

[Redacted]

From: [Redacted]
Sent: 05 October 2018 16:34
To: [Redacted]
Subject: Re: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project
Attachments: [Redacted]

Dear Madam,

I agree to the variation as requested by MeyGen Ltd on 11.06.18,

Signed,

[Redacted]

Gills Harbour Ltd,
GILLS BAY,
CAITHNESS KW1 4YB

05.10.18

On Friday, 5 October 2018, 13:40, [Redacted]

wrote:

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (As Amended) - (Section 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989
FOR THE MEYGEN TIDAL ENERGY PROJECT**

On 11th June 2018, MeyGen Limited (the “Applicants”), submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the Section 36 Consent granted 16th September 2013. The variation seeks to amend the ‘Phase 1 area for turbine deployment’ outlined in Annex 3 of the Section 36 Consent. The implementation of the variation proposes the variation to include an additional area to the north-west of the site and to remove a similar sized area from the eastern side of the current area for turbine deployment. The reason



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:

MS.MarineRenewables@gov.scot

[Redacted]

Marine Scotland (Aberdeen Office)
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: AMA/16/31/53
Our case ID: 300030259

30 October 2018

Dear [Redacted]

Electricity Act 1989 (As Amended) – (Section 36C)
Meygen Inner Sound Tidal Energy Project - Variation of Section 36 Consent

Thank you for your consultation which we received on 05 October 2018. We have considered it for our historic environment remit. Our remit is historic marine protected areas (HMPAs), world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories.

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

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

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

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



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ALBA

Please contact us if you have any questions about this response. The officer managing this case is [Redacted] who can be contacted by phone on [Redacted] or by email on [Redacted]

Yours sincerely

Historic Environment Scotland

[Redacted]

From: [Redacted]
Sent: 07 November 2018 10:53
To: MS Marine Renewables
Subject: FW: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

[Redacted]

Thank you for the opportunity to comment on above consultation.

On the understanding the UK Hydrographic Office (UKHO) is made aware of the variation for the update of nautical charts and publications, we have no further comments to make on this occasion.

Kind regards

[Redacted]



**Maritime &
Coastguard
Agency**

[Redacted]
Navigation Safety Branch, Bay 2/25
Maritime & Coastguard Agency
Spring Place, 105 Commercial Road, Southampton, SO15 1EG
Tel: [Redacted]
Mobile: [Redacted]
Email: [Redacted]

Please note I currently work Tuesdays, Wednesdays and Thursdays.

From: [Redacted]
Sent: 05 October 2018 13:39
To: [Redacted]

Subject: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (As Amended) - (Section 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR THE MEYGEN TIDAL
ENERGY PROJECT**

[Redacted]

From: [Redacted]
Sent: 09 October 2018 12:32
To: [Redacted]
Subject: RE: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project
Attachments: O8_04_283 - MeyGen - S36 Variation - Response.doc
Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find attached the NLB response to the above application.

Regards

[Redacted]

Navigation Department
Northern Lighthouse Board
84 George Street
Edinburgh
EH2 3DA

From: [Redacted]
Sent: 05 October 2018 13:39
To: [Redacted]

Subject: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (As Amended) - (Section 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013**

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[Redacted]

From: [Redacted]
Sent: 09 October 2018 15:12
To: [Redacted]
Subject: RE: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear [Redacted]

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

Kind Regards

[Redacted]

[Redacted]

[Redacted]

Royal Yachting Association Scotland

[Redacted]



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549

Protecting your personal information is important to us, view our full Privacy Statement [here](#)



Our ref: PCS/161616
Your ref: None

If telephoning ask for:
[Redacted]

8 October 2018

[Redacted]
Marine Scotland

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

Dear [Redacted]

**The Electricity Act 1989
MeyGen Tidal Project - application to vary consent under Section 36 of the**

Thank you for your consultation email which SEPA received on 5 October 2018.

We do not consider that the deployment outside the licensed area is likely to have greater environmental impacts on matters within our remit than those already assessed in the Environmental Statement and therefore we have **no objection**.

If you have any queries relating to this letter, please contact me by telephone on 01349 860415 or e-mail at planning.dingwall@sepa.org.uk.

Yours sincerely

[Redacted]
[Redacted]
Planning Service

Disclaimer

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

[Redacted]

From: [Redacted]
Sent: 31 October 2018 11:35
To: [Redacted]
Cc: [Redacted]
Subject: RE: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear [Redacted]

Thank you for the consultation below. We have now reviewed the application documentation and conclude that our advice has not changed from our response on the 17th June 2017. We agree that there will be no additional environmental impacts as a result of components of the Phase 1a infrastructure being located to the west of the consented boundary, and the proposed changes to the boundary.

