Inch Cape
OFFSHORE LIMITED

Inch Cape Offshore Wind Farm

Fisheries Management and Mitigation Strategy (FMMS)

May 2025

Inch Cape
OFFSHORE LIMITED

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Inch Cape Offshore Wind Farm Fisheries Management and Mitigation Strategy (FMMS)

Inch Cape Acceptance

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			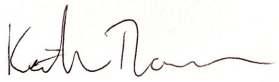
	Offshore Consents Manager	Environmental Clerk of Works	Head of Consents

Revision History (previous five)

Date	Rev.	Purpose of Issue	Description of revision	Initials
October 2024	0	Issued for approval	First Issue	GK
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Consent Plan Overview

Purpose and Objectives of the Plan

This Fisheries Management and Mitigation Strategy (FMMS) has been prepared to address the specific requirements of the relevant conditions attached to the following consent documents (collectively referred to as 'the Consents'):

- Section 36 Consent (dated 14th June 2023),
- Generating Station Marine Licence (MS-00010140 dated 15th June 2023);
- Offshore Transmission Infrastructure (OfTI) Marine Licence (MS-00010593 dated 9th November 2023) and;
- Additional Works Marine Licence (MS-00010672 dated 15th January 2024).

The consents have been issued to Inch Cape Wind Offshore Limited (hereafter referred to as 'ICOL'), for the construction, operation and decommissioning of the Inch Cape Offshore Wind Farm (OWF) and Offshore Transmission Infrastructure (OfTI), (hereafter referred to as 'the Development').

This FMMS has been prepared to discharge consent conditions for both the Generating Station and OfTI simultaneously.

The overall aims and objectives of the FMMS is to provide information on ICOL's approach to fisheries liaison, including management measures to facilitate co-existence between ICOL and the commercial fishing industry, as well as proposed mitigation measures to minimise the potential disruption to fishers during the construction and operation phases of the Inch Cape OWF. All relevant Inch Cape Contractors involved in the Inch Cape Project are required to comply with this FMMS through their conditions of contract.

This document is applicable to the construction and Operation and Maintenance (O&M) phase of the project.

The FMMS is a live document that will be reviewed regularly and updated as required. Information within this document is accurate at the time of submission, but it is recognised that amendments or updates may be required to reflect changes following consultation, changes to best practice, lessons learned, etc, prior to the end of the Construction phase of the Development. The process by which this FMMS will be reviewed is presented in Section 1.5.

Scope of the Plan

This document has been produced in line with the requirements of the consent conditions, industry standards, and best practices. The FMMS conveys information on the following:

- Overview of the key commercial fisheries operating within and around the Development;
- The roles and responsibilities of key project personnel;
- Management and mitigation procedures to be applied throughout the construction and operation of the Development where appropriate, to facilitate co-existence with commercial fisheries; and
- Means for compliance with the relevant offshore consent conditions.

Plan Structure

The FMMS has been structured as follows:

- Section 1 Introduction
- Section 2 Wind Farm and OfTI Overview
- Sections 3 Consent Conditions & EIAR Compliance
- Section 4 Scope & Objectives of FMMS
- Section 5 Fisheries Overview
- Section 6 Fisheries Liaison
- Section 7 Management & Mitigation Measures
- Section 8 References
- Appendices

Plan Audience

This FMMS will be submitted for approval to the Scottish Ministers/Licensing Authority in consultation with other stakeholders. Once approved and the condition discharged, the FMMS is intended to be referred to by personnel involved in the construction and operation of the Development. This includes ICOL personnel, contractors and subcontractors. All documentation and method statements produced in relation to the Development must incorporate the requirements and comply with this FMMS.

Compliance with the FMMS will be monitored by ICOL's Environmental Clerk of Works (ECoW), ICOL's Consent Team, Inch Cape appointed contractors, and Marine Directorate Licencing Operations Team (MD-LOT).

Plan Locations

The latest version of this FMMS can be obtained from ICOL's document management system. In addition, copies of this FMMS are to be made available in the following locations:

- ICOL's Project Office, 5th Floor, 40 Princes Street, Edinburgh, EH2 2BY;
- ICOL's Marine Coordination Centre (MCC);
- The premises of any main contractors and subcontractors undertaking work on behalf of ICOL;
- ICOL's ECoW; and

- Aboard any vessels carrying out construction, operational or decommissioning activities for the Development.

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Defined Terms

Defined Term	Meaning
Alternative Dispute Resolution (ADR)	A method for resolving disputes arising from conflict with fishing activities, typically involving a mutually agreed third-party mediator.
Cable Plan (CaP)	A document detailing the routing, installation, and protection measures for underwater cables associated with the offshore wind farm.
Co-existence	The approach and strategies that allow multiple activities, such as wind farm operations and commercial fishing, to occur in the same area without conflict.
Commercial Fisheries	Fisheries that are engaged in the harvesting and sale of fish and seafood for profit.
Commercial Fisheries Monitoring	The process implemented to track and report on commercial fishing activities in order to address any potential impacts the Development may have on fisheries.
Company Fisheries Liaison Officer (CFLO)	A designated officer responsible for maintaining communications between ICOL, fishermen, and other stakeholders to ensure compliance with fisheries management commitments.
Construction Management Plan (CMP)	A strategic plan detailing the engagement protocol between ICOL and the fishing community during all project phases.
Co-operation Payments	Payments offered to fishermen for relocation of their fishing gear to prevent conflicts with construction activities or to compensate for losses due to project-related impacts.
Creel Fishery	A type of fishing that uses static traps (creels) typically utilised for capturing species such as lobster and crab.
Development	The Inch Cape Offshore Wind Farm (the Wind Farm) and Offshore

	Transmission Infrastructure (OfTI) being developed by ICOL.
Development Area	The area for the Wind Farm, within which all WTGs, IACs, interconnector cables, OSP and the initial part of the Offshore Export Cables and any other associated works must be sited. As stipulated in the Crown Estate agreement for lease.
Development Specification and Layout Plan (DSLP)	A comprehensive document outlining the layout of project components and their placement on the seabed.
Environmental Clerk of Works (ECoW)	A person or body responsible for monitoring compliance with environmental regulations and procedures during the construction and operation phases of a project.
Environmental Management Plan (EMP)	A plan detailing ICOL's approach to environmental management, including mitigation measures for the protection of marine habitats.
Fisheries Management and Mitigation Strategy (FMMS)	A document setting forth ICOL's approach to liaising with the fishing industry and minimising potential impacts on fishing activities due to the developments.
Fishing Industry Representative (FIR)	Independent representatives often comprising fishermen, tasked with facilitating communication between the project and the fishing community.
Forth and Tay Commercial Fisheries Working Group (CFWG)	A forum that promotes dialogue between offshore developers and the fishing community in the Forth and Tay regions.
Guard Vessels	Vessels designated to monitor fishing activity and facilitate communication between fishing stakeholders and construction operations.
Inch Cape Offshore Wind Limited (ICOL)	The organisation developing the Inch Cape Offshore Wind Farm and associated infrastructure, responsible for compliance with all regulatory requirements.
Inch Cape Offshore	Components of the Development comprising the Offshore Export Cables

Transmission Infrastructure (OfTI)	and OSP which are permitted by the OfTI Marine Licence (MS-00010593).
Inch Cape Offshore Transmission Works (OfTW)	Offshore Transmission Works (i.e., construction methods) associated with Inch Cape Offshore Wind Farm.
Inch Cape Offshore Wind Farm (OWF)/the Wind Farm	A component of the Development, comprising wind turbines and their foundations and substructures, and IACs.
Marine Coordination Centre (MCC)	A facility established to monitor vessel activity and coordinate communications related to marine operations during the construction phase.
Marine Licences	Permits required for various marine operations and activities under the Marine and Coastal Access Act 2009 and Marine (Scotland) Act 2010.
Marine Directorate Licensing and Operations Team (MD-LOT)	The team responsible for facilitating the licensing of marine projects and ensuring compliance with marine regulations in Scotland.
Mitigation Measures	Strategies or actions implemented to minimise adverse impacts — in this case, measures to reduce disruptions to fishers during the project's construction and operation phases.
Nephrops Fishery	A fishery targeting Nephrops (also known as langoustines or scampi) using demersal trawling techniques.
Notices to Mariners (NtMs)	Instructions and information distributed to mariners regarding safe navigation and operational updates, particularly during construction.
Offshore Consent Conditions	Specific requirements set forth in the consents and licenses related to the operational conduct of the Development, particularly concerning fisheries.
Offshore Fisheries Liaison	Individuals employed by ICOL's contractors, stationed on survey or

Officers (OFLOs)	construction vessels to facilitate communication regarding fishing activities at sea.
Global Positioning System (GPS)	A way of using satellite data to show where something is on a map and to give users directions.
Offshore Wind Farm (OWF)	A facility utilising wind turbines located in marine environments to generate electricity.
Offshore Export Cables	The subsea, buried or protected electricity cables running from the offshore wind farm substation to the landfall and transmitting the electricity generated to the onshore cables for transmission onwards to the onshore substation and the electrical grid connection.
Offshore Export Cable Corridor	The area within which the Offshore Export Cables will be laid from the OSP and up to Mean High Water Springs.
Operation and Maintenance (O&M) Team	The team responsible for ensuring the ongoing operational efficiency and maintenance of the offshore wind farm and infrastructure.
Safety Zones	Established zones around construction sites to ensure safety by limiting access to certain areas during specific activities.
Scallop Fishery	A fishing sector focused on the capture of king scallops predominantly through dredging methods.
Scottish Ministers/Licensing Authority	Government authorities responsible for approving the FMMS and overseeing compliance with relevant regulations.
Section 36 Consent	A legal approval for constructing and operating offshore energy generating stations under the Electricity Act 1989.
Squid Fishery	A fishery that has grown due to restrictions on quotas, involving vessels that often target squid shoals, usually during specific seasons.

Static Fishing Gear	Fixed fishing equipment (e.g., pots, traps) used in commercial fishing, which may require relocation during construction activities.
(The) Consents	Collective term used to describe the Section 36 consents and Marine Licences issued to ICOL.
Transit Plan	A strategic plan intended to minimise disruptions to fishing activities during the transit of construction vessels to and from the worksite.
Vessel Management and Navigational Safety Plan (VMNSP)	A plan addressing the management of vessel movements and ensuring safety around the project area.

