

T: +44 (0)300 244 5046
E:MD.MarineLicensing@gov.scot

Conservation (Natural Habitats, &c.) Regulations 1994

Application for a licence to disturb or injure marine European protected species (EPS) for one of the following purposes

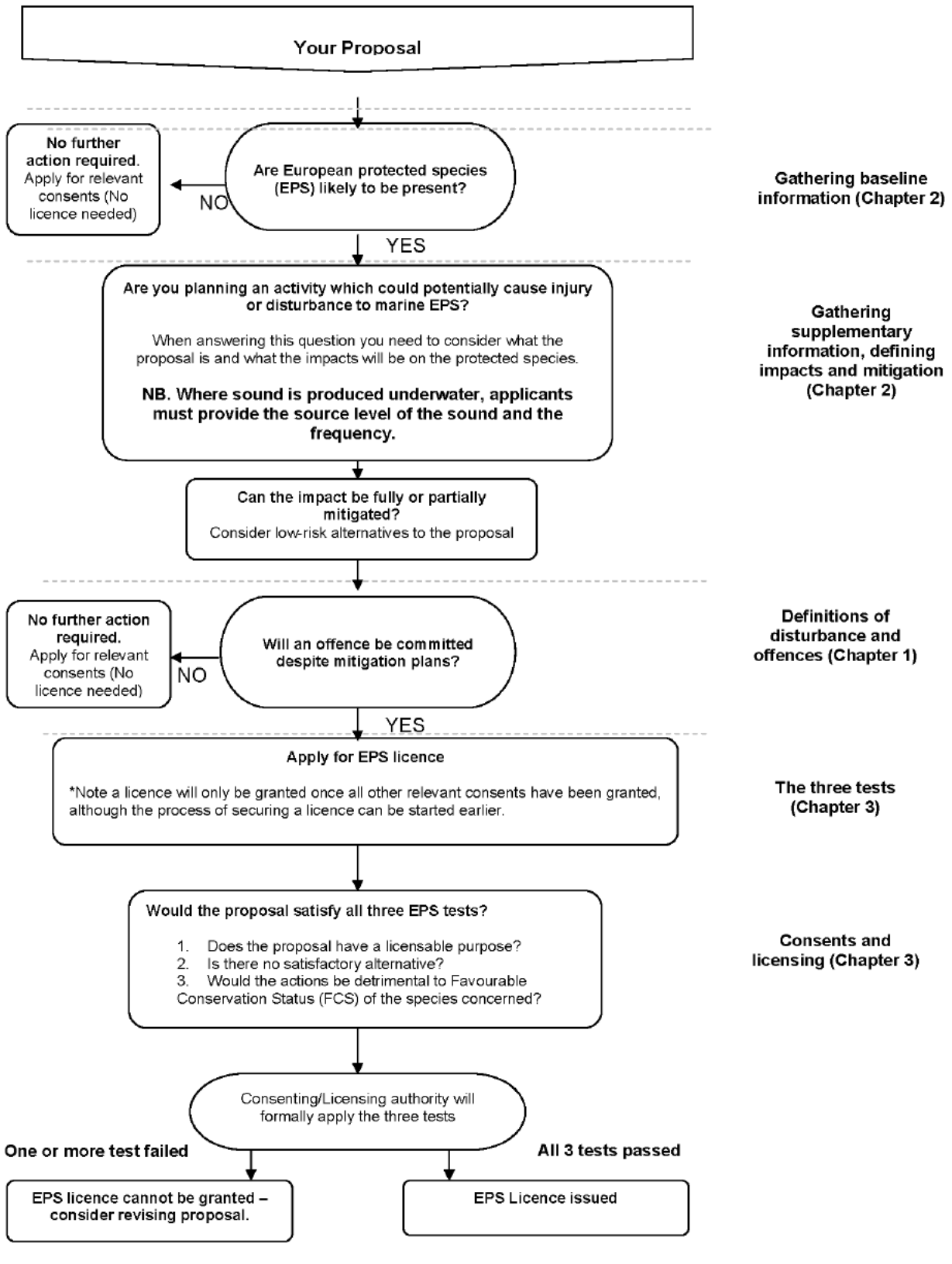
- For preserving public health or public safety or other imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries.

Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish inshore marine area (0 – 12nm).

Important : Before completing this form, please read these notes carefully Applicants are advised to read these notes in conjunction with [The Protection of Marine European Protected Species from injury and disturbance:Guidance for Scottish Inshore Waters](#). If further clarification is needed please contact Marine Directorate Licensing Operations Team (MD-LOT) on 0300 244 5046 or email: MD.MarineLicensing@gov.scot

Flowchart showing the decision-making process

Please refer to the relevant chapter of [The Protection of Marine European Protected Species from injury and disturbance:Guidance for Scottish Inshore Waters](#)



Please complete all relevant sections of the form.

Please ensure that you answer questions fully in order to avoid delays.

The completed application should be sent to Marine Directorate Licensing Operations Team (MD-LOT) at the address below or emailed to MD.MarineLicensing@gov.scot.

If the activity relates to a renewable energy project, completed applications should be sent to Marine Scotland Licensing Operations Team (MD-LOT) at the address below or emailed to MD.MarineRenewables@gov.scot

We will not process unsigned application forms.

Please ensure that you provide appropriate information to support your application. Applicants can provide this supporting information in the form of an EPS Risk Assessment. Guidance can be found in [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#). Please contact MD-LOT if you wish to discuss the level of supporting documentation required for your application. Failure to provide sufficient supporting information may delay the consultation and licensing process.

MD-LOT will aim to determine whether a licence should be issued **within 6 to 8 weeks of acceptance of a completed application**. However, please note that for large scale or complex projects, the determination period may be longer.

If you experience any problems filling in this form, please contact MD-LOT.

Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish marine area (0 – 12nm).

Please note that European protected species are also protected in the offshore marine environment (between 12 and 200 nautical miles). Species in this area are protected under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

Do not use this form if your application relates to scientific, research, conservation or educational purposes. Please contact NatureScot, email licensing@nature.scot, Telephone 01463 725364 or visit the [NatureScot website](#) for a licence application for these purposes. NatureScot also issues licences for the purposes of marking animals or plants in relation to conservation or introducing them to particular areas for conserving natural habitats, and for protecting zoological or botanical collections.

Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).

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

Part A

Section 1 Personal details

Please provide details of the individual, company or partnership you wish to be named on the licence. The licensee is responsible for ensuring compliance with the licence and its conditions. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with the terms and conditions of a licence.

Section 2 Previous applications

Please provide details of any previous relevant licences.

Part B

Section 3

Species

Please provide details of the species that will be affected by the work, the number likely to be affected and a description of how this number was determined. The number of animals must be the maximum that could be affected prior to any mitigation measures being applied. This information can be described in detail in your supporting information. You will need to provide detailed proposals (to be included in the 'supporting information') of all the mitigation work that you plan to carry out which will affect European protected species.

Location

Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the proposed project. 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. In a few cases, (e.g. laying of cables or pipelines) it may only be practicable to supply co-ordinates for the start and end points.

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.

Section 4 Consideration of designated sites

Please provide details of any designated sites affected by your proposals. You are advised to consult NatureScot, or other appropriate regulator, if the work you propose to do affects a European site, a MPA or a Site of Special Scientific Interest.

Section 5 Activities to be licensed

Please indicate the activities you intend to undertake that would otherwise be unlawful. Provide details of the proposed commencement and completion dates of the activities. The licence start date will not be backdated, since to commence a project for which a licence has not been obtained may constitute an offence resulting in appropriate legal action.

It is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

Section 6 Purpose of the licence application

Please indicate the purpose of the licence application, the first of the legal tests. Please complete the relevant annex to provide justification for the licensing purpose. This is the legal basis of the application.

