



Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

Marine (Scotland) Act 2010

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

- (a) for reasons of national security; YES ☐ NO ☒
- (b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES ☐ NO ☒

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.



WARNING

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

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

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

[Redacted]

Signature

Date

07.10.2019

Name in BLOCK LETTERS

JOHN MICHAEL LAURENSON

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☒
- Project Drawings ☒
- Maps/Charts ☒
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☐
- Copy of planning permission (if applicable) ☒
- Additional information e.g. photographs, consultation correspondence (if applicable) ☒
- Payment (if paying by cheque) ☐

1. Applicant Details

Title: MR Initials: J H R Surname: BROWN

Trading Title (if appropriate):

Address: 13 WIRLIEGERT
AITH
ZE2 9NW

Name of contact (if different):

Telephone No. (inc. dialing code): 01595 810301

Email:

Statutory Harbour Authority? YES ☐ NO ☒

If **YES**, please 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.

2. Agent Details (if any)

Title: MR Initials: J M Surname: LAURENSEN

Trading Title (if appropriate): BLUESHELL MUSSELS LIMITED
SPARL

Address: BRAG
SHETLAND
ZE2 9QJ

Name of contact (if different):

Telephone No. (inc. dialing code): 01806 520000

Email: admin@blueshellmussels.co.uk

3. Payment

Enclosed Cheque ☐

Invoice ☒

Contact and address to send invoice to:

Applicant ☐

Agent ☒

Other ☐

If **OTHER**, please provide contact details:

Title: Initials: Surname:

Address:

Email:

4. Application Type

Is this application for a new marine farm site or an existing marine farm site:

New Site ☒ Existing Site ☐

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date

5. Marine Farm Details

(a) Type of marine farm:

Finfish ☐ Shellfish ☒

(b) **Deposits** of component parts/equipment:

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines	6	110 METRES
Feed barges		
Feedpipes (to shore)		
Grid moorings	12	
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(c) **Removals** of component parts/equipment (if applicable):

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(d) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

2019

(e) Cost of the works seawards of the tidal limit of MHWS:

£ 600

(f) Location:

MILLBURN
SOUND OF HOUBANSETT
AITH
SHETLAND

Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude									
Moorings Area									
6	0	°	1	9	.	7	4	0	'N
6	0	°	1	9	.	7	2	3	'N
6	0	°	1	9	.	6	0	4	'N
6	0	°	1	9	.	6	2	3	'N
6	0	°	1	9	.	7	1	1	'N
		°			.				'N
		°			.				'N
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		°			.				'N
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		°			.				'N
		°			.				'N
Feedbarge/Feedpipe Position(s)									
		°			.				'N
		°			.				'N
Boat Mooring Position(s)									
		°			.				'N
		°			.				'N
Raft Position(s)									
		°			.				'N
		°			.				'N
Pontoon Position(s)									
		°			.				'N
		°			.				'N
Marked Buoy Position(s)									
		°			.				'N
		°			.				'N

Longitude										
0	0	1	°	2	2	.	2	6	4	'W
0	0	1	°	2	2	.	1	4	8	'W
0	0	1	°	2	2	.	2	2	2	'W
0	0	1	°	2	2	.	3	4	7	'W
0	0	1	°	2	2	.	2	9	3	'W
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(g) Is the marine farm located within the jurisdiction of a statutory harbour authority

YES ☐ NO ☒

If YES, please specify statutory harbour authority:

(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

SITE IS A MODIFIED VERSION OF AN EXISTING SITE, WHICH HAS BEEN ESTABLISHED FOR MANY YEARS. ORIGINAL PLANNING PERMISSION GRANTED UNDER OLD WORKS LICENSES.

6. Planning Permission

Do you have planning permission for the marine farm?

YES ☒ NO ☐

If YES, please supply a copy of the planning permission

PLANNING REF: 2019/007/MAR (See Attached)

If NO, please provide details of planning application, including reference number:

Marine licence applications will not be determined without valid planning permission.

7. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan?

YES ☒ NO ☐

If YES, provide details of considerations made including reference to the policies that have been considered:

OBJECTIVES AND POLICIES APPLICABLE, HAVE BEEN IMPLEMENTED WHERE POSSIBLE AND ACHIEVABLE.
THE SITE HAS PROVEN TO BE ECONOMICALLY VIABLE AND CONTRIBUTES TO SCOTLAND'S FOOD SECURITY, WHILST MINIMISING ENVIRONMENTAL IMPACT.
THE DEVELOPMENT AVOIDS ADVERSE IMPACTS UPON THE LANDSCAPE AND VISUAL AMENITY OF THE AREA WHILST ADHERING TO SNH GUIDANCE ON THE SITING AND DESIGN OF AQUACULTURE SITES.
THE FARM OPERATES IN ACCORDANCE WITH A BIO SECURITY PLAN THAT HAS BEEN FULLY APPROVED BY MARINE SCOTLAND: SCIENCE

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

8. Consultation

List all bodies you have consulted and provide copies of correspondence:

LOCAL COMMUNITY COUNCIL
SSMO
RSPB
MARINE SCOTLAND SCIENCE
NLB
SHETLAND PUBLIC VIA 'THE SHETLAND TIMES'

9. Associated Works

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

NIA

Delegated Report of Handling

Determination Summary: This report seeks to grant planning permission, subject to conditions, for the following proposed development:

Development: To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective)

Location: Millburn, Sound Of Houbansetter, Aith

By: Mr Raymond Brown

Application Ref: 2019/007/MAR

1. Introduction

This report relates to a planning application by Mr Raymond Brown for a retrospective development at an existing consented shellfish farm at Millburn, South of Houbansetter, Aith. Existing consented equipment is six 100m twin-headline longlines (planning permission ref: SFA/ZET/007). On site equipment is however six 110m twin-headline longlines with them out with the current south planning boundary of planning permission 2012/032/MAR, meaning there is a current breach of planning control at this site. The applicant aims to regularise the current situation through submission of this application, which seeks planning consent for the existing six 110m lines as currently deployed within a new planning boundary. The site will be serviced from Sparl, Brae as existing.

2. Relevant Policies

Shetland Local Development Plan 2014

CST1 - Coastal Development

Scotland's National Marine Plan 2015

GEN 1 - General planning principle

GEN 4 - Co-existence

GEN 7 - Landscape/seascape

GEN 17 - Fairness

GEN 21 - Cumulative impacts

AQUACULTURE 1 - Locational Guidelines for the Authorisation of Marine Fish Farms in Scottish Waters

AQUACULTURE 4 – Sustainable expansion in designated shellfish waters.

