

Mr Richard Copeland  
Highland Wind Limited  
4<sup>th</sup> Floor,  
115 George Street,  
Edinburgh,  
EH2 4JN

3 April 2024

Dear Mr Copeland,

**APPLICATION UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 TO VARY THE CONSENT GRANTED UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 ON 28 JUNE 2023 TO CONSTRUCT AND OPERATE THE PENTLAND FLOATING OFFSHORE WIND FARM, APPROXIMATELY 7.5 KILOMETRES (“KM”) FROM THE COAST OF DOUNREAY, CAITHNESS.**

I refer to the application to vary the consent for the Pentland Floating Offshore Wind Farm (“the Development”). This application (“the Variation Application”) was made by Highland Wind Limited (“the Company”) on 11 October 2023 for:

A variation under section 36C of the Electricity Act 1989 (“the Electricity Act”) to the consent granted under section 36 (“s.36”) of the Electricity Act on 28 June 2023 (“the Existing Consent”) for the construction and operation of the Development located approximately 7.5 km from the coast of Dounreay, Caithness.

**This letter contains the Scottish Ministers’ decision to vary the Existing Consent.**

## 1 Nature of the Variation Sought

1.1 The Variation Application seeks to vary Annex 1 of the Existing Consent granted on the 28 June 2023 to allow the following:

- Reduce the number of Wind Turbine Generators (“WTGs”) from seven to six;
- Reduce the WTG footprint area from 10 square kilometres (“km<sup>2</sup>”) to 5.85 km<sup>2</sup>. This comprises the area of sea surface occupied by the WTGs and associated floating substructure, excluding the mooring lines;
- Reduce the rotor swept area from 316,673 square metres (“m<sup>2</sup>”) to 283,448 m<sup>2</sup>. This comprises the installation of one WTG with rotor diameter up to 220 m and five WTGs with rotor diameter up to 250 m;
- Reduce the number of floating substructures from seven to six;
- Reduce the number of mooring lines from 63 to 54;
- Reduce the number of anchors or piles from 63 to 54; and,
- Extend the operational life of the Development from 10 to 25 years;

1.2 In addition to the Variation Application, a request was made to vary the generating station marine licence and the offshore transmission works marine licence. This request was made

to align the refinements proposed in the Variation Application within the associated marine licences and to amend several licence conditions across both licences. This has been considered separately under the Marine (Scotland) Act 2010 (“the 2010 Act”).

## **2 Environmental Impacts**

2.1 The Scottish Ministers are satisfied that the Variation Application will not have significant effects on the environment.

2.2 The Scottish Ministers have considered the following:

- Regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 Habitats Regulations”) (in respect of the associated marine licence variation applications),
- Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (“the 2017 Habitats Regulations”),
- the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 EW Regulations”), and
- the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”) (in respect of the associated marine licence variation applications).

2.3 The Scottish Ministers do not consider that the proposed changes within the Variation Application will alter the conclusions of the Environmental Impact Assessment Report supporting the application for s.36 consent in August 2022 (“the Original Application”). In accordance with the requirements set out in the 2017 EW Regulations and the 2017 MW Regulations, the Scottish Ministers did not deem it necessary for a new Environmental Impact Assessment report to be submitted in support of the Variation Application.

2.4 An appropriate assessment (“AA”) under the 1994 Habitats Regulations and the 2017 Habitats Regulations (“the Habitats Regulations”) was completed in June 2023 in respect of the application for the Existing Consent (“the 2023 AA”). The Scottish Ministers have reviewed the 2023 AA and have carried out a new AA (“the 2024 AA”) under the Habitats Regulations with regards to the Variation Application given the Variation Application seeks to extend the operational life of the Development from 10 to 25 years. The 2024 AA concludes that the Variation Application will not result in an adverse effect on site integrity (“AESI”) on any European site (either alone or in-combination with other plans or projects).

## **3 Consultation**

3.1 Regulation 4 of the Electricity Generating Stations (Applications for Variation of Consent) (Scotland) Regulations 2023 (“the Variation Regulations”) provides that an applicant must publish a variation application relating to an offshore generating station on a website, serve a copy of the variation application on the planning authority, and also advertise the application by public notices in specified publications.

3.2 In line with Regulation 4, the Company served notice of the Variation Application on the Highland Council. The Company published the Variation Application documentation on its [website](#), public notices were placed in the John O’ Groats Journal for two successive weeks and for one week each in the Edinburgh Gazette, the Scotsman, Lloyds List and Fishing News Bulletin.

3.3 Marine Directorate - Licensing Operations Team (“MD-LOT”) on behalf of the Scottish Ministers, consulted a wide range of relevant organisations on the Variation Application including: the Highland Council, NatureScot, Maritime Coastguard Agency (“MCA”), Northern Lighthouse Board (“NLB”), Scottish Environment Protection Agency (“SEPA”) and Historic Environment Scotland (“HES”) and placed the Variation Application documentation on the [Marine Scotland Information](#) website alongside the Existing Consent.

3.4 A summary of the representations is provided below, including consideration of the public representation objecting to the Variation Application received by MD-LOT. Several organisations did not provide a response. In the case of no response, MD-LOT notified the relevant consultees that “nil response” would be assumed.

**The following consultees raised no objections to the Variation Application.**

3.5 Aberdeen and Glasgow Airports

Aberdeen and Glasgow Airports had no comment to make on the Variation Application.

3.6 Chamber of Shipping

The Chamber of Shipping had no objection to the Variation Application.

3.7 Department of Agriculture, Environment and Rural Affairs (“DAERA”)

DAERA submitted a nil response to the Variation Application.

3.8 Food Standards Scotland

Food Standards Scotland commented that it is the responsibility of the operator to comply with environmental legislation to mitigate any potential impact on species and or fisheries products present in the surrounding area of the Development.

Food Standards Scotland reiterated previous advice that the Company should follow relevant guidance notes and regulations to mitigate any unacceptable effects on the human food chain from the emissions from this installation.

3.9 Highlands and Islands Airports Limited (“HIAL”)

HIAL commented that its advice on the Existing Consent remained the same. Provided that the Company has an approved Construction Strategy Plan HIAL has no objection. A condition is attached to the Existing Consent requiring the Company to submit a Construction Method Statement to Scottish Ministers for its approval prior to the commencement of the Development which the Scottish Ministers consider serves this purpose.

3.10 Historic Environment Scotland (“HES”)

HES confirmed the Variation Application will not have significant impacts on heritage assets within its remit and that it had no comments to make.

### 3.11 Inshore Fisheries Groups (“IFGs”) – North and East Coast Regional Inshore Fisheries

IFGs – North and East Coast Regional Inshore Fisheries Group had no comments to make on the Variation Application.

### 3.12 Joint Radio Company

Joint Radio Company confirmed the Development is cleared with respect to radio link infrastructure operated by the local energy networks. Joint Radio Company notes that should any details of the Development change, particularly the disposition or scale of any WTGs, it will be necessary to re-evaluate the Development.

### 3.13 MCA

The MCA had no objection to the Variation Application on the basis that all maritime safety legislation is followed, and the Existing Consent conditions are adhered to.

### 3.14 National Air Traffic Services (“NATS”)

NATS had no objection to the Variation Application.

### 3.15 NatureScot

NatureScot largely agreed with the conclusions in the Report to Inform the Appropriate Assessment Addendum (“RIAA Addendum”). In its review of the Population Viability Analysis (“PVA”) modelling provided for displacement and collision effects on puffin as a qualifying interest of the North Caithness Cliffs Special Protection Area (“SPA”) over a 25 year operational period, NatureScot advised, that in its view, there would be no AESI from the project alone or in combination with Moray Firth wind farms. In its review of the PVA modelling provided for displacement and collision effects on kittiwake as a qualifying interest of the North Caithness Cliffs SPA over a 25 year operational period, NatureScot disagreed with the conclusions of the RIAA Addendum. NatureScot advised, that in its view, there was the potential for AESI from the project in combination with North Sea wind farms and Moray Firth wind farms. Additionally, NatureScot advised, that in its view, there would be AESI for the project in-combination scenarios with Berwick Bank Wind Farm (“Berwick Bank”) if Berwick Bank is consented.

The Scottish Ministers note that a determination has not yet been made on the Berwick Bank consent applications. However, the Berwick Bank Appropriate Assessment (“AA”) has concluded that it will have an AESI of a number of qualifying interests of SPAs, including kittiwake of the North Caithness Cliffs SPA. Berwick Bank can therefore only be consented if a derogation case is agreed by Scottish Ministers. This would include sufficient compensatory measures to offset its impacts on those species/sites where AESI cannot be ruled out. Consequently, should Berwick Bank be consented, the impacts from Berwick Bank on these species/sites will be compensated for and therefore in respect of these species/sites, the Scottish Ministers have taken the view not to include these in the in-combination assessment of the 2024 AA undertaken in respect of the Variation Application.

The 2024 AA considers the Variation Application, RIAA Addendum and consultee representations in particular those of NatureScot and RSPB Scotland. The 2024 AA considers site conservation objectives, the populations at the site, the predicted levels of impact and population consequences of the predicted effects. It also considers areas of

uncertainty and precaution in the assessment within the Variation Application. In particular those derived from the seabORD analysis, which it is concluded represent an over-estimation of displacement effects and the substantial reduction in the number of turbines to be constructed at five English windfarms compared to the number assessed in the Variation Application. Both of which will likely lead to a reduction in collision mortality. The 2024 AA conclusions also consider the implications of the outbreaks of Highly Pathogenic Avian Influenza in wild birds since 2021.

