

BT Group

From: radionetworkprotection@bt.com
To: [MD Marine Renewables](#)
Cc: [Redacted] ; radionetworkprotection@bt.com
Subject: RE: WID14057 European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 17 October 2025 12:59:34
Attachments: [image003.png](#)
[image005.png](#)
[10mw_variation_letter_20250710_3.pdf](#)

General



OUR REF; WID14057 & PREV WID11878

We have studied this proposal using the attached with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that this proposal will not cause interference to BT's current and presently planned radio network. Please consider the radio link in the vicinity demonstrated by a red line below as it falls within the boundary however does not show any structures at height. If there are any, please let us know their co-ordinates and we will reassess for you.

BT requires 100m minimum clearance from any structure at height to the radio link path. It should be noted that this decision is for the date of its issue as the use of the spectrum is dynamic and can change on an ongoing basis. Therefore, please reconsult us if there are any further changes to the co-ordinates below during the planning process with heights and locations of any structures, and its finalisation, as we may have new links assigned by Ofcom over its duration.

Please note this refers to BT Radio Links only, you will need to contact other providers separately for information relating to other supplier links / equipment.



Kind Regards

Lisa Smith

National Radio Planner
Radio & Satellite Platforms



This email contains information from BT Group that might be privileged or confidential. And it's only meant for the person above. If that's not you, we're sorry - we must have sent it to you by mistake. Please email us to let us know, and don't copy or forward it to anyone else. Thanks.

We monitor our email systems and may record all our emails.

British Telecommunications plc
R/O : 1 Braham Street, London, E1 8EE
Registered in England: No 1800000

British Telecommunications plc is authorised and regulated by Financial Conduct Authority for the provision of consumer credit

Crown Estate Scotland

From: [Redacted]
To: [MD Marine Renewables](#)
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation
– Response Required by 20 November 2025
Date: 17 October 2025 12:56:36
Attachments: [image003.png](#)

Dear Anna,

Thank you for sharing this proposal. We are supportive of EMEC's continued operations at the Fall of Warness site and have no objections to the proposed Section 36 extension.

Kind Regards,
Hannah

Hannah Evans
Asset Manager – Wave & Tidal, Cables & Pipelines
Crown Estate Scotland
t. 0131 260 6119 / [Redacted]

Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:
MD.MarineRenewables@gov.scot

Anna Shenton
Marine Licensing and Consenting
Casework Manager
Licensing Operations Team
Marine Directorate

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

HMConsultations@hes.scot
0131-668-8716

Our case ID: 300030951

20 November 2025

Dear Anna Shenton

The Electricity Generating Stations (Applications for Variation of Consent) (Scotland) Regulations 2013
European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney

Thank you for consulting us on the above application, which we received on 13 October 2025. We have reviewed the report and considered the proposal in terms of our historic environment interests. This covers cultural World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

From 1 January 2025 we no longer provide advice on undesignated underwater cultural heritage. This includes the preparation of documents for post-consent activities including Written Schemes of Investigation or Protocols for Archaeological Discoveries. The relevant competent authority must ensure that they have access to sufficient expertise to examine the submissions in accordance with the relevant regulations.

Orkney Islands Council's archaeological and cultural heritage advisors will also be able to offer advice on impacts on the historic environment. This may include topics covered by [our advice-giving role](#), and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

Our advice

We understand that the above application is for the extension of the expiry date of the section 36 consent by an additional 2 years.

We have reviewed the information received. We can confirm that there are no heritage assets in our remit within the site boundary that would be subject to physical impact as a result of the proposal. We also do not consider that the proposal would have any significant impacts on the setting of heritage assets in our remit. We therefore do not wish to object to the above application.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. **SC045925**
VAT No. **GB 221 8680 15**



Our comments should be treated as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposal does not raise historic environment issues of national interest and therefore we do not object. Our decision not to object should not be taken as our support for the proposal. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further information

Decisions that affect the historic environment should take the [Historic Environment Policy for Scotland](#) (HEPS) into account as a material consideration. HEPS is supported by our [Managing Change guidance series](#).