Section 7 Satisfactory alternatives

Please provide your consideration of why there is no satisfactory alternative. This must include all other options that have been evaluated, the alternative sites that were considered by you and why they were rejected (if no other sites were considered, you must provide the reasons why), as well as all alternative methods of carrying out the work and alternatives dates / timings.

In relation to each alternative considered, please provide an explanation of why you consider it to be satisfactory or unsatisfactory. In respect of any alternative sites please provide the location(s) and details of the alternative site(s), or your views on how the activity/proposal might have been achieved differently, and any other helpful information; e.g., pros and cons of alternative sites, or whether there is likely to be demand for all suitable sites to be used to meet an identified need. Please explain how this conclusion was reached.

Section 8 Summary of the planning / licensing position

Detail all consents and licences required for the proposed project and indicate those that you have applied for or received.

Section 9 Noise monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. This includes use of seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. This monitoring requires completion of a form at the application stage (giving details of the proposed work) as well as completion of a 'close-out' form (giving details of the actual dates and locations where the activities occurred). The close-out form should be returned within 12 weeks of completing the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation. These forms are available on the [Marine Noise Registry website](#).

Section 10 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, the Marine Directorate has 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 on the [Scottish Government website](#).

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made with reference to the policies, including but not limited to General Policies 9 and 13 (GEN 9 and GEN 13), that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

Section 11 Privacy notice

This section briefly describes the Scottish Ministers responsibilities in relation to Data Protection based on the requirements of the data protection laws and the Environmental Information (Scotland) Regulations 2004 and the Freedom of Information (Scotland) Act 2002.

Part D
Section 12 Declaration and warning

It is important to read the declaration and warning sections before signing the application form.

Site visits and compliance checks

It is possible that the licensing authority may undertake a site visit prior to the issue of a licence. The majority of site visits will be arranged several days in advance and will be conducted in the presence of the licensee (or applicant) however there may be occasions when a site visit will be made at short notice.

Licensees should be aware that they may receive a request for a site visit by the licensing authority, or a person authorised by the licensing authority, to assess site conditions against the conditions of the licence. It is essential that if any of the agreed mitigation measures contained in the application and supporting information are changed for any reason, the licensing authority is informed as soon as possible.

The Licensing authority will monitor compliance with licences issued based on the information included in licence reports.

Where to seek further information

Further information can be obtained from Licensing Operations Team at the address below.

Marine Directorate - Licensing Operations Team
Scottish Government
375 Victoria Road
Aberdeen
AB11 9 DB

Tel: 0300 244 5046
Email: MD.MarineLicensing@gov.scot

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 1994 Regulations and other legislation.

Part A. The applicant: personal details

These questions relate to the person who will be the named licensee. The licence can be issued to an individual or a company or a partnership and the licensee will be responsible for ensuring compliance with the licence and the conditions of the licence. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with any condition imposed by a licence.

1. Name of applicant

[Redacted]

Title

Company name:

Tarbert (Loch Fyne) Harbour Authority

Business title (if appropriate):

Address:

Harbour Office, Garval Road, Tarbert, PA29 6TR

Tel no. (inc. dialling code):

01880 820 344

[Redacted]

Email address:

2. The applicant: previous applications:

Have you previously held a wildlife licence issued in the UK? (please tick as appropriate)

Yes No (If yes, please complete below, if no, please go to Part B)

Who issued the licence?

Marine Scotland

Licence number (most recent licence)

EPS/BS-00011295; EPS/BS-00011294; EPS/BS-00011442; EPS/BS-00011443

Year in which the licence was issued.

2025

What species were covered by the licence?

Harbour porpoise; bottlenose dolphin; minke whale; white-sided dolphin; short beaked common dolphin; orca; humpback whale; sperm whale; northern bottlenose whale

What activity was covered by the licence e.g. disturb, injure?

Disturbance from geophysical survey

Part B. The application

3. Species

(a) Please indicate which species is / are affected by the proposed works.