The 2024 AA concluded that there was sufficient evidence in respect of the over-estimation of effects to conclude that the Development would not adversely affect the site integrity of any Special Area of Conservation or SPA either in isolation or in combination with other projects. In reaching its conclusions, considerable weight was given to the NatureScot advice. Divergence from the advice is limited to differing conclusions in relation to site integrity for kittiwake at North Caithness Cliffs SPA in combination with North Sea wind farms and Moray Firth wind farms. In reaching a different conclusion, the 2024 AA considered that assessing the level of adverse impact to the site integrity of the North Caithness Cliffs SPA requires is a subjective opinion to be formed after considering the assumptions used in compiling the data. The 2024 AA has taken account of the entire context of the assessment, in particular some of its precautionary assumptions, which make it unlikely that the number of kittiwake mortalities will be as large as the values presented in the assessment within the Variation Application.

Regarding the Seascape, Landscape and Visual Impact Assessment (“SLVIA”), NatureScot noted the Variation Application presents a reduction in impacts of the appearance of the project when compared to the Existing Consent. NatureScot does not consider there to be any adverse significant effects on nationally important landscape interests.

The Scottish Ministers are content that the concerns raised by NatureScot have been properly considered and do not prevent the Variation Application being approved.

3.16 NLB

The NLB had no objection to the Variation Application.

3.17 Orkney Harbours

Orkney Harbours submitted a nil response to the Variation Application.

3.18 Orkney Islands Council

Orkney Islands Council submitted a nil response to the Variation Application.

3.19 Royal Yachting Association (“RYA”) Scotland

RYA Scotland had no comments to make on the Variation Application.

3.20 Royal Society for the Protection of Birds (“RSPB”) Scotland

RSPB Scotland advised that it had not had the capacity to review the modelling in detail and had not inspected inputs and other parameters. Focussing its advice on the outputs, RSPB Scotland advised that the Development in combination with the Moray Firth and North Sea wind farms, including Berwick Bank would result in a greater impact to the

kittiwake qualifying interest of the North Caithness Cliffs SPA than the Existing Consent and that in its view, this would constitute AESI. RSPB Scotland did not provide a specific view on the impact of the Development in isolation, or for any of the other in combination scenarios discussed in the RIAA Addendum. In relation to the puffin qualifying interest, RSPB Scotland noted that in comparison to the Existing Consent, the Development would be beneficial, resulting in a lower impact.

The Scottish Ministers highlight that the 2024 AA undertaken in respect of the Variation Application concludes no AESI on any European site (either alone or in-combination with other plans or projects) and refer to paragraph 4.11 of this decision notice for further narrative.

The Scottish Ministers are content that the concerns raised by RSPB Scotland have been properly considered and do not prevent the Variation Application being approved.

### 3.21 Scottish Canoe Association

Scottish Canoe Association had no comments to make on the Variation Application.

### 3.22 Scottish Fishermen's Federation ("SFF")

SFF submitted a nil response to the Variation Application.

### 3.23 Scottish Water

Scottish Water had no objections to the Variation Application.

### 3.24 Scrabster Harbour

Scrabster Harbour had no comments to make on the Variation Application.

### 3.25 SEPA

SEPA noted the Existing Consent condition regarding the requirement to submit a Particle Management Plan. SEPA did not provide any further site specific advice but highlighted its [standing advice](#). The Scottish Ministers consider that the relevant points from the standing advice on marine non-native species, good working practices, pollution prevention, the conservation of water bodies and decommissioning are covered by the Existing Consent.

### 3.26 The Highland Council

The Highland Council had no objection to the Variation Application.

## **Public Representations.**

3.27 A member of the public submitted a holding objection to the Variation Application (both a personal letter and a letter from their consultant). It was noted that the individual's property interests will likely be adversely affected, and that the individual has a wider interest in protecting the unique environment of Caithness. The representation noted that this objection should be read alongside the objection they submitted in respect of the Existing Consent, and raised a number of concerns, including in relation to the change to the operational period of the Development; assessment of onshore infrastructure;

consideration of significant grid connections and transmission; consideration of the proposed West of Orkney offshore wind farm (“WOOWF”); sustainability of the Development; the needs case for the Development; marine ecology concerns; visual effects and comparative wirelines provided; and consideration of the Highland Wide Development Plan and National Planning Framework 4 (“NPF4”). The public representation concluded that it considered that the Company has failed to meet requirements in the Electricity Act in respect of adequate mitigation and that the Variation Application is not in accordance with the Highland Wide Development Plan, particularly in respect of NPF4.

The Company provided representation on the above objection noting that potential impacts of the Variation Application have an equal or reduced effect on environmental receptors when compared to the application for the Existing Consent. It noted that onshore aspects are not considered within the Variation Application as no design changes are proposed to the onshore works, or to the operational life proposed for onshore infrastructure and that the potential impacts from the ‘whole project’ were assessed within the Original Application, including the Environmental Impact Assessment Report. With regards to WOOWF, the Company noted that this was not included in quantitative assessments as this was beyond the cut-off date agreed with MD-LOT and NatureScot with information unavailable to input into modelling assessments at this time. The Company highlighted that as impacts are now reduced compared to the application for the Existing Consent, the WOOWF assessment will be worst case in terms of including the Development in its cumulative assessment. With regards to sustainability of and need for the Development, the Company referred to the Planning and Policy Statement and Climate Change and Carbon Assessment provided in support of the Original Application, noting that the proposed increase in the operational period of the Development would increase carbon savings. With regards to visual effects, the Company noted that the wirelines were produced in line with relevant guidance and that NatureScot had confirmed in its representation that the Variation Application presents a reduction in impacts of the appearance of the Development when compared to the consented project and there will not be any adverse significant effects on nationally important landscape interests.

3.28 The Scottish Ministers have considered the above alongside representations received from other stakeholders, including NatureScot and the Highland Council. The Scottish Ministers have reviewed their considerations of NPF4 in respect of the Existing Consent and consider that these continue to apply to the Variation Application. The Scottish Ministers are content that the objection raised by the public representation has been addressed, that the Variation Application is compliant with the relevant legislation and that the concerns raised would not prevent the Variation Application being approved.

### **Advice from Third Parties**

#### **3.29 Transport Scotland – Roads**

Transport Scotland – Roads had no objection to the Variation Application.

## **4 The Scottish Ministers’ Determination**

4.1 The Scottish Ministers have considered the Variation Application documentation, all responses from consultees and public representations, and advice from Transport Scotland. Having granted consent (the Existing Consent) for the Development on 28 June 2023 and provided their reasons for doing so in the decision letter associated with that consent and being satisfied that the changes proposed in the Variation Application do not fundamentally alter the nature or scale of the Development, the Scottish Ministers are content to vary the Existing Consent.

4.2 The Scottish Ministers consider that the proposed variation is appropriate, having regard to the variation proposed, the reasons for the variation and the views of the consultees.

4.3 Accordingly, the Scottish Ministers hereby vary the Existing Consent as set out in the table below.

Annex	Variation
<p><b>In Annex 1 of the Pentland Floating Offshore Wind Farms.36 Consent</b></p>	<p><b>For:</b></p> <p><b>DESCRIPTION OF THE DEVELOPMENT</b></p> <p>The Application is for the construction and operation of an offshore energy generating station, with a generating capacity of around 100 megawatts (“MW”). The offshore generating station shall be comprised of up to:</p> <ol style="list-style-type: none"> <li>1. Seven floating offshore wind turbine generators (“WTGs”) with:               <ol style="list-style-type: none"> <li>a. A maximum hub height of 190 metres (“m”) above highest astronomical tide (“HAT”);</li> <li>b. A maximum height to blade tip of 300m above HAT;</li> <li>c. A maximum rotor diameter of 260m;</li> <li>d. A minimum blade tip clearance from mean sea level of 35m;</li> </ol> </li> <li>2. Seven associated floating substructures;</li> <li>3. Nine mooring lines for each floating substructure, 63 in total;</li> <li>4. Nine anchors or piles for each floating substructure, 63 in total;</li> <li>5. Seven inter-array cables (dynamic and static); and</li> <li>6. Associated scour and cable protections.</li> </ol> <p>All as described in the Application.</p> <p>The total area within the Development site boundary is 10km<sup>2</sup>. The location and boundary of the Development site is shown in Figure 1 of Annex 1.</p> <p><b>Substitute:</b></p> <p>The Application is for the construction and operation of an offshore energy generating station, with a generating capacity of around 100</p>



	<p>megawatts (“MW”). The offshore generating station shall be comprised of up to:</p> <ol style="list-style-type: none"> <li>1. Five floating offshore wind turbine generators (“WTGs”) with: <ol style="list-style-type: none"> <li>a. A maximum hub height of 190 metres (“m”) above highest astronomical tide (“HAT”),</li> <li>b. A maximum height to blade tip of 300m above HAT,</li> <li>c. A maximum rotor diameter of 250m, and,</li> <li>d. A minimum blade tip clearance from mean sea level of 35m;</li> </ol> </li> <li>2. One floating offshore WTG with: <ol style="list-style-type: none"> <li>a. A maximum hub height of 190m above HAT,</li> <li>b. A maximum height to blade tip of 300m above HAT,</li> <li>c. A maximum rotor diameter of 220m, and,</li> <li>d. A minimum blade tip clearance from mean sea level of 35m;</li> </ol> </li> <li>3. Six associated floating substructures;</li> <li>4. Nine mooring lines for each floating substructure, 54 in total;</li> <li>5. Nine anchors or piles for each floating substructure, 54 in total;</li> <li>6. Seven inter-array cables (dynamic and static);</li> <li>7. Associated scour and cable protections;</li> </ol> <p>and, except to the extent modified by the foregoing, all as described in the Application and the Variation Application and by the conditions imposed by the Scottish Ministers. References to “the Development” in this consent shall be construed accordingly.</p> <p>The total area within the Development site boundary is 10 square kilometres (km<sup>2</sup>) of which up to 5.85km<sup>2</sup> will comprise the WTG Footprint Area. The location and boundary of the Development site is shown in Figure 1 of Annex 1.</p>
<p><b>In Annex 2 of the Pentland Floating Offshore Wind Farm s.36 Consent</b></p>	<p><b>For:</b></p> <p><b>1. Duration of the Consent</b></p> <p>The consent is valid from the date of this consent until 10 years from the date of Final Commissioning of the Development. Written confirmation of the date of Final Commissioning of the Development must be provided by the Company to the Scottish Ministers and to The Highland Council no later than one calendar month after this date.</p> <p><i>Reason: To define the duration of the consent.</i></p> <p><b>7. Implementation in accordance with approved plans and requirements of this consent</b></p> <p>Except as otherwise required by the terms of this consent, the Development must be constructed and operated in accordance with this consent, the Application, the Environmental Impact Assessment</p>

Report (“the EIA Report”) submitted by the Company, and any other documentation and information lodged in support of the Application.

