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Redacted

Isle of Canna Community Development Trust
The Square
Isle of Canna
PH44 4RS

Our Ref: 06861

Date: 1 March 2019

Dear Redacted

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

Isle of Canna Community Development Trust - Commercial Moorings, Isle of Canna

I refer to your application for a licence in respect of the above proposals.

I am pleased to inform you that the licensing authority has no objections to the issue of the requested licence, and I therefore enclose licence number 06861/19/0. You are advised to carefully check the licence and schedule documents. If there are any errors please inform the licensing authority immediately.

You should note that the licence includes a condition that the licensing authority must be notified of the date of commencement and completion of the proposed works. You should also note that the licence includes a condition requiring that a written report should be submitted to the licensing authority detailing all deposits made under authority of the licence. This report can be obtained at <https://www2.gov.scot/Topics/marine/Licensing/marine/Applications/DepositForm>.

I would also draw your attention to the licence conditions relating to amendment of the licence or schedule documents. If circumstances arise which necessitate changes to your licence you should advise the licensing authority as soon as possible. After a licence has expired, it cannot be amended or extended in any way, and a new licence application (accompanied by the relevant fee) is required. Processing the new application may take up to fourteen weeks from the date of receipt of the application fee.

If you wish to continue operating the mooring(s) after 28 February 2025, please ensure a new licence application is submitted at least fourteen weeks prior to this date.

Under the Marine Licensing Appeals (Scotland) Regulations 2011 (S.S.I. 2011/203), you are entitled to appeal if you are dissatisfied with any condition in the licence. An appeal may be lodged in any sheriff court in Scotland and must be lodged no later than 21 days after the date of this letter.



All correspondence or communications relating to this letter or the licence document should be sent to the address below.

Yours sincerely

Redacted

Licensing Operations Team
Marine Scotland



T: +44 (0)300 244 5046
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MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR MARINE MOORINGS

Licence Number: 06861/19/0

Reference Number: 06861

Scottish Ministers (hereinafter referred to as "the licensing authority") hereby authorise:

**Isle of Canna Community Development Trust
The Square
Isle of Canna
PH44 4RS**

to deposit in the sea the substances or objects (except for dredge spoil) used in the execution of works described in Part 1 of the attached Schedule. The licence is subject to the conditions of use set out, or referred to, in Part 2 of the said Schedule.

This licence shall be valid from 1 March 2019 until 28 February 2025.

Redacted

Signed:

For and on behalf of the licensing authority

Date: 1 March 2019



Part 1 - Particulars

1. Name and address of agent acting on behalf of licensee (if appropriate):

As per licensee

2. Location of works:

Isle Of Canna within the area bounded by joining the points:

57° 03.393' N	006° 29.641' W
57° 03.387' N	006° 29.686' W
57° 03.372' N	006° 29.721' W
57° 03.348' N	006° 29.729' W
57° 03.323' N	006° 29.718' W
57° 03.305' N	006° 29.687' W
57° 03.290' N	006° 29.650' W
57° 03.279' N	006° 29.610' W
57° 03.271' N	006° 29.567' W
57° 03.265' N	006° 29.522' W

As shown in Annex One.

3. Description of works:

10 Commercial Moorings for Pleasure Yachts 30'-40'

As described in application dated 11 December 2018, and correspondence submitted in support of the application.

4. Nature and indicative quantity of all deposits below Mean High Water Springs:

Permanent Deposits
10 moorings

Part 2 - Conditions

1. The licensee must ensure that only the deposits listed in Part 1 of the licence are deposited during the execution of the works and that all substances or objects deposited during the execution of the works are inert and do not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.
2. The licensee must ensure that any debris or waste materials arising during the course of the works are removed from the site of the works for disposal at an approved location above the tidal level of Mean High Water Springs.
3. The licensee must submit a written report regarding the correct placement of the deposits to the licensing authority. The written report must be submitted on the forms provided by the licensing authority no later than 31 July 2020.
4. The licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: [sdr@ukho.gov.uk](mailto: sdr@ukho.gov.uk); tel.: 01823 484444) of both progress and on completion of the works supply a copy of the licence, and wherever possible, 'as built plans', in order that all necessary amendments to nautical publications are made.
5. If it is desired to display any marks or lights not required by this licence then details must be submitted to the Northern Lighthouse Board and their ruling complied with. The display of unauthorised marks or lights is prohibited.
6. The licensee must ensure that the works are maintained at all times in good repair.
7. The licensee must ensure that no deviation from the schedule specified in the licence is made without the further written consent of the licensing authority.
8. The licensee must ensure that no radio beacon or radar beacon operating in the marine frequency bands is installed or used on the works without the prior written approval of the licensing authority.
9. If in the opinion of the licensing authority the assistance of a Government Department, including the broadcast of navigational warnings, is required to deal with any emergency arising from:
 - a) The failure to mark and light the works as required by licence.
 - b) The maintenance of the works.
 - c) The drifting or wreck of the works.

The licensee must be liable for any expenses incurred in securing such assistance.

10. In the event of the licensed operations being discontinued the works must be removed and the site cleared to the satisfaction of the licensing authority.
11. Any person authorised by the licensing authority must be permitted to inspect the works at any reasonable time.
12. The licensee must ensure that copies of the licence are available for inspection by any authorised Enforcement Officer at:

- a) the premises of the licensee;
 - b) the premises of any agent acting on behalf of the licensee.
13. In the event of the licensee becoming aware that any of the information on which the issue of the licence was based has changed, the licensing authority must be immediately notified of the details.
14. If a new licence is required, the licensee must make an application at least fourteen weeks before the expiry date of this licence. **This licence shall not continue in force after the expiry date of 28 February 2025.**

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed operations. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.
2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.
3. Under Section 30 of the Marine (Scotland) Act 2010, the licensing authority may vary, suspend or revoke the licence, if it appears to the authority that there has been a breach of any of the provisions of the licence or for any other reason that appears to be relevant to the authority.
4. Under Section 39 of the Marine (Scotland) Act 2010, it is an offence to carry on a licensable marine activity or cause or permit any other person to carry on such an activity without a marine licence or fails to comply with any condition of a marine licence. It is a defence for a person charged with an offence under Section 40 in relation to any activity to prove that the activity was carried out for the purpose of saving life, or for the purposes of securing the safety of a vessel, aircraft or marine structure (*'force majeure'*), and that the person took steps within a reasonable time to provide full details of the incident to the licensing authority. (Under Annex II, Article 7 of the Convention for the Protection of the Marine Environment of the North-East Atlantic, the licensing authority is obliged to immediately report *'force majeure'* incidents to the Convention Commission).
5. All correspondence or communications relating to the licence should be addressed to:

Licensing Operations Team
Marine Scotland
Marine Laboratory
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AB11 9DB

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