Acronyms & Abbreviations

Acronyms	Meaning
CaP	Cable Plan
CFLO	Company Fisheries Liaison Officer
CFWG	Commercial Fisheries Working Group
CMP	Construction Management Plan
CMS	Construction Method Statement
CoP	Construction Programme
DSLP	Development Specification and Layout Plan
ECoW	Environmental Clerk of Works
EIA	Environmental Impact Assessment

EMP	Environmental Management Plan
FIRs	Fishing Industry Representatives
FMMS	Fisheries Management and Mitigation Strategy
FTCFWG	Forth and Tay Commercial Fisheries Working Group
FTOWDG	Forth and Tay Offshore Wind Developers Group
GPS	Global Positioning System
IALA	International Association of Lighthouse Authorities'
ICOL	Inch Cape Offshore Wind Limited
LMP	Lighting and Marking Plan
MC	Marine Coordinator
MCC	Marine Coordination Centre
MMO	Marine Management Organisation
MD	Marine Directorate
MD-LOT	Marine Directorate Licensing and Operations Team
NtMs	Notices to Mariners
O&M	Operation and Maintenance
OECC	Offshore Export Cable Corridor
OfTI	Offshore Transmission Infrastructure

OSP	Offshore Substation Platform
OWF	Offshore Wind Farm
PEMP	Project Environmental Monitoring Programme
SFF	Scottish Fishermen's Federation
SOPs	Standard Operating Procedures
UKHO	United Kingdom Hydrographic Office
VMNSP	Vessel Management and Navigational Safety Plan
WNoO	Weekly Notices of Operations
WTGs	Wind Turbine Generators

1 Introduction

1.1 Background

The Inch Cape Offshore Windfarm (OWF) and associated Offshore Transmission Infrastructure (OfTI) hereafter referred to as the Development, is being developed by Inch Cape Offshore Wind Limited (ICOL).

ICOL originally applied for consent for the Development in 2013, and this was updated, and a revised application submitted in 2018. In 2013 an Environmental Statement (ES) was produced to accompany the initial application based on the original design of the Wind Farm. This was also subsequently updated in 2018 with the production of an Environmental Impact Assessment Report (EIAR) to enable the use of progressions in technology following the original consent, through a reduction in turbine numbers (fewer turbines with larger generating capacity), and reduction in associated cabling (inter-array and export cables) in order to maximise efficiencies whilst minimising environmental impacts. The EIAR updated the 2013 ES and where impacts were predicted to be less than those already assessed, a new assessment was not undertaken as the conclusions drawn in the original 2013 ES remained valid.

The Section 36 Consent, Generating Station (GS) Marine Licence, and OfTI Marine Licence for the revised design were granted by Scottish Ministers on 17th June 2019. A section 36A declaration was made on the basis of these consents. Since then, the Section 36 Consent has been subsequently varied on 16th July 2020, 22nd July 2021, and 14th June 2023. The latest variation included changes to the layout and spacing of the Development. The variations can be summarised as:

(a) A variation under section 36C of the Electricity Act 1989 granted on 16 July 2020 which increased the permitted overall generating capacity from “around 700MW” to “up to 1000MW”;

(b) A variation under section 36C of the Electricity Act 1989 granted on 22 July 2021 which removed the maximum generating capacity; and

(c) A variation under section 36C of the Electricity Act 1989 granted on 14 June 2023 which reduced the nominal turbine spacing from 1,278 metres to 1,025 metres.

In conjunction with the latest variation to the S36, the GS Marine Licence was also varied on 14th June 2023 (Licence No. MS-00010140). This variation reduced the nominal turbine spacing and confirmed parameters related to the Preferred Design Scenario and increased the hammer energies required for installation of the WTG foundations. The OfTI Marine Licence was varied on 23rd August 2023 to capture changes to deposit quantities and revision to the offshore export cable corridor coordinates and amended on 9th November 2023 (Licence No. MS-00010593).

1.2 Plan Objectives

This FMMS has been prepared to address the specific requirements of the relevant conditions in the OfTI Marine Licence (Condition 3.2.2.20), Generation Station Marine Licence (Condition 3.2.2.23) and Section

36 consent (Condition 26). The conditions must be discharged through approval of the Scottish Ministers prior to the commencement of offshore construction, which includes the approval of this FMMS.

The relevant conditions setting out the requirement for the FMMS approval, and which are to be discharged by the FMMS are presented in full in Table 1.1, below.

1.3 Linkages with other Consent Plans and Consent Conditions

The consent conditions require that the development of the FMMS will be consistent with a number of other consent plans and consent conditions. Details of the linkages and relevant cross references are set out in Table 1.1.

It should be noted that information is not repeated across consent plans, rather, where pertinent information is available in linked consent plans, the relevant consent plans are referred to. The plans detailed below are not required for approval of this FMMS but are provided for ease of reference.

Table 1.1 FMMS Linkages with Other Consent Plans and Requirements

Reference	Description and relevance to the FMMS	Crossed Referenced in this FMMS
Construction Programme (S36 Condition 9, OfTI and GS MLs Condition 3.2.2.5 and 3.2.2.6)	Details the proposed programme for construction of the Development including key milestones, such as the proposed dates for commencement and completion of the works, as well as schedules for mobilisation and delivery of equipment.	Section 7
Construction Method Statement (S36 Condition 10, OfTI and GS MLs Condition 3.2.2.6 and 3.2.2.7)	Details the construction methods, setting out good practice construction measures and how mitigation measures proposed in the EIAR are being implemented during construction	Section 7
Piling Strategy (S36 Condition 11, OfTI and GS MLs Condition 3.2.2.7 and 3.2.2.8)	Piling methods and programme are detailed and includes the mitigation of the effects on noise sensitive species.	Section 7
Development Specification and	Sets out the finalised layout of WTGs and cables, including key information on dimensions, specifications,	Section 7

Reference	Description and relevance to the FMMS	Crossed Referenced in this FMMS
Layout Plan (S36 Condition 12, OfTI and GS MLs Condition 3.2.2.8 and 3.2.2.9)	and other technical parameters along with information on design constraints such as seabed conditions and bathymetry.	
Design Statement (S36 Condition 13, OfTI and GS MLs Condition 3.2.2.9 and 3.2.2.10)	Provides representative wind farm visualisations from key viewpoints in line with the final DSLP.	Section 7
Environmental Management Plan (S36 Condition 14, OfTI and GS MLs Condition 3.2.2.10 and 3.2.2.11)	This condition will be discharged through the submission of two documents rather than one. The Construction EMP details the mitigation measures that will be put in place to minimise the impact of the construction Works, as far as reasonably practicable, on sensitive environmental receptors within the Development site. Subsequently, the Operations and Maintenance EMP will be submitted prior to Final Commissioning, aiming to satisfy the same criteria but tailored specifically for the O&M phase of the project.	Section 7
Vessel Management and Navigational Safety Plan (S36 Condition 15, OfTI and GS MLs Condition 3.2.2.11 and 3.2.2.12)	Combined with the Navigational safety Plan, the VMNSP, provides the management and coordination of vessels to mitigate the impacts on other sea users.	Section 7
Operation and Maintenance Programme (S36 Condition 16, OfTI and GS MLs Condition 3.2.2.12 and 3.2.2.13)	Sets out the procedures and good working practices for operations and the maintenance of the WTG's, substructures, and inter-array cable network of the Development considering sensitive environmental periods.	Section 7

Reference	Description and relevance to the FMMS	Crossed Referenced in this FMMS
Cable Plan (S36 Condition 19, OfTI and GS MLs Condition 3.2.2.15 and 3.2.2.16)	Contains details on environmental sensitivities and design considerations to mitigate, as far as possible, the effects of cable laying and associated cable protection during installation and operation of the Development	Section 7
PEMP (S36 Condition 24, OfTI and GS MLs Condition 3.2.2.20 and 3.2.2.21)	Sets out measures by which Inch Cape will monitor the environmental impacts of the OWF, including to commercial fisheries. The proposed monitoring will aim is to understand variations in commercial fisheries activity in response to the construction and operation of the wind farm. The outcomes of this monitoring will be communicated to the commercial fishing stakeholders and inform future updates to the FMMS.	Section 7.3.3

1.4 Document Structure

The structure of this FMMS is provided in Table ***1.2***, below.

Table 1.2: FMMS Document Structure

Section No	Section Title	Summary of Content
1	Introduction	An overview of the Development and its associated consents requirements
2	Wind Farm and OfTI	An overview of the Development description and location
3	Consent Conditions & EIAR Compliance	An overview of consents requirements and how this FMMS will discharge the conditions
4	Scope & Objectives of FMMS	Outlines ICOL's approach to fisheries liaison and mitigation, including proposed measures to facilitate co-existence between the Development and commercial fishing
5	Fisheries Overview	Summarises the commercial fisheries of relevance to the Development
6	Fisheries Liaison	An overview of roles and responsibilities

7	Management & Mitigation Measures	Provides ICOL's approach to fisheries liaison and the measures to be implemented to minimise the potential impacts on fishing activities and facilitate co-existence.
8	References	Provides the citations for documents referenced

1.5 Document Control and Management of Change

This FMMS is a 'live document' and will be regularly revised at intervals agreed with Scottish Ministers, to ensure that the information is kept up to date. Linkages exist between a number of offshore consent plans and programmes as highlighted in Table 1.1. As plans and programmes are updated, there will be a review of inter-linkages with other documents to ensure these are also updated as relevant.

It is expected that following a review, there may be a requirement to undertake a non-material or material update of the document. It is anticipated that a material change would be defined as one that fundamentally affects key information being communicated in the FMMS; a change in proposed mitigation or monitoring commitments; or a change that may increase environmental risk. A non-material change would be expected to be one that is communicated for information only; does not fundamentally affect assumptions made based on previous information provided; does not result in deviation from agreed commitments; or does not increase the level of environmental risk.

Where an update is required, MD-LOT will be consulted to determine whether the level of changes signifies a material change to an approved plan that requires formal consultation, or a non-material update to be approval by MD-LOT. MD-LOT may wish to liaise with statutory stakeholders for advice to assist in making these determinations.