**Reason: To ensure that the Development is carried out in accordance with the approved details.**

## **18. Cable Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit an updated CaP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, SFF, and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. The CaP must be in accordance with the Application.

The CaP must include, but not be limited to, the following:

- a) The location, duration and cable laying techniques for cables;
- b) The results of monitoring or data collection work (including geophysical, geotechnical, and benthic surveys) which will help inform cable routing;
- c) Technical specification of the cables, including a desk based assessment of attenuation of electro-magnetic field strengths and shielding;
- d) A Cable Burial Risk Assessment (“CBRA”) to ascertain burial depths and where necessary alternative protection measures;
- e) Methodologies for post construction and operational surveys (e.g. over trawl) of the cables where mechanical protection of cables laid on the sea bed is deployed; and
- f) Methodologies for cable inspection with measures to address and report to the Scottish Ministers any exposure of cables.

Any consented cable protection works must ensure existing and future safe navigation is not compromised. The Licensing Authority will accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum. Any greater reduction in depth must be agreed in writing by the Licensing Authority.

## **21. Particle Management Plan**

Not later than six months prior to the commencement of the works, a Particles Management Plan (“PMP”) shall be submitted to the Scottish Ministers for their written approval in consultation with the Scottish Environment Protection Agency (“SEPA”);

The PMP shall be consistent with the Application and supporting documents and shall include, but not be limited to, the following:

- a) A programme of scheduled monitoring for radioactive particles;

- b) The measures to be taken to reduce the likelihood of irradiated fuel particles in sediment being suspended or disturbed; and
- c) A waste management plan for the construction phase of the development.

There shall be no Commencement of the Development unless and until the PMP is approved in writing by the Scottish Ministers, in consultation with SEPA;

Any proposed amendment to the approved PMP shall be submitted, in writing, to the Scottish Ministers for its written approval, in consultation with SEPA. The proposed amendment shall be submitted to the Scottish Ministers no later than 6 months prior to the anticipated implementation of the proposed amendment (or such shorter period as may be agreed with the Scottish Ministers in writing). No amendment to the PMP shall take effect unless and until approved in writing by the Scottish Ministers in consultation with SEPA;

The PMP and any amended PMP shall thereafter be implemented in full.

## **22. Television and Radio Reception Mitigation Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit a Radio and Television Reception Mitigation Plan to the Scottish Ministers for approval, in consultation with the Highland Council. The Radio and Television Reception Mitigation Plan shall provide for a baseline radio and television reception survey to be carried out prior to the installation of any turbine forming part of the Development. The results of the baseline radio and television reception survey shall be submitted to the Highland Council prior to the installation of any turbine forming part of the Development.

The approved Radio and Television Reception Mitigation Plan shall be implemented in full.

Any claim by any person regarding radio or television interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve months after the Date of Final Commissioning shall be investigated by a qualified engineer and the results of the investigation shall be considered against the approved plan and submitted to the Highland Council.

Should any impairment to the radio or television signal be attributable to the Development, the impairment shall be remedied so that the standard of reception at the affected property is equivalent to the baseline radio or television reception.

***Reason:*** To mitigate any potential impacts on radio and television reception.

## **27. Environmental Clerk of Works**

Prior to the Commencement of the Development, the Company must at its own expense, and with the approval of the Scottish Ministers in consultation with NatureScot, appoint an independent Environmental Clerk of Works (“ECoW”). The ECoW must be appointed in time to review and approve the draft version of the first plan or programme submitted under this consent to the Scottish Ministers, in sufficient time for any pre-construction monitoring requirements, and remain in post until a date agreed by the Scottish Ministers. The terms of appointment must also be approved by the Scottish Ministers in consultation with NatureScot.

The terms of the appointment must include, but not be limited to:

- a) Quality assurance of final draft versions of all plans and programmes required under this marine licence;
- b) Responsible for the monitoring and reporting of compliance with the marine licence conditions and the environmental mitigation measures for all wind farm infrastructure;
- c) Provision of on-going advice and guidance to the Company in relation to achieving compliance with conditions, including but not limited to the conditions relating to and the implementation of the CMS, the EMP, the PEMP, the CaP and the VMP;
- d) Provision of reports on point b & c above to the Scottish Ministers at timescales to be determined by the Scottish Ministers;
- e) Induction and toolbox talks to onsite construction teams on environmental policy and procedures, including temporary stops and keeping a record of these;
- f) Monitoring that the Development is being constructed in accordance with the plans and this consent, the Application and in compliance with all relevant regulations and legislation;
- g) Reviewing and reporting incidents/near misses and reporting any changes in procedures as a result to the Scottish Ministers; and
- h) Agreement of a communication strategy with the Scottish Ministers.

## **28. Fisheries Liaison Officer**

Prior to the Commencement of the Development, a Fisheries Liaison Officer (“FLO”), must be appointed by the Company and approved, in writing, by the Scottish Ministers, following consultation with SFF. The FLO must be appointed by the Company for the period from Commencement of the Development until the Final Commissioning of the development. The identity and credentials of the FLO must be included in the EMP (referred to in condition 12). The FLO must establish and maintain effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea during the construction of the Development and ensure compliance with best practice guidelines whilst doing so.

The responsibilities of the FLO must include:

- a) Establishing and maintaining effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea concerning the overall Development and any amendments to the EMP and site environmental procedures;
- b) The provision of information relating to the safe operation of fishing activity on the site of the Development; and
- c) Ensuring that information is made available and circulated in a timely manner to minimise interference with fishing operations and other users of the sea.

**Substitute:**

### **1. Duration of the Consent**

The consent is valid from the date of this consent until 25 years from the date of Final Commissioning of the Development. Written confirmation of the date of Final Commissioning of the Development must be provided by the Company to the Scottish Ministers and to The Highland Council no later than one calendar month after this date.

**Reason: To define the duration of the consent.**

### **7. Implementation in accordance with approved plans and requirements of this consent**

Except as otherwise required by the terms of this consent, the Development must be constructed and operated in accordance with this consent, the Application, the Environmental Impact Assessment Report ("the EIA Report") submitted by the Company, any other documentation and information lodged in support of the Application, and the Variation Application.

**Reason: To ensure that the Development is carried out in accordance with the approved details.**

### **18. Cable Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit an updated CaP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, SFF, and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. The CaP must be in accordance with the Application.

The CaP must include, but not be limited to, the following:

- a) The location, duration and cable laying techniques for cables;
- b) The results of monitoring or data collection work (including geophysical, geotechnical, and benthic surveys) which will help inform cable routing;
- c) Technical specification of the cables, including a desk based assessment of attenuation of electro-magnetic field strengths and shielding;
- d) A Cable Burial Risk Assessment (“CBRA”) to ascertain burial depths and where necessary alternative protection measures;
- e) Methodologies for post construction and operational surveys (e.g. over trawl) of the cables where mechanical protection of cables laid on the sea bed is deployed; and
- f) Methodologies for cable inspection with measures to address and report to the Scottish Ministers any exposure of cables.

Any consented cable protection works must ensure existing and future safe navigation is not compromised. The Licensing Authority will accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum. Any greater reduction in depth must be agreed in writing by the Licensing Authority.

**Reason:** *To mitigate any potential impacts on the environmental interests during construction and operation.*

## **21. Particle Management Plan**

Not later than six months prior to the commencement of the works, a Particles Management Plan (“PMP”) shall be submitted to the Scottish Ministers for their written approval in consultation with the Scottish Environment Protection Agency (“SEPA”);

The PMP shall be consistent with the Application and supporting documents and shall include, but not be limited to, the following:

- a) A programme of scheduled monitoring for radioactive particles;
- b) The measures to be taken to reduce the likelihood of irradiated fuel particles in sediment being suspended or disturbed; and
- c) A waste management plan for the construction phase of the development.

There shall be no Commencement of the Development unless and until the PMP is approved in writing by the Scottish Ministers, in consultation with SEPA;

Any proposed amendment to the approved PMP shall be submitted, in writing, to the Scottish Ministers for its written approval, in consultation with SEPA. The proposed amendment shall be submitted to the Scottish Ministers no later than 6 months prior to the anticipated implementation of the proposed amendment (or such shorter period as may be agreed with the Scottish Ministers in writing). No amendment to the PMP shall take effect unless and until approved in writing by the Scottish Ministers in consultation with SEPA;

The PMP and any amended PMP shall thereafter be implemented in full.

