Annex Two

MD-LOT Basking Shark Licence Case Handling Report

Licence Number: **BS-00010899**
Licensing Officer: [Redacted]

Site	Hunterston to Kilroot cable route
Company	TI LirlC Limited 17th Floor, 88 Wood Street London EC2V 7DA United Kingdom
Applicant	[Redacted]
Brief Description of Project	Geophysical and geotechnical surveys to finalise route planning for the Hunterston to Kilroot cable
Associated Licences	00010789

Species	Basking Shark (*Cetorhinus maximus*)
Inshore/Offshore	Inshore

TEST 1	**Purpose of licence**
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)

Comments

The marine surveys are required to finalise the route planning of the subsea interconnector cable between GB and Ireland. The data collected during the geophysical and geotechnical surveys will allow micrositing of the route to avoid highly sensitive areas where possible and ensure appropriate installation methods are used. Data gathered will support the various permits and environmental assessments being undertaken.

The UK Government has committed to realise at least 18GW of interconnector capacity by 2030, just under 10GW is operational to date. The need for further interconnection between GB and the island of Ireland has been recognised in several studies. In GB, the National Grid Electricity System Operator (NGESO) published its Network Options Assessment in January 2022 which identified that further interconnection between Scotland and NI could provide significant socio-economic value in Net Present Value terms to the UK and Ireland. The Development will support security of supply while also having a possible impact on carbon emission reductions, through efficient integration of renewable generation and helping to bring down bills for customers.

The project cannot progress to final design, planning and permitting until seabed conditions have been investigated. Data collected will allow cable routing and micrositing to take place that will allow the most suitable installation methods to be used and highliy snsitive sites to be avoided where possible.
There are no alternative methods available for the required seabed investigations.

The LirIC project will help the UK Government to meet the 2030 aims of 18GW of interconnector capacity. The Development will support security of electricity supply while also having a possible impact on carbon emission reductions, through efficient integration of renewable generation and helping to bring down bills for customers.

Test 1 satisfied?	YES

TEST 2	**Other Satisfactory Solutions**

Comments

Section 16(1A)(a) of the Wildlife and Countryside Act 1981 requires the Scottish Ministers to be satisfied that there is no other satisfactory solution before a Basking Shark Licence can be issued for the Licensable Operations.

The applicant has considered all possible alternatives and concluded that there are no suitable alternatives to the survey design proposed. The selected survey techniques represent the only available practical methods of acquiring the required data. The Development design will be dependent on site specific data collected using MBES, SSS, SBP and magnetometer. The use of USBL is a commonly used methodology in the offshore industry as it determines the position of subsea survey items. No other equipment, for example, pressure transducers, provides the degree of spatial accuracy required. The USBL equipment will be operated at the lowest practicable sound levels to minimise disturbance risk and will be operated over the shortest practicable period of time required to obtain the necessary measurements and achieve the survey objectives. USBL are always required when using towed equipment therefore a satisfactory alternative could not be identified.

The applicant has demonstrated that alternatives to the survey are unsatisfactory. Existing survey data has been analysed and it's use ruled out due to lack of coverage of the required survey area. Previous surveys will therefore not sufficiently address the needs of the applicant to alleviate any technical or safety issues which would be addressed by project specific geophysical, geotechnical and marine UXO surveys. Reprocessing of historic data would also not be satisfactory since the data coverage is limited and varying in quality.

The applicant has considered the vessels used for the survey and has ensured that all conform to industry and regulatory standards. The proposed vessels allow for both accurate and high quality data collection and while representing a relatively low impact on the marine environment, given the remote offshore nature of the survey area, and dispersive potential of the associated emissions. The proposed vessels are robust in adverse weather, allowing the survey to be completed in less time than would be possible with smaller vessels, thereby minimising the potential for disturbance to the marine environment by adhering to the shortest possible campaign to achieve the required data acquisition.

To ensure good quality data collection, the survey techniques and parameters have been determined by the applicants geophysicists. Any changes in these parameters will mean that the survey will not fulfil its purpose.

The applicant has ensured that proposed source noise output (using equipment and techniques such as USBL) is as low as possible and has been chosen specifically in view of the water depths, geology and setting of the Offshore Cable Corridor. Equipment with a smaller acoustic output would not be able to provide the necessary image of the deeper strata.

The applicant acknowledges that not undertaking the survey would result in no impact on EPS, however the information gathered during the surveys is essential for determining the project design and in terms of being able to undertake a robust EIA to inform subsequent consent applications. Without this detailed information, it would be impossible for the applicant to determine important factors within the Offshore Cable Corridor. This would result in an inability to accurately design a constructable interconnector project in terms of the application of appropriate infrastructure installation techniques and construction methodology, and the identification of appropriate operation and maintenance programmes. There would also be insufficient site-

specific information available to inform and support a robust EIA and consent application. Therefore, doing nothing is not a viable option to enable the successful installation of the Development and hence contribute to the achievement of the government's net zero targets by connecting markets and increasing access renewable energy. The applicant has also stated that there is a requirement for UXO surveys from a safety perspective, to construct the Development without conducting UXO surveys could present a risk to life and/or damage to infrastructure. The applicant has stated that it is not possible to consider an alternative location for the survey; the Offshore Cable Corridor is the subject of the investigation and has to connect the grid connection points in Scotland (Hunterston) and Northern Ireland (Kilroot). Therefore, the overall location of the proposed geophysical, geotechnical and marine UXO surveys is pre-determined. The ultimate purpose of the surveys is to confirm the final cable route, by obtaining sufficient detail to enable micro siting and reduce the risks associated with cable installation. The applicant has applied for consent to survey between June 2024 and June 2025, but acknowledges that surveys typically occur in the spring and summer months to avoid or minimise any delays due to weather downtime and this is the expectation for the surveys. However, survey timing is significantly influenced by vessel/contractor availability and to a lesser degree ensuring survey data is available to inform the project design at an appropriate stage in the design process, hence the application for a longer survey period. Undertaking a survey at an alternative time such as winter months would likely result in delays and therefore the vessel being onsite for longer. The environmental sensitivity of the Offshore Cable Corridor was considered as part of the survey feasibility assessment and was selected to minimise interaction with particularly sensitive areas, where possible. To this end the extent of the proposed survey has been minimised and any further reduction of the Offshore Cable Corridor would not fulfil the objectives of survey. The actual survey duration is estimated to be approximately 69 days, based on the anticipated number of samples, the sampling activities proposed and vessel transit times. Subject to operational constraints, as well as favourable weather and sea conditions, the applicant will seek to minimise the duration of the survey where feasible.

Test 2 satisfied?	YES

TEST 3	**Favourable Conservation Status ("FCS")**
Comments	
NatureScot has concluded in its advice dated 30 August 2024, that according to Popper et al. (2014), underwater noise from geophysical surveys is unlikely to have a significant impact on basking sharks. However, increased vessel activity as a result of the proposed surveys does have the potential to disturb basking shark. As the proposed survey activities could take place during peak basking shark months in 2025 off the west coast of Scotland, where basking sharks are known to congregate in large numbers, a licence to disturb basking sharks under the Wildlife and Countryside Act 1981 (as amended) is required. NatureScot agree that any disturbance to basking sharks will not have an adverse impact on the population as a whole and can also confirm that the equipment capable of disturbing basking sharks has been correctly identified by the applicant.	
Test 3 satisfied?	YES

Date application received: 22 July 2024

Consultation start date: 07 August 2024 **Consultation end date**: 04 September 2024

Licence issue date: 25 September 2024 **Date report due**: 02 April 2026