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Mr Gavin Kelly  
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3 June 2025

Dear Gavin

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)  
REGULATIONS 2017**

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)  
REGULATIONS 2017**

**MARINE (SCOTLAND) ACT 2010**

**THE ELECTRICITY ACT 1989**

**DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE REGULATORY  
APPROVAL AND CONSENT**

**CONSTRUCTION AND OPERATION OF INCH CAPE OFFSHORE WINDFARM AND  
TRANSMISSION WORKS, FIRTH OF FORTH**

**1. Description of the Application**

- 1.1 On 17 June 2019 (varied on 14 June 2023) the Scottish Ministers, granted in favour of Inch Cape Offshore Limited ("ICOL") (Company Number SC373173), having its registered office at Ground Floor, New Clarendon, 114-116 George Street, Edinburgh, EH2 4LH ("the Company") a Generating Station marine licence ("the GS marine licence") under part 4 of the Marine (Scotland) Act 2010 relative to the above works. Condition 3.2.2.23 of the GS marine licence requires the Company to submit a Fisheries Management and Mitigation Strategy ("FMMS") for approval by the Scottish Ministers prior to commencing the above works.
- 1.2 On 17 June 2019 (varied on 22 August 2023 and 9 November 2023) the Scottish Ministers, granted in favour of the Company an Offshore Transmission Infrastructure marine licence ("the OFTI marine licence") under part 4 of the Marine (Scotland) Act 2010 relative to the above works. Condition 3.2.2.20 of the OFTI marine licence requires the Company to submit a FMMS for approval by the Scottish Ministers prior to commencing the above works.
- 1.3 On 17 June 2019 (varied 16 July 2020, 22 July 2021 and 14 June 2023), the Scottish Ministers granted in favour of the Company consent under section 36 ("the s.36 consent") of the Electricity Act 1989 relative to the above works. Condition 26

of the s.36 consent requires the Company to submit a FMMS for approval by the Scottish Ministers prior to commencing the above works.

- 1.4 On 25 October 2024 the Company submitted to the Scottish Ministers the FMMS for approval and applied for multi-stage regulatory approval and consent in accordance with condition 3.2.2.23 of the GS marine licence, condition 3.2.2.20 of the OFTI marine licence and condition 26 of the s.36 consent.

## **2. Reasons and Considerations on which this decision is based**

- 2.1 Following consultation with the Scottish Fishermen's Federation and other fisheries representatives, an amended FMMS was submitted to the Scottish Ministers by the Company on 28 May 2025.
- 2.2 The information contained within the FMMS is within the parameters of what has already been assessed within the Environmental Impact Assessment Report ("EIA Report") submitted in respect of the GS marine licence, the OFTI marine licence and the s.36 consent.
- 2.3 The Company was not required to submit additional information under regulation 25 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 or regulation 27 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the application for multi-stage consent and regulatory approval.

## **3. Determination and Terms of Decision**

- 3.1 The Scottish Ministers, hereby approve the FMMS as submitted on 28 May 2025 and grant multi-stage regulatory approval and consent in relation thereto.
- 3.2 In the event that the Company wishes to update or amend the FMMS, the company must submit, in writing, details of the proposed updates or amendments to the Scottish Ministers for their written approval prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval. Unless other agreed in writing by the Scottish Ministers, all works must proceed in accordance with the FMMS.
- 3.3 This decision notice will be published on the Scottish Government's website: [Inch Cape Offshore Windfarm \(Revised Design\) | marine.gov.scot](https://www.marine.gov.scot/Inch-Cape-Offshore-Windfarm-Rev-Design)
- 3.4 A copy of this decision notice has also been sent to the relevant planning authorities.

Authorised on behalf of the Scottish Ministers

By a member of staff of the Scottish Government

Marine Directorate - Licensing Operations Team  
Scottish Government  
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03 June 2025