**Reason:** *To mitigate any potential impacts on the environmental and human health interests during construction and operation.*

## **22. Radio and Television Reception Mitigation Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit a Radio and Television Reception Mitigation Plan to the Scottish Ministers for approval, in consultation with the Highland Council. The Radio and Television Reception Mitigation Plan shall provide for a baseline radio and television reception survey to be carried out prior to the installation of any turbine forming part of the Development. The results of the baseline radio and television reception survey shall be submitted to the Highland Council prior to the installation of any turbine forming part of the Development.

The approved Radio and Television Reception Mitigation Plan shall be implemented in full.

Any claim by any person regarding radio or television interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve months after the Date of Final Commissioning shall be investigated by a qualified engineer and the results of the investigation shall be considered against the approved plan and submitted to the Highland Council.

Should any impairment to the radio or television signal be attributable to the Development, the impairment shall be remedied so that the standard of reception at the affected property is equivalent to the baseline radio or television reception.

**Reason:** *To mitigate any potential impacts on radio and television reception.*

## **27. Environmental Clerk of Works**

Prior to the Commencement of the Development, the Company must at its own expense, and with the approval of the Scottish Ministers in consultation with NatureScot, appoint an independent Environmental Clerk of Works (“ECoW”). The ECoW must be appointed in time to review and approve the draft version of the first plan or programme submitted under this consent to the Scottish Ministers, in sufficient time for any pre-construction monitoring requirements, and remain in post until a date agreed by the Scottish Ministers. The terms of appointment must also be approved by the Scottish Ministers in consultation with NatureScot.

The terms of the appointment must include, but not be limited to:

- a) Quality assurance of final draft versions of all plans and programmes required under this marine licence;
- b) Responsible for the monitoring and reporting of compliance with the marine licence conditions and the environmental mitigation measures for all wind farm infrastructure;
- c) Provision of on-going advice and guidance to the Company in relation to achieving compliance with conditions, including but not limited to the conditions relating to and the implementation of the CMS, the EMP, the PEMP, the CaP and the VMP;
- d) Provision of reports on point b & c above to the Scottish Ministers at timescales to be determined by the Scottish Ministers;
- e) Induction and toolbox talks to onsite construction teams on environmental policy and procedures, including temporary stops and keeping a record of these;
- f) Monitoring that the Development is being constructed in accordance with the plans and this consent, the Application and in compliance with all relevant regulations and legislation;
- g) Reviewing and reporting incidents/near misses and reporting any changes in procedures as a result to the Scottish Ministers; and
- h) Agreement of a communication strategy with the Scottish Ministers.

**Reason:** *To ensure effective monitoring of, and compliance with, the environmental mitigation and management measures associated with the Development.*

## **28. Fisheries Liaison Officer**

Prior to the Commencement of the Development, a Fisheries Liaison Officer (“FLO”), must be appointed by the Company and approved, in writing, by the Scottish Ministers, following consultation with SFF. The FLO must be appointed by the Company for the period from Commencement of the Development until the Final Commissioning of the development. The identity and credentials of the FLO must be included in the EMP (referred to in condition 12). The FLO must establish and maintain effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea during the construction of the Development and ensure compliance with best practice guidelines whilst doing so.

The responsibilities of the FLO must include:

- a) Establishing and maintaining effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea concerning the overall Development and any amendments to the EMP and site environmental procedures;
- b) The provision of information relating to the safe operation of fishing activity on the site of the Development; and



	<p>c) Ensuring that information is made available and circulated in a timely manner to minimise interference with fishing operations and other users of the sea.</p> <p><b>Reason:</b> <i>To mitigate the impact to commercial fishermen</i></p>
<p><b>In Annex 3 of the Pentland Floating Offshore Wind Farm s.36 Consent</b></p>	<p><b>Insert:</b></p> <p>“the Variation Application” means the variation application letter and the Section 36C Consent and Marine Licence Variation Application Report submitted to the Scottish Ministers by Highland Wind Limited on 11 October 2023.</p> <p>“the WTG Footprint Area” means the area of sea surface occupied by the infrastructure at or above sea level (i.e. the WTGs and associated floating substructures);</p>
<p><b>In Annex 3 of the Pentland Floating Offshore Wind Farm s.36 Consent</b></p>	<p><b>For:</b></p> <p>“MSS” means Marine Scotland Science;</p> <p><b>Substitute:</b></p> <p>“MD-SEDD” (formerly known as “MSS”, Marine Scotland Science) means Marine Directorate – Science, Evidence Data, and Digital;</p>
<p><b>In Annex 3 of the Pentland Floating Offshore Wind Farm s.36 Consent</b></p>	<p><b>For:</b></p> <p>“HWL” or “the Company” means Highland Wind Limited, 4th Floor 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN, Company Number: SC675148;</p> <p><b>Substitute:</b></p> <p>“the Company” means Highland Wind Limited, 4th Floor 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN, Company Number: SC675148, or such other person for the time being entitled to the benefit of the consent under section 36 of the Electricity Act 1989;</p>

4.4 Revised copies of Annexes 1, 2 and 3 of the Existing Consent for the Development are issued together with this decision letter.

4.5 Copies of this letter have been sent to the Highland Council. This letter has also been published on Marine Scotland Information.

4.6 The Scottish Ministers’ decision is final, subject to the right of any aggrieved person to apply to the Court of Session for judicial review. Judicial review is the mechanism by which the Court of Session supervises the exercise of administrative functions, including how the Scottish Ministers exercise their statutory function to determine applications for variation of a s.36 consent.

4.7 Your local Citizens' Advice Bureau or your solicitor will be able to advise you about the applicable procedures.

Yours sincerely,

Rebecca Bamlett  
Marine Directorate - Licensing Operations Team  
A member of the staff of the Scottish Government

3 April 2024

## **DEFINITIONS AND GLOSSARY OF TERMS - In the decision letter attached at Annex C**

“AESI” means Adverse Effect on Site Integrity;

“AA” means Appropriate Assessment;

“Berwick Bank” means the Berwick Bank Wind Farm;

“DAERA” means the Department of Agriculture, Environment and Rural Affairs;

“HES” means Historic Environment Scotland;

“HIAL” means Highlands and Islands Airports Limited;

“IFG” means Inshore Fishery Group;

“km” means kilometres;

“MCA” means Maritime and Coastguard Agency;

“MD-LOT” means Marine Directorate - Licensing Operations Team;

“NATS” means the National Air Traffic Services;

“NLB” means Northern Lighthouse Board;

“PVA” means Population Viability Assessment;

“RSPB Scotland” means Royal Society for the Protection of Birds Scotland;

“s.36” means section 36 (Consent required for construction etc. of generating stations) of the Electricity Act 1989;

“RYA” means the Royal Yachting Association;

“SEPA” means Scottish Environment Protection Agency;

“SFF” means Scottish Fishermen’s Federation;

“SLVIA” means Seascape, Landscape and Visual Impact Assessment;

“SPAs” means Special Protection Areas;

“km<sup>2</sup>” means squared kilometres;

“m<sup>2</sup>” means square metres;

“the 1994 Habitats Regulations” means the Conservation (Natural Habitats, &c.) Regulations 1994;

“the 2017 Habitats Regulations” means the Conservation of Habitats and Species Regulations 2017;

“the Company” means Highland Wind Limited, 4th Floor 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN, Company Number: SC675148;

“the Development” means the Pentland Floating Offshore Wind Farm, located approximately 7.5 kilometres from the coast of Dounreay, Caithness;

“the Electricity Act” means the Electricity Act 1989;

“the Existing Consent” means the s.36 consent granted by the Scottish Ministers on 28 June 2023 for the construction and operation of the Pentland Floating Offshore Wind Farm;

“the 2023 AA” means the appropriate assessment completed in June 2023 in respect of the Original Application;

“the 2024 AA” means the appropriate assessment completed in March 2024 in respect of the Variation Application;

“the Original Application” means the s.36 consent application submitted to the Scottish Ministers on 11 August 2022 by the Company;

“the Variation Application” means the application to vary the Existing Consent submitted to the Scottish Ministers on 11 October 2023 by the Company;

“the Variation Regulations” means the Electricity Generating Stations (Applications for Variation of Consent) (Scotland) Regulations 2013;

“the 2010 Act” means the Marine (Scotland) Act 2010;

“the 2017 EW Regulations” means the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017;

“the 2017 MW Regulations” means the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017;

“WTGs” means wind turbine generators.