Common name(s): Grey seal; harbour seal; harbour porpoise; bottlenose dolphin; minke whale; white-sided dolphin; short beaked common dolphin; killer whale; humpback whale; sperm whale; northern bottlenose whale

Scientific name(s) Halichoerus grypus; Phoca vitulina; Phocoena phocoena; Tursiops truncatus; Balaenoptera acutorostrata; Lagenorhynchus acutus; Delphinus delphis; Orcinus orca; Megaptera novaeangliae; Physeter macrocephalus; Hyperoodon ampullatus

(b) How many individual animals will be affected by licensed work? This number must be the maximum number that could be affected before any mitigation measures are applied.

Grey seal - 1; Harbour seal - 5; Harbour porpoise - 178; Bottlenose dolphin - 32; Minke whale - 14; Short-beaked common dolphin - 264*; Northern bottlenose whale - 10*; Humpback whale - 1; Sperm whale - 1; Killer whale - 10; Atlantic white-sided dolphin - 22

Please provide a description of how this number was calculated / estimated

The estimated area of disturbance was measured by using a 1km area around the proposed survey area. The number of European protected species within this area was calculated using the upper value of density estimates. Where this value was lower than the peak sightings recorded for the site, the peak sightings value has been used. Peak sightings for Atlantic white-sided dolphin, bottlenose dolphin, grey and harbour seals were obtained from the Sea Watch Foundation (2025). All other peak sightings were obtained from Hebridean Whale & Dolphin Trust (2025). See Section 7.3 of the enclosed risk assessment document for details.

*Please note: higher numbers than anticipated were calculated for two species; Northern bottlenose whale habituates water depths of 500 – 1500m (Hague et al., 2020) and it is likely that the species has been misidentified. Short-beaked common dolphin are also not often recorded in Scottish waters. In contrast, if calculations were done based upon density estimates for the wider region (n individuals per km²), the numbers disturbed by the proposed project would likely be zero for both species.

There will be ambient acoustic disturbance from vessels (pleasure boats, fishing vessels and ferries) coming and going from the nearby jetties and berths which is likely to deter the majority of marine mammals from entering the harbour or approaching the site of the proposed work.

(c) **Location of proposed licensed action**

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary.

Latitude										Longitude										
5	5	°	5	1	.	9	8	3	'N		-	5	°	2	4	.	6	9	9	'W
5	5	°	5	2	.	0	0	8	'N		-	5	°	2	4	.	6	6	1	'W
5	5	°	5	2	.	0	1	1	'N		-	5	°	2	4	.	6	6	1	'W
5	5	°	5	2	.	0	5	1	'N		-	5	°	2	4	.	5	9	7	'W
5	5	°	5	2	.	0	6	0	'N		-	5	°	2	4	.	6	1	9	'W
5	5	°	5	2	.	0	4	8	'N		-	5	°	2	4	.	6	6	2	'W
5	5	°	5	2	.	0	4	3	'N		-	5	°	2	4	.	6	7	3	'W
5	5	°	5	2	.	0	0	0	'N		-	5	°	2	4	.	7	3	1	'W

(d) Provide a brief description of the proposed activity and the methods to be used. This should make clear which equipment / activities you consider require an EPS licence and also the equipment / activities you consider do not require an EPS licence.

Detailed information should be included in your supporting information. Please provide details of the source levels and frequencies of underwater noise if relevant.

The proposed project comprises the following:

- Land reclamation on the foreshore to extend the existing car park and provide additional car parking spaces/boat storage (as an extension of current use)
- Construction of a reinforced concrete access slipway for boat recovery/launching
- Construction of an access pontoon (adjacent to the access slipway) for use as a launching point for sea sports activities and for access during boat recovery/launching
- Installation of a boat washdown facility

This will allow the applicant, Tarbert (Loch Fyne) Harbour Authority, to broaden the range of services which they can offer, and support the development of a future water sports activity centre and associated building (to be built on nearby harbour land, subject to funding).

