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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

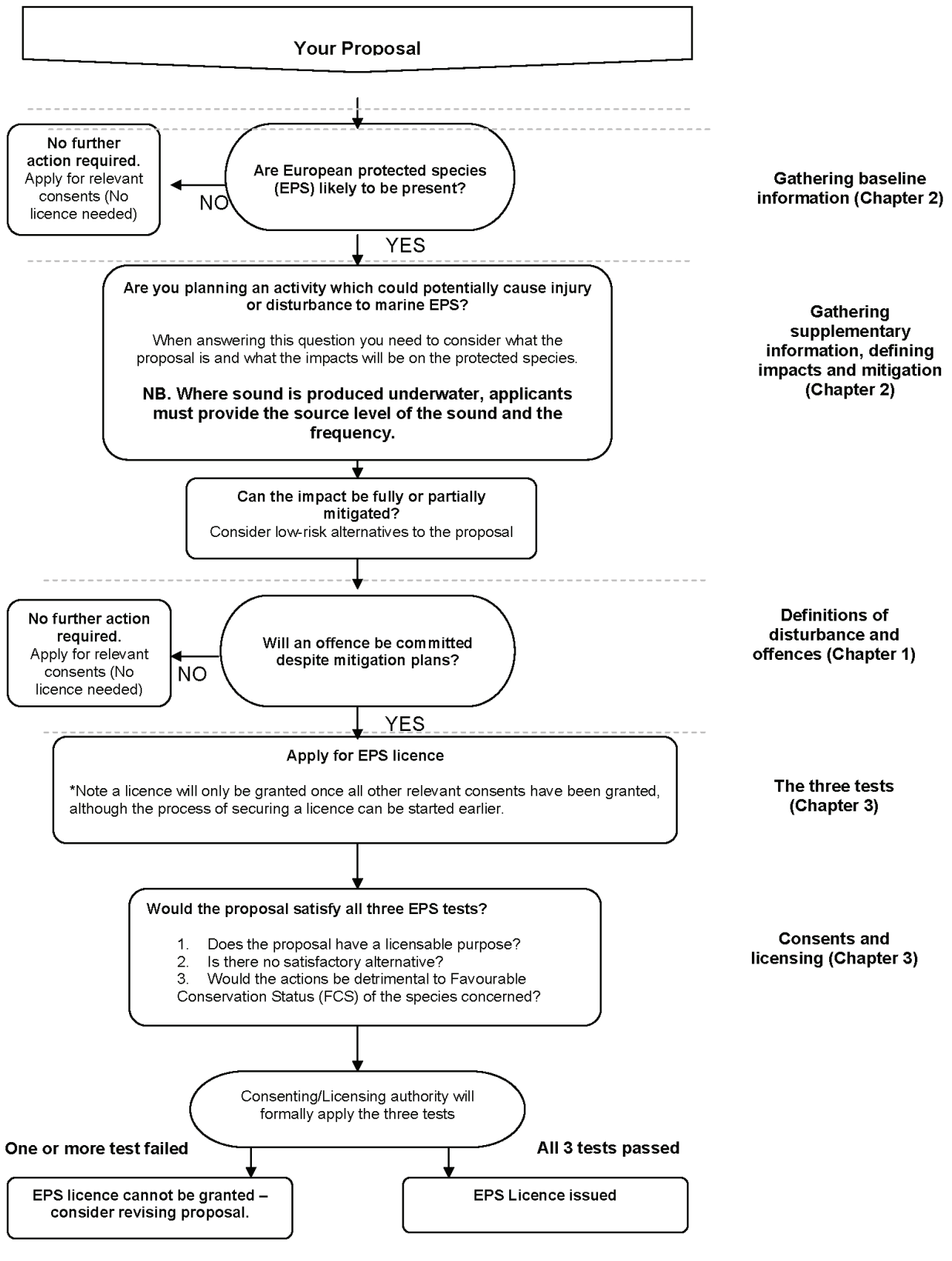
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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](#)