## **ANNEX 1 of the Pentland Floating Offshore Wind Farm Consent**

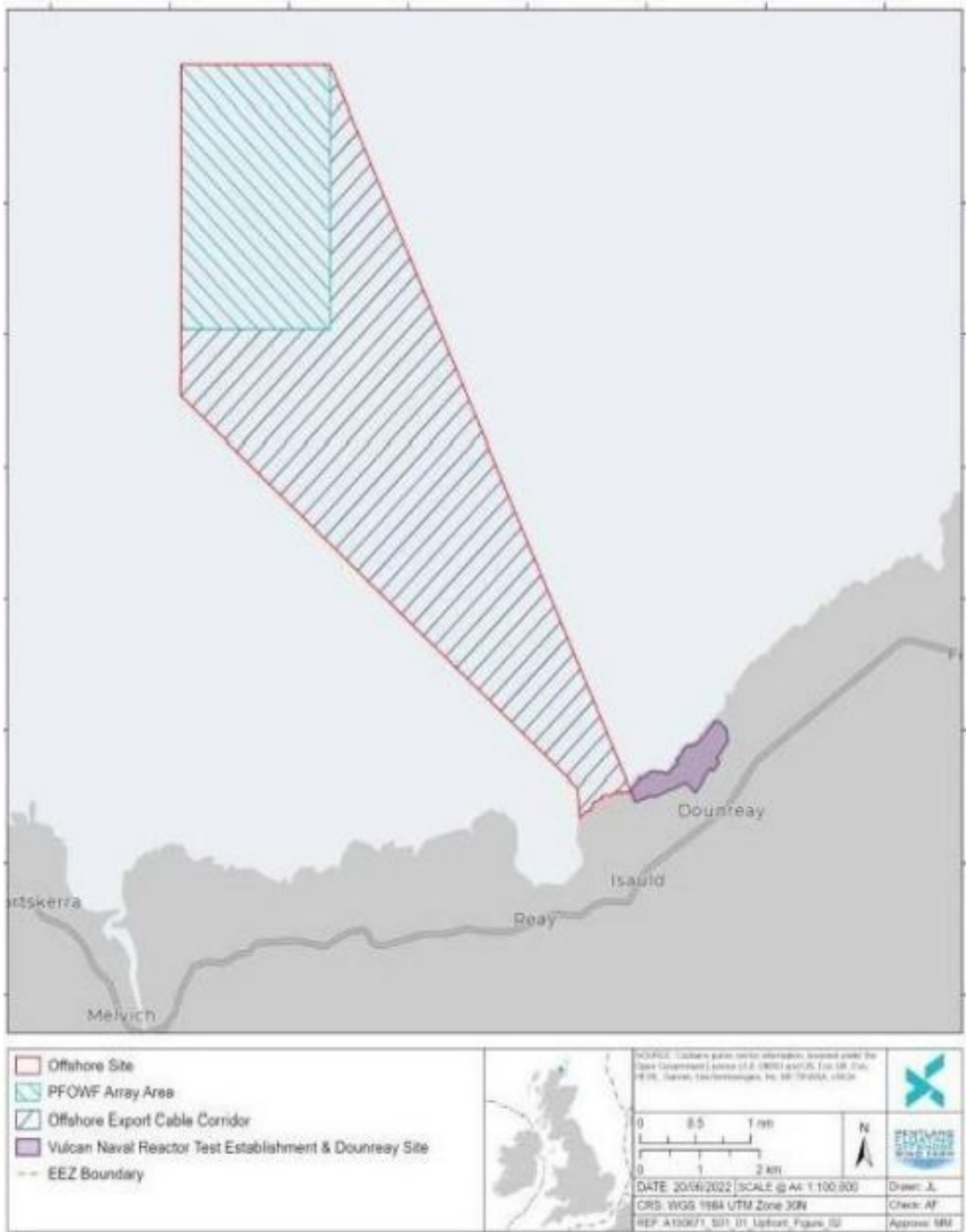
### **DESCRIPTION OF THE DEVELOPMENT**

The Application is for the construction and operation of an offshore energy generating station, with a generating capacity of around 100 megawatts (“MW”). The offshore generating station shall be comprised of up to:

1. Five floating offshore wind turbine generators (“WTGs”) with:
  - a. A maximum hub height of 190 metres (“m”) above highest astronomical tide (“HAT”),
  - b. A maximum height to blade tip of 300m above HAT,
  - c. A maximum rotor diameter of 250m, and,
  - d. A minimum blade tip clearance from mean sea level of 35m;
2. One floating offshore WTG with:
  - a. A maximum hub height of 190 m above HAT,
  - b. A maximum height to blade tip of 300m above HAT,
  - c. A maximum rotor diameter of 220m, and,
  - d. A minimum blade tip clearance from mean sea level of 35m;
3. Six associated floating substructures;
4. Nine mooring lines for each floating substructure, 54 in total;
5. Nine anchors or piles for each floating substructures, 54 in total;
6. Seven inter-array cables (dynamic and static);
7. Associated scour and cable protections;

and, except to the extent modified by the foregoing, all as described in the Application and the Variation Application and by the conditions imposed by the Scottish Ministers. References to “the Development” in this consent shall be construed accordingly.

The total area within the Development site boundary is 10 square kilometres (“km<sup>2</sup>”) of which up to 5.85km<sup>2</sup> will comprise the WTG Footprint Area. The location and boundary of the Development site is shown in Figure 1 of Annex 1.



**Figure 1.** Pentland Floating Offshore Wind Farm Site and Export Cable Corridor.

## **ANNEX 2 of the Pentland Floating Offshore Wind Farm Consent**

### **ANNEX 2 – CONDITIONS**

#### **1. Duration of the Consent**

The consent is valid from the date of this consent until 25 years from the date of Final Commissioning of the Development. Written confirmation of the date of Final Commissioning of the Development must be provided by the Company to the Scottish Ministers and to The Highland Council no later than one calendar month after this date.

**Reason: To define the duration of the consent.**

#### **2. Commencement of the Development**

The Commencement of the Development must be no later than five years from the date of this consent, or in substitution such other later period as the Scottish Ministers may hereafter direct in writing. The Company must provide written confirmation of the intended date of Commencement of the Development to the Scottish Ministers and to The Highland Council no later than one calendar month before that date.

**Reason: To ensure that the Commencement of the Development is undertaken within a reasonable timescale after consent is granted.**

#### **3. Decommissioning**

There must be no Commencement of the Development until a Decommissioning Programme, submitted in accordance with a section 105 notice served by the appropriate Minister, has been approved under section 106 of the Energy Act 2004 by the appropriate Minister.

**Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner, and in the interests of safety and environmental protection.**

#### **4. Assignment**

This consent must not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignment of the consent (with or without conditions) or refuse assignment as they may see fit. The consent cannot be assigned, alienated, or transferred otherwise than in accordance with the assignment procedure as directed by the Scottish Ministers.

**Reason: To safeguard the obligations of the consent if transferred to another company.**

#### **5. Redundant Wind Turbine Generators**

If any Wind Turbine Generator (“WTG”) fails to generate electricity for a continuous period of 12 months then, unless otherwise agreed in writing by the Scottish Ministers, the Company must: (i) by no later than the date of expiration of the 12 month period, submit a scheme to the Scottish Ministers setting out the manner in which that WTG and associated infrastructure will be removed from the site and the sea bed restored; and (ii) implement the approved scheme within six months of the date of its approval, or such other date as agreed in writing by the Scottish Ministers, all to the satisfaction of the Scottish Ministers.

**Reason: To ensure that should a WTG become redundant it is removed from the site, in the interests of safety, amenity and environmental protection.**

## **6. Incident Reporting**

In the event of any breach of health and safety or environmental obligations relating to the Development during the period of this consent and decommissioning, the Company must provide written notification of the nature and timing of the incident to the Scottish Ministers within 24 hours of the incident occurring. Confirmation of remedial measures taken and/or to be taken to rectify the breach must be provided, in writing, to the Scottish Ministers within a period of time to be agreed by the Scottish Ministers.

**Reason: To keep the Scottish Ministers informed of any such incidents which may be in the public interest.**

## **7. Implementation in accordance with approved plans and requirements of this consent**

Except as otherwise required by the terms of this consent, the Development must be constructed and operated in accordance with this consent, the Application, the Environmental Impact Assessment Report (“the EIA Report”) submitted by the Company, any other documentation and information lodged in support of the Application, and the Variation Application.

**Reason: To ensure that the Development is carried out in accordance with the approved details.**

## **8. Submission and approval of plans**

The Company must submit the requested plans as detailed in the conditions, in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with any such advisors or organisations as detailed in these conditions or as may be required at the discretion of the Scottish Ministers.

Any updates or amendments made to the approved plans must be submitted, in writing, to the Scottish Ministers for their written approval. The Development must, at all times, be constructed and operated in accordance with the approved plans.

**Reason: To ensure that the Development is constructed and operated in accordance with the approved details.**

## **9. Compliance with this consent**

The Company must satisfy itself that all contractors or sub-contractors are aware of the extent of the Development for which this consent has been granted, the activity which is consented and the terms of the conditions attached to this consent. All contractors and sub-contractors permitted to engage in the Development must abide by the conditions set out in this consent.

**Reason: To ensure that the Development is constructed and operated in accordance with the approved details.**

## **10. Construction Programme**

The Company must, no later than six months prior to the Commencement of the Development, submit a Construction Programme (“CoP”), in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, Civil Aviation Authority (“CAA”), Ministry of Defence (“MOD”), and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The CoP must set out:

- a. The proposed date for Commencement of the Development;
- b. The proposed timings for mobilisation of plant and delivery of materials, including details of onshore lay-down areas;
- c. The proposed timings and sequencing of construction work for all elements of the Development infrastructure;
- d. Contingency planning for poor weather or other unforeseen delays; and
- e. The scheduled date for Final Commissioning of the Development.

The Company must send the approved CoP to The Highland Council, Maritime and Coastguard Agency (“MCA”) and Northern Lighthouse Board (“NLB”) for information only.

**Reason: To confirm the timing and programming of construction.**

## **11. Construction Method Statement**

The Company must, no later than six months prior to the Commencement of the Development submit a Construction Method Statement (“CMS”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, NLB and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.



