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## The Conservation of Offshore Marine Habitats and Species Regulations 2017

### Application for a licence to disturb or injure marine European protected species (EPS) for one of the following purposes

- 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 property, or to fisheries.
- For scientific or educational purposes
- For the re-population of an area with, or the re-introduction into an area of, wild animals or wild plants (including any breeding or artificial propagation necessary for those purposes)
- Anything done in the interest of protecting wild flora or fauna or conserving natural habitats

Please use this application form if you wish to undertake works/activities that would affect European protected species in the offshore area (beyond 12 nautical miles).

**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' (available from JNCC). If further clarification is needed please contact Marine Scotland Licensing Operations Team (MS-LOT) on 0300 244 5046 or email: [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)

**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](mailto: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’ (available from JNCC). 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 Offshore Scottish marine area (12 – 200nm).

Please note that European protected species are also protected in the inshore marine environment (less than 12 nautical mile from the coasts). Species in this area are protected under the The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

Do not use this form if your application relates to reserved matters such as oil and gas, defence or maritime transport. Please contact the relevant authority for further information.

**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. Failure to carry out the work which you propose in accordance with the terms of the licence is an offence under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

**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 and, what the actual work is. 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 long 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 the appropriate nature conservation body, if the work you propose to do affects a Natura site or an MPA.

**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. 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), or alternative methods of carrying out the work. You must also consider the option of not undertaking the work – the 'do-nothing' alternative.

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 Other licences and consents**

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 a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. Activities where this type of noise is produced include impact pile driving, geophysical surveys (seismic, sub bottom profiling and multibeam echosounders), explosives and some acoustic deterrent devices. Where noisy activity is being undertaken, you must complete a Proposed Activity form in the Marine Noise Registry, which collects estimated location and date range data on noisy activities. The Marine Noise Registry can be accessed at <https://mnr.jncc.gov.uk/>. The Marine Noise Registry also collects the actual location and date data (after the activity has been completed). This data should be provided as a Close-out Report in the Marine Noise Registry following completion of the activity, please note that any licensee with a marine licence granted subject to conditions specific to the Marine Noise Registry will need to complete the appropriate data submission to fulfill the Marine Noise Registry. Indicate any noise generating activity and the sound frequency in hertz.

## **Section 10 Privacy notice**

This section briefly describes the Scottish Ministers' responsibilities in relation to Data Protection based on the requirements 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 Method Statement 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 returns.

### Where to seek further information

Further information can be obtained from Licensing Operations Team at the address below.

Licensing Operations Team  
Marine Scotland  
375 Victoria Road  
Aberdeen  
AB11 9DB

Tel: 0300 244 5046  
Email: [MS.marinelicensing@gov.scot](mailto: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 2017 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 ensuring compliance with the licence and the conditions of the licence. Failure to carry out the work which you propose in accordance with the terms of the licence is an offence under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

1. Name of applicant  
[Redacted]  
Title

Company Name:

[Redacted]  
Business Title (if Appropriate):

Address:

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

[Redacted]  
Email address:

**2. 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?

Licence number (most recent licence)

Year in which the licence was issued.

What species were covered by the licence?

What activity was covered by the licence e.g. disturb, injure?

**Part B. The Application**

**3. Species**

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

Common name(s): Harbour porpoise, common dolphin, Atlantic white-sided dolphin, common bottlenose dolphin, white-beaked dolphin, Risso’s dolphin, killer whale, long-finned pilot whale, beaked whale spp., minke whale, humpback whale, and fin whale

Scientific name(s) Phocoena phocoena, Delphinus delphis, Lagenorhynchus acutus, Tursiops truncatus, Lagenorhynchus albirostris, Grampus griseus, Orcinus orca, Globicephala melas, Balaenoptera acutorostrata, Megaptera novaeangliae, Balaenoptera physalus

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

The total individuals affected are predicted to be: 607 harbour porpoise (0.18% of reference population), 0 common dolphin (0% of reference population), 28 Atlantic white-sided dolphin (0.15% of reference population), 482 common bottlenose dolphin (0.69% of reference population), 360 white-beaked dolphin (0.82% of reference population), 83 Risso’s dolphin (0.68% of reference population), 0 killer whale (0% of reference population), 0 long-finned pilot whale (0% of reference population), 0 beaked whale spp. (0% of reference population), 32 minke whale (0.16% of reference population), 0 humpback whale (0% of reference population), and 0 fin whale (0% of reference population).

