



# Scotland England Green Link 1 / Eastern Link 1 - Marine Scheme

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Environmental Appraisal Report

Volume 3

Appendix 3.1 - Marine Plan Compliance Checklist

**nationalgrid**



**SP TRANSMISSION**

National Grid Electricity Transmission and Scottish Power Transmission

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## 3.1 Marine Plan Compliance Checklist

### 3.1.1 Introduction

The development of Marine Plans has been delegated to the Marine Management Organisation (MMO) in England by the Department for Environment, Food and Rural Affairs (Defra). In Scotland, responsibility lies with Scottish Ministers and can be delegated to Marine Planning Partnerships (MPPs) for the preparation of regional marine plans.

The Marine Scheme currently lies within the following current marine plan areas:

- National Marine Plan Area for Scotland – Scotland’s National Marine Plan (Scottish Government, 2015); and
- North East Inshore and North East Offshore Marine Plan (HM Government, 2021).

This appendix provides a checklist of these policies to signpost where and how they have been considered in the production of this Environmental Appraisal Report (EAR) and to demonstrate compliance. Table 3.1-1 contains the relevant policy within Scotland’s National Marine Plan<sup>1</sup> and Table 3.1-2 contains the relevant policy within the North East Inshore and North East Offshore Marine Plan<sup>2</sup>.

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<sup>1</sup> <https://www.gov.scot/publications/scotlands-national-marine-plan/>  
<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1004484/FINAL\\_North\\_East\\_Marine\\_Plan\\_1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1004484/FINAL_North_East_Marine_Plan_1.pdf)

### 3.1.2 Scotland's National Marine Plan

**Table 3.1-1: Relevant Policy within Scotland's National Marine Plan**

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
General Policies	GEN 1 General Planning Policy	There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.	This appendix provides a checklist of these policies to signpost where and how they have been considered in the production of this Environmental Appraisal Report (EAR) and to demonstrate compliance	Direct Policy Compliance
	GEN 2 Economic Benefit	Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of this Plan.	It is expected that the Marine Scheme may result in some increases in marine-related employment, both directly (in terms of the cable installation) and indirectly (through associated supply chains).	Direct Policy Compliance
	GEN 4	Co-existence: Proposals which enable coexistence with other development sectors and activities within the Scottish marine area are encouraged in planning and decision-making processes, when consistent with policies and objectives of the Plan.	<p>The Transmission Owners are committed to co-existence between the Marine Scheme and other users of the marine environment, including, for example, commercial fishing.</p> <p>A range of embedded mitigation measures, and where appropriate, project specific mitigation, have been proposed, refer to EAR Volume 2, Chapter 2: Project Description, and Chapter 17: Schedule of Mitigation Commitments.</p> <p>Provisions for the mitigation measures associated with commercial fisheries will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/ Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.</p> <p>Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required. Refer to EAR Volume 2 Chapter 14: Commercial Fisheries and Volume 3 Appendix 14.1 Report on Baseline Consultation with Fisheries Stakeholders.</p> <p>A summary of consultation with key relevant maritime stakeholders can be found in Section 13.4.2.2 of EAR Volume 2 Chapter 13: Shipping and Navigation. Consultee input has been incorporated</p>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
			<p>where appropriate into Chapter 13 such that concerns, and impacts are recorded, and associated risks are addressed/ minimised.</p> <p>The potential interaction of the Marine Scheme with other sea users, including energy industry activities and infrastructure (e.g. oil and gas, renewables), military areas, disposal sites, aquaculture, and recreational users has been appraised in EAR Volume 2 Chapter 15: Other Sea Users.</p>	
Historic Environment	GEN 6	<p>Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance.</p> <p>The Scottish National Marine Plan also notes the requirement for development proposals to provide “information on the significance of known heritage assets and the potential for new discoveries to arise”.</p>	<p>A detailed appraisal of the potential effects of the Marine Scheme on heritage assets are provided in EAR Volume 2, Chapter 12: Marine Archaeology, Section 12.6, including mitigation to avoid or minimise any adverse effects and maintain the baseline.</p>	Direct Policy Compliance
Coastal process and flooding	GEN 8	<p>Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.</p>	<p>Potential changes in coastal process have been appraised for the Scottish landfall site in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7: Physical Environment, Sections 7.6.2.1 to 7.6.2.3 and 7.6.2.5; and</li> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6.</li> </ul>	Direct policy compliance
Natural Heritage	GEN 9	<p>Development and use of the marine environment must:</p> <ol style="list-style-type: none"> <li>a) Comply with legal requirements for protected areas and protected species.</li> <li>b) Not result in significant impact on the national status of Priority Marine Features.</li> <li>c) Protect and, where appropriate, enhance the health of the marine area.</li> </ol>	<p>Potential changes within the physical marine environment are evaluated so that the significance of any indirect impact on key receptors can be appraised. Refer to EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7: Physical Environment, Sections 7.6;</li> <li>▪ Chapter 8: Benthic Ecology, Section 8.6;</li> <li>▪ Chapter 9: Fish and Shellfish, Section 9.6;</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6; and</li> <li>▪ Chapter 11: Ornithology, Section 11.6.</li> </ul>	Direct policy compliance
Invasive non-native species	GEN 10	<p>Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made.</p>	<p>The risk of introduction of invasive non-native species is considered within the environmental appraisal, and no significant impacts have been identified, therefore no further mitigation has been deemed necessary. Refer to EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 8: Benthic Ecology, Section 8.6; and</li> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6.</li> </ul>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
			A Construction Environmental Management Plan will be developed, ensuring best practice measures are followed regarding the risk of introducing invasive non-native species.	
Marine Litter	GEN 11 Marine Litter	Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. The Project will not increase the amount of marine litter.	Direct policy compliance
Water quality and resource	GEN 12	Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply.	The current status of water bodies and bathing waters within the study area is identified and the potential for their deterioration during various stages of the Marine Scheme is appraised using appropriate methods. Refer to EAR Volume 2 Chapter 7: Physical Environment, Sections 7.6; and Volume 3 Appendix 7.1: Water Framework Directive Compliance Assessment.	Direct policy compliance
Noise	GEN 13	Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.	The potential impact of underwater sound on species sensitive to such effects is appraised in EAR Volume 2: <ul style="list-style-type: none"> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul>	Direct policy compliance
Planning Alignment A	GEN 15 Planning Alignment A	Marine and terrestrial plans should align to support marine and land-based components required by development and seek to facilitate appropriate access to the shore and sea.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. There are land-based components required for this which are aligned but require separate planning permissions.	Policy not applicable to project
Fairness	GEN 17 Fairness	All marine interests will be treated with fairness and in a transparent manner when decisions are being made in the marine environment.	The Transmission Owners are committed to co-existence between the Marine Scheme and other users of the marine environment, including, for example, commercial fishing.  A range of embedded mitigation measures, and where appropriate, project specific mitigation, have been proposed, refer to EAR Volume 2, Chapter 2: Project Description, and Chapter 17: Schedule of Mitigation Commitments.  Provisions for the mitigation measures associated with commercial fisheries will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/ Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.	Direct policy compliance



Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
			<p>Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required. Refer to EAR Volume 2 Chapter 14: Commercial Fisheries and Volume 3 Appendix 14.1 Report on Baseline Consultation with Fisheries Stakeholders.</p> <p>A summary of consultation with key relevant maritime stakeholders can be found in Section 13.4.2.2 of EAR Volume 2 Chapter 13: Shipping and Navigation. Consultee input has been incorporated where appropriate into Chapter 13 such that concerns, and impacts are recorded, and associated risks are addressed/ minimised.</p> <p>The potential interaction of the Marine Scheme with other sea users, including energy industry activities and infrastructure (e.g. oil and gas, renewables), military areas, disposal sites, aquaculture, and recreational users has been appraised in EAR Volume 2 Chapter 15: Other Sea Users.</p>	
General	GEN 18 Engagement	Early and effective engagement should be undertaken with the general public and all interested stakeholders to facilitate planning and consenting processes.	Consultation has been undertaken with relevant stakeholders and the general public. The consultation undertaken and the Marine Scheme's response to the points raised is reported in EAR Volume 2 Chapter 6: Consultation and Stakeholder Engagement.	Direct Policy Compliance
Shipping and Navigation	TRANSPORT 1	<p>Navigational safety in relevant areas used by shipping now and in the future will be protected, adhering to the rights of innocent passage and freedom of navigation contained in UN Convention on the Law of the Sea (UNCLOS). The following factors will be taken into account when reaching decisions regarding development and use:</p> <ul style="list-style-type: none"> <li>•The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial anchorages and defined approaches to ports.</li> <li>• Where interference is likely, whether reasonable alternatives can be identified.</li> <li>• Where there are no reasonable alternatives, whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organization can be achieved at no significant cost to the shipping or ports sector.</li> </ul>	<p>Ports, harbours and anchorages are identified and appraised against the Marine Scheme in Section 13.5.2.1 of EAR Volume 2 Chapter 13: Shipping and Navigation.</p> <p>Existing routes of shipping activity are analysed in the Marine Traffic Survey, in particular Sections 13.5.5.1, 13.5.5.2 and 13.5.5.3 of EAR Volume 2 Chapter 13: Shipping and Navigation.</p> <p>Mitigation measures are discussed in Section 13.6.2 and 13.7 of EAR Volume 2 Chapter 13: Shipping and Navigation.</p>	Direct Policy Compliance



Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Shipping and Navigation	TRANSPORT 2	Marine development and use should not be permitted where it will restrict access to, or future expansion of, major commercial ports or existing or proposed ports and harbours which are identified as National Developments in the current NPF or as priorities in the National Renewables Infrastructure Plan (Map 10 and 11). Regional marine plans should identify regionally important ports and harbours, giving consideration to social and economic aspects of the port or harbour and the users of the facility subject to policies and objectives of this Plan. Regional plans should consider setting out criteria against which proposed activities and developments should be evaluated. <applies to inshore waters only>	Ports and harbours are identified and appraised against the Marine Scheme in EAR Volume 2, Chapter 13: Shipping and Navigation, Section 13.5.2 and 13.6.3.	Direct Policy Compliance
Shipping and Navigation	TRANSPORT 3	Ferry routes and maritime transport to island and remote mainland areas provide essential connections and should be safeguarded from inappropriate marine development and use that would significantly interfere with their operation. Developments will not be consented where they will unacceptably interfere with lifeline ferry services.	Ferry routes are discussed in EAR Volume 2, Chapter 13: Shipping and Navigation, Section 13.5.5.2, with none within the study area to remote or island areas.	Policy not applicable to project
Shipping and Navigation	TRANSPORT 6	Marine planners and decision makers and developers should ensure displacement of shipping is avoided where possible to mitigate against potential increased journey lengths (and associated fuel costs, emissions and impact on journey frequency) and potential impacts on other users and ecologically sensitive areas.	Consideration of the displacement of shipping is identified in Section 13.5.2.4 of EAR Volume 2, Chapter 13: Shipping and Navigation, giving insight into current obstacles to shipping traffic. Existing routes of shipping activity are analysed in the Marine Traffic Survey within the EAR.	Direct Policy Compliance
Wild Salmon and Diadromous Fish	WILD FISH 1	The impact of development and use of the marine environment on diadromous fish species should be considered in marine planning and decision-making processes. Where evidence of impacts on salmon and other diadromous species is inconclusive, mitigation should be adopted where possible and information on impacts on diadromous species from monitoring of developments should be used to inform subsequent marine decision making.	The impact of development and use of the marine environment on diadromous fish species has been appraised in EAR Volume 2, Chapter 9: Fish and Shellfish Ecology. After the implementation of embedded mitigation, no Project Specific Mitigation was deemed necessary. The appraisal concludes with no significant effects.	Direct Policy Compliance
Fisheries, Marine Planning Policies	FISHERIES 1	Marine plans and decision makers should aim to ensure: Existing fishing opportunities and activities are safeguarded wherever possible. Mechanisms for managing conflicts between fishermen and between the fishing sector and other users of the marine environment	The Transmission Owners are committed to co-existence between the Marine Scheme and commercial fishing. A range of embedded mitigation measures, and where appropriate, project specific mitigation, have been proposed, refer to EAR Volume 2, Chapter 14: Commercial Fisheries.  Provisions for these measures will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/ Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
			Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required.	
	FISHERIES 2	<p>The following factors should be taken into account when deciding onuses of the marine environment and potential impact on fishing:</p> <p>The potential impact (positive and negative) of marine developments on the sustainability of fish and shellfish stocks and resultant fishing opportunities in any given area.</p> <p>The environmental impact on fishing grounds (such as nursery, spawning areas), commercial fisheries species, habitats and species more generally.</p> <p>The potential effect of displacement on: fish stocks; the wider environment; use of fuel; socio-economic costs to fishers and their communities and other marine users.</p>	<p>The potential impacts of the Marine Scheme on fish and shellfish stocks, including potential impacts on habitats, spawning and nursery grounds (including on species of commercial importance) has been appraised and are discussed in EAR Volume 2, Chapter 9: Fish and Shellfish Ecology.</p> <p>Potential knock-on effects of impacts on fish and shellfish species on the fisheries that target them, as well as the impact of displacement of fishing activities into other areas, are appraised in Section 14.6 of EAR Volume 2, Chapter 14: Commercial Fisheries.</p>	Direct Policy Compliance
	FISHERIES 3	<p>Where existing fishing opportunities or activity cannot be safeguarded, a Fisheries Management and Mitigation Strategy should be prepared by the proposer of development or use, involving full engagement with local fishing interests (and other interests as appropriate) in the development of the Strategy.</p> <p>All efforts should be made to agree the Strategy with those interests. Those interests should also undertake to engage with the proposer and provide transparent and accurate information and data to help complete the Strategy. The Strategy should be drawn up as part of the discharge of conditions of permissions granted.</p> <p>The content of the Strategy should be relevant to the particular circumstances and could include:                      An assessment of the potential impact of the development or use on the affected fishery or fisheries, both in socio-economic terms and in terms of environmental sustainability.                      A recognition that the disruption to existing fishing opportunities/activity should be minimised as far as possible.</p>	<p>The Transmission Owners are committed to co-existence between the Marine Scheme and commercial fishing. A range of embedded mitigation measures, and where appropriate, additional mitigation, have been proposed, refer to EAR Volume 2, Chapter 14: Commercial Fisheries.</p> <p>Provisions for appropriate measures will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/ Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.</p> <p>Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required.</p>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>Reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity.</p> <p>Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socioeconomic impacts.</p>		
Submarine Cables Marine Planning Policies	CABLES 1	<p>Cable and network owners should engage with decision makers at the early planning stage to notify of any intention to lay, repair or replace cables before routes are selected and agreed. When making proposals, cable and network owners and marine users should evidence that they have taken a joined-up approach to development and activity to minimise impacts, where possible, on the marine historic and natural environment, the assets, infrastructures and other users. Appropriate and proportionate environmental consideration and risk assessments should be provided which may include cable protection measures and mitigation plans.</p> <p>Any deposit, removal or dredging carried out for the purpose of executing emergency inspection or repair works to any cable is exempt from the marine licensing regime with approval by Scottish Ministers. However, cable replacement requires a marine licence. Marine Licensing Guidance should be followed when considering any cable development and activity.</p>	<p>The Transmission Owners started engaging with the decision makers (MS-LOT and MMO) in 2019. All engagement is detailed in EAR Volume 2 Chapter 6: Consultation and Stakeholder Engagement. Meetings were held during the Options Appraisal phases, as detailed in EAR Volume 2 Chapter 5: Alternatives and Design Development.</p> <p>A formal EIA screening request was submitted to MS-LOT and the MMO. MS-LOT confirmed that the Marine Scheme in Scottish waters was not deemed EIA Development in February 2021. The MMO advised that screening for EIA in English waters is not possible since the installation of a cable within the UK Marine Area is not listed under the Schedules of the EIA Regulations (16 March 2021. Case Reference EIA/2021/00006).</p> <p>Notwithstanding this, in order to provide MS-LOT and the MMO with information to assess and understand the likely impacts of the Marine Scheme, a non-statutory EAR to allow MS-LOT and the MMO to determine the Marine Licence Applications.</p>	Direct Policy Compliance
