

LINK Consultation Response

Berwick Bank Offshore Wind Farm – LINK response
17th October 2023



Scottish
Environment
LINK

Berwick Bank Offshore Wind Farm – LINK response, 17th October 2023

Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Marine Group.

Response

Upon considering the new documents and additional information submitted by SSE Renewables in relation to the application for the Berwick Bank Offshore Wind Farm, the Scottish Environment LINK Marine Group, is writing to object to the proposed development.

LINK supports renewable energy development in the right place and commissioned a report making recommendations for how to do so at sea. We recognise that offshore wind energy is essential to meet the Scottish and UK Government decarbonisation targets but, as with all development, offshore wind must be located and designed appropriately to minimise harm to nature which is in crisis and to the wider environment.

LINK appreciates the submission of additional information however many of the concerns raised in our original objection have not been addressed. It is disappointing that the opportunity to address these concerns was not taken, and we re-iterate our original objection to the proposed development due to:

- 1) The failure to recognise uncertainties in modelling seabird mortality.
- 2) The scale of impact on seabirds and landscape.
- 3) The need for additional assessment of the impact on fisheries and coastal communities.

As these reasons for objection have been covered in our original objection, we will not repeat them here. However, we re-emphasise our concern that without addressing these objections the application fails to accurately model the potential serious threats to designated sites and seabirds; underestimate the impact on marine mammals; misjudges the landscape impacts; and does not fully assess the socio-economic impacts.

LINK also questions how the Marine Directorate decided which third party comments SSE Renewables should further address. Only comments from RSPB, NatureScot and Natural England appear to have been addressed. We would appreciate clarification of the process and criteria used to decide which comments to request the applicant to address as the decision to directly address comments from selected charities only seems arbitrary and risks serious concerns going unaddressed.

LINK disagrees that the applicant has sufficiently met tests 1 and 3 of derogation. All three must be met in order for the proposal to be permitted. The three tests are:



- 1) There are no feasible alternatives that would be less damaging to the site.
- 2) The proposal needs to be carried out for imperative reasons of overriding public interest.
- 3) Compensation measures to fully offset the damage caused (and maintain the integrity of the site network) are secured.

SSE-R has provided additional information on test 1 and 3. In relation to feasible alternative sites, SSE-R states it cannot consider other ScotWind sites that may have lesser impacts on marine mammals and seabirds as “ScotWind projects will also have ornithological impacts on European sites, which are as yet unquantified and the information does not exist to meaningfully comparatively assess them”.

LINK disagrees with this argument as data on offshore foraging sites exists which could be used to make a preliminary judgement on predicted seabird mortality and so indicate the (lesser) ornithological impacts. Moreover, the ornithological impact data referred to does not exist because studies of that depth are never carried out until a developer does so as part of the application development process. The lack of data should not be framed as a blocker for assessing other sites.

Regarding compensation, SSE-R has also proposed a new compensation measure to reduce the gannet cull at Sula Sgeir. To achieve this SSE-R plans to engage with the Men of Ness, who have participated in the guga hunt at Sula Sgeir for hundreds of years, to negotiate an agreement to reduce cull numbers. Given the deep cultural importance of the hunt, we query what contingency is in place should these negotiations fail to progress. We also believe there should be a cultural heritage assessment for this proposed compensation measure.

On top of this, the St Abb’s Head to Fast Castle SPA is not designated for Gannets, therefore we are unclear how this proposal can be considered compensation in the Derogation Case under the Habitats Regulations (although it is undoubtedly a proposed compensation measure for an impacted species).

Further to these issues, LINK has concerns over the impact of Berwick Bank Offshore Windfarm on the future of offshore wind development in Scotland. If the proposal were to go ahead, the magnitude of the impacts could hinder the Scottish Government’s ambitions for additional offshore wind in less environmentally sensitive areas. The cumulative impacts would be large, and compensation, as required by the habitats regulations where there is Adverse Effect on Site Integrity, is very difficult to deliver.

This response was compiled on behalf of the Marine Group and is supported by:

Marine Conservation Society

National Trust for Scotland

Royal Society for the Protection of Birds

Scottish Seabird Centre

Scottish Wildlife Trust

For further information contact:

Fanny Royanez, Marine Policy and Engagement Officer, fanny@scotlink.org



Scottish Environment LINK the voice for Scotland’s environment

Registered office: 5 Atholl Place, Perth, PH1 5NE. A Scottish Charity No. SC000296

Scottish Environment LINK is a Scottish Company Limited by Guarantee and without a share capital under Company no. SC250899



LINK is a Scottish Charity (SC000296) and a Scottish Company Limited by guarantee (SC250899), core funded by Membership Subscriptions and by grants from NatureScot, Scottish Government and Charitable Trusts.

Registered Headquarters: 5 Atholl Place, Perth, PH1 5NE

Advocacy Office: Dolphin House, 4 Hunter Square, Edinburgh, EH1 1QW