The CMS must include, but not be limited to:

- a. Details of the commencement dates, duration, and phasing for the key elements of construction, the working areas, the construction procedures, and good working practices for installing the Development.
- b. Details of the roles and responsibilities, chain of command and contact details of company personnel, any contractors or sub-contractors involved during the construction of the Development.
- c. Details of how the construction related mitigation steps proposed in the Application are to be delivered.

The CMS must adhere to the construction methods assessed in the Application. The CMS also must, so far as is reasonably practicable, be consistent with the Design Statement (“DS”), the Environmental Management Plan (“EMP”), the Vessel Management Plan (“VMP”), the Navigational Safety Plan (“NSP”), the Piling Strategy (“PS”), the Cable Plan (“CaP”) and the Lighting and Marking Plan (“LMP”).

The final CMS must be sent to the Highland Council for information only.

**Reason: To ensure the appropriate construction management of the Development, taking into account mitigation measures to protect the environment and other users of the marine area.**

## **12. Environmental Management Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit an EMP, in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, Royal Society for the Protection of Birds Scotland (“RSPB Scotland”), and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The EMP must provide the over-arching framework for on-site environmental management during the phases of development as follows:

- a. All construction as required to be undertaken before the Final Commissioning of the Development; and
- b. The operational lifespan of the Development from the Final Commissioning of the Development until the cessation of electricity generation (environmental management during decommissioning is addressed by the Decommissioning Programme provided for by condition 3).

The EMP must be in accordance with the Application insofar as it relates to environmental management measures. The EMP must set out the roles, responsibilities, and chain of command for the Company personnel, any contractors, or sub-contractors in respect of environmental management for the protection of environmental interests during the construction and operation of the Development. It must address, but not be limited to, the following over-arching requirements for environmental management during construction:

- a. Mitigation measures to prevent significant adverse impacts to environmental interests, as identified in the Application and pre-consent and pre-construction monitoring or data collection, and include reference

- to relevant parts of the CMS (refer to condition 11);
- b. A pollution prevention and control method statement, including contingency plans;
  - c. Management measures to prevent the introduction of invasive non-native marine species;
  - d. A site waste management plan (dealing with all aspects of waste produced during the construction period), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment. Wherever possible the waste hierarchy of reduce, reuse, and recycle should be encouraged; and
  - e. The reporting mechanisms that will be used to provide the Scottish Ministers and relevant stakeholders with regular updates on construction activity, including any environmental issues that have been encountered and how these have been addressed.

The EMP must be regularly reviewed by the Company at intervals agreed by the Scottish Ministers. Reviews must include, but not be limited to, the reviews of updated information on construction methods and operations of the Development and updated working practices.

The EMP must be informed, so far as is reasonably practicable, by the baseline monitoring or data collection undertaken as part of the Application and the Project Environmental Monitoring Programme (“PEMP”).

**Reason: To ensure that all construction and operation activities are carried out in a manner that minimises their impact on the environment, and that mitigation measures contained in the Application, or as otherwise agreed are fully implemented.**

### **13. Vessel Management Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit a VMP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, Scottish Fishermen’s Federation (“SFF”) and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The VMP must include, but not be limited to, the following details:

- a. The number, types and specification of vessels required;
  - b. How vessel management will be coordinated, particularly during construction, but also during operation;
  - c. Location of working port(s), the routes of passage, the frequency with which vessels will be required to transit between port(s) and the site and indicative vessel transit corridors proposed to be used during construction and operation of the Development.

The confirmed individual vessel details must be notified to the Scottish Ministers in writing no later than 14 days prior to the Commencement of the Development, and thereafter, any changes to the details supplied must be notified to the Scottish Ministers, as soon as practicable, prior to any such change being

implemented in the construction or operation of the Development.

The VMP should refer to the Scottish Marine Wildlife Watching Code and Guide to Best Practice for Watching Marine Wildlife for guidance on how vessels should behave around aggregations of birds on the water.

The VMP must, so far as is reasonably practicable, be consistent with the CMS and EMP, the Fisheries Management and Mitigation Strategy (“FMMS”), the PEMP, the NSP, and the LMP.

**Reason: To mitigate the impact of vessels.**

## **14. Operation and Maintenance Programme**

The Company must, no later than three months prior to the Final Commissioning of the Development, submit an Operation and Maintenance Programme (“OMP”), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, NLB, The Highland Council and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The OMP must set out the procedures and good working practices for operations and the maintenance of the WTGs and substructure of the Development. Environmental sensitivities which may affect the timing of the operation and maintenance activities must be considered in the OMP.

The OMP must, so far as is reasonably practicable, be consistent with the CMS, the EMP, the PEMP, the VMP, the NSP and the LMP.

The Company must send the approved OMP to The Highland Council for information only.

**Reason: To safeguard environmental interests during operation and maintenance of the Development.**

## **15. Navigational Safety Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit an NSP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with MCA, NLB, Royal Yachting Association (“RYA”), SFF and any other navigational advisors or organisations as may be required at the discretion of the Scottish Ministers.

The NSP must include, but not be limited to, the following issues:

- a. Navigational safety measures;
- b. Construction exclusion zones;
- c. Notice(s) to mariners and radio navigation warnings;
- d. Anchoring areas;
- e. Temporary construction lighting and marking;

f. Buoyage.

**Reason: To mitigate the navigational risk to other legitimate users of the sea.**

## **16. Lighting and Marking Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit an LMP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, NLB, CAA, MOD, RYA, the Highland Council, and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The LMP must provide that the Development be lit and marked in accordance with the current CAA and MOD aviation lighting policy and guidance that is in place as at the date of the Scottish Ministers approval of the LMP, or any such other documents that may supersede this guidance prior to the approval of the LMP. Consideration should be given in the LMP to reducing the luminous intensity of aviation lighting in certain visibility conditions but only where this is in accordance with the current CAA and MOD aviation lighting policy and guidance that is in place. The LMP must define how the Development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the MOD and, accordingly, must set out:

- a) details of any construction equipment and temporal structures with a total height of 50m or greater (above mean sea level) that will be deployed during the construction of the Development and details of any aviation warning lighting that they will be fitted with; and
- b) the locations and heights of the WTGs featured in the Development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the WTGs, the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

The LMP must also detail the navigational lighting requirements detailed in the International Association of Marine Aids to Navigation and Lighthouse Authorities (“IALA”) Guideline G-1162 or any other documents that may supersede this guidance prior to approval of the LMP.

**Reason: To ensure civil and military aviation and navigational safety and the safe marking and lighting of the Development.**

## **17. Project Environmental Monitoring Programme**

The Company must, no later than six months prior to the Commencement of the Development, submit a PEMP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, RSPB Scotland and any

other environmental advisors or organisations as required at the discretion of the Scottish Ministers. The PEMP must be in accordance with the Application as it relates to environmental monitoring.

The PEMP must set out measures by which the Company must monitor the environmental impacts of the Development. Monitoring is required throughout the lifespan of the Development where this is deemed necessary by the Scottish Ministers. Lifespan in this context includes pre-construction, construction, operational and decommissioning phases.

The Scottish Ministers must approve all initial methodologies for the above monitoring, in writing and, where appropriate, in consultation with NatureScot and any other environmental advisors or organisations as required at the discretion of the Scottish Ministers.

Monitoring must be done in such a way so as to ensure that the data which is collected allows useful and valid comparisons between different phases of the Development. Monitoring may also serve the purpose of verifying key predictions in the Application. In the event that further potential adverse environmental effects are identified, for which no predictions were made in the Application, the Scottish Ministers may require the Company to undertake additional monitoring.

The PEMP must cover the following matters:

- a) monitoring or data collection for impact on seabirds
- b) monitoring for impacts on marine mammals
- c) monitoring for impacts on benthic ecology
- d) Post-construction monitoring on Electromagnetic Fields (“EMF”) produced by the constructed cables.
- e) The Company’s contribution to data collection or monitoring of wider strategic relevance, including in relation to diadromous fish, as identified and agreed by the Scottish Ministers.

In relation to EMF, the Company must monitor and provide a report on the EMF produced by the works to the Scottish Ministers. The Company must agree the methodologies and timescales for monitoring with the Scottish Ministers prior to the Commencement of the Development as part of wider strategic monitoring on EMF. Any agreement must be adhered to unless otherwise agreed and approved by the Scottish Ministers.

The requirement for monitoring pre-construction, during construction and post-construction in relation to the above receptors must be agreed by the Scottish Ministers.

Due consideration must be given to the Scottish Marine Energy Research (“ScotMER”) programme, or any successor programme formed to facilitate these research interests.

Any pre-consent monitoring or data collection carried out by the Company to address any of the above issues may be used in part to discharge this condition subject to the written approval of the Scottish Ministers.

The PEMP is a live document which will be regularly reviewed by the Scottish

Ministers, at timescales to be determined by them to identify the appropriateness of on-going monitoring. Following such reviews, the Scottish Ministers may require the Company to amend the PEMP and submit such an amended PEMP, in writing, to the Scottish Ministers, for their written approval. Such approval may only be granted following consultation with NatureScot and any other environmental, or such other advisors as may be required at the discretion of the Scottish Ministers.

The Company must submit written reports and associated raw and processed data of such monitoring or data collection to the Scottish Ministers at timescales to be determined by them. Consideration should be given to data storage, analysis and reporting and be to Marine Environmental Data and Information Network standards.

Subject to any legal restrictions regarding the treatment of the information, the Scottish Ministers, or any such other party appointed at the Scottish Ministers' discretion, may make the results publicly available.

The Scottish Ministers may agree, in writing, that monitoring may be reduced or ceased before the end of the lifespan of the Development.

