

DECLARATION UNDER SECTION 36A OF THE ELECTRICITY ACT 1989 RELATING TO PUBLIC RIGHTS OF NAVIGATION SO FAR AS THEY PASS THROUGH THE LOCATIONS IN THE SEA WHERE THOSE STRUCTURES FORMING PART OF THE INCH CAPE OFFSHORE WIND FARM GENERATING STATION ARE TO BE PLACED

The Scottish Ministers, in exercise of the powers conferred on them by section 36A of the Electricity Act 1989 (“the Electricity Act”) and all other powers enabling them to do so, make the following declaration.

In accordance with section 36A (1) and 36A (2) of the Electricity Act, the application for this declaration was made to the Scottish Ministers at the same time as an application was made to them by Inch Cape Offshore Limited (“the Company”) under section 36 of the Electricity Act for the construction and operation of the Inch Cape Offshore Wind Farm generating station, which is to comprise of renewable energy installations. This declaration is made at the same time as consent is granted under section 36 of the Electricity Act for the construction and operation of the Inch Cape Offshore Wind Farm generating station.

In this declaration the “plan folio” means the plan folio number int0049_5_R1, entitled “Inch Cape 1 Indicative Turbine Layout”, and signed with reference to this declaration and attached hereto. The Inch Cape Offshore Wind Farm generating station is to be constructed within the area delineated on the plan folio by a solid red line, as more specifically described by a line joining the co-ordinates listed at lines 1 – 10 in table 1 attached to this declaration (the “Area”).

Consent under section 36 of the Electricity Act is granted by the Scottish Ministers for the construction and operation of the Inch Cape Offshore Wind Farm generating station in the Area, subject to the following parameters:

- a) the total number of turbines shall be up to 110;
- b) the total number of sub-stations shall be up to 3;
- c) the total number of meteorological masts shall be up to 3; and
- d) the distance between turbines shall be not less than 1000 metres.

The wind turbines, sub-stations and meteorological masts to be constructed in accordance with the consent are identified, for the purposes of section 36A (5) (a) of the Electricity Act, as the proposed renewable energy installations by reference to which this declaration is made (the “Renewable Energy Installations”).

The Scottish Ministers declare that, in accordance with section 36A(3) of the Electricity Act, the public rights of navigation in the Area in so far as they pass through the locations where the Renewable Energy Installations are to be situated, are extinguished.

It is a requirement of the consent (conditions 9 and 12 at **DECISION LETTER AND CONDITIONS, Annex 2**) that the Company must submit to the Scottish Ministers, for their approval, a Construction Programme which must set out, amongst other matters, the proposed date for the commencement of the construction of the generating station and a Development Specification and Layout Plan for the

Renewable Energy Installations (“the Plan”), both no later than 6 months prior to the commencement of the construction of the generating station. In accordance with section 36A(5)(b) of the Electricity Act this declaration shall come into force on a date to be publicised by the Company, the publication of which must be as soon as reasonably practicable following the approval by the Scottish Ministers of the Plan.

Subscribed by

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being an officer of the Scottish Ministers at Aberdeen on the 10th day of October 2014