It is anticipated that the review and update process will be as follows:

- Document review undertaken by ICOL (triggered by influencing factor listed above).
- Need for an update of document communicated to MD-LOT and ICOL to inform MD-LOT whether it is deemed it as material or non-material.
- MD-LOT to notify ICOL whether they agree with the materiality of the change (and therefore whether or not formal consultation will be required).
- If change is considered non-material, ICOL will provide an updated FMMS for MD-LOT to review, approve and make available.

Or:

a) If change is considered material, ICOL updates the FMMS, and a formal consultation on the updated FMMS is undertaken.

2 Wind Farm & OfTI Overview

2.1 Project Description

The Inch Cape Offshore Wind Farm will be located approximately 15 to 22 km (eight to 12 nautical miles) off the Angus coastline, to the east of the Firth of Tay. The Development Area is approximately 150 km^2 and will contain 72 (Wind Turbine Generators) WTGs, one Offshore Substation Platform (OSP), 66 kilovolts (kV) inter-array cabling and the initial section of the Export Cables between the Development Area boundary and OSP.

The Offshore Export Cable Corridor will contain the Offshore Export Cables. The Offshore Export Cable Corridor will consist of two 220 kV export cables approximately 85 km long, between the landfall point at Cockenzie in East Lothian and the boundary of the Development Area, and 1.4 km across at the widest point, reducing to approximately 250 m at the landfall.

The location and extent of the Development Area and Offshore Cable Corridor is shown in Figure ***2.1***.

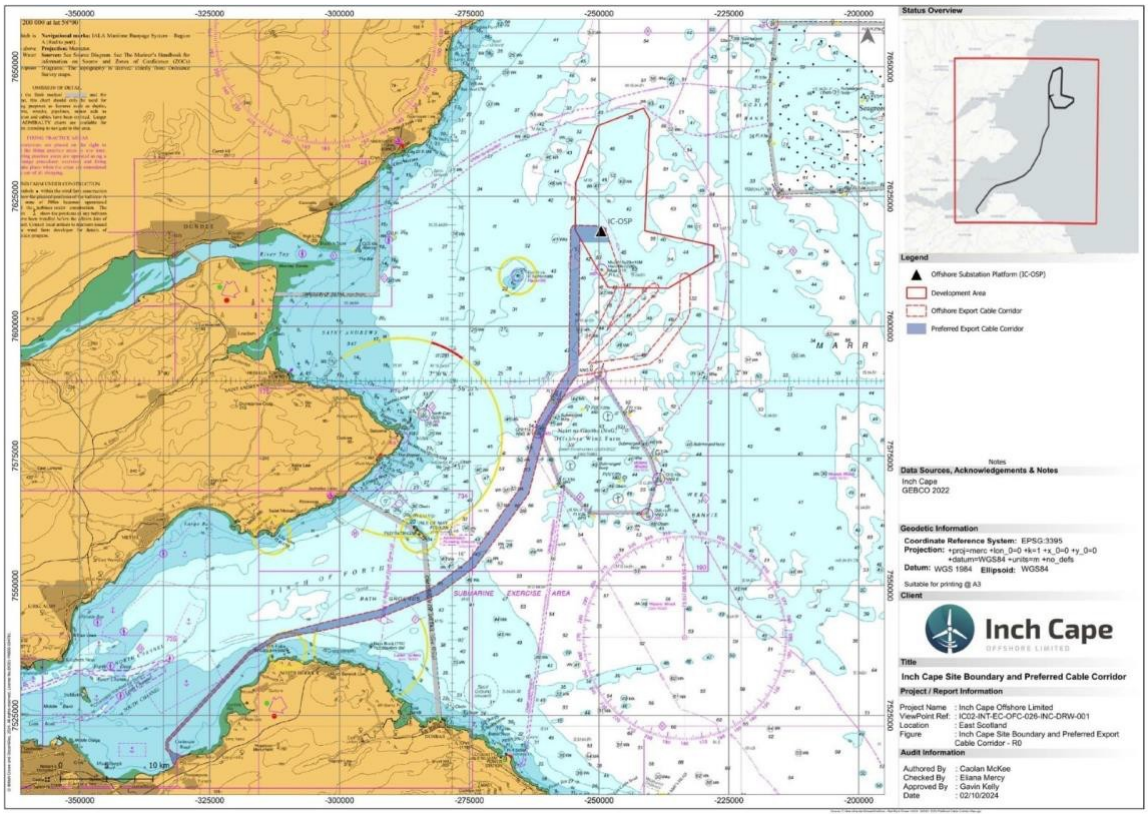


Figure 2.1: Project Location

2.2 Timing of Construction Works

Offshore construction is expected to commence in 2025 and is anticipated to take approximately 2.5 years. Details of the full programme for the construction works are provided in the Construction Programme (CoP) IC02-INT-EC-OFC-004-INC-PRG-001.

3 Consent Conditions & EIAR Compliance

At the time of submission of this FMMS, the Inch Cape project benefits from the following consents:

- The S36 Consent;
- The Generation Marine Licence; and
- The OfTI.
- The Additional Landfall Works Marine Licence.

This FMMS has been prepared to satisfy the criteria of the S36 condition 26, OfTI Marine Licence condition 3.2.2.20 and the Generation Marine Licence condition 3.2.2.23 as set out in Table 3.1.

Table 3.1 provides the relevant consent conditions, along with details of where information to address each part of the condition has been provided.

The requirement to construct and operate the Development in accordance with the measures identified in the Application arise from specific requirements in the consents. The consents require the works be constructed in accordance with the licence, the Application and supporting ES and EIAR and related documents.

This FMMS, and the remaining consent plans have been put together considering the commitments made on the ES and EIAR and corresponding consent conditions.

Table 3.1 FMMS Consent Conditions and Document Reference

Consent Condition Reference	Condition	Reference in this FMMS
Section 36 Consent Condition 26	The Company must no later than six months prior to the Commencement of the Development, submit a Fisheries Management and Mitigation Strategy ("FMMS"), in writing, to the Scottish Ministers for their written approval in consultation with the Scottish Fishermen's Federation (SFF) and other fisheries representatives. Commencement of the Development cannot take place	All sections

Consent Condition Reference	Condition	Reference in this FMMS
	until such approval is granted. The FMMS must be defined and finalised in consultation with the Forth and Tay Commercial Fisheries Working Group ("FTCFWG").	
	In order to inform the production of the FMMS, the Company must monitor or collect data as relevant and agreed with Scottish Ministers.	Section 7.3.3
	The FMMS must include a transit plan, which must lay out guidelines to address potential interactions with fishing activity, for vessels operating in and around the Development and transiting to the Development.	Section 7.3.2
	As part of any finalised FMMS, the Company must produce and implement a mitigation strategy for each commercial fishery that can prove to the Scottish Ministers that they would be adversely affected by the Development. The Company must implement all mitigation measures committed to be carried out by the Company within the FMMS. Any contractors, or sub-contractors working for the Company, must co-operate with the fishing industry to ensure the effective implementation of the FMMS. The Company must remain a member of the FTCFWG or any successor group formed to facilitate commercial fisheries dialogue.	Section 7
GS and OfTI Marine Licenses Conditions 3.2.2.23 and 3.2.2.20	The Licensee must no later than six months prior to the Commencement of the Works, submit an FMMS, in writing, to the Licensing Authority for its written approval in consultation with SFF and any such other fisheries representatives as may be required at the discretion of the Licensing Authority. Commencement of the Works cannot take place until such approval is granted. The FMMS must be defined and finalised in consultation with the FTCFWG.	All Sections

Consent Condition Reference	Condition	Reference in this FMMS
	In order to inform the production of the FMMS the Licensee must monitor or collect data as relevant and agreed with the Licensing Authority.	
	The FMMS must include a Transit Plan, which must lay out guidelines to address potential interactions with fishing activity for vessels operating in and around the site and transiting to the site.	Section 7.3.2
	As part of any finalised FMMS, the Licensee must produce and implement a mitigation strategy for each commercial fishery that can prove to the Licensing Authority that they would be adversely affected by the Works. The Licensee must implement all mitigation measures committed to be carried out by the Licensee within the FMMS. Any contractors, or sub-contractors working for the Licensee, must co-operate with the fishing industry to ensure the effective implementation of the FMMS. The Licensee must remain a member of the FTCFWG, or any successor group formed to facilitate commercial fisheries dialogue.	Section 7

4 Scope & Objectives of FMMS

This FMMS has been prepared to address the specific requirements of the offshore consent conditions issued to ICOL relevant to commercial fisheries.

The overall aim and objective of the FMMS is to provide details on ICOL's approach to fisheries liaison and mitigation, including proposed measures to facilitate co-existence between the Development and commercial fishing and to minimise potential impacts.

The FMMS has the following key primary functions:

- To ensure that appropriate liaison channels with the fishing industry are established and that effective liaison is maintained throughout the construction and operational phase of the Development; and

- To define appropriate management and mitigation measures to minimise potential impacts on fishing activities and facilitate co-existence.
- All ICOL personnel and ICOL's contractors (including their sub-contractors) involved in the Development are required to comply with this FMMS. The FMMS will be onboard any vessels carrying out construction, operational or decommissioning activities for the Development. Compliance with the FMMS will be monitored by the ICOL Consent Team and the ICOL ECoW.

5 Fisheries Overview

In order to understand the potential interactions between commercial fishing and the Development, the fishing activity has been reviewed. The commercial fisheries baseline was established for the Development, utilising a number of different data sources, including fisheries statistics held by the Marine Directorate. This information was then verified through consultation with local fishers, fishermen's organisations and other fisheries representatives. The following fisheries are likely to be present in areas relevant to the Development:

- Creel fishery;
- Scallop fishery
- Nephrops fishery; and
- Squid fishery.

An overview of each fishery including information on the fishing method, target species and seasonality is provided below. Detailed information on the commercial fisheries relevant to the Development can be found in the Inch Cape Chapter 14 Commercial Fisheries Environmental Impact Assessment Report (EIAR).

5.1 Creeling

Creels are static traps typically used to catch lobster and crab. Creels are typically shot in fleets, where a number of pots are attached to one long rope and laid on the seabed with a marker at either end (e.g. a 'dahn' (flag and buff) or buoys). The creels are baited and left on the seabed to "soak" for a period before being hauled.