**Reason: To ensure that appropriate and effective monitoring of the impacts of the Development is undertaken**

## 18. Cable Plan

The Company must, no later than six months prior to the Commencement of the Development, submit an updated CaP, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, MCA, SFF, and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers. The CaP must be in accordance with the Application.

The CaP must include, but not be limited to, the following:

- a) The location, duration and cable laying techniques for cables;
- b) The results of monitoring or data collection work (including geophysical, geotechnical, and benthic surveys) which will help inform cable routing;
- c) Technical specification of the cables, including a desk based assessment of attenuation of electro-magnetic field strengths and shielding;
- d) A Cable Burial Risk Assessment ("CBRA") to ascertain burial depths and where necessary alternative protection measures;
- e) Methodologies for post construction and operational surveys (e.g. over trawl) of the cables where mechanical protection of cables laid on the sea bed is deployed; and
- f) Methodologies for cable inspection with measures to address and report to the Scottish Ministers any exposure of cables.

Any consented cable protection works must ensure existing and future safe

navigation is not compromised. The Licensing Authority will accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum. Any greater reduction in depth must be agreed in writing by the Licensing Authority.

**Reason: To mitigate any potential impacts on the environmental interests during construction and operation.**

## **19. Fisheries Management and Mitigation Strategy**

The Company must no later than six months prior to the Commencement of the Development, submit an FMMS, in writing, to the Scottish Ministers for their written approval, in consultation with SFF. Commencement of the Development cannot take place until such approval is granted.

In order to inform the production of the FMMS, the Company must monitor or collect data as relevant and agreed with the Scottish Ministers.

As part of any finalised FMMS, the Company must produce and implement a mitigation strategy for each commercial fishery that can prove to the Scottish Ministers that they would be adversely affected by the Development. The Company and any contractors or sub-contractors working for the Company must implement the mitigation measures committed to be carried out by the Company within the FMMS.

**Reason: To mitigate the impact on commercial fisheries.**

## **20. Protocol for Archaeological Discoveries**

The Company must, no later than six months prior to the Commencement of the Development, submit an updated Protocol for Archaeological Discoveries ("PAD") and Written Scheme of Investigation ("WSI") which sets out what the Company must do on discovering any marine archaeology during the construction, operation, maintenance, and monitoring of the Development, in writing, to the Scottish Ministers for their written approval. Commencement of the Development cannot take place until such approval is granted. Such approval may be given only following consultation by the Scottish Ministers with Historic Environment Scotland ("HES") and any such advisors as may be required at the discretion of the Scottish Ministers. The Reporting Protocol must be implemented in full, at all times, by the Company.

The Company must send the approved PAD and WSI to the Highland Council for information only.

**Reason: To ensure any discovery of archaeological interest is properly and correctly reported.**

## **21. Particle Management Plan**

Not later than six months prior to the commencement of the works, a Particles Management Plan ("PMP") shall be submitted to the Scottish Ministers for their

written approval in consultation with the Scottish Environment Protection Agency (“SEPA”);

The PMP shall be consistent with the Application and supporting documents and shall include, but not be limited to, the following:

- a. A programme of scheduled monitoring for radioactive particles;
- b. The measures to be taken to reduce the likelihood of irradiated fuel particles in sediment being suspended or disturbed; and
- c. A waste management plan for the construction phase of the development.

There shall be no Commencement of the Development unless and until the PMP is approved in writing by the Scottish Ministers, in consultation with SEPA;

Any proposed amendment to the approved PMP shall be submitted, in writing, to the Scottish Ministers for its written approval, in consultation with SEPA. The proposed amendment shall be submitted to the Scottish Ministers no later than 6 months prior to the anticipated implementation of the proposed amendment (or such shorter period as may be agreed with the Scottish Ministers in writing). No amendment to the PMP shall take effect unless and until approved in writing by the Scottish Ministers in consultation with SEPA;

The PMP and any amended PMP shall thereafter be implemented in full.

***Reason:*** *To mitigate any potential impacts on the environmental and human health interests during construction and operation.*

## **22. Radio and Television Reception Mitigation Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit a Radio and Television Reception Mitigation Plan to the Scottish Ministers for approval, in consultation with the Highland Council. The Radio and Television Reception Mitigation Plan shall provide for a baseline radio and television reception survey to be carried out prior to the installation of any turbine forming part of the Development. The results of the baseline radio and television reception survey shall be submitted to the Highland Council prior to the installation of any turbine forming part of the Development.

The approved Radio and Television Reception Mitigation Plan shall be implemented in full.

Any claim by any person regarding radio or television interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve months after the Date of Final Commissioning shall be investigated by a qualified engineer and the results of the investigation shall be considered against the approved plan and submitted to the Highland Council.

Should any impairment to the radio or television signal be attributable to the Development, the impairment shall be remedied so that the standard of reception at the affected property is equivalent to the baseline radio or television reception.



*Reason: To mitigate any potential impacts on radio and television reception.*

### **23. Noise Measurement and Mitigation Scheme**

1. The rating level of noise immissions from the combined effects of the wind turbines forming part of the Development (including the application of any tonal penalty) when determined in accordance with the Highland Council guidance notes for this condition shall not exceed a value of 34 dBLA90,10 minute at any dwelling which is lawfully existing or has planning permission at the date of this consent.
2. The Company shall continuously log power production, wind speed and wind direction. These data shall be retained for a period of not less than 24 months. The Company shall provide this information to the Scottish Ministers within 14 days of receipt in writing of a request to do so.
3. Prior to the Date of First Commissioning, the Company shall have submitted to, and received written approval of the Scottish Ministers, in consultation with the Highland Council, to an updated predictive noise assessment based on the final turbine model(s) to be installed, based on noise emission data from the turbine manufacturer.
4. Within 21 days from receipt of a written request from the Scottish Ministers following a complaint sent to them from the Highland Council, informing of an occupant of a dwelling alleging noise disturbance at that dwelling, the Company shall, at its expense, employ a consultant to assess the level of noise immissions from the wind farm at the complainant's property. The written request from the Scottish Ministers shall set out at least the date, time, and location to which the complaint relates and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Scottish Ministers, in consultation with the Highland Council, the noise giving rise to the complaint contains or is likely to contain a tonal component.
5. The assessment of the rating level of noise immissions in terms of paragraph (4) above shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Scottish Ministers, in consultation with the Highland Council. The protocol shall include at least the proposed measurement location(s) where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint contains or is likely to contain a tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Scottish Ministers under paragraph (4) above.
6. The Company shall provide to the Scottish Ministers the independent consultant's assessment of the rating level of noise immissions within two

months of the date of the written request of the Scottish Ministers for compliance measurements to be made under paragraph (4) unless the time limit is extended in writing by the Scottish Ministers. Certificates of calibration of the instrumentation used to undertake the measurements shall be submitted to the Scottish Ministers with the independent consultant's assessment of the rating level of noise immissions.

7. Where a further assessment of the rating level of noise immissions from the wind farm is required, the Company shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (4) above unless the time limit has been extended in writing by the Scottish Ministers.

**Reason: In the interests of safeguarding residential amenity, to protect nearby residents from undue noise and disturbance, to enable prompt investigation of complaints and to ensure that noise levels can be measured to assess whether or not agreed noise limits have been breached and where such noise limits have been breached, suitable mitigation is undertaken.**

## **24. Development Specification and Layout Plan**

The Company must, no later than six months prior to the Commencement of the Development, submit a Development Specification and Layout Plan ("DSLIP"), in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with the MCA, NLB, NatureScot, MOD, CAA, SFF, the UK Hydrographic Office ("UKHO"), the Highland Council, and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

The DSLIP must include, but not be limited to the following:

- a. A plan showing the location of each individual WTG (subject to any required micro-siting), including information on WTG spacing, WTG identification/numbering, seabed conditions, bathymetry, confirmed foundation type for each WTG and any key constraints recorded on the site;
- b. A list of latitude and longitude co-ordinates accurate to three decimal places of minutes of arc for each WTG. This should also be provided as a Geographic Information System ("GIS") shape file using WGS84 format;
- c. The grid coordinates of the centre point of the proposed location for each WTG;
- d. A table or diagram of each WTG dimensions including - height to blade tip (measured above Lowest Astronomical Tide ("LAT")) to the highest point, height to hub (measured above LAT to the centreline of the generator shaft), rotor diameter and maximum rotation speed;
- e. The generating output of each WTG used on the site (Figure 1) and a confirmed generating output for the site overall;
- f. The finishes for each WTG (see condition 16 on WTG lighting and marking); and
- g. The length and proposed arrangements on the seabed of all inter-array cables.

**Reason: To confirm the final Development specification and layout.**

## **25. Design Statement**

The Company must, no later than six months prior to the Commencement of the Development, submit a DS, in writing, to the Scottish Ministers. The DS, which must be signed off by at least one qualified landscape architect, as instructed by the Company prior to submission to the Scottish Ministers, must include representative wind farm visualisations from key viewpoints as agreed with the Scottish Ministers, based upon the final DSLP as approved by the Scottish Ministers as updated or amended. The Company must provide the DS, for information only, to the Highland Council, NatureScot, MCA and any such other advisors or organisations as may be required at the discretion of the Scottish Ministers.

**Reason: To ensure that the Development is carried out in accordance with the approved details, and to inform interested parties of the final wind farm scheme proposed to be built.**

## **26. Piling Strategy**

If piling is to be undertaken, the Company must, no later than six months prior to the Commencement of the Development, submit a PS, in writing, to the Scottish Ministers for their written approval. Such approval may only be granted following consultation by the Scottish Ministers with NatureScot, and any such other advisors as may be required at the discretion of the Scottish Ministers. Commencement of the Development cannot take place until such approval is granted.

