



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Act 1997

With reference to the application for **Planning Permission** (described below) under the above Act, the Shetland Islands Council in exercise of their powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying, the application; subject to the condition(s) specified below.

Applicant:

Hjaltland Seafarms Ltd
Gremista
Lerwick
Shetland
ZE1 0PX

Reference Number: 2005/1032/RF

To modify an existing salmon farm by amending cages to ten 90m-circumference cages, and by siting a feed barge, Taing of Railsbrough, Catfirth

(1) Unless otherwise previously approved in writing by the Council, the development hereby permitted shall not be carried out other than wholly in accordance with the following plans and details received by the Council on 30 August 2006:

- Admiralty Charts;
- Site Plan;
- Barge Photographs

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (2) The development hereby permitted shall be commenced within three years of the date of this permission.

Reason: To comply with the Council's Interim Policy for Marine Aquaculture (adopted 4 July 2007).

- (3) All equipment and associated moorings approved by this permission shall be wholly contained within the area identified on the Admiralty Chart received by the Council on 30 August 2006, the approved mid-point of the site being:

60° 14.621' N -1° 11.131' W (WGS84 projection)

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (4) Production shall be restricted to single year-class rearing of salmon and a maximum biomass as consented by the Scottish Environment Protection Agency (SEPA). Details of any other species to be on-grown shall be submitted to the Council for prior approval.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (5) A maximum of ten 90m-circumference cages shall be permitted at any one time. The cages shall be secured to a sub-surface 50m grid-mooring system, and the cage nets to be utilised shall not exceed a depth of 17.5m.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (6) The finished surfaces of the feed barge hereby approved shall be non-reflective and shall be finished in a dark, muted colour. Details of any additional sheds and/or equipment to be located on the barge shall be submitted to the Council for consideration and approval prior to siting. If floodlighting is required, it should be deployed so as to deflect all light in a downwards direction onto the working area of the barge. All floodlighting should be extinguished when personnel are not on board or at those times when it is not required.

Reason: For the avoidance of doubt as to what is being authorised by this permission, and in the interests of visual amenity and navigational safety.

(7) The following navigational marks shall be provided:

- The Northwest and Southwest most extremities of the cage group shall each be marked by a yellow pole, fitted with a yellow multiplication cross topmark, and a yellow flashing light with characteristic *flash one every five seconds (Fl Y 5s)*. The poles shall be at least 75mm in diameter and not less than 2 metres in height such that, in any case, the lights are exhibited from a point at least 1 metre above any obstruction on the group of cages. The visible range of the lights shall be 2 nautical miles. The multiplication crosses shall measure a minimum of 75cm in length by 15cm in width;
- The feed barge shall be marked by an all round fixed white light exhibited from a point at least 1 metre above any obstruction. The visible range of the light shall be 2 nautical miles;
- All buoys used to mark the extremities of the site shall be of high visibility.

Reason: In the interest of navigational safety and to comply with the guidelines laid down by the Northern Lighthouse Board.

(8) Any necessary anti-predation systems shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage (see Note to Applicant below for guidance). If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection. Any changes to permitted anti-predation systems shall be submitted to the Council for consideration and approval prior to any installation and use.

Reason: In the interest of protecting wildlife within the area, and for the avoidance of doubt as to what is being authorised by this permission.

(9) In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, as appropriate, the whole or any part of the equipment so as to remove the obstruction or danger to navigation.

Reason: In the interest of navigational safety.

22 August 2008

Signed:

Head of Planning

Shetland Islands Council, C/o Marine Management Department, NAFC
Marine Centre, Port Arthur, Scalloway, Shetland, ZE1 0UN

Note to Applicant

Anti-predation systems:

It is recommended that you consider the following guidelines with regard to installation of anti-predation systems:

- All anti-predation systems must be effective, non-lethal and seek to deter or dissuade wildlife through exclusion;
- Top nets must be fitted to deter and exclude birds and small mammals;
- Predator nets (both top and submerged) must be of a size which prevents access but does not result in entanglement;
- Tensioned cage nets (utilising some combination of sinker tubes/concrete weights, pulleys and rope) is the preferred anti-predation option;
- Secondary predator nets should only be used where it is impractical to use a cage net tensioning system;
- Monofilament netting must not be used under any circumstances. Secondary predator nets should instead be made of brightly coloured thick mesh in order to make the netting visible to predators and minimise the risk of entanglement and drowning. The nets must be tensioned by using suspended weights;
- All nets must be regularly checked and maintained;
- The operator should keep records of any animals that are by-caught in any anti-predator netting and submit an annual report to the Council and Scottish Natural Heritage (SNH);
- Acoustic Deterrent Devices (ADD's) should only be deployed in conjunction with exclusion nets where there is a persistent problem, unless otherwise specified by SNH;
- ADD's should be set and operated in such a manner as to cover the whole site and should be capable of emitting a random and variable signal;
- Permission to use ADD's requires a licence from the Scottish Government and the Council should be informed of any such request.

Controlled Activities Regulations (CAR):

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (or CAR), a CAR licence is required for point source discharges from fish farms. To obtain or update a CAR licence, you are advised to contact the Scottish Environment Protection Agency (SEPA) as follows: Shetland Office, Esplanade, Lerwick, Shetland, ZE1 0LL. Tel: 01595 696926.

It should be noted that whilst condition no. 5 restricts production in terms of permitted equipment, it does not prejudice any future consideration by SEPA to limit the maximum on-site biomass when an application is made to them for a CAR licence. Any changes to consented biomass should also be notified in writing to the Council for consideration.

Disease Control:

In accordance with The Registration of Fish Farming and Shellfish Farming Businesses Order 1985, all fish farming businesses are required to register with the Scottish Government Marine Directorate (SGMD) for disease control purposes. The Fish Health Inspectorate (FHI) at Fisheries Research Services (FRS) Marine Laboratory acts on behalf of the Scottish Ministers in maintaining the Fish and Shellfish Business Register. To register, you are advised to contact the FHI as follows: FRS Marine Laboratory, PO Box 101, Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 876544; Email: enquiries@marlab.ac.uk

Safety of Navigation:

Under Section 34 of the Coast Protection Act 1949, prior written consent from the Scottish Ministers is required for development which may constitute an obstruction or danger to navigation. To ensure compliance, you are advised to contact the Scottish Government as follows: Scottish Government Transport Directorate, Ports & Harbours Branch, Area 2G Dockside, Victoria Quay, Edinburgh, EH6 6QQ. Tel: 0131 244 7273; Email: gordon.hastie@scotland.gsi.gov.uk

Seabed Lease:

Under the terms of the Crown Estate Act 1961, a seabed lease is required for the development hereby permitted. To obtain or update a seabed lease you are advised to contact the Crown Estate as follows: Offshore Operations Manager (Scotland), The Crown Estate, 6 Bell's Brae, Edinburgh EH4 3BJ. Tel: 0131 260 6070; Email: alex.adrian@thecrownestate.co.uk

Non-statutory publications:

All fish farm operators are expected to comply with relevant codes of best practice, including the *Code of Good Practice for Scottish Finfish Aquaculture* and the *Joint Government/Industry Working Group on ISA Code of Practice to Avoid and Minimise the Impact of ISA*.