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Adrian Lee at [Redacted]

Yours sincerely

Historic Environment Scotland

Maritime & Coastguard Agency

From: [navigation_safety](#)
To: [MD Marine Renewables](#); [Redacted]
Cc: [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 20 November 2025 12:13:36
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Good afternoon Anna,

Thank you for the opportunity to comment on the Section 36 Consent variation for the EMEC Fall of Warness Tidal Test site.

The UK Technical Services Navigation team of the Maritime and Coastguard Agency has reviewed the variation. We would like to comment as follows:

The MCA confirms we have no objections to a variation as it is for the same parameters and limits, and the methodology and number of devices, berth locations do not change. The variation is to extend the current S36 consent by another 2 years. This is on the understanding that all maritime safety legislation is adhered to, and the risk mitigation measures agreed within the original consent are complied with.

Best Regards

[Redacted]

Vinu John B.Sc MIMarEST

Nautical Licensing Lead
Marine Licensing and Consenting
**UK Technical Services
Navigation**

[Redacted]
[Redacted]



Maritime &
Coastguard
Agency

Maritime & Coastguard Agency
Spring Place
105 Commercial Road,
Southampton SO15 1EG



Safer Lives, Safer Ships, Cleaner Seas
www.gov.uk/mca

Ministry of Defence

From: [DIO-Safeguarding-Offshore \(MULTIUSER\)](#)
To: [MD Marine Renewables](#)
Subject: 20251023_MOD_Response_European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation
Date: 23 October 2025 08:01:52
Attachments: [image001.png](#)

Good morning,

Thank you for your email below in relation to the European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney.

Following our review, I can confirm that the MOD has no objections to the extension of the section 36 consent expiry date by a further 2 years, making it valid until 22 March 2028.

Kind Regards

Joanne Moore | Safeguarding Officer

Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
Email: [Redacted]

NatureScot

From: [Redacted]
To: [MD Marine Renewables](#)
Cc: [Redacted]; [MARINEENERGY](#); [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025 - NatureScot Advice
Date: 11 November 2025 16:38:18
Attachments: [image001.png](#)

Dear Anna,

Thank you for consulting us on the variation request submitted by EMEC to vary their existing Section 36 consent for the Fall of Warness Tidal Test Site. This variation request follows EMEC's request for a Screening Opinion for this variation earlier in the year, NatureScot advice regarding the Screening Request (SCR-0097) was issued on 30 May 2025. We have reviewed the Variation Application (letter dated 10 July 2025) and include our understanding of the requested variation alongside our advice on this below.

Proposal

EMEC currently holds a Section 36 consent for the Fall of Warness Tidal Test site. The existing Section 36 consent (first granted in March 2016) was varied in 2023 in order to extend consent for a further three years, until March 2026. EMEC now seek an extension for a further 2 years, until March 2028. This would extend the Section 36 consent for the operational life of the test site to 12 years. No further changes are proposed.

We note that EMEC has submitted a separate Scoping Report for a new Section 36 consent for the Fall of Warness, with an increased generating capacity of up to 50 MW and extended project duration to 2040 (as per Scoping Report dated May 2022 and Scoping Opinion dated 07 December 2022). The above proposed Section 36 consent variation will allow continued use of the test site in the interim period. Our advice below is on the requested two year time extension for the existing Section 36 consent only.

NatureScot advice

It is our understanding that the proposed variation relates only to a further two year time extension, and that no changes to the existing consented Project Design Envelope (PDE) are proposed. As such, our assumption is that only devices which are in-line with the current PDE would be deployed within the 2-year extension period.

In 2022 we provided detailed advice on the previous time-extension variation for the Fall of Warness Tidal Test Site (advice issued 14 November 2022). Based on the above understanding that no changes to the site activities or project envelope are proposed, we consider our advice remains the same in this instance and as such have no other comments regarding this proposed Section 36 consent variation.

I trust this is of assistance. Please let me know if you require any further advice from NatureScot.

