would include the location of the substation platforms. This could potentially be of interest to the Council, especially if they are to be lit. It appears the Council would also not be consulted on the Operation and Maintenance Programme as regards these elements (condition 16 of the Section 36 consent). As activities are in some cases immediately offshore or even on the East Lothian Coast, the Council would prefer to be consulted. The Council is not certain if any elements of (1) above are relevant to the Fisheries Management Strategy (Section 36 condition 25) the Construction Traffic Management Plan (Condition 29) but if so this should also be considered as it does not appear to be included in the Marine Licence conditions.

Our main concern is however Condition 20 of the Section 36 consent which concerns the Lighting and Marking Plan, on which the Council is to be consulted. This is not replicated in the Marine Licence conditions. Although there is reference in the Marine Licence to a Lighting and Marking Plan, there is no mention of consultation of the Council on this. The Council is concerned to keep visibility of lighting from East Lothian of the project as a whole to the minimum required, and would therefore request consultation over the lighting of the parts of the project removed from the Section 36 consent.

As regards (2) and (3) above, the Council notes that it is not expected that at the distance East Lothian is from the project, that the difference in blade width will be perceptible, and that this is within the parameters assessed through EIA. The Council does not therefore anticipate any noticeable additional effects on landscape or seascape from this change.

The Council values its birdlife, including that of the Firth of Forth SPA, the Forth Islands SPA, and that of the Outer Firth of Forth and St Andrews Bay Complex proposed marine SPA. The Council does not support development that would have an adverse impact on the integrity of European sites within East Lothian, or involving such an effect on qualifying interest species of sites outwith East Lothian that visit East Lothian or its coast. Scottish Natural Heritage have expertise in this area. Provided that SNH do not consider that if there is an adverse effect on the integrity of any such Natura 2000 site or species either of this scheme alone, cumulatively or in-combination, that this is no worse than the currently consented scheme, the Council does not object on this ground.

Conclusion

The Council therefore **objects** to (1) above unless conditions can be added to the Marine Licence or through other means to ensure that the Council is consulted over the Lighting and Marking Plan as regards the elements removed.

The Council would also prefer to be consulted over the layout plan and the Operation and Maintenance Programme. The Council does not object to (2) or (3) provided SNH are content that any adverse effects on the integrity of a Natura 2000 sites within or adjacent to East Lothian, or where the qualifying interests visit the East Lothian or the coast off East Lothian, are no worse than the currently consented scheme.

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Our Ref: CONS/GOV/2019 NNG Variation
Your Ref: None given

Date: 03/04/2019

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Via email to Redacted

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I refer to your email of 27 March 2019. This letter should be read in conjunction with the Council's response dated 23 January 2019.

The Council objected to this application unless it was consulted over the Lighting and Marking Plan as regards the elements removed from the Section 36 consent. The Council noted it also would prefer to be consulted over the Design Specification and Layout Plan (DSLSP) and the Operation and Maintenance Programme (OMP). The Council did not object otherwise, provided SNH are content that any adverse effects on the integrity of a Natura 2000 sites within or adjacent to East Lothian, or where the qualifying interests visit the East Lothian or the coast off East Lothian, are no worse than the currently consented scheme.

In your email you state that conditions will be placed on the marine licence to cover the elements which are to be removed from the Section 36 consent, and that in particular this will include the Offshore Transmission Infrastructure Lighting Management Plan. East Lothian will be a consultee on this plan as well as the DSLSP and OMP.

The Council is content with this and on this basis withdraws the objection it made on the grounds of its consultation on the Lighting and Marking Plan. The Council appreciates being made a consultee on the DSLSP and OMP.

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From: Redacted
Sent: 15 February 2019 15:32
To: Redacted
Subject: 19/00082/CON 36 Consent - Consultation - Application to Vary Section 36
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Follow Up Flag: Follow up
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I refer to the above and, having consulted with local Elected Members and colleagues, I can confirm that Fife Council has no comment to make on this variation application.

Kind regards,

Redacted

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LISTEN | CONSIDER | RESPOND

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From: Redacted
Sent: 18 January 2019 15:31
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

I confirm Forth Ports has no objections to the variation.

Regards

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

On 8 January 2019, Neart na Gaoithe Offshore Wind Limited (Company Number SC356223) ("the Applicant") submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the existing Section 36 Consent for the Neart na Gaoithe Offshore Wind Farm, to remove of references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

If you wish to submit any representations in response to the consultation regarding the above application please ensure they are submitted to the Scottish Ministers, in writing, to MS.MarineRenewables@gov.scot no later than **14 February 2019**. If you have not responded by this date, MS-LOT will assume a 'nil return'.

