

THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS/BS-00010826

Site	
Company	Chrysaor (UK) Britannia Limited Upper Denburn House Kingswells Causeway Prime Four Business Park Aberdeen United Kingdom AB15 8PU
Brief Description of Project	Survey works
Associated Licences	

Species	harbour porpoise (<i>Phocoena phocoena</i>); bottlenose dolphin (<i>Tursiops truncatus</i>); minke whale (<i>Balaenoptera acutorostrata</i>); white-beaked dolphin (<i>Lagenorhynchus albirostris</i>)
Inshore/Offshore	Inshore

TEST 1	Purpose of licence
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
Comments	
<p>Test 1 - There is a licensable purpose e.g. Public Health & Safety, Overriding public interest (IROPI), Preventing serious damage, etc)</p> <p>When reviewing an application for IROPI, consider the following:</p> <ul style="list-style-type: none"> · Is a specific need being addressed? · What benefit does the activity provide or what need does it address – social, economic, environmental, health and safety etc? (they should give some details) · Why is the activity essential? · What public interest is served? · Is the activity in relation to any government targets or policies? · Is the applicant undertaking a statutory function? 	

Is a specific need being addressed?

Chrysaor Petroleum Company Ltd (Harbour Energy) has a statutory duty to provide an economic and efficient system for the distribution of natural gas and to ensure that its assets are maintained to ensure a safe, secure and reliable supply to customers. This includes being responsible for ensuring and maintaining the integrity of their gas export infrastructure, including the PL1270 gas export pipeline linking the Britannia oil and gas field with the mainland.

The maintenance of the PL1270 export pipeline requires routine surveys (and unplanned inspection as deemed necessary), to ensure the integrity, reliability and effective function of the export pipeline, and inform maintenance as required.

What benefit does the activity provide or what need does it address – social, economic, environmental, health and safety etc?

Gas is considered to be an essential commodity for energy production for communities, with the export pipeline detailed in Section 1.1 of Xodus Reference Document A304174-S00-REPT-001 Nearshore Survey EPS Licence Application EPS and Protected Sites & Species Risk Assessment, exporting gas for the distribution to commercial and domestic customers, providing a long term economic and social benefit to UK. Therefore, the monitoring of submarine gas export pipeline constitutes work of overriding public need.

Harbour Energy are required to perform operational surveys to monitor the components of the platform and supporting infrastructure, including the nearshore extents of the PL1270 pipeline and duty to ensure that all aspects of the pipeline are working effectively and efficiently, without posing any hazards to the marine environment or its users.

The proposed geophysical survey activities will allow Chrysaor (UK) Britannia Limited (Harbour Energy) to carry out asset integrity/management assessment, to ensure the assets are in good working order; and to identify potential faults and help shape future engineering strategy.

Why is the activity essential

Should the work not proceed, the reliability of gas supply to domestic and commercial customers across the United Kingdom may become compromised and not be as reliable.

Gas is considered to be an essential commodity for energy production for communities, with the export pipeline detailed in Section 1.1 of Xodus Reference Document A304174-S00-REPT-001 Nearshore Survey EPS Licence Application EPS and Protected Sites & Species Risk Assessment, exporting gas for the distribution to commercial and domestic customers, providing a long term economic and social benefit to UK. Therefore, the monitoring of submarine gas export pipeline constitutes work of overriding public need.

What public interest is served?

The pipeline survey activities will enable stable gas supplies (i.e. energy security) to domestic and commercial customers across the United Kingdom which will benefit social and economic aspects.

Is the activity in relation to any government targets or policies?

Chrysaor (UK) Britannia Limited holds a licence under the Gas Act 1995 for the distribution of gas from the Britannia oil and gas field.

Harbour Energy Plc (the parent company of Chrysaor (UK) Britannia Limited) therefore has a statutory duty to provide an economic and efficient system for the distribution of gas and to ensure that its assets are maintained to ensure a safe, secure and reliable supply to customers.

Test 1 satisfied?	YES
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TEST 2	Satisfactory alternatives
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Comments

Test 2 - There is no satisfactory alternative.

