

marinescotland

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E: ms.marinelicensing@gov.scot

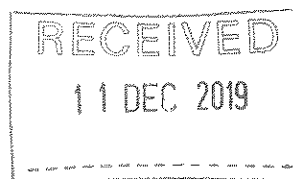


The Scottish
Government
Riaghaltas na h-Alba

Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

Marine (Scotland) Act 2010



Acronyms

Please note the following acronyms referred to in this application form:

| | |
|---------------|---|
| MHWS | Mean High Water Springs |
| MS-LOT | Marine Scotland – Licensing Operations Team |
| WGS84 | World Geodetic System 1984 |

Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

1. Applicant Details

The person making the application who will be named as the licensee.

2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

4. Application Type

Indicate if the application is for a new marine farm site or an existing marine farm site. Provide the existing or previous consent/licence number and expiry date if applicable.

5. Marine Farm Details

- (a) Indicate the type of marine farm, either finfish or shellfish.
- (b) Indicate the deposits of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (c) If applicable, indicate the removals of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (d) Provide the proposed start date for installation of the marine farm. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.
- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the moorings area and for each of the component parts of the marine farm, including sub-surface equipment. 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.

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.

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

- (g) Indicate if the marine farm is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide assessment of the potential impacts the works may have on navigation, including interference with other uses of the sea.

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

6. Planning Permission

Indicate if you have, or if you are in the process of applying for, planning permission for the marine farm. Provide the reference number for the planning application if applicable and/or supply a copy of the planning permission along with the completed application form.

Marine licence applications will not be determined without valid planning permission.

7. 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, Marine Scotland have 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 at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

8. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.

9. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. pontoon, moorings etc). If this is the case, provide reference/licence number for the related marine projects.

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

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

- (a) for reasons of national security; YES ☐ NO ☒
- (b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES ☐ NO ☒

If YES, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature [Redacted]

Date

9/12/19

Name in BLOCK LETTERS

Douglas Wilson

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☒
- Project Drawings ☒
- Maps/Charts ☒
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☐
- Copy of planning permission (if applicable) ☒
- Additional information e.g. photographs, consultation correspondence (if applicable) ☐
- Payment (if paying by cheque) ☒

1. Applicant Details

Title: MR Initials: D Surname: WILSON

Trading Title (if appropriate): INVERLUSSA MARINE

Address: CRAIGNURIE
ISLE OF MULL
ARGYLL. PA65 6BD

Name of contact (if different):

Telephone No. (inc. dialing code): 01680 812 436/109

Email: DOUGLAS@INVERLUSSA.COM

Statutory Harbour Authority? YES ☐ NO ☒

If YES, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

2. Agent Details (if any)

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

3. Payment

Enclosed Cheque ☐ Invoice ☐

Contact and address to send invoice to:

Applicant ☒ Agent ☐ Other ☐

If OTHER, please provide contact details:

Title: Initials: D Surname: WILSON

Address: INVERLUSSA
CRAIGNURIE
ISLE OF MULL

Email: DOUGLAS@INVERLUSSA.COM

4. Application Type

Is this application for a new marine farm site or an existing marine farm site:

New Site ☐ Existing Site ☒

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

| Consent/Licence Number | Expiry Date |
|------------------------|-------------|
| 04151/11/0 | MAY 17 |

5. Marine Farm Details

(a) Type of marine farm:

Finfish ☐ Shellfish ☒

(b) **Deposits** of component parts/equipment:

| Component Parts/Equipment | Quantity | Dimensions (metres) |
|---------------------------|----------|---------------------|
| Ring cages | | |
| Square pens | | |
| Longlines | 6 | 220m |
| Feed barges | | |
| Feedpipes (to shore) | | |
| Grid moorings | | |
| Boat moorings | 1 | |
| Rafts | | |
| Pontoons | | |
| Marked Buoys | 1 | |
| Other (please specify) | | |

(c) **Removals** of component parts/equipment (if applicable):

| Component Parts/Equipment | Quantity | Dimensions (metres) |
|---------------------------|----------|---------------------|
| Ring cages | | |
| Square pens | | |
| Longlines | | |
| Feed barges | | |
| Feedpipes (to shore) | | |
| Grid moorings | | |
| Boat moorings | | |
| Rafts | | |
| Pontoons | | |
| Marked Buoys | | |
| Other (please specify) | | |

(d) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

RENEWAL

(e) Cost of the works seawards of the tidal limit of MHWS:

£

RENEWAL OF EXISTING/LAP
(ORIGINAL COST BELOW £50,000.)

(f) Location:

LOCH SPELVE, ISLE OF MULL.

Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

| Latitude | | | | | | | | | |
|--------------------------------------|---|---|---|---|---|---|---|---|----|
| Moorings Area | | | | | | | | | |
| 56 | 6 | ° | 2 | 4 | . | 4 | 9 | 2 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 4 | 7 | 9 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 3 | 0 | 1 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 3 | 1 | 5 | 'N |
| Cage Group Area/Longline Position(s) | | | | | | | | | |
| 5 | 6 | ° | 2 | 4 | . | 4 | 7 | 6 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 2 | 5 | 0 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 3 | 3 | 3 | 'N |
| 5 | 6 | ° | 2 | 4 | . | 3 | 4 | 5 | 'N |
| | | ° | | | . | | | | 'N |
| | | ° | | | . | | | | 'N |
| Feedbarge/Feedpipe Position(s) | | | | | | | | | |
| | | ° | | | . | | | | 'N |
| | | ° | | | . | | | | 'N |
| Boat Mooring Position(s) | | | | | | | | | |
| 5 | 6 | ° | 2 | 4 | . | 7 | 3 | 0 | 'N |
| | | ° | | | . | | | | 'N |
| Raft Position(s) | | | | | | | | | |
| | | ° | | | . | | | | 'N |
| | | ° | | | . | | | | 'N |
| Pontoon Position(s) | | | | | | | | | |
| | | ° | | | . | | | | 'N |
| | | ° | | | . | | | | 'N |
| Marked Buoy Position(s) | | | | | | | | | |
| 5 | 6 | ° | 2 | 4 | . | 3 | 4 | 5 | 'N |
| | | ° | | | . | | | | 'N |

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

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority

YES ☐ NO ☐

If YES, please specify statutory harbour authority:

(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

ONE NAVIGATION BUOY WILL BE INSTALLED, AS PER
ADVICE FROM NLB.

6. Planning Permission

Do you have planning permission for the marine farm?

YES ☒ NO ☐

If YES, please supply a copy of the planning permission

If NO, please provide details of planning application, including reference number:

Marine licence applications will not be determined without valid planning permission.

7. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's
National Marine Plan?

YES ☒ NO ☐

If YES, provide details of considerations made including reference to the policies that have been
considered:

THIS SITE WILL NOT CONFLICT WITH THE "NATIONAL MARINE
PLAN".

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

8. Consultation

List all bodies you have consulted and provide copies of correspondence:

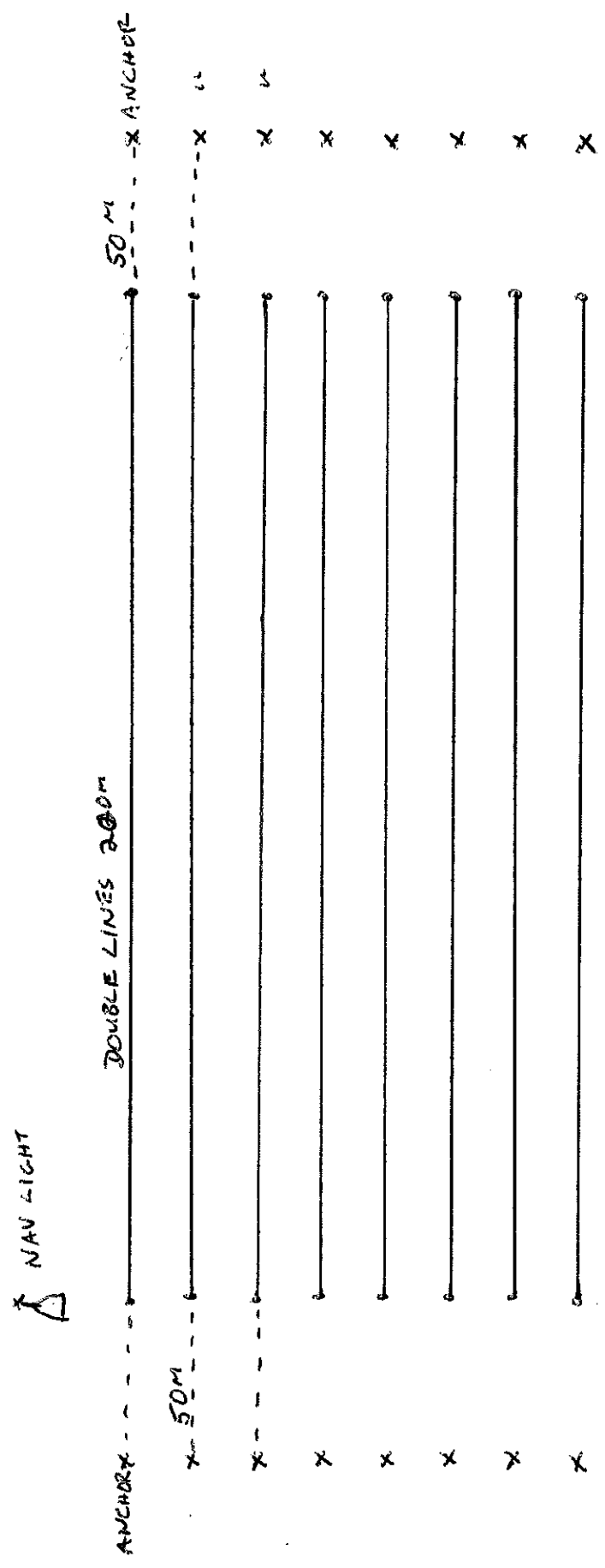
THIS IS AN EXISTING SITE. IT HAS BEEN IN THE PRESENT POSITION
FOR OVER 20 YEARS.

