

ENERGY ACT 2004

NOTICE OF A PROPOSED SAFETY ZONE UNDER SCHEDULE 16(5)

The Scottish Ministers as appropriate Minister under section 95 and Schedule 16 of the Energy Act 2004 (“the 2004 Act”) hereby give notice pursuant to Schedule 16(5)(2)(b), section 95(6)(g) and Schedule 16(5)(1)(b) of the 2004 Act of a proposal to modify a previous safety zone notice dated 8 May 2019, and to issue a safety zone in terms that are materially different from those applied for.

1. Background

1.1 Moray Offshore Windfarm (East) Limited (“Moray East”), (Company Number 07101438, having its registered office at C/O Shepherd and Wedderburn Llp, Condor House, 10 St. Paul’s Churchyard, London, EC4M 8AL), submitted an application on 1 April 2020 for an increase in the number of standard construction safety zones at the Moray East Offshore Wind Farm (“MEOW”), as on the notice issued on 8 May 2019 declaring safety zones (“the 2019 safety zone notice”).

1.2 Moray East applied to the Scottish Ministers for an increase from three safety zones, as approved in the 2019 safety zone notice, to no more than ten mandatory “rolling” 500 metre safety zones at any one time. The application proposed safety zones be established around each wind turbine generator and offshore substation platform (hereafter referred to as the renewable energy installation) and/or, whilst construction activities are in progress, the foundations. The application included Service Operations Vessels (“SOVs”) during walk-to-work activities, which could trigger a safety zone during construction.

1.3 The 2019 safety zone notice declared that SOVs could trigger a safety zone during walk-to-work activities for major maintenance. The application submitted by Moray East did not request changes to the 2019 safety zone notice in respect of the SOV aspect or the maintenance zones.

1.4 All safety zones applied for are within the MEOW site, located in the area bounded by the red line as detailed in Annex 1 and wholly within the Scottish part of the Renewable Energy Zone.

2. Notice

2.1 The Scottish Ministers propose to modify the 2019 safety zone notice, under section 95(6)(g) of the Energy Act 2004 (“the 2004 Act”), and issue a safety zone notice, under Schedule 16(5)(1)(b), in terms that are materially different from those applied for by Moray East in the application dated 1 April 2020.

2.2 The Scottish Ministers propose to modify the 2019 safety zone notice and replace the provisions with the following corresponding provisions:

- during construction, mandatory “rolling” 500 metre safety zones established around each renewable energy installation and/or their

foundations, whilst construction works are in progress, as indicated by the presence of a construction vessel; however, these safety zones will not include service operation vessels used during walk-to-work activities. The safety zones will be triggered when a vessel is on station at a renewable energy installation and undertaking construction activities. Up to eight safety zones may be active at any given time and no more than two safety zones can be sufficiently close to one another as to have the effect of a larger continuous safety zone;

- during operation, a 500 metre radius around all major maintenance works¹ being undertaken. The safety zones will be active when a vessel involved in undertaking major maintenance works is attached to, or anchored next to, the renewable energy installation; however, these safety zones will not include service operation vessels used during walk-to-work activities. No more than one 500 metre major maintenance safety zone will be active at any given time during the operational phase.

2.3 As set out above, the Scottish Ministers propose to modify the 2019 notice to exclude SOVs triggering safety zones where these vessels are used during walk-to-work activities and are not directly involved in construction and maintenance activities.

2.4 It is proposed that the following provisions within the 2019 safety zone notice would be retained after making these modifications:

- *A 50 metre radius around partially completed WTGs² and OSPs³ where work is not underway and the risk assessments identify a need.'*
- *'A 50 metre radius around each completed WTG and OSP prior to commissioning and as required by a risk assessment process.'*

3. Objections to this notice

3.1 Objections to this Notice should be made in writing to the Scottish Ministers by email to MS.MarineRenewables@gov.scot identifying and specifying grounds for objection, not later than 28 days after serving of this Notice, the 04 November 2020.

¹ "major maintenance works" is as defined in The Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007 and means works relating to any renewable energy installation which has become operational, requiring the attachment to, or anchoring next to, such an installation of a self-elevating platform, jack-up barge, crane barge or other maintenance vessel.

² "WTG" means Wind Turbine Generator.