Kind regards,

Clare

Clare McCarty (she/her) | **Marine Sustainability Adviser**

Correspondence address: NatureScot | Battleby House | Redgorton | Perth | PH1 3EW | t: 01738 458 614

Northern Lighthouse Board

From: [Redacted] on behalf of [navigation](#)
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: RE: [EXT] European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 23 October 2025 09:43:56
Attachments: [image001.png](#)

Good morning,

NLB have no objection to a two year extension to the existing S36 in place for the EMEC Fall of Warness site, extending until March 2028.

Regards

Adam

Adam Lewis

Coastal Inspector
Northern Lighthouse Board

T: 0131 473 3197

M: [Redacted]

E: [Redacted]

Orkney Islands Council
Harbour Authority

From: [harbours](#)
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 19 November 2025 10:24:28
Attachments: [image002.png](#)
[image003.png](#)

Classification: OFFICIAL

Hi

Good morning!

Further to your email of 13 October, we have a nil response to this application.

Kind regards
Tanya

Marine Services and Transportation
Orkney Islands Council
Harbour Authority Building
Scapa, Orkney
KW15 1SD
Tel: 01856 873636
Email: harbour@orkney.gov.uk
Web: www.orkneyharbours.com



ORKNEY
ISLANDS COUNCIL

Orkney Islands Council Marine Planning

From: [Marine Planning](#)
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 15 October 2025 09:35:35
Attachments: [image003.png](#)

Classification: NOT PROTECTIVELY MARKED

To whom it may concern,

In response to the consultation for the EMEC – Section 36 Variation – Fall of Warness, Orkney Islands Council Marine Planning have no comments on the variation for extending the expiry date of the section 36 consent until March 2028.

It is noted that the developer is progressing a new 50mW s36 consent and updated EIA. Orkney Islands Council Marine Planning will provide a consultation response to the future EMEC s36/50mW consent, including any associated EIA/HRA, when the application is submitted, discharging functions as the delegate by direction given under the section 12(1) of the Marine (Scotland) Act 2010.

Kind regards,
Emily

Emily Murphy Gray | Graduate Marine Planner

Development and Marine Planning | Planning and Regulatory Services
Infrastructure and Organisational Development | Orkney Islands Council

01856 873535 extension 2352 | ✉

[Redacted]

| [OIC](#)

[Marine Planning](#)



Royal Yachting Association Scotland

From: [Redacted]
To: [MD Marine Renewables](#)
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 18 November 2025 10:17:19
Attachments: [image002.png](#)
[image003.png](#)

Hi Anna,

I write to inform you that RYA Scotland has no objections to this application.

Kind Regards

Pauline

Pauline McGrow
Business Support Lead

Royal Yachting Association Scotland

T: [Redacted]

E: [Redacted]



Protecting your personal information is important to us, view our full Privacy Statement [here](#)

Scottish Water

Tuesday, 21 October 2025



Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

**Fall of Warness Tidal Test Site, EMEC, Next to Island of Eday, Orkney,
KW17 2AA
Planning Ref: EMEC-SCR-0097
Our Ref: DSCAS-0142910-L9V
Proposal: EMEC is seeking an extension to the end date of their current
S36 consent for another 2 years until March 2028.**

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this proposal. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

All developments that propose a connection to the public water or waste water infrastructure are required to submit a Pre-Development Enquiry (PDE) Form via our Customer Portal prior to any formal technical application being submitted, allowing us to fully appraise the proposals

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr

Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private

pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.

- If a connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.

Scottish Environment Protection Agency

From: [Planning.North](#)
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: PCS-20007004 SEPA Response to EMEC
Date: 14 October 2025 12:21:28
Attachments: [image.png](#)

To Whom It May Concern,

Electricity Act 1989 - Section 36

EMEC

Construct and Operate EMEC Fall of Warness Site

Adjacent to the Island of Eday, Orkney

Based on the information provided, it appears that this application falls below the thresholds for which SEPA provide site specific advice. Please refer to our standing advice and other guidance which is available on our [website](#). In addition, please also refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available [here](#).