Marine Scotland Licensing Operations Team ("MS-LOT") will make your representations publicly available. Personal information (such as names, signatures, home and email addresses) will be redacted before the representations are

made public. If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT [website](#) or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively, please write to: Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB.

If consent is granted for the variation application, the Scottish Ministers will consider exercising their discretion to vary the marine licence granted in respect of the Neart na Gaoithe Offshore Wind Farm. The variation would revise the marine licence to reflect the changes proposed by the variation application. The Scottish Ministers would consider the variation of the marines licences in terms of section 30(3)(d) of the Marine (Scotland) Act 2010 to ensure that the marine licences and consent granted under section 36 of the Electricity Act 1989 (as amended) are consistent. Any representations in relation to the potential marine licence variations should be submitted to MS-LOT in the same manner as described above relative to representations in respect of the variation application and within the same timeframe.

If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:

MS.MarineRenewables@gov.scot

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Redacted

Enquiry Line: Redacted
HMConsultations@hes.scot

Our case ID: 300020973

22 January 2019

Dear Redacted

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Near na Gaoithe Offshore Wind Farm
Application to vary consent

Thank you for your consultation which we received on 10 January 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from the relevant Council's archaeology and conservation advisors for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any further comments to make on the proposals. We are content that the proposed variations will not alter the conclusions reached in the EIA. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Redacted



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

Please contact us if you have any questions about this response. Redacted

Yours sincerely

Historic Environment Scotland

Redacted

From: Redacted
Sent: 29 January 2019 10:08
To: Redacted
Subject: NNG Response

Follow Up Flag: Follow up
Flag Status: Completed

Redacted

Inch Cape Offshore Wind Farm Limited do wish to make any comments on the NNG Section 36 and Marine Licence variation.

Kind regards,

Re

Redacted

SDIC  **Red Rock Power Limited**

Redacted

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Redacted

From: Redacted
Sent: 20 February 2019 09:40
To: Redacted
Subject: RE: NnG s.36 Variation Consultation Response
Follow Up Flag: Follow up
Flag Status: Completed

Redacted

Thank you for your time on the telephone yesterday to explain this in more detail.

I can confirm that we have no concerns to raised regarding the variations proposed. I understand that the change is required in order to separate the consent for the transmission and the generation assets, that our requirements will be captured as appropriate elsewhere, and that this does not change any safety parameters with regards to navigation safety or Search and Rescue.

Kind regards

Redacted

Redacted

From: Redacted
Sent: 19 February 2019 07:53
To: Redacted
Subject: RE: NnG s.36 Variation Consultation Response

Dear Redacted

NnG has applied for the aspects in blue to be removed from the s.36 consent, but not from the design completely. These elements will still be constructed and are covered by a [separate OfTI marine licence](#) – the removal from the s.36 consent avoids duplication. Any relevant conditions that are currently covered by the s.36 consent and not the OfTI marine licence will be added to the marine licence.

I hope this answers your question but please get in touch if you have any further queries.

Kind regards,

Redacted

Redacted

From: Redacted
Sent: 18 February 2019 16:40
To: Redacted
Cc: Redacted
Subject: RE: NnG s.36 Variation Consultation Response

Hi Redacted

Thank you for your response.

I have now found the relevant document and I do have a question regarding the removal of the following aspects in blue:

Up to 54 jacket foundations and ancillary equipment.

3. Up to 2 Offshore Substation Platforms (“OSPs”), jacket foundations and ancillary equipment.

4.3. Up to 140km of inter-array cabling. and up to 4 interconnector cables between the 2 OSFs.

5. Two subsea Offshore Export Cables (“OEC”) each of up to 43km in length;

6.4. scour and cable protection.

7.5. A Meteorological mast.

Does this mean the OSFs, the interconnector cables between the OSFs and the two subsea OEC are being removed from the design completely? If so, I don’t see any impact on the safety of navigation by removing these from scope as the worst case scenario would have been assessed in the NRA. This is on the understanding that there are no other parameters being changed as a result which could affect the outcome of the NRA from the safety of navigation and search and rescue perspective.

I also don’t have any issue with regards to the changes to maximum blade width.

As mentioned in my message, happy to discuss on the phone tomorrow – it will likely need to be after your meeting approx. 1030.

Kind regards

Redacted

Redacted

From: Redacted
Sent: 18 February 2019 16:28
To: Redacted
Cc: Redacted
Subject: NnG s.36 Variation Consultation Response

Hi Redacted

Have just received your voicemail – apologies, I’m away from my phone just now between meetings but happy to speak to you tomorrow morning about your NnG variation consultation response. I’ll be in from 8, but in a meeting from 9-10:30.

Kind regards,
Redacted

Redacted

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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.

