

# BERWICK BANK WIND FARM

Pre-Application Consultation Report

Appendix 17  
December 2022





# APPENDIX 17.

## EMAIL CORRESPONDENCE WITH MARINE SCOTLAND'S LICENSING AND OPERATIONS TEAM REGARDING PRE-APPLICATION CONSULTATION STATEMENT

17.1 Email chain regarding the requirement for a pre-application consultation statement

**From:** [REDACTED] <[REDACTED]@gov.scot>  
**Sent:** 21 December 2021 18:50  
**To:** Smith, Elouise <[REDACTED]>  
**Cc:** Berwick Bank <BerwickBank@sse.com>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@gov.scot>  
**Subject:** [EXTERNAL] RE: Berwick Bank Public Exhibition - MS-LOT response

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

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Hi Elouise,

Further to our discussion of last Thursday, please find below a written response (in blue) to your points raised below.

As you are already aware, due to the COVID-19 pandemic and the current physical distancing guidance in place, the Marine Licensing (Pre-Application Consultation) (Scotland) Regulations 2013 have been amended by The Marine Works and Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 ("the Amending Regulations"), which came into force on the 20 May 2020. Under the Amending Regulations, where a pre-application consultation event must be held, this is now to be held online, with the public notice reflecting this. These amendments are temporary in nature and end on the date when Part 1 of the Coronavirus (Scotland) Act 2020 expires in accordance with section 12 of that Act.

It is important that you are fully conversant with [all](#) of the rules that apply to your activity. If you have any further [questions](#) please do not hesitate to get in contact.

Kind regards,  
 [REDACTED]  
 [REDACTED]  
 Marine Scotland - Marine Planning & Policy

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Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB  
 Email: [REDACTED] | Website: <https://www.gov.scot/policies/marine-and-fisheries-licensing/>  
**COVID-19: Marine Scotland - Licensing Operations Team (MS-LOT) is working from home and as a result determination of applications may take longer than our stated timelines. In addition MS-LOT is unable to respond to phone enquiries, please communicate with MS-LOT via email. Email addresses are [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot) for marine renewables correspondence or [MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot) for all licensing queries**

**From:** Smith, Elouise <[REDACTED]>  
**Sent:** 14 December 2021 10:55  
**To:** [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>  
**Cc:** Berwick Bank <BerwickBank@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@sse.com>; [REDACTED] <[REDACTED]@gov.scot>  
**Subject:** Berwick Bank Public Exhibition

Hi [REDACTED] and [REDACTED]

Hope you are both well.



I am a consents manager on Berwick Bank Wind Farm, working in the offshore team with Douglas, Ross and Andrew. I will be joining the call this Thursday to provide an update on the upcoming formal public exhibition for the project and ask a few questions. Generally, these include:

- Would MS like us to request a pre-application consultation statement?  
*Regulation 5(1) of the Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013 states that 'a prospective applicant for a marine licence who considers that the activity in respect of which a licence may, or is to, be sought which may, or is to, be of a class or description prescribed in regulation 4 may notify the Scottish Ministers requiring a pre-application consultation statement from them'. MS-LOT would advise that it is at the discretion of Berwick Bank as to whether or not they wish to request a pre-application consultation statement.*
- We will submit the advert for the event to MCA, NLB, SNH, SEPA. Are there any other delegates relevant to the marine region we should also notify?  
*MS-LOT would recommend that you notify any other relevant stakeholders such as fisheries groups, recreational users and relevant local authorities. MS-LOT would advise that Berwick Bank may wish to review those stakeholders consulted on the scoping report. Such notification must be at least 12 weeks prior to submission of an application. The prescribed format for this notification is detailed in Section 23 of The Marine (Scotland) Act 2010.*
- Would MS like to see a draft notification before it goes to press?  
*MS-LOT do not require to review a draft notification prior to this going to the press and would advise that the prescribed format for this advert is detailed in Regulation 7 of the Marine Licensing (Pre-Application Consultation) (Scotland) Regulations 2013. During the period when the Amending Regulations are in force a word or pdf copy of the public notice must be sent to MS-LOT, this will be placed on our website.*

We can run through these on Thursday. Looking forward to meeting you both.

Many thanks,  
**Elouise Smith** || Lead Consents Manager - Berwick Bank Wind Farm  
 SSE Renewables  
 1 Waterloo St, Glasgow  
 G2 6AY

**M:** [REDACTED]  
 sserenewables.com

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