Gathering baseline information (Chapter 2)

Gathering supplementary information, defining impacts and mitigation (Chapter 2)

Definitions of disturbance and offences (Chapter 1)

The three tests (Chapter 3)

Consents and licensing (Chapter 3)

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 [Redacted] [Redacted] [Redacted]
Title forename(s): Surname:

Company Name: Shell UK Limited

Business Title (if Appropriate): Environmental Specialist

Address: 1 Altens Farm Road
Nigg
Aberdeen
AB12 3FY
[Redacted]

Tel no. (inc. dialling code): [Redacted]
[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-00008891

Year in which the licence was issued. 2020

What species were covered by the licence? harbour porpoise (Phocoena phocoena);bottlenose dolphin (Tursiops truncatus);minke whale (Balaenoptera acutorostrata);white-beaked dolphin (Lagenorhynchus albirostris);humpback whale (Megaptera novaeangliae)

What activity was covered by the licence e.g. disturb, injure? Disturb (Acoustic survey - nearshore pipelines, St Fergus)

Part B. The Application

3. Species

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

Common name(s): Bottlenose dolphin, harbour porpoise, white-beaked dolphin, white-sided dolphin, minke whale.

Scientific name(s) Tursiops truncata, Phocoena phocoena, Lagenorhynchus albirostris, Lagenorhynchus obliquidens, and Balaenoptera acutorostrata.

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

Only a small number of individuals will be temporary disturbed Nby the work; up to 5 harbour porpoise, up to 2 white-beaked dolphin, and <1 white-sided dolphin, minke whale or bottlenose dolphin.

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

The estimated number of marine mammals that could be disturbed is calculated as the product of the animal density and the area of the predicted disturbance zone using cetacean density estimates from the SCANS III data (Hammond et al, 2017). The maximum area covered by the acoustic survey is 8 km2 (see the EIA justification). The estimated number of animals disturbed is shown in Table 3.1 in the EIA justification.

Disturbance to any marine mammals will only be temporary and any marine mammals disturbed from the area would return after cessation of activities associated with the proposed survey.

Note the below co-ordinates are in Degrees, Minutes, Seconds.

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

It is intended to undertake a nearshore Acoustic Pipeline Inspection (API) survey of pipelines connecting to St. Fergus Gas Terminal, which is located on the North Sea coast in Aberdeenshire between Peterhead and Fraserburgh. The gas terminal complex consists of four major pipelines (PL208, PL1978, PL002 and PL2029) connecting to onshore receiving, processing, and transporting facility complexes. The objective is to carry out a pipeline inspection survey along these pipelines. in close proximity to the shore. This will involve the use of a sub bottom profiler (SBP; 2-12 kHz) and multi-beam echosounder (MBES; 400 kHz). The survey will identify exposures, free spans, debris, obstacles, scarring (trawl, anchor), damage, scour or sedimentation along the pipelines and determine height and length of free-spans and any protective measures required such as rock dumps and mattresses. The inspection can also include additional areas of interest, including but not limited to, pipeline or cable crossings as well as anomalous free spans / exposures. The survey performed on pipelines from a small nearshore survey vessel and within 5km of the landfall area in the vicinity of the St. Fergus Gas Terminal in the Central North Sea (CNS). The proposed St. Fergus survey will cover an area of approximately 8 km2 and will transect the United Kingdom Continental Shelf (UKCS) Blocks 19/11 and 19/12 in CNS. The survey vessel will acquire SBP and MBES acoustic data along each pipeline route within the survey area from the shore outwards (seaward) to allow any potentially disturbed cetaceans to be directed away from the shore rather than onshore.

The proposed survey activities are planned to commence on the with an earliest start date of the 25th August 2023. It is expected that the pipeline survey will be completed within a maximum of 14 working days, with the SBP component of the survey expected to take a maximum of four working days (subject to weather and tidal conditions). The latest completion date for the survey is the 30th November 2023.

