



Code: UKCAL-CWF-CON-EIA-APL-00001-A003

Application Document 1

Appendix 1-2 Statement of Compliance

Caledonia Offshore Wind Farm Ltd

5th Floor Atria One, 144 Morrison Street, Edinburgh, EH3 8ESX



Application Document 1 Appendix 1-2

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Acronyms and Abbreviations

CC	Community Council
EIA	Environmental Impact Assessment
GW	Gigawatt
km	Kilometre
OnTI	Onshore Transmission Infrastructure
PAC	Pre-Application Consultation
PAN	Proposal of Application Notice
RLB	Red Line Boundary

1 Statement of Compliance

Table 1-1 Statement of Compliance

Reference	Requirement	Compliance	PAC Report Reference
Marine (Scotland) Act 2010 (Scottish Parliament, 2010¹)			
Section 23 (1)	A prospective applicant must give notice that an application for a marine licence is to be submitted	Pre-application Consultation (PAC) Notice – This notice was submitted to Marine Scotland on 10 May 2024.	Appendix 1-1
Section 23 (2)	A period of at least 12 weeks must elapse between giving the notice and the submission of the application	Notice submitted: 10 May 2024 - a minimum of 12 weeks has therefore elapsed between the submission of the notice and the license application in late 2024.	Section 2.2.4
Section 23 (3) (a) – (d)	<p>The notice must contain:</p> <p>a) A description in general terms of the activity to be carried out</p> <p>b) A plan or chart showing the outline of the location at which the activity is to be carried out, which is sufficient to identify the location</p> <p>c) Details as to how the prospective applicant is to be contacted</p> <p>d) Such other information as may be prescribed by Scottish Ministers</p>	<p>All elements covered within Proposal of Application Notice (PAN) (as summarised below) including a description of the proposed development and a map showing its location. Details of the consultation events and applicant contact details are clearly included in the notice.</p> <p>a) a description of general terms of activity:</p> <p>The proposed Caledonia Offshore Wind Farm is located approximately 22 kilometres (km) off the coast of Wick (Highlands), and 38km off the coast of Banff (Aberdeenshire). The proposed development is supported by an export cable landfall located at Stake Ness, 1km west of the village of Whitehills and approximately 5km west of Banff. The licensable activity consists of:</p> <ul style="list-style-type: none"> ▪ Up to 140 wind turbines, bottom-fixed and floating turbine foundations. ▪ Up to four offshore substations, connected to the turbines via inter-array cables. 	Appendix 1-1

Reference	Requirement	Compliance	PAC Report Reference
		<ul style="list-style-type: none"> ▪ Up to four export cables to the landfall location of Stake Ness. b) See PAN in Application Document 1, Appendix 1-1: Proposal of Application Notice and Marine Compliance Documentation c) Details of how applicant can be contacted: Persons wishing to provide comments on the proposed Caledonia Offshore Wind Farm development can do so by writing to the prospective applicant by emailing caledonia.info@oceanwinds.com or by post to 5th Floor, Atria ONE, 144 Morrison Street, Edinburgh, EH3 8EX. d) Such other information as may be prescribed by the Scottish ministers: No other information was prescribed by the Scottish Ministers. 	
Section 24 (1) and (2)	A pre-application consultation report must be prepared prior to submitting the application, and be in the prescribed format.	<p>Two rounds of consultation were held during the pre-application stage of the project. In June 2024 the Applicant held the second round of consultation which was conducted in the statutorily prescribed format. A Pre-application Consultation Report was prepared (this report).</p> <p>Further details can be found in Section 4 of Application Document 1: Pre-Application Consultation Report.</p>	Section 4
Marine Licensing (Pre-Application Consultation) (Scotland) Regulations 2013 (Scottish Parliament, 20132)			
Regulation 6 (2)	The prospective applicant for a marine licence must give notification that an	Please see Application Document 1: Pre-Application Consultation Report Section 2.2.4 and Application	Section 2.2.4