Important Information – Appeal Procedures

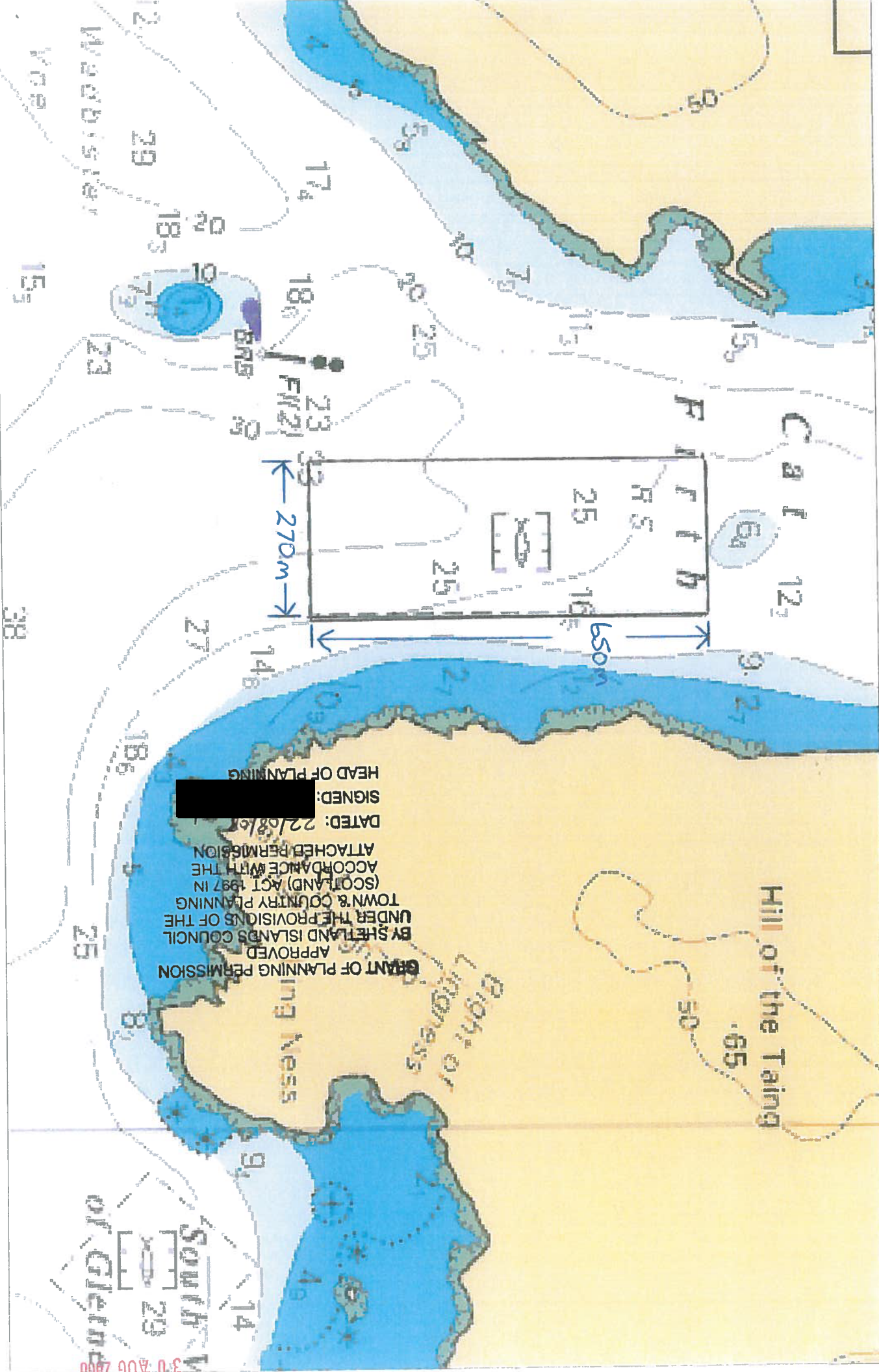
If you feel aggrieved by any of the conditions imposed on your Planning Permission you can appeal to the Scottish Ministers to have them changed or omitted. You must lodge your appeal within six months of the date of the notice of the Council's decision (in certain circumstances the Scottish Government is prepared to consider an appeal after 6 months but there would have to be a very good reason for this).

If you wish to appeal, the relevant form can be obtained from the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Tel: 01324 696 400; Email: DPEA@scotland.gsi.gov.uk. The form can also be downloaded along with information on appeals and appeals procedures at www.scotland.gov.uk/Topics/Planning/Appeals. The form should be completed and sent back to the Directorate for Planning and Environmental Appeals, and a copy also sent to the Coastal Zone Manager at Marine Management Department, NAFC Marine Centre, Port Arthur, Scalloway, Shetland, ZE1 0UN.



RECEIVED

3-0-AUG 2006



Nedsenket rammetøying,
50x50 meter. Alt. 1

RAILSBOUGH
10 X 90m CAGES.

Hammett Core

Består av: 48 mm Megaline med kause
1 og 16 mm galvanisert og sentilsert
1 kjeulingslins i begge ender.



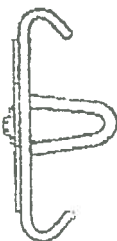
Boye

Består av: LAB 975
41237



Eh koblingskiye

Galvaniser og sertifiser til 25 mm.