AQUACULTURE 5 - Avoidance and/or mitigation of adverse impacts upon the seascape, landscape and visual amenity of an area

Supplementary Guidance – Aquaculture (2017)

G1 - General Factors to be considered

S1 - Minimum Separation Distance Between Sites (Shellfish)

S3 - Biological Carrying Capacity (Shellfish)

G2 - Modifications where separation distance to adjacent sites is closer than minimum required

Supplementary Guidance Shetland Islands' Marine Spatial Plan (Fourth Edition 2015)

MSP HER6 - Protection of Wild Birds Outwith Designated Sites

MSP DEV1 - Marine Developments

MSP FISH1 - Safeguarding Fishing Opportunities

MSP AQ1 – Aquaculture

MSP HER10 - Safeguarding Seascape Character and Visual Amenity

Scottish Planning Policy 2014 (Supporting Aquaculture)

3. Safeguarding

Shellfish Water Protected Area - Shellfish Water Protected Area:
Muckle Roe Area

Swarbacks Minn Category 2 Area

4. Consultations

Marine Scotland Science was consulted on 11 June 2019. Their comments dated 25 June 2019 can be summarised as follows:

We have reviewed the application submitted and offer the following comment:

Environmental Impacts

This retrospective application for 6 x 110m twin headed longlines with a proposed biomass of 150 tonnes should not result in unacceptable impacts in Swarbacks Minn.

MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe, however from the information available to us, the biomass should be at an acceptable level.

Shellfish Hygiene

Millburn, Sound of Houbansetter is located within the shellfish production area of Papa Little Voe which is currently classified for mussels as Class 'A' April 2019 - end March 2020. As regards the biotoxin risk, Papa Little Voe is considered as low risk, this does not mean that no biotoxins are present, just that there is a low risk of the

area being closed for extended time periods for shellfish production due to the presence of toxins over the regulatory limit.

Aquaculture Animal Health

Site Location

There are currently 2 site registered with Marine Scotland Science within 1000m of the site to be modified (see attached map). The first, Bight of Warwick, is situated ~620m Northwest of the site to be modified and is an active mussel site, operated by Blue Shell Mussels Ltd. The second is situated ~890m Southwest of the site to be modified and is an active mussel site, operated by Blue Shell Mussels Ltd.

To the knowledge of the FHI, there are currently no sites proposed in the planning system within 1000m of the site to be modified, although an application has been submitted to modify the Bight of Warwick site. It is not expected that this modification will affect the Millburn site.

It should be noted that all measurements are taken from the mid-point of site coordinates.

Authorisation

Blueshell Mussels Ltd are already authorised to farm at this location. The company should ensure that any changes to operations on site do not contradict the authorisation conditions.

Summary

There does not appear to be any negative implications on fish or shellfish health from the proposed modifications to deploy 6 x 110m twin-headline longlines for the production of mussels at Millburn, Sound of Houbansetter, Shetland. No further information is required.

Notes to applicants:

The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APB's) in relation to animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. The authorisation procedure is undertaken on behalf of the Scottish Ministers by the Fish Health Inspectorate (FHI) at Marine Scotland Marine Laboratory. To apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 0131 244 3498; Email: ms.fishhealth@gov.scot

All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 - Section 34

consent), please visit the Scottish Government's website at <http://www.gov.scot/Topics/marine/Licensing/marine/Applications> where application forms and guidance can be found. Alternatively you can contact the Marine Scotland Licensing Operations Team (MS-LOT) by emailing MS.MarineLicensing@gov.scot; or calling 0300 244 5046.

Northern Lighthouse Board was consulted on 11 June 2019. Their comments dated 18 June 2019 can be summarised as follows:

Northern Lighthouse Board recommend the following:

- o The site should be marked with a lit yellow Special Mark Buoy fitted with a yellow 'X' topmark.
- o The light should display a character of flashing group four yellow every twelve seconds (Fl (4) Y 12s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.
- o The buoy should be positioned at the Western seaward extremity of the longlines.
- o The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be greater than or equal to 50cm length by 7.5cm width
- o A weekly check of the site's marking equipment shall be performed and records kept of its physical and working status for audit purposes.
- o Outlying anchor points should not be marked with buoys, unless specifically requested by local users, and alternative means to locate anchors should be utilised.
- o Loose floating lines around site equipment are strongly discouraged as this can cause serious safety implications for other mariners.

The site will require to hold an up to date Marine Licence from the Scottish Government. This consent is concerned solely with the safety of navigation and would include the information given above. For further information and application forms please go to the web site link given below.

<http://www.scotland.gov.uk/Topics/marine/Licensing/marine2>

RSPB was consulted on 11 June 2019. Their comments dated 28 June 2019 can be summarised as follows:

We have no objection to the above developments, so long as these changes would not result in the carrying capacities of the areas concerned being exceeded. We should like to make the following comments:

Introduction

- o The RSPB is a registered charity incorporated by Royal Charter. Its principal objective is the conservation of wild birds and their habitats. It

is the largest voluntary nature conservation organisation in Europe with a membership of over 1,010,000, of which 70,000 are in Scotland, and manages 93,000 ha of nature reserves in the UK.

- o Mussels are one of the main foods of the eider duck (dunter). The presence of one or more mussel farms, by providing an abundant food source, can attract eiders into areas where they were formerly scarce, particularly in the spring.

- o The Shetland population of the eider is isolated from those in the rest of Britain. Since 1977, the Shetland eider population has declined by about 70% to a current population of about 4,600 individuals.

- o Eiders are fully protected under the Wildlife and Countryside Act 1981 and Nature Conservation (Scotland) Act 2004.

Recommendations

1 This Society recommends that no lethal methods (including shooting and the use of anti-predator nets, deployed in such a way that eiders may become entangled) of reducing eider predation of mussels should be used at this or any other mussel farm in Shetland.

2 Should the developer consider the use of anti-predator nets, they should comply with the following guidelines:

- o Anti-predator netting, if required at this site, should only be deployed between February and April.

- o The anti-predator netting should hang vertically in the water and must be properly tensioned. Nets that are not properly installed and maintained and horizontal nets pose a potential hazard to wildlife; in particular diving birds such as eiders or Black guillemot may become entangled and drown.

- o The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds.

- o Brightly coloured, thick mesh netting (as opposed to monofilament netting) should be used to make the netting visible to diving birds and minimise the risk of entanglement and drowning.

- o The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report on this to SIC and SNH.