Reference	Requirement	Compliance	PAC Report Reference
	<p>application for a marine licence is to be submitted to:</p> <ul style="list-style-type: none"> a) The Commissioners of Northern Lighthouses b) The Maritime and Coastguard Agency c) The Scottish Environment Protection Agency d) NatureScot e) Any delegate for a marine region (where the activity is wholly or partly to be carried out) 	<p>Document 1, Appendix 1-3, Section 2 for a list of stakeholders.</p>	<p>Appendix 1-3, Section 2</p>
<p>Regulation 7 (1) (a)</p>	<p>The prospective applicant for a marine licence must hold at least one pre-application consultation event at which persons identified in regulation 6(2) and members of the public may provide comments to the prospective applicant as regards the licensable marine activity to which the application for a marine licence is to relate</p>	<p>A series of formal PAC events were held across 4 x venues in Buckie, Wick, Banff and New Deer from April 2024 to June 2024.</p> <p>A virtual public consultation room was made available to the public and stakeholders during the consultation period.</p> <p>All parties listed in Regulation 6 were invited to these events.</p> <p>A questionnaire was used to capture comments from stakeholders which was augmented by note taking by members of the project team. Feedback was recorded on a stakeholder management system and actioned accordingly. This report also includes a summary of the comments received.</p>	<p>Section 4.5</p>

Reference	Requirement	Compliance	PAC Report Reference
<p>Regulation 7 (1)(b) – ECC amend</p>	<p>The prospective applicant must publish in a local newspaper a notice containing:</p> <p>A description, including the location, of the licensable marine activity for which the marine licence is to be sought</p> <p>Details as to where further information may be obtained</p> <p>The date and place of the pre-application consultation event</p> <p>A statement that comments made to the prospective applicant are not representations to the Scottish Ministers and that there will be an opportunity for representations to be made to the Scottish Ministers</p>	<p>The PAN was published in the Press and Journal (10 April 2024), Banffshire Herald (7 May 2024), Banffshire Advertiser (7 May 2024), Banffshire Journal (7 May 2024) and Huntly Express (7 May 2024). The advertisements included a description of the Proposed Development. Details of the consultation events were clearly included in the PAN, as summarised below:</p> <p>Description of licensable marine activity:</p> <p>‘The proposed Caledonia Offshore Wind Farm is located approximately 22 kilometres (km) off the coast of Wick (Highlands), and 38km off the coast of Banff (Aberdeenshire). The proposed development is supported by an export cable landfall located at Stake Ness, 1km west of the village of Whitehills and approximately 5km west of Banff. The licensable activity consists of:</p> <ul style="list-style-type: none"> • Up to 140 wind turbines, bottom-fixed and floating turbine foundations. • Up to four offshore substations, connected to the turbines via inter-array cables. • Up to four export cables to the landfall location of Stake Ness.’ <p>Details where further information can be obtained</p> <p>‘Persons wishing to provide comments on the proposed Caledonia Offshore Wind Farm development can do so by writing to the prospective applicant by emailing caledonia.info@oceanwinds.com or by post to 5th Floor, Atria ONE, 144 Morrison Street, Edinburgh, EH3 8EX. Comments can also be submitted via the feedback function using: https://caledonia.virtual-engage.com/</p>	<p>Appendix 1-6</p>

Reference	Requirement	Compliance	PAC Report Reference
		<p>Date and place of PAC event:</p> <p>'Notice is hereby given that Caledonia Offshore Wind Farm Limited (company number 13844888, 5th Floor Atria One, 144 Morrison Street, Edinburgh, EH3 8EX) plans to hold a pre-application consultation (PAC) event regarding the proposed marine licensable activities within Scottish Territorial Waters, in the Moray Firth.' (See Appendix 2.3 for full PAN featuring table of dates and times.)</p> <p>Statement regarding representation to Scottish ministers:</p> <p>'Please note that comments made to the project team are not representations to the Scottish Ministers or Aberdeenshire Council. There will be an opportunity to make representations to the Scottish Ministers and Aberdeenshire Council when the Caledonia project submits its application(s) and accompanying Environmental Impact Assessment (EIA) Report(s).'</p>	
Regulation 7 (2)	<p>A pre-application consultation event must be held no earlier than six weeks after the later of:</p> <p>a) The date on which the notification of the event is given; and</p> <p>b) The date of notification that an application for a marine licence is to be submitted</p>	<p>Pre-application events began on 19 June 2024.</p> <p>Notification of the events was advertised on 7 May 2024.</p> <p>Notification that a marine license application is to be submitted was issued to the Marine Directorate – Licensing Operations Team on 10 May 2024.</p> <p>Time elapsed between issue of the notice and beginning of the PAC event was therefore six weeks.</p>	Appendix 1-6
Regulation 8	A Pre-Application Report must be in the form prescribed as in Schedule 1.	This document constitutes the Pre-Application Report. The form prescribed in Schedule 1 has been	This document