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

Calculations have been performed based on the Maximum Daily Potential Disturbance Area (1,175.44 km2).  
 Calculations have been based on density estimates from the 2023 SCANS-IV report on estimates of cetacean abundance. Since the survey area may overlap four blocks of the SCANS IV surveys, calculations are precautionarily based on the block with the highest density recorded.  
 The percentage of the reference population likely to be impacted by survey activities is calculated using the updated abundance estimates for cetacean Management Units in UK waters. These have been used for all species except killer whale, long-finned pilot whale, beaked whale spp., sperm whale, and humpback whale, which do not have a defined UK MU due to their widely distributed populations, and for which no SCANS-IV observations were recorded in the blocks encompassing the survey area. Common dolphin, and common bottlenose dolphin were not detected in SCANS-IV surveys for the overlapping blocks and so are listed as “none recorded”. Common bottlenose dolphin were not detected in SCANS-IV surveys, however they are present in high numbers in the inner and southern coastal areas of the Moray Firth (e.g. the Moray Firth SAC designated for common bottlenose dolphin) with a suggested connection to common bottlenose dolphin sightings around Orkney. Therefore, density estimates from the OW MU (IAMMWG, 2023) were used.

(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 |  |   |  |   |  |  |    |
|----------|--|---|--|---|--|--|----|-----------|--|---|--|---|--|--|----|
|          |  | ° |  | . |  |  | 'N |           |  | ° |  | . |  |  | 'W |
|          |  | ° |  | . |  |  | 'N |           |  | ° |  | . |  |  | 'W |
|          |  | ° |  | . |  |  | 'N |           |  | ° |  | . |  |  | 'W |
|          |  | ° |  | . |  |  | 'N |           |  | ° |  | . |  |  | '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**

The proposed surveys will cover the planned Cable Route for the telecom cable between the Western boundary of the UK Exclusive Economic Zone (EEZ) through the Scottish Territorial Sea (TS) out to the Eastern limit of the UK EEZ, using the following technologies:

Multibeam Echosounder (MBES): Kongsberg EM2040 (Dual-Head); frequency range 200-400kHz; source Level (dB re 1µPa @1m)248dB, and RESON Seabat 7150-F: frequency range 12 & 24kHz; source Level 230dB

Side Scan Sonar (SSS): Edgetech 4205; frequency range 230, 540 & 850kHz; source level (dB re 1µPa @1m) 230kHz: 220dB, 600kHz: 219dB, and 900kHz: 221dB, and EDGETECH 4200MP: frequency range 100 kHz & 400 kHz; source Level 100kHz: 210dB / 400kHz: 183dB

Sub-bottom Profiler (SBP): Innomar SES 2000 Medium-100; frequency range 85-115kHz (primary) and 2-22kHz (secondary); source level 247-250dB, and GEOACOUSTICS Geopulse SBP (4x4 array): frequency range 2-12kHz with dominant frequency 3.5kHz; source level 214 dB

Ultra-short Baseline (USBL): Sonardyne Ranger 2; frequency range 20-34kHz; source level 200dB, and KONGSBERG HIPAP 501: frequency range 21-31kHz; source level 203dB

Magnetometer (Geometrics G-881), not sound emitting.

- (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.

The proposed surveys will follow mitigation measures based on JNCC guidelines for minimising risk to marine mammals from geophysical surveys (JNCC, 2017). These guidelines are designed to reduce the risk of impacts associated with geophysical surveys on the UK continental shelf and are based on conservative assumptions.

The proposed surveys will aim to minimise risk through the planning, active mitigation (described below), and reporting phases. In addition to obtaining an EPS licence, the surveys will consider the minimum technical specifications required to complete the work, bearing in mind the marine mammal species present in the survey area. Before survey operations commence, EGS will communicate with the MMO, MD-LOT and the SFF in an effort to attain the most recent species and habitat characterization information and guidelines pertaining to the behaviour of marine mammal species.

Prior to any surveys, a bridge officer experienced in marine mammal identification will perform a search of the mitigation zone. The duration of the search will be 30 minutes in areas with less than 200m water depth, and 60 minutes in areas with more than 200m water depth. In addition, the bridge officer will complete standardised marine mammal recording forms (e.g., 'deck form').

Further detail is presented in the EPS Risk Assessment document.

#### 4. Consideration of designated sites

Designated Areas: Special Protection Area (SPA), Special Areas of Conservation (SAC), Marine Protected Areas (MPA). Information on designated sites is available on the JNCC website.

- (a) Will any part of the proposed activity fall within /or adjacent to an area covered by a designated site eg 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.

