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Environmental Impact Assessment Report
Volume 1, Chapter 2: Legislative and Policy Context
MarramWind Offshore Wind Farm

December 2025

Document code:	MAR-GEN-PMG-REP-WSP-000060
Contractor document number:	852346-WEIS-IA-O1-RP-M2-656709
Version:	Final for Submission
Date:	08/12/2025
Prepared by:	WSP UK Limited
Checked by:	WSP UK Limited
Approved by:	MarramWind Limited

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2. Legislative and Policy Context

2.1 Introduction

- 2.1.1.1 This Chapter of the Environmental Impact Assessment (EIA) Report outlines the legislative and policy frameworks that underpin the MarramWind Offshore Wind Farm (hereafter, referred to as ‘the Project’). It demonstrates how relevant international, national, marine, and local legislation and planning policies have informed the scope, methodology, and proportionality of technical assessments presented throughout the EIA Report. By aligning with applicable consenting regimes and guidance – including the primary consenting legislation: Town and Country Planning (Scotland) Act 1997, Electricity Act 1989, Energy Act 2004, Marine and Coastal Access Act 2009 and Marine (Scotland) Act 2010 – this Chapter supports regulatory compliance and provides justification for the approach taken. Detailed policy references are provided in **Volume 3, Appendix 2.1: Planning Policy Framework**.
- 2.1.1.2 The Project is wholly owned by ScottishPower Renewables UK Limited (SPR).
- 2.1.1.3 The Project is a proposed floating wind farm located in the North Sea, with a grid connection capacity of up to 3 gigawatts (GW). The location of the Project is determined by the Option Area Agreement (OAA), which is the spatial boundary of the Northeast 7 (NE7) Plan Option within which the electricity generating infrastructure will be located. The NE7 Plan Option is located north-east of Rattray Head on the Aberdeenshire coast in north-east Scotland, approximately 75 kilometres (km) at its nearest point to shore and 110km at its furthest point. An Option to Lease Agreement (OLA) for the Project within the NE7 Plan Option was signed in April 2022.
- 2.1.1.4 A summary of the Project is provided in Section 1.2 of **Chapter 1: Introduction** and a comprehensive description of the Project is provided in **Chapter 4: Project Description** of the EIA Report.
- 2.1.1.5 The purpose of this Chapter is to help inform the scope of the EIA Report and demonstrate compliance with the applicable legislative and policy requirements, with cognisance given towards guidance and best practice. Relevant legislative and policy frameworks have guided the scope of the EIA Report and helped to inform the types of receptors, environmental issues and likely significant effects that have been assessed. Where specific legislation, policy or guidance requirements inform the assessment for technical aspects within the EIA Report, this is summarised in the relevant Sections of **Chapters 6 to 31** and set out in detail in **Volume 3, Appendix 2.1**.
- 2.1.1.6 This EIA Report has been informed by the Scottish Government’s marine licensing and consenting guidance, which has been updated at several points. The most recent update, published in October 2025, supersedes the Marine Scotland Consenting and Licensing Guidance (Scottish Government, 2018a). It introduces expanded guidance on licensing and consenting requirements, support for applications involving generating stations and transmission infrastructure, and more detailed expectations for mitigation and monitoring plans.
- 2.1.1.7 As part of their April 2025 update to marine licensing procedures and requirements, the Scottish Government confirmed that the following plans must be submitted with Section 36 (s.36) consent and marine licence applications:
- Fisheries Mitigation, Monitoring and Communication;
 - Written Scheme of Investigation and Protocol for Archaeological Discoveries;

- Marine Pollution Contingency Plan for offshore renewable energy; and
 - Invasive Non Native Species Mitigation.
- 2.1.1.8 Subsequent updates were issued in August, September, and October 2025, including new guidance on:
- s.36 consent applications;
 - Applicant responsibilities;
 - accidental deposit of objects at sea;
 - unexploded ordnance clearance; and
 - Seabed Obstruction Mitigation Plans.
- 2.1.1.9 The EIA Report will consider s.36 and marine licence consent application/s for the offshore elements of the Project under the Electricity Works and relevant EIA Regulations as detailed in **Section 2.3**. Further detail is provided in **Section 2.3**.
- 2.1.1.10 The EIA Report will also examine the onshore elements of the Project against the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, as further described in **Section 2.3**.
- 2.1.1.11 Two Planning Statements have been prepared to accompany this EIA Report:
- A Planning Statement for the offshore elements will seek s.36 consent under the Electricity Act 1989 (UK Government, 1989). The Planning Statement prepared to accompany the offshore s.36 consent also provides additional information with regards to the marine licences that are being applied for under the Marine and Coastal Access Act 2009 and Marine (Scotland) Act 2010 and the justification for these.
 - A separate Planning Statement will seek consent under the Town and Country Planning (Scotland) Act 1997 (TCPA) (Scottish Government, 1997) for the onshore elements of the Project.
- 2.1.1.12 Both Planning Statements include a detailed evaluation and discussion of the relevant planning considerations, including relevant policies and their application to the Project.

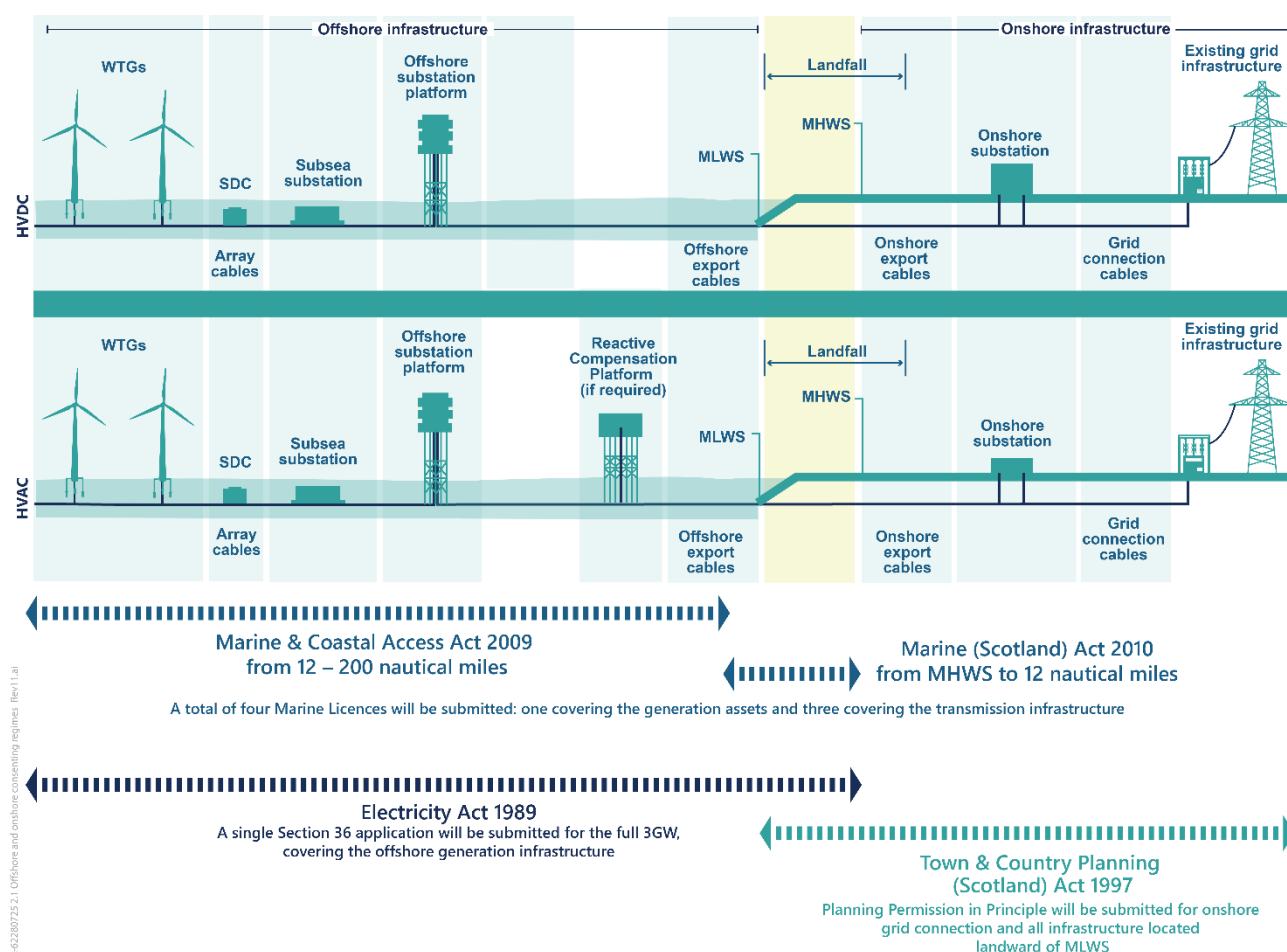
Approach to the land-water interface

- 2.1.1.13 All onshore infrastructure located above Mean Low Water Springs (MLWS) is consented under the Town and Country Planning (Scotland) Act 1997. The Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010 have a landward jurisdictional limit of Mean High Water Springs (MHWS). Since marine licencing covers the marine area up to MHWS and terrestrial planning control extends down to MLWS, there is an overlap of consenting regimes in the intertidal zone (see **Plate 2.1**). The intertidal zone is defined as the area between MLWS and MHWS.
- 2.1.1.14 The term 'offshore' refers to environmental features located on the seaward side of MHWS and 'onshore' refers to environmental features on the landward side of MLWS. It is acknowledged that this approach creates an area of overlap, for instance, the 'intertidal' area between MLWS and MHWS. This is considered appropriate given the overlap between the respective consenting regimes. The approach to the assessment of the intertidal zone is indicated within each relevant aspect chapter in the study area description (within **Chapters 6 to 31**).

2.2 Consenting legislation

- 2.2.1.1 The following Section covers the key consents required for the construction and operation and maintenance (O&M) of the Project. Legislative consenting requirements regarding the future decommissioning of the Project are covered in **Section 2.7.6. Plate 2.1** illustrates the applicable consenting regimes and jurisdictions across the marine-terrestrial interface of relevance to the Project.
- 2.2.1.2 **Plate 2.1** further helps to identify the key components of the offshore and onshore elements of the Project. It should be noted that the offshore substation will be included within the transmission marine licence application and does not fall under the s.36 consent. Whilst a brief description of the key components has been outlined below, **Volume 1, Chapter 4: Project Description** of the accompanying EIA Report contains a thorough explanation of the proposed offshore and onshore infrastructure of the Project.

Plate 2.1 Offshore and onshore consenting regimes



2.2.1 Section 36 consent under the Electricity Act 1989

- 2.2.1.1 Scottish Ministers are responsible for determining applications under s.36 of the Electricity Act 1989 for offshore generating stations with an installed capacity exceeding 1 megawatt (MW) in Scottish territorial waters, and over 50MW in the Scottish Renewable Energy Zone

(REZ). Such applications are processed by Marine Directorate – Licensing Operations Team (MD-LOT) on behalf of Scottish Ministers.