Kind regards,

Susan Haslam

Senior Planning Officer



For the future of our environment

Disclaimer

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient, please notify us immediately by return email to postmaster@sepa.org.uk. Registered office: SEPA, Angus Smith Building, 6 Parklands Avenue, Eurocentral, Holytown, North Lanarkshire, ML1 4WQ. Communications with SEPA may be monitored or recorded or released in order to secure the effective operation of the system and for other lawful purposes.

Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois diomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhàd le bhith cur post-d gu postmaster@sepa.org.uk. Togalach Aonghais Mhic a' Ghobhainn, 6 Craobhruid Parklands, Eurocentral, Baile a' Chuilinn, Siorrachd Lannraig a Tuath, ML1 4WQ. Faodar conaltradh còmhla ri SEPA a sgrùdadh no a chlàradh no a sgaoileadh gus obrachadh èifeachdach an t-siostaim a ghlèidheadh agus airson adhbharan laghail eile.

Scottish Fishermen's Federation

From: [Redacted]
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 21 November 2025 17:38:06
Attachments: [image001.png](#)

Dear Anna,

Thank you for sharing the above consultation for SFF's comments.

Please file a 'nil return' response on this consultation from SFF.

Best wishes

Fahim Mohammad Hashimi
Offshore Energy Policy Manager

Scottish Fishermen's Federation (SFF)
24 Rubislaw Terrace | Aberdeen | AB10 1XE
T: +44 (0) 1224 646944 | M: [Redacted]
E: [Redacted] | sff.co.uk
Follow us: [Facebook](#) | [Twitter](#)

Scottish & Southern Electricity Networks Transmission

Marine Directorate
Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB

SSEN Transmission
Grampian House
200 Dunkeld Road
Perth
PH1 3AQ

By email: MD.MarineRenewables@gov.scot

19th November 2025

Ref: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation

To whom it may concern,

Thank you for the opportunity to consult on the variation request received from the European Marine Energy Centre (EMEC) for an extension to their existing Section 36 consent.

I can advise that Scottish Hydro Electric Transmission Plc (SSEN Transmission) do not have any concerns regarding the proposed duration extension out to March 2028.

Given SSEN Transmission's planned development in Orkney waters, we would welcome continued communication to ensure that we are kept apprised of the European Marine Energy Centre's future activity.

Yours sincerely,

[Redacted]

Molly Outhwaite

[Redacted]

For and on behalf of Scottish Hydro Electric Transmission Plc

Stronsay Island Community Council

From: [Redacted]
To: [MD Marine Renewables](#)
Subject: Re: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 03 November 2025 04:57:22
Attachments: [image001.png](#)

Good Morning,

Your email regarding the European Marine Energy Centre - Section 36 Variation - Fall of Warness, EMEC Consultation was considered by members of Stronsay Community Council at a recent Community Council meeting and I have been asked to inform you the members had no comment to make on the consultation.

Kind regards,
Colin McAlpine
Stronsay Island Link Officer/Clerk

On Mon, 13 Oct 2025 at 16:52, <MD.MarineRenewables@gov.scot> wrote:

Transport Scotland

From: [Redacted]
To: [MD Marine Renewables](#)
Cc: [Redacted]
Subject: RE: European Marine Energy Centre – Section 36 Variation – Fall of Warness, EMEC, Orkney – Consultation – Response Required by 20 November 2025
Date: 19 November 2025 14:18:30
Attachments: [image001.png](#)

FAO Anna Shenton

Anna,

Thank you for providing Transport Scotland with the opportunity to comment on the Fall of Warness Section 36 Variation Consultation. I understand that the proposed Variation is to extend the expiry date of the Section 36 Consent by an additional 2 years.

I can confirm that Transport Scotland would have no objection to this request and has no further comment to make at this time.

Kind regards,

George Smith
Development Management
Network Operations
Roads Directorate

transport.gov.scot

Transport Scotland 5th Floor 177 Bothwell Street Glasgow G2 7ER



I