Submarine Cables Marine Planning Policies	CABLES 2	<p>Cables should be suitably routed to provide sufficient requirements for installation and cable protection.</p> <p>New cables should implement methods to minimise impacts on the environment, seabed and other users, where operationally possible and in accordance with relevant industry practice.</p> <p>Cables should be buried to maximise protection where there are safety or seabed stability risks and to reduce conflict with other marine users and to protect the assets and infrastructure.</p>	<p>EAR Volume 2 Chapter 5: Alternatives and Design Development describes the evolution of the design of the Marine Scheme and the alternatives considered to reach a solution that balances the need for a technically feasible and economically viable route whilst limited the disturbance to people, existing marine users and the environment.</p> <p>The embedded mitigation measures summarised in EAR Volume 2 Chapter 17: Schedule of Mitigation Commitments will minimise the impacts of the environment, seabed and other others.</p> <p>As described in EAR Volume 2 Chapter 2: Project Description, it is the preference of the Transmission Owners to bury the cables wherever</p>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>Where burial is demonstrated not to be feasible, cables may be suitably protected through recognised and approved measures (such as rock or mattress placement or cable armouring) where practicable and cost-effective and as risk assessments direct.</p> <p>Consideration of the need to reinstate the seabed, undertake post-lay surveys and monitoring and carry out remedial action where required.</p>	<p>possible to a minimum depth of 0.6 m and a target depth of 1.5 m. Where this is not feasible because of seabed conditions or where third-party infrastructure is to be crossed, additional cable protection measures will be used.</p> <p>Options for decommissioning the Marine Scheme at the end of its operational life have also been described in EAR Volume 2 Chapter 2: Project Description and considered as part of the appraisal reported in the technical chapters of the EAR.</p>	
Submarine Cables	CABLES 3	A risk-based approach should be applied by network owners and decision makers to the removal of redundant submarine cables, with consideration given to cables being left in situ where this would minimise impacts on the marine historic and natural environment and other users.	Options for decommissioning the Marine Scheme at the end of its operational life have also been described in EAR Volume 2 Chapter 2: Project Description and considered as part of the appraisal process in the technical chapters of the EAR.	Direct Policy Compliance
Sea Fisheries, Interactions with other users	Paragraphs 6.22 to 6.26:	<p>There are some key emerging issues concerning the interactions between the fishing industry and other interests which should be borne in mind in any proposed marine development and factored into marine planning processes. In respect of Developments this includes:</p> <p>Energy developments can displace fishing. The cabling arrays associated with energy and telecoms developments, and other physical infrastructure associated with development, have the potential for short-term displacement of fishing activity during the installation phase.</p> <p>There is also potential for damage to occur to both infrastructure and fishing equipment as a result of interactions, with obvious safety implications.</p> <p>New developments should take into account the intensity of fishing activity in the proposed development area and any likely displacement which the development and associated activity could precipitate, with resultant increased pressure on remaining, often adjacent, fishing grounds.</p> <p>There may be potential for some infrastructure or development areas to act as nursery grounds for fish and, if appropriately protected, these may lead to an increase in fish stocks in the surrounding areas. This possibility should be considered on a case by case basis.</p>	<p>Potential impacts on fish and shellfish species, including on spawning and nursery ground are appraised in EAR Volume 2 Chapter 9: Fish and Shellfish Ecology.</p> <p>Safety considerations associated with gear snagging are appraised in EAR Volume 2 Chapter 13: Shipping and Navigation.</p> <p>Potential loss of grounds and associated displacement of fishing activity as a result of the Marine Scheme has been appraised within Section 14.6 of EAR Volume 2 Chapter 14: Commercial Fisheries.</p> <p>As noted in Section 14.6.1 of EAR Volume 2 Chapter 14: Commercial Fisheries, the Transmission Owners are committed to adhere to FLOWW guidance.</p>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		Where relevant, Fisheries Liaison with Offshore Wind and Wet renewables (FLOWW) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison should be followed.		
Submarine Cables  Interactions with other users	Paragraph 14.9, 14.11	<p>There is a risk of adverse interaction between seabed cables and fishing activity and this increases as activity levels rise. Submarine cables can cause localised obstruction to fishing practices in some circumstances, while fouling a cable can be extremely hazardous to fishing vessels and the cable itself.</p> <p>Damage to submarine cables is expensive to repair and can cause disruption to power distribution and international telecommunications at a national and international level. Submarine cables should be buried, where feasible, or suitably protected, to reduce conflict with other users and prevent damage to cables. Cable burial and protection is considered on a case-by-case basis due to the variables that influence it.</p> <p>The fishing sector can gain access to accurate and comprehensive information held by Kingfisher under the KIS-ORCA154 (Kingfisher Information Service – Offshore Renewable &amp; Cable Awareness) project on NMPI on the majority of submarine cables within UK waters. The KIS-ORCA project provides free cable awareness charts, electronic route position lists and digital information for chart plotters to fishing vessels and legitimate marine stakeholders. Key fishing organisations and stakeholders are working with the sector to promote this project and assist with the local distribution of the data.</p>	<p>Due consideration has been given to the potential interactions between cables and fishing. An appraisal of snagging risk and potential associated loss or damage to fishing gear is included within EAR Volume 2 Chapter 14: Commercial Fisheries in Section 14.6.</p> <p>A number of embedded mitigation measures have been proposed to protect the Marine Scheme’s infrastructure and safeguard interactions between installed cables and other users, for example, with fishing gear. EAR Volume 2 Chapter 2: Project Description outlines a series of measures, including the use of HDD at landfalls, burial of cables to a minimum depth of 0.6 m and a target depth of 1.5 m where possible, and to the use of appropriately designed cable protection where burial is not possible. Post-lay and cable burial inspection surveys will be undertaken to confirm the burial status of cables, identify potential seabed hazards associated with installation, and, where appropriate and practicable rectification works will be undertaken.</p> <p>As noted in EAR Volume 2 Chapter 14: Commercial Fisheries, Section 14.6.1, the use of cable protection will be limited to areas where cables cannot be buried to a sufficiency depth and at crossings with cables. Areas where cable protection is used will be marked and information on their location, extent and nature shared with fisheries stakeholders. Where rock placement is used for cable protection this will be designed in line with recommendations from the fishing industry to minimise snagging risk (i.e. use of graded rock and 1:3 berm profiles).</p>	Direct Policy Compliance
Recreation and Tourism	REC & TOURISM 2	<p>The following key factors should be taken into account when deciding on uses of the marine environment and the potential impact on recreation and tourism:</p> <ul style="list-style-type: none"> <li>• The extent to which the proposal is likely to adversely affect the qualities important to recreational users, including the extent to which</li> </ul>	<p>An appraisal of potential impacts on marine tourism and recreation is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.6.</p> <p>EAR Volume 2 Chapter 2: Project Description outlines a series of measures, including the use of HDD at landfalls, and a ‘rolling’ 500</p>	Direct Policy Compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>proposals may interfere with the physical infrastructure that underpins a recreational activity.</p> <ul style="list-style-type: none"> <li>• The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety.</li> <li>• Where significant impacts are likely, whether reasonable alternatives can be identified for the proposed activity or development.</li> <li>• Where significant impacts are likely and there are no reasonable alternatives, whether mitigation, through recognised and effective measures, can be achieved at no significant cost to the marine recreation or tourism sector interests.</li> </ul>	<p>m safety zone will be applied around the installation vessel. Navigational routes and safety is appraised in EAR Volume 2 Chapter 13: Shipping and Navigation.</p>	
Defence	DEFENCE 2	<p>For the purposes of national defence, the MOD may establish by-laws for exclusions and closures of sea areas. In most areas this will mean temporary exclusive use of areas by the MOD. Where potential for conflict with other users is identified, appropriate mitigation will be identified and agreed with the MOD, prior to planning permission, a marine licence, or other consent being granted.</p>	<p>All engagement with decision makers has been outlined in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.4.2.2. Consultation with the MOD was undertaken during the non-statutory scoping exercise, and no concerns were identified.</p>	Direct Policy Compliance
Aggregates	AGGREGATES 1	<p>Marine planners and decision makers should consider the impacts of other development or activity on areas of marine aggregate or mineral resource. Where an interaction is identified, consideration should be given to whether there are permissions for aggregate or mineral extraction and whether they require any degree of safeguarding.</p>	<p>No areas of marine aggregate or mineral resource are present along the Marine Scheme.</p>	Policy not applicable to project