Shetland Shellfish Management Organisation was consulted on 11 June 2019. Their comments dated 10 July 2019 can be summarised as follows:

Following consultation with our fishermen, Shetland Shellfish Management Organisation can confirm that there are no objections to retrospective planning applications 2019/006 & 007/MAR provided that the sites are adequately marked and lit for navigational safety.

Delting Community Council Clerk was consulted on 11 June 2019. Their comments dated 28 June 2019 can be summarised as follows:

Delting Community Council held their meeting yesterday and Members have no objections with regards to this marine planning application 2019/007/MAR.

Consultees Who Provided No Response

The following consultees were consulted on 11 June 2019 but provided no response at the time of this reports preparation:

- Ports & Harbours Operations
- Sandsting & Aithsting Community Council Clerk
- Crown Estate Scotland
- Shetland Fishermen's Association (SFA)

5. Statutory Advertisements

The application was advertised in the Shetland Times on 14.06.2019.

6. Representations

None.

7. Report

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) states:

Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise to be made in accordance with that plan.

There is statutory development plan policy and associated supplementary guidance policies against which this application has to be assessed and these are listed at paragraph 2 above. The determining issues to be considered are whether the proposal complies with development plan policy and associated supplementary guidance policies, or if there are any other material considerations which would warrant the setting aside of those policies.

Site History

Aquaculture has taken place at the application site since 1988 first with finfish and then from 2006 the site changed to shellfish production and it is believed that the six 110m twin-headline longlines currently deployed have been in situ from at least this change to shellfish.

Landscape and Visual Amenity

The application site has the potential to cause visual impact, but the area is already well developed with aquaculture and the proposed development conforms to SNH siting and design guidance, thus I am minded it will not result in any significant landscape and visual impacts, subject to use of muted coloured surface equipment as required by condition no. 3 attached.

Environmental Impact

The application site is not located in or near to any site designated for its biological features and there are no known records of any sensitive benthic species or habitats close to the application site.

Wildlife Impact

Eider ducks, which are protected under the Wildlife and Countryside Act 1981 and the Nature Conservation (Scotland) Act 2004, are likely to be present in the vicinity of the application site. Mussels are one of the main foods of Eiders. Mussel farms create new feeding opportunities for Eiders as they are attracted to the ropes to feed on the mussels themselves and other associated species. Should anti-predator netting be in use at a mussel farm, the potential exists for entanglement and drowning of Eiders and other diving birds. With regards proposed anti-predator controls at the application site, the application states they are unlikely to be required but in any instance would be in full compliance with the requirements of SNH and the RSPB. Standard condition no. 4 requiring non-lethal predator control measures and the relevant related Note to Applicant concerning anti-predator netting guidelines, as attached, should ensure that any impacts arising from the proposed development on wild birds will not be significant.

Biological Carrying Capacity

The application site is located within the Swarbacks Minn marine waters area. It is estimated the 6 x 110m longlines will not exceed the biological carrying capacity for the area so the proposal is deemed to be acceptable in terms of biological carrying capacity.

Safety of Navigation

The nature and location of the proposal is such that it will not impede or adversely affect the safe movement and navigation of vessels using the area subject to site being marked with a lit special mark buoy as requested by the NLB (condition no. 2 attached).

Inshore Fishing

The proposed site is not located within any fishery as identified in the Shetland Islands' Marine Spatial Plan (SIMSP). Both the Shetland Fishermen's Association (SFA) and the Shetland Shellfish Management Organisation (SSMO) were consulted on the application but only the SSMO responded with no objection as long as the site is adequately marked for navigation. I am therefore minded that the seabed at the application site is not an 'important fishing area' (as defined in Policy MSP FISH1), it is a site where aquaculture has been established for many years and that the proposal is unlikely to result in any significant adverse effects on inshore fishing as a whole.

Cultural Heritage

There are no known historic environment assets of national or local importance in the immediate vicinity of the application site.

Separation Distance Policy

A desktop exercise carried out by the Marine Planning Service in 2012 following the availability of new GIS aerial imagery demonstrated that siting of aquaculture equipment out with the confines of approved development site boundaries was widespread across Shetland. The Millburn farm (planning permission ref: SFA/ZET/007) was one such site where a breach of planning control was identified, as was the case at the nearby Bight of Warwick mussel farm (recently granted planning permission ref: 2019/006/MAR) to the west which is also operated by the applicant. This application and application 2019/006/MAR at Bight of Warwick was the applicant's preferred means to achieve resolution. The planning permissions for the two sites are separated by 440m and the Millburn application will not be moving any closer to the Bight of Warwick, and therefore no reduction from existing, the application is nevertheless contrary to policies G2 and S1 of Shetland Islands Council Supplementary Guidance - Aquaculture 2017 given the proposed increase in planning boundary size at each site and the fact they will be separated by less than 500m. The proposed planning boundaries of applications 2019/006/MAR and 2019/007/MAR are not located within 500m of any other adjacent consented aquaculture farm.

Subsequent to a meeting in October 2014 between the former Coastal Zone Manager and Seafood Shetland, the former Coastal Zone Manager took the decision that where a planning application for retrospective development is submitted in response to a breach of planning control identified by the 2012 exercise and that application does not comply with separation distance policy, the policy could be waived subject to the developer of any adjacent site, within 500m or 1,000m as the case may be, having no objection to the established development continuing to operate in its current position and acquiring formal planning consent (for information relating to the background to this meeting and the justification for policy relaxation, see report of handling for application reference 2014/032/MAR).

In terms of justification of separation distance policy being waived, the primary consideration is whether continuation of the operation of the mussel farm at its current scale and location will result in an increased risk of marine pollution and/or disease transfer between aquaculture farms. With regard to the former, the development under consideration is not excessively large and is probably smaller than what would be considered to be a typical Shetland mussel farm. In respect of the risk of disease transfer, the development in question is an established use of the site which appears to have coexisted, without adverse incident,

with other aquaculture developments in the Swarbacks area over a number of years. Furthermore, the development applied for complies with Policy CST1 of the Shetland Local Development Plan and also accords with Scottish Planning Policy which recognises the key contribution of the aquaculture industry in maintaining and growing sustainable economic activity in remote coastal and island areas. Taking account of all of the above, including the lack of any representation from the seabed leaseholder/operator of the nearest adjacent aquaculture farm as it is also operated by the same operator, I am satisfied that any risk in terms of marine pollution and/or disease transfer between aquaculture farms posed by the development applied for is not significantly greater than that which could occur if development conformed with the existing planning permission, and as such, I am minded that the application under consideration is an acceptable departure from policies G2 and S1.

