

## **Marine licence application form: pontoon**

### **Marine (Scotland) Act 2010**

### **Marine and Coastal Access Act 2009**

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## Section one - Acronyms and explanatory notes

### Acronyms

Note the following acronyms referred to in this application form:

MHWS	Mean High Water Springs
MPA	Marine Protected Area
MD-LOT	Marine Directorate – Licensing Operations Team
SAC	Special Area of Conservation
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WGS84	World Geodetic System 1984

### Explanatory notes

The following numbered paragraphs correspond to the questions in the application details (section four) and are intended to assist in completing the form. These explanatory notes are specific to this application form and should be read in conjunction with marine licensing guidance <https://www.gov.scot/collections/marine-licensing-and-consent/>

#### 1. Applicant details

The person making the application who will be named as the licensee. If an applicant is an organisation or company, the registered company address should be given.

#### 2. Agent details (if any)

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant.

#### 3. Payment

An invoice for the application fee will be issued by MD-LOT after an application is received and initial checks have been carried out. The invoice will provide information on accepted methods of payments. Marine licensing fees can be found at: <https://www.gov.scot/publications/marine-licence-application-fees/>

All payments should reference the invoice number to allow the payment to be processed efficiently and to prevent delays. Application fees should not be sent with applications prior to receiving an invoice.

#### 4. Cost of the Activity

Provide the cost of the activity 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 etc.

#### 5. Application type

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

## 6. Scotland's National Marine Plan

Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. Scotland's National Marine Plan can be found at: <https://www.gov.scot/publications/scotlands-national-marine-plan/pages/0/> Provide information on how the proposed activity is in accordance with Scotland's National Marine Plan including reference to relevant policies. This should include consideration of the General Policies and any Sector Policies.

## 7. Pontoon(s) details

- a) Indicate the type of deposit, either permanent, temporary or seasonal. If temporary or seasonal, provide plan of how and when pontoon section(s) are proposed to be deposited and removed in the method statement.
- b) Indicate the number of pontoon sections that make up the full structure.
- c) Complete the table to indicate the dimensions of each pontoon section making up the entire structure.
- d) Complete the table to indicate any other substance(s) or object(s) to be deposited below MHWS, including quantity and dimensions (e.g. steel mooring chain, No. 6 at 50 metres length each).
- e) Indicate the total length of the pontoon, including any access bridge, seawards of the tidal limit of MHWS. The total length should include all sections of the pontoon that make up the entire structure.
- f) Provide the proposed start date for installation of the pontoon(s). This must be a date in the future as marine licences are not back dated. Consideration should be given to the marine licensing process which must be completed prior to the proposed start date. Target duration for determination of a marine licence application where EIA is not required is 14 weeks.
- g) Provide the proposed end date of the pontoon if a timescale of less than 25 years is required.

A marine licence for a pontoon can be valid for up to 25 years. If there is a requirement for the pontoon to continue after the expiry of a marine licence a new marine licence application will be required. Target duration for determination of a marine licence application where EIA is not required is 14 weeks.

- h) Describe the location of the proposed activity.

Include a list of the latitude and longitude co-ordinates (WGS84) for the boundary points of the pontoon(s) including all moorings associated (if applicable).

Latitude and longitude coordinates of the activity must be provided in World Geodetic System 1984 (WGS84) degrees, decimal minutes (to three decimal places) format XX°X.XXX'N XXX°X.XXX'W or E e.g. 57°8.5667'N 002°5.3833'W.

Coordinates taken from recent admiralty charts or GPS equipment are likely to be available in WGS84 compatible datum and in degrees, decimal minutes format.

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, 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 pontoon position(s) in relation to the surrounding area
- the latitude and longitude co-ordinates defining the location of the activity

The map or chart may also include the level of MHWS and may include any adjacent SAC, SPA, SSSI, MPA, Ramsar or similar conservation area boundary.

Maps and charts will be consulted upon. If they are subject to copyright, it is your responsibility as the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.

i) Provide drawings of the licensed activity.