- 2.2.1.2 Section 36 consent is required for the generating station and ancillary infrastructure, including the offshore array of wind turbine generators (WTGs), array cables.
- 2.2.1.3 The Electricity Act 1989 also imposes specific obligations on electricity companies in respect of the preservation of amenity and fisheries through Section 38 and Schedule 9. Consideration of the potential for impact on commercial fisheries is provided in **Chapter 14: Commercial Fisheries** of the EIA Report. Consideration of the potential for impact on shipping and navigation is provided in **Chapter 15: Shipping and Navigation** of the EIA Report.
- 2.2.1.4 The Electricity Act 1989 is expected to be amended through the Planning and Infrastructure Bill which was introduced to the UK Parliament on 11 March 2025; this is yet to be enacted.

2.2.2 Marine and Coastal Access Act 2009 (between 12nm to 200nm) and the Marine (Scotland) Act 2010 (between 0nm to 12nm)

- 2.2.2.1 The Marine and Coastal Access Act 2009 (the 2009 Act) provides a statutory framework for sustainable management of the UK seas beyond 12 nautical miles (nm), including around Scotland. The requirement for a marine licence to undertake certain licensable activities was introduced under the 2009 Act.
- 2.2.2.2 The Marine (Scotland) Act 2010 (the 2010 Act) introduces a duty to protect and enhance the marine environment within Scottish Territorial Waters (from MHWS) out to 12nm, including measures to help boost economic investment and growth in areas such as marine renewables. Key measures included within the Act include marine planning, marine licensing, marine conservation, and enforcement.
- 2.2.2.3 Marine licences are required to undertake prescribed marine licensable activities for the Project, including deposition of cables and other objects on or within the seabed, installation of any necessary cable protection, installation of mooring lines and anchors, and the installation of any wider infrastructure or substructures required in the marine environment.
- 2.2.2.4 To facilitate the expected future transfer of offshore electricity transmission infrastructure to a third-party operator or operators under the Offshore Transmission Owner regime, the Project will require four separate, but related marine licence applications: one marine licence for the generation assets covering WTGs, floating units, anchors and mooring and array cables; and three marine licences (one for each of three proposed phases of construction) for transmission assets covering the offshore substations, offshore export cables, reactive compensation platforms and landfall works seaward of MHWS. The Scottish Ministers are the decision maker for marine licences under both the 2009 and 2010 Acts.
- 2.2.2.5 The consultation requirements of relevance to these legislative requirements are discussed in **Chapter 5: Approach to the EIA**.

2.2.3 Energy Act 2004

- 2.2.3.1 Section 95 and Schedule 16 of the Energy Act 2004 establish the statutory framework for declaring safety zones around or adjacent to Offshore Renewable Energy Installations (OREI). The detailed application process is set out in the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007 and associated guidance (Department of Energy and Climate Change (DECC), 2011; now Department for Energy Security and Net Zero (DESNZ)). Within Scottish waters,

applications are administered by the MD-LOT, who make recommendations to the Scottish Ministers.

- 2.2.3.2 The Applicant will submit a **Safety Zone Statement** alongside the offshore consent applications. This Statement sets out the Applicant's current intentions regarding the requirements for safety zones at the Project during the construction and O&M stages, and forms the basis of an application that will be made under the provisions of the Energy Act 2004 and the 2007 Regulations. Further detail is provided in the **Safety Zone Statement** and in **Chapter 15: Shipping and Navigation**. Town and Country Planning (Scotland) Act 1997.
- 2.2.3.3 Planning Permission in Principle for the onshore infrastructure above MLWS will be sought from Aberdeenshire Council in accordance with the TCPA. A number of detailed design and implementation matters for the Project will be deferred to subsequent applications for Approval of Matters Specified in Conditions.

2.3 EIA Regulations

- 2.3.1.1 Four sets of EIA Regulations are applicable to the Project, as outlined below. Where relevant, these are collectively referred to as the 'EIA Regulations'. In addition to the EIA Regulations, a range of environmental legislation at international and national level have been applied to the EIA Report for the Project. This wider environmental legislation is described in **Section 2.7** below.

2.3.1 Requirements of the EIA Regulations

- 2.3.1.1 The EIA Regulations set out procedures for assessing, consulting upon, and informing decision-making for Projects that are likely to have significant environmental effects. The EIA Regulations require the provision of an EIA Report alongside the applications for the s.36 consent, marine licences, and planning permission under the TCPA.

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

- 2.3.2.1 The requirement for an EIA for electricity generation projects requiring consent under s.36 of the Electricity Act 1989 is provided for in Scotland by the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. These regulations set out the statutory process and minimum requirements for EIA.
- 2.3.2.2 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 identify that certain developments will be, or may be, subject to EIA. An offshore wind farm falls under Schedule 2 of the Electricity Works EIA Regulation 2017 as "*a generating station*". Where a Schedule 2 project is likely to have significant effects on the environment by virtue of factors such as its nature, size or location, an EIA is required. Due to the location and scale of the Project, the Applicant accepts that it could have significant effects on the environment and therefore an EIA Report has been prepared under Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

2.3.3 The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

- 2.3.3.1 The Marine Works (Environmental Impact Assessment) Regulations 2007, as amended by the Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017, set out the requirements for EIA in relation to marine licences for offshore works on or under the seabed in Scottish offshore waters beyond 12nm. The 2017 Amendment Regulations largely replaced the original 2007 Regulations, and the consolidated version now forms the operative legal framework.
- 2.3.3.2 The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 apply to marine licences for offshore works, including cable connections, on or under the seabed within the 12nm limit of Scottish territorial waters.
- 2.3.3.3 The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 identify that an EIA is required for certain developments that are likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The proposed offshore wind farm, which forms the main offshore element of the Project falls under Schedule 2. The Project is seeking four marine licences as discussed in **paragraph 2.2.2.4**. Due to the location and scale of the Project, the Applicant accepts that it could have significant effects on the environment and therefore this EIA Report has been prepared under the Marine Works Regulations 2017 (as amended).

2.3.4 Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

- 2.3.4.1 For onshore transmission infrastructure and associated works, excluding the underground cables, the relevant EIA Regulations are the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.
- 2.3.4.2 The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 do not specifically include underground cables as Schedule 2 development that may require an EIA. However, as detailed at Scoping stage (January 2023), the Applicant is taking a 'whole project' approach to the EIA and has therefore volunteered an EIA Report for the Project including the onshore elements.

2.3.5 EIA Regulation compliance

- 2.3.5.1 This EIA Report has been prepared in accordance with the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended). Consistent with Planning Advice Note (PAN) 1/2013: Environmental Impact Assessment (Scottish Government, 2013), the Report explains the process followed, the methods used, and the measures proposed to avoid, reduce and offset significant adverse effects. The information required by the 2017 Scottish Marine Works EIA Regulations is provided throughout this Report, and this approach is considered to satisfy the equivalent requirements under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, insofar as they apply to the onshore and electricity consents respectively. As multiple sets of similar EIA regulations apply, **Table 2.1** considers the substantive requirements from across applicable regulations.

Table 2.1 Compliance with the EIA Regulations

Text from the EIA Regulations	Location in this EIA Report
Text from Regulation 6 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017	
<p><i>“(2) An EIA Report is a report prepared in accordance with this regulation by the applicant which includes (at least) –</i></p> <ul style="list-style-type: none"> <i>(a) a description of the works comprising information on the site, design, size and other relevant features of the works;</i> <i>(b) a description of the likely significant effects of the works on the environments;</i> <i>(c) a description of the features of the works and any measures envisaged in order to avoid, prevent or reduce and, if possible offset likely significant adverse effects on the environment;</i> <i>(d) a description of the reasonable alternative studied by the applicant, which are relevant to the works and its specific characteristics, and an indication of the main reasons of the option chosen, taking into account the effects of the works on the environment;</i> <i>(e) a non-technical summary of the information referred to in sub-paragraphs (a) to (d); and</i> <i>(f) any other information specified in schedule 4 relevant to the specific characteristics of the works or of the types of works in question and to the environmental features likely to be affected.”</i> 	<p>2(a): Chapter 4: Project Description;</p> <p>2(b): aspect assessment chapters: Chapters 6 to 33 (see sections on assessment of effects);</p> <p>2(c): Chapter 4: Project Description; aspect assessment chapters: Chapters 6 to 31 (see sections on embedded environmental measures) and presented in the Volume 3, Appendix 5.2: Commitments Register;</p> <p>2(d): Chapter 3: Site Selection and Alternatives;</p> <p>2(e): Non-Technical Summary; and</p> <p>2(f): Chapter 4: Project Description; aspect assessment chapters: Chapters 6 to 33, Volume 2, Figures; Volume 3, Appendices; and Volume 4: Implementation Plans and Other Documents.</p>
<p><i>“(3) Where a scoping opinion is adopted, the EIA Report must be based on that scoping opinion and must include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the works on the environment, taking into account current knowledge and methods of assessment.”</i></p>	<p>Chapter 5: Approach to the EIA, aspect assessment chapters (Chapters 6 to 33); and</p> <p>Volume 3, Appendix 5.1: Stakeholder Issues Responses.</p>
<p><i>“(4) With a view of avoiding duplication of assessments, account is to be taken of the available results of other relevant assessments in preparing the EIA Report.”</i></p>	<p>Aspect assessment chapters: Chapters 6 to 33.</p>
<p><i>“(5) In order to ensure the completeness and quality of the EIA Report –</i></p> <ul style="list-style-type: none"> <i>(a) the applicant must ensure that the EIA Report is prepared by competent experts; and</i> 	<p>Chapter 1: Introduction; and</p> <p>Volume 3, Appendix 1.1: Competent Experts.</p>

Text from the EIA Regulations		Location in this EIA Report
<i>(b) the EIA Report must be accompanied by a statement from the applicant outlining the relevant expertise or qualifications of those experts”.</i>		
Text from Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017		
“1. A description of the works ...”	<i>“1. A description of the works...”</i>	Chapter 4: Project Description and aspect assessment chapters (Chapters 6 to 33).
“2. A description of the reasonable alternatives...”	<i>“2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the applicant, which are relevant to the proposed works and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.”</i>	Chapter 3: Site Selection and Alternatives.
“3. A description of the relevant aspects of the current state of the environment (the “baseline scenario”) and an outline of the likely evolution...”	<i>“3. A description of the relevant aspects of the current state of the environment (the “baseline scenario”) and an outline of the likely evolution...”</i>	Aspect assessment chapters (Chapters 6 to 33).
“4. A description of the factors specified in regulation 5(3)...”	<i>“4. A description of the factors specified in regulation 5(3)...”</i>	<p>Aspect assessment chapters (Chapters 6 to 33).</p> <p>Volume 2, Figures; Volume 3, Appendices.</p> <p>Aspects that need to be assessed under the EIA Regulations and relevant EIA Report Chapters:</p> <ol style="list-style-type: none"> 1. Population: <ol style="list-style-type: none"> a. Chapter 8: Underwater Noise; b. Chapter 9: Electromagnetic Fields; c. Chapter 14: Commercial Fisheries; d. Chapter 15: Shipping and Navigation;

Text from the EIA Regulations		Location in this EIA Report
		<ul style="list-style-type: none"> e. Chapter 17: Seascape, Landscape and Visual; f. Chapter 18: Infrastructure and Other Marine Users; g. Chapter 21: Air Quality; h. Chapter 25: Onshore Noise and Vibration; i. Chapter 26: Traffic and Transport; j. Chapter 27: Landscape and Visual; k. Chapter 30: Socio-economics; and l. Chapter 31: Civil and Military Aviation; <p>2. Human health:</p> <ul style="list-style-type: none"> a. Chapter 8: Underwater Noise; b. Chapter 9: Electromagnetic Fields; c. Chapter 19: Ground Conditions and Contamination; d. Chapter 21: Air Quality; e. Chapter 25: Onshore Noise and Vibration; and f. Chapter 30: Socio-economics. <p>3. Biodiversity:</p> <ul style="list-style-type: none"> a. Chapter 10: Benthic Epibenthic and Intertidal Ecology; b. Chapter 11: Marine Mammals; c. Chapter 12: Offshore and Intertidal Ornithology; d. Chapter 13: Fish Ecology; e. Chapter 20: Water Resources and Flood Risk; and f. Chapter 23: Terrestrial Ecology and Ornithology. <p>4. Land and soil:</p> <ul style="list-style-type: none"> a. Chapter 19: Ground Conditions and Contamination; and b. Chapter 22: Land Use.

