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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

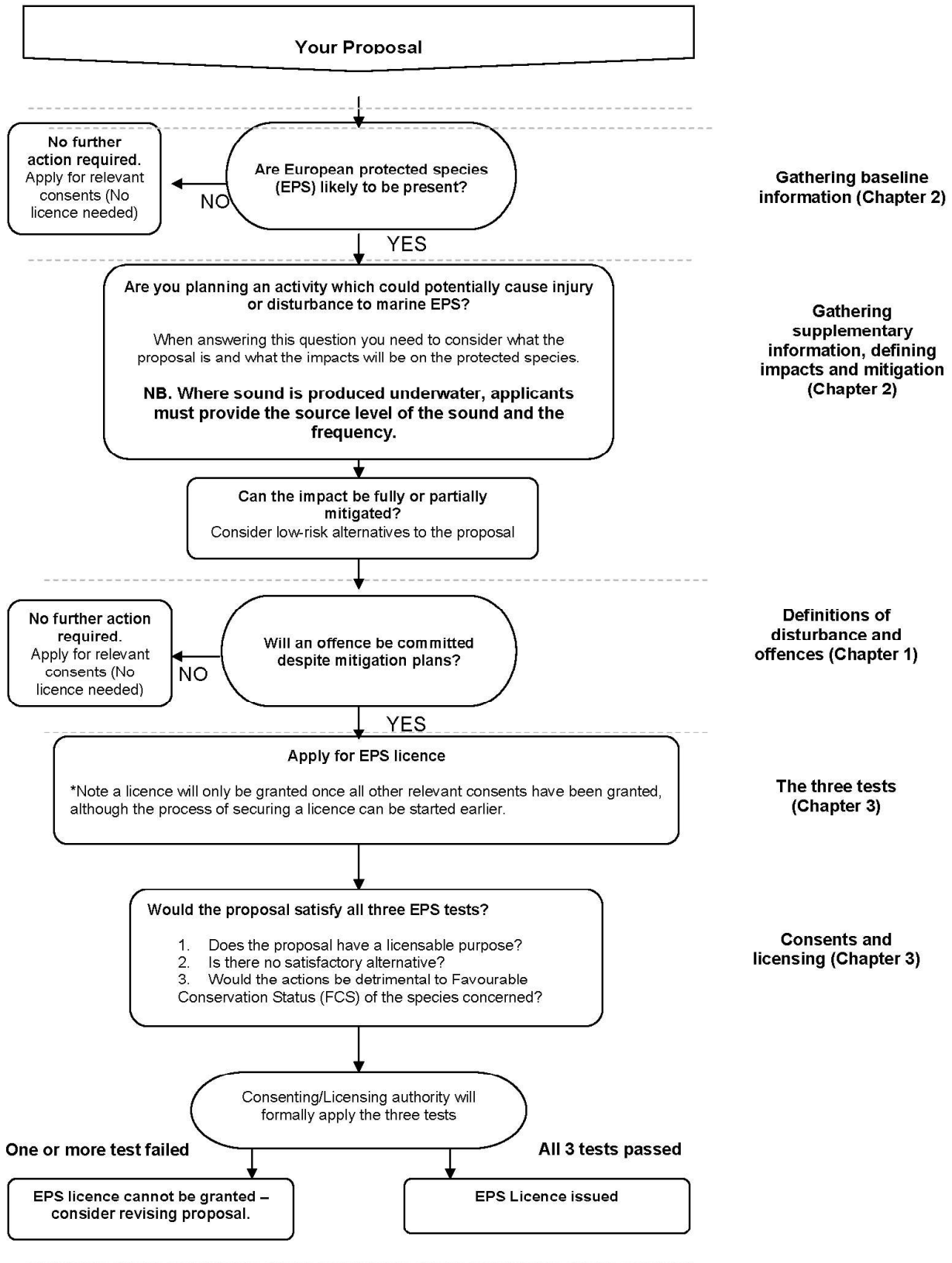
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock,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



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

Title: [redacted] Forename(s): [redacted] Surname: [redacted]

Company Name: Scottish Hydro Electric Power Distribution plc

Business Title (if Appropriate): Head of Subsea Cable Projects

Address: Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ

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

Email address: submarinecablesproject@sse.com

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? MS-LOT

Licence number (most recent licence) MS BS 06 2019 0

Year in which the licence was issued. 2019

What species were covered by the licence? Basking sharks (Cetorhinus maximus)

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

Part B. The Application

3. Species

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

Common name(s):

Bottlenose dolphin Minke whale Harbour porpoise White-beaked dolphin Killer whale Risso's dolphin Fin whale Long-finned pilot whale
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Scientific name(s)

Tursiops truncatus Balaenoptera acutrostrata Phocoena phocoena Lagenorhynchus albirostris Orcinus orca Grampus griseus Balaenoptera physalus Globicephala melas
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(b) How many individual animals will be affected by licensed work?

Injury - 0
 Disturbance - it is estimated that the total number of individuals disturbed will be minimal due to the transient nature of the animals and the brief nature of the survey activities.