Vessels engaged in creeling are generally under 10m in length, with more limited operational ranges compared to other fishing methods, concentrating activity in areas closer to the coast. Creeling activity has been moving further offshore in recent years and interactions between creeling vessels and the Development are expected to occur in both the OfTI Corridor and the Development Area. Crab and lobster are targeted all year round, however peak landings occur during the summer months.

5.2 Scallop Fishery

King scallops are the main species targeted by scallop dredgers. Scallops are raked from the seabed by dredge with steel teeth attached along the leading edge, which penetrate the seabed to a depth of approximately 20cm.

The number of dredges per side can vary from three to four on a 10m boat to up to 14 for the larger class of vessel. Vessels targeting scallops in the vicinity of the Development are predominantly over 15m in length. Activity by this larger class of scallop dredgers concentrates within and to the north of the Development Area.

A number of vessels targeting scallops in the Firth of Forth region will be nomadic vessels with large geographical ranges, targeting grounds around the UK on a cyclical basis. Therefore, the number of these vessels dredging in the regional study area will vary annually, depending upon productivity and access to grounds. A small number of local vessels are also rigged for scallop dredging and some Nephrops vessels will occasionally target this fishery.

Peak landings of scallops occur in June, July and August although scallop dredging activity is recorded throughout the year.

5.3 Nephrops Fishery

Vessels use a single or multi rig set up to target Nephrops using one or two nets towed tight along the seabed. Otter boards (trawl doors) are used to give the nets width to maximise the ground coverage during fishing. Fishing areas are determined by the soft, muddy seabed where Nephrops bury into the seabed.

Trawling for Nephrops is concentrated within the Firth of Forth, and is carried out in areas relevant to the OfTI Corridor where suitable muddy sediments are present.

Nephrops are targeted all year round, although there are seasonal fluctuations in landings values, with a marked peak recorded during the summer months (June to August).

5.4 Squid Fishery

Squid is typically fished by demersal trawlers between 10 and 30 m in length towing a large single trawl net, with large rockhoppers designed to pass over areas of hard ground, however it has been reported that local under 10 m vessels will also target squid using clean nets on soft sediments.

Squid vessels target the fishery on a seasonal basis, with the peaks generally between July and October. While the squid fishery has been reported to be unpredictable in terms of annual landings and patterns of fishing distribution, it is an important fishery in the region due to the lack of license restrictions.

Squid trawling activity takes place particularly in the southern half of the Firth of Forth, in areas relevant to the OfTI Corridor, with comparatively lower levels of activity in the Development Area.

6 Fisheries Liaison

In line with the FLOWW (2014) Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Liaison, ICOL are committed to facilitating a mutually beneficial approach of co-existence, where practicable, with the commercial fishing industry through proactive engagement and constructive, timely communication.

6.1 Liaison to Date

ICOL has undertaken a significant programme of engagement and consultation with fisheries stakeholders. The pre-application consultation is provided in the Inch Cape Chapter 14 Commercial Fisheries EIA Report. ICOL have continued to engage and consult with fisheries stakeholders post-submission of the application and since ICOL was granted its consents.

A summary of the engagement and consultation activities which ICOL has undertaken to date is given in Appendix 1.

6.2 Liaison Roles and Responsibilities

The following sections outline the relevant roles and responsibilities of ICOL, the Company Fisheries Liaison Officer (CFLO) and onshore Fishing Industry Representatives (FIRs). Contact details are provided in Appendix 2. It is noted that consent condition 26 requires appointment of a CFLO (see Table 3.1).

6.2.1 ICOL

The main elements of ICOL's commercial fisheries liaison activities will be:

- To identify and pro-actively engage with commercial fisheries stakeholders and statutory and non-statutory bodies and organisations that have the potential to be affected by ICOL's activities;
- To actively continue liaison with the fishing industry through the Forth and Tay CFWG, as the regional forum for engagement with commercial fishing stakeholders;
- To formulate, agree and implement efficient communication channels for distributing project related information to stakeholders;
- To continue to give consideration to the concerns of commercial fisheries stakeholders in the formulation of mitigation strategies;
- To maintain a CFLO as the main point of contact for ICOL throughout the Project, as well as engaging Fishing Industry Representative (FIRs) as required from pre-construction to completion and commissioning of the Development;
- Promotion of productive co-existence through the early provision of construction and cable

laying plans to fisheries stakeholders, including information on the type and location of cable protection measures where this may be required;

- ICOL's Contractors will utilise OFLOs on the main construction/ survey vessels where appropriate;
- To produce and ensure implementation of Standard Operating Procedures (SOPs) to minimise and appropriately manage potential interactions with fishing vessels;
- To establish suitable and evidence-based cooperation agreement methodologies in line with FLOWW guidelines (FLOWW 2014; 2015);
- To maintain a fisheries stakeholder database to ensure all fisheries stakeholders are adequately informed of construction activities; and
- To implement a Vessel Management and Navigational Safety Plan (VMNSP) as required under Condition 15 of the S36 consent and OfTI and GS MLs Condition 3.2.2.11 and condition 3.2.2.12.

6.2.2 Company Fisheries Liaison Officer (CFLO)

Brown & May Marine Ltd (BMM) has been appointed as the CFLO, the principal role of which will be to establish and maintain effective communications between ICOL, any Contractors or sub-contractors, fishermen and other users of the sea during the construction and operation of the Development and to monitor compliance with good practice guidelines whilst doing so. The key responsibilities of the CFLO are outlined below:

- Provision of advice to ICOL on Fisheries Liaison throughout the project construction phase;
- Organisation of, preparation for and attendance at fisheries meetings (CFWG, Scottish Fishermen's Federation (SFF), local fishermen and their associations), local fisheries stakeholder events and meetings with regulators including the Marine Directorate, as required;
- Provision of advice on ongoing delivery of commitments identified in the FMMS;
- Maintain availability to receive and respond to telephone and e-mailed enquires and statements from fishermen's representatives and individual fishermen, as well as client enquiries;
- Maintaining availability to resolve fisheries related issues as they arise;
- Preparation of standard operating procedures (SOPs) to help avoid and minimise interactions with fishing activities;

- Gather information with regard to fishing activities within and around the Development;
- Assist and support ICOL, facilitate the relocation or removal of static fishing gear where this may be required; and
- Provide monthly reporting to ICOL's ECoW during the project's construction phase.
- Assist ICOL should there be a need for financial arrangements, such as co-operation payments for fishers if ICOL request the temporary movement of static gear. This process will need to be carried out in accordance with the FLOWW (2014, 2015) guidance).

The CFLO is shore-based, typically working standard office hours, and is therefore not the appropriate point of contact for any non-emergency fisheries-related incident. Contact in any such non-emergency incident should initially be made with the OFLO on the construction vessel or guard vessel operating at the time, who together with the vessel master and the ICOL Marine Co-ordinator can provide a response 24 hours per day.

Details of how to contact the OFLO, vessel masters and the ICOL Marine Co-ordinator (all available via phone or email) are included in the weekly notices of operations (WNoO) during construction, posted weekly on the ICOL website and distributed via email.

6.2.3 Offshore Fisheries Liaison Officers (OFLOs)

OFLOs will be employed by ICOL's Contractors and will be placed on the main construction vessels to act as the point of communication with fisheries interests at sea, directly and through consultation with FIRs. The OFLOs shall be a suitably qualified and experienced person. A 'suitably qualified and experienced person' in relation to Contractor OFLOs means "a person who has sufficient experience in performing the duties of an offshore fisheries liaison officer, whose judgement can be used to comment on or to resolve a technical problem with finality". The primary responsibilities of the OFLOs are:

- To maintain regular contact with the CFLO and the ICOL's personnel, as required, concerning marine traffic and fishing vessel activity in the outer Firth of Forth;
- To maintain watch for marine traffic and fishing vessel activity during marine operations and maintain regular contact with guard vessels and support vessels;
- To communicate with the vessel master in respect of providing any relevant information to fishing vessels, and, when the vessel is not engaged in marine operations, work with the vessel master to avoid, where reasonably practicable, fishing vessels actively engaged in fishing operations;
- To liaise with any fishermen who may have static gear deployed in the outer Firth of Forth or along vessel transit routes;

- To provide the required support to the CFLO in the handling of any claims by fishermen who may have static gear deployed in the outer Firth of Forth, along the cable route or along vessel transit routes;
- To work with the vessel master to ensure adherence with relevant aspects of the FMMS who will be fully briefed on the FMMS requirements ahead of commencement of activities;
- To develop and provide training for all vessel personnel to include induction and training for staff with specific fisheries liaison responsibilities;
- To record details of any fishing activity in and around the project site (including fishing vessels, gear and communications with fishermen) and of any events of infringement or movement or damage to static gear;
- To support and participate with ICOL's ECoW and Contractors in fishing gear incident investigations as required;
- To provide daily update reports via email to the CFLO; and
- To attend meetings, if required, with ICOL's personnel and the CFLO.

6.2.4 Fishing Industry Representative (FIR)

Membership of the Forth and Tay CFWG includes nominated FIRs representing local areas in the wider Forth and Tay area. The primary responsibilities of the FIRs are:

- To be the local conduit for liaison with local fisheries stakeholders;
- To assist the CFLOs at a local level in undertaking the tasks listed above;
- To assist the CFLOs in maintaining mutually productive relationships between ICOL and fisheries stakeholders;
- To feed back to the CFLO any fishermen's concerns communicated to the FIR:
- To be available as required addressing local issues; and
- To assist in the distribution of notices and relevant project information to fisheries stakeholders.

6.2.5 Marine Coordination Centre (MCC)

This section presents the proposed arrangements for the MCC which will be established at Montrose Harbour, on the Angus Coast, and will support the Developments' construction and operational phase activities.

The MCC will monitor vessel activity within the vicinity of the Development. In addition, the MCC will be

responsible for compiling Notices to Mariners (NtM) for upload to the Kingfisher Bulletin, as well as weekly notices of operations (WNoO) (during construction). These will be issued to the CFLO, who will subsequently distribute them to the FIRs and to individual fishermen as required.

In addition, the MCC will provide a direct point of communication for fishing vessels when active in areas relevant to the Development. Fishermen can contact the MCC via marine radio channels (VHF, MF and LF) or the MCC phone line. Contact details will be confirmed when the MCC becomes operational prior to construction start.