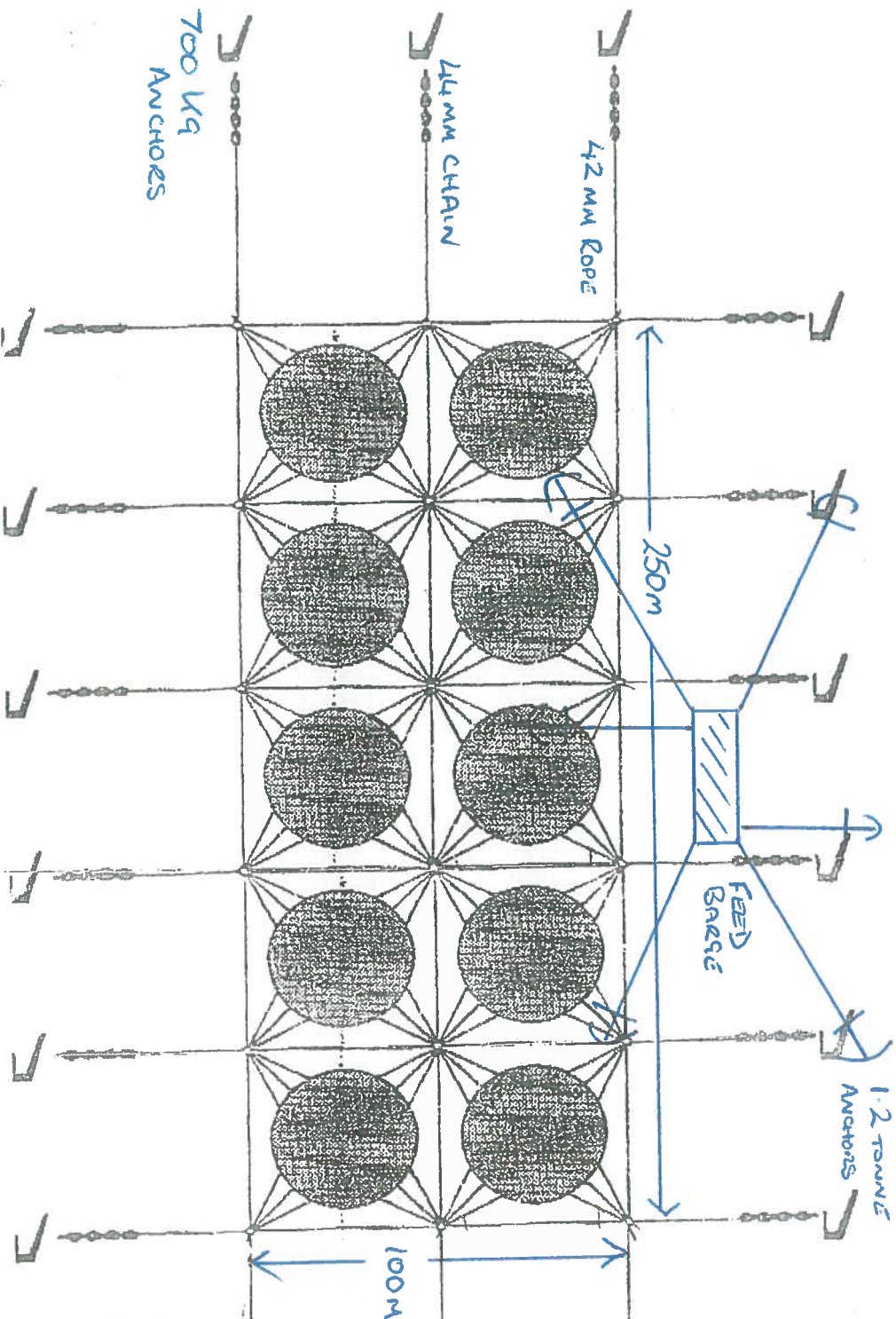


Hane for

Består av: 16 mm galvaniseret
og seniliseret alloy kledning.



GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL
UNDER THE PROVISIONS OF THE
TOWN & COUNTRY PLANNING
(SCOTLAND) ACT 1997 IN
ACCORDANCE WITH THE
ATTACHED PERMISSION
DATED: 22/08/08
SIGNED: [REDACTED]
HEAD OF PLANNING



Boyle
Bachman AB 1250

RECEIVED
30 AUG 2006

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