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Defence Infrastructure Organisation

Redacted

Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Your Reference: 050/OW/MainS - 10

Redacted

Our Reference: DIO10040201

Redacted

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

18th January 2019

Dear Redacted

Electricity Act 1989 (as amended)
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
The Electricity Generating Stations (Applications for variations of consent) (Scotland) Regulations 2013 (as amended)
Marine (Scotland) Act 2010

Application to vary consent under Section 36C of the Electricity Act 1989 (as amended) for Neart Na Gaoithe Offshore Wind Farm

Thank you for consulting the Ministry of Defence (MOD) on the above application which seeks to make the following variations to the section 36 consent for the Neart Na Gaoithe Offshore Wind Farm:

1. removal of references to transmission infrastructure from the Description of the Development in Annex 1 and from conditions 12 and 22 of Annex 2,
2. amendment of minimum blade tip clearance from 35 to 36 metres (measured from LAT); and
3. amendment of blade width in Annex 1 from 4.5m to 5.5m.

I am writing to tell you that the MOD has no objection to this application and that the MOD's safeguarding position remains as stated in our letter to Redacted dated 20th August 2018.. For your convenience a copy of this letter is included with this response.

I hope this adequately explains our position on the matter.

Yours sincerely

Redacted

Redacted

From: Redacted
14 January 2019 12:21
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited [Our Ref: SG08577]

NATS has no objection to the proposed variation

Yours Faithfully

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

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Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

On 8 January 2019, Neart na Gaoithe Offshore Wind Limited (Company Number SC356223) ("the Applicant") submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the existing Section 36 Consent for the Neart na Gaoithe Offshore Wind Farm, to remove of references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

If you wish to submit any representations in response to the consultation regarding the above application please ensure they are submitted to the Scottish Ministers, in writing, to MS.MarineRenewables@gov.scot no later than **14 February 2019**. If you have not responded by this date, MS-LOT will assume a 'nil return'.

Marine Scotland Licensing Operations Team ("MS-LOT") will make your representations publicly available. Personal information (such as names, signatures, home and email addresses) will be redacted before the representations are made public. If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT [website](#) or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively, please write to: Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB.

If consent is granted for the variation application, the Scottish Ministers will consider exercising their discretion to vary the marine licence granted in respect of the Neart na Gaoithe Offshore Wind Farm. The variation would revise the marine licence to reflect the changes proposed by the variation application. The Scottish Ministers would consider the variation of the marines licences in terms of section 30(3)(d) of the Marine (Scotland) Act 2010 to ensure that the marine licences and consent granted under section 36 of the Electricity Act 1989 (as amended) are consistent. Any representations in relation to the potential marine licence variations should be submitted to MS-LOT in the same manner as described above relative to representations in respect of the variation application and within the same timeframe.

If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Northern Lighthouse Board

Your Ref: NNG S36 Consent Variation Email
Our Ref: AL/OPS/ML/O6_12_555

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



Redacted

Marine Scotland – Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

11 January 2019

Dear Redacted

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION
OF CONSENT) (SCOTLAND) REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE
ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE
WIND LIMITED**

Thank you for your e-mail correspondence dated 10 January 2019 regarding the application by **Neart na Gaoithe Offshore Wind Limited** to vary the existing S36 Consent for the Neart na Gaoithe Offshore Wind Farm.

It is noted that this variation proposes to remove references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres.

Northern Lighthouse Board has no objections to this proposed variation.

Redacted

For the safety of all

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Redacted

From: Redacted
Sent: 14 February 2019 16:46
To: MS Marine Renewables
Cc: Redacted)
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Redacted

Thank you for the opportunity to consult on the below noted variation of consent application.

We acknowledge the changes sought and the minimal effect this has on predicted environmental impacts, when compared to the original application and assessment.

On the basis of there being very minimal changes to the environmental assessment outputs, we do not wish to make any further comment. We do, however, refer back to our position as set out in our response to the original application – letter dated 13th May 2018 and email of 7th September 2018, as these remain relevant and valid.

Regards,
Redact
- -

Redacted

Redacted

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the UK's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38

To: MS.MarineRenewables@gov.scot

Cc: Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

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THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)

REGULATIONS 2013 (AS AMENDED)

MARINE (SCOTLAND) ACT 2010

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Redacted

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We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

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Redacted

From: Redacted
Sent: 11 January 2019 11:45
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Redacted

I write to inform you that RYA Scotland has no comment that they wish to make on this application.

