

Windmill Hill Business Park
Whitehill Way
Swindon
Wilshire
SN5 6PB

6 October 2020

DEFERRAL OF EIA CONSENT DECISION - THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007 (AS AMENDED)

Dear Alex Herbert,

Awel y Mor is a proposed extension to the Gwynt y Mor Offshore Wind Farm (OWF) located within Liverpool Bay off the North Wales coast. The Awel y Mor OWF project would consist of up to 107 wind turbines with a generating capacity of between 12-20MW per wind turbine being considered.

Innogy Renewables UK Ltd (innogy) has applied to Natural Resources Wales (NRW) for a scoping opinion under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) for the above stated works.

Deferral of EIA Consent Decision

NRW are of the opinion that the proposed works fall under Schedule A2 paragraph 21 of the Regulations:

21. Installations for the harnessing of wind power for energy production (wind farms).

The project also requires a Development Consent Order from the Secretary of State under the Planning Act 2008. In accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 the Secretary of State must not make an Order granting development consent for EIA development unless an EIA has been carried out in respect of that application.

Under Reg 10(1)(b) of the Marine Works Regulations, NRW may determine that an EIA is not required, for the purposes of determining the Marine Licence application, if we are satisfied that an assessment of any effects on the environment of the project in question has already been, is being or is to be carried out, by another consenting authority and the assessment is or will be sufficient to meet the requirements of the EIA Directive in relation to that project.

Based upon the information received to date, in accordance with Regulation 10(1)(b) of the Marine Works Regulations , NRW defer the EIA consent decision , on the basis that an assessment of any effects on the environment of the project in question is being / is to be carried out by the Secretary of State as part of the determination process for a Development Consent Order under the Planning Act and that this is, or will be, sufficient to meet the requirements of the EIA Directive.

Under Regulations 10 (1)(b) and 10 (4)(a) of the Marine Works Regulations (as amended) NRW cannot determine the marine licence application until we are satisfied that to do so would be sufficient to meet the requirements of the EIA Directive and be compatible with the measures identified by the Secretary of State to ensure compliance with the EIA Directive.

Therefore, in these circumstances, a marine licence for this project can only be legally granted after the completion of the consideration of the EIA and associated decision made by the Secretary of State.

Information required from other appropriate authority

As regulator for the determination of the Marine Licence under the Marine and Coastal Access Act (2009), in compliance with Reg 10(4A), NRW requires the following information from the Secretary of State, as the Appropriate Authority for the determination of the EIA assessment:

- Conclusion of EIA assessment
- Conditions considered necessary in relation to likely significant environmental effects
- Description of features/measures to avoid, prevent, reduce and offset likely significant adverse effects on the environment
- Monitoring measures considered necessary
- Any further comments of relevance

Withdrawal of deferral

NRW reserve the right to withdraw our deferral to another appropriate authority should we determine, for whatever reason, that we are no longer satisfied that the EIA assessment meets the criteria stipulated above (for example, as a result of changes to the application itself, or due to the submission of further evidence). You will be notified of

this as soon as reasonably practicable. In the event that this occurs the application will be subject to further EIA assessment under the Marine Works Regulations 2007 (as amended).

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Wheadon', written in a cursive style.

Name: John Wheadon

Position: Permitting Service Manager, Natural Resources Wales

Date: 1st October 2020

Copies to: Secretary of State