A pneumatic rock breaker attached to an excavator will be used to break up a concrete seawall and rock. It operates with a frequency of 4 to 250Hz, which overlaps slightly with the lower portions of all species' auditory frequency ranges. The majority of rock breaking will be undertaken above Mean Low Water Springs (MLWS) tidal level, with the works undertaken at low tide, minimising the propagation of sound into the marine environment. However, there is a chance that some rock breaking will occur for short periods of time over a 2 week period below MLWS. Therefore, rock breaking activity presents a potential risk of disturbance and harm to the protected species listed.

Commercial divers may be required and will use tools and equipment underwater to complete works below MLWS. A CP22 rock drill was used as the diver tool proxy, which produces noise of up to 116dB respectively at low frequencies of between 10 and 25Hz. Therefore, it is unlikely the low frequency of the rock drills will significantly disturb marine mammals in proximity.

Rock placement will be done during low tides however, any placements being undertaken in water has the potential to generate underwater noise however, noise is unlikely to cause harm and may cause disturbance at most. Noise assessments were undertaken for rock placement associated with a proposed Nord Stream 2 gas pipeline in offshore Danish waters, their model determined that resulting noise levels were low under the assumption that animals would remain stationary at the same location for 2 hours. Modelled noise levels were not high enough to induce PTS though TTS could be induced if the animal was to remain within 80m for over 2 hours, with impacts considered negligible. Therefore, given the shallow nature and substantially more limited footprint within water in comparison to the Nord Stream projects rock placement, only disturbance is likely to occur from this rock placement in Tarbert.

(e) Briefly state how you will minimise the impact of your proposed work on European protected species.

Detailed information should be included in your supporting information.

Best practice guidelines in the form of the Joint Nature Conservation Committee (JNCC) guidelines for minimising the risk of injury to marine mammals from geophysical surveys and relevant sections of the Scottish Marine Wildlife Watching Code shall be followed. These shall comprise the following mandatory aspects:

- Prior to commencing rock peckering and rock drilling works, a 1km and 500m zone around impulsive and continuous noise sources respectively shall be monitored for marine mammals, diving birds and basking sharks for 30 minutes in good daylight conditions (Beaufort Sea state 3 or less) by a suitably trained (JNCC methods) and dedicated observer.
- Should marine mammals, diving birds or basking sharks be observed or acoustically detected, the start of operations shall be delayed until 20 minutes after the last sighting of the receptor within the monitoring zone. Noting that non diving birds (i.e., those that are loafing) would not require a delay.
- Where possible equipment shall be soft started with either a ramp up in energy or gradual decreasing intervals between strikes over a period of 20-40 minutes duration.
- Activities which generate less noise shall precede the noisier activities.
- Vessels in transit and manoeuvring in coastal waters operating will be within speeds outlined by Maritime and Coastguard Agency's (MCAs) legislation and guidance.
- The SMWWC will also be adhered to during any vessel-based operations. Measures include:
 - All vessels and equipment shall be well maintained and be inspected prior to use to minimise unnecessary noise.
 - Should a marine mammal or basking shark be encountered whilst underway outside of noise emitting operations, the vessel shall avoid sudden unpredictable changes in speed, direction, and engine noise.
 - The vessel shall seek to maintain a minimum of 100m separation unless directly approached whereupon the vessel shall maintain a steady speed and course whilst not presenting propellers to the approaching animal.
 - Where birds are observed to be rafting the vessel shall avoid driving through the aggregated birds and maintain a 50m separation where practicable and safe to do so.
 - Where there are birds situated on the water, the vessel shall maintain a speed below 6 knots where safe to do so.

4. Consideration of designated sites

Designated Areas: National Nature Reserves (NNR), Sites of Specific Scientific Interest (SSSI), Special Protection Area (SPA), Special Areas of Conservation (SAC), Ramsar sites, Marine Protected Areas (MPA). Information on designated sites is available on [NatureScot's website](#).

(a) Will any part of the proposed activity fall within /or adjacent to an area covered by a designated site eg SSSI, SAC, MPA? Yes No

(b) Please give the name of the designated site(s) and either the outcome of your consultations or the reason why you have not consulted (see note 4). Please enclose any relevant correspondence.

