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Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

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
- For an imperative reason 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.

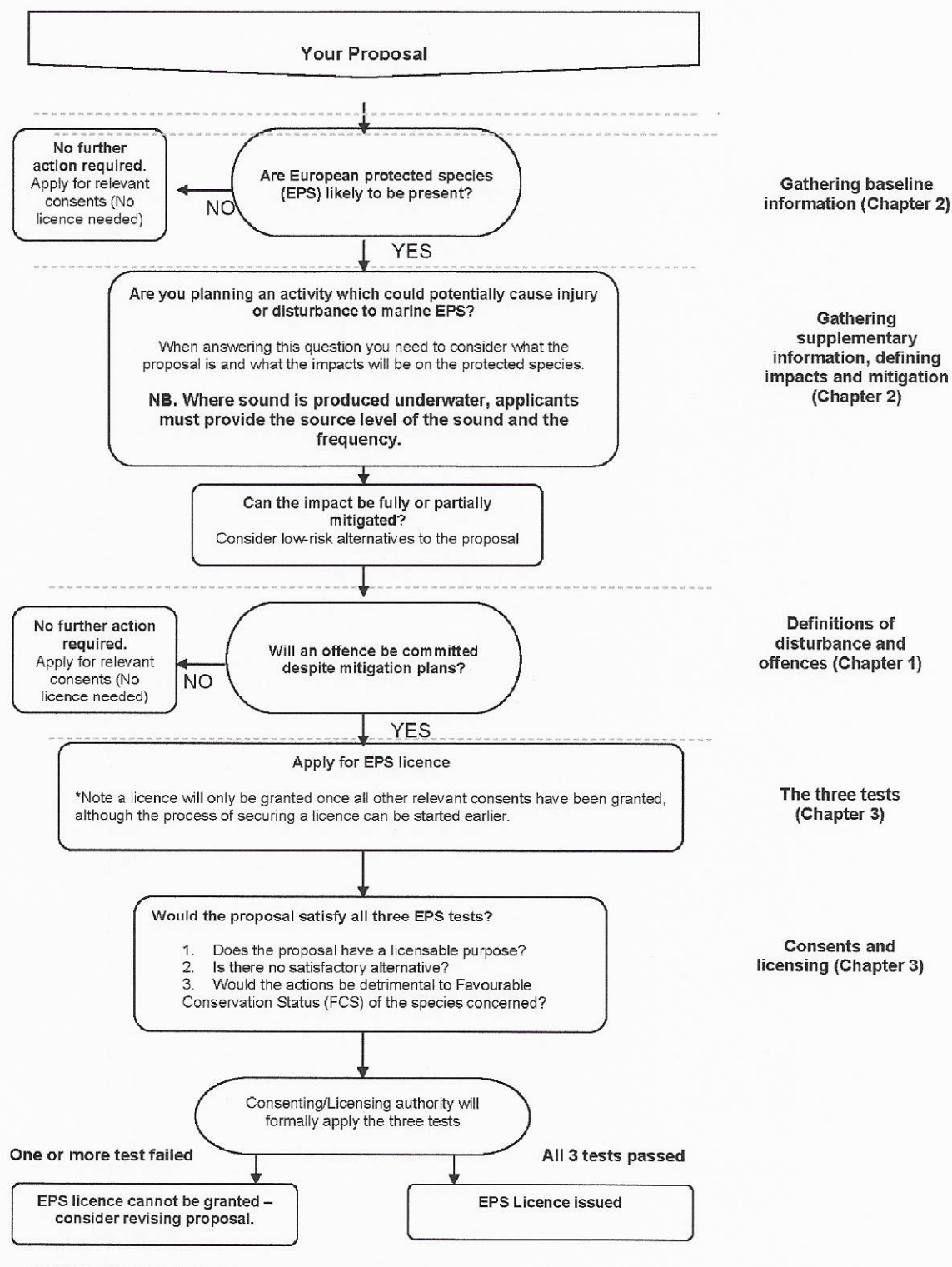
Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish inshore marine area (0 – 12nm).