The PS must include, but not be limited to:

- a) Details of expected noise levels from pile-drilling/driving in order to inform point d) below;
- b) Full details of the proposed method and anticipated duration of piling to be carried out at all locations;
- c) Details of soft-start piling procedures and anticipated maximum piling energy required at each pile location; and
- d) Details of any mitigation such as Passive Acoustic Monitoring (“PAM”), Marine Mammal Observers (“MMO”), use of Acoustic Deterrent Devices (“ADD”) and monitoring to be employed during pile-driving, as agreed by the Scottish Ministers.

The PS must be in accordance with the Application and must also reflect any relevant monitoring or data collection carried out after submission of the Application. The PS must demonstrate the means by which the exposure to and/or the effects of underwater noise have been mitigated in respect to cetaceans, harbour seal, grey seal, and Atlantic salmon. The PS must, so far as is reasonably practicable, be consistent with the EMP, the PEMP, and the CMS.

**Reason: To mitigate the underwater noise impacts arising from piling activity.**

## **27. Environmental Clerk of Works**

Prior to the Commencement of the Development, the Company must at its own expense, and with the approval of the Scottish Ministers in consultation with NatureScot, appoint an independent Environmental Clerk of Works (“ECoW”). The ECoW must be appointed in time to review and approve the draft version of the first plan or programme submitted under this consent to the Scottish Ministers, in sufficient time for any pre-construction monitoring requirements, and remain in post until a date agreed by the Scottish Ministers. The terms of appointment must also be approved by the Scottish Ministers in consultation with NatureScot.

The terms of the appointment must include, but not be limited to:

- a. Quality assurance of final draft versions of all plans and programmes required under this marine licence;
- b. Responsible for the monitoring and reporting of compliance with the marine licence conditions and the environmental mitigation measures for all wind farm infrastructure;
- c. Provision of on-going advice and guidance to the Company in relation to achieving compliance with conditions, including but not limited to the conditions relating to and the implementation of the CMS, the EMP, the PEMP, the CaP and the VMP;
- d. Provision of reports on point b & c above to the Scottish Ministers at timescales to be determined by the Scottish Ministers;
- e. Induction and toolbox talks to onsite construction teams on environmental policy and procedures, including temporary stops and keeping a record of these;
- f. Monitoring that the Development is being constructed in accordance with the plans and this consent, the Application and in compliance with all relevant regulations and legislation;
- g. Reviewing and reporting incidents/near misses and reporting any changes in procedures as a result to the Scottish Ministers; and
- h. Agreement of a communication strategy with the Scottish Ministers.

**Reason: *To ensure effective monitoring of, and compliance with, the environmental mitigation and management measures associated with the Development.***

## **28. Fisheries Liaison Officer**

Prior to the Commencement of the Development, a Fisheries Liaison Officer (“FLO”), must be appointed by the Company and approved, in writing, by the Scottish Ministers, following consultation with SFF. The FLO must be appointed by the Company for the period from Commencement of the Development until the Final Commissioning of the development. The identity and credentials of the FLO must be included in the EMP (referred to in condition 12). The FLO must establish and maintain effective communications between the Company, any contractors or sub-contractors, fishermen and other users of the sea during the construction of the Development and ensure compliance with best practice guidelines whilst doing so.

The responsibilities of the FLO must include:

- a. Establishing and maintaining effective communications between the Company, any contractors or sub-contractors, fishermen and other users

of the sea concerning the overall Development and any amendments to the EMP and site environmental procedures;

- b. The provision of information relating to the safe operation of fishing activity on the site of the Development; and
- c. Ensuring that information is made available and circulated in a timely manner to minimise interference with fishing operations and other users of the sea.

**Reason:** *To mitigate the impact on commercial fishermen.*

## **ANNEX 3 of the Pentland Floating Offshore Wind Farm Consent**

### **DEFINITION AND GLOSSARY OF TERMS**

In this decision letter and in Annex 1 and 2:

“the Application” means the Application letter, marine licence applications and EIA Report including appendices submitted to the Scottish Ministers by Highland Wind Limited on 11 August 2022;

“AA” means Appropriate Assessment;

“Commencement of the Development” means the date on which the first construction activity occurs in accordance with the EIA Report submitted by the Company on 11 August;

“the Company” means Highland Wind Limited, 4th Floor 115 George Street, Edinburgh, Midlothian, Scotland, EH2 4JN, Company Number: SC675148, or such other person for the time being entitled to the benefit of the consent under section 36 of the Electricity Act 1989;

“the Development” means the Highland Wind Floating Offshore Wind Farm, approximately 7.5 kilometres (“km”) off the coast of Dounreay, Caithness as described in Annex 1;

“the WTG Footprint Area” means the area of sea surface occupied by the infrastructure at or above sea level (i.e. the WTGs and associated floating substructures);

“ADD” means Acoustic Deterrent Devices;

“BWM” means Ballast Water Management;

“CaSPlan” means The Caithness and Sutherland Local Development Plan 2018; “CLO” means Community Liaison Officer;

“CREW” means Centre of Expertise for Waters;

“ECoW” means Environmental Clerk of Works;

“EIA” means Environmental Impact Assessment;

“EIA Report” means Environmental Impact Assessment Report;

“EMF” means Electromagnetic Field;

“FIR” means Fisheries Industry Representative;

“FLO” means Fisheries Liaison Officer;

“FTE” means Full Time Equivalent;

“GVA” means Gross Added Value;

“HRA” means Habitats Regulations Appraisal;

“HAT” means Highest Astronomical Tide;

“HPAI” means Highly Pathogenic Avian Influenza;

“km” means kilometres;

“km<sup>2</sup>” means squared kilometres;

“LSE” means Likely Significant Effect;

“m” means metres;

“MGN 654” means Marine Guidance Note 654;

“MMO” means Marine Mammals Observers;

“mINNS” means Marine Invasive Non-Native Species;

“MPA” means Marine Protected Area;

“MW” means megawatt;

“NSA” means National Scenic Areas;

“NRTE” means Naval Reactor Test Establishment;

“PAC” means Pre-Application Consultation;

“PAM” means Passive Acoustic Monitoring;

“PI” means Public Inquiry;

“PTS” means Permanent Threshold Shift;

“PVA” means Population Viability Assessment;

“s.36” means Section 36 of the Electricity Act 1989;

“s.36A” means Section 36A of the Electricity Act 1989;

“SAC” means Special Area of Conservation;

“SAR” means Search and Rescue;

“ScotMER” means Scottish Marine Energy Research;

“SLA” means Special Landscape Areas;

“SLVIA” means Seascape, Landscape and Visual Impact Assessment;

“SPA” means Special Protected Area;

“SSSI” means Site of Special Scientific Interest;

“the Variation Application” means the variation application letter and the Section 36C Consent and Marine Licence Variation Application Report submitted to the Scottish Ministers by Highland Wind Limited on 11 October 2023.

“UXO” means Unexploded Ordnance;

“WLA” means Wild Land Areas;

“WTG” means Wind Turbine Generator.

### **Organisations and Companies**

“BT” means British Telecommunications;

“CAA” means Civil Aviation Authority;

“DAERA” means Department of Agriculture, Environment and Rural Affairs; “DSFB” means District Salmon Fishery Board;

“HIAL” means Highlands and Islands Airports Limited;

“HES” means Historic Environment Scotland;

“EU” means European Union;

“MAU” means Marine Analytical Unit;

“MCA” means Maritime and Coastguard Agency;

“MOD” means Ministry of Defence;

“MD-LOT” means Marine Directorate – Licensing Operations Team (previously known as “MS-LOT”, Marine Scotland – Licensing Operations Team);

“MD-SEDD” (formerly known as “MSS”, Marine Scotland Science) means Marine Directorate – Science, Evidence Data, and Digital;

“NDA” means Nuclear Decommissioning Authority;

“NLB” means Northern Lighthouse Board;

“RSPB” means Royal Society for the Protection of Birds;

“RYA” means Royal Yachting Association;

“SEPA” means Scottish Environmental Protection Agency;



“SFF” means Scottish Fishermen’s Federation;

“UKCoS” means United Kingdom Chamber of Shipping;

### **Plans, Programmes and Statements**

“CaP” means Cable Plan;

“CBRA” means Cable Burial Risk Assessment;

“CMS” means Construction Method Statement;

“CoP” means Construction Programme;

“DS” means Design Statement;

“DSL P” means Development Specification and Layout Plan;

“EMP” means Environmental Management Plan;

“FMMS” means Fisheries Management and Mitigation Strategy;

“LMP” means Lighting and Marking Plan;

“NMP” means National Marine Plan;

“NPF3” means Scotland’s National Planning Framework 3;

“NPF4” means Scotland’s National Planning Framework 4;

“NSP” means Navigational Safety Plan;

“OMP” means Operation and Maintenance Programme;

“PAD” means Protocol for Archaeological Discoveries;

“PEMP” means Project Environmental Management Plan;

“PMP” means Particles Management Plan;

“PS” means Piling Strategy;

“VMP” means Vessel Management Plan;

“WSI” means Written Scheme of Investigation.

### **Legislation**

“the Electricity Act” means the Electricity Act 1989;

“the Habitats Regulations” means the Conservation (Natural Habitats, & c.) Regulations 1994 and the Conservation of Habitats and Species Regulations 2017;

“the 2017 EW Regulations” means the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017;

“the 2017 MW Regulations” means the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017.