6.2.6 The Forth and Tay Commercial Fisheries Working Group (CFWG)

The principal purpose of the CFWG is to provide a forum for discussion on issues relating to commercial fisheries common to all offshore wind farm projects in the Forth and Tay Region. ICOL continues to be part of the Forth and Tay Commercial Fisheries Working Group (CFWG) and provides regular updates to the group about the Development. The CFWG has provided a forum for discussion and feedback on all elements of the FMMS since consents were issued in order to help define and finalise the consent plan prior to submission for approval by Scottish Ministers.

7 Management & Mitigation Measures

As detailed in the Inch Cape Chapter 14 Commercial Fisheries EIAR it is anticipated that construction activities will result in some temporary and long-term loss of, or restricted access, to fishing grounds.

This section provides ICOL's approach to fisheries liaison and the measures to be implemented to minimise the potential impacts on fishing activities and facilitate co-existence. Where co-existence is not possible, ICOL will aim to progress cooperation with the fishing industry, with additional mitigation strategies considered where appropriate. The mitigation and co-existence measures described in this FMMS relate to the pre-construction, construction and O&M phases of the Development.

ICOL has not applied for restrictions on fishing activity within the Development Area or along the OECC other than for specific safety zones during construction, and O&M. The measures proposed in this FMMS, unless otherwise specified, apply to all the fisheries identified in Section 5. Where specific measures have been proposed in relation to specific fisheries this is clearly noted within the FMMS.

7.1 Project Design

In addition to the consent conditions given in Table 3.1, embedded mitigation measures were proposed in the Inch Cape Chapter 14 Commercial Fisheries EIAR.

The contents of this FMMS and the other required consent plans detailed in Table 1.1 will fulfil the following commitments:

A Construction Management Plan (CMP) will be developed in consultation with FIRs which establishes a protocol for engagement between ICOL and the fishing industry. This will include details on:

  - Communication channels between the fishing community and ICOL through all phases;
  - Protocol for the navigation of construction and operation / maintenance vessels to and from the site (e.g. use of transit lanes that will reduce interaction with fishing activities); and
  - Procedures in the event of interactions between wind farm construction and operation and fishing activities.

- Structures within the Development Area will be marked and lit in accordance with International Association of Lighthouse Authorities' (IALA) Recommendation O-139 on the Marking of Man-Made Offshore Structures (IALA, 2008). The final lighting and marking scheme will be agreed with the relevant stakeholders prior to construction (NOTE: For the ICOL Lighting and Marking Plan (ICO2-INT-EC-OFC-013-INC-PLA-00) the latest relevant IALA guidance (G1162, IALA, 2021) has been applied).
- Cables will be suitably buried or will be protected by other means when burial is not practicable which will reduce the risk to fishing vessels from snagging.
- Cable burial plan, which will include monitoring and reporting of any exposures.
- Grid or offset grid layout of the WTG and OSP.
- Commitment of use of concrete matting or rock dumping to reflect seabed conditions, where practical and appropriate.
- Commitment to picking up 'drop objects' from the seabed floor where possible;
- Commitment to an over-trawl-ability assessment.
- Suitable and sufficient assessment will be undertaken to ensure that all safety risks are reduced as far as reasonably practicable.
- Modifications to alternative fishing methods to bottom towed fishing gear are being investigated in consultation by the offshore renewables industry and the fishing industry which may better enable fishing activities within and around operational wind farms.
- Defined navigational routes will be used by vessels. This will reduce the risk of disturbance to static gear.
- Participation in a regional CFWG to provide a forum for collaborative discussion and action in relation to offshore wind farm developments in the Forth and Tay area and their interactions with commercial fishing activities. ICOL will ensure the principle of the commitments (as

identified below) will be:

- Provide regular contact for representatives of commercial fishermen and the Forth and Tay Offshore Wind Developers Group (FTOWDG) developers to promote communication and understanding;
- Provide a forum to manage engagement through a project(s) lifecycle with particular focus on consenting, pre-construction planning and construction activities;
- Provide input to general approaches, procedures and protocols with respect to CMPs and potential mitigation options, promoting standardisation where possible;
- Agree specific offshore working practices relating to Marine Licence conditions where required;
- Agree and maintain a current regional assessment of commercial fishing activities;
- Identify and develop opportunities between the fishing/renewables industries in the Forth and Tay area; and
- Establish a protocol for the removal of temporary works post-construction including appropriate verification.

The majority of embedded mitigation is linked to safe working practices and standard navigational requirements. Project design mitigation of relevance to commercial fisheries can include cabling layout/burial, foundation design/layout and Safety Zone applications therefore further information on these aspects is provided below.

7.1.1 Safety Zones

ICOL will separately apply for the following Safety Zones to be implemented:

- Rolling 500 m safety zones around construction vessels and around infrastructure (Wind Turbine Generators (WTGs), Offshore Substation Platform (OSP)) while being installed within the Development Area;
- 50 m safety zones around any installed or partially installed infrastructure; and
- 500 m safe passage distance around major construction vessels both within the Development Area and OECC.

Coordinates of the safety zones will also be provided through recognised communications channels (e.g. NtMs, WNoO, issue of Radio Navigation Warnings and a notice on Kingfisher Bulletin) as well as any additional form of notification required by the Safety Zone consent.

Note: ICOL has not applied for a 50m safety zone around WTGs during the operational phase.

7.1.2 Cable Plan

The requirement to set out the Development design details and construction methods is set out in the offshore consent conditions (Table 1.1), including the requirement to prepare, for approval, a Cable Plan (CaP).

The CaP will provide supporting descriptions, data, and evidence that the planning for the installation and operation of the offshore export cables (ECs), and inter-array cables within the Development are in accordance with the required offshore consent conditions.

Information will also be included on the cable technical specifications, cable installation method, cable burial and protection (including a Cable Burial Risk Assessment (CBRA), burial methodology and protection specifications such as rock berms and/or concrete mattresses), cable inspections and post-installation surveys, remedial actions to be taken in the event of cable exposure. This includes a description of how fishing activity has been taken into account in the cable design and CBRA.

The CaP provides additional detail on the final routing of the cables on the seabed, and confirms target cable burial, and protection measures where target burial cannot be achieved. It should be noted that where cable burial depth cannot be achieved, the as-laid positions of the cables and location of rock protection will be provided to the fishing industry in plotter formats as soon as practicable. The CaP sets out an approach to surveys of cables and any protection during the operational life of the Development.

NOTE: ICOL have agreed with MD-LOT, that two Cable Plans will be submitted for approval: an Export Cable Plan (IC02-INT-EC-OFC-012-INC-PLA-002) and an Inter-array Cable Plan (IC02-INT-EC-OFC-012-INC-PLA-001). Each of the Cable Plans will deliver all the requirements highlighted above.

7.2 Information Dissemination and Communication

Throughout the pre-construction, construction and operational phases of the Development, ICOL will remain committed to maintaining open dialogue and effective communications with the fishing industry. This is key to supporting ICOL's commitment to co-existence, where practicable, to enable both the Development and the relevant commercial fisheries to manage works through awareness of upcoming activities, for example notification of installed infrastructure and active safety zones.

To facilitate this, the implementation of appropriate information dissemination, a communication protocol is of key importance. The organogram given in Figure 7.1 details the lines of communication during construction between the ICOL personnel and the fisheries liaison roles.

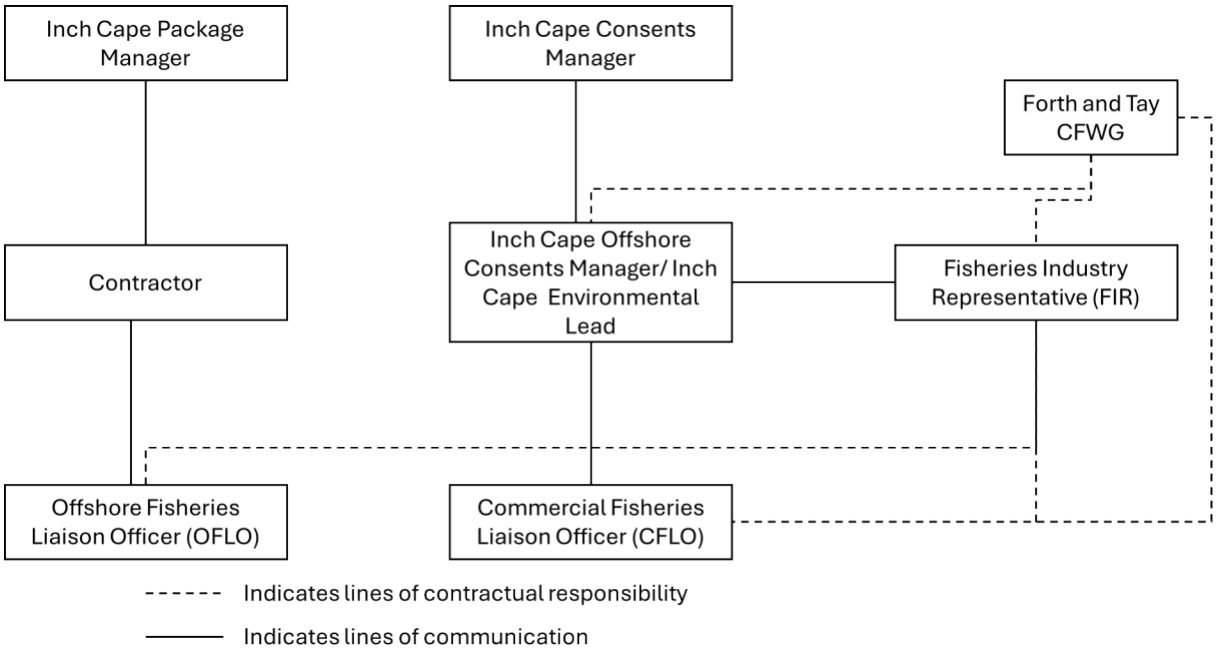


Figure 7.1 Lines of Communication During Construction.

Information regarding pre-construction and construction works will be circulated to fisheries stakeholders with a view to minimising interference and facilitating effective co-existence. The proposed schedule for dissemination of information to the fishing industry is outlined in Table 7.1.

Table 7.1 Scheduling of Liaison and Notice and Information Distribution

Activity/Information to be disseminated	Timescale for distribution
Construction planning	Notices and information distribution, once available, and following submission of relevant plans to Marine Directorate. Appropriate notice will be given prior to the commencement of construction activities.
WNoO	A weekly notice providing a description of construction activities which are planned for the coming week, vessels involved in each activity and information on safety zones.

