

Annex One

MD-LOT European Protected Species Licence Case Handling Report

Licence Number: 00010453

Licensing Officer: <Redacted>

Site	Babcock Rosyth
Company	Aspect Land and Hydrographic Surveys Thornhouse Business Centre 30 Ballot Road Irvine KA12 0HW
Applicant	<Redacted>
Brief Description of Project	Geophysical survey to inform future dredging and development planning
Associated Licences	-

Species	harbour porpoise (<i>Phocoena phocoena</i>);bottlenose dolphin (<i>Tursiops truncatus</i>);minke whale (<i>Balaenoptera acutorostrata</i>);
Inshore/Offshore	Inshore

TEST 1	Purpose of licence
	preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
Comments	
<p>The proposed survey works will inform design of an upgrade at the existing Babcock Rosyth port facility, identifying areas requiring dredge and dredge depths.</p> <p>The dredge campaign the survey informs will ensure that Babcock Rosyth will continue to be able to operate safely and will continue to allow for UK Royal Navy ships to enter the port safely. The benefits are social in that Babcock support the forces in providing protection to the UK and economic in continuing to allow Babcock to operate at their Rosyth site. Babcock are a significant employer in Scotland, contributing approximately £370 million to GDP and provide over 3500 jobs and support a further 2800 in their supply chain.</p> <p>The geophysical survey is required to determine sub-seabed geological strata in order to identify where and to what depths the area needs to be dredged to, to support future port operations. The surveys will therefore allow for the continued operations of the port, imperative to socio-economic and UK defence interests. The surveys will also ensure efficiency of any resulting dredge campaign. Public interest will be served by providing a safe operational base for the UK's defence.</p>	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
<p>The applicant has demonstrated that reasonable effort has been made to consider alternatives that would achieve the same result but with less / no impact on EPS:</p> <p>An alternative to geophysical surveys would be to carry out detailed ground investigation by taking numerous core samples from the seabed within the survey boundary, however this would result in extended survey durations and likely more repeated disruptions to marine mammals through vessel movements. In addition to this, geophysical surveys will not cause any physical disturbance to the seabed.</p> <p>Doing nothing will not allow the site to increase their capacity and will prevent larger vessels from entering due to draught restrictions. By doing nothing and not carrying out capital dredging, the base will be inaccessible to larger vessels requiring maintenance. Many of such vessels are within the UK Royal Navy fleet and other services, including land and aviation defence, civil nuclear and critical response sectors.</p> <p>An alternative survey location was considered however due to a dredge being required to inform development design, site specific data is necessary. The area to be dredged lies within an existing port and dredging further out from shore may increase the likelihood of impacts on cetaceans.</p>	
Test 2 satisfied?	YES

TEST 3	Favourable Conservation Status ("FCS")
Comments	
<p>NatureScot were consulted on 25 August 2023 with a response being received on 12 September 2023.</p> <p>Nature Scot advised that if JNCC mitigation, as detailed in the application Risk Assessment, is applied then the risk of injury is mitigated and there is no need for an EPS licence for injury.</p> <p>In relation to disturbance, Nature Scot concluded that the proposed SBP is capable of causing disturbance to the marine mammals, but noted the use of SCANS-III data on species densities for the species detailed in the application; minke whale, bottlenose dolphin and harbour porpoise, and the predicted very low numbers of animals likely to be affected by disturbance from the SBP (Risk Assessment Table 4.4). On this basis it concluded that an EPS licence for disturbance under the Inshore Regulations is required, however, there are no impacts on the favourable conservation status for any cetacean species from the proposed activity.</p>	
Test 3 satisfied?	YES

Date application received: 14 June 2023

Date variation application received:

Consultation start date: 25 August 2023

Consultation end date: 25 September 2023

Notes

Date	Text	Created By
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Awaiting Information

Start date	End date	Duration (days)	Waiting for	Waiting on Information From
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Licence issue date: 26 October 2023

Date report due: 30 April 2024