Text from the EIA Regulations		Location in this EIA Report
		<ul style="list-style-type: none"> 5. Water: <ul style="list-style-type: none"> a. Chapter 6: Marine Geology Oceanography and Physical Processes; b. Chapter 7: Marine Water and Sediment Quality; and c. Chapter 20: Water Resources and Flood Risk. 6. Air: <ul style="list-style-type: none"> a. Chapter 21: Air Quality; Chapter 28: Climate Resilience; and b. Chapter 29: Greenhouse Gases. 7. Climate: <ul style="list-style-type: none"> a. Chapter 6: Marine Geology Oceanography and Physical Processes; b. Chapter 20: Water Resources and Flood Risk; c. Chapter 28: Climate Resilience; and d. Chapter 29: Greenhouse Gases. 8. Material assets: <ul style="list-style-type: none"> a. Chapter 30: Socio-economics. 9. Cultural heritage: <ul style="list-style-type: none"> a. Chapter 16: Marine Archaeology and Cultural Heritage and b. Chapter 24: Onshore Archaeology and Cultural Heritage. 10. Landscape: <ul style="list-style-type: none"> a. Chapter 17: Seascape Landscape and Visual and b. Chapter 27: Landscape and Visual.
<i>“5. A description of the likely significant effects of the works on the environment...”</i>	<i>“5. A description of the likely significant effects of the works on the environment resulting from...”</i>	Aspect assessment chapters (Chapters 6 to 33).
<i>“6. The description of the likely significant effects on the factors specified in regulation 5(3) should cover the direct</i>	<i>“6. The description of the likely significant effects on the factors specified in regulation 5(3) should cover the direct effects and any indirect,</i>	Chapter 5: Approach to the EIA and aspect assessment chapters (Chapters 6 to 33).

Text from the EIA Regulations		Location in this EIA Report
<i>effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the works..."</i>	<i>secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the works..."</i>	
"7. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment..."	<i>"7. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment..."</i>	Chapter 5: Approach to the EIA and aspect assessment chapters (Chapters 6 to 33).
"8. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements..."	<i>"8 A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements..."</i>	Chapter 5: Approach to the EIA ; aspect assessment chapters (Chapters 6 to 33) and Volume 3, Appendix 5.2 .
"9. A description of the expected significant adverse effects of the works on the environment..."	<i>"9. A description of the expected significant adverse effects of the works on the environment..."</i>	Chapter 5: Approach to the EIA and aspect assessment chapters (Chapters 6 to 33).
"10. A non-technical summary of the information provided under paragraphs 1 to 9."	<i>"10. A non-technical summary of the information provided under paragraphs 1 to 9."</i>	Non-Technical Summary.
"11. A reference list detailing the sources used for the descriptions and assessments included in the Offshore / Onshore EIA Report."	<i>"11. A reference list detailing the sources used for the descriptions and assessments included in the EIA report."</i>	Section 2.9. Separate references are provided with each chapter.

- 2.3.5.2 The Scottish Ministers hold executively devolved powers under s.36 of the Electricity Act 1989 and therefore primarily apply relevant Scottish level policies in the determination of consenting applications. However, energy generally remains a UK reserved matter and therefore the UK Government's policy for the delivery of energy infrastructure, as set out within a suite of Energy National Policy Statements (NPSs), are also a relevant consideration. A summary of the main elements of the Overarching National Policy Statement for Energy (EN-1); National Policy Statement for Renewable Energy (EN-3); and the National Policy Statement for Electricity Networks (EN-5) (Department for Energy Security & Net Zero, 2023a; 2023b; 2023c, respectively), which are relevant to the Project are set out in **Section 2.5** and **Volume 3, Appendix 2.1**.
- 2.3.5.3 For projects falling under the Town and Country Planning (Scotland) Act 1997, decisions will be made in accordance with the statutory Development Plan, which comprises National Planning Framework 4 (NPF4) (Scottish Government, 2023d) and the Local Development Plan (LDP), which for the Project is the Aberdeenshire LDP 2023.
- 2.3.5.4 For projects falling under the Electricity Act 1989 (for instance, s.36 applications) and marine licence applications, NPF4 will comprise a significant relevant consideration. Such projects will therefore have to demonstrate compliance with NPF4 policies and expectations. A summary of the main elements of NPF4 which are relevant to the Project are set out in **Section 2.5** and **Volume 3, Appendix 2.1**.

2.4 Strategic policy context for the Project

- 2.4.1.1 The need for a secure energy supply and climate change has led to the development of legislation and policies to both tackle climate change and support renewable energy deployment at pace and scale. This is of relevance to the consenting process for the Project and therefore to this EIA Report.
- 2.4.1.2 The strategic policy context demonstrates the need for the Project through considering the relevance and implications of legislation and policies relating to tackling climate change and supporting renewable energy generation at international and national levels. **Table 2.2** provides a summary of all fully up to date legislation and policies relevant to climate change and likewise **Table 2.3** of all relevant UK and Scottish energy policies.

Table 2.2 Climate legislation and policy summary

Policies and directives	Summary
29th United Nations Climate Change Conference of the Parties (COP29), 2024	<p>The 29th United Nations Climate Change Conference (COP29) took place in Baku, Azerbaijan, in November 2024.</p> <p>A key outcome was agreement on a global carbon market under Article 6 of the Paris Agreement, enabling new forms of international cooperation. While progress was made on climate finance, commitments fell short of the \$1.3 trillion requested by developing nations. Countries were urged to submit stronger national climate plans by 2025, building on the global stocktake from COP28 and aiming to cut emissions 43% by 2030 to keep 1.5°Celsius (C) within reach.</p>
The United Nations Emissions Gap Report 2024	<p>The United Nations published the Emissions Gap Report (United Nations, 2024) on 24 October 2024. The Report provides an annual, independent science-based assessment of the gap between the pledged greenhouse gas emissions reductions and the reductions</p>

Policies and directives	Summary
	<p>required to align with the long-term temperature goal of the Paris Agreement, as well as opportunities to bridge this gap.</p> <p>The Emissions Gap Report warns that the world is rapidly approaching the point where limiting warming to 1.5°C will no longer be feasible. The report highlights a stark disconnect between climate pledges and actual progress, urging countries to significantly strengthen their next round of Nationally Determined Contributions due in 2025, or risk losing the 1.5°C target.</p>
<p>Climate Change (Emissions Reduction Targets) (Scotland) Act 2024</p>	<p>The Climate Change (Emissions Reduction Targets) (Scotland) Act 2024 is a major update by introducing a new system of carbon budgeting and a greater accountability for emission reductions. The aim is to replace annual and interim targets with multi-year carbon budgets and ensure that the Scottish Ministers are legally bound to meet these targets.</p> <p>Some of the key features of the act are:</p> <ul style="list-style-type: none"> • each budget should last a period of five years; • Scottish Ministers must set budgets that will cover every year from 2026 to the net zero year; • a new climate change plan must follow the setting of each budget; and • annual progress reports are required.
<p>28th United Nations Climate Change Conference of the Parties (COP28), 2023</p>	<p>The 28th UN Climate Change Conference of the Parties (COP28) was hosted in Dubai in 2023. The COP28 summit convened governments from around the world to agree the “<i>beginning of the end</i>” of the fossil fuel era by laying the ground for a swift, just and equitable transition, underpinned by deep emissions cuts and scaled-up finance.</p> <p>In a demonstration of global solidarity, negotiators from nearly 200 Parties to the UN Framework Convention on Climate Change came together with a decision on the world’s first ‘global stocktake’ to ratchet up climate action before the end of the decade. This is considered the central outcome of COP28 – as it contains every element that was under negotiation and can now be used by countries to develop stronger climate action plans due by 2025. The stocktake recognises the science that indicates global greenhouse gas emissions need to be cut 43% by 2030, compared to 2019 levels, to keep the global temperature limit of 1.5°C within reach.</p>
<p>UK Climate Change Strategy 2021- 2024</p>	<p>The Climate Change Strategy 2021-2024, through implementation of the five strategic pillars, aims to reduce greenhouse gas emissions to net zero by 2050. The five strategic pillars include:</p> <ul style="list-style-type: none"> • “<i>increasing our support to clean growth and climate adaptation;</i> • <i>reducing our portfolio for greenhouse gas emissions;</i> • <i>understanding and mitigating our climate-related financial risks;</i> • <i>transparency and disclosure; and</i> • <i>providing international leadership on climate change amongst export credit agencies and relevant financial institutions.</i>” (UK Export Finance, 2021).

Policies and directives	Summary
<p>The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (2021, 2022 & 2023)</p>	<p>The first part of the IPCC 6th Assessment Report (2021) was published on 9 August 2021 (the AR6 Report). It provides new estimates of the chances of crossing the global warming level at 1.5°C in the next decade and reaches the conclusion that, without immediate, rapid and large-scale reductions in greenhouse gas, limiting warming close to 1.5°C or even 2°C will be beyond reach.</p> <p>The second part of the AR6 Report 'Impacts, Adaptations and Vulnerability' was published on 28 February 2022. It summarises the current understanding of observed climate change impacts on ecosystems, human societies and their cities, settlements, infrastructures and industrial systems, as well as vulnerabilities and future risks tied to different socioeconomic development pathways.</p> <p>The third part of the AR6 Report 'Mitigation of Climate Change' was published on 4 April 2022. This Report provided an updated global assessment of current and project emissions from all sources and sectors, mitigation options that reduce emissions or remove greenhouse gases from the atmosphere, and progress towards meeting climate ambitions. It also assessed what is required to achieve net zero emissions as pledged by many countries.</p> <p>The IPCC published the AR6 Synthesis Report on 20 March 2023. The Synthesis Report summarises the state of knowledge of climate change, its widespread impacts and risks, and climate change mitigation and adaptation. It integrates the main findings of AR6.</p>
<p>The Climate Change Plan, Third Report on Proposals and Policies (2018-2032), Updated 2020</p>	<p>This Climate Change Plan is the Scottish Government's third report on proposals and policies for meeting its climate change targets (Scottish Government, 2020e). It sets out how Scotland can deliver its target of 66% emissions reductions, relative to the baseline for the period 2018 to 2032.</p> <p>Part 1 of the plan shows the emissions reductions pathway to 2032, and states that <i>"by 2032, Scotland's electricity system, already largely decarbonised, will be increasingly important as a power source for heat and transport."</i></p> <p>This is still in force as the statutory plan to 2032, but will be replaced by the next Climate Change Plan (2026 to 2040) due in draft after new carbon budgets are set under the 2024 Act.</p>
<p>European Union (EU) Renewable Energy Directive (2018/2001/EU), 2018</p>	<p>The Renewable Energy Directive is the legal framework for the development of renewable energy sectors across the EU economy. The Directive was originally established in 2009 (2009/28/EC) and set a target of achieving 20% of EU energy consumption from renewable sources by 2020.</p> <p>The Renewable Energy Directive was amended in 2018 (2018/2001/EU), setting a revised and binding renewable energy target of achieving a minimum of 32% energy consumption from renewable energy sources within the EU by the year 2030.</p> <p>The UK formally withdrew from the European Union (EU) on 31 January 2020 under terms set out in the European Union (Withdrawal Agreement) Act 2018 ('the Withdrawal Act').</p>