Kind Regards

Redacted

Redacted



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ

Redacted

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From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]

Sent: 10 January 2019 14:38

To: MS.MarineRenewables@gov.scot

Cc: Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART
NA GAOITHE OFFSHORE WIND LIMITED**

On 8 January 2019, Neart na Gaoithe Offshore Wind Limited (Company Number SC356223) ("the Applicant") submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the existing Section 36 Consent for the Neart na Gaoithe Offshore Wind Farm, to remove of references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

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If you require a hard copy of the variation application documentation, please contact **Redacted**

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Yours faithfully,

Redacted

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From: Redacted
Sent: 11 March 2019 11:25
To: MS Marine Renewables
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited - 18/00375/S36

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

I refer to the above and your email of 10 January 2019. After consideration, I can now confirm that Scottish Borders Council have no comments or objections to the variation sought,

Regards

Redacted

How are you playing [#yourpart](#) to help us keep the Borders thriving?



**Scottish Awards for
Quality in Planning
2017: Award Winner**

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*****"

Redacted

From: Redacted
Sent: 14 February 2019 09:56
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Redact

I refer to your consultation with SEPA on the application to vary the S36 consent for the Neart na Gaoithe Offshore Windfarm.

I can confirm that SEPA has **no objection** to this application and in this instance has no site-specific advice or comment to make.

Please do not hesitate to contact me if you require any further information.

Regards

Redact

Redacted

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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From: Redacted
Sent: 15 February 2019 13:55
To: Redacted
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear All

Whilst there seems to be no problem with this application, the SFF would need assurances that the items removed from the application will be adequately represented to the fishing industry at the appropriate time as they constitute as much, if not more, of a problem than the simple wind turbine.

Best, Redacted

From: Redacted
Sent: 15 February 2019 11:00
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

Please note that the deadline for the below consultation has now passed. As a response has not been received from your organisation, a 'nil return' has been assumed.

If you have any queries please do not hesitate to contact MS-LOT.

Kind regards,
Redacted

Redacted

From: MS Marine Renewables
Sent: 10 January 2019 14:38
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**.

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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Redacted

From: Redacted
Sent: 24 January 2019 16:06
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted

SNH has reviewed this application to vary the Neart na Gaoithe consent and has no comments to provide. The proposed changes make some very slight improvements to collision risk estimates for some species.

Kind regards,

Redacted

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

Redacted

From: Redacted
Sent: 11 February 2019 10:23
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted,

Thank-you for the opportunity to comment on the Application to Vary the Section 36 Consent for the Neart Na Gaoithe Offshore Wind Development.

Whilst the variation is predicted to marginally reduce the overall impact on seabird populations, especially gannet, kittiwake and herring gull, we remain concerned about the overall level of impact on seabird populations; especially as some of the species most affected are already experiencing significant population declines. The Neart Na Gaoithe development directly, and in combination with Inch Cape and Seagreen, is likely to have a significant effect on the integrity of a number of internationally important Special Protection Areas in the Firth of Forth.

We would like to stress again the importance of having a robust Environmental Management Plan in place which ensures that the monitoring of these impacts is continually assessed during construction and operation and that enables mitigation (including shut-down) to be taken as appropriate.

Wildlife tourism is well established in this part of Scotland and brings with it important socio-economic benefits and opportunities to provide information to the public on offshore windfarm developments. The Scottish Seabird Centre, which attracts 270,000 visitors a year, remain willing to engage with any organisation to help present impartial information that helps people to take an informed view about these offshore wind developments.

Yours sincerely,

Susan

Redacted

We are a conservation and education charity inspiring people about wildlife and the natural environment (Scottish charity no SC025837).

Award-winning five star visitor attraction: Discovery Centre, boat trips, Seabird Café and gift shop. Open all year.

Discounts, free entry to the Discovery Centre and additional treats exclusively for Seabird Members – 10% off in year one with Direct Debit.

From: MS Marine Renewables

Sent: 10 January 2019 14:38

To: Redacted

Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

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

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)

REGULATIONS 2013 (AS AMENDED)

MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

On 8 January 2019, Neart na Gaoithe Offshore Wind Limited (Company Number SC356223) (“the Applicant”) submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the existing Section 36 Consent for the Neart na Gaoithe Offshore Wind Farm, to remove of references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

If you wish to submit any representations in response to the consultation regarding the above application please ensure they are submitted to the Scottish Ministers, in writing, to MS.MarineRenewables@gov.scot no later than **14 February 2019**. If you have not responded by this date, MS-LOT will assume a ‘nil return’.

Marine Scotland Licensing Operations Team (“MS-LOT”) will make your representations publicly available. Personal information (such as names, signatures, home and email addresses) will be redacted before the representations are made public. If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT [website](#) or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively, please write to: Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB.