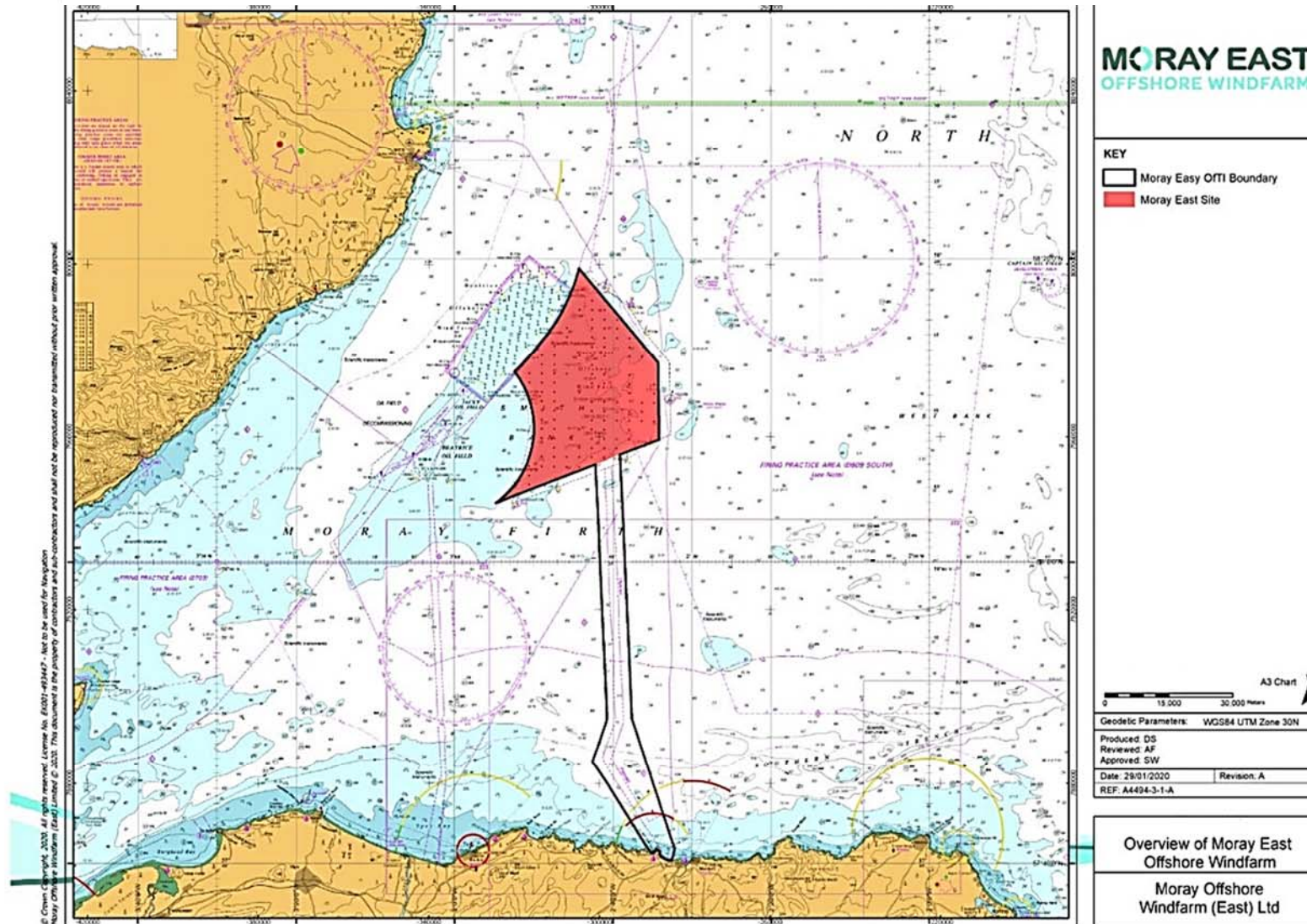
³ "OSP" means Offshore Substation Platform.

Annex 1 - Project location

The Wind Farm Area is located approximately 12 nautical miles (“NM”) southeast of the Caithness coast and 22NM north of Portknockie on the Moray coast. The safety zones will be located within the site bounded by the red line as detailed below:

Offshore Wind Farm site and Export Cable Corridor to shore at Boyndie Bay, Aberdeenshire

Source: [Moray East Safety Zone Application - 2020](#)



Offshore Wind Farm site with turbine and Offshore Substation Platform locations

Source: [Moray East Safety Zone Application - 2020](#)

