

Marine Scotland - Licensing Operations Team ("MS-LOT")	
Non Compliance Report	
Breach of Marine Licence Conditions	
Offshore Transmission Works (OfTW) Licence Number: 04461/18/1 <a href="https://www.gov.scot/Topics/marine/Licensing/marine/scoping/Beatrice/transmissionmlvariedapril2018">https://www.gov.scot/Topics/marine/Licensing/marine/scoping/Beatrice/transmissionmlvariedapril2018</a>	
Licence Holder: <b>Beatrice Offshore Windfarm Limited</b> <b>1 Waterloo Street</b> <b>Glasgow</b> <b>G2 6AY</b>	
<p style="text-align: center;"><b>Decision: No further action required</b></p> <p>MS-LOT has given due consideration to the breach of conditions 3.2.4.1 and 3.2.4.3 of the OfTW Marine Licence (number: 04461/18/1).</p> <p>MS-LOT is satisfied that Beatrice Offshore Windfarm Limited ("BOWL") has now submitted sufficient evidence to notify, in writing of the Date of Completion of the Works and the Final Commissioning of the Work. MS-LOT confirms that no further action is required.</p>	
<b>Status: Closed</b>	<b>Reason to reiterate the breach of the condition as a result of the notification delay of the Date of Completion of the Works and the Final Commissioning of the Works.</b>
<p>Details:</p> <p>Beatrice offshore windfarm is a development in the Moray Firth made up of 84 wind turbines and associated offshore transmission works.  <a href="http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Beatrice">http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Beatrice</a></p> <p>As part of conditions 3.2.4.1 and 3.2.4.3 of the OfTW Marine Licence (number: 04461/18/1), BOWL had no more than one month to notify MS-LOT in writing following the Date of Completion of the Works and of the date of the Final Commissioning of the Works to notify MS-LOT in writing of the completions.</p> <p>On 11 July 2019, BOWL submitted a letter requesting MS-LOT discharge the conditions 3.2.4.1 and 3.2.4.3 of the OfTW Marine Licence ("discharge request letter") following the end of the construction period (Appendix A). In the discharge request letter, BOWL reported that the Date of Completion of the Works, when the section 2 completion certificate was issued was 20 July 2018, and the date of the Final Commissioning of the Works, which was formally approved by National Grid Electricity System Operator Ltd, was on 2 April 2019.</p> <p>The discharge request letter was submitted nearly after a year of the Date of Completion of the Works and three months after date of the Final Commissioning of the Works. MS-LOT</p>	

had not received any other notification from BOWL in regard to those dates, which lead to the breach of the aforementioned OfTW marine licence conditions.

MS-LOT on 21 October 2019, requested further clarification from BOWL on whether it had submitted a notification previously to those dates. On 22 October 2019, BOWL submitted a justification for the delays to MS-LOT. BOWL stated there was some internal discussion regarding what constituted Completion of the Works and Final Commissioning of the Works. BOWL also stated that some works on the OTMs were ongoing throughout summer 2019 and confirmed that it had not notified MS-LOT within one month of the Date of Completion of the Works and of the date of the Final Commissioning of the Works (Appendix A).

MS-LOT is satisfied that the discharge request letter has notified MS-LOT of the Date of Completion of the Works and the date of the Final Commissioning of the Works and with the evidence submitted to justify the notification delay. MS-LOT is of the opinion that even though the notification of the Date of Completion of the Works and of the date of the Final Commissioning of the Works was delayed, the evidence submitted is sufficient and there is no further action required.

**Actions Taken by BOWL:**

1. BOWL submitted a discharge request letter on 11 July 2019 and notified MS-LOT of the Date of Completion of the Works and of the date of the Final Commissioning of the Works
2. BOWL submitted an email on 22 October 2019 to justify why the delay occurred.

## **Appendix A – BOWL**

**From:** [REDACTED] [\[REDACTED\]@sse.com](mailto:[REDACTED]@sse.com)

**Sent:** 22 October 2019 11:02

**To:** [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot) [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

**Cc:** [REDACTED] [\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

**Subject:** RE: BOWL - Condition 3.2.4.1 and 3.2.4.3 of BOWL's Offshore Transmission Works Marine Licence

Dear [REDACTED]

Further to your email below, BOWL did not submit a notification to Marine Scotland at that time on the Date of Completion of the Works and Final Commissioning of the Works. There was some discussion required internally as to what constituted Completion of the Works and Final Commissioning of the Works. Some works on the OTMs were ongoing throughout summer 2019.

