TIGER TIDAL STREAM INDUSTRY ENERGISER

Consenting Tidal Stream Projects in the UK

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ORBITAL MARINE POWER

Planning Context

The Maritime Spatial Planning Directive (EU Directive 2014/89)

- Marine Plan East England (adopted)
- Scotland's National Marine Plan (adopted)
- Pilot Pentland Firth and Orkney Waters Marine Spatial Plan (adopted). This plan covers the area where the majority of the UK's tidal resource is located.
- Shetland Islands Marine Spatial Plan (adopted)
- Marine Plans for North East, South East, South West and North
- West England (adopted)
- Marine Plan South England (adopted)
- Welsh National Marine Plan (adopted) and associated Sector Locational Guidance: Enabling Evidence for Sustainable Development Tidal Stream Energy December 2021

National Planning Policy, Local Development Plans, Natura2000

Consenting to date in the UK

- MeyGen Phase 1, Scotland, 86 MW,
- Morlais Tidal Stream Project, Wales, 240 MW,
- West Islay Tidal Project, Scotland, 30 MW,
- European Marine Energy Centre, Fall of Warness, Scotland, 10 MW,
- Perpetuus Tidal Energy Project, England, 30 MW,
- Ramsey Sound, Wales, 1.2 MW
- Skerries, Wales, 10 MW
- Mull of Kintype, Scotland, 500 kW
- Holyhead Deep, Wales, 500 KW
- Shetland Tidal Array

Consenting Route

Consenting Route (and associated consents)	**Tidal stream project Capacity**
Route 1. Section 36 Consent (under the Electricity Act 1989	**England:** > 1MW to <100 MW **Scotland:** > 1 MW **Wales:** > 1 MW to < 350 MW
Route 2. Development Consent Order	**England:** >= 100 MW and >=350 MW in Wales

- Typically other 'main' consent, the marine license, can be applied for in parallel.
- Documentation can also support 'Appropriate Assessment', for Natura2000 sites

Consenting Route

Section 36 Consenting Route

1. Scoping
2. Preparing Environmental Impact Assessment
3. Pre-application Consultation
4. Gate-check
5. Submit Application
6. Draft Recommendation
7. Final Decision
8. Discharge Planning Conditions

- Scotland – Marine Scotland (on behalf of Scottish Ministers),
- Wales – Natural Resources Wales (on behalf of Welsh Ministers, Wales) for marine license and Welsh Ministers (following recommendation by Planning Inspector) for Section 36 consent.
- England – The Marine Management Organisation.

Role	England	Scotland	Wales
Natural heritage	Natural England	NatureScot	Natural Resources Wales
Environmental protection, including pollution prevention and water quality	Environment Agency	Scottish Environment Protection Agency ("SEPA");	Natural Resources Wales
Local level planning policy	Local Planning Authority		
Historic Environment	Historic England	Historic Environment Scotland	Cadw
Tidal farm marking or lighting requirements	Trinity House	Northern Lighthouse Board	Trinity House
Navigational safety of the marine environment	The Maritime and Coastguard Agency ("MCA")		

Environmental Impact Assessment

Marine Physical Environment

- Benthic and intertidal ecology
- Fish ecology
- Commercial Fisheries
- Marine Mammals
- Hydrography
- Geology and geomorphology
- Landscape, seascape and visual impact
- Marine Birds
- Cultural Heritage
- Ports, shipping and navigation
- Recreation and Tourism
- Other sea users
- Air and Climate