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 Scotland Licensing Operations Team (MS-LOT) on 0300 244 5046 or email: ms.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 Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to ms.marinelicensing@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 MS-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.

MS-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 MS-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 Scottish Natural Heritage (SNH Licensing, Great Glen House, Leachkin Road, Inverness IV3 8NW, Telephone 01463 725000, email licensing@snh.gov.uk or visit [their website](#)) for a licence application for these purposes. SNH 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. 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 Scottish Natural Heritage, or other appropriate regulator, if the work you propose to do affects a Natura site, an 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 at: <https://mnr.jncc.gov.uk/>

Section 10 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 11 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.

If your proposal relates to one of the purposes for which SNH is the licensing authority, please contact your local office of SNH.

Licensing Operations Team
Marine Scotland
375 Victoria Road
Aberdeen
AB11 9DB

Tel: 0300 244 5046
Email: MS.marinelicensing@gov.scot

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.

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

Title: Forename(s): Surname:

Company Name:

Business Title (if Appropriate):

Address:

Tel no. (inc. dialling code):

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?

Licence number (most recent licence)

Year in which the licence was issued.

What species were covered by the licence?

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

Part B. The Application

3. Species

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

Common name(s): Harbour porpoise
Bottlenose dolphin
White-beaked dolphin
Minke whale

Scientific name(s) Phocoena Phocoena
Tursiops truncatus
Lagenorhynchus albirostris
Balaenoptera acutorostrata

(b) How many individual animals will be affected by licensed work?

Harbour porpoise: average population size – 36,360, average abundance per km2 – 0.643
Bottlenose dolphin: average population size – 1,924, average abundance per km2 – 0.029
White-beaked dolphin: average population size – 8,687, average abundance per km2 – 0.143
Minke whale: average population size – 1,514, average abundance per km2 – 0.024

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

The numbers were calculated in accordance with survey data SCANS IV NS-G and NS-D (Giles et al, 2023), and SCANS III block R and block Q (Hammond et al., 2017). Please see the EPS risk assessment for more information.

References
Gilles, A., Authier, M., Ramirez-Martinez, N.C., Araujo, H., Blanchard, A., Carlstrom, J., Eira, C., Doremus, G., Fernandez-Maldonado, C., Geelhoed, S. C. V., Kyhn, L., Laran, S., Nachtsheim, D., Panigada, S., Pigeault, R., Sequiera, M., Sveegaard, S., Taylor, N.L., Owen, K., Saavedra, C., Vazquez-Bonales, J. A., Unger, B., Hammond, P.S. (2023) Estimates of cetacean abundance in European Atlantic waters in summer 2022 from the SCANS-IV aerial and shipboard surveys. Wageningen Marine Research.

Hammond, P.S., Lacey, C., Gilles, A., Viquerat, S., Börjesson, P., Herr, H., Macleod, K., Ridoux, V., Santos, M., Scheidat, M. and Teilmann, J. (2017) Estimates of cetacean abundance in European Atlantic waters in summer 2016 from the SCANS-III aerial and shipboard surveys. Wageningen Marine Research.

(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								
SEE		°				'N				°					'W
APP	END	°	DIX			'N				°					'W
		°				'N				°					'W
		°				'N				°					'W
		°				'N				°					'W
		°				'N				°					'W
		°				'N				°					'W
		°				'N				°					'W

- (d) Provide a brief description of the proposed activity and the methods to be used.
Detailed information should be included in your Supporting Information

Please provide details of the source levels and frequencies of underwater noise if relevant

The present EPS licence application form has been prepared to cover activities relating to both, inshore (within 12nm) and offshore (out with 12 nm) regions.

The proposed survey campaign is due to commence on 1 April 2024 for approximately 150-250 days. The investigations include geophysical, geotechnical, and benthic surveys.

Geophysical surveys are due to commence on 1 April 2024 followed by geotechnical and benthic surveys, likely to commence May 2024. Although completion is expected by 1 December 2024, this application is for a one year EPS licence to account for unforeseen delays including poor weather conditions.