Policies and directives	Summary
The Paris Agreement - 21st United Nations Climate Change Conference of the Parties (COP21), 2015	<p>The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 countries at the Paris Climate Conference (COP21) on 12 December 2015 and entered into force on 4 November 2016. The Agreement sets out a target to limit global warming to well below 2°C above pre-industrial global average temperature levels, with the preferable aim of limiting global warming to 1.5°C.</p> <p>In accordance with the Paris Agreement, on 12 December 2020, the UK communicated its Nationally Determined Contribution. The current Nationally Determined Contribution commits the UK to reducing economy-wide greenhouse gas emissions by at least 68% by 2030, compared to 1990 levels.</p>
The Climate Change Act 2008, amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019	<p>The Climate Change Act 2008 is the basis for the UK's approach to tackling and responding to climate change. It establishes the framework to deliver on these requirements.</p> <p>The Act was amended in 2019 committing the UK to achieving net zero by 2050, compared to the previous target of an 80% reduction in emissions by 2050.</p>
The Kyoto Protocol, 1997	<p>The Kyoto Protocol was adopted on 11 December 1997 and came into force in 2005. There are 192 parties to the Kyoto Protocol at present. The Kyoto Protocol commits industrialised countries and economies in transition to limit and reduce greenhouse gas emissions in accordance with agreed individual targets. The Doha Amendment was adopted on 8 December 2012, lasting until 2020. The Amendment includes new commitments for Annex I Parties to the Kyoto Protocol, a revised list of greenhouse gases to be reported on by Parties and amendments to several articles of the Kyoto Protocol. The UK is a signatory to the Kyoto Protocol and its commitments were transposed into UK law by the Climate Change Act 2008.</p>
United Nations Framework Convention on Climate Change (UNFCCC), 1992	<p>At the international level, action to tackle climate change is informed by the Intergovernmental Panel on Climate Change and underpinned by the UNFCCC. The UNFCCC aims to stabilise atmospheric greenhouse gas concentrations at a level sufficiently low to <i>"prevent dangerous anthropogenic interference with the climate system"</i> (Article 2).</p>

Table 2.3 Energy policy summary

Title	Summary
Carbon Budget and Growth Delivery Plan 2025	<p>The Carbon Budget and Growth Delivery Plan 2025 is the latest carbon budget plan that seeks to deliver clean energy and continue to reduce the UK's carbon emission contributions. The UK Government acknowledges within this plan that clean energy industries and their growth are important to the UK economy and ensuring the UK meets its energy needs in a secure and clean fashion. The plan also highlights that investment in clean energy can help to reduce energy costs within the UK, and the UK Government has identified a further £63 billion in government capital funding to help drive the growth of the clean energy industry within the UK.</p> <p>The UK Government identifies that the UK is a leader in offshore wind and is seeking to continue this by encouraging further offshore wind development.</p>
UK Modern Industrial Strategy 2025	<p>The UK Modern Industrial Strategy 2025 is a ten year plan that was launched by the UK Government to look at boosting business investment, drive innovation and grow future industries. The UK Governments aim is to make investment easier while also ensuring long-term certainty to enable the UK to be a global leader in key sectors. The strategy has set a target of reaching £30 billion per year by 2035 for clean energy investment.</p> <p>Offshore wind is considered a core sector within the Clean Energy Industries focus of the strategy. The UK Government sees the importance to ensure both economic growth and achieving net zero. This is why major investments are planned for ports, manufacturing and grid infrastructure to ensure the support is there for the expansion of offshore wind.</p>
National Policy Statements 2023 (2024)	<p>The Scottish Ministers hold executively devolved powers under s.36 of the Electricity Act 1989 and therefore, primarily apply relevant Scottish level policies in the determination of consenting applications. However, energy generally remains a UK reserved matter and therefore the UK Government's policy for the delivery of energy infrastructure, as set out within a suite of Energy NPSs, are also relevant considerations. The UK NPSs form part of both the energy and planning policy frameworks applicable to the consenting of the Project. As detailed in Volume 3, Appendix 2.1, policy coverage within the NPSs regarding UK reserved matters is of importance as energy is considered to be a UK level consideration.</p> <p>There are six energy NPSs, three of which are relevant to offshore wind farm development. These comprise:</p> <ul style="list-style-type: none"> • the Overarching NPS for Energy (NPS-EN 1); • the NPS for Renewable Energy Infrastructure (NPS EN-3); and • the NPS for Electricity Networks Infrastructure (NPS EN-5) (DECC, 2023a; DECC, 2023b; DECC, 2023c). <p>Following a review of the NPSs in response to the Energy White Paper, updated draft energy NPSs were published for consultation in 2021. The updated NPSs came into force on 17 January 2024.</p> <p>It is acknowledged that the DESNZ is currently consulting on revised draft energy NPSs (EN-1, EN-3, EN-5).</p>

Title	Summary
Clean Power 2030 Action Plan: A new era of clean electricity	<p>The Clean Power 2030 Action Plan (UK Government, 2024) sets out how the government will work with the clean power sector, including industry, trade unions, investors, policy makers and others to achieve the delivery of clean power by 2030.</p> <p>The Plan identifies offshore wind as having “<i>a particularly important role as the backbone of the clean power system</i>” and calls for mass deployment of offshore wind alongside onshore wind and solar. Table 1 of the Connections Reform Annex within the Plan sets out ‘Clean Power Capacity Ranges’ per technology for 2030 and indicative ranges for 2035 (based on National Energy System Operator analysis). For 2030 the UK’s offshore wind deployment the target range is 43GW to 50GW and for 2035 the indicative target range is 72GW to 89GW.</p>
Carbon Budget Delivery Plan (2023)	<p>The Carbon Budget Delivery Plan replaced the previous Net Zero Strategy and set out the Government’s strategy to achieve net zero and to deliver energy security, whilst at the same time increasing the UK’s international economic competitiveness.</p> <p>Following its publication, a judicial review challenge was also submitted in relation to this delivery plan. In May 2024, the High Court found that this plan was also unlawful and required the Secretary of State to produce a new plan within 12 months.</p> <p>At the time of writing it is understood that a new Carbon Budget Delivery Plan will be published shortly.</p>
Draft Energy Strategy and Just Transition Plan 2023	<p>The Draft Energy Strategy and Just Transition Plan (Scottish Government, 2023b) has a vision that by 2045 Scotland will have a flourishing, climate friendly energy system that delivers affordable, resilient and clean energy supplies for Scotland’s households, communities and business. This will deliver maximum benefit for Scotland, enabling Scotland to achieve wider climate and environmental ambitions, drive the development of a wellbeing economy and deliver a just transition for workers, businesses, communities and regions.</p> <p>The Draft Energy Strategy and Just Transition Plan sets out that they “<i>are setting an ambition for more than 20 GW of additional low-cost renewable electricity generation capacity by 2030, including 12 GW of onshore wind, and we are consulting on setting a further offshore deployment ambition, and a new ambition for solar, wave and tidal deployment. Scotland already has 13.4 GW of renewable electricity generation capacity. An additional 20 GW of renewable generation will more than double our existing renewable generation capacity by 2030 generating enough power each year to power the equivalent of every home Scotland for over 7 years. That is the equivalent of 48% of Scotland’s current total energy demand.</i>”</p> <p>The consultation period for the draft Energy Strategy and Just Transition Plan ended on the 9 May 2023. A final version of the plan is yet to be published.</p>
Powering up Britain (2023)	<p>The Powering up Britain (DESNZ, 2023d) paper sets out how the government proposes to enhance Britain’s energy security, seize the</p>

Title	Summary
	<p>economic opportunities of the transition and deliver on net zero commitments.</p> <p>In terms of offshore wind, the paper states that <i>“the goal is to develop up to 50GW of offshore wind by 2030 and to quintuple our solar power by 2035.”</i></p>
<p>UK Net Zero Strategy: Build Back Greener 2021</p>	<p>This strategy set out policies and proposals for decarbonising all sectors of the UK economy to meet its net zero target by 2050. Key policies from the strategy include:</p> <ul style="list-style-type: none"> • <i>“40GW of offshore wind by 2030... - with a new approach to onshore and offshore electricity networks to incorporate new low carbon generation and demand in the most efficient manner that takes account of the needs of local communities; and</i> • <i>moving towards 1GW of floating offshore by 2030 to put us at the forefront of this new technology that can utilise our North and Celtic Seas...”</i> (HM Government, 2021).
<p>Offshore Wind Policy Statement 2020</p>	<p>The Offshore Wind Policy Statement sets out ambitions for the future of offshore wind in Scotland and is the context for Marine Directorate’s Sectoral Marine Plan (SMP) for Offshore Wind. The Statement, which was prepared in line with the 2017 Energy Strategy and pre-dates the announcement of ScotWind leasing results (where 24.7GW of capacity was awarded), confirms the Scottish Government’s support for offshore wind deployment and set an ambition for 11GW deployment by 2030.</p> <p>The Statement (Scottish Government, 2020b) sets out further ambitions to capitalise on offshore wind development and the role this technology could play in meeting the commitment of net zero by 2045.</p>
<p>Updated Offshore Wind Ambition Consultation 2025</p>	<p>The 2025 Updated Offshore Wind Ambition Consultation proposes a significant increase in ambition, with the Scottish Government seeking to deploy at least 40GW of new offshore wind capacity by 2035 to 2040 (above the 2025 operational baseline). The 11GW by 2030 ambition remains in place as an interim milestone, however the 40GW ambition by 2040 highlights the importance of offshore wind in Scotland’s move towards net-zero. This consultation is recognised as particularly important to the Project given the mid-2030 target deployment date.</p>
<p>Offshore Wind Sector Deal, Updated 2020</p>	<p>The Offshore Wind Sector Deal builds on the UK’s global leadership position in offshore wind and seeks to maximise the advantages for UK industry from the global shift to clean growth, consistent with the Clean Growth Grand Challenge.</p> <p>The Deal (Department for Business, Energy & Industrial Strategy (BEIS), 2020d) sets out how the Crown Estate and Crown England Scotland will undertake new seabed leasing to ensure a sustainable pipeline of new projects for the late 2020s and early 2030s.</p> <p>The ambition is to increase the industry’s productivity, competitiveness, and innovation, while helping to grow coastal economies. Eight regional offshore wind clusters are being developed across the UK, with two in Scotland: Deep Wind (North Scotland), and Forth & Tay Offshore.</p>