- (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.

It is expected that the pipeline survey will be completed within a maximum of 14 working days, with the SBP component of the survey expected to take a maximum of four working days (subject to weather and tidal conditions); hence the duration of the disturbance is quite short. The survey vessel will be acquiring acoustic data from the shore outwards (seaward) along the pipeline routes to allow any potentially disturbed cetaceans to be directed away from the shore rather than onshore. During the operations, the following measures will be implemented to minimize impact to marine mammals:

1. There will be a qualified (JNCC accredited) Marine Mammal Observer (MMO) aboard the vessel during the entire survey, who will be following JNCC (2017) guidelines for minimising the risk of injury to marine mammals from geophysical surveys. When the MMO observation period is ongoing, the designated MMO will not be required to undertake any other duties on the vessel.
2. The designated MMO will detect marine mammals within a 500 m mitigation zone. If any cetaceans are observed within 500 m from the source array, then the start of the seismic sources will be delayed for at least 20 minutes following last sighting.
3. The designated MMO will carry out a 30-minute pre-data acquisition survey of the mitigation zone and, if an animal is detected, the soft-start of the seismic sources will be delayed until their passage, or the transit of the vessel, results in the marine mammals being more than 500 metres away from the source i.e. out with the 500 m mitigation zone.
4. A soft-start activation of the SBP will be employed, whereby the source power will be incrementally increased over period of at least 20 minutes. This will allow any marine mammals to move away from the sound source and reduce the likelihood of exposing the animal to sounds that could potentially cause injury. A soft start will be employed whenever the SBP is used.
5. If the SBP has been inactive for a period of 10 minutes or longer, the designated MMO will perform a visual inspection of the 500 m mitigation zone. If a mammal is detected within the 500 m mitigation zone, the restart of the survey will be delayed for at least 20 minutes following last sighting.

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.

Southern Trench Marine Protected Area (MPA).

SNH have not been consulted as the work is a standard pipeline survey work which has been undertaken in this area previously (2017 and 2020) with no objections raised from SNH. The proposed survey area and format (use of SBP, data acquired in a seaward direction, etc.) are similar to the survey undertaken in 2017 and 2020 at St Fergus. It should be noted that the SBP SPL is of a lower energy compared to the 2020 SBP and, hence, lower impact area is expected.

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"/>	Acoustic survey	25/08/2023	30/11/2023
<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'.**

Do nothing - Maintaining oil and gas infrastructure integrity is essential to ensure safe delivery of the product and to reduce the risk of leaks and associated environmental incidents. The St Fergus pipeline survey is a part of Shell's pipeline maintenance programme, investigating and monitoring the condition and integrity of Shell's pipelines in the North Sea. By doing nothing there is the risk that any damage to or anomalies in the pipelines may be missed. By going undetected, any damage/anomalies to the pipelines could lead to a number of scenarios:

- 1) Requirement to shut in the pipelines due to loss of integrity leading to lack of supply of hydrocarbons in to St Fergus and UK;
- 2) Possible pipeline rupture and resulting spill of hydrocarbons to the marine and coastal environment, with possible adverse consequences on cetaceans and other flora/fauna in the marine ecosystem;
- 3) Missed free-spans or other snagging hazards along the pipeline routes, creating hazards for inshore fisheries vessels. This could lead to pipeline damage or rupture or, in a worst-case scenario, could lead to loss of life from the sinking of a fishing vessel.

Alternative Methods - No other satisfactory alternatives are available for the pipeline inspection. The use of an ROV vessel is impractical due to the relatively shallow water (~10m) encountered and possible low visibility. Furthermore, no other practical survey method would provide the detailed information on the burial status/depth of the pipelines which is essential for pipeline maintenance.