Reference	Requirement	Compliance	PAC Report Reference
completed and is included at the beginning of the PAC Report			
Town and Country Planning (Scotland) Act 1997 (as amended) (Scottish Parliament, 1997)³			
Section 35A (1)	Prior to submitting an application, an applicant must comply with Section 35B	Complied with as set out in Section 35B.	Appendix 1-6
Section 35B (2)	The prospective applicant must give notice (a proposal of application notice) (PAN) to the relevant planning authority that an application is to be submitted	The PAN was submitted to Aberdeenshire Council on 17 May 2023. Aberdeenshire Council requested further details on 30 May 2023, including times and venues for the consultation events in June 2023. Further information was subsequently issued to Aberdeenshire Council on 31 May 2023 and the PAN was validated on 9 June 2023.	Appendix 1-1
Section 35B (3)	A period of at least 12 weeks, but no more than 18 months must elapse between the giving of the notice and submitting the application	The onshore application is anticipated to be submitted in October 2024, which is more than 12 weeks but less than 18 months since the submission of the PAN.	N/A
Section 35B (4) (a) – (d)	<p>A PAN must contain the following information:</p> <p>A general description of the development to be carried out;</p> <p>The provision of a postal address for the site (if one applies);</p> <p>A plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site (if one applies);</p>	<p>The PAN contained the following information:</p> <p>A description of the OnTI.</p> <p>The Proposal of Application Notice (PAN), submitted by Arup, on behalf of the Applicant, relates to a forthcoming application for planning permission in principle incorporating all development associated with the Onshore Transmission Infrastructure (OnTI) to facilitate connection of the Caledonia OWF to the National Electricity Transmission System in proximity of New Deer. This includes:</p>	Appendix 1-1

Reference	Requirement	Compliance	PAC Report Reference
	<p>Contact details for the prospective applicant</p>	<ul style="list-style-type: none"> ▪ Offshore export cables (only where they will be located landwards from between Mean Low Water Springs and Mean High Water Springs); ▪ Landfall Site(s) and associated transition joint bays; ▪ Onshore Cable Corridor, ≤ 500m wide, within which the onshore cable route will be located. Physical works may be required anywhere within this corridor and planning permission would therefore be sought over this area of land; ▪ A new Onshore Substation; ▪ Underground onshore cable circuits between the Onshore Substation and the Grid Connection Point; and ▪ Any associated ancillary infrastructure such as access roads, compound and laydown areas.. <p>The PAN included addresses for the landfall between Portsoy and Banff and for the substation location near New Deer.</p> <p>A plan showing the preliminary cable corridor was attached to the PAN. The Applicant used a RLB showing the extent of the Proposed Development (Onshore).</p> <p>Contact details for the planning consultant submitting the PAN on behalf of the Applicant were included on the PAN.</p>	
<p>Section 35B (7) (a) and (b)</p>	<p>The planning authority may [...] notify the prospective applicant that:</p> <p>a) The PAN is to be given to additional persons; and</p> <p>]b) Additional consultation is required</p>	<p>Aberdeenshire Council did not request additional notifications or consultation other than that stipulated in the PAN.</p>	<p>N/A</p>

Reference	Requirement	Compliance	PAC Report Reference
Section 35C (1)	A pre-application consultation report is required	This document constitutes a pre-application consultation report for the purposes of Section 35C (1)	This document
Section 35C (2)	The pre-application consultation report must be in the required format	This document constitutes a pre-application consultation report in the required format for the purposes of Section 35C (2) and Regulation 7(B) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.	This document
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013⁴			
Regulation 6	The PAN must contain an account of the consultation the applicant intends to undertake (in addition to those matters prescribed pursuant to Section 35B (4) of the Town and Country Planning (Scotland) Act 1997 (as described above).	The PAN contained an account of the planned consultation as well as those consultation activities already undertaken.	Appendix 1-1
Regulation 7 (1)	The prospective applicant is to consult every community council any part of whose area is within or adjoins the land where the proposed development is situated and provide a copy of the PAN.	<p>The following community councils (CC) received a copy of the PAN and were also invited to the public consultation events as well as the virtual engage rooms. In person meetings with community councils were sought and where accepted were attended by members of the project team. Full details are provided in this report</p> <ul style="list-style-type: none"> ▪ Turriff & District CC; ▪ Fyvie, Rothienorman and Monquhitter CC; ▪ Methlick CC; ▪ Alvah & Forglen CC; ▪ Deer CC; 	Appendix 1-5