Activity/Information to be disseminated	Timescale for distribution
NtM **Kingfisher Bulletin**	Notices and information distribution not less than 14 days prior to survey mobilisation (where feasible).
Surveys which may require gear relocation or that may have potential to cause significant displacement to fishing activity	Notices and information distribution not less than 14 days prior to survey mobilisation (where feasible).
Specific construction works	Notice and information distribution, as soon as is reasonably practicable, prior to Commencement of construction works. Notice and information will aim to be provided not less than 14 days prior for individual construction vessels mobilisations (where feasible).
Forth and Tay CFWG	Meetings bi-annually or as required during the pre-construction, construction and operational phases.
FTCFWG Newsletter	Project update circulated by e-mail or hard copy to fisheries stakeholders on a bi-annual basis or as needed by the Project.
Unscheduled Liaison	Additional unscheduled liaison and consultation will be undertaken by either the CFLO or the FIR as required to address issues and fishermen's concerns as they arise.

7.2.1 Guard Vessels

During construction, guard vessel(s) will be deployed within the Development Area and the OECC where appropriate. The role of the guard vessel(s) is to facilitate safe construction through offshore liaison with other sea users in the vicinity of the works. Guard vessel(s) will also be in regular communications with the OFLO and CFLO to exchange information on fishing activity and any static fishing gear in areas relevant to the Development.

Provision of guard vessels will be the responsibility of relevant Contractors during construction activities, as appropriate.

7.3 Commercial Fisheries Measures

Throughout the construction phase, ICOL will continue to engage with fishers operating in areas of relevance to the Development. Construction activity updates, as detailed in Table 7.1, will be provided to facilitate co-existence between ICOL and the fishing industry.

In addition to the provision of information the following measures specific to commercial fisheries have also been identified in the sections below.

7.3.1 Code of Good Practice for Project Contracted Vessels

Once Contractors are appointed, these will be contractually required to follow a code of good practice in order to ensure external communication is accurate and to aid co-existence with the fishing industry. This will include the following considerations:

- Adherence to COLREGS and SOLAS requirements;
- Maintain polite, proactive and professional communications with fishing vessels during offshore operations;
- Monitor at all times the required VHF channels so as to receive communications directly from fishing vessels;
- Undertaken appropriate risk assessments in respect of potential interactions with commercial fishing vessels and their gears;
- Have on board fisheries liaison/interaction guidance document (as given in CEMP; Appendix 4);
- Where appropriate, suitably qualified and certified OFLOs will be on board project vessels; and
- Vessels transiting to the Development shall follow the indicative transit routes as defined in the VMNSP where and when safe and practical to do so.

7.3.2 Transit Plan

The FMMS conditions, as set out in Section 3, require the FMMS includes a Fishing Gear Transit Plan ('Transit Plan'), which is defined by the offshore consent conditions as a 'plan which sets out measures to be taken to avoid or reduce the impact of vessel movement on the local fishing industry and to promote a sustainable co-existence. It will include indicative transit routes for vessels operating in and around the Works and transiting to the site from relevant ports."

Through pre-submission consultation with the SFF ICOL recognised that there was the potential for construction vessels outside the Development Area to interact with fishing activity and one additional mitigation was identified to minimise the potential impacts on the fishing industry during the construction phase. Indicative transit route planning has been undertaken with ICOL's relevant contractors following consultation with relevant fishers. The objective of having agreed, indicative transit routes is the avoidance of areas of intense fishing activity to aid co-existence between the fishing industry and the Development. Transit route corridors are detailed in Section 11 of the Inch Cape VMNSP (ICO2-INT-EC-OFC-008-INC-PLA-001) and are displayed below:

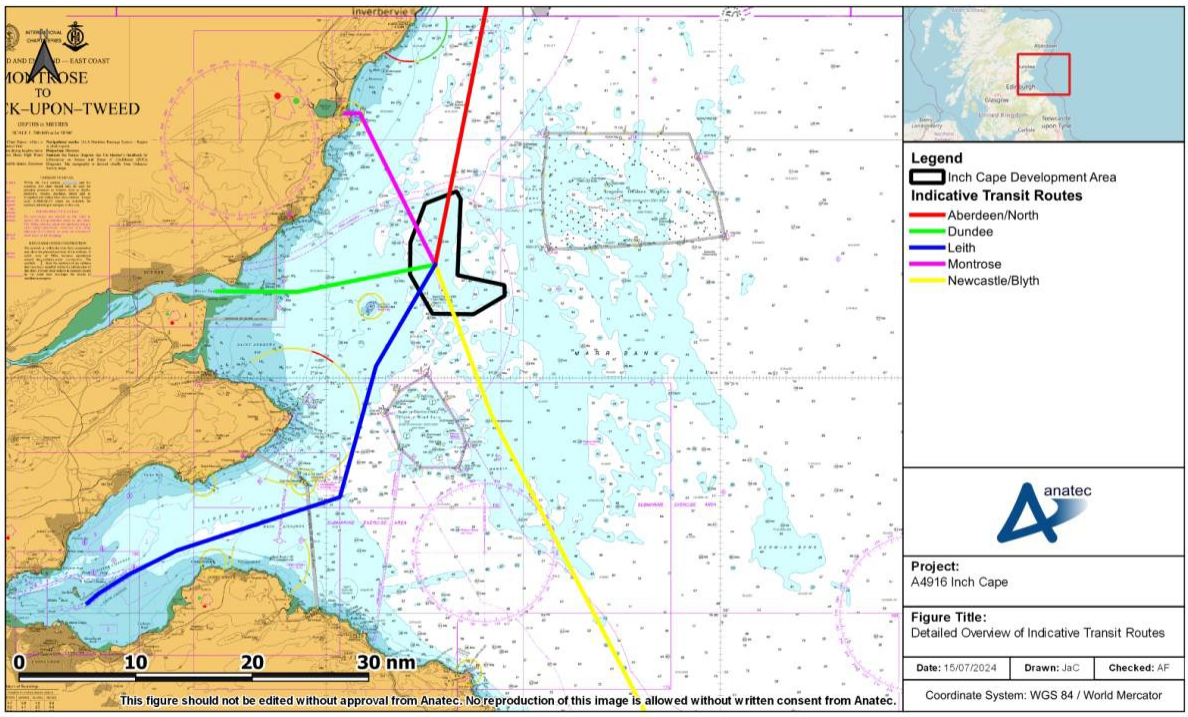


Figure 7.2 Inch Cape Indicative Transit Routes

The indicative transit routes will be reviewed throughout the lifetime of the project, in consultation between The Development and the fishing industry to ensure they continue to avoid areas of intense fishing activity. The VMNSP sets out a series of measures to manage potential impacts of transiting project vessels on fisheries activity (and indeed all marine users) and promote co-existence. These collective measures form the 'Transit Plan'. Compliance with indicative transit routes will be monitored by the ICOL ECoW. Non-Compliances with the transit routes will be reported to MD-LOT and to the ICOL Consent Team, root causes will be established and corrective actions identified to prevent reoccurrence. All evidence to close out any non-compliance will be presented to MD-LOT before final close out.

7.3.3 Commercial Fisheries Monitoring

The aim of commercial fisheries monitoring is to provide a series of updates to the commercial fisheries baseline to provide an accurate representation of current activity from which to improve understanding of variations and trends in commercial fisheries activity in areas of relevance to the Development by project phase.

The results of the monitoring reports may inform updates to the FMMS. Information on the commercial fisheries monitoring commitment is provided in ICOL's PEMPs (IC02-INT-EC-OFC-017-INC-PLA-001 and IC02-INT-EC-OFC-017-INC-PLA-002 The data to be collected and reported (as described in the PEMPs) may offer opportunities to address areas of scientific uncertainty in relation to fisheries.

7.3.4 Cooperation Payments

In accordance with Section 7 of the FLOWW (2014) guidance, co-existence with the fishing community is the clear preference of ICOL followed by appropriate and feasible mitigation. Where this is not practicable, co-operation payments will be considered.

Co-operation payments for the disruption to or loss of fishing activity will only be established on the basis of factually accurate and justifiable claims to achieve a position whereby fishing interests are neither advantaged nor disadvantaged, in accordance with the FLOWW (2015) guidance. Affected fishermen will be required to provide evidence to corroborate any claims of economic loss from the relocation of fishing gear from the Development (FLOWW, 2014). The required evidence is detailed in Section 7.3.5. If mutual agreement cannot be reached then both parties should seek to undertake Alternative Dispute Resolution (ADR), in line with FLOWW (2015) guidance. The ADR will need to be undertaken by a mutually agreed third party by both sides of the dispute.

7.3.4.1 Static Fishing Gear

It is possible that during construction ICOL will request the relocation of static fishing gear from within the Development to ensure the safety of their contracted vessels and other third-party mariners. In this case, evidence-based co-operation payments would be provided.

The objective of co-operation payments is for individuals who relocate fishing gear to maintain their earnings, and not make a loss or profit due to relocating fishing gear from the ICOL construction site. Prior to project activities being conducted in an area where it is anticipated static gear is present in high densities, a static gear scout survey may be carried out in advance of engagement of co-operation agreements. Once agreed, the payments will be provided to vessel owners on the condition of agreeing to the terms listed within the co-operation agreement, which will be signed by both ICOL and the vessel owner.

7.3.5 Evidence Base

The following documentation and data are required to form an evidence base to support any claim for co-operation payments.

a) Copy of certificate of registry for each vessel for which a claim is being made;

b) Copy of a valid MCA certification or equivalent;

c) Copy of the relevant vessel fishing licences and entitlements;

d) Provision of vessels fishing charts or GPS plotter records to provide clear historic evidence of potential disruption in the area of the operations. Alternatively, where such data is not attainable, provide annotated admiralty charts indicating areas fished. This may be undertaken with assistance from the CFLO who will provide graphics and work with the claimant to understand the areas fished;

e) Evidence of monthly sales notes for the three-year time period prior to the claim, i.e. 2021-2024; and

f) Annual fishing accounts of the vessels concerned for a three-year time period or equivalent evidence of annual earnings e.g. self-assessment tax return;

There is some flexibility in the level of evidence provided, depending on what is available to the claimant. If the claimant believes they will suffer economic loss, but do not have all aspects required under the evidence base, the CFLO can provide advice more tailored to the claimant's specific circumstances in order to assist the claimant in submitting a claim.