If consent is granted for the variation application, the Scottish Ministers will consider exercising their discretion to vary the marine licence granted in respect of the Neart na Gaoithe Offshore Wind Farm. The variation would revise the marine licence to reflect the changes proposed by the variation application. The Scottish Ministers would consider the variation of the marines licences in terms of section 30(3)(d) of the Marine (Scotland) Act 2010 to ensure that the marine licences and consent granted under section 36 of the Electricity Act 1989 (as amended) are consistent. Any representations in relation to the potential marine licence variations should be submitted to MS-LOT in the same manner as described above relative to representations in respect of the variation application and within the same timeframe.

If you require a hard copy of the variation application documentation, please contact Redacted

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

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Redacted

Redacted

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

Date:
5th February 2019

Dear Redacted

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

The consultation request dated 10th January 2019 associated with the above application has been passed to Jacobs in their capacity as Development Planning Advisor and Auditor to Transport Scotland. The comments below refer to the documentation provided in support of the above application submitted on 8th January 2019. Transport Scotland would highlight their previously issued responses, dated 21st September 2015, 5th July 2017, 1st May 2018 and 20th August 2018, and advise that these are referenced.

Transport Scotland would advise that the proposed variations in consent are not considered likely to result in any detrimental impact to the trunk road network. As such, no further comments are advised at this time. However, Transport Scotland would reiterate the conditions advised in their response dated 1st May 2018, which are detailed below for reference, and advise that the proposed variations should be considered in satisfying the requirements set out in these conditions.

1. *Development shall not commence until a Construction Traffic Management Plan has been approved in writing by the Consenting Authority in consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.*

Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development.

2. *The proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, or traffic management must similarly be approved.*

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

3. *Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the trunk road authority before delivery commences.*

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

I trust the comments provided are satisfactory, please do not hesitate to contact me should you require any further information.

Yours faithfully,

Redacted

Redacted

From: Redacted
18 January 2019 15:30
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear MS Marine Renewables,

A nil return from the Chamber of Shipping.

Kind regards,

Redacted

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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

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30 January 2019

Redacted

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

Dear Redacted

Proposed revised Neart na Gaoithe Offshore Wind Farm development, Firth of Forth

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this

study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:

<http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf>

Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Redacted

Northern Lighthouse Board

Your Ref: NNG S36 Consent Variation Email
Our Ref: AL/OPS/ML/O6_12_555

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



Redacted

Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

11 January 2019

Dear Redacted

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION
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MARINE (SCOTLAND) ACT 2010**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE
ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE
WIND LIMITED**

Thank you for your e-mail correspondence dated 10 January 2019 regarding the application by **Neart na Gaoithe Offshore Wind Limited** to vary the existing S36 Consent for the Neart na Gaoithe Offshore Wind Farm.

It is noted that this variation proposes to remove references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres.

Northern Lighthouse Board has no objections to this proposed variation.

Redacted

For the safety of all

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

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Redacted

From: Redacted
Sent: 14 January 2019 12:21
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited [Our Ref: SG08577]

NATS has no objection to the proposed variation

Yours Faithfully

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

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Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Defence Infrastructure Organisation

Your Reference: 050/OW/MainS - 10

Our Reference: DIO10040201

Redacted

Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Redacted

Redacted

Marine Renewables Casework Officer
Marine Licensing Operations Team
Marine Scotland, Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

18th January 2019

Dear Redacted

Electricity Act 1989 (as amended)
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
The Electricity Generating Stations (Applications for variations of consent) (Scotland) Regulations 2013 (as amended)
Marine (Scotland) Act 2010

Application to vary consent under Section 36C of the Electricity Act 1989 (as amended) for Neart Na Gaoithe Offshore Wind Farm

Thank you for consulting the Ministry of Defence (MOD) on the above application which seeks to make the following variations to the section 36 consent for the Neart Na Gaoithe Offshore Wind Farm:

1. removal of references to transmission infrastructure from the Description of the Development in Annex 1 and from conditions 12 and 22 of Annex 2,
2. amendment of minimum blade tip clearance from 35 to 36 metres (measured from LAT); and
3. amendment of blade width in Annex 1 from 4.5m to 5.5m.

I am writing to tell you that the MOD has no objection to this application and that the MOD's safeguarding position remains as stated in our letter to Redacted dated 20th August 2018.. For your convenience a copy of this letter is included with this response.

I hope this adequately explains our position on the matter.

Redacted

Redacted

From: Redacted
Sent: 20 February 2019 09:40
To: Redacted
Subject: RE: NnG s.36 Variation Consultation Response
Follow Up Flag: Follow up
Flag Status: Completed

Redacted

Thank you for your time on the telephone yesterday to explain this in more detail.