Terrestrial Environment

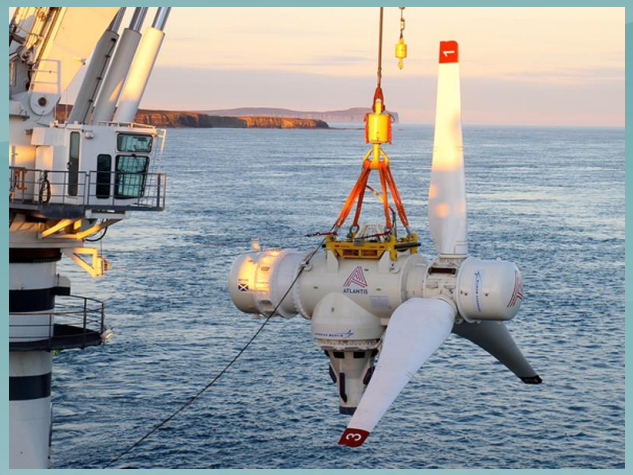
- Terrestrial Habitats
- Hydrology, hydrogeology, geology
- Terrestrial birds
- Mammals
- Amphibians and reptiles
- Cultural Heritage
- Landscape / Seascape
- Traffic and Transport
- Recreation and Tourism
- Economic

Scoping process
Potential for a single consent application for offshore and onshore works.

Lessons Learned

Meygen

- (Phase 1) 86 MW (61 turbines)
- 2012/2013 – largest consented project at this time
- Harbour seals, collision risk
- Adaptive Management - Survey, Deploy and Monitoring (SDM) Policy



Morlais (2021)

- Range of technology types, numbers and sizes to cater for. “Rochdale Envelope”.
- Environmentally Sensitive Area
- Post consent control – Device Deployment Plans
- Adaptive management – phased approach
- Ongoing environmental monitoring

Ongoing Challenges

- More environmental monitoring data needed to validate impact assessments, collision risk
- Proportionate and cost effective survey strategy. Survey and assessments for offshore projects is expensive.
- 1.5 – 2.5 years survey and EIA.
- Consenting timescales – active time in offshore development in UK
- Consenting timescales vary depending on complexity of site, statutory objections, how busy the regulators and stakeholders are

Post Consent

Discharging a range of Planning Conditions and securing additional licenses notably:

- Protected Species Licenses
- Marking / Lighting Navigation Aids
- Safety Zones
- Statutory Decommissioning Programmes

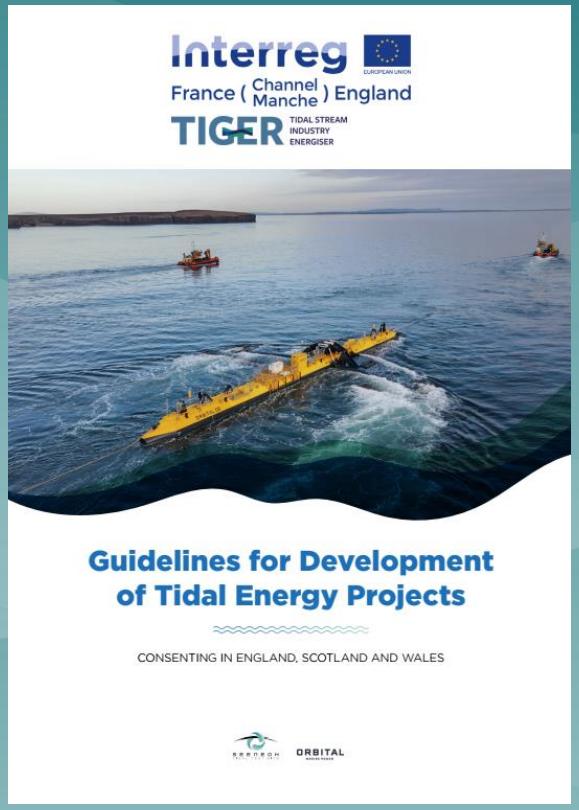
Decommissioning

- measures to be taken for decommissioning the installation;
- an estimate of the expenditure likely to be incurred in carrying out those measures;
- provision for determining the times at which, or the periods within which, those measures will have to be taken;
- provision about restoring the place to the condition that it was in prior to construction
- provision about continuing monitoring and maintenance (where it is proposed that the installation will be left in position or will not be wholly removed).
- Agreeing financial securities associated with the project

Other Considerations and Requirements

- Leasing
- Licenses (and license exceptions) for site surveys and resource assessments
- Grid connections agreements
- Electricity Generation License

Full Guidance Document



Thank You!

Further questions

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https://interregtiger.com/resources/