Title	Summary
Offshore Transmission Network Review (OTNR) 2020	<p>The OTNR (BEIS, 2020b) was launched in July 2020 to ensure that transmission connections for offshore wind generation can be delivered to support the UK Government's ambitions to increase offshore wind power to 40GW by 2030 and to deliver on its Net Zero ambitions by 2050.</p> <p>The OTNR brought together key stakeholders involved in the timing, siting, design and delivery of offshore wind. The outcomes were published in a summary report in July 2023, which set out the core outputs of the offshore transmission network review and the future vision. Some of the OTNR's outputs include:</p> <ul style="list-style-type: none"> • the holistic network design – delivered by the energy systems operator in July 2022; • recommendations for a future framework to support our delivery of net zero through offshore wind generation; • ground-breaking work on new technologies such as multi-purpose interconnection; • significant changes to existing codes, standards and processes to put transmission delivery on the front foot whilst also protecting communities, environment and consumer costs; • accelerated strategic transmission investment decisions through Ofgem; • delivering retrospective co-ordination among well advanced projects; • enabling regulatory change to standardise co-ordination for transmission infrastructure; and • launching a consultation on community benefits for network infrastructure.
The Scottish Energy Strategy 2017	<p>The Scottish Energy Strategy: The Future of Energy in Scotland (Scottish Government, 2017b) sets out the Scottish Government's vision for the future energy system, focusing on a vision for Scotland by the year 2050.</p> <p>The Strategy states that <i>"A diverse, well-balanced energy supply portfolio or 'energy mix' will remain essential as we continue to decarbonise our heat, transport and electricity systems – providing the basis for secure and affordable heat, mobility and power in future decades."</i></p> <p>The Strategy sets two new targets for the Scottish energy system by 2030:</p> <ul style="list-style-type: none"> • <i>"the equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources;</i> • <i>an increase by 30% in the productivity of energy use across the Scottish economy."</i>

2.5 Legislative and policy framework for this EIA

2.5.1 Overview

- 2.5.1.1 This Section provides an overview of the legislative and policy framework of relevance to the Project.
- 2.5.1.2 This Section has been used to directly inform the EIA Report by taking account of specific requirements to assess and address likely impacts on a range of sensitive receptors and to consider relevant environmental issues. In doing so, the EIA Report will respond to the EIA Regulations and provide objective assessment evidence, which should also help to address relevant policy requirements.
- 2.5.1.3 Drawing upon this evidence, the need for the Project and its accordance with relevant policies will then be considered separately in other documentation prepared in support of consenting applications for the Project.

2.5.2 National planning policies and guidance

- 2.5.2.1 **Table 2.4** outlines the national planning policy framework presently applicable to the determination of consent applications for the Project (s.36, marine licences, and planning application) and therefore to this EIA Report.
- 2.5.2.2 It should be noted that in relation to the determination of s.36 applications, the statutory Development Plan is not afforded primacy as Section 25 of the Town and Country Planning (Scotland) Act 1997 is not engaged.
- 2.5.2.3 For projects falling under the Electricity Act 1989 (i.e. s.36 applications) and marine licence applications, NPF4 will however comprise a significant material consideration. **Volume 3, Appendix 2.1** provides a detailed summary of individual policies of relevance which have informed the approach to this EIA Report.

Table 2.4 National planning policies and guidance

Title	Summary
Programme for Government 2025 to 2026: Building The Best Future For Scotland	<p>The 2025 to 2026 Programme for Government (Scottish Government, 2025) sets out a delivery-focused agenda that links climate action with economic opportunity. It highlights planning reform as key to accelerating renewable energy deployment, particularly offshore wind. Updates to NPF4 and consenting processes aim to streamline delivery and attract investment.</p> <p>The Programme also emphasises Scotland's ambition to lead globally in offshore wind, with up to £500 million committed over five years to develop supply chain clusters and boost local job opportunities – £150 million of which is allocated for 2025 to 2026. This investment supports a just transition and reinforces Scotland's position as a hub for green industrial growth.</p>
The Environment Strategy for Scotland 2020, and Progress Report 2024	<p>This Strategy has a 2045 vision, whereby, restoring nature and ending Scotland's contribution to climate change, Scotland will be transformed for the better, therefore helping to secure the wellbeing of Scottish people and the planet.</p>

Title	Summary
	<p>The contribution of the Environment Strategy vision and outcomes will contribute to National Outcomes and the UN Sustainable Development Goals.</p> <p>The outcomes that are relevant to the Project, include:</p> <ul style="list-style-type: none"> • <i>“We play our full role in tackling the global climate emergency and limiting temperature rise to 1.5°C;</i> • <i>Scotland’s nature is protected and restored with flourishing biodiversity and clean and healthy air, water seas and soils; and</i> • <i>our thriving sustainable economy conserves and grows our natural assets.”</i> (Scottish Government, 2020d). <p>In March 2024, the third annual progress report to Parliament on the development of the environmental policy strategy was provided, which Scottish Ministers are required to publish under Section 47 of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021.</p> <p>It’s of note that a new consultation draft Environment Strategy (2025) was published in July 2025. Once, adopted this will replace the 2020 vision / outcomes once finalised.</p>
<p>Climate Change Monitoring Report 2024</p>	<p>The 2024 Climate Change Monitoring Report provides a detailed overview of Scotland’s progress toward its legally binding climate targets which includes net zero by 2045. The Report use a three-part framework to assess the progress.</p> <p>The 2024 Climate Change Monitoring Report highlighted some key updates which are:</p> <ul style="list-style-type: none"> • new build heat standard; • agricultural reform route map; • heat in buildings bill; • investment in active travel and public transport infrastructure; and • increased tree planting and peatland restoration. <p>The 2024 Climate Change Monitoring Report shows that progress is being made but the report also sets out that rapid action is needed especially in areas like transport and agricultural to stay on track to meet net zero by 2045.</p>
<p>The Environment Strategy for Scotland: Driving the Transition to a Nature Positive Economy - A Synthesis of Policy Levers for Governments (2024)</p>	<p>The purpose of the Environment Strategy for Scotland: Driving the Transition to a Nature Positive Economy - A Synthesis of Policy Levers for Governments has been published to provide a synthesis of policy levers that governments can use to support the transition to a nature positive economy. This was developed as part of a research project which was titled ‘<i>Delivering the Environment Strategy Outcome on Scotland’s Economy: Evidence Base and Policy Levers</i>’</p> <p>The Environment Strategy for Scotland: Driving the Transition to a Nature Positive Economy - A Synthesis of Policy Levers for Governments provides some recommendations that governments should implement. They should:</p> <ul style="list-style-type: none"> • embed nature positive goals into economic planning and decision making; • use fiscal incentives;

Title	Summary
	<ul style="list-style-type: none"> • look to strengthen regulation and enforcement in order to protect ecosystems; • invest in green infrastructure; and • provide support for innovation and skill development for green jobs.
NPF4 2023	<p>NPF4 was adopted by the Scottish Government on 13 February 2023 (Scottish Government, 2023d). NPF4 provides the spatial strategy for Scotland to 2045 and takes account of the target of net zero emissions by 2045 set by the Scottish Government. It forms part of the statutory Development Plan for the determination of planning applications, with a statutory requirement for it to be taken into account by planning authorities when preparing LDPs.</p> <p>NPF4 includes a specific policy on the climate and nature crisis to ensure that they are appropriately recognised as priorities in all plans and decisions. It also sets out a range of policy tests, requirements and expectations for all developments.</p> <p>NPF4 provides a strong framework for the deployment of renewable energy developments and identifies the need for strategic scale renewable energy developments, including offshore wind farms. The Project is classified as a National Development within NPF4 as ‘Strategic Renewable Electricity Generation and Transmission Infrastructure’.</p> <p>In addition to NPF4, the Scottish Government is in the process of publishing a range of planning guidance to aid with the policy implementation. This will include guidance such as:</p> <ul style="list-style-type: none"> • biodiversity guidance; • socioeconomic; and • briefing notes.
NPF4 Scottish Government Draft Planning Guidance: Biodiversity	<p>The Scottish Government published draft planning guidance on the 30 November 2023, which set out the Scottish Ministers’ expectations for implementing NPF4 policies that support the cross-cutting NPF4 outcome ‘improving biodiversity’. The guidance states that regardless of the assessment approach taken, all proposals should clearly demonstrate how they have met criteria set out within the guidance. As per the <i>Planning and Development: Enhancing Biodiversity</i> guidance published by NatureScot in September 2024, it is understood that this draft guidance is intended to assist in the implementation and delivery of NPF4 Policy 3 until such a point that finalised guidance becomes available.</p> <p>It is of note that a Scottish biodiversity metric is under development (expected 2026).</p>
Biodiversity strategy to 2045: tackling the nature emergency in Scotland	<p>The Scottish Government published the Biodiversity strategy to 2045: tackling the nature emergency – draft on the 13 December 2022. The strategy was then updated in September 2023, and again in November 2024. The final updated biodiversity strategy (Scottish Government, 2024a) sets out a clear ambition for Scotland to be Nature Positive by 2030, and to have restored and regenerated biodiversity across the country by 2045.</p>

Title	Summary
	<p>To deliver the Vision, the biodiversity strategy contains a detailed set of Outcomes, which will be achieved through actions set out in Delivery Plans. The Strategy identifies the following six objectives in order to progress towards the aim of halting the loss of biodiversity and being nature positive by 2030:</p> <ul style="list-style-type: none"> • accelerate restoration and regeneration; • protect nature on land and at sea, across and beyond protected areas; • embed nature-positive farming, fishing and forestry; • protect and support the recovery of vulnerable and important species and habitats; • invest in nature; and • take action on the indirect drivers of biodiversity loss.
<p>Guidance on Biodiversity Duty, in adherence with Nature Conservation (Scotland) Act 2004</p>	<p>Public bodies in Scotland have a duty to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. Fulfilling the Biodiversity duty will allow wider outcomes to be addressed, such as:</p> <ul style="list-style-type: none"> • <i>“Helping Scotland halt biodiversity loss and address the climate emergency, and contributing to a green recovery and a net zero future.</i> • <i>Ensuring compliance with the legislation and helping Scotland to meet its national and international biodiversity targets.</i> • <i>Contributing to sustainable development and the quality of life in Scotland.</i> • <i>Demonstrating you are working in a socially responsible and ethical way, by safeguarding biodiversity and environmental assets for future generations.”</i> (NatureScot, 2023) <p>It is of note that this guidance is being updated to align with the 2045 Biodiversity Strategy and NPF4.</p>

2.5.3 Marine planning policies and guidance

- 2.5.3.1 Marine licences will be required to undertake prescribed marine licensable activities for the Project, with four marine licences being sought. The Scottish Ministers are the decision maker for marine licence applications, which must be determined primarily in accordance with appropriate statutory requirements, marine planning policies, and guidance. These are also relevant considerations in the determination of applications made under s.36 of the Electricity Act 1989. **Table 2.5** below provides a summary of the UK and Scottish marine policies of relevance to the Project and the EIA Report, supported by a detailed review in **Volume 3, Appendix 2.1** to inform the scope of assessment.