Policy Appraisal Summary

The proposal complies with Scottish Planning Policy 2014 (Supporting Aquaculture), with policies GEN 1, GEN 4, GEN 7, GEN 17, GEN 21, AQUACULTURE 1, AQUACULTURE 4 and AQUACULTURE 5 of Scotland's National Marine Plan 2015, with policy CST1 of the Shetland Local Development Plan 2014, with policies G1 and S3 of Shetland Islands Council Supplementary Guidance - Aquaculture 2017, and with policies MSP HER6, MSP HER10, MSP DEV1, MSP FISH1, and MSP AQ1 of Shetland Islands' Marine Spatial Plan Supplementary Guidance (Fourth Edition 2015).

As already discussed, I am minded the proposal is an acceptable departure from policies G2 and S1 of Shetland Islands Council Supplementary Guidance - Aquaculture 2017.

8. Recommendation

Grant subject to conditions

Reasons for Council's decision:

(1.) The information submitted with the planning application has demonstrated that, subject to appropriate planning conditions, the proposed development can be accommodated without having an unacceptable detrimental impact on the built and natural environment in the vicinity of the development site.

The proposal complies with policy CST1 of the Shetland Local Development Plan 2014, with policies G1 and S3 of the Shetland Islands Council Supplementary Guidance - Aquaculture (2017), policies MSP HER6, MSP HER10, MSP DEV1, MSP FISH1, and MSP AQ1 of Shetland Islands' Marine Spatial Plan Supplementary Guidance (Fourth Edition 2015) and GEN 1, GEN 4, GEN 7, GEN 17, GEN 21,

AQUACULTURE 1, AQUACULTURE 4 and AQUACULTURE 5 of Scotland's National Marine Plan (2015).

Although contrary to policies G2 and S1 of Shetland Islands Council Supplementary Guidance - Aquaculture (2017) regarding minimum separation distance between aquaculture farms, the mussel farm at its current scale and location is an established use of the site which appears to have coexisted, without adverse incident, with other aquaculture developments in the Swarbacks Minn area over a considerable period of time. Accordingly, such material considerations are deemed to be sufficient to warrant the setting aside of Council Policy in this instance.

List of approved plans:

- Admiralty Chart Location Plan Zoomed-in 01
Stamped Received 10.06.2019
- Cross Section 02
Stamped Received 10.06.2019
- Longline Specification 03
Stamped Received 10.06.2019
- Site Plan 04
Stamped Received 10.06.2019

Conditions:

(1.) The development hereby permitted shall not be carried out other than wholly in accordance with the approved plans and details (as may be amended and/or expanded upon by a listed document following afterward) unless previously approved in writing by the Planning Authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

(2.) The following navigational marks shall be provided:

The site should be marked with a lit yellow Special Mark Buoy fitted with a yellow 'X' topmark.

The light should display a character of flashing group four yellow every twelve seconds (Fl (4) Y 12s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.

The buoy should be positioned at the Western seaward extremity of the longlines.

The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be greater than or equal to length by 7.5cm width

Reason: In the interest of navigational safety and to comply with the guidelines laid down by the Northern Lighthouse Board.

(3.) All surface floats and buoys, excluding those required to comply with navigational requirements, shall be coloured dark grey, black or blue.

Reason: To minimise the visual impact of the development.

(4.) Any necessary predator control measures shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage (see Note to Applicant below for guidance). If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection. Any changes to permitted anti-predation measures shall be submitted to the Planning Authority for consideration and approval prior to any installation and use.

Reason: In the interest of protecting wildlife within the area and for the avoidance of doubt as to what is being authorised by this permission.

(5.) In the event of any equipment approved by this permission falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, as appropriate, the whole or any part of the equipment so as to remove the obstruction or danger to navigation.

For the avoidance of doubt, where the surface/ sub-surface equipment approved by this permission is wholly removed for the purposes of cleaning, repair, replacement, fallowing or any other reason, any anchors which remain in situ must be marked with surface buoys.

Reason: In the interest of navigational safety.

(6.) In the event that the longlines or associated apparatus approved by this planning permission ceases to be in operational use for the growing of shellfish for a period exceeding three years, they shall be wholly removed along with all moorings and anchors and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless agreed otherwise in writing by the Planning Authority. For the avoidance of doubt, under such circumstances the permission so granted will cease.

Reason: In the interest of visual amenity and navigational safety, and to ensure that redundant development does not sterilise capacity for future development within the same water body.

Notes to Applicant:

Anti-predator netting

It is recommended that you consider the following as guidelines with regard to installation of anti-predator netting:

- o Monofilament netting must not be used under any circumstances. Brightly coloured thick mesh should instead be used in order to make the netting visible to diving birds and minimise the risk of entanglement and drowning;
- o Only vertical anti-predator netting panels should be used. Horizontal panels must not be used as they increase the potential for entanglement and drowning of diving birds;
- o The anti-predator netting must be properly tensioned. Nets that are not properly installed and maintained pose a potential hazard to wildlife, in particular diving birds such as eider ducks may become entangled and drown;
- o The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds;
- o Netting should only be deployed on site between February and April when year one mussels are most vulnerable to predation by eiders. After this time all netting must be removed from the water and stored at a recognised location above Mean High Water Springs;
- o The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report to the Planning Authority and Scottish Natural Heritage.

Disease Control

The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APB's) in relation to animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. The authorisation procedure is undertaken on behalf of the Scottish Ministers by the Fish Health Inspectorate (FHI) at Marine Scotland Marine Laboratory. To apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: ms.fishhealth@gov.scot

Marine Licensing

All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 - Section 34 consent), please visit the Scottish Government's website at <http://www.gov.scot/Topics/marine/Licensing/marine/Applications>

where application forms and guidance can be found. Alternatively you can contact the Marine Scotland Licensing Operations Team (MS-LOT) by emailing MS.MarineLicensing@gov.scot; or calling 01224 295 579.

Seabed Lease

Under the terms of the Crown Estate Act 1961, a seabed lease is required for the development hereby permitted. To obtain or update a seabed lease you are advised to contact Crown Estate Scotland as follows: Aquaculture Lease Co-ordinator, Crown Estate Scotland, 6 Bell's Brae, Edinburgh EH4 3BJ. Tel: 0131 260 6078; Email: emma.riach@crownestatescotland.com

Non-marking anchors (equipment deployed)

The Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.

Notification of deployment of equipment

Once the equipment and navigational marks have been established, you should inform the Northern Lighthouse Board by letter or email at navigation@nlb.org.uk quoting the following reference number: FM/OPS/ML/F052-19.

The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that the Chart for the area can be correctly updated.

9. **Further Notifications Required**

None.

10. **Background Information Considered**

None.