Tarbert Harbour does not lie within any designated sites. The Sound of Gigha Special Protection Area (SPA) is located 2.1km west of the harbour, separated by a 1km strip of land. The site is designated for non-breeding greater northern diver (*Gavia immer*), eider (*Somateria mollissima*), Stavonian grebe (*Podiceps auritus*) and red-breasted merganser (*Mergus serrator*). Though these are not themselves European protected species they form part of the UK designated sites network. The Upper Loch Fyne and Loch Goll Marine Protected Area (MPA) is located 15km north north-east of the harbour, designated for burrowed mud, flame shell beds (*Limaria hians*), horse mussel (*Modiolus modiolus*) beds and ocean quahog (*Arctica islandica*) aggregates. This MPA is considered sufficiently separated from the proposed works. The Inner Hebrides and the Minches Special Area of Conservation (SAC), designated for harbour porpoise (*Phocoena phocoena*), is located 15km south-west of the harbour. This is separated from the proposed survey area by a 1km strip of land and in reality, the distance marine mammals would need to travel from the SAC to the proposed survey area boundary is approximately 140km.

In advance of submitting the ground investigations EPS and Basking Shark licence application to MD-LOT, Mott MacDonald sought advice from NatureScot via email with regards to the potential impacts of the proposed survey works to protected species and a response was received on 06/08/2025. Regarding designated bird species under the Sound of Gigha SPA, it was advised that the proposed survey would have minimal impact due to the presence of more suitable areas for bird species to reside and the overall busy nature of the works locations. Given the construction works are located within a similar area to that of the survey, the advice provided in relation to SPA bird species has been applied for the construction works. In addition, it was advised within the consultation response for the EIA screening that due to the distance of the SPA from the proposed works, there would be no impacts as such, birds have not been considered further within this risk assessment.

5. Activities to be licensed

Proposed methods

(a) Please complete all relevant columns in the table below to indicate the methods you propose to use, the activity involved and the time period in which you propose to use each method. This information will be used when preparing the licence to cover activities that would otherwise be unlawful, and failure to give full details may result in an inappropriate licence being issued.

Activity to be licensed (please tick)					Time period		
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass	Method to be used, (e.g. piling)	From	To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rock drilling (divers using hand drill) - up to 1 week in total spread over time period	March 2026	September 2026
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rock peckering (pneumatic breaker) - 2 weeks total construction	March 2026	September 2026
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rock placement - approx 3 months over construction period	March 2026	September 2026
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

6. Purposes of the licence application (tick one box only)

A licence can only be issued if 3 specific legal tests are met. The section below relates to the first of these tests. The options shown are taken from the Conservation (Natural Habitats, &c.) Regulations 1994.

Please indicate which purpose relates to the proposed works

(a) Preserving public health or public safety (we will require evidence that there is a risk to public health or public safety e.g. an imminent risk of flooding) Regulation 44(2)(e)

Complete annex A

(b) or other imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment) Regulation 44(2)(e)

Complete annex B

(c) Preventing the spread of disease Regulation 44(2)(f)

Complete annex C

(d) Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries. Regulation 44(2)(g).

Complete annex D

In addition

(e) If you wish to use acoustic deterrent devices to protect fish farm sites in Scottish waters, you must also complete Annex E

7. Satisfactory alternatives

This relates to the second of the legal tests which must be satisfied. Please explain why there is no satisfactory alternative to carrying out the proposed work affecting the species. You must describe all possible alternatives which were considered and why they were considered unsatisfactory. Alternatives may include but should not be limited to alternative equipment, methods, location and timing. You must also consider the option of not undertaking the work. It is not acceptable to state that 'there is no alternative'.

The works are intended to improve safety and access to the water. Consequently, the alternative is to not undertake the proposed works which would have significant impact on social and economic development of the harbour, which would also exacerbate pressures from project population and service growth. We have sought to minimise or eliminate harmful noise and vibration effects through considered design choices, adhering to the mitigation hierarchy.

8. Other licences / consents

Please detail below all licences / consents you have applied for or received. Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).