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

There is no potential for injury or significant disturbance to cetaceans in the vicinity of the cable route survey activities.

See Xodus Document Reference: A-302244-S02-REPT-007 EPS and Protected Sites and Species Risk Assessment - Forth and Tay and Moray Firth Regions for more information.

(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

Scottish Hydro Electric Power Distribution plc (SHEPD) is undertaking cable surveys within the Forth and Tay and Moray Firth marine geographical regions. Surveys will use a number of different survey techniques - geophysical and potentially geotechnical. SHEPD is seeking an EPS Licence to enable them (and their contractors) to carry out the following activities:

- Multi-beam echosounder (MBES);
- Single beam echosounder (SBES);
- Remotely Operated Vehicle (ROV) and diver positioning;
- Remotely Operated Towed Vehicle (ROTV);
- Cable tracker system (magnetic);
- Subsea attitude metre;
- Sound velocity profiler (SVP);
- Acoustic Doppler Current Profiler (ADCP);
- Obstacle avoidance sonar;
- Side scan sonar (SSS);
- Magnetometer;
- Sub-bottom profilers (SBP);
- Combined Sub-bottom profiler (SBP) and Side scan sonar (SSS);
- Subsea attitude metre;
- Geotechnical sampling;
- Use of an Ultra-short Baseline (USBL) system for subsea positioning.

Acoustic energy emitted from vessels is strongest at frequencies < 1 kHz. The acoustic source levels from vessels typically increase with size:

- 80 - 175 dB re 1 μ Pa (rms) from a small vessel (<50 m length)
- 165 - 185 dB re 1 μ Pa (rms) for medium to large sized vessels (50 m - 130 m length)

The source levels and associated frequency for the equipment use during geophysical surveys are:

- USBL system: 200 dB re 1 μ Pa (rms), with a source frequency of 24 - 33.5 kHz;
- MBES: 240 dB re 1 μ Pa (rms), with a source frequency between 200 - 400 kHz;
- SVP: 150 - 200 dB re 1 μ Pa, with source frequency between 2,000 - 3,000 kHz;
- ADCP: 200 - 250 dB re 1 μ Pa (rms), with a source frequency ranging between 800 - 1,500 kHz;
- Obstacle avoidance sonar: 170 - 230 dB re 1 μ Pa (rms), with a source frequency ranging between 500 - 700 kHz;
- Combined SBP/SSS: 230 dB re 1 μ Pa (rms), with SBP frequency ranging between 0.5 - 12 kHz;
- SSS: 230 dB re 1 μ Pa (rms), with frequency ranging between 300 - 900 kHz; and
- SBP: 235 dB re 1 μ Pa (rms), with a source frequency of between 4kHz - 100 kHz.

- (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.

All vessels will adhere to the provisions of the Scottish Marine Wildlife Watching Code (SNH, 2017), and marine mammal monitoring will be conducted as follows;

- There will be MMO coverage for the SBP survey activities with the potential to affect EPS, with adequately trained and experienced MMO(s) working standard 12 hour shifts. They will have experience of working at sea and will have successfully deployed and used PAM equipment previously.
- Marine Mammal Observer (MMO); During daylight hours the MMO(s) will carry out visual observations to monitor for the presence of cetaceans and seals before the start of SBP activities, and will delay the commencement of the operations should any cetaceans be detected within the 500 m mitigation zone. This distance will be 500 m for seals, except in the event of a need to avoid critical delay to the project, in which case, the mitigation zone for seals will be 100 m. The criteria as to what constitutes a critical delay leading to reduction in mitigation zone distance from 500 m to 100 m would be agreed on a case by case basis in consultation with MS-LOT.
- Passive Acoustic Monitoring (PAM); When visibility is poor (i.e. due to fog or during hours of darkness) the PAM system will be operated by a single MMO/PAM operator to conduct a pre-start search prior to commencing SBP operations.
- Pre-start search; Visual (MMO) (and acoustic (PAM) monitoring if required) will be conducted for a pre-start search of 30 minutes (i.e. prior to the commencement of SBP survey operations with the potential to affect EPS).
- Seal haul-outs; during the hours of darkness and in poor visibility when the MMO cannot monitor the visibility of seals, the SBP must not be started within a 100 m radius of any SAC designated for seals or designated seal haul-out site. The equipment must be started outwith this distance, and then be moved into position.
- Mitigation zone; Should any cetaceans or seals be detected within 500 m of the vessel, prior to the commencement of SBP surveys with the potential to affect EPS (or after breaks in geophysical survey activity of more than 10 minutes), operations will be delayed until their passage, or the transit of the vessel, results in the cetaceans or seals being more than 500 m away from the vessel.
- Reporting; All recordings of cetaceans or seals will be made using JNCC Standard Forms. At the end of the operations, a monitoring report detailing the features of interest recorded, methods used to detect them and details of any problems encountered will be submitted to Marine Scotland and SNH.

See Section 5.2 of the Xodus Document Reference: A-302244-S02-REPT-007 EPS and Protected Sites and Species Risk Assessment - Forth and Tay and Moray Firth Regions for more information.