### 3.1.3 North East Inshore and North East Offshore Marine Plan (England)

Table 3.1-2: Relevant Policy within the North East Inshore and North East Offshore Marine Plan

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Access	NE-ACC-1	<p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported.</p> <p>Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate</li> </ul> <p>- adverse impacts so they are no longer significant.</p>	<p>An appraisal of potential impacts upon marine tourism and recreation is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.6. Mitigation has been proposed within Chapter 15: Other Sea Users, Section 15.7. This appraisal concludes with no significant effects.</p>	Direct policy compliance
Air Quality	NE-AIR-1	<p>Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases.</p> <p>Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid</li> <li>b) minimise</li> <li>c) mitigate</li> </ul> <p>- air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.</p>	<p>The proposals are unlikely to result in increased emissions of greenhouse gases. As detailed in the EAR Volume 2 Chapter 2: Project Description the construction will be undertaken in a 2-year period and will be completed as promptly as practical allowing for engineering and weather constraints. Post construction there will be no ongoing emissions associated with the marine infrastructure.</p>	Direct policy compliance
Climate Change	NE-CC-1	<p>Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported.</p> <p>Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate</li> </ul> <p>- Adverse impacts so they are no longer significant</p> <ul style="list-style-type: none"> <li>d) Compensate for significant adverse impacts that cannot be mitigated.</li> </ul>	<p>The potential impacts on habitats providing a flood defence or carbon sequestration function is appraised in EAR Volume 2, Chapter 7: Physical Environment, Section 7.6.5. However, particular attention has already been given to this particular issue, for example through the use of low impact construction techniques, such as HDD, for cable burial at the landfall site.</p>	Direct policy compliance



Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
	NE-CC-2	Proposals in the north east marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.	As the UK transitions away from traditional forms of fuel to power vehicles and heat homes there will be a greater need for renewable and low carbon electricity. This Project is a major reinforcement of the UK electricity transmission system which will provide additional transmission capacity from north and south across transmission network boundaries, ensuring that green energy is transported from where it is produced to where it is needed, economically and efficiently. The primary objective of the Project is to reinforce the electricity network and increase transmission capacity across the B6 boundary between southern Scotland and northern England before 2030.  Potential impacts associated with climate change, and metocean and physical processes are considered in EAR Volume 2 Chapter 7: Physical Environment.	Direct policy compliance
	NE-CC-3	Proposals in the north east marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Potential impacts associated with climate change, and metocean and physical processes are considered in EAR Volume 2 Chapter 7: Physical Environment.	Direct policy compliance
Water Quality	NE-WQ-1	Proposals that protect, enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference: a) Avoid b) Minimise c) Mitigate deterioration of water quality in the marine environment.	The current status of water bodies and bathing waters within the study area is identified and the potential for their deterioration during various stages of the Marine Scheme is appraised using appropriate methods, refer to EAR Volume 2, Chapter 7: Physical Environment, Section 7.6.	Direct policy compliance
Marine Protected Areas	NE-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported.	No sites designated for the protection of fish and shellfish have been identified within 50 km of the Marine Scheme in Scottish waters however, mitigation has been built into the Marine Scheme to avoid and/or minimise impacts to marine protected areas. Refer to EAR Volume 2 Chapter 9: Fish and Shellfish Ecology Section 9.6.1.	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.</li> </ul>	<p>The potential impact of the Marine Scheme on marine protected areas has been appraised in Volume 2 EAR:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7: Physical Environment, Sections 7.6;</li> <li>▪ Chapter 8: Benthic Ecology, Section 8.6;</li> <li>▪ Chapter 9: Fish and Shellfish, Section 9.6;</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6; and</li> <li>▪ Chapter 11: Ornithology, Section 11.6.</li> </ul> <p>As well as Volume 3:</p> <ul style="list-style-type: none"> <li>▪ Appendix 8.1 Marine Protected Area/ Marine Conservation Zone Report, and</li> <li>▪ Appendix 8.2 Habitat Regulations Assessment (HRA) Report.</li> </ul>	
Marine Protected Areas	NE-MPA-2	<p>Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported.</p> <p>Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate adverse impacts.</li> </ul>	<p>The current status of water bodies and bathing waters within the study area is identified and the potential for their deterioration during various stages of the Marine Scheme is appraised using appropriate methods, refer to EAR Volume 2, Chapter 7: Physical Environment, Section 7.6.2.4 and 7.6.3.3.</p> <p>The potential impact of the Marine Scheme on marine protected areas has been appraised in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7: Physical Environment, Sections 7.6;</li> <li>▪ Chapter 8: Benthic Ecology, Section 8.6;</li> <li>▪ Chapter 9: Fish and Shellfish, Section 9.6;</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6; and</li> <li>▪ Chapter 11: Ornithology, Section 11.6.</li> </ul> <p>As well as Volume 3:</p> <ul style="list-style-type: none"> <li>▪ Appendix 8.1 Marine Protected Area/ Marine Conservation Zone Report, and</li> <li>▪ Appendix 8.2 HRA Report.</li> </ul>	Direct policy compliance
	NE-MPA-3	<p>Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.</p>	<p>Marine Protected Areas are considered in EAR Volume 3 Appendix 8.1 MCZ Assessment and Appendix 8.2 HRA Assessment Report.</p>	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Biodiversity	NE-BIO-1	<p>Proposals that enhance the distribution of priority habitats and priority species will be supported.</p> <p>Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>Avoid</li> <li>Minimise</li> <li>Mitigate adverse impacts so they are no longer significant</li> <li>Compensate for significant adverse impacts that cannot be mitigated.</li> </ol>	<p>The potential impacts on priority habitats and species have been appraised in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 8: Benthic Ecology, Section 8.6;</li> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6; and</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Biodiversity	NE-BIO-2	<p>Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported.</p> <p>Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>Avoid</li> <li>Minimise</li> <li>Mitigate adverse impacts so they are no longer significant</li> <li>Compensate for significant adverse impacts that cannot be mitigated.</li> </ol>	<p>The potential impacts on marine mammals and fish and shellfish have been appraised in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6; and</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Biodiversity	NE-BIO-3	<p>Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported.</p> <p>Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>Avoid</li> <li>Minimise</li> <li>Mitigate</li> <li>Compensate for net habitat loss.</li> </ol>	<p>The potential impacts on priority habitats and species have been appraised in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 8: Benthic Ecology, Section 8.6;</li> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6; and</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Disturbance	NE-DIST-1	<p>Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>Avoid</li> </ol>	<p>The potential impacts on mobile species have been appraised in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Fish and Shellfish Ecology, Section 9.6;</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6; and</li> </ul>	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<ul style="list-style-type: none"> <li>b) Minimise</li> <li>c) Mitigate adverse impacts so they are no longer significant.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Chapter 11: Ornithology, Section 10.6</li> </ul> <p>These appraisals conclude with no significant effects.</p>	
Underwater noise	NE-UWN-1	Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.	<p>The impact of changes to underwater sound on marine mammals and fish and shellfish has been considered in the EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Fish and Shellfish, Section 9.6; and</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Underwater noise	NE-UWN-2	Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate adverse impacts on highly mobile species so they are no longer significant.</li> </ul>	<p>The impact of changes to underwater sound on marine mammals and fish and shellfish has been considered in EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Fish and Shellfish, Sections 9.6; and</li> <li>▪ Chapter 10: Marine Mammals, Section 10.6.</li> </ul> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Invasive non-native species	NE-INNS-1	Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: <ol style="list-style-type: none"> <li>1) Moving equipment, boats or livestock (for example fish or shellfish) from one water body to another;</li> <li>2) Introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area.</li> </ol>	<p>The risk of introduction of invasive non-native species has been considered EAR Volume 2:</p> <ul style="list-style-type: none"> <li>▪ Chapter 8: Benthic Ecology, Section 8.6; and</li> <li>▪ Chapter 9: Fish and Shellfish, Section 9.6.</li> </ul> <p>A Construction Environmental Management Plan will be produced which will ensure best practice measures are followed and the risk therefore reduced.</p> <p>These appraisals conclude with no significant effects.</p>	Direct policy compliance
Heritage Assets	NE-HER-1	Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference: <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate any harm to the significance of heritage assets</li> </ul> <p>If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.</p>	<p>A detailed appraisal of potential effects on heritage assets are provided in EAR Volume 2 Chapter 12: Marine Archaeology, Section 12.7 including mitigation to avoid or minimise any adverse effects and maintain the baseline.</p> <p>This appraisal conclude with no significant effects.</p>	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Infrastructure	NE-INF-1	Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. There are land-based components required for this which are aligned but require separate planning permissions.	Policy not applicable to project
Ports, harbours and shipping	NE-PS-1	In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate -adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Ports and harbours are identified and appraised in Section 13.5.2.1 of EAR Volume 2 Chapter 13: Shipping and Navigation.  Potential impacts and mitigation measures have been considered and are discussed in Section 13.6 of Volume 2 Chapter 13: Shipping and Navigation.	Direct policy compliance
Ports, harbours and shipping	NE-PS-2	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routing systems unless there are exceptional circumstances.	No IMO routing systems (TSS) are identified within the study area, as stated in Section 13.5.2.1 of EAR Volume 2 Chapter 13: Shipping and Navigation.	Policy not applicable to project
Ports, harbours and shipping	NE-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	The potential impact of the Marine Scheme on under-keel clearance has been appraised in Chapter 13. The risk has been determined as Broadly Acceptable which is considered to be as low as reasonably practicable (ALARP).	Direct policy compliance
Ports, harbours and shipping	NE-PS-4	Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. Construction works will be undertaken by marine vessels with materials transported by sea.	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Co-existence	NE-CO-1	<p>Proposals that optimise the use of space and incorporate opportunities and co-operation with existing activities will be supported.</p> <p>Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>Avoid</li> <li>Minimise</li> <li>Mitigate adverse impacts so that they are no longer significant</li> </ol> <p>If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>The Transmission Owners are committed to co-existence between the Marine Scheme and other users of the marine environment, including, for example, commercial fishing.</p> <p>A range of embedded mitigation measures, and where appropriate, additional mitigation, have been proposed, refer to EAR Volume 2, Chapter 14: Commercial Fisheries.</p> <p>Provisions for appropriate measures will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/ Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.</p> <p>Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required.</p> <p>A summary of consultation with key relevant maritime stakeholders can be found in Section 13.4.2.2 of EAR Volume 2 Chapter 13: Shipping and Navigation. Consultee input has been incorporated where appropriate into Chapter 13 such that concerns, and impacts are recorded, and associated risks are addressed/ minimised.</p> <p>The potential interaction of the Marine Scheme with other sea users, including energy industry activities and infrastructure (e.g. oil and gas, renewables), military areas, disposal sites, aquaculture, and recreational users has been appraised in EAR Volume 2 Chapter 15: Other Sea Users.</p>	Direct policy compliance
Cross-border co-operation	NE-CBC-1	<p>Proposals must consider cross-border impacts throughout the lifetime of the proposed activity.</p> <p>Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.</p>	<p>This project is a cross-border project. Details of the full project are provided in EAR Volume 2 Chapters 1 and 2.</p>	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Fisheries	NE-FISH-1	Proposals that support a sustainable fishing industry, including the industry's diversification, should be supported.	The Transmission Owners are committed to co-existence between the Marine Scheme and other users of the marine environment, including, for example, commercial fishing.	Direct policy compliance
	NE-FISH-2	<p>Proposals that enhance access for fishing activities should be supported.</p> <p>Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate adverse impacts so they are no longer significant</li> </ul> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>A range of embedded mitigation measures, and where appropriate, additional mitigation, have been proposed, refer to EAR Volume 2, Chapter 14: Commercial Fisheries.</p> <p>Provisions for these measures will be included in the Fisheries Liaison and Co-existence Plan (FLCP)/Fisheries Management and Mitigation Strategy (FMMS) that will be produced for the Marine Scheme post-consent, once detailed design information becomes available.</p> <p>Liaison and engagement with the fishing industry is on-going and will continue throughout the installation, operational (including maintenance and repair) and decommissioning phases as required.</p> <p>A summary of consultation with key relevant maritime stakeholders can be found in Section 13.4.2.2 of EAR Volume 2 Chapter 13: Shipping and Navigation. Consultee input has been incorporated where appropriate into Chapter 13 such that concerns, and impacts are recorded, and associated risks are addressed/ minimised.</p> <p>The potential interaction of the Marine Scheme with other sea users, including energy industry activities and infrastructure (e.g. oil and gas, renewables), military areas, disposal sites, aquaculture, and recreational users has been appraised in EAR Volume 2 Chapter 15: Other Sea Users.</p>	
	NE-FISH-3	<p>Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds and migratory routes must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) Avoid</li> <li>b) Minimise</li> <li>c) Mitigate</li> </ul> <p>- Adverse impacts so that they are no longer significant.</p>	<p>The potential impact of the Marine Scheme on fish and shellfish receptors is discussed in EAR Volume 2 Chapter 9: Fish and Shellfish Ecology, including consideration of potential impacts on essential fish habitat.</p>	



Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.		
Cables	NE-CAB-1	Preference should be given to proposals for cable installation where the method of protection is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	Landfall will be achieved through use of HDD. Cables will be buried to a minimum depth of 0.6 m and target depth of 1.5 m. Cable protection will only be used where sufficient burial cannot be achieved and at crossings with existing cables. In addition, post-lay and cable burial inspection surveys will be undertaken to confirm the burial status of the cables, identify potential seabed hazards associated with installation, and where appropriate and practicable, rectification works will be undertaken.  Refer to EAR Volume 2, Chapter 2: Project Description.	Direct policy compliance
	NE-CAB-2	Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: d) Avoid e) Minimise f) Mitigate - adverse impacts on existing and potential future landfall sites so they are no longer significant.  If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. No existing landfall sites are affected by the Project.	Policy not applicable to project
	NE-CAB-3	Where seeking to locate close to existing subsea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable.	Details of existing cables and an appraisal of the Marine Scheme's interaction with existing cables is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.5.2.6 and Section 15.6.	Direct policy compliance
Aggregates	NE-AGG-1	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the proposal is compatible with aggregate extraction.	No areas of marine aggregate or mineral resource are present along the Marine Scheme.	Policy not applicable to project
	NE-AGG-2	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the proposal is compatible with aggregate extraction.	No areas of marine aggregate or mineral resource are present along the Marine Scheme.	Policy not applicable to project
	NE-AGG-3	Proposals in areas of high potential aggregate resource that may have significant adverse impacts on future aggregate extraction should demonstrate that they will, in order of preference:	No areas of marine aggregate or mineral resource are present along the Marine Scheme.	Policy not applicable to project