The closest protected area to the proposed Offshore Survey Area that includes EPS designated features is the North-east Lewis MPA (straight line distance 98.55km), which is designated for Risso's dolphin. Other protected areas that include EPS designated features within the wider region include the Sea of Hebrides NCMPA (straight line distance 209.17km), designated for minke whale and basking shark, the Inner Hebrides and the Minches SAC (straight line distance 131.95km), designated for harbour porpoise, the Southern Trench NCMPA (straight line distance 189.43km), designated for minke whale, and the Moray Firth SAC, designated for common bottlenose dolphin (straight line distance 187.78km). There is evidence of common bottlenose dolphin travelling to Orkney from this SAC, however the population is more heavily distributed within the inner Moray Firth and Moray coast, with sightings highly skewed to that area. The North-west Orkney MPA (cable route passes through) is not designated for EPS; though it is designated for sandeels (e.g. *Ammodytes marinus*), which is a prey species for marine mammals and is therefore of relevance to the proposed surveys. There are additional MPAs designated for EPS further south, however those are too far away to be of any concern for the geophysical surveys planned in the Offshore Survey Area. There are also numerous harbour and grey seal haul out sites in the wider area.

All relevant MPAs are not directly adjacent to the survey area and are therefore the proposed surveys are not predicted to have a significant effect on any EPS within those MPAs.

Further detail is presented in the EPS Risk Assessment. Consultation on the proposed cable route has occurred with potential seabed stakeholders through bodies such as the International Cable Protection Committee (ICPC). No consultations with marine stakeholders have been performed in response to this Risk Assessment as there is not predicted to be any significant effect on the conservation objectives of any protected area in the region.



## 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) |                                       |                          |                             |                                     | Time period                      |           |             |
|---------------------------------------|---------------------------------------|--------------------------|-----------------------------|-------------------------------------|----------------------------------|-----------|-------------|
| Capture / Possess / Keep              | Kill (exceptional circumstances only) | Injure                   | Transport / Sell / Exchange | Disturb                             | Method to be used, (e.g. piling) | From      | To          |
| <input type="checkbox"/>              | <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/>    | <input checked="" type="checkbox"/> | MBES                             | June 2024 | August 2024 |
| <input type="checkbox"/>              | <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/>    | <input checked="" type="checkbox"/> | SSS                              | June 2024 | August 2024 |
| <input type="checkbox"/>              | <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/>    | <input checked="" type="checkbox"/> | SBP                              | June 2024 | August 2024 |
| <input type="checkbox"/>              | <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/>    | <input checked="" type="checkbox"/> | USBL                             | June 2024 | August 2024 |

## 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 of Offshore Marine Habitats and Species Regulations 2017.

Please indicate which purpose relates to the proposed works

- (a) Interests of public health or public safety safety (we will require evidence that there is a risk to public health or public safety e.g. an imminent risk of flooding) Regulation 49(6)(a)  
**Please 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 49(6)(a)  
**Please complete Annex B**
- (c) Preventing serious damage to fisheries Regulation 49(6)(b)  
**Please complete Annex C**
- (d) Preventing serious damage to property. Regulation 49(6)(c)  
**Please complete Annex C**
- (e) Protecting wild flora or fauna or conserving natural habitats Regulation 49(6)(d)  
**Please complete Annex D**
- (f) Preventing the spread of disease Regulation 49(6)(e)  
**Please complete Annex E**
- (g) For scientific or educational purposes 49(6)(f)  
**Please complete Annex D**
- (h) Re-population of an area with, or the re-introduction into an area of, wild animals or wild plants (including any breeding or artificial propagation necessary for those purposes), Regulation 49(6)(g)  
**Please complete Annex D**

## 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'.**

Multiple alternatives have been considered in the planning of the proposed surveys. These are listed below, as Options 1 through 5:

### Option 1: No activity

The first option is to not perform the proposed survey activity, however as shown in Test 1 there is a need for the surveys to be completed. In order to proceed with planning and installation for the new telecommunications cable there is an essential regulatory requirement for data collection on physical and biological properties of the seabed along the proposed cable route. The data obtained from the proposed survey activities will provide a greater understanding of the potential pathways for impact on biological receptors, validate desk-based assessments, and will inform route selection so that any impacts can be minimised. Therefore, it is not advisable to consider this option as a viable alternative.

### Option 2: Different Equipment

The equipment that is presented in this document has been selected as to have a low impact on EPS while also being sufficient (in terms of acoustic frequency and SPL) to achieve the required depth and resolution for surveys. To further reduce the acoustic properties of the equipment would affect their functionality and capacity to perform the work required.

