

How to Respond

Responding to this consultation

You are invited to respond to this consultation by 13 November 2013 using the form in Appendices D & E.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

Responses can be sent by email, by post or by online electronic response form:

Email: [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk)

Post: MPA Network Consultation
Scottish Government
Marine Planning and Policy Division
Area 1-A South
Victoria Quay
Edinburgh
EH66QQ

On line: www.scotland.gov.uk/consultations

If you have any enquiries please send them to [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk) or call Sebastian Howell on 0131 244 5301, Michael McLeod on 0131 244 5562 or Paul Cook on 0131 244 0381.

We would be grateful if you would use the consultation questionnaire provided in your response as this will aid our analysis of the responses received. This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask

for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library and on the SEConsult web pages. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

Following the closing date, all responses will be analysed and considered to help us make a decision on the shape of the MPA network. We aim to issue a report on this consultation process in early 2014.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to Sebastian Howell. (0131 244 5301 or Sebastian.howell@scotland.gsi.gov.uk).

The Scottish Government Consultation Process

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses.

Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises.

Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH113XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at: Scottish Government consultations (<http://www.scotland.gov.uk/consultations>) The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may: indicate the need for policy development or review; inform the development of a particular policy; help decisions to be made between alternative policy proposals; be used to finalise legislation before it is implemented. Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

MPA Network Consultation
Scottish Government
Marine Planning and Policy Division
Area 1-A South
Victoria Quay
Edinburgh
EH66QQ

Ref: LF000005-LET-001
29th November 2013

Dear Sir/Madam

Planning Scotland's Seas: Scotland's National Marine Plan and associated consultations

Beatrice Offshore Windfarm Limited (BOWL) welcomes the opportunity to respond to Scotland's National Marine Plan draft consultation and associated consultations.

Scotland's National Marine Plan

BOWL welcomes the explicit reference that *'the Scottish marine planning system should promote development and activities that promote sustainable economic growth'* and in line with this overarching objective, BOWL strongly believe renewable energy development and associated infrastructure will have a crucial role to play in meeting this objective.

BOWL believes the draft Marine Plan and associated consultation documents present a helpful exercise and will provide a clear direction regarding the future management of Scotland's seas however there are a number of aspects which cause BOWL concern.

Marine Protected Area Network

Whilst BOWL supports government plans to introduce nature conservation MPAs, it has concerns over whether suitable consideration has been given to the BOWL development when setting the boundaries for sites forming part of the MPA network and in particular new marine pSPAs/ SPAs. The current protection SPAs afford to the marine environment is outlined at page 29 of the Possible Nature Conservation Marine Protected Areas Consultation Overview consultation document.

The Habitats Regulations require that existing project consents must be reviewed for projects which could give rise to likely significant effects on a newly designated SPA. With major pre-construction costs and long construction timescales associated with the Wind Farm, significant expenditure will have been committed at the point of any consent review. BOWL has already undertaken a detailed Environmental Impact Assessment and

provided Information to Inform an Appropriate Assessment (Habitats Regulations Appraisal) which addresses ornithology. The active proposals reviewed in this consultation to potentially designate new SPAs in the vicinity of the Beatrice Offshore Wind Farm effectively mean a new project consent may be required at an unknown future date. It is additionally not possible to quantify the consenting risk at present because any proposed boundaries and conservation objectives of new SPAs are unknown.

BOWL intends to make major investment decisions for the Wind Farm once all necessary consents have been granted. The uncertainty generated by the potential for new SPAs raises significant issues with investment commitments and if they could be made.

Therefore BOWL requests that the Scottish Government give serious consideration to the uncertainty the issue around pSPAs has on future investment in the Beatrice Offshore Wind Farm. If the UK and Scottish Governments wish to meet the ambitious renewable energy targets this uncertainty requires to be addressed.

Yours faithfully



Colin Palmer
BOWL Development Project Manager