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>a) avoid b) minimise c) mitigate -significant adverse impacts on future aggregate extraction so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>		
Aquaculture	NE-AQ-1	<p>Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals that may have significant adverse impacts on sustainable aquaculture production must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate -adverse impacts on sustainable aquaculture production so they are no longer significant.</p> <p>If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	An appraisal of potential impacts on areas of aquaculture is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.6. The appraisal concludes with no significant effects.	Direct policy compliance
	NE-AQ-2	<p>Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported.</p>	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England.	Policy not applicable to project
Dredging and Disposal	NE-DD-1	<p>In areas of authorised dredging activity, including those subjects to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.</p>	An appraisal of potential impacts upon areas of dredging and disposal sites is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.6.	Direct policy compliance
	NE-DD-2	<p>Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference:</p> <p>a) avoid b) minimise c) mitigate -adverse impacts so they are no longer significant.</p>		

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		If it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.		
Oil and Gas	NE-OG-1	Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity.	No oil and gas operations were identified within 10 km distance of the Marine Scheme.	Direct policy compliance
Tourism and Recreation	NE-TR-1	Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate  - Adverse impacts so they are no longer significant.	An appraisal of potential impacts upon marine tourism and recreation is presented in EAR Volume 2 Chapter 15: Other Sea Users, Section 15.6. Mitigation has been proposed within Chapter 15: Other Sea Users, Section 15.6.1. The potential impacts associated with the Marine Scheme upon offshore windfarms have been appraised in Chapter 15 which concludes with no significant effects.	Direct policy compliance
Defence	NE-DEF-1	Proposals in or affecting Ministry of Defence (MOD) areas should only be authorised with agreement from the Ministry of Defence.	Consultation with the MOD was undertaken during the non-statutory scoping exercise, and no concerns were identified.	Direct policy compliance
Cumulative Effects	NE-CE-1	Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse cumulative and/or in-combination effects so they are no longer significant.	An appraisal of the potential cumulative effects is presented in EAR Volume 2 Chapter 16: Cumulative and In-Combination Effects. This appraisal concludes with no significant effects.	Direct policy compliance
Employment	NE-EMP-1	Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: 1. are aligned with local skills strategies and support the skills available 2. create a diversity of opportunities 3. create employment in locations identified as the most deprived 4. implement new technologies - in, and adjacent to, the north east marine plan areas.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England.  It is expected that the Marine Scheme may result in some increases in marine-related employment, both directly (in terms of the cable installation) and indirectly (through associated supply chains).  More widely, the Marine Scheme represents significant investment in the UK low-carbon economy, and is supportive of the wider transition to Net Zero by 2050 in England, and 2045 in Scotland.	Direct policy compliance

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
Knowledge, understanding, appreciation & enjoyment	NE-SOC-1	Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.	The Marine Scheme is an infrastructure project to facilitate UK Government policies regarding renewable electricity generation and climate change management. As part of the stakeholder engagement process a series of engagement events and opportunities have been exploited during the preparation of the application. Further detail is supplied in EAR Volume 2 Chapter 6: Consultation and Stakeholder Engagement.	Direct policy compliance
Marine Litter	NE-ML-2	Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported.  Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference: a) avoid b) minimise c) mitigation d) - waste entering the marine environment	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. The Project will not increase the amount of marine litter.	Direct policy compliance
Renewables	NE-REN-1	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England.	Direct policy compliance
	NE-REN-2	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project.	Existing renewable development has been identified in EAR Volume 2 Chapter 15: Other Sea Users Section 15.5.2.2. No other renewable developments (such as offshore wave and tidal) were identified. Impacts associated with the Project upon offshore windfarm have been appraised in Chapter 15: Other Sea Users, Section 15.6.	Policy not applicable to project
	NE-REN-3	Proposals for the installation of infrastructure to generate offshore renewable energy, inside areas of identified potential and subject to relevant assessments, will be supported.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England.	Policy not applicable to project
Seascape & landscape	NE-SCP-1	Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character or visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape.	The Project is for the reinforcement of electrical transmission infrastructure to facilitate increased renewable electricity generation and movement of that electricity between Scotland and England. The Marine Scheme components are submerged and buried throughout. An appraisal of seascape character can be found in EAR Volume 2 Chapter 12: Marine Archaeology and Appendix 12.1 of Volume 3. The Marine Scheme is in accordance with this policy.	Policy not applicable to project

Topic	Policy Code	Policy Extract	How and Where it is Considered	Conclusion
		<p>Proposals that may have significant adverse impacts on the seascape and landscape of the area should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>e) Avoid,</li> <li>f) Minimise</li> <li>g) Mitigate</li> <li>h) -adverse impacts so they are no significant</li> </ul> <p>If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh the significant adverse impacts to the seascape and landscape of the area.</p> <p>Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.</p>		