BOWL acknowledges that the dates provided mean that we did not notify Marine Scotland within one month as set out in our OfTW Marine Licence and we apologise for this omission.

Please let me know if you require any further information

Best regards

[REDACTED]

**From:** [REDACTED] <[REDACTED]@gov.scot>  
**Sent:** 21 October 2019 14:40  
**To:** [REDACTED] <[REDACTED]@sse.com>  
**Cc:** [REDACTED] <[REDACTED]@gov.scot>  
**Subject:** [EXTERNAL] FW: BOWL - Condition 3.2.4.1 and 3.2.4.3 of BOWL's Offshore Transmission Works Marine Licence

WARNING: this email has originated from outside of the SSE Group. Please treat any links or attachments with caution.

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Hello [REDACTED]

Further to my email below, the letter was submitted by BOWL on 11 July 2019 and not 7 July 2019.

Kind regards,

[REDACTED]

[REDACTED]  
Marine Renewables Casework Officer | Marine Scotland Licensing Operations Team  
Marine Planning & Policy | [marinescotland](http://marinescotland.gov.scot)  
Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB  
Direct Line: [REDACTED]  
Email: [REDACTED] <[MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot)>  
Website: <http://www.gov.scot/marinescotland>

**From:** [REDACTED]  
**Sent:** 21 October 2019 14:38  
**To:** [REDACTED] <[REDACTED]@sse.com>  
**Cc:** [REDACTED] <[REDACTED]@gov.scot>  
**Subject:** BOWL - Condition 3.2.4.1 and 3.2.4.3 of BOWL's Offshore Transmission Works Marine Licence

Hello [REDACTED]

Following our phone call this morning, I would like to request that you confirm Beatrice Offshore Windfarm Limited's (BOWL) position on the following.

You have submitted to Marine Scotland Licensing Operations Team (MS-LOT) a letter on 7 July 2019 requesting that condition 3.2.4.1 and 3.2.4.3 of BOWL's Offshore Transmission Works Marine Licence to be fully discharged.

In the second paragraph of the letter you state "*Section completion certificates are issued to the contractor on the basis that works completion conditions as defined in the contract, are satisfied for each circuit to allow then to be put into service. The final section 2 completion certificate was issued 20<sup>th</sup> July 2019, which is the date of completion of the Works.*"

In the third paragraph you stated that "*Final testing and commissioning of the Works was then achieved 2<sup>nd</sup> April 2019. This has been formally approved by National Grid Electricity System Operator Ltd.*"

Did BOWL submit a notification to Marine Scotland at that time on the Date of Completion of the Works and Final Commissioning of the Works?

If you have any further queries on that, please do not hesitate to contact me.

Kind regards,

[Redacted]

[Redacted]

Marine Renewables Casework Officer | Marine Scotland Licensing Operations Team  
Marine Planning & Policy | [marinescotland](#)  
Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB  
Direct Line: [Redacted]  
Email: [Redacted] [\[Redacted\].gov.scot](mailto:[Redacted].gov.scot), [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot)  
Website: <http://www.gov.scot/marinescotland>

Beatrice Offshore Windfarm Ltd  
One Waterloo Street  
Glasgow  
G2 6AY

Marine Scotland Licensing Operations Team  
Scottish Government  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

11/07/2019

BOWL Ref: LF000005-LET-835

Dear

**BOWL Offshore Transmission Works Marine Licence (OFTW ML) Condition 3.2.4.1 – Date of Completion of the Works and OFTW ML Condition 3.2.4.3 – Final Commissioning of the Works**

In accordance with conditions 3.2.4.1 and 3.2.4.3 of the OfTW ML, this letter confirms the final completion and commissioning dates of the Works.

Section completion certificates are issued to the contractor on the basis that works completion conditions as defined in the contract, are satisfied for each circuit to allow them to be put into service. The final section 2 completion certificate was issued 20<sup>th</sup> July 2018, which is the date of completion of the Works.

Final testing and commissioning of the Works was then achieved 2<sup>nd</sup> April 2019. This has been formally approved by National Grid Electricity System Operator Ltd.

It is considered that the above confirmation is sufficient to satisfy the requirements of the OfTW ML conditions 3.2.4.1 and 3.2.4.3.

We would be grateful if MS-LOT on behalf of the Scottish Ministers could please confirm in writing, their agreement that the OfTW ML conditions 3.2.4.1 and 3.2.4.3 are fully discharged.

Should MS-LOT have any questions, please do not hesitate to contact me.

Yours sincerely

## Beatrice Offshore Wind Farm