Your sincerely,

[Redacted]

Please note my email has now changed to [Redacted]

[Redacted]

Scottish Natural Heritage | Battleby | Redgorton | Perth | PH1 3EW | m: 07770 225154 | marineenergy@snh.gov.uk
Dualchas Nàdair na h-Aba | Battleby | Ràth a Ghoirtein | Peairt | PH1 3EW
nature.scot – Connecting People and Nature in Scotland – [@nature_scot](https://twitter.com/nature_scot)

From: [Redacted]
Sent: 05 October 2018 13:39
To: [Redacted]
Cc: [Redacted]
Subject: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear Sir/Madam,

**ELECTRICITY ACT 1989 (As Amended) - (Section 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
REGULATIONS 2013**

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On 11th June 2018, MeyGen Limited (the “Applicants”), submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the Section 36 Consent granted 16th September 2013. The variation seeks to amend the ‘Phase 1 area for turbine deployment’ outlined in Annex 3 of the Section 36 Consent. The implementation of the variation proposes the variation to include an additional area to the north-west of the site and to remove a similar sized area from the eastern side of the current area for turbine deployment. The reason for the variation application is because some components of the Phase 1a infrastructure were deployed incorrectly by up to 50 metres.

Where changes proposed through an application for a variation may have a significant adverse effect on the environment then this constitutes a schedule 2 development and should be screened according to the criteria set out

[Redacted]
Marine Scotland
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Your ref:

Our ref:
TS00538

Date:
05/11/2018

ms.majorprojects@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989 (As Amended) - (Section 36C)

**THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF
CONSENT) (SCOTLAND) REGULATIONS 2013**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989
FOR THE MEYGEN TIDAL ENERGY PROJECT**

With reference to your recent correspondence on the above development, we acknowledge receipt of the MeyGen Section 36 Variation Report prepared by MeyGen in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

We note that Section 36 consent to construct and operate Phase 1 of the MeyGen Tidal Energy Project in the Inner Sound, Pentland Firth was granted in October 2013. The consented development is a tidal-powered electricity generating station with a maximum permitted generating capacity of 86 MW and comprising a maximum of 61 three bladed, single rotor, horizontal axis turbines.

We also note that during installation of the initial phase of the Development, referred to as 'MeyGen Phase 1a', components of the Phase 1a infrastructure were deployed to the west of the Turbine Deployment Area by a distance of up to 50m. As a result, Meygen notified Marine Scotland who initiated a consultation process to understand the implications of the deployment of infrastructure in this area. None of the consultees contacted raised any concerns with regard to any adverse effects on navigational safety or on the environment. As a result, MSLOT varied MeyGen's Marine Licence in September 2017 to include the area where the Phase 1a infrastructure has been deployed and included updated boundary coordinates.

It is understood that Meygen are now seeking the offshore Turbine Deployment Area specified in Annex 3 of the Section 36 consent be varied so that it encompasses the area in which the Phase 1a infrastructure has been installed so that it is consistent with the Revised Phase 1 Marine Licence granted in September 2017.

Transport Scotland has reviewed the information provided in the Variation Report and notes that there are no amendments proposed to the development infrastructure. Consequently, it is concluded that the proposed change to the Turbine Deployment Area will have no impact on the Trunk Road network or its adjacent receptors, and we can confirm that we have no objection to the proposed amendment on the grounds of environmental impact.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact [Redacted] at SYSTRA's Glasgow Office on [Redacted]

Yours faithfully

[Redacted]

**Transport Scotland
Roads Directorate**

CC [Redacted]

[Redacted]

From: [Redacted]
Sent: 05 October 2018 15:49
To: [Redacted]
Subject: RE: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear MS,

No comments from the Chamber.

Kind regards

[Redacted]

UK Chamber of Shipping
30 Park Street, London, SE1 9EQ

[Redacted]

www.ukchamberofshipping.com

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From: [Redacted]
Sent: 05 October 2018 13:40
To: [Redacted]
Cc: [Redacted]
Subject: Application to vary consent under Section 36c of the Electricity Act 1989 for the Meygen Tidal Energy Project

Dear Sir/Madam,

ELECTRICITY ACT 1989 (As Amended) - (Section 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND)
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APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR THE MEYGEN TIDAL ENERGY PROJECT

On 11th June 2018, MeyGen Limited (the "Applicants"), submitted an application to the Scottish Ministers, in accordance with the above legislation, for a variation to the Section 36 Consent granted 16th September 2013. The

Northern Lighthouse Board

Your Ref: Email – S36 Variation Consent
Our Ref: AL/OPS/ML/O8_04_283

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



[Redacted]

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

08 October 2018

Dear [Redacted]

**ELECTRICITY ACT 1989 (AS AMENDED) – (SECTION 36C)
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION
OF CONSENT) (SCOTLAND) REGULATIONS 2013**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE
ELECTRICITY ACT 1989 FOR THE MEYGEN TIDAL ENERGY PROJECT**

Thank you for your e-mail correspondence dated 5th October 2018 informing Northern Lighthouse Board that MeyGen have submitted an application to vary the Section 36 Consent for the tidal energy site at the Inner Sound, Pentland Firth.

In line with the Northern Lighthouse Board's previous response, we have no concerns regarding the proposed amendments to the S36 Consent, as the alterations bring this in line with the Marine License, and reflect the "as built" condition.

It is noted that all the original navigational safety recommendations supplied by NLB have been considered and are being met, in particular that the UK Hydrographic Office has been informed of the actual device locations and minimum clearance depths.

If any further information is required please do not hesitate to contact us.

Yours sincerely
[Redacted]

For the safety of all

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