The surveys will take place across three lease areas (Aspen, Beech and Cedar) within the Central North Sea (approximately 100 km apart and 100 km from the coast), and within a 2 km wide cable survey area (within the wider cable search area) for each of the following cables: HVAC Landfall to Aspen, HVAC Aspen to Beech, HVAC Aspen to Cedar, HVAC Beech to Cedar South, HVAC Beech to Cedar North, and HVDC Cedar towards English landfall. Together the lease areas and cables are known as the North Sea Renewables Grid (NSRG), hereafter referred to as the Project.

The geophysical survey will utilise an Ultra-Short Baseline (USBL), Sub-Bottom Profiler (SBP), Ultra High Resolution Seismic (UHRS), Multibeam Echosounder (MBES) and Side Scan Sonar (SSS) to provide accurate and precise data on the seabed topography and details to help plan cable routes, pile driving, mooring conditions and anchor plans. The geotechnical and benthic surveys will include the use of an USBL for positioning of the vessel and have therefore also been included in this application.

The typical sound pressure level and frequencies of the equipment to be used are as follows:

- USBL [sound pressure level - 193 - 200 dB re 1µPa@1m, operating frequency - 18 kHz - 50 kHz];
- SBP [sound pressure level - 180 dB re 1µPa@1m, operating frequency - 100 Hz - 300 kHz];
- UHRS [sound pressure level 204 - 227dB re 1µPa @ 1m, operating frequency - 500 Hz - 300 kHz];
- MBES [sound pressure level - 225-245 dB re 1µPa@1m, operating frequency - 50 kHz - 200 kHz]; and
- SSS [sound pressure level - 220-226 dB re 1µPa@1m, operating frequency - 114 kHz - 455 kHz].

- (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.

The following measures will aim to minimise the impact of the proposed geophysical, geotechnical, and benthic surveys on megafauna:

- Deployment of a Marine Mammal Observer (MMO) to monitor the presence of cetaceans when utilising licensed equipment, prior to the commencement of operations;
- 500 m mitigation zone in which to monitor and survey for the presence of marine mammals (500 m around the vessel);
- If marine mammals have been observed inside the mitigation zone within 10 minutes of survey operations, the MMO will delay acoustic survey operations until at least 10 minutes after the last sighting within the mitigation zone;
- Reporting - on cetacean sightings (species and number of individuals) and any impacts observed (from possible disturbance); and
- Mitigation measures, such as Passive Acoustic Measures (PAM), for SBP operations - for when MMO's cannot easily detect cetaceans e.g. during hours of darkness and/or periods of poor visibility, and/or during periods when the sea state is greater than Beaufort 3.

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 Scottish Natural Heritage website (<http://gateway.snh.gov.uk/sitelink/>) or from your local SNH office.

- (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.

The Beech lease area has a minor overlap with the Norwegian Boundary Sediment Plain MPA, but it is expected that no survey activities will take place within this MPA. The Cedar lease area is located within the vicinity of the East of Gannet and Montrose Fields MPA. The Landfall to Aspen search area is partly within the Southern Trench MPA and is also located in the vicinity of the Turbot Bank MPA. The Beech to Cedar South search area is partly within, and the Beech to Cedar North search area being within the vicinity of, the East of Gannet and Montrose Fields MPA.

The developer is in contact with MD-LOT through regular quarterly meetings and is in contact with NatureScot through the submission of a Notice of Intention to Carry Out an Exempted Activity for the benthic and geotechnical sediment sampling component of the survey campaign.

5. **Activities to be Licenced**

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)					Method to be used, (e.g. piling)	Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass		From	To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USER, SEP, UNFS, MERS and SSS	1 Apr 2024	31 Mar 2025
<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"/>			
<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 (as amended)**.

