

Simon Hindson
Berwick Bank Wind Farm Ltd
Inveralmond House
200 Dunkeld Road
Perth
PH1 3AQ

Date: 13 May 2026

Dear Mr Hindson,

SCREENING OPINION UNDER THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017, THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017, THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007

Thank you for your screening opinion request dated 5 March 2026 in regards to the proposed variation to the Berwick Bank section 36 Consent, Generating Station Marine Licence (MS-00010189) and Offshore Transmission Infrastructure (Part 1) Marine Licence (MS-00010190). The proposed variation consists of two principle changes (“the Proposed Works”):

- provision for the installation of monopile foundations; and
- the inclusion of an additional export cable corridor to provide an alternative routeing for the offshore export cable(s).

The construction of the Berwick Bank Wind Farm and the associated offshore transmission infrastructure (“the Licensed Works”) is an Environmental Impact Assessment (“EIA”) project, therefore the Scottish Ministers consider the Proposed Works to fall under paragraph 13 of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), paragraph 2 of schedule 2 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 EW Regulations”) and paragraph 89 of schedule A2 of the Marine Works (Environmental Impact Assessment) Regulations 2007 (“the 2007 MW Regulations”). Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an EIA project under the 2017 MW Regulations, 2017 EW Regulations and 2007 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, regulation 8(5) of the 2017 EW Regulations and Schedule 2, Regulation 4(1) of the 2007 MW Regulations, the Scottish Ministers have consulted with NatureScot (“NS”) (formerly Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), East Lothian Council, Dundee City Council, Angus Council, Fife Council, Scottish Borders Council, Northumberland County Council and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are attached for your review (at Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations, schedule 3 of the 2017 EW Regulations and schedule 1 of the 2007 MW Regulations, as are relevant to the Proposed Works. This is set out below.

Characteristics of the works

The Proposed Works include the installation of monopile foundations at a number of locations, as an alternative to pin piled or suction caisson jacket foundations as assessed in the EIA relative to the Licensed Works. It is proposed that 140 of the 307 consented Wind Turbine Generators (“WTG”) may have monopile foundations however the total number of WTGs and foundations will remain the same as was assessed in the EIA.

The Proposed Works also include an additional Export Cable Corridor (“ECC”) to rationalise export cable lengths and reduce inter-array cable crossings based on refined WTG layouts and ground condition data. The Proposed Works include an alternative route for up to 6 of the total 8 export cables that are currently licensed and is in addition to the already licensed ECC which will remain unchanged. The maximum number of cables remains the same as assessed in the EIA and no other changes are proposed to any of the other parameters assessed in the EIA. The additional ECC relates only to an expansion of the boundary of the Licensed Works in which the already licensed infrastructure may be located and will cover an additional area of 36.7km² with the total footprint remaining equal to or less than that currently licensed.

Location of the works

The Licensed Works are located in the outer Firth of Forth and Firth of Tay region of the North Sea approximately 47.6km offshore of the East Lothian coastline and 37.8km from the Scottish Borders coastline at St Abbs.

The Proposed Works in relation to the installation of monopile foundations does not seek to change the location, or boundary of the Licensed Works.

The Proposed Works in relation to the inclusion of an additional ECC seeks to add an additional cable route for up to 6 export cables, resulting in a change to the boundary of the Licensed Works. The additional ECC will provide a more direct connection from offshore substations located in the northeast and northwest of the Licensed Works and will merge with the already licensed ECC to landfall at Skateraw, East Lothian.

The Proposed Works are located within or in close proximity to the Firth of Forth Banks Complex Marine Protected Area (“MPA”) and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area (“OFFSAB SPA”).

As the Proposed Works pass through the Firth of Forth Banks MPA, NS consulted with Joint Nature Conservation Committee (“JNCC”). JNCC noted that the additional ECC covers an area of 36.7km² of which approximately 20.5km² overlaps with the Firth of Forth Banks Complex MPA. JNCC therefore confirmed agreement that further environmental assessment is necessary, including an MPA Assessment and confirmed that the same potential impacts assessed within the original MPA assessment in relation to offshore export cables should be considered in relation to the additional ECC.