Type of licence / consent (e.g. marine licence, local planning authority, local works licence)	Date applied for	Reference no.	Date of issue of licence / consent
European Protected Species (EPS) Licence	05-Jun-2025	EPS/BS-00011294	06-Sep-2025
Basking Shark Licence	05-Jun-2025	EPS/BS-00011295	06-Sep-2025
European Protected Species (EPS) Licence (extension)	22-Sep-2025	EPS/BS-00011442	03-Oct-2025
Basking Shark Licence (extension)	22-Sep-2025	EPS/BS-00011443	03-Oct-2025

9. Noise monitoring

Please indicate if any of the following noise generating activities will be taking place during the operations:

Use of explosives Piling Use of Acoustic Deterrent Devices
Survey equipment operating in the range 10 Hz – 10kHz

If you have ticked any of the above boxes please complete a proposed activity form on the [Marine Noise Registry website](#).

Please note the form must only be completed once for each activity. If you have already completed a form for this activity (eg through the marine licensing process) please give details.

None of the noise-generating activities listed in Section 9 are required to complete proposed work.

EPS licence applications will not be accepted until this form has been completed and submitted.

10. Scotland's National Marine Plan

Provide details of considerations made with reference to the relevant policies that have been considered.

General Policies:

Gen 2: Economic Benefit – The facility will create business opportunities for local operators, both at the Water Sports & Activity Hub and on the water, fostering partnerships with local businesses, accommodation, and hospitality providers.

Gen 3: Social Benefit – Collaborations with local businesses will help attract more tourists and spending. Enhanced water access will offer safer, more enjoyable experiences for novices and individuals with disabilities.

Gen 4: Co-existence – A new slipway will support launching and recovering leisure boats

11. Privacy notice

The Scottish Government's Marine Directorate - Licensing Operations Team (MD-LOT) has a range of statutory responsibilities including determining applications for licences to disturb or injure marine European protected species (EPS) under the Conservation (Natural Habitats, &c.) Regulations 1994 and The Conservation of Offshore Marine Habitats and Species Regulations 2017 and Basking shark licences under the Wildlife and Countryside Act 1981.

MS-LOT will, where necessary, process personal information including: names, addresses, email addresses and telephone numbers to determine a licence application. Personal information will be stored securely in the Scottish Government's official corporate record.

A full privacy notice can be found on the [Scottish Government website](#). If you are unable to access this, or you have any queries or concerns about how your personal information will be handled, contact MS-LOT at: Marine Scotland - Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Email: MD.MarineLicensing@gov.scot

Have you remembered to enclose supporting information with your application, as described in the accompanying guidance? Please check

- | | |
|---|--------------------------|
| Completed application form | <input type="checkbox"/> |
| Completed annex | <input type="checkbox"/> |
| Map or chart | <input type="checkbox"/> |
| Correct co-ordinates | <input type="checkbox"/> |
| EPS risk assessment or supporting information | <input type="checkbox"/> |

Part C. Declarations

12. I have read and understand the guidance provided in this application form. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

I authorise employees or representatives of the Scottish Ministers to enter the site which is subject to this application for the purpose of monitoring and inspecting the permitted works.

Warning

Under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) it is an offence to fail to comply with the conditions imposed by a licence. The licensee is responsible for ensuring compliance with the licence.

The Scottish Ministers can modify or revoke a licence at any time, provided there are good reasons. Any licence that may be issued is likely to be revoked immediately if it is discovered that false information was provided and resulted in the issue of a licence.

Under the Conservation (Natural Habitats, &c.) Regulations 1994, any person who in order to obtain a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such offences is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale (currently £5,000), or to both imprisonment and a fine.

Note: Previous convictions for wildlife offences will be taken into account and in some cases may mean that the Scottish Ministers do not consider it appropriate to grant a licence.

Signature of the Applicant [Redacted] Date 29/11/25

(The person named at part 1)

Name in block letters [Redacted]

Note – If signing on behalf of a company, please append you signature with "on behalf of company name".