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) 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 AnnexD

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 unsuitable. You must also consider the option of not undertaking the work. **It is not acceptable to state that 'there is no alternative'.**

The developer will be commencing geophysical, geotechnical and benthic surveys in 2024 to progress the Project's Environmental Impact Assessment (EIA) in addition to providing data for engineering purposes in the case of the geophysical and geotechnical surveys. The aim of the survey campaign is to gather Ultra-high resolution site data to feed into environmental assessments of the following EIA topics – Physical Processes, Benthic (and intertidal ecology), Archaeology, Fish Ecology and Marine Mammals. Outputs from the surveys will be used to inform the specification of the benthic surveys.

Four options are discussed below; this includes do-nothing, alternative location, equipment alternatives, and alternative coverage scenarios:

Consideration of Do-Nothing Approach: The first alternative considered is to not undertake the proposed survey activities. However, there is a strong need for the offshore array areas and transmission infrastructure to be developed. To safely construct the Project, there is a requirement for data collection on physical and biological properties of the array areas and seabed along the cable routes. This data collection allows design of the cable routes and array areas to consider and minimise impacts on environmental receptors, validates desk-based assessments, and assists with understanding the seabed ecosystem. Doing nothing is therefore not a feasible option.

Consideration of Alternative Location: The second alternative considered is a shift in location of the proposed survey activities. The location of the proposed survey activities covers the lease areas awarded by the Crown Estate and are within the areas set out in the Sectoral Marine Plan – Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022). The location of the Offshore Transmission Infrastructure (OTI) is determined by the locations of the lease areas, and the proposed survey activities will be used to assist with the refinement of cable corridors. Although there are no alternatives to the location of the survey activities, the survey area will be kept to a minimum (for example a 2 km wide cable survey area).

Consideration of Alternatives to equipment: The third alternative considered is the use of other equipment. The proposed equipment has been selected in order to collect the data required for engineering purposes and to support the EIA. While there are potentially different types of equipment that can be used, these have been deemed unable to meet the objectives of the surveys. Therefore, there are no alternative options to the use of the equipment.

Consideration of Alternative coverage scenarios: The final alternative considered is the increase in line spacing for the geophysical surveys. 150 m line spacing is proposed as part of the geophysical surveys, however alternative coverage scenarios have been considered, including 200 m line spacing. Increased line spacing results in a lower data resolution which would not be sufficient for archaeological purposes. It is also important to have sufficient coverage to understand the ground conditions and enable appropriate design and safe construction of the Project.

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
N/A			

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 in the Marine Noise Registry at: <https://mnr.incc.gov.uk/>.

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.

A Proposed Activity form was submitted through the Marine Noise Registry on 27 February 2024 (reference number: AAN 3674). This form relates to the proposed equipment which fall into the operating frequency range of 10 Hz - 10 kHz.

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

11. Privacy notice

The Scottish Government's Marine Scotland Licensing Operations Team (MS-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 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 and Basking shark licences under the Wildlife and Countryside Act 1981 (as amended).

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 at: <http://www.gov.scot/Topics/marine/Licensing/marine/PrivacyNotice>. 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: ms.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 checked="" type="checkbox"/> |
| Completed Annex | <input checked="" type="checkbox"/> |
| Map / Chart | <input checked="" type="checkbox"/> |
| Correct co-ordinates | <input checked="" type="checkbox"/> |
| Additional information / EPS risk assessment | <input checked="" type="checkbox"/> |

Part C. Declarations

11. 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 Signature Box]

Date 28 February 2024

[Date Box]

(The person named at part 1)

Name in BLOCK LETTERS

[Redacted Name Box]

Note – If signing on behalf of a company, please append your signature with “on behalf of *Company Name*”.

The completed application should be signed and sent to Marine Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to MS.Marinelicensing@gov.scot

Please remember to include all supporting information.

Licensing Operations Team
Marine Scotland
EPS Division
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 Laboratory, 375 Victoria Road,
Aberdeen AB11 9DB
<http://www.gov.scot/Topics/marine/Licensing/marine>



Annex A

Only to be completed if you selected *for 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.