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.

There are seven designated sites within/adjacent to the proposed cable survey corridors including; Dornoch Firth and Morrich More SAC, Moray Firth SAC, Cromarty Firth SPA, Firth of Tay and Eden Estuary SAC, River Tay SAC, Montrose Basin SPA, and Firth of Tay and Eden Estuary SPA. Full details of all relevant protected sites can be found in the document referenced below.

Due to the close proximity of the designated sites to the proposed survey corridors, SHEPD recognises there is a potential for the proposed survey activities to result in adverse impacts on the qualifying and interest features associated with these sites. However, the assessment found there is no potential for injury or significant disturbance to the qualifying features of these sites, including cetaceans or other protected species in the vicinity of the proposed cable route surveys and calibration test activities; hence, the conservation status of the protected sites will not be compromised.

See Section 4 of Xodus Document Reference: A-302244-S02-REPT-007 EPS and Protected Sites and Species Risk Assessment - Forth and Tay and Moray Firth Regions for more information.

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"/>	SBP Survey	01/01/2020	31/03/2023
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USBL	01/01/2020	31/03/2023
<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"/>			

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'.**

SHEPD has considered 2 options in relation to the use of geophysical survey and subsurface positioning equipment for the survey of submarine electricity cables and cable routes.

Option 1: Do not undertake the geophysical survey activities or use subsurface positioning equipment, resulting in excessive project risk and potential abandonment of the project. This would place SHEPD in breach of their licenced obligation to maintain and develop the electricity distribution network in the north of Scotland. It would also make the distribution of power in the Forth and Tay and Moray Firth regions less secure and potentially subject to severe disruption and the associated costs to people, business & development.

Option 2: To undertake the geophysical survey activities and use subsurface positioning equipment, in conjunction with undertaking a EPS and Protected Sites and Species Risk Assessment. The Risk Assessment will identify and determine a mitigation strategy for the activities, such that the conservation status of EPS and other protected species present in the survey area or adjacent waters where a disturbance may be perceived, are protected through the use of appropriate protocols i.e. MMO and PAM following the JNCC geophysical survey guidelines. This would ensure that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), and SHEPD's commitments and standards are met, and cables are maintained in good health, or can be replaced before any faults occur, to keep the lights on.

SHEPD has determined that Option 2 will be progressed, as it will allow geophysical surveys to progress and support future maintenance activities on the cable routes. This future work is required to monitor and maintain the power distribution network to the Forth and Tay and Moray Firth regions, while maintaining the favourable conservation status of cetaceans within the survey area or adjacent water. In addition, regular surveys of submarine cables are important to ensure that the cable presence and position is accurately updated onto admiralty charts, to ensure the ongoing safety of navigation for legitimate users of the sea and satisfy marine licence conditions.

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 Planing Authority, Local Works Licence)	Date Applied for	Reference no.	Date of issue of licence / consent
All appropriate licences will be applied for as and when required; - Marine Licence - Marine Licence Notice of Exempted Activity - Crown Estate Scotland Marine Works Licence	N/A	N/A	N/A
Marine Licence Exemption Form (PENDING)	TBC	Pending	Pending

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.incc.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 Noise registry numbers 1938, 1939, 1940, 1941.

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 06/02/2020

(The person named at part 1)

Name in BLOCK
LETTERS

ON BEHALF OF SCOTTISH HYDRO ELECTRIC POWER DISTRIBUTION PLC

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.

The geophysical surveys are required for the inspection, repair and maintenance of the Forth and Tay and Moray Firth regions subsea electricity distribution cables. Monitoring the condition of the cable routes within the marine region will enable electricity supplies to the Forth and Tay and Moray Firth regions to be maintained.

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

The geophysical surveys will enable electricity supplies to residents of the Forth and Tay and Moray Firth regions to be maintained.

Why is it imperative the proposed activity goes ahead?

Should the work not proceed, the condition of the cable routes supplying the Forth and Tay and Moray Firth regions will not be monitored. As such there could be an impact on electricity supply to the Forth and Tay and Moray Firth regions.

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

Scottish Hydro Electric Power Distribution plc (SHEPD) holds a licence under the Electricity Act 1989, for the distribution of electricity in Scotland including the Firths of Forth, Tay and Moray.

SHEPD has a statutory duty to provide an economic and efficient system for the distribution of electricity, and to ensure that its assets are maintained to enable a safe, secure and reliable supply to domestic and business customers.

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.

