



Neart na Gaoithe
offshore wind farm

SCHEDULE 9 STATEMENT

**Statement on the Preservation of Amenity in accordance with
the Electricity Act 1989**

QA Document Creation & Authorisation Record

Document created by:		Rosie Scurr Environment Manager
Document reviewed by:		Ewan Walker Environment and Consents Manager
Document authorised by:		David Sweeney Offshore Manager Scotland
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1 Introduction

Near na Gaoithe Offshore Wind Limited (NNGOWL) was granted a Generation Licence on 23 October 2012. This statement sets out at a high level how NNGOWL will carry out its statutory duty under Section 38 of the Electricity Act 1989 to preserve amenity, as described in Schedule 9 of the Act and summarises the more detailed statements provided in the Environmental Statement (ES) submitted by NNGOWL to the Scottish Government on 13 July 2013 and the ES submitted to East Lothian Council on 20 November 2012. The ESs detail how NNGOWL has sought to preserve amenity in respect of all activities carried out to date and also all activities contemplated by NNGOWL in the foreseeable future.

NNGOWL is developing the proposed Near na Gaoithe Offshore Wind Farm (Near na Gaoithe) on behalf of Mainstream Renewable Power. The wind farm is part of The Crown Estate's Scottish Territorial Waters offshore wind programme.

When formulating any relevant proposals (as defined on Schedule 9 of the Electricity Act. 1989), NNGOWL, as a generation licence holder, shall:

- Have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and
- Do what [the company] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

This is referred to as the "duty to preserve amenity". Appendix 1 of the Electricity Act 1989 sets out further detail on the duty to preserve amenity.

In the context of Near na Gaoithe, relevant proposals formulated by NNGOWL primarily comprise an offshore wind generating facility with a capacity of 450 megawatts (MW) and associated grid infrastructure. This includes turbines, foundations, inter-array cables, an offshore substation, offshore export cables (AC), onshore cables, cable transition and jointing pits and an onshore substation.

This statement has been prepared following consultation with the Schedule 9 statutory consultees. It deals only with those environmental obligations falling under Schedule 9 of the Act. NNGOWL also has a number of other environmental requirements, with which it will be required to comply.

The consultation undertaken by NNGOWL is documented in the ES (Chapter 7 *Engagement and Commitments*) submitted in support of the application for consent under Section 36 of the Electricity Act 1989 and Marine Licences for Near na Gaoithe in July 2012 for the offshore elements of Near na Gaoithe. Consultation is also documented in the ES (Chapter 7 *Engagement and Commitments*) submitted in support of the application for Planning Permission for the onshore elements in November 2013, to fulfil the requirements of best practice under the application processes for Section 36 consent and Marine Licences and Section 35A, B and C of the Town and Country Planning (Scotland) Act 1997 as amended in relation to the application for Planning Permission. The Chapters demonstrate how the pre-application consultation for Near na Gaoithe has complied with legislation and relevant best practice documents and guidance and how account has been taken of relevant responses in developing the proposals.

2 Neart na Gaoithe and Background Information

NNGOWL submitted the applications for consent for the offshore components of the Neart na Gaoithe offshore wind farm to the Scottish Government on 13 July 2012. Neart na Gaoithe will have a capacity of up to 450 MW. The offshore wind turbines for Neart na Gaoithe will be located in the Firth of Forth, covering an area of approximately up to 105km².

NNGOWL anticipates a recommendation by Marine Scotland, and decision by the Scottish Ministers, in the near future. This will allow the project to move into the construction phase shortly thereafter and fully commission in time to contribute to meeting the UK's 2020 renewable energy targets.

NNGOWL submitted an application for Planning Permission for the onshore electrical infrastructure to East Lothian Council on 20 November 2012. This application was accompanied by an Environmental Statement which contained a full Environmental Impact Assessment (EIA) in support of the application. Amongst other environmental considerations, the ES set out the steps which NNGOWL had taken and will continue to take, in order to preserve amenity. Planning Permission was subsequently granted by East Lothian Council on 18 June 2013.

3 Neart na Gaoithe Schedule 9 Guidelines for Development of Relevant Proposals

NNGOWL has applied for a Section 36 Consent, Marine Licences and Planning Permission under the Electricity Act (1989), the Marine (Scotland) Act 2010, and the Town and Country Planning (Scotland) Act 1997 as amended, for consent to construct and operate an offshore wind farm located in the Firth of Forth.

In the formulation of relevant proposals for Neart na Gaoithe, NNGOWL has had regard to the desirability of preserving natural beauty, of conserving both onshore and offshore flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest. Efforts have been made to identify environmental issues at the earliest opportunity and to mitigate potential effects.

In addition, NNGOWL has conducted pre-application consultation (as described above) and completed a full EIA in support of both onshore and offshore applications, during which the preservation of amenity was considered at all stages.

On all Neart na Gaoithe development applications, NNGOWL observes the following guidelines:

3.1 Approvals and Permissions

NNGOWL aims to obtain all relevant consents, permits, approvals and licences necessary (to undertake activities for Neart na Gaoithe) from appropriate planning and regulatory authorities, complying with all required conditions established by the law to any such consent, permit, approval or licence.

3.2 Minimising the Effects of Relevant Proposals

Where works associated with the project are likely to have an adverse effect on amenity, NNGOWL uses environmental assessment techniques, assesses possible effects, consults relevant statutory consultees, and identifies opportunities for mitigation measures to reduce those effects as far as reasonably practicable. External environmental consultants are used for all assessment and technical advice.

In addition to any formal consultation with statutory parties, local authorities, land interest parties and the local

community, NNGOWL engages with other relevant stakeholders according to the extent of any impact of the relevant proposals. Any consultation or engagement is undertaken so that the results can be used to influence the design and operation of the project.

4 Nationally and Internationally Designated Areas

If works associated with relevant proposals are likely to adversely affect nationally or internationally designated sites, NNGOWL will pay due regard to the need to preserve amenity, particularly within areas of the greatest landscape, wildlife or cultural amenity such as: National Parks; National Scenic Areas; Sites of Special Scientific Interest; Special Protection Areas; Special Areas of Conservation; Ramsar Sites; National Nature Reserves; Preferred Conservation Zones; Marine Protected Areas; World Heritage Sites; and Scheduled Monuments.

Where there is a requirement for works associated with relevant proposals that may affect any such designated area, NNGOWL minimises the impact through consideration of sensitive siting and adoption of appropriate methods and designs.

5 Training, Awareness and Monitoring

NNGOWL promotes environmental awareness among its staff through appropriate training and dissemination of information and the adoption of appropriate environmental policies. NNGOWL also makes third party contractors aware of the relevant parts of this statement and those environmental policies and has procedures that audit their compliance.

6 Reviewing this Statement

NNGOWL intends to review this Schedule 9 statement every three years.