Reference	Requirement	Compliance	PAC Report Reference
		<ul style="list-style-type: none"> ▪ Fordyce Sandend & District CC; ▪ Portsoy & District CC; ▪ Whitehills & District CC; ▪ Banff & Macduff CC; and ▪ King Edward & Gamrie CC 	
Regulation 7 (2) (a)	The prospective applicant must hold at least two public events where members of the public can make comments.	<p>Two rounds of public consultation for the Proposed Development (Onshore and Offshore) have been held and are detailed below:</p> <p>First Round Offshore - A series of public consultation events were held from November 2022 to February 2023 in Wick (7 November 2022), Fraserburgh (9 November 2022) and Buckie (10 November 2022) and Banff (2 February 2023).</p> <p>First Round Onshore - A series of public consultation events were held in June 2023 in Banff (20 June 2023), Turriff (21 June 2023) and New Deer (22 June 2023).</p> <p>Second Round (Combined onshore and offshore) – A series of public consultation events were held in April to June 2024 in Buckie (16 April 2024, Wick (18 April 2024), Banff (23 April 2024) and New Deer (25 April 2024).</p>	This report
Regulation 7 (2) (b)	<p>The prospective applicant is to publish a notice in a local newspaper including:</p> <ul style="list-style-type: none"> ▪ a description of, and the location of, the proposed development; ▪ details as to how (including by what electronic means) further information may be obtained concerning the proposed development; 	<p>A notice publicising the first round of PAC events were published in the Banffshire Advertiser (6 June 2023), Banffshire Journal (6 June 2023), Banffshire Herald (6 June 2023), Huntly Express (6 June 2023) and the Press and Journal (8 June 2023).</p> <p>A notice publicising the second round of PAC events were published in the Press and Journal (12, 15 and 16 April 2024), Banffshire Herald (9 April and 7 May</p>	<p>Appendix 1-5</p> <p>Appendix 1-6</p>

Reference	Requirement	Compliance	PAC Report Reference
	<ul style="list-style-type: none"> ▪ the date and place of the public event; ▪ a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and ▪ a statement that comments made to the prospective applicant are not representations to the planning authority and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the planning authority. 	<p>2024), Banffshire Advertiser (9 April and 7 May 2024), Banffshire Journal (9 April and 7 May 2024), Huntly Express (9 April and 7 May 2024) and John O’Groats Journal (12 April 2024).</p> <p>a) ‘The proposed 2GW Caledonia Offshore Wind Farm will be situated 40km off the Moray Firth Coast. Electricity transmission infrastructure, including an underground cable in Aberdeenshire and new onshore substation in the vicinity of the existing New Deer substation will be required to transmit the power generated to homes and businesses onshore.’</p> <p>b) ‘An online virtual exhibition room which includes the opportunity to comment on the proposals is also available until 7 July 2023 at: www.caledoniaoffshorewind.com’</p> <p>c) ‘Meet the team between 12.00-19.00 in: Banff Tuesday 20 June Banff Springs Hotel; Turriff Wednesday 21 June Fife Arms Hotel; New Deer Thursday 22 June St Kane’s Church Centre.’</p> <p>d) ‘An online virtual exhibition room which includes the opportunity to comment on the proposals is also available until 7 July 2023 at: www.caledoniaoffshorewind.com</p> <p>Comments can be also made to: Caledonia Offshore Wind Farm Ltd, 5th Floor, 144 Morrison Street, Edinburgh, EH3 8EX.’</p> <p>e) ‘Please note: at this stage, comments made on the development are representations to the developer, not to the planning authority. There will be an</p>	