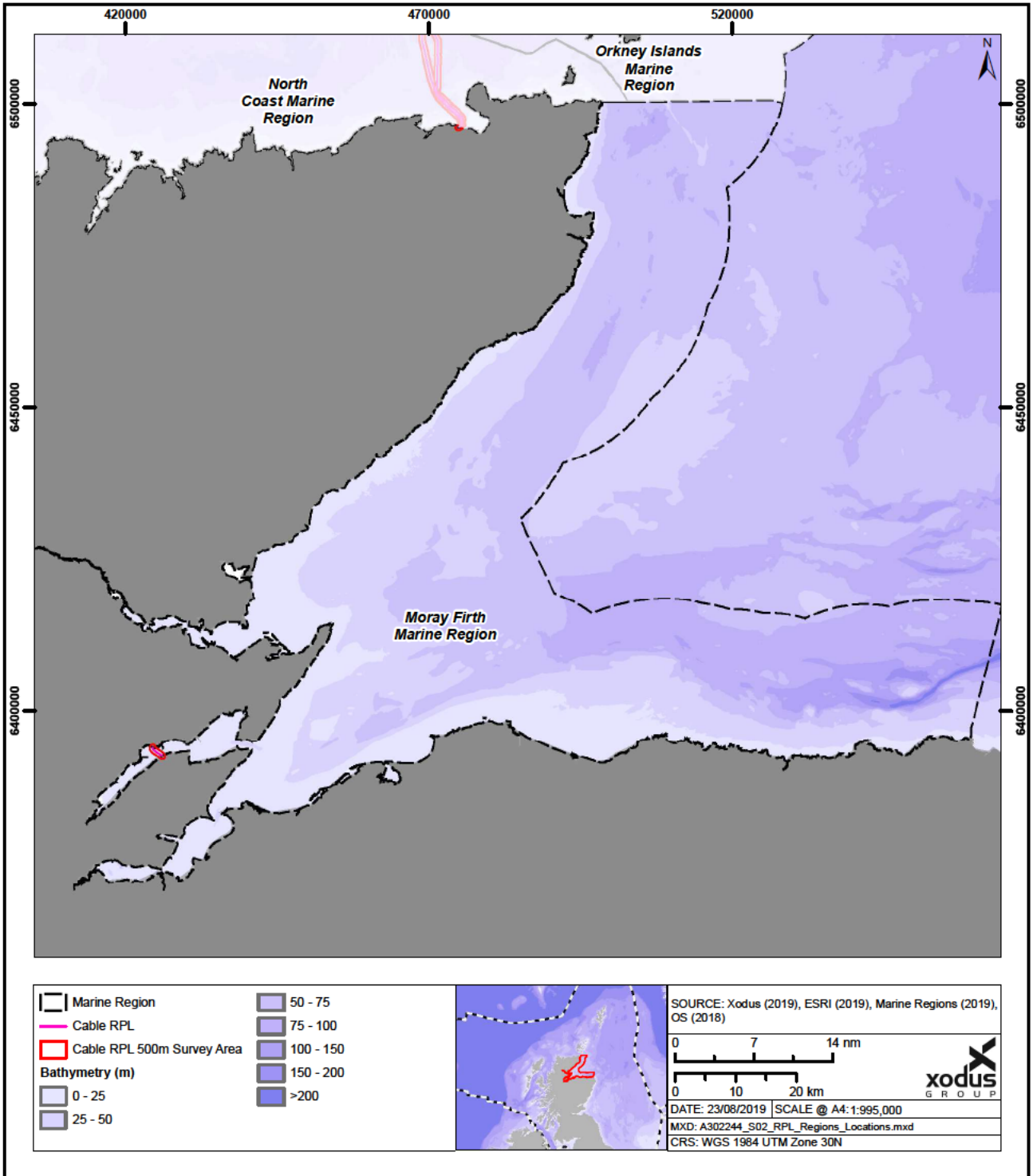
Annex D

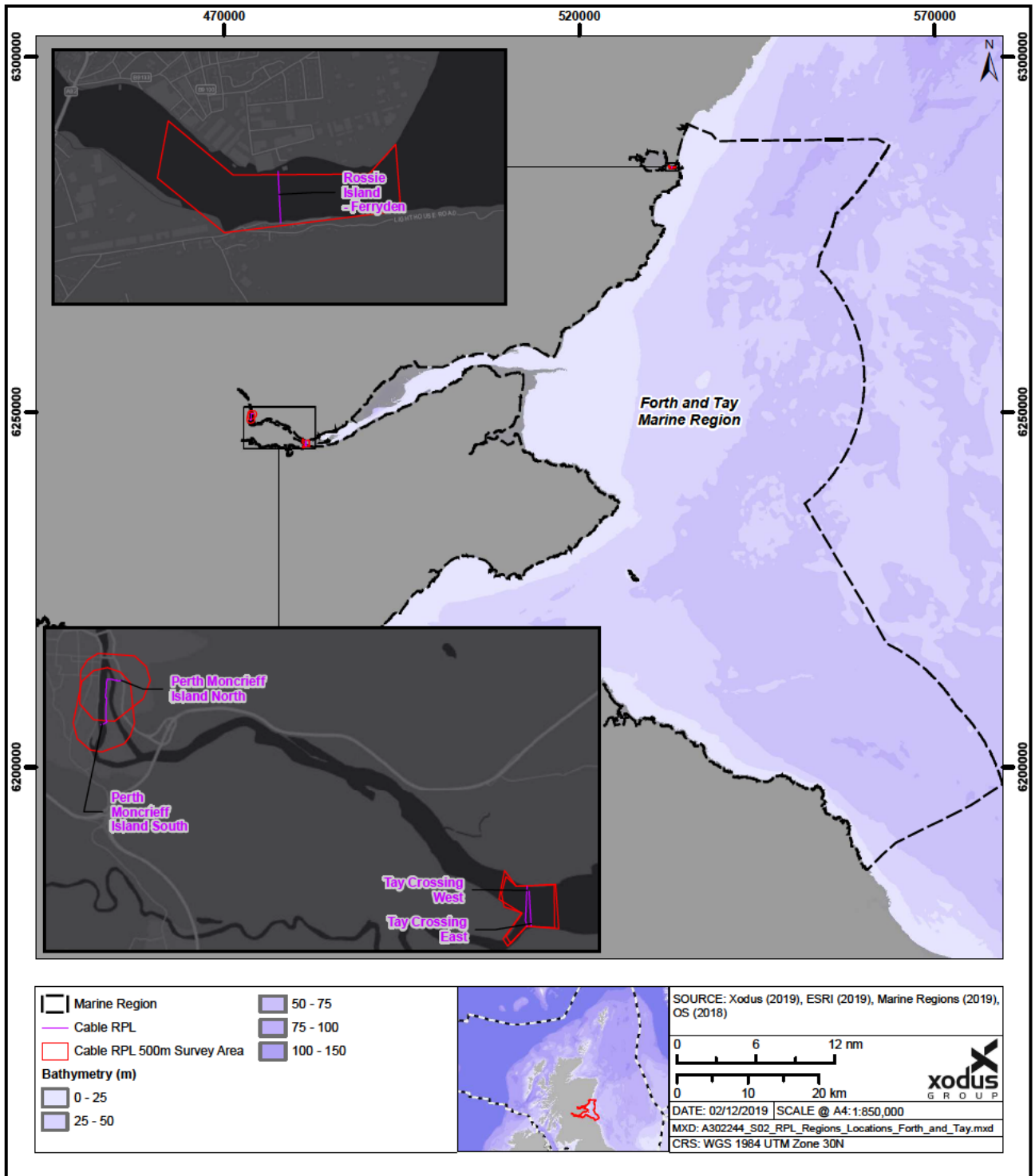
Only to be completed if you selected for *Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries* in Question 6 of the application form.