7.3.6 Fishing Fastening Protocols

A key reference for information on emergency procedures in relation to fishing gear held fast on the seabed is KIS-ORCA (https://kis-orca.org/safety/emergency-procedures/). The procedure outlined in this Section replicates that which has been in place in respect of the UK offshore oil and gas industry and describes the steps that should be undertaken in the event of fishing gear becoming fastened within the Development.

- If a fishing vessel suspects they are fast to a cable/structure, fishermen should not endanger fishing vessel and crew by attempting to recover gear.
- The fishing vessel should advise the Coastguard or the ICOL Marine Co-ordinator, giving an accurate position of the vessel and/or lost gear.
- If the Coastguard or the ICOL Marine Co-ordinator confirms that the vessel is in the immediate vicinity of a cable or wind farm related infrastructure, serious consideration will be given to the slipping of the gear and buoying and recording its position.
- After buoying off the gear, the position should be confirmed with the Coastguard or the CFLO.
- On return to port, contact the local Fishery Office and register the incident in the normal manner.

- Complete a gear loss record form and forward it to CFLO and/or the ICOL Marine Co-ordinator (example of a claims form for damage to gear is provided in Appendix 3).
- Skippers should not grapple in an attempt to recover fishing gear lost or cut away in the vicinity of cables or any structures.

Further information on navigational safety measures and a summary of emergency responses and coordination arrangements for the construction and operational phase of the Development is included within the VMNSP.

A summary of the management and mitigation measures detailed above in relation to the relevant fisheries identified in Section 5 is given in **Table 7.2**.

Table 7.2 Overview of management and mitigation measures by fishery

Management and Mitigation Measures	Creeling	Nephrops Fishery	Scallop Fishery	Squid Fishery
Project Design				
CMP	✓	✓	✓	✓
WTG and OSP layout	✓	✓	✓	✓
Lighting and marking	✓	✓	✓	✓
Safety Zones	✓	✓	✓	✓
Cable Plan	✓	✓	✓	✓
VMNSP	✓	✓	✓	✓
Dropped Object procedure	✓	✓	✓	✓
Information Dissemination and Communication				
CFLO	✓	✓	✓	✓
FTCFWG FIRs	✓	✓	✓	✓
WNoO	✓	✓	✓	✓
NtMs	✓	✓	✓	✓
FTCFWG	✓	✓	✓	✓

GVs	✓	✓	✓	✓
OFLOs	✓	✓	✓	✓
Project Vessel Code of Good Practice	✓	✓	✓	✓
Transit routes	✓	✓	✓	✓
Over-trawlability assessment	✓	✓	✓	✓
Cooperation Payments	✓			
Fastening Protocol	✓	✓	✓	✓
Commercial Fisheries Monitoring	✓	✓	✓	✓
Gear Loss Claim Form	✓	✓	✓	✓

8 References

FLOWW (2014). Best Practice Guidance for Offshore Renewable Developments: Recommendations for Fisheries Liaison.

FLOWW (2015). Best Practice Guidance for Offshore Renewables Developments: Recommendations for Fisheries Disruption Settlements and Community Funds.

ICOL (2018). Inch Cape revised Environmental Impact Assessment Report.

Marine Scotland (2020). Guidance on producing a Fisheries Management and Mitigation Strategy (Rev 2.2) Draft.

Appendices

Appendix 1 Summary of Liaison to Date

Table 8.1 Summary of Liaison to Date

Date	Stakeholder	Description
27/02/2019	FT CFWG members	FT CFWG meeting
06/08/2019	Port Seton fishermen	Project update on upcoming nearshore works
06/08/2019	Dunbar fishermen	Project update on upcoming nearshore works
27/10/2020	FT CFWG members	FT CFWG meeting
30/04/2021	FT CFWG members	FT CFWG meeting
12/07/2021	FT CFWG members	FT CFWG meeting
22/03/2022	FT CFWG members	FT CFWG meeting
31/03/2022	Arbroath and Montrose fishermen	Project update on upcoming site investigation works
22/06/2022	FT CFWG members	FT CFWG meeting
21/11/2022	FT CFWG members	FT CFWG meeting
20/02/2023	FT CFWG members	FT CFWG meeting
05/04/2023	Arbroath Fishermen's Association	Project update on upcoming site investigation works
05/04/2023	Angus Fishermen's Association	Requested meeting by new association to give project update on site investigation works

Date	Stakeholder	Description
07/06/2023	FT CFWG members	FT CFWG meeting
11/10/2023	FT CFWG members	FT CFWG meeting
15/04/2024	FT CFWG members	FT CFWG meeting
19/06/2024	All FT FIRs	Transit route consultation
21/06/2024	Fife Fisherman's Association	Transit route consultation
26/06/2024	Arbroath Fisherman's Association	Transit route consultation
29/07/2024	Montrose Fisherman's Association	Transit route consultation
22/10/2024	FT CFWG members	FT CFWG meeting
22/11/2024	FTCFWG	FMMS Consultation
20/12/2025	FTCFWG	FMMS Consultation

Appendix 2 CFLO Contact Details

Table 8.2 CFLO Contact Details

ICOL CFLO	Alex Winrow-Griffin
Email	alex@brownmay.com
Telephone Number	+44 (0)7760 100039

Appendix 3 Gear Loss Claim Form

Table 8.3 Example of a Gear Loss Claim Form

COMPENSATION CLAIM FORM STATIC GEAR	**Official Use Only**
Claim for compensation for damage or loss of fishing gear, loss of fishing time, or damage to vessel by offshore renewable activity	Ref. No. Developer

SECTION 1: To be completed by the Skipper

1.1 Vessel Information:

Name of Vessel	Registration No.
Name and Address of Skipper	Name and Address of Owner/Agent
Name of person on watch	Crew number

1.2 Incident Information:

Date of Incident	Type of Fishing in which engaged e.g. Creels / Lines
Time of Incident	
Nature of Incident e.g. how the incident occurred, how the skipper / crew responded, attempts made to retrieve gear.	

Please complete section A:

A) Static Gear (coordinates of all gear lost / damaged)

Conditions	Wind Force (mph)	Wind Direction (°)
Number of fleets		
Fleet lengths		
Number of pots per fleet		
	Start Position (DD°MM.M')	**End Position** (DD°MM.M')
Fleet 1	Latitude:	Latitude:
	Longitude:	Longitude:
	When was Fleet last lifted	
Fleet 2	Latitude:	Latitude:
	Longitude:	Longitude:
	When was Fleet last lifted	
Fleet 3	Latitude:	Latitude:
	Longitude:	Longitude:
	When was Fleet last lifted	

If more than 3 fleets were used please add details here:

Number and description of surface markers used:

1.3 Details of implicated party (if available):

Name of Vessel	Registration No.
Name and Address of Skipper	Name and Address of Company
Evidence to support this party caused the damage	
Where can the debris be inspected	
Photographs attached? (Yes/No)	AIS information attached? (Yes/No)
Any other evidence to support damage or loss. Please add all relevant evidence	

1.4 Supporting evidence of vessels witnessing the incident: (if none write “NONE”)

Name of Vessel(s)	Statement(s) are: (attached or to follow)

1.5 Details of Damaged Gear:

Full details of vessel damage or gear damaged:			
Value of replacement or repairs **(excluding VAT)**		Fishing gear:	£
		Vessel damage:	£
Loss of fishing time	Hours:	Value:	£
Fish lost/dumped due to contamination	Quantity:	Value:	£
		Total:	**£**

1.6 Details of Lost Gear:

Full details of vessel damage or gear lost:			
Value of replacement or repairs		Fishing gear:	£

(excluding VAT)			Vessel damage:	£
Loss of fishing time	Hours:		Value:	£
Fish lost/dumped due to contamination	Quantity:		Value:	£
			Total:	**£**

1.7 Details of Insurance:

The following details of the vessel's Hull and Machinery Insurance are required if part of this claim relates to damage to the vessel

Insurer	Hull Excess £
Policy No.	Machinery Excess £

Documentation:
Fishermen should provide evidence, where possible, of e.g. fishing licence, MCA safety cert, photo plotter, photos of damage gear, invoices for replacement gear or repairs. If claiming loss of earnings, please provide evidence of e.g. sales notes for time of year and accounts.

Please list all documents included with this claim form:

1.7 Declaration of Skipper:

I hereby certify that the details provided by me in this claim forms are, to the best of my knowledge, true and accurate

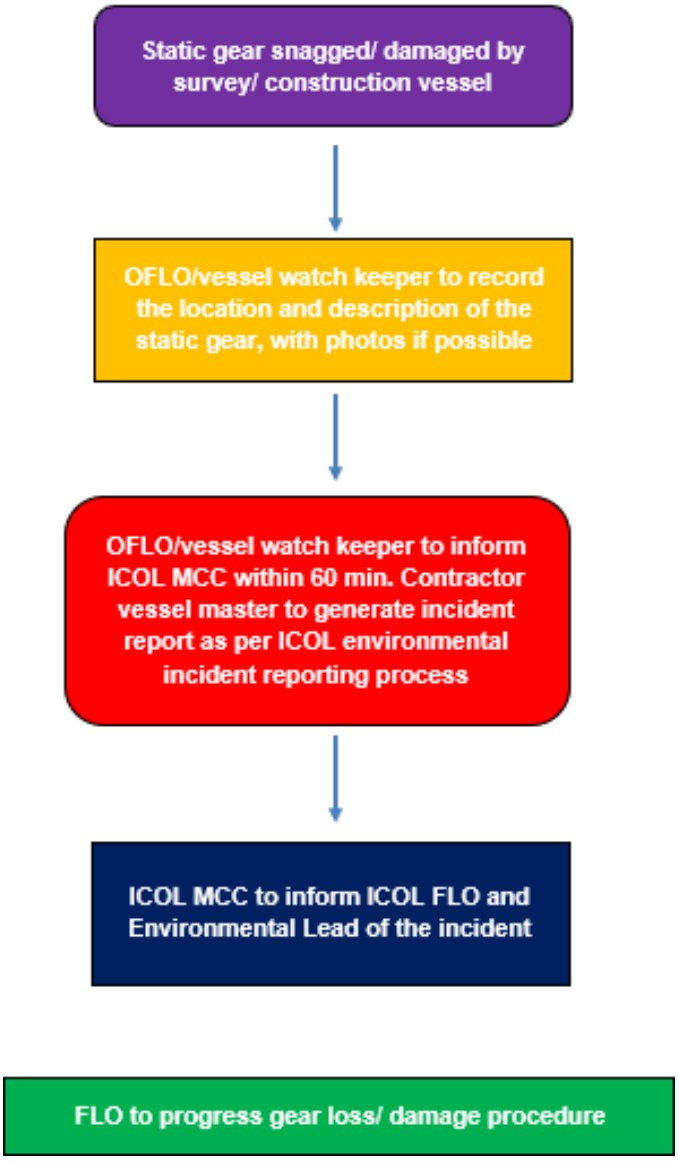
Signed …… Print Name …… Date ……

SECTION 2: To be forwarded to relevant developer of contractor, by owner or agent, as appropriate