Table 2.5 National marine policy summary

Title	Summary
<p>Draft Updated Sectoral Marine Plan for Offshore Wind Energy 2025</p>	<p>The Scottish Government's draft SMP for Offshore Wind Energy sets out an integrated spatial planning framework for delivering projects from the ScotWind and Innovation and Targeted Oil and Gas leasing rounds, while also considering additional capacity for test and demonstration projects. The consultation opened on 30 May 2025 and closed on 22 August 2025.</p> <p>The Draft Updated SMP is accompanied by a package of plan-level assessments that provide a high-level, strategic evaluation of potential effects across the defined Option Areas (OAs) (including NE7) and, where relevant, cumulative or in-combination effects:</p> <ul style="list-style-type: none"> • Strategic Environmental Assessment (SEA) – identifies likely significant environmental effects of implementing the Draft Plan and reasonable alternatives; • Habitats Regulations Appraisal – Appropriate Assessment Information Report – considers potential effects on European / Ramsar sites and features from Plan implementation; • Social and Economic Impact Assessment – assesses potential economic and social effects site-by-site at OA level and at regional / national cumulative scales (including shipping, fisheries, ports / harbours, tourism / recreation, etc.); • Nature Conservation Marine Protected Area (NCMPA) Assessment – considers effects on NCMPAs as part of the sustainability appraisal package; and • Islands Communities Impact Assessment and Business and Regulatory Impact Assessment – consider island community implications and business / regulatory impacts, respectively, at plan level. <p>These assessments provide high level evaluations of potential environmental, social, and economic effects for each OA, including NE7, and inform plan level mitigation and evidence priorities to be carried forward at project level. These updated assessments have been considered by the Applicant in relation to the Project accordingly.</p>
<p>Offshore Wind Policy Statement 2020 and Consultation</p>	<p>The Offshore Wind Policy Statement sets out ambitions for the future of offshore wind in Scotland and is the context for Marine Directorate's SMP for Offshore Wind. The Statement, which was prepared in line with the 2017 Energy Strategy and pre-dates the announcement of ScotWind leasing results (where 24.7GW of capacity was awarded), confirms the Scottish Government's support for offshore wind deployment and set an ambition for 11GW deployment by 2030.</p> <p>The Statement (Scottish Government, 2020b) sets out further ambitions to capitalise on offshore wind development and the role this technology could play in meeting the commitment of net zero by 2045.</p> <p>A 2025 consultation proposes a significant increase in ambition, with the Scottish Government seeking to deploy at least 40GW of new offshore wind capacity by 2035 to 2040 (above the 2025 operational baseline), aiming to maximise deployment before the end of Scotland's second Carbon Budget period in 2035. The consultation also signals a dedicated sub-ambition for floating offshore wind, reflecting Scotland's leadership</p>

Title	Summary
	in this technology. The 11GW by 2030 ambition remains in place as an interim milestone.
Sectoral Marine Plan for Offshore Wind Energy 2020	<p>Published in October 2020, the SMP – Offshore Wind Energy identifies sustainable options for the future development of commercial scale offshore wind energy in Scotland, including deep water wind technologies and covers Scottish inshore and offshore waters (Scottish Government, 2020c). The SMP identified a suite of Plan Options (POs) to underpin Crown Estate Scotland’s ScotWind leasing round.</p> <p>The spatial strategy aims to <i>“Minimises the potential adverse effects on other marine users, economic sectors and the environment resulting from further commercial-scale offshore wind development” and “Maximises opportunities for economic development, investment and employment in Scotland, by identifying new opportunities for commercial scale offshore wind development, including deeper water wind technologies.”</i></p> <p>The Project is located in Plan Option NE7, as identified in the SMP for Offshore Wind. POs including NE7 were subject to testing, refinement and area reduction through Strategic Environmental Assessment (SEA), Habitats Regulations Appraisal (HRA) and Plan development processes. The SEA identified relevant characteristics of Plan Option NE7 and identified the risks to be addressed, such as potential for significant socio-economic cost impacts from development within Plan Option NE7 associated with the loss of fishing grounds and the potential for impacts to bird species (Scottish Government, 2020c).</p> <p>In April 2022, the Marine Directorate commenced a formal Iterative Plan Review of the Sectoral Marine Plan, followed by a Call for Evidence from ScotWind Developers in September 2022. SPR responded regarding all of its ScotWind developments, including the Project. At the time of writing, the Scottish Government’s Marine Directorate is currently seeking consultation on the Draft Updated SMP with responses due by 22 August 2025.</p> <p>In December 2022, the Scottish Government published the Sectoral Marine Plan: Roadmap of Actions (Scottish Government, 2022c), which details the actions required to improve the understanding of the potential implications of ScotWind sites on seabirds as identified by the SMP (Scottish Government, 2020c).</p>
Scottish National Marine Plan (NMP) 2015	<p>Adopted in March 2015 (Scottish Government, 2015), this Plan sets out strategic policies for the sustainable development of Scotland’s marine resources out to 200nm. It provides a framework for managing all development in or affecting Scotland’s marine areas, both territorial (up to 12nm) and offshore waters (12nm to 200nm). It is required to be compatible with the UK MPS and existing marine plans across the UK.</p> <p>This Plan adopts the approach of stipulating a set of General Policies (Chapter 4), which apply across all development and use of the marine environment. These general policies support the Scottish Government’s ambitions for economic and social benefits to communities, and co-existence with other sectors and activities. They also require specific impacts to be considered for example with regard to the historic environment, landscape / seascape, coastal process and flooding,</p>

Title	Summary
	<p>natural heritage, they are intended to represent the parameters against which the sustainability of development and other use is considered. They also intend to ensure this is undertaken in a manner that is sensitive to the protection and enhancement of the environment, the needs of other users and the long-term health of the resource.</p> <p>In addition to the above, the Plan includes a number of objectives and marine planning policies. Section 11 relates specifically to offshore wind and marine renewable energy.</p> <p>Volume 3, Appendix 2.1 provides a summary of the policies relevant to this Project.</p> <p>In November 2024 consultation opened on a Planning Position Statement (Scottish Government, 2024c) summarising all the work carried out to date on the development of NMP2. Within the document, stakeholder feedback was consolidated, and information was set out about the latest in the development of high-level objectives and policy ideas for NMP2. Consultation closed in January 2025.</p> <p>At the time of writing, the programme for NMP2 has extended, and it is anticipated that the draft NMP2 will be published in 2026.</p>
Regional Marine Plans (RMPs) 2015	<p>The Marine (Scotland) Act 2010 introduced a new era for the management of Scotland's seas and the resulting NMP (2015) sets the wider context for marine planning within Scotland, including what should be considered when creating local, regional marine plans.</p> <p>Eleven Scottish Marine Regions have been created, which cover sea areas extending out to 12nm. Regional marine plans will be developed by Marine Planning Partnerships, allowing more local ownership and decision making about specific issues within their area.</p> <p>The Project's Offshore Red Line Boundary intersects with the North East RMP area. It is also within proximity of the Moray Firth RMP area to the north. Only the Project infrastructure within the 12nm limit will be subject to the RMPs when they are developed. At the time of writing neither RMPs have been developed.</p>
UK Marine Policy Statement 2011	<p>The Marine Policy Statement (MPS) adopted 2011 is 'the framework for preparing Marine Plans and taking decisions affecting the marine environment' (Department for Environment, Food & Rural Affairs (Defra), 2011). It will contribute to the achievement of sustainable development in the United Kingdom marine area.</p> <p>The document was adopted for the purposes of Section 44 of the Marine and Coastal Access Act 2009 and will support the formulation of Marine Plans. Volume 3, Appendix 2.1 provides a summary of the relevance of the UK MPS.</p>

2.5.4 Local planning policies and guidance

- 2.5.4.1 Planning permission for the onshore infrastructure above MLWS will be sought from Aberdeenshire Council in accordance with the Town and Country Planning (Scotland) Act 1997. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the application will be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise, which are discussed below.

Aberdeenshire LDP 2023

- 2.5.4.2 The Aberdeenshire LDP was adopted on the 13 January 2023, directing decision-making on all land-use planning issues and planning applications in Aberdeenshire and sets out broad principles for development in the area.
- 2.5.4.3 Policies of relevance within the LDP include Policy C2 Renewable Energy and Policy PR2 Reserving and Protecting Important Development Sites. Policy RE1 seeks to provide support for renewable energy developments such as wind. Policy PR2 will protect sites that might be needed in the future for generating and providing energy.
- 2.5.4.4 **Volume 3, Appendix 2.1** provides a detailed summary of individual policies of relevance that have informed the scope of assessment, including policies within the Aberdeenshire LDP 2023 and Aberdeenshire Council's Natural Heritage Strategy 2019 to 2022 (Aberdeenshire Council, 2019). It is acknowledged that Aberdeenshire Council are in the process of preparing their 2029 LDP.

2.6 Guidance on EIA Report

- 2.6.1.1 The EIA Report will be undertaken in line with relevant legislation and policy and specifically in accordance with the requirements of the EIA Regulations. In addition, the EIA Report will take into consideration a range of up-to-date key guidance documents. The list below of key guidance documents provides a general overview of important documents that will help to inform the EIA process which include (but are not limited to):
- Monitoring Impacts on the Commercial Fishing Industry: Good Practice Guidance (Scottish Government, 2025);
 - Implementing the Mitigation Hierarchy from Concept to Construction (Institute of Environmental Management and Assessment (IEMA), 2024);
 - Scottish Renewable UK Offshore Wind EIA Guidance (2021 Updated, refreshed 2023) (Scottish Renewable UK, 2023); and
 - Decommissioning of Offshore Renewable Energy Installations in Scottish Waters or in the Scottish Part of the Renewable Energy Zone under the Energy Act 2004: Guidance Notes for industry in Scotland (Scottish Government, 2022a);
 - Guidance for Applicants on Using the Design Envelope for Applications under Section 36 of the Electricity Act 1989 (Scottish Government, 2022b);
 - Environmental Impact Assessment Handbook. Guidance for competent authorities, consultation bodies, and others involved in the Environmental Impact Assessment process in Scotland (Scottish Natural Heritage and Historic Environment Scotland, 2018);
 - Offshore Wind, Wave and Tidal Energy Applications: Consenting and Licensing Manual (Scottish Government, 2018b);

- Delivering Proportionate EIA. A Collaborative Strategy for Enhancing UK Environmental Impact Assessment Practice (IEMA, 2017);
- Planning Circular 1/2017: Environmental Impact Assessment regulations (Scottish Government, 2017a);
- Environmental Impact Assessment Guide to: Shaping Quality Development (IEMA, 2015);
- PAN 1/2013 Environmental Impact Assessment (Scottish Government, 2013b); and
- Offshore Wind Farms: Guidance Note for Environmental Impact Assessment in Respect of Food and Environment Protection Act 1985 and Coast Protection Act 1949 Requirements (Version 2) (Centre for Environment, Fisheries and Aquaculture Science, 2004).

2.6.1.2 IEMA has also published a complementary guide, Delivering Quality Development (2024), which focuses on effective delivery of environmental design and mitigation post-consent.

2.6.1.3 Each individual environmental topic also refers to relevant topic-specific guidance in **Chapters 6 to 33**, where appropriate.