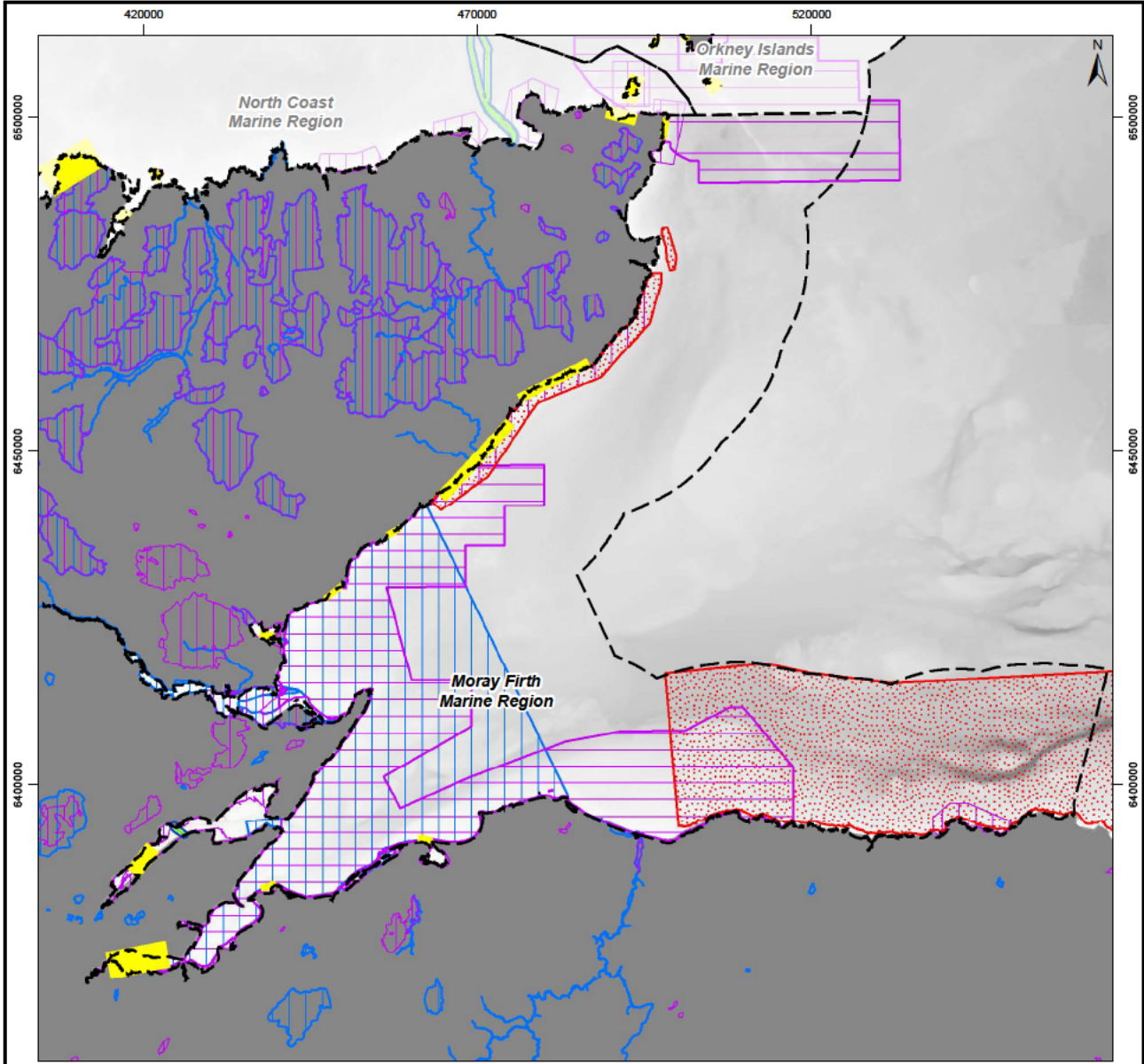
Please complete all questions

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.







- | | |
|---|---|
| Marine Region | Special Protected Area (SPA) |
| Cable RPL | Possible Special Protected Area (pSPA) |
| Cable RPL 500m Survey Area | Nature Conservation Marine Protected Area (NCMPA) |
| Conservation Sites | Seal Haul Out Site |
| Special Area of Conservation (SAC) | |
| Candidate Special Area of Conservation (cSAC) | |

SOURCE: Xodus (2019), ESRI (2019), Marine Regions (2019), OS (2018), JNCC (2019), Scottish Natural Heritage (2019), Natural England (2019)

