

Simplification of Marine Renewable Licensing



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This presentation will provide an update on the following;

- **Current consenting process in Scotland**
- **The single point of access**
- **Renewable streamlining – Licensing Manual**



Consents Required in Scotland

- Section 34 The Coast Protection Act 1949 (CPA)
- Section 36 of the Electricity Act 1989 (s.36)
- Section 5 Food and Environment Protection Act 1985 (FEPA)
- Section 44 European Protected Species (EPS)
- Town and Country Planning (Scotland) Act
- Energy Act (2004) Decommissioning issued by DECC



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Streamlining of the Processes

- From 1st April 2010 Licensing Operations Team (LOT) based in Aberdeen provides a single point of access for FEPA, CPA and s.36

Leading towards:

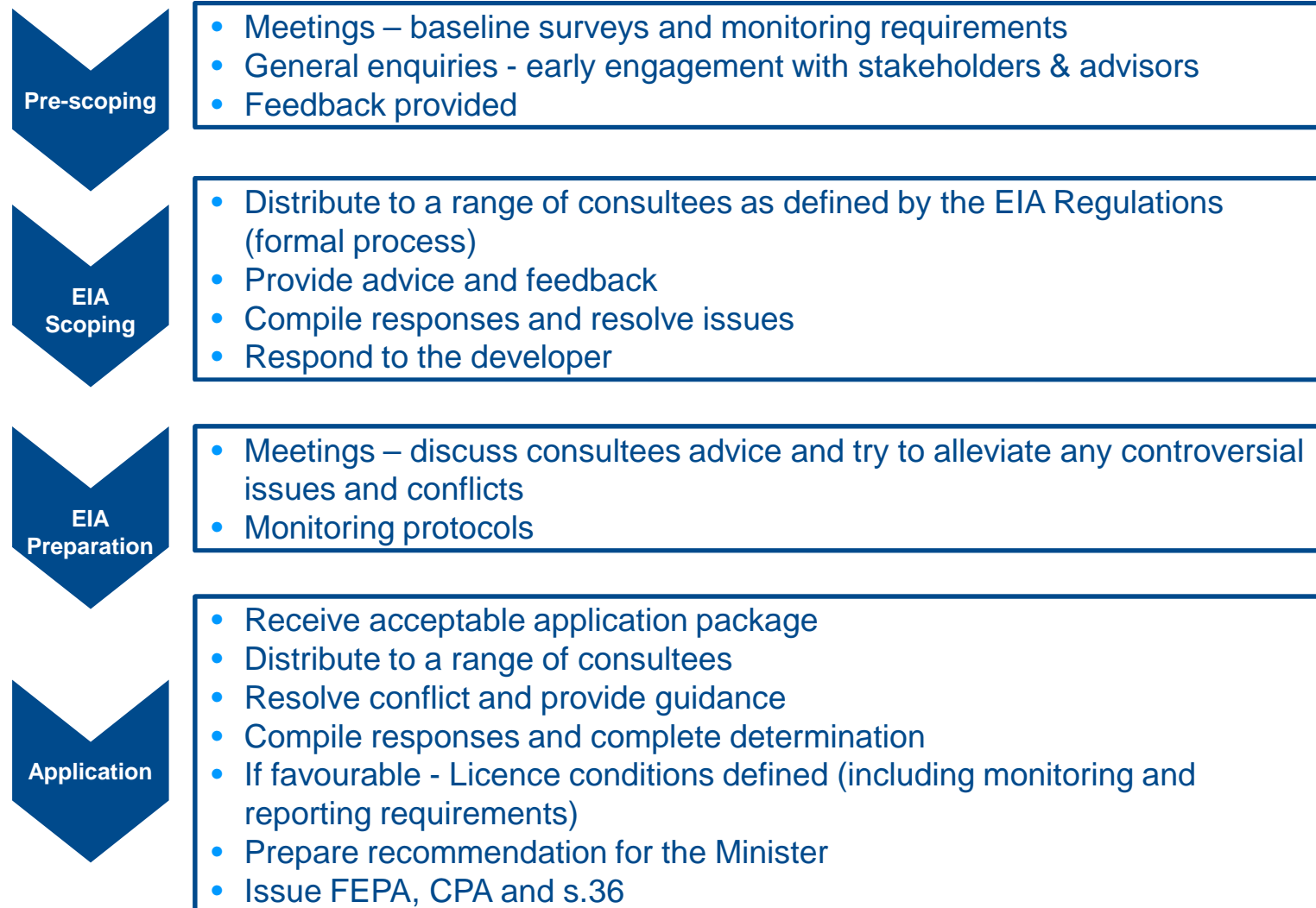
- Introduction of a licensing manual later in 2010
- In 2011 the Marine Licence will replace both FEPA and CPA.
- Responsibility for the Marine Licence, s.36 and EPS will rest with Marine Scotland. (LOT)
- One Stop Shop

THE NEED FOR SINGLE POINT OF ACCESS

- Reduces the burden and pressures on the process
- Provides a mechanism to manage enquiries and interactions including meetings
- Offers the best use of resource
- Provides focal point for the industry
- Provides opportunities to support The Crown Estate's recent and future announcements



Renewable Consenting Procedure



Handling Applications

- All Applications are processed by LOT
- s.36 has FOUR Statutory Consultees SNH, SEPA, Local Authorities and the Fisheries Committee



FEPA and CPA do not have statutory consultees

EPS has one, SNH

- The ‘other’ main consultees include – RYA, MCA, NLB, Harbour Authorities, Local Authorities, **JNCC** and fisheries interests
- Objective to determine within nine months

LOT makes the final determination

If successful:

Licence/Consent Conditions

- Harmonised across legislation
- Terms and conditions are binding
- Reflect the sensitivities of the environment
- May require 'pre, during and post construction' monitoring



Validity Periods

- Vary to reflect each regulatory requirement;

FEPA & EPS - Covers construction period

CPA and s.36 - Cover life of project



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Update – Renewable Licensing Manual

The final draft document (manual) was submitted to Marine Scotland for review and consideration at the end of April 2010

The manual includes guidance to:

- **SG - overarching simplification of development approval process and simplifying the EIA/AA process.**
- **Developers - approval processes**
- **Stakeholder – engagement required to review and comment on proposals**

Conclusions

- The Marine Act not only provides for a new system of marine planning and management, but also streamlined licensing for Marine Renewables
- Streamlining the licensing/consenting should reduce the burden and helping industry to progress towards meeting the SG targets for 2020.
- The implementation of a 'single point of access' is a further step towards the 'One Stop Shop' for marine licensing in Scotland.
- Marine Scotland will forge closer links with other bodies with marine regulatory responsibilities, such as the Scottish Environmental Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Joint Nature Conservation Committee (JNCC)