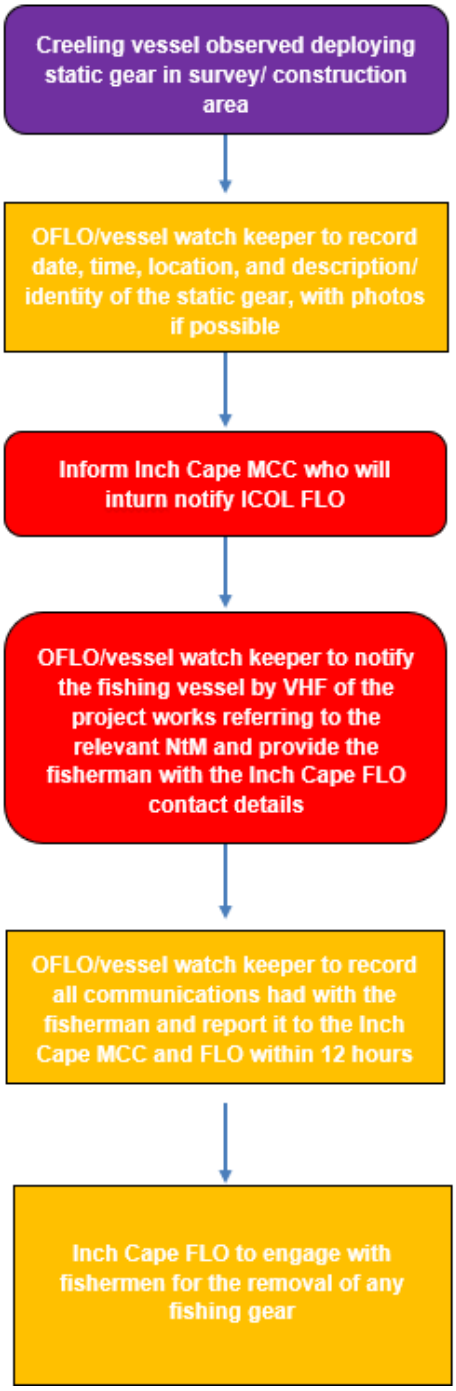
Please enter address of developer or contractor:

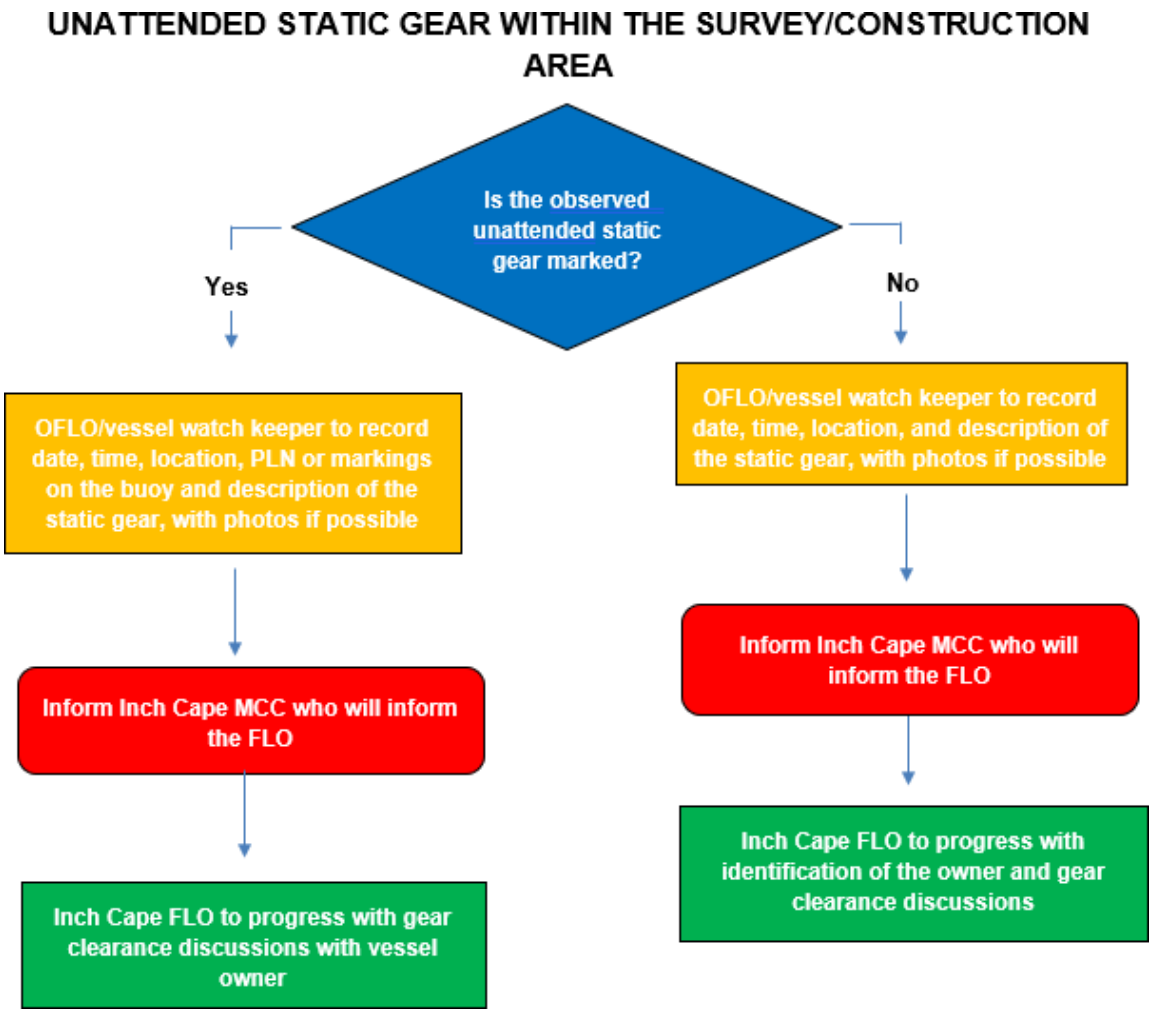
Appendix 4 Onboard Fisheries Liaison / Interaction Guidance Document

SNAG/DAMAGE TO STATIC GEAR

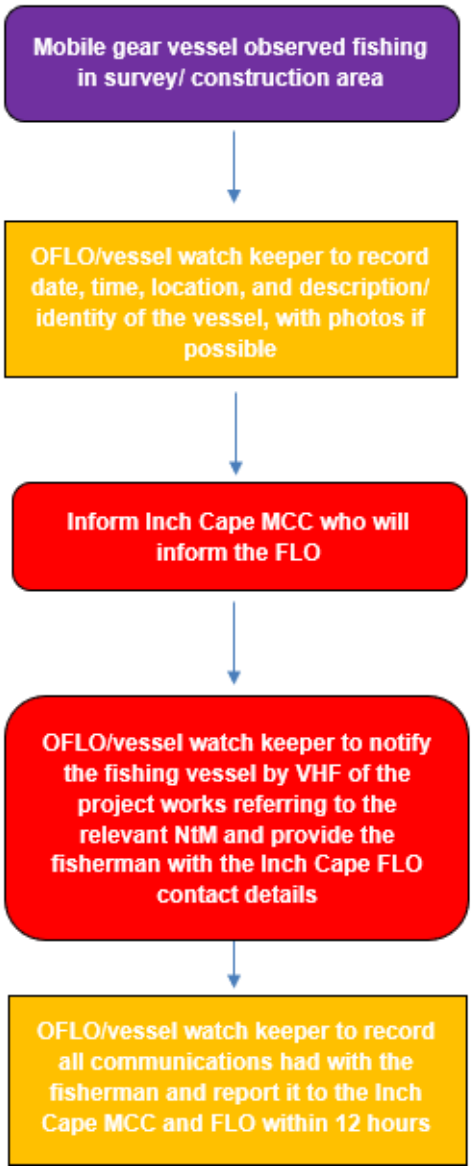


VESSEL OBSERVED DEPLOYING STATIC GEAR WITHIN THE SURVEY/CONSTRIUCTION AREA




UNATTENDED STATIC GEAR WITHIN THE SURVEY/CONSTRUCTION AREA
Is the observed unattended static gear marked?
Yes
No
OFLO/vessel watch keeper to record date, time, location, PLN or markings on the buoy and description of the static gear, with photos if possible
Inform Inch Cape MCC who will inform the FLO
Inch Cape FLO to progress with gear clearance discussions with vessel owner
OFLO/vessel watch keeper to record date, time, location, and description of the static gear, with photos if possible
Inform Inch Cape MCC who will inform the FLO
Inch Cape FLO to progress with identification of the owner and gear clearance discussions

MOBILE GEAR VESSEL FISHING IN SURVEY/CONSTRUCTION AREA



Organisation	Contact	Telephone (office hours)	24 hr. Contact	Email
ICOL FLO (BMM)	Alex Winrow-Giffin	+44 (0) 7760 160039	+44 (0) 7760 160039	alex@brownmay.com
ICOL ECoW	Derek Duckett	TBC	TBC	Derek.duckett@inchcapewind.co.uk
ICOL Consents Fisheries Lead	Gavin Kelly	TBC	TBC	Gavin.Kelly@inchcapewind.co.uk
Inch Cape Marine Coordination Centre (MCC)	Graeme Watters	TBC	TBC	Graeme.watters@inchcapewind.co.uk