2.7 Other legislative consenting requirements

2.7.1 Habitats Regulations Appraisal

2.7.1.1 The Habitats Directive (Directive 92/43/ECC) and the Wild Birds Directive (Directive 2009/147/EC) were transposed into UK and Scottish Law through a suite of regulations including the Conservation (Natural Habitats) Regulations 1994 ('Habitats Regulations') (applicable to devolved planning and marine licensing up to 12nm from shore); by the Conservation of Offshore Marine Habitats and Species Regulations 2017 ('Offshore Marine Regulations') (UK led and applicable from 12nm to 200nm), and the Conservation of Habitats and Species Regulations 2017 (equivalent UK regulations for s.36 onshore developments). Collectively the above regulations are referred to as the Habitats Regulations.

2.7.1.2 The Habitats Regulations define the process of HRA, which assesses the potential impacts of proposed plans or projects on internationally and nationally designated sites within the UK's National Site Network (formerly 'European Sites').

2.7.1.3 For the current Project, an HRA is being undertaken in line with these regulations. While coordinated with the EIA Report, the HRA will be reported separately to ensure compliance with statutory requirements, guidance, and best practice. The Marine Directorate and Aberdeenshire Council, as competent authorities, will determine whether the Project would adversely affect the integrity of any relevant marine or terrestrial European Site.

2.7.1.4 The UK's National Site Network includes Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate and proposed SACs and SPAs, and Ramsar Sites. Although these sites no longer form part of the EU's Natura 2000 network, they are now part of the UK's National Site Network and remain within the global Emerald Network which is a transboundary, pan-European ecological network of Areas of Special Conservation Interest. The National Site Network encompasses existing and newly designated SACs and SPAs, and Scottish Government policy affords the same level of protection to proposed sites that have been approved for formal consultation. Ramsar Sites are given the same level of protection as other Designated sites, and their significance is recognised in NPF4 under Policy 4 - Natural Places.

- 2.7.1.5 Each site within the UK's National Site Network is designated, classified, or listed based on specific 'qualifying features' - these may include habitats, species, or assemblages that justify their conservation status.
- 2.7.1.6 For SPAs, qualifying features are bird species listed under Article 4(1) of the Birds Directive (rare, vulnerable, or habitat-dependent species in Annex I) or Article 4(2) (regularly occurring migratory species or internationally important bird assemblages). SAC qualifying features are habitats listed in Annex I and species in Annex II of the Habitats Directive. Ramsar Sites are designated based on criteria set out in the Ramsar Convention.

2.7.2 Marine Protected Areas

- 2.7.2.1 There are currently over 200 Marine Protected Areas (MPAs) for nature conservation purposes in Scottish waters, covering approximately 108,000km². Whilst many of these MPAs are aligned with existing SACs, SPAs, Ramsar sites or Sites of Special Scientific Interest, a number have been designated directly under MPA legislation, through the Marine (Scotland) Act 2010 (0nm to 12nm), and the UK Marine and Coastal Access Act 2009 (12nm to 200nm).
- 2.7.2.2 The potential for impacts on MPAs is provided in the offshore application document **Nature Conservation Marine Protected Areas Assessment**, informed by engagement with MD-LOT, as the competent authority and any other relevant information deemed appropriate.

2.7.3 Flood Risk Assessment

- 2.7.3.1 The Flood Risk Management (Scotland) Act 2009 makes provision for assessment and sustainable management of flood risk. This requires a Flood Risk Assessment for most developments that fall within a flood zone. The assessment should assess the flood risk and surface water runoff, and the assessment must state how the developer will manage the flood risk.
- 2.7.3.2 This EIA Report assess the flood risk and surface water runoff. Further detail is provided in Section 5.14.3 in **Chapter 5: Approach to the EIA** and **Chapter 20: Water Resources and Flood Risk**.

2.7.4 Water Framework Directive

- 2.7.4.1 The Water Framework Directive (Directive 2000/60/EC) (WFD) aims to "*prevent deterioration and enhance the status of aquatic ecosystems, including groundwater, promote sustainable water use, reduce pollution and contribute to the mitigation of floods and droughts.*" These aims are to make sure that the water environment will be improved and protected on a catchment scale.
- 2.7.4.2 The WFD was transposed into Scottish legislation by the Water Environment and Water Services (Scotland) Act 2003 and the Environmental Authorisations (Scotland) Regulations 2018, with Scottish Environment Protection Agency (SEPA) being the competent authority, having the responsibility to consider whether proposals for developments have the potential to:
- cause a deterioration of a WFD water body from its current status or potential; and / or
 - prevent future attainment of good status or potential where not already achieved.
- 2.7.4.3 The WFD also requires River Basin Management Plans to be created. Statutory objectives are set for Scottish waters through River Basin Management Planning. These objectives are based on ecological assessments and economic judgments. The competent authority

must also consider the objectives of any WFD Protected Areas (including SACs, SPAs, bathing waters and shellfish waters), where relevant.

2.7.4.4 In the Project's approach to the WFD compliance assessment, the Project propose that in the absence of specific Scottish guidance, the Project will adhere to the Environment Agency's guidelines for coastal and transitional waters ('Clearing the Waters for All' (Environment Agency, 2016)) and the Planning Inspectorate's advice on the Water Framework Directive (Planning Inspectorate, 2024), the Project believe that this will be a robust approach to the WFD.

- Stage 1: WFD Screening: Identification of the activities associated with the Project that are to be assessed, and determination of which WFD water bodies could potentially be affected through identification of a ZOI;
- Stage 2: WFD Scoping: For each water body identified in Stage 1, an assessment is carried out to identify the effects and potential risks to quality elements from all activities; and
- Stage 3: WFD Impact Assessment: A detailed assessment of the water bodies and activities carried forward from the WFD screening and scoping stages.

2.7.4.5 The WFD assessment is described and assessed in **Volume 3, Appendix 6.2: Water Framework Directive Assessment**

2.7.5 Marine Strategy Framework Directive

2.7.5.1 The Marine Strategy Framework Directive 2008/56/EC (MSFD) of the European Parliament and of the Council 17 June 2008, establishing a framework for community action in the field of marine environmental policy (the MSFD), was adopted in 2008, with the overall aim of protecting the marine environment across Europe. The MSFD is transposed for the whole of the UK by the Marine Strategy Regulations 2010.

2.7.5.2 The UK has made amendment to the Marine Strategy Regulations 2010, under the Marine Environment (Amendment) (EU Exit) Regulations 2018, which transpose the requirement into domestic law, so that MSFD can continue to be effective now the UK is no longer part of the EU.

2.7.5.3 Marine Directorate, as the competent authority, will carry out the assessment to determine whether the Project has the potential to influence Good Environmental Status of the UK's marine water and therefore the UK Government's ability to uphold its responsibilities under the MSFD. The MSFD Screening assessment is provided in **Volume 3, Appendix 5.3: Marine Strategy Framework Directive Assessment**.

2.7.6 Safety Zones

2.7.6.1 Section 95 and Schedule 16 of the Energy Act 2004 set out the basic requirements for applying for a safety zone to be placed around or adjacent to an OREI. The Electricity (Offshore Generating Substations) (Safety Zones) (Applications Procedures and Control of Access) Regulations 2007 clarify the requirements for applications which applies to territorial waters in or adjacent to Scotland and within the Renewable Energy Zone.

2.7.6.2 It is noted that as of 1 April 2017, the application process for safety zones within Scottish waters has been devolved from BEIS (now the Department for Energy, Security and Net Zero) to MD-LOT. An application will therefore be made to MD-LOT, accompanied by a layout plan, a summary of the construction programme and construction method statement documents, as well as the proposed methodology for notifying relevant stakeholders.

2.7.6.3 It is intended that the following safety zones will be applied for during construction:

- rolling 500 metre (m) safety zones around structures during construction; and
- pre-commissioning 50m safety zones around structures either partially completed or constructed but not yet commissioned.

2.7.6.4 Further details pertaining to planned safety zones are provided in the **Safety Zone Statement**.

2.7.7 Decommissioning

2.7.7.1 Sections 105 to 114 of the Energy Act 2004 contain statutory requirements in relation to the decommissioning of OREIs and their related electricity lines. Under the terms of the Energy Act, Scottish Ministers may require a person who is responsible for these installations or lines in Scottish Waters or in a Scottish part of an REZ to prepare (and carry out) a costed decommissioning programme for submission to and approval by Scottish Ministers (Scottish Government, 2022a).

2.7.7.2 Responsibilities and powers associated with decommissioning for OREI within Scottish Waters transferred from the Secretary of State to Scottish Ministers in 2017. Before this the Department for BEIS was responsible for requiring decommissioning programmes (BEIS, 2019).

2.7.7.3 Marine Directorate is seeking to establish robust policies and procedures covering decommissioning. The Guidance Note for Decommissioning of Offshore Renewable Energy Installation in Scottish Waters or in the Scottish Part of the Renewable Energy Zone under the Energy Act 2004 (Scottish Government, 2022a) was finalised in August 2022.

2.7.7.4 Scottish Ministers have the power to determine specific approaches to decommissioning, including stipulating the form, timing and size of financial securities that are required. The expected content of a decommissioning programme includes decommissioning standards, financial security, residual liability and industrial cooperation and collaboration.

2.7.7.5 Section 5 of the Guidance Note states that "*an indication of the decommissioning proposals should be included as part of the statutory consenting or licensing process so that the feasibility of removing the infrastructure can be assessed as part of the application process*" (Scottish Government, 2022a).

2.7.7.6 The decommissioning requirements in Scotland relate to the area between the MLWS mark and the seaward limits of the territorial waters, including coastal water and the Scottish part of the REZ. The Energy Act 2004 does not cover intertidal waters.

2.8 Other consents and licences

2.8.1.1 Should additional pre-construction licences be required, these will be discussed and agreed with the relevant competent authority during the pre-construction stage of the Project. **Table 2.6** highlights the other consents, licences and permissions that may be required for the Project.

Table 2.6 Other consents, licences and permissions that may be required

Licence / permit / consent	Regulatory body	Consent requirements
Controlled activities licence (Environmental Authorisations (Scotland) Regulations 2018)	Scottish Environment Protection Agency.	Licences for coastal and onshore water environments for pollution prevention and / or waste.
European Protected Species (EPS) licence applications (under the Conservation (Natural Habitats, &c.) Regulations 1994, Conservation of Habitats and Species Regulations 2017 and the Offshore Marine Regulations 2017)	NatureScot / MD-LOT.	For carrying out activities that could result in the disturbance of EPS, such as site investigation, buoy deployment and surveys, or disturbance identified as part of the EIA Report.
Protected Species licences (under the Wildlife and Countryside Act 1981 (as amended) (e.g. for basking shark, grey seal) and Wildlife and Natural Environment (Scotland) Act 2011)	NatureScot / MD-LOT.	For carrying out site investigations, buoy deployment and surveys, or disturbance identified as part of the EIA Report.
Safety Zone applications (under the Energy Act 2004)	MD-LOT	To be established for any stage of an offshore renewable energy project but are normally applied for the construction or aspects of operations and maintenance stages. Further details pertaining to planned safety zones are provided in the Safety Zone Statement .
Decommissioning Programmes (Sections 105 to 114 under the Energy Act 2004)	MD-LOT	Decommissioning Programme will be required prior to construction. It is understood that Scottish Ministers expect decommissioning programmes to be submitted for approval no later than six months in advance of construction, and that the first drafts should be submitted about 18 months in advance. The Decommissioning Programme for the Project will therefore be submitted in accordance with these timescales.
Marine works licence	Crown Estate Scotland	For carrying out survey works in the offshore export cable corridor.
Marine licence or Exemptions	MD-LOT	For carrying out site investigations, buoy deployment and surveys.