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

j) Indicate if the pontoon is located within the jurisdiction of a Statutory Harbour Authority and provide details of the Statutory Harbour Authority where relevant.

k) Provide a full method statement, including plan of how, when and where pontoon section(s) are proposed to be deposited and removed

l) Provide an assessment of the potential adverse impacts which the activity may have on human health, the environment and legitimate uses of the sea. Include details of sensitive areas e.g. Special Areas of Conservation, Special Protection Areas, Sites of Special Scientific Interest, Marine Protected Areas, Ramsar sites, Priority Marine Features, National Scenic Areas, seal haul out sites, bathing waters, shellfish harvesting areas.

Further guidance on designated conservation areas can be obtained from NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/priority-marine-features-scotlands-seas/feature-activity-sensitivity-tool-feast>

Scotland's National Marine Plan Interactive can provide information to support applications: <https://marinescotland.atkinsgeospatial.com/nmpi/>

Guidance on shellfish harvesting areas can be obtained from Food Standards Scotland: <https://www.foodstandards.gov.scot/>. Parameters are set to protect the water quality in which edible shellfish are grown.

You should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage"

<https://www.historicenvironment.scot/archives-and-research/publications/>

Information on bathing waters can be obtained from the Scottish Environment Protection Agency: <https://bathingwaters.sepa.scot/>

Lochs Creran, Alsh, Duich and Long are designated as Special Areas of Conservation (SAC). Loch Creran has been selected for its bedrock and biogenic reefs of the tube worm *Serpula vermicularis* and the horse mussel, *Modiolus modiolus* and Lochs Alsh, Duich and Long for their sublittoral rock (marine) reefs. All are very sensitive to physical damage from anchors and the placement of moorings and in order to assist their protection reference should be made to the special moorings pack which can be downloaded from the following link:

<https://www.gov.scot/publications/marine-licensing-applications-and-guidance/>

Where there are potential adverse impacts from the activity, provide details of proposed mitigation to avoid or reduce potential adverse impacts.

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

## 8. Statutory Pre-Application Consultation

Certain activities within 0-12 nautical miles of the coast are subject to public pre-application consultation requirements. Such 'prescribed classes' of activity are often larger projects, with a greater potential for impacts on the environment, local communities and other legitimate uses of the sea.

If the activity is subject to pre-application consultation requirements, the application must include:

- the date of the notification to the consultees specified in the Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013 and a copy of the notification
- the date of the public notice for the PAC event and a copy of the public notice
- the date the PAC event was held and the type of PAC event held
- a copy of the PAC report

Statutory Pre-Application Consultation will allow those local communities, environmental groups and other interested parties to comment on a proposed development in its early stages – before an application for a marine licence is submitted. Further information can be obtained from: [www.gov.scot/publications/marine-licensing-overview/](http://www.gov.scot/publications/marine-licensing-overview/)

The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013 and the Marine (Scotland) Act 2010 sets out process for complying with the Pre-Application Consultation Process.

## 9. Consultation (in addition to Statutory Pre-Application Consultation)

List any persons or bodies that you consulted and provide copies of any correspondence with the application.

## **10. Associated works**

Indicate whether the application is associated with any other marine projects (e.g. land reclamation, marine/harbour construction works, dredging and sea disposal etc). If this is the case, provide reference/licence number for the related marine projects.

## Section two - Register of licensing information and declaration

### Important information

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. Note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

It is your responsibility to obtain any other consents or authorisations that may be required.

### Register of licensing information

A register of marine licensing information must be maintained by the licensing authority. Under Information must not appear in the register if the licensing authority determines that its disclosure in the register would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest or, in relation to an application made under the Marine and Coastal Access Act 2009, the Secretary of State determines that its disclosure in the register would be contrary to the interests of national security.

<b>Do you consider that any of the information contained within or provided in support of this application should not be disclosed (mark "X" against the relevant section):</b>	<b>Yes</b>	<b>No</b>
<b>for reasons of national security</b>		
<b>for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest?</b>		

<b>If yes, provide full justification as to why all or part of the information you have provided should be withheld.</b>

### Declaration

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

<b>Signature:</b>	[Redacted]
<b>Date:</b>	
<b>Name in block capitals:</b>	

### Section three - Application check list

Check that you provide all relevant information in support of your application, including but not limited to the following (mark "X" against the relevant section).