Delegated_Report_of_Handling.doc
Officer: Mr Ryan Leask
Date: 01/08/2019

From: Laurena Fraser
Sent: 21 Aug 2019 21:34:54 +0100
To: Marine Planning@Development Services
Subject: Marine Planning Consultation - 2019/007/MAR

Hello

Planning ref: 2019/00/MAR

Proposed Development: To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective)

Location: Millburn, Sound of Houbansetter, Aith

Applicant: Mr Raymond Brown

Planning Officer: Mr Ryan Leask

The above planning application was considered at our October meeting and no objections were raised.

Yours sincerely

L Fraser

Clerk

Sandsting & Aithsting Community Council



SHETLAND ISLANDS COUNCIL

Town and Country Planning (Scotland) Acts

With reference to the application for **Planning Permission** (described below) under the above Acts, the Shetland Islands Council in exercise of these powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying the application as are identified; subject to the condition(s) specified below.

Applicant

Mr Raymond Brown
13 Wirliegert
Aith
Bixter
Shetland
ZE2 9NW

Agent

John Michael Laureson
Sparl
Brae
Shetland
ZE2 9QJ

Reference Number: 2019/007/MAR

Development: To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective)

Location: Millburn, Sound Of Houbansetter, Aith

Development Services
Shetland Islands Council
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

<p>PLEASE LOOK AT THE IMPORTANT INFORMATION ON THE BACK OF THIS SHEET AND ON THE ATTACHED SHEET</p>
--

[Redacted]

IMPORTANT INFORMATION

If you are aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, you may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to:

Shetland Islands Council
Marine Planning Service
Development Services
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

The necessary form can be obtained upon request from the same address.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Details of Approved Plans and Drawings:

- Admiralty Chart Location Plan Zoomed-in 01
Stamped Received 10.06.2019
- Cross Section 02
Stamped Received 10.06.2019
- Longline Specification 03
Stamped Received 10.06.2019
- Site Plan 04
Stamped Received 10.06.2019

Reasons for Council's decision:

- (1.) The information submitted with the planning application has demonstrated that, subject to appropriate planning conditions, the proposed development can be accommodated without having an unacceptable detrimental impact on the built and natural environment in the vicinity of the development site.

The proposal complies with policy CST1 of the Shetland Local Development Plan 2014, with policies G1 and S3 of the Shetland Islands Council Supplementary Guidance - Aquaculture (2017), policies MSP HER6, MSP HER10, MSP DEV1, MSP FISH1, and MSP AQ1 of Shetland Islands' Marine Spatial Plan Supplementary Guidance (Fourth Edition 2015) and GEN 1, GEN 4, GEN 7, GEN 17, GEN 21, AQUACULTURE 1, AQUACULTURE 4 and AQUACULTURE 5 of Scotland's National Marine Plan (2015).

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The buoy should be positioned at the Western seaward extremity of the longlines.

The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be 450cm length by 7.5cm width

Reason: In the interest of navigational safety and to comply with the guidelines laid down by the Northern Lighthouse Board.

- (3) All surface floats and buoys, excluding those required to comply with navigational requirements, shall be coloured dark grey, black or blue.

Reason: To minimise the visual impact of the development.

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Notification of deployment of equipment

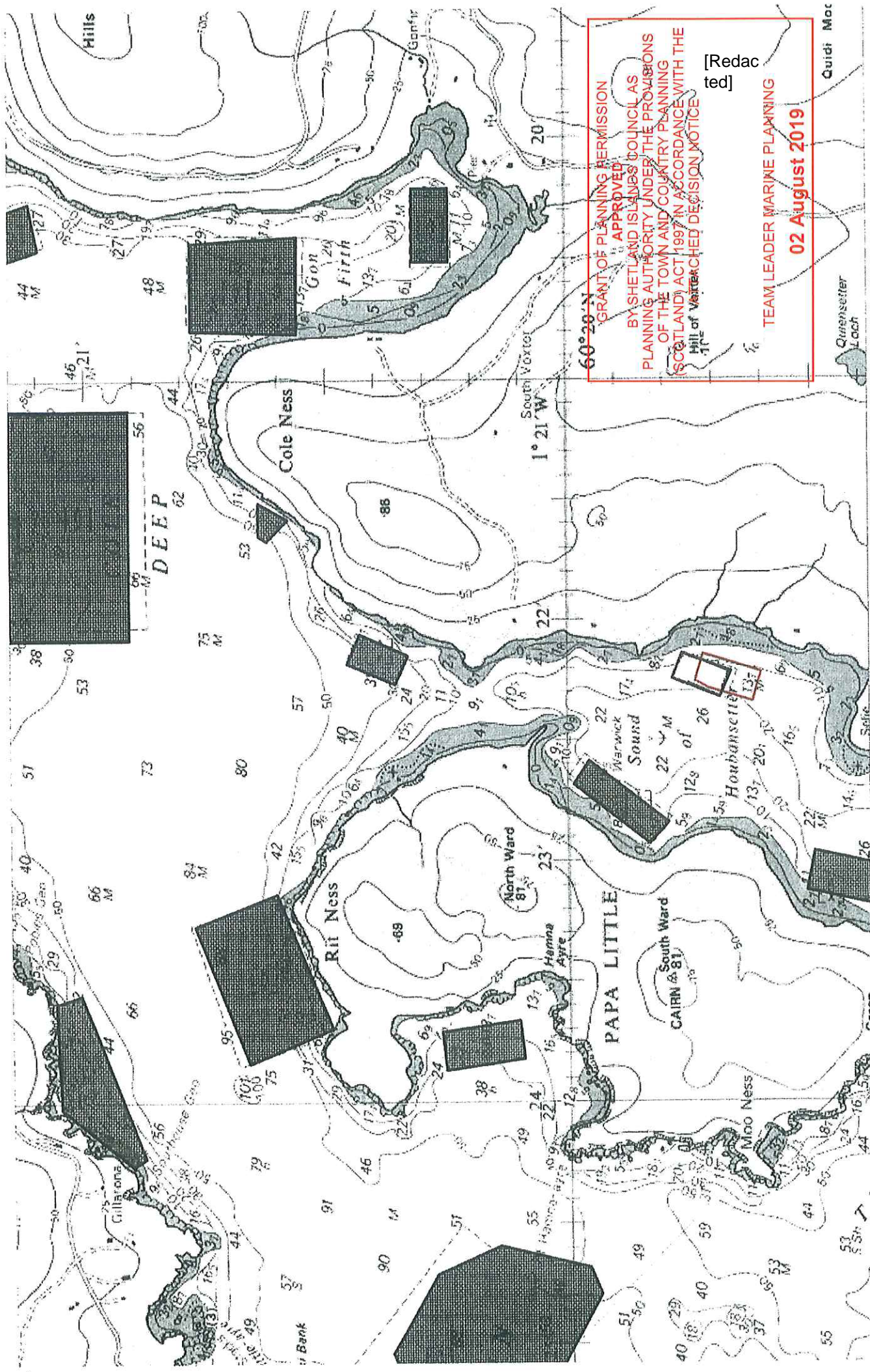
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The UK Hydrographic Office should also be notified and all information regarding site positions forwarded in order that Chart for the area can be correctly updated.