While the geophysical, geotechnical, and benthic surveys associated with the Project presents a temporary disturbance to a localised marine environment, these activities will facilitate an important addition to Scotland's growing contributions to the UK's renewable energy sector in the long term. Offshore wind provides the opportunity to deliver this new capacity, not only from a renewable, low carbon resource, but a resource which is indigenous and does not depend upon the geo-economic and geo-political risks attendant with importing fuels, a vital point given the UK's current energy crisis.

The survey activities will inform the design and development of the proposed INTOG project and are necessary to understand the ecology and environment of the three lease areas and the cable routes. The Project provides a range of practical ways to support innovation, reduce North Sea carbon emissions, and encourage technical and commercial innovation in the offshore renewables market. These include environmental (reduced greenhouse gas emissions), social (creation of local blue economy jobs) and economic (reduced cost of energy generation and less reliance on energy sources from overseas) benefits.

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

The Project offers the deployment of proven technologies in a location with a recognised wind resource and to deliver a low-cost, low-carbon supply of electricity at a time when the UK urgently needs new generation capacity to maintain a secure, affordable supply of power. The Project will benefit the public socioeconomically through financial support to the supply chain, significant contribution towards national climate change policies and delivery of multi-billion-pound investments and jobs locally.

A key benefit of the INTOG process is the decarbonisation of existing and new oil and gas producing assets in the Central North Sea. By enabling the assets to operate from electricity rather than burning gas there is a significant carbon reduction benefit to Scotland. The Project will therefore serve public interest by reducing greenhouse gas emissions by providing a minimum of 600 MW of green electricity generation, in line with the North Sea Transmission Deal.

Additionally the Project responds to the need to limit global warming and climate change effects, as recognised in the Scottish Government's Climate Change (Scotland) Act 2009.

Why is it imperative the proposed activity goes ahead?

Public safety is paramount, and it is not possible to safely construct a wind farm without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables.

The proposed surveys are also required to understand environmental receptors and enable an effective and proportionate EIA.

Should the survey activities not proceed, the construction of the Project will not be possible, and the benefits described above would not materialise.

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

The proposed activities are required to develop the Project. The Project supports and is in line with the following policies:

The Scottish Government's Offshore Wind Policy - "the Scottish Government plans to ensure that Scotland's long and positive association with renewables continues to go from strength to strength and is central to our green recovery. Scotland's people will be key to this, which will mean ensuring local communities can participate in, and benefit from Scotland's transition to net zero emissions" (2020).

The NSRFQ also supports the Scottish Government's 'A Blue Economy Vision for Scotland' (2022: ministerial foreword) that views our seas as critical in the endeavour to "create and maintain economic prosperity for the nation, especially in our remote, coastal and island communities."

As the UK follows policies to meet its national and international commitments to greenhouse gas reduction, the Project will provide additional support to the UK government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

This Project is also in line with the Scottish National Marine Plan objectives (Section 11), Offshore Wind and Marine Renewable Energy (2015), and supports the targets set in the Scottish Government's "Securing a green recovery on a path to net zero: climate change plan 2018 - 2032" (3.1 Electricity, 2020) by producing renewable energy to aid the transition to net zero.

The proposal will enact part of the UK Government's North Sea Transition Deal (2023) that recognises that the oil and gas industry will have a critical role in maintaining the UK's energy security through the UK's transition to net zero carbon by 2050.

The Scottish Government's Offshore Wind Policy Statement (2023) aims to generate 11 GW of clean electricity through offshore wind projects by 2030, which is in line with the UK Government's Industrial Strategy and the Offshore Wind Sector Deal (2019) to generate 40 GW, on a UK wide basis, by 2030.

The Project will also contribute towards the Scottish Government's Sectoral Marine Plan for Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022) targets.

While not providing a statutory role, this Project provides an important infrastructure provision role to meet UK policy 2050 targets for net zero, and the Scottish Government's Climate Change (Scotland) Act 2009 as well as Scottish Government net zero targets for 2045 and the proposed surveys will facilitate the development of the Project.

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



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.