Alternative Locations - It is not possible to consider alternative locations for the pipeline inspections given that these pipelines are the subject of investigation. Therefore, the location of the pipeline survey is pre-determined and it is not possible to change it.

Alternative Timing and Duration - The survey is planned to occur from the 10th August and will take a maximum of 14 days, with only 4 working days for the SBP which is the only source with potential impact to marine mammals. This is the shortest period over which data can be collected. The exact timing of the survey is dependent on favourable weather conditions and vessel availability. The number of lines of data being acquired is the minimum required to meet the survey goals, so the duration of the survey cannot be reduced.

Alternative Vessel - The proposed vessel has been specially designed to minimise fuel usage and reduce emissions. The vessel conforms to industry and regulatory standards. The proposed vessel allows both good data quality collection and a low impact on the marine environment. The vessel is robust in adverse weather allowing the survey to be completed in less time thus minimising the potential disturbance on the marine environment.

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
Application to carry out a Marine Survey. Consent to Undertake a Geophysical Survey	11/05/2023	SA/1774 GS/1600/0	

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.jncc.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.

JNCC registry numbers 3514 (SBP) and 3515 (MBES).

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]

Date 05/07/2023

(The person named at part 1)

Name in BLOCK
LETTERS

[Redacted]

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.

Maintaining oil and gas infrastructure integrity is essential to ensure safe delivery of the product and to reduce the risk of leaks and associated environmental incidents. Therefore there are social, economic and environmental benefits provided by ensuring that the pipelines' integrity is maintained.

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

Oil and gas production is important as it is still an integral part of the energy supply to power industry, heat homes, products such as chemicals/plastics, and provide fuel for vehicles and other transport. The UK oil and gas industry employs over 450,000 in the UK and is worth about £35bn to the UK economy. By maintaining the pipelines, Shell ensures security of supply.

Why is it imperative the proposed activity goes ahead?

It is imperative that the pipelines are surveyed to ensure their integrity is maintained (as per the Pipelines Safety Regulations 1996 and the survey requirements in Regulation 13, 16 and Schedule 5). If this is not undertaken, there is the risk that any damage to, or anomalies in, the pipelines may be missed. By going undetected, any damage/anomalies to the pipelines could lead to a number of scenarios:

- 1) Requirement to shut in the pipelines due to loss of integrity leading to lack of supply of hydrocarbons in to St Fergus and UK;
- 2) Possible pipeline rupture and resulting spill of hydrocarbons to the marine and coastal environment, with possible adverse consequences on cetaceans and other flora/fauna in the marine ecosystem;
- 3) Missed free-spans or other snagging hazards along the pipeline routes, creating hazards for inshore fisheries vessels. This could lead to pipeline damage or rupture or, in a worst-case scenario, could lead to loss of life from the sinking of a fishing vessel.

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

Scottish National Marine Plan.

Oil and Gas Marine Planning Policies:

1. Maximise and prolong oil and gas exploration and production,
3. Support infrastructure for oil and gas developments,
5. Take account of potential environment risks and hazards,
6. Risk reduction measures.

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.



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Credits: World
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Aberdeen-Kirkw...

NODE 2
 57° 35' 31.619" N
 01° 44' 29.461" W

NODE 3
 57° 34' 26.132" N
 01° 44' 26.902" W

N4841 4" MEG ST. FERGIUS - ATLANTIC MANIFOLD PL2031

N2805 SERVICE ST. FERGIUS (FLAGS) PL002

N0209 20" GAS GOLDENEYE - ST. FERGIUS PL1978

N0201 36" GAS BRENT A. - ST. FERGIUS (FLAGS) PL002

N0201 36" GAS BRENT A. - ST. FERGIUS (FLAGS) PL002

N0216 16" GAS ATLANTIC MANIFOLD - ST. FERGIUS PL2029

N0216 16" GAS ATLANTIC MANIFOLD - ST. FERGIUS PL2029

N0202 20" GAS FULMAR A - ST. FERGIUS PL208

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