



Gillian Martin MSP
Minister for Energy, Just Transition and Fair Work
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

4 March 2024

Dear Minister,

As Scotland's leading conservation charities, the National Trust for Scotland, Scottish Seabird Centre, RSPB Scotland and Scottish Wildlife Trust are writing regarding SSE-Renewables' application for the Berwick Bank Offshore Windfarm. The final decision about whether to consent the application lies with Scottish Ministers and yourself in your portfolio as Minister for Energy, Just Transition and Fair Work.

We strongly recommend you reject the application in its current form due to the unacceptable level of damage that SSE-Renewables' own models predict it will have on seabirds within Special Protection Areas (SPAs). With respect, we believe there are more acceptable, alternative locations for this development.

The National Trust for Scotland, Scottish Seabird Centre, RSPB Scotland and Scottish Wildlife Trust, along with other members of Scottish Environment LINK's Marine Group and the National Trust for England, Wales and Northern Ireland, have all objected to the application as part of the Marine Directorate's assessment process which was the earliest opportunity to raise environmental concerns.

Independent research recently conducted by the National Trust for Scotland found that the public also object to an offshore windfarm that can cause this level of ecological harm, with 80% agreeing that the proposed development should be re-sited to a location where these impacts are lessened.

The National Trust for Scotland, Scottish Seabird Centre, RSPB Scotland and Scottish Wildlife Trust support the expansion of offshore windfarms as they are a vital component of Scotland's journey to net zero. However offshore windfarms must be located in the right places for nature and of an appropriate scale. Siting offshore windfarms where they will compound existing vulnerabilities and further contribute to nature's decline would undermine the Scottish Government's commitment to tackle Scotland's twin climate and nature emergencies together.



Grounds for objection

Our objections stand on several grounds:

Firstly, Berwick Bank would negatively impact seabird colonies in SPAs. Development which undermines the conservation objectives of SPAs cannot be legally permitted unless the applicant meets the threshold for 'derogation'. This threshold consists of three tests relating to alternative sites, overriding public interest, and providing meaningful compensation measures.

We do not agree there is no viable alternative site, and indeed SSE-Renewables has several leases for other, less sensitive locations. Consequently, the derogation test simply cannot be met and to approve the application would contravene environmental protection legislation Scottish Government has promised to uphold.

We also have strong concerns over the accuracy of the approach used in the Berwick Bank application to identify the impact on seabirds, and how robustly the seascape, visitor experience and special qualities at St Abb's Head National Nature Reserve have been assessed. Berwick Bank would be the largest windfarm in Scotland, consisting of over 300 turbines covering an area four times the size of Edinburgh. Each of the turbines would be the height of six Scott Monuments, which gives an indication of the scale and impact to the seascape and visitor experience at St Abb's Head National Nature Reserve and the wider coastline.

Predicted seabird mortality is very high, especially when compared to other offshore windfarms (e.g. Kittiwake mortality is predicted to be seven times higher than predicted for the Hornsea Three windfarm). This mortality rate will have a particularly detrimental impact on seabirds such as Puffins, Kittiwakes, Gannets and Razorbills, which are already under huge pressure from climate change, prey availability and Avian Flu.

RSPB very recently led the HPAI Seabird Survey Project, which found that Avian Flu has resulted in declines of over 10% in nine seabird populations. Of relevance to Berwick Bank, the counts found there has been 25% decline in breeding numbers of Gannets which has reversed a previously positive trend. It is critical to the recovery of seabirds that new pressures are not added to those they currently face.

Steps, such as the Scottish Government's recent indication that they plan to close the Scottish Sandeel fishery, are being taken to secure the long-term sustainability of Scotland's seabirds. Consenting this application would be inconsistent with such positive steps.

In recognition that the level of impact on SPAs is much greater than would usually be allowed, SSE-Renewables has proposed several compensation measures. The National Trust for Scotland, Scottish Seabird Centre, RSPB Scotland and Scottish Wildlife Trust disagree that the proposed compensation measures directly or in combination will effectively mitigate the impacts of the development.



Proposed compensation measures

We disagree with SSE-Renewables' claim that the proposed measure to close SA4 to Sandeel fishing will increase the Kittiwake population as evidence suggests that closing such a small area will have a very limited effect on prey availability. Moreover, we do not consider that the closure of the Scottish Sandeel fishery constitutes compensation for the adverse impacts of the development; rather, it is something that is necessary to help return our seas to a good environmental condition.

SSE-Renewables also proposes financing a warden role and adding artificial nests at Dunbar Castle. However, there is not a lack of nesting sites at Dunbar Castle, meaning this measure will not effectively add to the Kittiwake population.

The third proposed compensation measure is to increase biosecurity on Handa. We believe the biosecurity measures proposed are both inadequate, given the high risk of rats re-invading the island, and ineffective, as Kittiwakes commonly nest on steep cliffs where it is difficult for rats to access.

Lastly, SSE-Renewables proposes to reduce the Gannet cull at Sula Sgeir. However, this proposal has not been subject to appropriate cultural heritage assessment.

Public views

Independent research carried out by the National Trust for Scotland found the public in East Lothian, Borders, Angus and Fife agree with the need to reject the application:

- 80% of people in agreed that the proposed development should be re-sited to a location where these impacts are lessened, even if it is more costly for the developer.
- 66% of people disagree that significant damage to seabird colonies is a price worth paying to increase Scotland's renewable energy capacity.
- 82% of people agreed that avoiding impacts on Special Protection Areas was important.
- 84% of people agreed that protecting the natural environment is vital to the local and national economy. This highlights the economic and well as aesthetic and natural value of the seascape, visitor experience and special qualities the proposed development will impact.

Finally, the Berwick Bank Offshore Windfarm will have a massive impact on coastal communities and the places they enjoy; however opportunities for engagement appear to have been limited:

- 12% of residents were aware of the application.
- Only 5% of this 12% have participated in any consultation.

Although SSE-Renewables has undertaken extensive public consultation, it is worth reflecting on why this reached so few people. Potentially this is part of a more systemic issue around how accessible and clear the application or representation process is for affected communities.



Conclusion

The National Trust for Scotland, Scottish Seabird Centre, RSPB Scotland and Scottish Wildlife Trust support offshore wind development but the Firth of Forth is not the right location for the Berwick Bank Offshore Windfarm. The impacts on nature are simply too damaging, we believe other sites may be viable, and the compensation measures are inadequate. Scottish Government is pushing forward other offshore windfarm sites further out to sea, and we strongly recommend this for Berwick Bank as well.

We believe you should reject the application as it stands and would welcome working with Scottish Government and SSE-Renewables to facilitate identification of a more suitable location. We would also gladly host you and any interested colleagues at one of our sites near Berwick Bank Offshore Windfarm's proposed location to discuss further.

Yours sincerely,

Philip Long, Chief Executive, National Trust for Scotland

Anne McCall, Director, RSPB Scotland

Susan Davies, Chief Executive, Scottish Seabird Centre

Jo Pike, Chief Executive, Scottish Wildlife Trust