I can confirm that we have no concerns to raised regarding the variations proposed. I understand that the change is required in order to separate the consent for the transmission and the generation assets, that our requirements will be captured as appropriate elsewhere, and that this does not change any safety parameters with regards to navigation safety or Search and Rescue.

Kind regards

Redacted

Redacted

From: Redacted
Sent: 19 February 2019 07:53
To: Redacted
Cc: Redacted
Subject: RE: NnG s.36 Variation Consultation Response

Dear Redacted

NnG has applied for the aspects in blue to be removed from the s.36 consent, but not from the design completely. These elements will still be constructed and are covered by a [separate OfTI marine licence](#) – the removal from the s.36 consent avoids duplication. Any relevant conditions that are currently covered by the s.36 consent and not the OfTI marine licence will be added to the marine licence.

I hope this answers your question but please get in touch if you have any further queries.

Kind regards,

From: Redacted

Sent: 18 February 2019 16:40

To: Redacted

Subject: RE: NnG s.36 Variation Consultation Response

Hi Redacted

Thank you for your response.

I have now found the relevant document and I do have a question regarding the removal of the following aspects in blue:

Up to 54 jacket foundations and ancillary equipment.

3. Up to 2 Offshore Substation Platforms (“OSPs”), jacket foundations and ancillary equipment.

4.3. Up to 140km of inter-array cabling. and up to 4 interconnector cables between the 2 OSPs.

5. Two subsea Offshore Export Cables (“OEC”) each of up to 43km in length;

6.4. scour and cable protection.

7.5. A Meteorological mast.

Does this mean the OSPs, the interconnector cables between the OSPs and the two subsea OEC are being removed from the design completely? If so, I don't see any impact on the safety of navigation by removing these from scope as the worst case scenario would have been assessed in the NRA. This is on the understanding that there are no other parameters being changed as a result which could affect the outcome of the NRA from the safety of navigation and search and rescue perspective.

I also don't have any issue with regards to the changes to maximum blade width.

As mentioned in my message, happy to discuss on the phone tomorrow – it will likely need to be after your meeting approx. 1030.

Kind regards

Redacted

To: Redacted
Cc: Redacted
Subject: NnG s.36 Variation Consultation Response

Hi Redacted,

Have just received your voicemail – apologies, I'm away from my phone just now between meetings but happy to speak to you tomorrow morning about your NnG variation consultation response. I'll be in from 8, but in a meeting from 9-10:30.

Kind regards,
Redacted

Redacted

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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.

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=====

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Redacted

From: Redacted
Sent: 29 January 2019 10:08
To: Redacted
NNG Response

Follow Up Flag: Follow up
Flag Status: Completed

Hi Redact

Inch Cape Offshore Wind Farm Limited do wish to make any comments on the NNG Section 36 and Marine Licence variation.

Kind regards,

Re

Redacted

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HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:

MS.MarineRenewables@gov.scot

Redacted

Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

)

Redacted

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Our case ID: 300020973

22 January 2019

Dear Redacted

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Near na Gaoithe Offshore Wind Farm
Application to vary consent

Thank you for your consultation which we received on 10 January 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations and for our historic environment remit. Our remit is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

You should also seek advice from the relevant Council's archaeology and conservation advisors for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any further comments to make on the proposals. We are content that the proposed variations will not alter the conclusions reached in the EIA. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



HISTORIC
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SCOTLAND

ÀRAINNEACHD
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ALBA

Please contact us if you have any questions about this response. **Redacted**

Yours sincerely

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

Redacted

From: Redacted
Sent: 18 January 2019 15:31
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

I confirm Forth Ports has no objections to the variation.

Regards

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)
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MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

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<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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From: Redacted
Sent: 24 January 2019 16:06
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted,

SNH has reviewed this application to vary the Neart na Gaoithe consent and has no comments to provide. The proposed changes make some very slight improvements to collision risk estimates for some species.

Kind regards,

Redacted

Redacted

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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MARINE (SCOTLAND) ACT 2010

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maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

Redacted

From: Redacted
Sent: 15 February 2019 13:55
To: Redacted
Cc: Redacted
RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear All

Whilst there seems to be no problem with this application, the SFF would need assurances that the items removed from the application will be adequately represented to the fishing industry at the appropriate time as they constitute as much, if not more, of a problem than the simple wind turbine.

Best, Redacted

From: Redacted
Sent: 15 February 2019 11:00
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

Please note that the deadline for the below consultation has now passed. As a response has not been received from your organisation, a 'nil return' has been assumed.

If you have any queries please do not hesitate to contact MS-LOT.