JNCC advised that routing of the additional ECC through the MPA should be avoided. JNCC requested further information to be provided as part of the variation application detailing whether the additional ECC would result in overall greater impact to the Firth of Forth Banks Complex MPA than what has already been consented and licensed.

NS advised that it did not agree that the assessment from the EIA remains valid or applicable to the Proposed Works in relation to the additional ECC due to increased overlap with the OFFSAB SPA. NatureScot noted that the use of additional digital aerial survey data from March 2024 onwards to update the baseline for assessment is proposed however, NatureScot do not consider the 2024/2025 digital aerial survey data alone to be sufficient to reassess the baseline. NatureScot advised that its preference would be to have two full years of digital aerial survey however, in the event that this is not possible, NatureScot advised that it would accept the 2024/2025 dataset.

East Lothian Council advised that the Proposed Works will not have a significant impact on sensitive receptors due to noise, air quality or artificial lighting given the offshore location of the Proposed Works.

Angus Council agreed with the conclusions presented within the Screening Report. Dundee City Council did not make comment on the Screening Report due to the distance of the Licensed Works from the local authority area and Fife Council had no comment to make in relation to the Proposed Works. Northumberland County Council advised it could see no significant impact upon Northumberland as a result of the Proposed Works and Scottish Borders Council provided no comment.

Historic Environment Scotland did not identify any potential significant effects on the historic environment in relation to the location of the Proposed Works and therefore stated that it had no reason to consider the Proposed Works require an EIA.

Characteristics of the potential impact

East Lothian Council confirmed that it was in agreement with the conclusions set out in relation to biodiversity in regards to the inclusion of monopiles, however highlighted that there is potential for significant environmental effects not identified in the EIA in relation to the inclusion of the additional ECC. East Lothian Council welcomed further supporting information to be provided and requested to be consulted specifically on benthic ecology, fish and shellfish ecology, marine mammals and offshore and intertidal ornithology. East Lothian Council also agreed that a HRA screening is required in relation to the additional ECC.

East Lothian Council agreed that there is likely to be no overall change to the predicted seascape, landscape and visual impacts of the Licensed Works and no update is required to the SLVIA as a result of the Proposed Works.

NS confirmed that it was not in agreement with the conclusion that an EIA is not required for the Proposed Works in relation to the inclusion of monopiles. NatureScot advised that this was due to significant changes to impacts on marine mammals and fish and shellfish, sufficient to potentially alter the original conclusions within the EIA and the uncertainty around mitigation. NS advised that this included substantial increases in predicted impact ranges and changes to cumulative effects for marine mammals, and increased mortality and recoverable injury, changes to behavioural disturbance ranges, magnitude, and cumulative effects for fish and shellfish.

NS advised that a focused EIA would be required to fully and properly assess the updated impact profile, mitigation options and significance of effects for marine mammals and to properly assess the environmental implications of the Proposed Works on fish and shellfish only.

In relation to the additional ECC, NatureScot provided advice on the need for further assessment for marine mammals, fish and shellfish and benthic and subtidal and intertidal benthic ecology.

NS agreed that a HRA screening would be required to consider whether the additional ECC has the potential to affect the qualifying features of European and Ramsar sites, and whether there is a risk of hindering the achievement of the conservation objectives as a result of the inclusion of the additional ECC. NatureScot confirmed agreement in that it is appropriate for the same potential impacts to be assessed in the reassessment as the Report to Inform Appropriate Assessment.

NS confirmed it was content with the approach that Inter-Related Effects are to be updated and considered alongside the application only if likely significant effects arising specifically from the inclusion of the additional ECC are identified. NS also advised that a blue carbon assessment should be carried out given that the additional ECC passes through the Firth of Forth Banks MPA and increases the overall footprint within the MPA compared to the original assessment in the EIA.

SEPA advised that it had no site-specific advice to provide and that no EIA would be required in relation to the Proposed Works.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works **are** an EIA project under the 2017 EW Regulations, the 2017 MW Regulations and the 2007 MW Regulations and, therefore, an EIA **is** required to be carried out in respect of the Proposed Works.

If you increase, alter or extend the Proposed Works, you are advised to contact Marine Directorate - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to **East Lothian Council, Dundee City Council, Angus Council, Fife Council, Scottish Borders Council and Northumberland County Council** planning department. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely,

Emma Lees

Marine Directorate - Licensing Operations Team