When reviewing reasons for no satisfactory alternative, consider the following:

- Has the applicant demonstrated that reasonable effort has been made to consider alternatives that would achieve the same result but with less / no impact on EPS?
- They should explain what alternatives were considered and justification for considering they are unsatisfactory.
- They should always consider the ‘do-nothing’ alternative.
- Possible alternatives may be equipment, methods, locations and timing.

Option 1 – do nothing approach.

The maintenance of the PL1270 export pipeline requires routine surveys (and unplanned inspection as deemed necessary), to ensure the integrity, reliability and effective function of the export pipeline, and inform maintenance as required. Given these surveys and maintenance form a statutory obligation, the 'do nothing' alternative is not applicable in this instance.

Option 2- alternative location.

No alternative locations proposed

Option 3 – alternative timings

No alternative timings have been proposed but the applicant has advised Whilst this is a period of 365 days, the survey activities are expected to take approximately seven days to complete.

Option 4 – reduce the survey period

The survey activities are scheduled to be undertaken between 1 June 2024 and 31 May 2025 and will comprise a single survey.

Whilst this is a period of 365 days, the survey activities are expected to take approximately seven days to complete.

Option 5 – alternative equipment.

Hypothetical alternatives to the use of geophysical survey techniques include the use of human divers or underwater camera systems to monitor this pipeline. These methods typically involve the use of large survey vessels more suitable for inspection of the offshore extents of the pipeline. However, use of such vessels are not suitable for nearshore extents applicable in the area concerned in this license application given the shallow waters, seabed topography and presence of sandbanks. High tidal activity resulting in poor visibility within the landfall area makes the use of a diver or ROV camera inspection implausible. Additionally, high fishing activity

with the use of static fishing gear in the region is a potential entanglement risk for ROVs and divers, while the cathodic protection system installed to prevent pipeline corrosion poses a safety hazard to divers (electrification risk). Due to safety regulations, neither hypothetical alternatives are deemed appropriate.

Given the geographic location and length of the export pipeline, and the requirements of the surveys, there are no feasible alternatives to the use of acoustic (geophysical) survey methods, operated from vessels, to ensure the integrity of the pipeline and identify any sections that may require replacement, repair or decommissioning.

Option 6 - mitigation

All vessels will adhere to the provisions of the Scottish Marine Wildlife Watching Code (NatureScot 2017), and marine mammal monitoring will be conducted as follows:

- There will be MMO coverage for the SBP survey activities with the potential to affect EPS, with adequately trained and experienced MMO(s) working standard 12 hour shifts. They will have prior experience of working at sea.
- Marine Mammal Observer (MMO); During daylight hours the MMO(s) will carry out visual observations to monitor for the presence of cetaceans before the start of SBP activities, and will delay the commencement of the operations should any cetaceans be detected within the 500 m mitigation zone.
- Pre-start search; Visual (MMO) monitoring will be conducted for a pre-start search of 30 minutes (i.e. prior to the commencement of SBP survey operations with the potential to affect EPS).
- Mitigation zone; Should any cetaceans be detected within 500 m of the vessel, prior to the commencement of SBP surveys with the potential to affect EPS (or after breaks in geophysical survey activity of more than 10 minutes), operations will be delayed until their passage, or the transit of the vessel, results in the cetaceans being more than 500 m away from the vessel.
- Reporting; During survey campaigns involving SBP operations, all recordings of cetaceans will be made using JNCC Standard Forms. At the end of the operations, a monitoring report detailing the features of interest recorded, methods used to detect them and details of any problems encountered will be submitted to Marine

Scotland and NatureScot

See Section 5 of the Xodus Document Reference: A-304174-S00-A-REPT-001 for more information.

Test 2 satisfied?	YES
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TEST 3	Favourable conservation status
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Comments

In its response of 30 August 2024, NS advised that due to the scale of the activity, there is a limited risk of significant disturbance and it could conclude that this proposal is not capable of having a detrimental effect on the Favourable Conservation Status (FCS) of any of the EPS concerned.

Test 3 satisfied?	YES
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Date application received: 20/05/2024

Consultation start date: 14/08/2024

Consultation end date: 11/09/2024

Notes

Date	title	Text
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National Marine Plan considerations:

The decision is:

Comments:

Date document generated: 12/09/2024