Kind regards,
Redacted

Redacted

From: MS Marine Renewables
Sent: 10 January 2019 14:38
To: MS Marine Renewables <MS.MarineRenewables@gov.scot>
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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From: Redacted
Sent: 14 February 2019 09:56
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Redact

I refer to your consultation with SEPA on the application to vary the S36 consent for the Neart na Gaoithe Offshore Windfarm.

I can confirm that SEPA has **no objection** to this application and in this instance has no site-specific advice or comment to make.

Please do not hesitate to contact me if you require any further information.

Regards

Redact

Redacted

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

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From: Redacted
Sent: 11 March 2019 11:25
To: MS Marine Renewables
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited - 18/00375/S36

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

I refer to the above and your email of 10 January 2019. After consideration, I can now confirm that Scottish Borders Council have no comments or objections to the variation sought,

Regards

Redacted

How are you playing [#yourpart](#) to help us keep the Borders thriving?



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"*****

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*****"

Redacted

From: Redacted
Sent: 11 January 2019 11:45
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Redacted

I write to inform you that RYA Scotland has no comment that they wish to make on this application.

Kind Regards

Redacted

Redacted



Redacted

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From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]

Sent: 10 January 2019 14:38

To: MS.MarineRenewables@gov.scot

Cc: Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
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**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART
NA GAOITHE OFFSHORE WIND LIMITED**

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If you wish to submit any representations in response to the consultation regarding the above application please ensure they are submitted to the Scottish Ministers, in writing, to MS.MarineRenewables@gov.scot no later than **14 February 2019**. If you have not responded by this date, MS-LOT will assume a 'nil return'.

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Yours faithfully,

Redacted

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Redacted

From: Redacted
14 February 2019 16:46
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Redacted

Thank you for the opportunity to consult on the below noted variation of consent application.

We acknowledge the changes sought and the minimal effect this has on predicted environmental impacts, when compared to the original application and assessment.

On the basis of there being very minimal changes to the environmental assessment outputs, we do not wish to make any further comment. We do, however, refer back to our position as set out in our response to the original application – letter dated 13th May 2018 and email of 7th September 2018, as these remain relevant and valid.

Regards,
Redact

Redacted

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the UK's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

From: MS.MarineRenewables@gov.scot [mailto:MS.MarineRenewables@gov.scot]
Sent: 10 January 2019 14:38

To: MS.MarineRenewables@gov.scot

Cc: Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

ELECTRICITY ACT 1989 (AS AMENDED)

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If you require a hard copy of the variation application documentation, please contact Redacted

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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30 January 2019

Redacted

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

Dear Redacted

Proposed revised Neart na Gaoithe Offshore Wind Farm development, Firth of Forth

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this

study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:

<http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf>

Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Redacted

Redacted

From: Redacted
Sent: 18 January 2019 15:30
To: MS Marine Renewables
Cc: Redacted
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear MS Marine Renewables,

A nil return from the Chamber of Shipping.

Kind regards,

Redacted

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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 10 January 2019 14:38
To: MS.MarineRenewables@gov.scot
Cc: Redacted
Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

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If you require a hard copy of the variation application documentation, please contact **Redacted**

If you have any queries please do not hesitate to contact [MS-LOT](#).

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Yours faithfully,

Redacted

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Redacted

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

Date:
5th February 2019

Dear Redacted

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

The consultation request dated 10th January 2019 associated with the above application has been passed to Jacobs in their capacity as Development Planning Advisor and Auditor to Transport Scotland. The comments below refer to the documentation provided in support of the above application submitted on 8th January 2019. Transport Scotland would highlight their previously issued responses, dated 21st September 2015, 5th July 2017, 1st May 2018 and 20th August 2018, and advise that these are referenced.

Transport Scotland would advise that the proposed variations in consent are not considered likely to result in any detrimental impact to the trunk road network. As such, no further comments are advised at this time. However, Transport Scotland would reiterate the conditions advised in their response dated 1st May 2018, which are detailed below for reference, and advise that the proposed variations should be considered in satisfying the requirements set out in these conditions.

1. *Development shall not commence until a Construction Traffic Management Plan has been approved in writing by the Consenting Authority in consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.*

Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development.

2. *The proposed route for any abnormal loads on the trunk road network must be approved by the trunk roads authority prior to the movement of any abnormal load. Any accommodation measures required including the removal of street furniture, junction widening, or traffic management must similarly be approved.*

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

3. *Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the trunk road authority before delivery commences.*

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

I trust the comments provided are satisfactory, please do not hesitate to contact me should you require any further information.

Yours faithfully,

Redacted

Redacted

From: Redacted
11 February 2019 10:23
To: MS Marine Renewables
Subject: RE: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Follow Up Flag: Follow up
Flag Status: Completed

Dear Redacted

Thank-you for the opportunity to comment on the Application to Vary the Section 36 Consent for the Neart Na Gaoithe Offshore Wind Development.