<b>Completed and signed application form</b>	
<b>Activity drawings</b>	
<b>Maps/charts</b>	
<b>Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a Statutory Harbour Authority)</b>	
<b>Method statement</b>	
<b>Photographs of the location of the activity (if applicable)</b>	
<b>Additional information e.g. consultation correspondence (if applicable)</b>	
<b>Statutory Pre-application information (if applicable)</b>	

## Section four - Application details

### 1. Applicant details

<b>Title:</b>	
<b>Full name:</b>	
<b>Full name of contact (if different):</b>	
<b>Company name (if appropriate):</b>	
<b>Registered company number (if appropriate):</b>	
<b>Address:</b>	
<b>Telephone number (including dialling code):</b>	[Redacted]
<b>Email:</b>	[Redacted]

Statutory Harbour Authority? If yes, 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 (mark "X" against the relevant section).

<b>Yes</b>	
<b>No</b>	

### 2. Agent details (if any)

<b>Title:</b>	
<b>Full name:</b>	
<b>Name of contact (if different):</b>	
<b>Company name (if appropriate):</b>	
<b>Registered company number (if appropriate):</b>	
<b>Address:</b>	
<b>Telephone number (including dialling code):</b>	
<b>Email:</b>	

### 3. Payment

<b>Contact address to send invoice to:</b>	
<b>Title:</b>	
<b>Full name:</b>	
<b>Address:</b>	
<b>Email:</b>	[Redacted]

### 4. Cost of the Activity

<b>Cost of the activity seawards of the tidal limit of MHWS (£):</b>	
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### 5. Application type

Is this application for a new pontoon site or an existing pontoon site (mark “X” against the relevant section)?

<b>New site</b>	
<b>Existing site</b>	

If an existing site, provide the licence number and expiry date.

<b>Licence Number</b>	
<b>Expiry Date</b>	

### 6. Scotland’s National Marine Plan

<b>Provide details of how the proposed activity is in accordance with Scotland’s National Marine Plan including reference to relevant policies. This should include consideration of the General Polices and any Sector Policies.</b>

## 7. Pontoon details

- a) Type of deposit. If temporary or seasonal, provide a plan of how and when pontoon section(s) are proposed to be deposited and removed in method statement in section 5 (j) (mark “X” against the relevant section).

Permanent	
Temporary	
Seasonal	

b) Number of pontoon sections:	
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c) Dimensions of pontoon sections			
Pontoon Section	Type of deposit e.g. steel and plastic.	Length (metres)	Width (metres)

d) Any other substance(s) or object(s) to be deposited below MHWS	
Deposit (e.g. steel mooring chain)	Quantity and dimensions (e.g. no. 6 at 50 metres)

e) Total length of pontoon (in metres), including any access bridge, seawards of the tidal limit of MHWS	
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f) Proposed start date:	
g) Proposed end date:	

**h) Description of activity location:**

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Latitude and Longitude co-ordinates (WGS84) defining the extent of the pontoon including all moorings (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude								Longitude							
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W
		°			.		' N			°			.		' W

**i) Provide drawings of the licensed activity with the application.**

**j) Is the pontoon located within the jurisdiction of a Statutory Harbour Authority (mark "X" against the relevant section)?**

<b>Yes</b>	
<b>No</b>	

**k) Method statement including schedule of work (attach separate document if necessary). If temporary or seasonal, provide a plan of how, when are where pontoon section(s) are proposed to be deposited and removed.**

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**I) Potential impacts the activity may have (including details of sensitive areas e.g. designated conservation and shellfish harvesting areas) and proposed mitigation in response to potential impacts (attach separate document if necessary):**

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### 8. Statutory Pre-Application Consultation

Is the application subject to statutory Pre-Application Consultation, under the Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013 (mark “X” against the relevant section)?

<b>Yes</b>	
<b>No</b>	

If yes, provide the following information:

<b>A copy of the public notice for the pre-application consultation event must be supplied with this application:</b>	
<b>Date of public notice for the pre-application consultation event:</b>	
<b>Type of consultation event held:</b>	
<b>A copy of the PAC report:</b>	

**9. Consultation in addition to Statutory Pre-Application Consultation**

**List any persons or bodies that you have consulted (in addition to any Statutory Pre-Application Consultation requirements) and provide copies of any correspondence with the application.**

**10. Associated works**

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