9. Associated Works

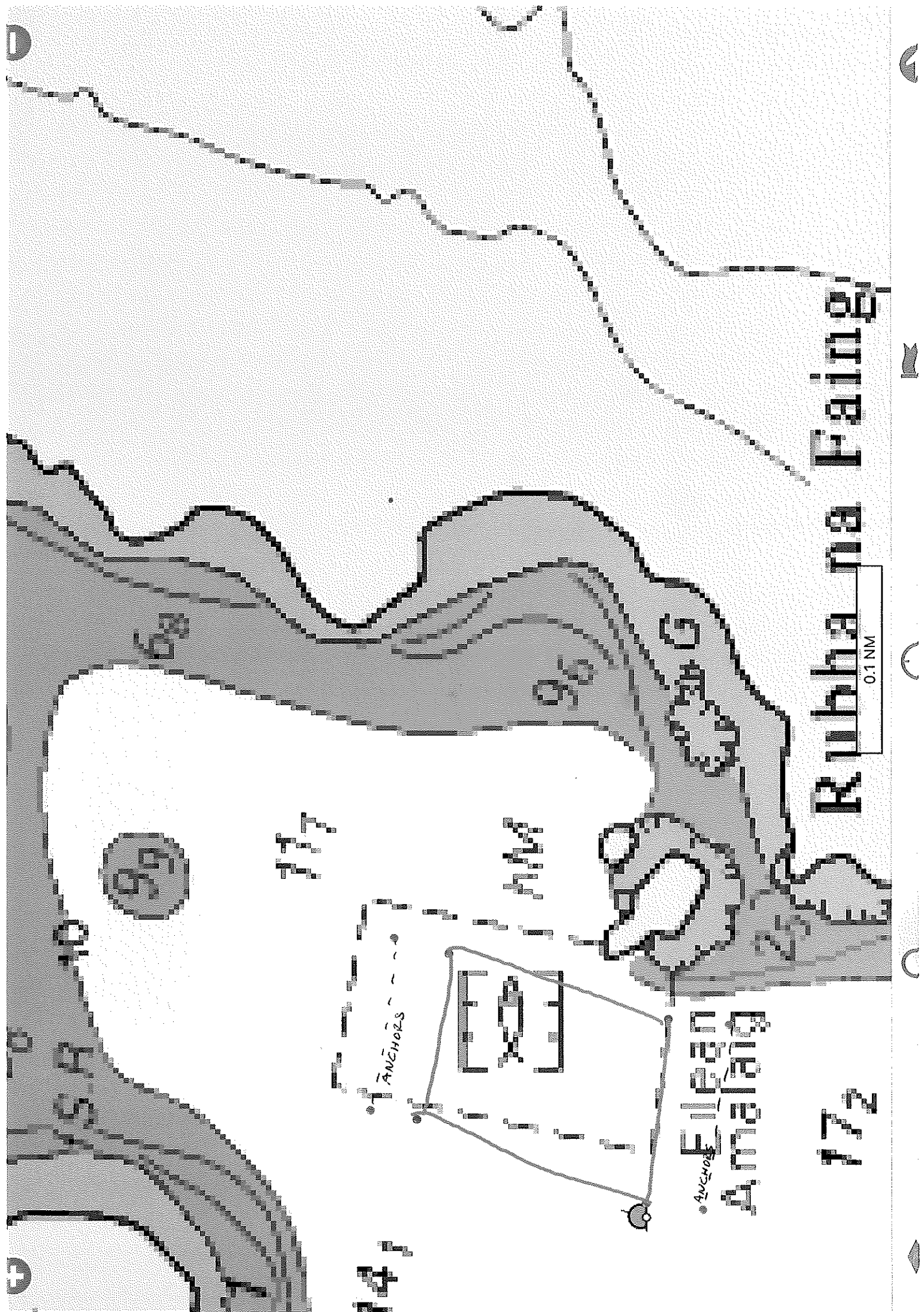
Provide details of other related marine projects, including reference/licence numbers (if applicable):

NONE.