Whilst the variation is predicted to marginally reduce the overall impact on seabird populations, especially gannet, kittiwake and herring gull, we remain concerned about the overall level of impact on seabird populations; especially as some of the species most affected are already experiencing significant population declines. The Neart Na Gaoithe development directly, and in combination with Inch Cape and Seagreen, is likely to have a significant effect on the integrity of a number of internationally important Special Protection Areas in the Firth of Forth.

We would like to stress again the importance of having a robust Environmental Management Plan in place which ensures that the monitoring of these impacts is continually assessed during construction and operation and that enables mitigation (including shut-down) to be taken as appropriate.

Wildlife tourism is well established in this part of Scotland and brings with it important socio-economic benefits and opportunities to provide information to the public on offshore windfarm developments. The Scottish Seabird Centre, which attracts 270,000 visitors a year, remain willing to engage with any organisation to help present impartial information that helps people to take an informed view about these offshore wind developments.

Yours sincerely,

Redacted

Redacted

We are a conservation and education charity inspiring people about wildlife and the natural environment (Scottish charity no SC025837).

Award-winning five star visitor attraction: Discovery Centre, boat trips, Seabird Café and gift shop. Open all year.

Discounts, free entry to the Discovery Centre and additional treats exclusively for Seabird Members – 10% off in year one with Direct Debit.

From: MS Marine Renewables
Sent: 10 January 2019 14:38
To: Redacted

Subject: Consultation - Application to Vary Section 36 Consent - Neart na Gaoithe Offshore Wind Limited

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (AS AMENDED)
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013 (AS AMENDED)
MARINE (SCOTLAND) ACT 2010**

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 (AS AMENDED) FOR NEART NA GAOITHE OFFSHORE WIND LIMITED

On 8 January 2019, Neart na Gaoithe Offshore Wind Limited (Company Number SC356223) (“the Applicant”) submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the existing Section 36 Consent for the Neart na Gaoithe Offshore Wind Farm, to remove of references to transmission infrastructure (i.e. offshore substation platforms, interconnector cables and offshore export cables) from the Description of the Development in Annex 1 and from Conditions 12 and 22 of Annex 2 and amend the reference to maximum blade width in Annex 1 from 4.5 metres to 5.5 metres. This application is accompanied by the attached variation application cover letter which has been submitted by the Applicant and can be downloaded from:

<http://marine.gov.scot/ml/section-36-consent-variation-neart-na-gaoithe-offshore-windfarm-revised-design-firth-forth>

If you wish to submit any representations in response to the consultation regarding the above application please ensure they are submitted to the Scottish Ministers, in writing, to MS.MarineRenewables@gov.scot no later than **14 February 2019**. If you have not responded by this date, MS-LOT will assume a ‘nil return’.

Marine Scotland Licensing Operations Team (“MS-LOT”) will make your representations publicly available. Personal information (such as names, signatures, home and email addresses) will be redacted before the representations are made public. If you have any queries or concerns about how your personal data will be handled please visit the MS-LOT [website](#) or contact MS-LOT at MS.MarineRenewables@gov.scot. Alternatively, please write to: Marine Scotland Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen AB11 9DB.

If consent is granted for the variation application, the Scottish Ministers will consider exercising their discretion to vary the marine licence granted in respect of the Neart na Gaoithe Offshore Wind Farm. The variation would revise the marine licence to reflect the changes proposed by the variation application. The Scottish Ministers would consider the variation of the marines licences in terms of section 30(3)(d) of the Marine (Scotland) Act 2010 to ensure that the marine licences and consent granted under section 36 of the Electricity Act 1989 (as amended) are consistent. Any representations in relation to the potential marine licence variations should be submitted to MS-LOT in the same manner as described above relative to representations in respect of the variation application and within the same timeframe.

If you require a hard copy of the variation application documentation, please contact Redacted

If you have any queries please do not hesitate to contact [MS-LOT](#).

We would be grateful if you could please confirm receipt of this e-mail.

Yours faithfully,

Redacted

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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.

The Scottish Seabird Centre is committed to protecting and respecting your privacy. You are receiving this email either because you have given your consent for the Centre/ individual to contact you, you have contacted the Centre/ individual or they have legitimate interests for contacting you. You have the right to withdraw your consent at any time. We will give you the opportunity to withdraw your consent every time we contact you. Our Privacy Policy <https://seabird.org/privacy-policy/31> provides further information about how we use your personal data. If you have any questions about our Privacy Policy, or would like to opt out of receiving emails from the Scottish Seabird Centre, please email: keepintouch@seabird.org

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