2 August 2019

[Redacted]

Executive Manager - Planning



GRANT OF PLANNING PERMISSION
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE PROVISIONS
OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 IN ACCORDANCE WITH THE
Hill of Varrach Decision Notice

[Redacted]

TEAM LEADER MARINE PLANNING

02 August 2019

GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE PROVISIONS
OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE

[Redacted]

TEAM LEADER MARINE PLANNING

02 August 2019



CROSS SECTION OF SITE SHOWING CONTINUOUS COLLECTION OF SEAWEED ROPE WITHIN METRE OF SEABED

MILLBURN

GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE PROVISIONS
OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE
[Redacted]

ANCHORS: 700kg Single Fluke Fish-farm Anchors

TEAM LEADER MARINE PLANNING

02 August 2019

CHAIN: 27.5m x 36mm chain

ANCHOR ROPE: 15m x 40mm Seasteel Rope

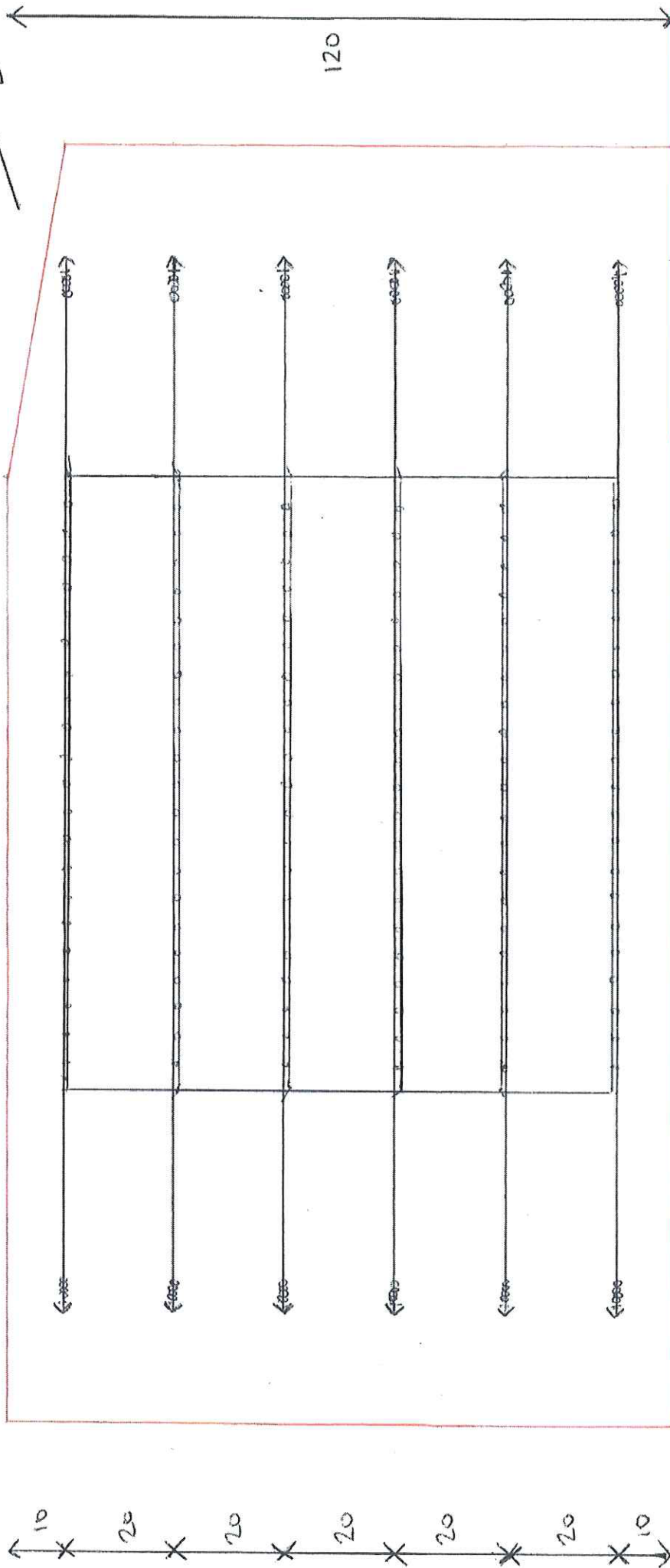
HEADLINES: 110m x 32mm Black 3 strand rope

HEADLINE SPACING: 20 metres

FLOATS: Dark Grey or Black GEM or XPLORE make at up to one per metre

DROPPERS: Single or continuous spaced minimum distance of 300mm at depth up to 1
metre less than distance to seabed

230



GRANT OF PLANNING PERMISSION
APPROVED
BY SHETLAND ISLANDS COUNCIL AS
PLANNING AUTHORITY UNDER THE PROVISIONS
OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 IN ACCORDANCE WITH THE
ATTACHED DECISION NOTICE

[Redacted]

02 August 2019

SITE PLAN FOR MILLBURN SCALE 1:10,000

From:Carole Laignel
Sent:10 Jul 2019 11:05:39 +0100
To:Leask Ryan@Marine Planning
Subject:2019/006 & 007/MAR

Following consultation with our fishermen, Shetland Shellfish Management Organisation can confirm that there are no objections to retrospective planning applications 2019/006 & 007/MAR provided that the sites are adequately marked and lit for navigational safety.