PLAN OF LINES & EQUIPMENT



NOT TO SCALE



Kubha na Fainā

0.1 NM

Analepa

ANCHORS

172

171

Ben Wilson
Douglas Wilson
Inverlussa Ardura,
Craignure,
Isle of Mull

13 June 2013

Please note this replaces my previous letter of 18 Dec 2012

Dear Sir or Madam

TOWN AND COUNTRY PLANNING (MARINE FISH FARMS PERMITTED DEVELOPMENT) (SCOTLAND) ORDER 2011

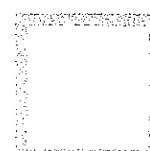
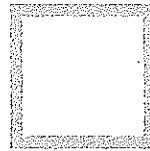
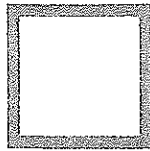
On 23 February 2011 the Town and Country Planning (Marine Fish Farms Permitted Development) (Scotland) Order 2011 came into force. You can view this at

<http://www.legislation.gov.uk/ssi/2011/144/contents/made>

This Order grants planning permission for the operation of marine fish farms which meet the criteria specified in the Order.



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E: fishfarmreview@scotland.gsi.gov.uk



those marine fish farm(s) that are operated by your company and which we understand meet these criteria are stated overleaf. We have also provided the information we hold about equipment permitted by your Crown Estate lease, or Works Licence (where relevant). Where equipment was placed into the water before 2007 and differs from that on your Crown Estate lease or Works Licence you should clarify this with the Planning Authority who has enforcement responsibility.

This is not a definitive statement of the legal position which depends upon meeting the criteria in the Order but merely represents our understanding of the position based on the information we have available to us. The criteria are set out below:

- (a) the farm is situated in one of the named marine waters specified in the Schedules to the Order;
- (b) that the operation of the fish farm involves the use of relevant equipment
- (c) the relevant equipment was in use for the purpose of breeding, rearing or keeping finfish or shellfish; and
- (d) the relevant equipment was either in use on 23 February 2011 or between 1 January 2008 and 23 February 2011 for the purposes of fish farming.

Please also note the following:

- Planning permission granted by this Order is subject to the condition that in the event of any equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner to cause an obstruction or danger to navigation, the developer shall carry out such works (including lighting, buoying, raising, repairing, moving or destroying the whole or any part of that equipment) so as to remove the obstruction or danger to navigation.
- You no longer have to apply for a Works Licence if your farm is in Orkney or Shetland, but you will still need a Crown Estate lease. You should speak to the Crown Estate if your lease is due for renewal.
- You will not receive any additional documentation relating to the planning permission granted for these sites in the form of stamped maps etc. However, all local authorities and the Crown Estate have been sent copies of these letters and will be aware of those sites which we believe meet the criteria as well as the equipment data which we hold about these sites (as stated overleaf). This will form the baseline for any modifications which you may require to make to your planning permission in the future.

If you have any queries please call me on the above telephone number.

Yours faithfully

Bridget Kelly
Aquaculture Planning Officer

Farms covered by Town and Country Planning (Marine Fish Farms Permitted Development) (Scotland) Order 2011

| Site Name | MSS Ref | Crown Estate Lease | Equipment Stated on Crown Estate Lease |
|--------------------------------------|---------|--------------------|--|
| Loch Spelve (Rubha na Cille) | SS0065 | AR8-30-7 | 5 LONGLINE 200 M L; Mussels |
| Loch Spelve (Saiean nan Each) | SS0065 | AR8-30-7 | 3 LONGLINE 100 M L MU |
| Loch Spelve (Sgeir a Ghanraidh) | SS0065 | AR8-30-7 | 8 LONGLINE x 200 M L; Mussels |
| Loch Spelve (Eilean Amalaig- site 1) | SS0065 | AR8-30-11 | 6 LONGLINE 200 M L; Mussels |
| Loch Spelve (Cruach Ardura- site2) | SS0065 | AR8-30-11 | 8 LONGLINE 200 M L also 7 MURRAFT 12msq; Mussels |

SITE APPLIED FOR