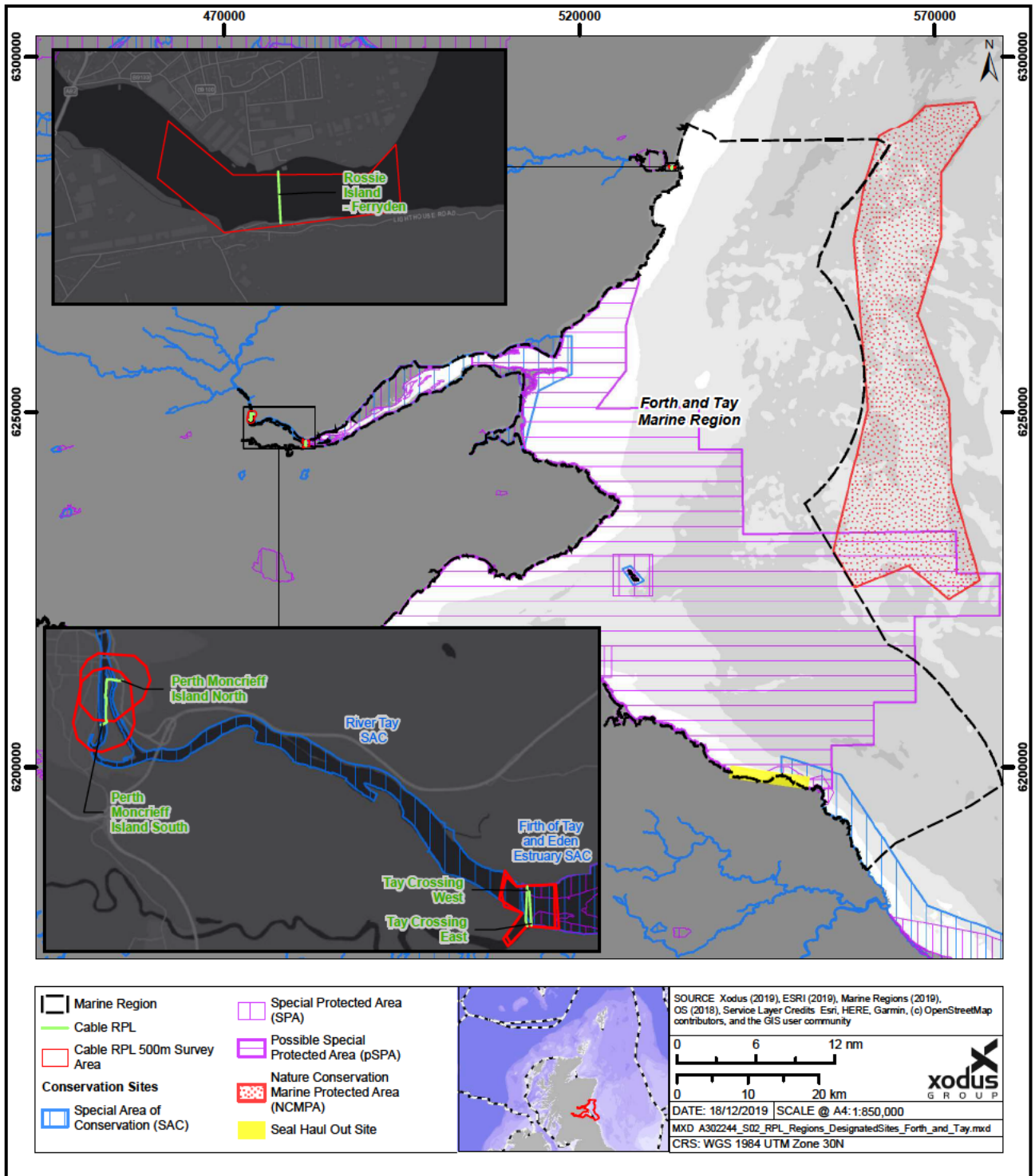
0 7 14 nm

0 10 20 km

DATE: 23/08/2019 | SCALE @ A4: 1:1,005,000

MXD_A302244_S02_RPL_Regions_DesignatedSites.mxd

CRS: WGS 1984 UTM Zone 30N



Cable	Co-ordinates for the survey works, (WGS84)		Co-ordinates for the survey works, (WGS84)		Co-ordinates for EPS licence application form and JNCC noise registry	
	Latitude DMS N	Longitude DMS W	Latitude DD N	Longitude DD W	Latitude DD	Longitude DD
Cromarty Firth	57° 40' 45.709" N	4° 16' 33.100" W	57° 40.762' N	4° 16.552' W	57.67936372	-4.275861227
	57° 40' 56.833" N	4° 16' 26.906" W	57° 40.947' N	4° 16.448' W	57.68245352	-4.274140648
	57° 40' 43.255" N	4° 15' 49.787" W	57° 40.721' N	4° 15.830' W	57.6786819	-4.2638296
	57° 40' 42.447" N	4° 15' 18.933" W	57° 40.707' N	4° 15.316' W	57.6784574	-4.255259164
	57° 40' 18.469" N	4° 14' 12.572" W	57° 40.308' N	4° 14.210' W	57.67179705	-4.236825536
	57° 40' 9.566" N	4° 13' 59.196" W	57° 40.159' N	4° 13.987' W	57.66932382	-4.233109943
	57° 39' 53.333" N	4° 14' 55.455" W	57° 39.889' N	4° 14.924' W	57.66481472	-4.248737512
	57° 40' 23.408" N	4° 16' 13.289" W	57° 40.390' N	4° 16.221' W	57.673169	-4.270358011
	57° 40' 32.046" N	4° 16' 26.216" W	57° 40.534' N	4° 16.437' W	57.67556839	-4.273948894
57° 40' 45.709" N	4° 16' 33.100" W	57° 40.762' N	4° 16.552' W	57.67936372	-4.275861227	
Perth Moncrieff Island North	56° 23' 28.442" N	3° 24' 40.477" W	56° 23.474' N	3° 24.675' W	56.39123381	-3.411243619
	56° 23' 17.755" N	3° 24' 47.597" W	56° 23.296' N	3° 24.793' W	56.3882653	-3.413221333
	56° 23' 4.502" N	3° 25' 18.087" W	56° 23.075' N	3° 25.301' W	56.38458392	-3.421690741
	56° 23' 5.235" N	3° 25' 40.359" W	56° 23.087' N	3° 25.673' W	56.3847876	-3.427877416
	56° 23' 14.490" N	3° 25' 55.175" W	56° 23.241' N	3° 25.920' W	56.38735832	-3.431992941
	56° 23' 34.154" N	3° 25' 54.022" W	56° 23.569' N	3° 25.900' W	56.39282069	-3.431672674
	56° 23' 40.491" N	3° 25' 47.022" W	56° 23.675' N	3° 25.784' W	56.39458087	-3.429728465
	56° 23' 44.438" N	3° 25' 35.747" W	56° 23.741' N	3° 25.596' W	56.39567711	-3.42659645
