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The Scottish Government
Riaghaltas na h-Alba

Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

Marine (Scotland) Act 2010

Marine Scotland, 375 Victoria Road, Aberdeen, AB11 9DB
http://www.gov.scot/Topics/marine/Licensing/marine

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Acronyms

Please note the following acronyms referred to in this application form:

MHWS	Mean High Water Springs
MS-LOT	Marine Scotland – Licensing Operations Team
WGS84	World Geodetic System 1984

Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

1. Applicant Details

The person making the application who will be named as the licensee.

2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

4. Application Type

Indicate if the application is for a new marine farm site or an existing marine farm site. Provide the existing or previous consent/licence number and expiry date if applicable.

5. Marine Farm Details

(a) Indicate the type of marine farm, either finfish or shellfish.

(b) Indicate the deposits of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.

(c) If applicable, indicate the removals of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.

(d) Provide the proposed start date for installation of the marine farm. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**

(e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.

(f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the moorings area and for each of the component parts of the marine farm, including sub-surface equipment. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84.

Example: For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44''N 2°22'11''W (WGS84).

It is important that the correct positions, in the correct format, are included with this application, as any errors will result in the application being refused or delayed.

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

(g) Indicate if the marine farm is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.

(h) Provide assessment of the potential impacts the works may have on navigation, including interference with other uses of the sea.

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

6. Planning Permission

Indicate if you have, or if you are in the process of applying for, planning permission for the marine farm. Provide the reference number for the planning application if applicable and/or supply a copy of the planning permission along with the completed application form.

Marine licence applications will not be determined without valid planning permission.

7. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: http://www.gov.scot/Publications/2015/03/6517/0

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

8. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.

9. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. pontoon, moorings etc). If this is the case, provide reference/licence number for the related marine projects.

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It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

(a) for reasons of national security; YES ☐ NO ☒

(b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES ☐ NO ☒

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature [Redacted]

Date 28/02/20

Name in BLOCK LETTERS Owen Kilbride

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☑
- Project Drawings ☑
- Maps/Charts ☑
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☐
- Copy of planning permission (if applicable) ☑
- Additional information e.g. photographs, consultation correspondence (if applicable) ☑
- Payment (if paying by cheque) ☐

1. Applicant Details

Title: Mr Initials: O Surname: Kilbride

Trading Title (if appropriate): Fearnmore Shellfish

Address:

Name of contact (if different):

Telephone No. (inc. dialing code): 07747514303 / 01520 744204

Email: owen.kilbride@gmail.com

Statutory Harbour Authority? YES ☐ NO ☒

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

2. Agent Details (if any)

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

3. Payment

Enclosed Cheque ☐ Invoice ☒

Contact and address to send invoice to:

Applicant ☒ Agent ☐ Other ☐

If **OTHER**, please provide contact details:

Title: Initials: Surname:

Address:

Email:

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4. Application Type

Is this application for a new marine farm site or an existing marine farm site:

New Site ☒ Existing Site ☐

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date

5. Marine Farm Details

(a) Type of marine farm:

Finfish ☐ Shellfish ☒

(b) **Deposits** of component parts/equipment:

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines	2	115m on surface (215m between mooring points)
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings	1	
Rafts		
Pontoons		
Marked Buoys		
Other (please specify) Oyster Trestles	20	Trestle area 15m x 30m

(c) **Removals** of component parts/equipment (if applicable):

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(d) Proposed start date **(Target duration for determination of a marine licence application is 14 weeks):**

June 2020

(e) Cost of the works seawards of the tidal limit of MHWS:

£4990

(f) Location:

The site, known as Faingmor bay, is situated 500m SW of Fearnmore on the Applecross peninsular, on the southside of Outer Loch Torridon, (between 'Roinn an Fhaing Mhoir' and Rubha Buidhe)

Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude											**Longitude**										
Moorings Area																					
5	7	°	3	4	.	6	6	7	' N				5	°	4	7	.	9	2	6	' W
5	7	°	3	4	.	5	6	7	' N				5	°	4	7	.	7	9	7	' W
5	7	°	3	4	.	5	6	1	' N				5	°	4	7	.	8	1	4	' W
5	7	°	3	4	.	6	3	8	' N				5	°	4	8	.	0	1	7	' W
Cage Group Area/Longline Position(s)																					
5	7	°	3	4	.	6	6	5	' N				5	°	4	7	.	9	2	8	' W
5	7	°	3	4	.	5	7	1	' N				5	°	4	7	.	8	1	0	' W
		°			.				' N					°			.				' W
5	7	°	3	4	.	6	6	2	' N				5	°	4	7	.	9	3	7	' W
5	7	°	3	4	.	5	6	9	' N				5	°	4	7	.	8	1	6	' W
		°			.				' N					°			.				' W
Feedbarge/Feedpipe Position(s)																					
		°			.				' N					°			.				' W
		°			.				' N					°			.				' W
Boat Mooring Position(s)																					
5	7	°	3	4	.	6	4	3	' N				5	°	4	7	.	9	5	8	' W
		°			.				' N					°			.				' W
Raft Position(s)																					
		°			.				' N					°			.				' W
		°			.				' N					°			.				' W
Pontoon Position(s)																					
		°			.				' N					°			.				' W
		°			.				' N					°			.				' W
Marked Buoy Position(s)																					
		°			.				' N					°			.				' W
		°			.				' N					°			.				' W

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority

YES ☐ NO ■

If **YES**, please specify statutory harbour authority:

(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

The area of proposed development is not open to trawling or dredging, and is not fished by the Nephrops creel fishing fleet. It is occasionally fished by small local boats for Crab, Lobster and Wrasse, and very occasionally visited by

6. Planning Permission

Do you have planning permission for the marine farm? YES ☒ NO ☐
If **YES**, please supply a copy of the planning permission

If **NO**, please provide details of planning application, including reference number:

Marine licence applications will not be determined without valid planning permission.

7. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan? YES ☒ NO ☐

If **YES**, provide details of considerations made including reference to the policies that have been considered:

See attached document.

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

8. Consultation

List all bodies you have consulted and provide copies of correspondence:

I have consulted with local fishing vessels based in Ardheslaig and shieldaig,(MV Christine, MV Fram, MV Sea Fox, MV Amity) providing location maps, site plans and equipment details of the proposed development. I also visited and provided details of the proposed development to the two Salmon Farms operating in Loch Torridon - (Mowi and The

9. Associated Works

Provide details of other related marine projects, including reference/licence numbers (if applicable):