Carole Laignel

Inshore Co-ordinator

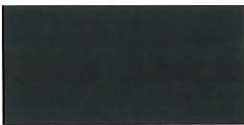
SSMO

Shetland Seafood Centre

Stewart Building

LERWICK

ZE1 0LL





19 June 2019

Mr Ryan Leask
Marine Planning
Shetland Islands Council
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

Dear Ryan

Planning Application Ref: 2019/006/MAR

Proposal: To deploy 6 x 260m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective), Bight Of Warwick, Sound Of Houbansetter, Aith

Applicant: Raymond Brown

Planning Application Ref: 2019/007/MAR

Proposal: To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective), Millburn, Sound Of Houbansetter, Aith

Applicant: Raymond Brown

Thank you for consulting us about these applications. We have no objection to the above developments, so long as these changes would not result in the carrying capacities of the areas concerned being exceeded. We should like to make the following comments:

Introduction

- The RSPB is a registered charity incorporated by Royal Charter. Its principal objective is the conservation of wild birds and their habitats. It is the largest voluntary nature conservation organisation in Europe with a membership of over 1,010,000, of which 70,000 are in Scotland, and manages 93,000 ha of nature reserves in the UK.
- Mussels are one of the main foods of the eider duck (dunter). The presence of one or more mussel farms, by providing an abundant food source, can attract eiders into areas where they were formerly scarce, particularly in the spring.
- The Shetland population of the eider is isolated from those in the rest of Britain. Since 1977, the Shetland eider population has declined by about 70% to a current population of about 4,600 individuals.
- Eiders are fully protected under the Wildlife and Countryside Act 1981 and Nature Conservation (Scotland) Act 2004.

Shetland Office
Sumburgh Head Lighthouse
Virkie
Shetland
ZE3 9JN

Tel: [REDACTED]
Facebook: RSPBLoveNature
Twitter: @Natures_Voice
rspb.org.uk



The RSPB is part of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Patron: Her Majesty the Queen Chairman of Council: Kevin Cox President: Miranda Krestovnikoff
Chairman, Committee for Scotland: Professor Colin Galbraith Director, RSPB Scotland: Anne McCall
The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654

Recommendations

- 1 **This Society recommends that no lethal methods (including shooting and the use of anti-predator nets, deployed in such a way that eiders may become entangled) of reducing eider predation of mussels should be used at this or any other mussel farm in Shetland.**
- 2 **Should the developer consider the use of anti-predator nets, they should comply with the following guidelines:**
 - **Anti-predator netting, if required at this site, should only be deployed between February and April.**
 - **The anti-predator netting should hang vertically in the water and must be properly tensioned. Nets that are not properly installed and maintained and horizontal nets pose a potential hazard to wildlife; in particular diving birds such as eiders or Black guillemot may become entangled and drown.**
 - **The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds.**
 - **Brightly coloured, thick mesh netting (as opposed to monofilament netting) should be used to make the netting visible to diving birds and minimise the risk of entanglement and drowning.**
 - **The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report on this to SIC and SNH.**

I hope you find these comments helpful and I should be grateful if you would let me know the outcome of this application.

Yours sincerely

Jenny Sutherland
Assistant Conservation Officer
RSPB Scotland

From: Alison Foyle
Sent: 28 Jun 2019 13:20:26 +0100
To: Leask Ryan@Marine Planning
Subject: RE: Marine Planning Consultation - 2019/007/MAR

Dear Mr Leask,

Delting Community Council held their meeting yesterday and Members have no objections with regards to this marine planning application 2019/007/MAR.

Yours sincerely,

Alison Foyle

Clerk

Delting Community Council.

From: ryan.leask@shetland.gov.uk [mailto:ryan.leask@shetland.gov.uk]
Sent: 12 June 2019 09:06
To: [REDACTED]
Cc: Hannah.Chapman@shetland.gov.uk
Subject: FW: Marine Planning Consultation - 2019/007/MAR

Dear Ms Foyle,

I will be able to accept Delting Community Councils comments after the date of their meeting.

Kind regards

Ryan Leask

Marine Planner

Shetland Island Council

From: Chapman Hannah@Development Plans and Heritage **On Behalf Of** Marine Planning@Development Services

Sent: 12 June 2019 09:02

To: Leask Ryan@Marine Planning <ryan.leask@shetland.gov.uk>


Subject: FW: Marine Planning Consultation - 2019/007/MAR

Hi Ryan,

Can you respond to the below email please?

Kind regards,

Hannah

From: Alison Foyle [[mailto:](#) 

Sent: 11 June 2019 18:56

To: Marine Planning@Development Services <marine.planning@shetland.gov.uk>

Subject: RE: Marine Planning Consultation - 2019/007/MAR

Dear Sir/Madam,

Delting Community Council will be holding their next meeting on Thursday 27th June.

Could you please let me know if their comments will be accepted after this date?

Yours faithfully,

Alison Foyle

Clerk

Delting Community Council

From: Hannah.Chapman@shetland.gov.uk [<mailto:Hannah.Chapman@shetland.gov.uk>] **On Behalf Of**
marine.planning@shetland.gov.uk
Sent: 11 June 2019 15:59

Subject: Marine Planning Consultation - 2019/007/MAR

Dear Sir/Madam

Planning Ref:	2019/007/MAR
Proposed Development:	To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective)
Location:	Millburn, Sound Of Houbansetter, Aith
Applicant:	Mr Raymond Brown
Planning Officer:	Mr Ryan Leask

Please see our online system for all of our the newest planning applications
<http://pa.shetland.gov.uk/online-applications/search.do?action=simple&searchType=Application>

This e-mail is a formal consultation under the Town and Country Planning (Scotland) Acts.

The consultation period is 14 days, but if you have any queries please contact the above officer.

Consultation replies should be sent, using the same Subject heading to:
marine.planning@shetland.gov.uk

If you require any further information on this planning application, please contact the relevant officer.

We appreciate that it may not always be possible to give a full response within the 14 days. If this is the case, please email marine.planning@shetland.gov.uk or contact the relevant officer to indicate your continuing interest in the proposal.

Phone numbers are:
John Rosie 74-5681
Ryan Leask 74-5682

Please note that there may be a 24 hour delay whilst files are uploaded to the website.

If there are any problems with the e-consultation process, please get in touch.

Iain McDiarmid
Executive Manager ☐ Planning
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ

Our ref: FFP-19-032
Your ref: 2019/007/MAR

25/06/2019

Dear Mr Leask,

To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective) at Millburn, Sound of Houbansetter, Shetland by Raymond Brown (on behalf of Blueshell Mussels).

We have reviewed the application submitted and offer the following comment:

Environmental Impacts

This retrospective application for 6 x 110m twin headed longlines with a proposed biomass of 150 tonnes should not result in unacceptable impacts in Swarbacks Minn.

MSS would normally recommend caution if shellfish farming has the potential to filter >50% of the water exchanged by tidal process in a region of restricted exchange such as a Shetland Voe, however from the information available to us, the biomass should be at an acceptable level.

Shellfish Hygiene

Millburn, Sound of Houbansetter is located within the shellfish production area of Papa Little Voe which is currently classified for mussels as Class 'A' April 2019 – end March 2020. As regards the biotoxin risk, Papa Little Voe is considered as low risk, this does not mean that no biotoxins are present, just that there is a low risk of the area being closed for extended time periods for shellfish production due to the presence of toxins over the regulatory limit.