	56° 23' 42.986" N	3° 24' 56.924" W	56° 23.716' N	3° 24.949' W	56.39527388	-3.415812102
56° 23' 36.834" N	3° 24' 44.739" W	56° 23.614' N	3° 24.746' W	56.393565	-3.412427574	
Perth Moncrieff Island South	56° 22' 46.115" N	3° 25' 31.478" W	56° 22.769' N	3° 25.525' W	56.3794764	-3.425410664
	56° 22' 47.346" N	3° 25' 43.635" W	56° 22.789' N	3° 25.727' W	56.37981837	-3.428787634
	56° 22' 53.929" N	3° 25' 57.548" W	56° 22.899' N	3° 25.959' W	56.38164703	-3.432652211
	56° 23' 3.282" N	3° 26' 1.748" W	56° 23.055' N	3° 26.029' W	56.38424497	-3.433818788
	56° 23' 27.782" N	3° 25' 52.966" W	56° 23.463' N	3° 25.883' W	56.39105055	-3.431379492
	56° 23' 34.243" N	3° 25' 40.684" W	56° 23.571' N	3° 25.678' W	56.39284522	-3.427967771
	56° 23' 35.927" N	3° 25' 25.900" W	56° 23.599' N	3° 25.432' W	56.39331298	-3.423860972
	56° 23' 33.285" N	3° 25' 11.578" W	56° 23.555' N	3° 25.193' W	56.39257905	-3.419882794
	56° 23' 27.025" N	3° 25' 1.558" W	56° 23.450' N	3° 25.026' W	56.39084015	-3.417099462
	56° 23' 3.152" N	3° 24' 57.013" W	56° 23.053' N	3° 24.950' W	56.3842089	-3.415836863
	56° 22' 55.861" N	3° 25' 1.050" W	56° 22.931' N	3° 25.018' W	56.38218359	-3.416958403
56° 22' 51.246" N	3° 25' 7.677" W	56° 22.854' N	3° 25.128' W	56.3809016	-3.418799107	
Rossie Island - Ferryden	56° 42' 11.804" N	2° 28' 8.961" W	56° 42.197' N	2° 28.149' W	56.70327901	-2.469155935
	56° 42' 19.427" N	2° 28' 6.182" W	56° 42.324' N	2° 28.103' W	56.70539633	-2.468383968
	56° 42' 12.125" N	2° 27' 50.468" W	56° 42.202' N	2° 27.841' W	56.70336816	-2.464018882
	56° 42' 12.121" N	2° 27' 17.473" W	56° 42.202' N	2° 27.291' W	56.70336693	-2.454853638
	56° 42' 16.085" N	2° 27' 10.927" W	56° 42.268' N	2° 27.182' W	56.70446812	-2.453035312
	56° 42' 7.184" N	2° 27' 9.722" W	56° 42.120' N	2° 27.162' W	56.70199569	-2.45270061
	56° 42' 4.420" N	2° 27' 52.689" W	56° 42.074' N	2° 27.878' W	56.70122772	-2.464635953
	56° 42' 11.804" N	2° 28' 8.961" W	56° 42.197' N	2° 28.149' W	56.70327901	-2.469155935