Reference	Requirement	Compliance	PAC Report Reference
		opportunity to make representations to the planning authority on any resultant applications.'	
Regulation 7 (3)	Each public event must not be held earlier than 7 days after notification of the date and place of the public event and the final public event must be held at least 14 days after the first public event.	<p>The first round of public onshore PAC events were held from 20 June 2023 to 22 June 2023. The PAC notice advertising these was published on 6 June 2023 and 8 June 2023.</p> <p>The second round of public onshore PAC events were held from 16 April 2024 to 25 April 2024. The PAC notice advertising these was published on 10 April 2024.</p> <p>Each event was therefore not held earlier than 8 days after notification of the date and place of the public event and the final event was held more than 14 days after the first public event.</p>	Appendix 1-5 Appendix 1-6
Regulation 7 (4)	The prospective applicant must at the final public event provide feedback to members of the public in respect of comments received by the prospective applicant as regards the proposed development.	Exhibition boards with feedback from members of the public were displayed at the final consultation event. The boards were also displayed in the Virtual Engage rooms.	Section 4.5
Regulation 7B	<p>The applicant must submit a pre-application consultation report containing:</p> <p>a) the dates on which, and places where, public events were held</p> <p>b) a description of:</p> <p>i) any additional consultation or notification required by the planning authority</p>	<p>This document constitutes a pre-application consultation report, addressing all relevant points including:</p> <p>a) Dates and places of public events</p> <p>b) No additional consultation was requested by Aberdeenshire Council</p> <p>c) A full list of stakeholders consulted can be found in Application Document 1: PAC Report, Section 3.2</p>	This report

Reference	Requirement	Compliance	PAC Report Reference
	<p>ii) any additional steps taken by the prospective applicant to consult with members of the public as regards the proposed development</p> <p>c) a list of bodies, groups and organisations who were consulted by the prospective applicant</p> <p>d) evidence as to how the prospective applicant carried out the activities described</p> <p>e) copies of:</p> <p>i) any materials sent to consultees</p> <p>ii) any materials provided to those attending a public event, and</p> <p>iii) any visual presentation shown or displayed at a public event</p> <p>f) photographs of any display boards or models at public events</p> <p>g) confirmation as to whether consultees and attendees at public events were informed that pre-application consultation does not remove the right or the potential need to comment on the final application once it is made to the planning authority</p> <p>i) a summary of:</p> <p>i) the written responses to consultations, and</p>	<p>d) Evidence detailing how consultation was carried out is provided in Section 3 of Application Document 1: PAC Report</p> <p>e) Copies of materials sent to consultees, provided to those attending public events and displayed at face-to-face and virtual events are appended to this report</p> <p>f) PDFs of display boards presented at each event have been hosted on the bespoke virtual exhibition at Ocean Winds: Caledonia Wind Farm (virtual-engage.com). Photographs of the events are included in this report.</p> <p>g) A statement was displayed at the event and featured on the community questionnaire advising attendees that their comments would be received by Caledonia Offshore Wind Farm only and that they would have an opportunity to make representations to Aberdeenshire Council following submission of a planning application.</p> <p>h) A summary of written responses received, views raised and attendees at the events is provided in Section 3 of this report.</p> <p>i) Further information on how the Applicant took account of views raised can be found in Section 4 of this report.</p> <p>j) Further information on how members of the public were given feedback on the prospective applicant's consideration of the views raised during the pre-application consultation process can be found in Section 4 of this report.</p>	

Reference	Requirement	Compliance	PAC Report Reference
	<p>ii) views raised at public events including an indication of the number of written responses received and the number of persons who attended the public events</p> <p>j) an explanation of how the prospective applicant took account of views raised during the pre- application consultation process, and</p> <p>k) an explanation of how members of the public were given feedback on consideration of the views raised during the pre-application consultation process.</p>		

2 References

¹ Scottish Parliament (2010) 'Marine (Scotland) Act 2010'. Available at: <https://www.legislation.gov.uk/asp/2010/5/contents> (Accessed: 19/06/2024).

² Scottish Parliament (2013) 'The Marine Licensing (Pre-application Consultation) (Scotland Regulations (2013))'. Available at: <https://www.legislation.gov.uk/ssi/2013/286/made> (Accessed 19/06/2024).

³ Scottish Parliament (1997) 'The Town and Country Planning (Scotland) Act (1997)'. Available at: <https://www.legislation.gov.uk/ukpga/1997/8/contents> (Accessed 19/06/2024).

⁴ Scottish Parliament (2013) 'Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013'. Available at: <https://www.legislation.gov.uk/ssi/2013/155/contents/made> (Accessed 19/06/2024).

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