



Mr Allan MacAskill
Saltire Court
20 Castle Terrace
Edinburgh
EH1 2EN

29th May 2018

Dear Mr MacAskill

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

THE ELECTRICITY ACT 1989 (AS AMENDED)

DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE CONSENT

**THE CONSTRUCTION AND OPERATION OF THE KINCARDINE FLOATING OFFSHORE
WINDFARM - 15 km OFF THE COAST OF ABERDEEN.**

1 Description of the Application

- 1.1 On 7th March 2017 the Scottish Ministers, granted in favour of Kincardine Offshore Windfarm Ltd (Company Number SC475345) having its registered office at Saltire Court, 20 Castle Terrace Edinburgh, EH1 2EN (“the Company”) consent under section 36 (“s.36”) of the Electricity Act 1989 (as amended) relative to the above works. The said s.36 consent was subsequently varied by the Scottish Ministers on 15th May 2018 (“current s.36 consent”). As required by Annex 2 of the current s.36 consent prior to commencing works relative to the 2 megawatt (“MW”) Wind Turbine Generator (“WTG”) the Company must submit a Fisheries Management and Mitigation Strategy (“FMMS”) as detailed in condition 24 of the current s.36 consent, for approval by the Scottish Ministers.
- 1.2 On 22nd January 2018 the Company submitted to the Scottish Ministers the FMMS and applied for multi-stage consent thereto in accordance with condition 24 of the said consent.

2 Summary of Consultation Responses

- 2.1 The Scottish Ministers have consulted with the Scottish Fishermen’s Federation (“SFF”), the Scottish Fishermen’s Organisation (“SFO”), the River Don Trust, the River Dee Trust, the Forth District Salmon Fishery Board (“Forth DSFB”), The Forth

Rivers Trust (“FRT”), the East Coast Scallop Association (“ECSA”) and the Esk District Salmon Fishery Board (“Esk DSFB”) in respect of the FMMS.

- 2.2 The SFF requested that amendments were made to the FMMS to provide context and clarity regarding the importance of fishing in the local environment. The SFF also requested that further clarity was provided regarding the terminology “Active seagoing fishermen” and that the distinction between hobby and commercial fishermen was made clearer within the document. The SFF also highlighted that further discussions regarding cable protection on the Offshore Export Cable route were required between KOWL, KOWL’s Fisheries Liaison Officer and the SFF. The Company amended the FMMS to reflect the SFF’s comments and the SFF confirmed that they were content with the revised FMMS.
- 2.3 No responses were received from the SFO, the River Don Trust, the River Dee Trust, the Forth DSFB, the FRT, the ECSA or the Esk DSFB.

3 Reasons and Considerations on which this decision is based

- 3.1 The amended FMMS was submitted to the Scottish Ministers by the company on 24th April 2018.
- 3.2 The information contained in the Company’s FMMS is within the parameters of what has already been assessed within the Environmental Statement (“ES”), the Environmental Statement Additional Information Addendum (“ES Addendum”) and the Variation Environmental Statement (“Variation ES”) submitted in respect of the current s.36 consent.

4 Reasoned Conclusion

- 4.1 As set out above the Scottish Ministers, are satisfied that they have sufficient information to enable them to reasonably conclude that there will be no new significant effects on the environment as a result of the approval of the FMMS.
- 4.2 In taking into account the information set out above, the Scottish Ministers are satisfied that this information is relevant, appropriate and up to date.

5 Determination and Terms of Decision

- 5.1 The Scottish Ministers, hereby approve the FMMS as submitted on 24th April 2018 to the extent that it relates to the works relative to the installation of the 2 MW WTG and grant multi-stage consent in relation thereto.
- 5.2 In the event that the Company wishes to update or amend the FMMS in relation to the 2 MW WTG 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 proceed prior to the granting of such approval.
- 5.3 An updated FMMS must be submitted to the Scottish Ministers for their written approval prior to the commencement of works relative to future tranches of the entire Development. In respect of such approval, if granted, and if appropriate a further Decision Notice will be issued.

- 5.4 Unless otherwise agreed in writing by the Scottish Ministers, the works must be constructed and operated in accordance with the FMMS.
- 5.5 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government's website:
<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/Kincardine>
- 5.6 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
375 Victoria Road
Aberdeen
AB11 9DB
29th May 2018