before this witness

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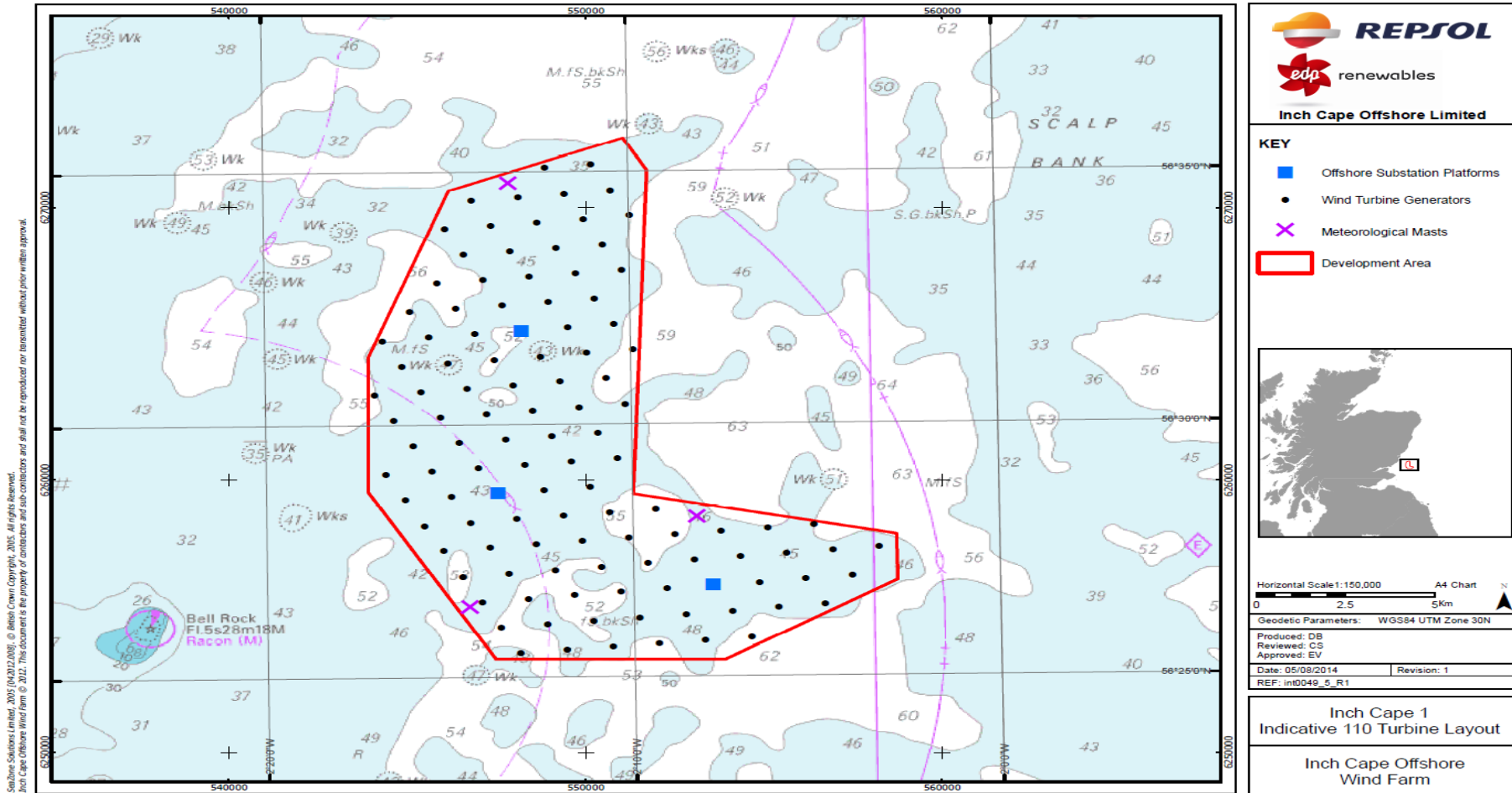
in Aberdeen

TABLE 1: CO-ORDINATES OF THE OUTER BOUNDARY OF THE INCH CAPE OFFSHORE WIND FARM GENERATING STATION

Coordinates supplied in World Geodetic System 1984, latest revision.

ID	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)	Latitude (Degrees / Decimal Minutes)	Longitude (Degrees / Decimal Minutes)	X Coordinate (UTM z30N - Meters)	Y Coordinate (UTM z30N - Meters)
1	56.46329889	-2.047320000	56° 27.798' N	002° 02.839' W	558702.7645	6258052.255
2	56.47720134	-2.166704268	56° 28.632' N	002° 10.002' W	551327.9337	6259504.044
3	56.58397748	-2.158371804	56° 35.039' N	002° 09.502' W	551695.5330	6271394.716
4	56.59463227	-2.168960085	56° 35.678' N	002° 10.138' W	551030.8251	6272572.707
5	56.57766741	-2.248811704	56° 34.660' N	002° 14.929' W	546148.2398	6270627.926
6	56.52304353	-2.286298855	56° 31.383' N	002° 17.178' W	543908.5081	6264523.505
7	56.47825442	-2.287140250	56° 28.695' N	002° 17.228' W	543908.4687	6259537.805
8	56.42300907	-2.230137690	56° 25.381' N	002° 13.808' W	547488.3128	6253426.787
9	56.42231929	-2.125964644	56° 25.339' N	002° 07.558' W	553914.9341	6253426.819
10	56.44819556	-2.046898049	56° 26.892' N	002° 02.814' W	558752.0717	6256371.621

PLAN FOLIO NUMBER: int0049_5_R1



Signed by

Robert Main being an officer of the Scottish Ministers at Aberdeen on the 10th day of October 2014