### Option 3: Location shift

There could be a shift in location of the proposed activity, however, the cable route has been selected by the system installer and owner. The cable route must also be commercially viable (e.g. a reasonably direct route). The proposed cable route has been promulgated to potential seabed stakeholders through bodies such as the International Cable Protection Committee (ICPC). During this stakeholder engagement, military bodies have already requested a reroute in the UK EEZ to avoid sensitive seabed infrastructure. For these reasons, a further shift in location of the cable route is not considered an appropriate alternative.

### Option 4: Different timing

The surveys must be conducted during the summer period due to severe weather constraints. Weather statistics indicate that zero workable weather periods are possible from November through to February in the offshore area, and only 10% of scheduled time would be operational in March to April, and October. The target months of June to August are therefore the only possible months when sea conditions will allow survey work to progress for approximately 50% of the time.

### Option 5: Current Scenario

The best viable option has been assessed as the current scenario, in conjunction with the risk assessment contained within this document, and best practice measures outlined in Section 5.5 of the Risk Assessment document.

## 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) | Date Applied for | Reference no. | Date of issue of licence / consent |
|---|------------------|---------------|------------------------------------|
|   |                  |               |                                    |
|   |                  |               |                                    |
|   |                  |               |                                    |
|   |                  |               |                                    |
|   |                  |               |                                    |

## 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.**

**EPS licence applications will not be accepted until this form has been completed and submitted.**

10. **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](mailto:ms.marinelicensing@gov.scot)

**Have you remembered to enclose Supporting Information with your application, as described in the accompanying guidance? Please check**

- |   |                                     |
|---|-------------------------------------|
| <b>Completed Application form</b>                   | <input checked="" type="checkbox"/> |
| <b>Completed Annex</b>                              | <input checked="" type="checkbox"/> |
| <b>Map / Chart</b>                                  | <input checked="" type="checkbox"/> |
| <b>Correct co-ordinates</b>                         | <input checked="" type="checkbox"/> |
| <b>Additional information / EPS risk assessment</b> | <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

The licensee is responsible for ensuring compliance with the licence. Failure to carry out the work which you propose in accordance with the terms of the licence is an offence under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

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 of Offshore Marine Habitats and Species Regulations 2017, 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 a fine not exceeding the statutory maximum, or on conviction on indictment, to 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.

[Redacted]

Signature of the  
Applicant

Date

10/04/2024

(The person named at part 1)

[Redacted]

Name in BLOCK  
LETTERS

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](mailto: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 2017 Regulations and other legislation.

**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

N/A

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.

The proposed surveys are of public interest (including those of a social or economic nature) as they are enabling the installation of a telecommunications cable that will bring social and economic benefits to the human population. Furthermore, the proposed surveys will allow the possibility of a change in cable route if the proposed route is found to cross any areas of environmentally valuable or unique seabed (e.g. stony reef habitats).

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

The project has beneficial consequences as it is enabling the installation of a telecommunications cable that will bring social and economic benefits to the human population.

Why is it imperative the proposed activity goes ahead?

There is a need for transatlantic telecommunications. In order to proceed with assessments, construction, and licensing, there is an essential requirement for data collection on physical and biological properties of the seabed within the array area and along the cable corridor. The data obtained from the proposed survey activities will provide a greater understanding of the potential pathways for impact on biological receptors, validate desk-based assessments, and will inform route selection so that any impacts can be minimised.

Does the proposed activity support any local regional or national policies? Please give details.

The activity supports Scotland's National Marine Plan, including (but not limited to) policies GEN 2 and GEN 3. The activity supports GEN 2 and GEN 3 by providing economic benefit to Scottish communities, and by providing social benefits, including economic growth such as improved quality of life. The proposed activity also supports the submarine cable policies (CABLES1-4) of the Scottish National Marine Plan. The route for the cable has been developed through stakeholder engagement (as discussed in detail in the Risk Assessment). The proposed surveys will confirm the route is viable and will identify any potentially vulnerable seabed habitats.

**Annex C**

**Only to be completed if you selected for *Preventing serious damage to 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.



**Annex D**

**Only to be completed if you selected;**

for protecting wild flora or fauna or conserving natural habitats,  
for scientific or educational purposes,

for re-population of an area with, or the re-introduction into an area of, wild animals or wild plants (including any breeding or artificial propagation necessary for those purposes

**in Question 6 of the application form**

Please explain how the proposed work falls under the purpose selected

**Annex E**

**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.