The completed application should be signed and sent to Marine Directorate Licensing Operations Team (MD-LOT) at the address below or emailed to MD.MarineLicensing@gov.scot or MD.MarineRenewables@gov.scot

Please remember to include all supporting information.

Marine Directorate - Licensing Operations Team
Scottish Government
375 Victoria Road
Aberdeen
AB11 9DB

Disclaimer

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 1994 Regulations and other legislation.

Marine Directorate - Licensing Operations Team
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375 Victoria Road
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AB11 9DB



Annex A

Only to be completed if you selected preserving public health or public safety in question 6 of the application form

Please complete all questions

Give details of the risk to public health or safety

How has the risk been identified? Please give details of any expert advice received.

How will the proposed activity address the identified risk?

Annex B

Only to be completed if you selected for imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment) in question 6 of the application form

Please complete all questions

What benefits will be provided by the proposed activity? Give details and indicate if they are social, economic or environmental. Please indicate if the benefits are short or long term.

Short- and long-term benefits of the development that would be supported by the current works would include social and economic development of the harbour by providing potential business opportunities for local operators and boosting tourism.

What public interest will be served? Who will benefit from the proposed activity? Does the proposed activity address a need?

Additional land will expand marina revenue, provide boat storage area over winter, and improve customer service through more parking and space. Enhanced water access will offer safer, more enjoyable experiences for water users. A new slipway and modern boat launch and recovery system will improve access to the water and allow boat launches up to 25 tonnes. A dedicated access pontoon including accessible launching system for kayaks will provide access to the water for novices/beginners and people with disabilities. The proposed works will enable new partnerships working with local businesses, accommodation and hospitality providers to build on the ability of the Water Sports & Activity Hub to attract more tourists and spend to the village.

Why is it imperative the proposed activity goes ahead?

The proposed works deliver sustainable economic activities that support small local businesses and the coastal community of Tarbert Harbour. The increased accessibility of completed works will attract a greater diversity of tourists, benefiting economic resilience, as well as facilitating responsible tourist access through the provision of a larger car park.

Does the proposed activity support any local regional or national policies? Please give details. Are you fulfilling a statutory role?

The proposed new slipway, boat storage space and parking for the marina, alongside the development of a village water sports facility with complementary activities supports the National Marine Plan through providing economic benefit through providing business opportunities, and social benefit through safer and improved access to the water.

Yes - Tarbert (Loch Fyne) Harbour Authority is an independent statutory body.

Annex C

Only to be completed if you selected for preventing the spread of disease in question 6 of the application form

Please complete all questions

What disease(s) is / are at risk of being spread if the proposed activity does not go ahead? Please give details of any expert advice received.

How will the proposed activity prevent the spread of disease? Please give details of any expert advice received.

Annex D

Only to be completed if you selected for preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries in question 6 of the application form.

Please complete all questions

What serious damage has occurred or will occur if the proposed activity does not go ahead? Please give details of any expert advice received.

How will the proposed activity prevent serious damage? Please give details of any expert advice received.

Annex E

Only to be completed if you intend to operate ADDs at marine fish farm sites in Scotland Please complete a copy of this annex for each individual site included on your application Please complete all questions

Site name and ID (FS number)

Device Type 1

Device Details

Device name (and version if applicable)

Number of devices proposed

Source level of device (rms and SPLpeak)

Typical frequency content

Please give details of the proposed duty cycle (or available settings) including the system duty cycle

Duration of use of device (e.g. hours per 24 hour period)

Time of use (e.g. particular time of day or time of year)

If multiple devices of this type are to be used, please give details of numbers to be deployed and locations in relation to the site.

Management of ADD Use

Please give details of the cues/triggers and the decision process to activate ADDs. These cues / triggers should be specific and measurable and should relate to predation events by seals rather than presence of seals in the area.

Give details of how ADD use is to be reviewed

Give details of criteria for deactivation or removal of ADDs (including if they appear to be ineffective)

Give details of ADD deployment plans and any relevant planning conditions relating to ADD use

Please use additional sheets if you propose to use more than one device type