Cable	Co-ordinates for the survey works, (WGS84)		Co-ordinates for the survey works, (WGS84)		Co-ordinates for EPS licence application form and JNCC noise registry	
	Latitude DMS N	Longitude DMS W	Latitude DD N	Longitude DD W	Latitude DD	Longitude DD
Tay Crossing East	56° 21' 24.216" N	3° 18' 26.122" W	56° 21.404' N	3° 18.435' W	56.35672668	-3.307256099
	56° 21' 34.211" N	3° 18' 21.390" W	56° 21.570' N	3° 18.357' W	56.35950319	-3.305941682
	56° 21' 28.336" N	3° 18' 10.549" W	56° 21.472' N	3° 18.176' W	56.35787099	-3.302930253
	56° 21' 29.570" N	3° 17' 28.954" W	56° 21.493' N	3° 17.483' W	56.35821398	-3.291376038
	56° 21' 3.598" N	3° 17' 25.657" W	56° 21.060' N	3° 17.428' W	56.35099951	-3.290460161
	56° 21' 4.823" N	3° 17' 59.442" W	56° 21.080' N	3° 17.991' W	56.35133981	-3.29984487
	56° 20' 54.597" N	3° 18' 16.366" W	56° 20.910' N	3° 18.273' W	56.34849906	-3.304546183
	56° 20' 59.001" N	3° 18' 21.389" W	56° 20.983' N	3° 18.356' W	56.34972245	-3.305941341
	56° 21' 12.783" N	3° 18' 4.408" W	56° 21.213' N	3° 18.073' W	56.35355093	-3.301224466
	56° 21' 16.328" N	3° 18' 23.498" W	56° 21.272' N	3° 18.392' W	56.3545356	-3.306527357
	56° 21' 24.216" N	3° 18' 26.122" W	56° 21.404' N	3° 18.435' W	56.35672668	-3.307256099
Tay Crossing West	56° 21' 29.456" N	3° 17' 30.317" W	56° 21.491' N	3° 17.505' W	56.35818229	-3.291754585
	56° 21' 4.112" N	3° 17' 29.938" W	56° 21.069' N	3° 17.499' W	56.35114224	-3.291649428
	56° 21' 4.823" N	3° 17' 59.442" W	56° 21.080' N	3° 17.991' W	56.35133981	-3.29984487
	56° 20' 53.259" N	3° 18' 19.389" W	56° 20.888' N	3° 18.323' W	56.34812738	-3.305385846
	56° 20' 57.303" N	3° 18' 24.636" W	56° 20.955' N	3° 18.411' W	56.34925085	-3.30684339
	56° 21' 12.431" N	3° 18' 4.373" W	56° 21.207' N	3° 18.073' W	56.35345309	-3.30121466
	56° 21' 20.816" N	3° 18' 29.027" W	56° 21.347' N	3° 18.484' W	56.35578216	-3.308063173
	56° 21' 37.570" N	3° 18' 23.346" W	56° 21.626' N	3° 18.389' W	56.36043623	-3.306485103
	56° 21' 28.336" N	3° 18' 10.549" W	56° 21.472' N	3° 18.176' W	56.35787099	-3.302930253
56° 21' 29.456" N	3° 17' 30.317" W	56° 21.491' N	3° 17.505' W	56.35818229	-3.291754585	