

[REDACTED]
Moray Offshore Windfarm (West) Limited
C/O Shepherd And Wedderburn LLP
Octagon Point
5 Cheapside
London
EC2V 6AA

27 September 2022

Dear Ms Rei

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

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

MARINE (SCOTLAND) ACT 2010

MARINE AND COASTAL ACCESS ACT 2009

THE ELECTRICITY ACT 1989

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

**CONSTRUCTION AND OPERATION OF THE MORAY WEST OFFSHORE WIND
FARM AND ASSOCIATED OFFSHORE TRANSMISSION INFRASTRUCTURE,
APPROXIMATELY 22.5KM SOUTHEAST FROM THE CAITHNESS COASTLINE**

1. Description of the Application

- 1.1 On 14 June 2019 the Scottish Ministers granted in favour of Moray Offshore Windfarm (West) Limited (Company Number 10515140), having its registered office previously at Condor House, 10 St. Paul's Churchyard, London and now at Shepherd and Wedderburn LLP Octagon Point, 5 Cheapside, London, England ("the Company"), consent under section 36 ("the s.36 consent") of

the Electricity Act 1989 for the construction and operation of the Moray West Offshore Wind Farm. Subsequently the s.36 consent was varied by the Scottish Ministers on 7 March 2022. Condition 20 of the s.36 consent requires the Company to submit a Lighting and Marking Plan (“LMP”) for approval by the Scottish Ministers, prior to commencing works.

- 1.2 On 14 June 2019 the Scottish Ministers, granted in favour of the Company a marine licence under part 4 of the Marine and Coastal Access Act 2009 for the construction of the generating station relative to the above works. This marine licence was subsequently varied by the Scottish Ministers on 7 March 2022 and again on 11 April 2022 (“the GS marine licence”). Condition 3.2.2.17 of the GS marine licence requires the Company to submit an LMP for approval by the Scottish Ministers prior to commencing the above works.
- 1.3 On 14 June 2019 the Scottish Ministers also granted in favour of the Company a marine licence under part 4 of the Marine (Scotland) Act 2010 and the Marine and Coastal Access Act 2009 for the construction of the Offshore Transmission Infrastructure (“OfTI”), relative to the above works. This marine licence was subsequently varied by the Scottish Ministers on 11 April 2022 (“the OfTI marine licence”). Condition 3.2.2.16 of the OfTI marine licence requires the Company to submit a LMP for approval by the Scottish Ministers prior to commencing the above works.
- 1.4 On 12 April 2022 the Company submitted to the Scottish Ministers the LMP for approval and applied for multi-stage regulatory approval and consent in relation thereto in accordance with condition 20 of the s.36 consent, condition 3.2.2.17 of the GS marine licence and condition 3.2.2.16 of the OfTI marine licence.

2. Reasons and Considerations on which this decision is based

- 2.1 Following consultation with NatureScot, Maritime Coastguard Agency, Northern Lighthouse Board, Civil Aviation Authority, Ministry of Defence, Royal Yachting Association Scotland, Aberdeenshire Council, the Highland Council and Moray Council no amendments were made to the LMP.
- 2.2 The information contained with the LMP is within the parameters of what has already been assessed within the Environmental Impact Assessment Report and additional information 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 LMP as submitted on 12 April 2022 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 LMP, 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 process prior to the granting of such approval.
- Unless otherwise agreed, in writing by the Scottish Ministers, all works must proceed in accordance with the LMP.
- 3.3 This Decision Notice has been published on the Scottish Government's website: <https://marine.gov.scot/ml/moray-west-offshore-windfarm>
- 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 Scotland
Marine Planning and Policy
Licensing Operations Team
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Aberdeen
AB11 9DB
27 September 2022