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2.10 Glossary of terms and abbreviations

2.10.1 Abbreviations

Acronym	Definition
BEIS	Department for Business, Energy & Industrial Strategy
BESS	British Energy Security Strategy
COP21	21st United Nations Climate Change Conference of the Parties
COP28	28th United Nations Climate Change Conference of the Parties
COP29	29th United Nations Climate Change Conference of the Parties
EIA	Environmental Impact Assessment
EU	European Union
GW	Gigawatts
HRA	Habitats Regulations Appraisal
IEMA	Institute of Environmental Management and Assessment
IPCC	Intergovernmental Panel on Climate Change
LDP	Local Development Plan
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MPA	Marine Protected Areas
MPS	Marine Policy Statement
MSFD	Marine Strategy Framework Directive
MW	megawatt
nm	nautical miles
NMP	National Marine Plan
NPF4	National Planning Framework 4
NPS	National Policy Statement
O&M	Operation and maintenance
OREI	Offshore Renewable Energy Installations
PAN	Planning Advice Note
PO	Plan Options

Acronym	Definition
REZ	Renewable Energy Zone
RMP	Regional Marine Plans
s.36	Section 36
SAC	Special Areas of Conservation
SEA	Strategic Environmental Assessment
SMP	Sectoral Marine Plan
SPA	Special Protection Areas
TCPA	Town and Country Planning (Scotland) Act 1997
UNFCCC	United Nations Framework Convention on Climate Change
WFD	Water Framework Directive
WTG	Wind Turbine Generator

2.10.2 Glossary of terms

Term	Description / commentary (if applicable)
Aberdeenshire Council	One of 32 divisions of Scotland, designated as a Council area for the purposes of local government, covering Aberdeenshire.
Appropriate Assessment	An assessment to determine the implications of a plan or project on relevant national site network sites in view of that site's conservation objectives. An Appropriate Assessment forms part of the HRA and is required when a plan or project (either alone or in-combination with other plans or projects) is likely to have a significant effect on a national site network. Where there are adverse impacts, it also includes an assessment of the potential mitigation for those impacts.
Climate change	A long-term trend in the variation of the climate resulting from changes in the global atmospheric and ocean temperatures and affecting mean sea level, wave height, period and direction, wind speed and storm occurrence.
Climate Change Act	Legislation enacted in 2008 by the UK Parliament to establish a framework for the reduction of greenhouse gas, which includes a target for the year 2050 emissions, a system of carbon budgeting, establishing the Committee on Climate Change, carbon trading schemes and other provisions.
Conservation Area	An area of built development having statutory protection under the relevant Sections of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Term	Description / commentary (if applicable)
Department for Business, Energy & Industrial Strategy	The Government department responsible for business; industrial strategy; science; research and innovation; energy and clean growth; and climate change.
EIA Regulations	Terminology used in this EIA Report to refer to four sets of regulations: <ul style="list-style-type: none"> • 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; and • The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.
Environmental Impact Assessment	The process of evaluating the likely significant environmental effects of a proposed project or development over and above the existing circumstances (or 'baseline').
Environmental Impact Assessment Report	The outcome of the Environmental Impact Assessment (EIA) process is reported within a document called an EIA Report.
European Commission	The European Union's (EU's) politically independent executive division. It is responsible for preparing proposals for new European legislation, and it implements the decisions of the European Parliament and the Council of the EU.
European Protected Species	Species of plants and animals (other than birds) protected by law throughout the European Union.
European site	European sites are those that are designated through the Habitats Directive and Birds Directive (via national legislation as appropriate). Within Scotland, additional sites designated through international convention are given the same protection through policy – overall all of these are referred to as European sites. European sites in Scotland are considered to be SPAs, SACs, candidate SACs and Sites of Community Importance (SCI). Potential SPAs (pSPA), possible SACs
European Union	The union of 27 European member states.
Habitats Regulations Appraisal	The assessment of the impacts of implementing a plan or policy on a European Site, the purpose being to consider the impacts of a project against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site.
Habitats Regulations	The Habitats Directive (Directive 92/43/ECC) and the Wild Birds Directive (Directive 2009/147/EC) were transposed into Scottish Law by the Conservation (Natural Habitats &c) Regulations 1994 ('Habitats Regulations') (up to 12nm); by the Conservation of Offshore Marine Habitats and Species Regulations 2017 ('Offshore Marine Regulations') (beyond 12nm); the Conservation of Habitats and Species Regulations 2017 (of relevance to consents under s.36 of the Electricity Act 1989); the

Term	Description / commentary (if applicable)
	Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001; and the Wildlife and Countryside Act 1981. The Habitats Regulations set out the stages of the Habitats Regulations Appraisal (HRA) process required to assess the potential impacts of a proposed project on European Sites (Special Areas of Conservation, Special Protection Areas, candidate SACs and SPAs and Ramsar Sites).
Impact	The changes resulting from an action.
Indirect effects	<p>Effects that result indirectly from the Project because of the direct effects, often occurring away from the site, or as a result of a sequence of interrelationships or a complex pathway. They may be separated by distance or in time from the source of the effects.</p> <p>Often used to describe effects on landscape character that are not directly impacted by the Project such as effects on perceptual characteristics and qualities of the landscape.</p>
Institute of Environmental Management and Assessment	International membership organisation for environment and sustainability professionals.
Likely Significant Effects	It is a requirement of Environmental Impact Assessment Regulations to determine the likely significant effects of the Project on the environment which should relate to the level of an effect and the type of effect.
Marine Directorate Licensing Operation Team	The regulator for determining marine licence applications on behalf of the Scottish Ministers in the Scottish inshore region (between 0 and 12 nautical miles) under the Marine (Scotland) Act 2010, and in the Scottish offshore region (between 12 and 200 nautical miles) under the Marine and Coastal Access Act 2009.
Marine licence	Licence required for certain activities in the marine environment and granted under either the Marine and Coastal Access Act 2009 or the Marine (Scotland) Act 2010.
Marine Policy Statement	The framework for preparing Marine Plans and taking decisions affecting the marine environment in the UK.
Marine Protected Area	Marine sites at the national level under the Marine (Scotland) Act 2010. In Scotland, MPAs are areas of sea defined so as to protect habitats, wildlife, geology, undersea landforms, historic shipwrecks and to demonstrate sustainable management of the sea.
Marine Directorate	Civil service directorate for Scotland, which is responsible for the integrated management of Scotland's seas.
Marine Strategic Framework Directorate	The European Union Directive (2008/56/EC) seeking to achieve good environmental status in Europe's seas.

Term	Description / commentary (if applicable)
Mean High Water Springs	The average throughout a year of the heights of two successive high waters during those periods of 24 hours (approximately once a fortnight) when the tidal range is greatest.
Mean Low Water Springs	The average throughout a year of the heights of two successive low waters during those periods of 24-hours (approximately once a fortnight) when the tidal range is greatest.
National Planning Framework 4	The fourth National Planning Framework (NPF4) is a long term plan for Scotland looking to 2045. It guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. It forms part of the statutory Development Plan.
National Policy Statements	National Policy Statements are statutory documents published in accordance with the Planning Act 2008. They set out the UK government's policy on, and the national need for specific types of nationally significant infrastructure projects. NPSs relevant to energy generation include: <ul style="list-style-type: none"> • Overarching National Policy Statement for Energy (EN-1) (Department for Energy Security & Net Zero, 2023c); • National Policy Statement for Renewable Energy (EN-3) (Department for Energy Security & Net Zero, 2023b); and • National Policy Statement for Electricity Networks (EN-5) (Department for Energy Security & Net Zero, 2023a).
NatureScot	Formerly known as Scottish Natural Heritage, NatureScot is a public body and government advisor responsible for Scotland's natural heritage, in particular for its natural, genetic and scenic diversity.
Offshore	Pertaining to the seaward side of MHWS, and typically in reference to locations some distance from the coast.
Offshore Wind Farm	An offshore wind farm is a group of wind turbines in the same location (offshore) in the sea which are used to produce electricity.
Onshore	Pertaining to the landward side of MLWS.
Plan Option	Term used for the seabed areas identified in the Sectoral Marine Plan for offshore wind development in the ScotWind leasing round.
Planning permission	Planning permission granted under the Town and Country Planning (Scotland) Act 1997 for all Project infrastructure located landward of the MLWS.
Ramsar site	Areas listed by the UK Government under the Convention on Wetlands of International Importance (the Ramsar Convention 1971).
Receptor	This term originates as defined in Regulation 5(2) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and include population and human health,

Term	Description / commentary (if applicable)
	biodiversity, land, soil, water, air, climate, material assets, cultural heritage and landscape that may be at risk from exposure to pollutants which could potentially arise as a result of the Project. It is equivalent to the term 'factors' defined in 4(3) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, where factors may be subject to significant effects of the Project and include population and human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage and the landscape.
Renewable Energy Zone	An area of sea outside of the UK territorial sea over which the UK claims exclusive rights for production of energy from water and wind under Section 84 of the Energy Act 2004.
Scoping Opinion	A Scoping Opinion is adopted by the Planning Authority and Scottish Ministers for a proposed project.
Scoping Report	A report that presents the findings of an initial stage in the Environmental Impact Assessment process.
Scottish Environment Protection Agency	A non-departmental public body of the Scottish Government, responsible for environmental regulation. This includes ensuring that the environment and human health are protected, and that Scotland's natural resources and services are used as sustainably as possible and contribute to sustainable economic growth.
Scottish Ministers	The devolved government of Scotland.
ScottishPower Renewables UK Limited	Part of the Iberdrola group and 100% owner of the MarramWind Limited project.
Section 36 Consent	Consent that can be granted under s.36 of the Electricity Act 1989 for the construction or extension, and operation, of an electricity station.
Site of Special Scientific Interest	Sites notified at the national level under the Nature Conservation (Scotland) Act 2004. They are a series of sites that are designated to protect the best examples of significant natural habitats and populations of species.
Special Area of Conservation	International designation implemented under the Habitats Regulations for the protection of habitats and (non-bird) species. Sites designated to protect habitats and species in Annexes I and II of the Habitats Directive and sufficient habitat to be conserved to maintain favourable conservation status of designated features.
Special Protection Area	Sites designated under EU Directive (79/409/EEC) to protect habitats of migratory birds and certain threatened birds under the Birds Directive.
Sustainability	The principle that the environment should be protected in such a condition and to such a degree that ensures new development

Term	Description / commentary (if applicable)
	meets the needs of the present without compromising the ability of future generations to meet their own needs.
The Project	The MarramWind Offshore Wind Farm is a proposed floating offshore wind farm located in the North Sea, with a grid connection capacity of up to 3 gigawatts (GW).
United Nations	The United Nations is an international organization founded in 1945 to maintain global peace and security.
Water Framework Directive	A substantial piece of EU water legislation that came into force in 2000, with the overarching objective to get all water bodies in Europe to attain Good or High Ecological Status. River Basin Management Plans have been created which set out measures and potential mitigation to ensure that water bodies in England and Wales achieve 'Good Ecological Status'.

MarramWind