Aquaculture Animal Health

Site Location

There are currently 2 sites registered with Marine Scotland Science within 1000m of the site to be modified (see attached map). The first, Bight of Warwick, is situated ~620m Northwest of the site to be modified and is an active mussel site, operated by Blue Shell Mussels Ltd. The second is situated ~890m Southwest of the site to be modified and is an active mussel site, operated by Blue Shell Mussels Ltd.

To the knowledge of the FHI, there are currently no sites proposed in the planning system within 1000m of the site to be modified, although an application has been submitted to modify the Bight of Warwick site. It is not expected that this modification will affect the Millburn site.

It should be noted that all measurements are taken from the mid-point of site coordinates.

Authorisation

Blueshell Mussels Ltd are already authorised to farm at this location. The company should ensure that any changes to operations on site do not contradict the authorisation conditions.

Summary

There does not appear to be any negative implications on fish or shellfish health from the proposed modifications to deploy 6 x 110m twin-headline longlines for the production of mussels at Millburn, Sound of Houbansetter, Shetland. No further information is required.

Notes to applicants:

The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APB's) in relation to animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. The authorisation procedure is undertaken on behalf of the Scottish Ministers by the Fish Health Inspectorate (FHI) at Marine Scotland Marine Laboratory. To apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. [REDACTED]

All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 – Section 34 consent), please visit the Scottish Government's website at <http://www.gov.scot/Topics/marine/Licensing/marine/Applications> where application forms and guidance can be found. Alternatively you can contact the Marine Scotland Licensing Operations Team (MS-LOT) by emailing [REDACTED]

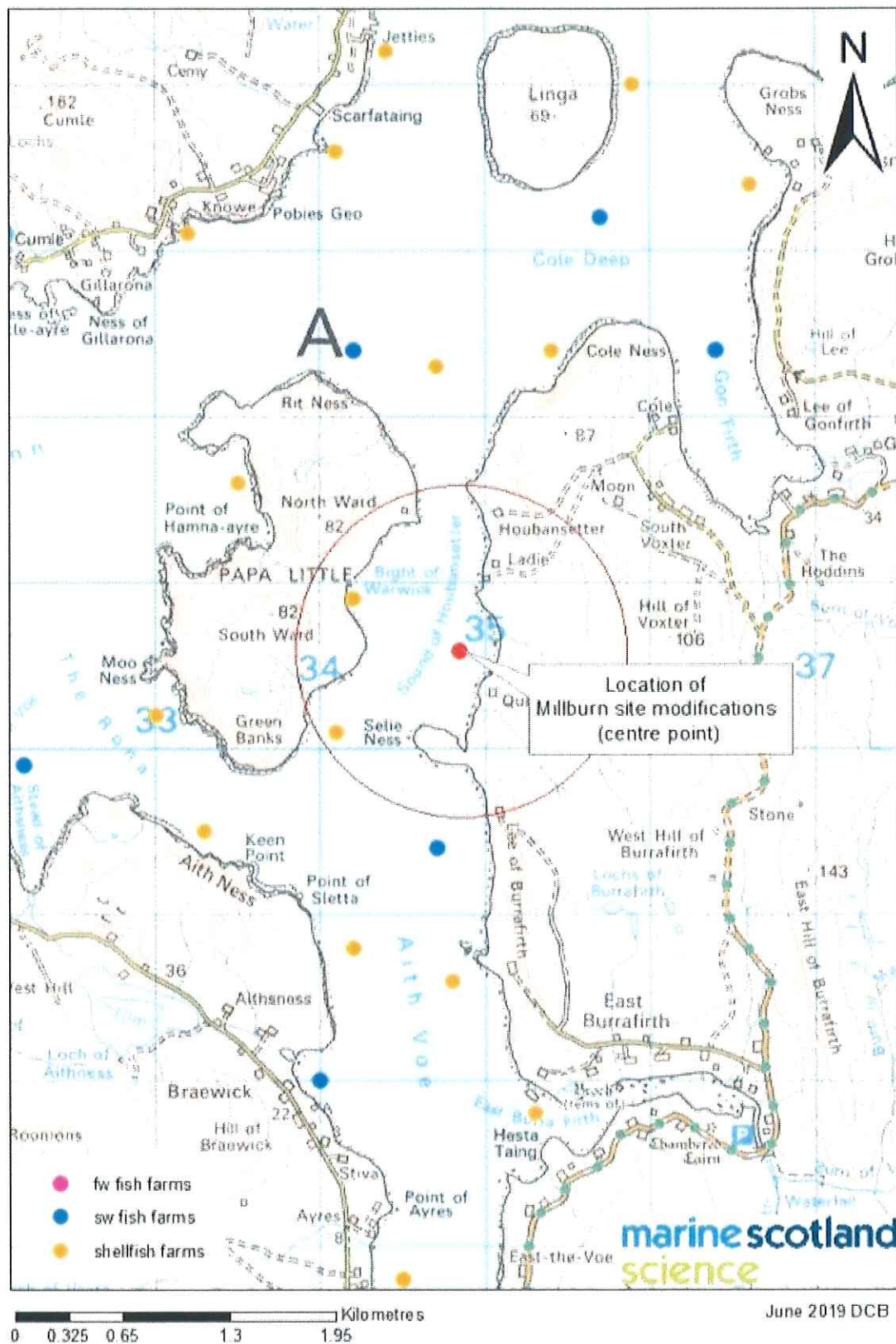
Yours sincerely

Marine Scotland Science

Appended:

Map: Aquaculture sites in the vicinity of the Millburn site, to be modified by Blueshell Mussels Ltd.

Aquaculture sites in the vicinity of the Millburn site,
to be modified by Blue Shell Mussels Ltd



Northern Lighthouse Board

Your Ref: 2019/007/MAR
Our Ref: FM/OPS/ML/F052-19

Ryan Leask
Planning Officer
Shetland Islands Council
8 North Ness Business Park
Lerwick
ZE1 0LZ

34 George Street
Edinburgh EH2 3DA

Switchboard:
Fax:

Website: www.nlb.org.uk



17 June 2019

Dear Ryan,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997.

PROPOSAL: To deploy 6 x 260m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective)

LOCATION: Millburn, Sound of Houbansetter, Aith, Shetland

Thank you for your email correspondence dated 11 June 2019, regarding the planning permission application by **Blueshell Mussels Ltd** for extension to their existing mussel farm site at Millburn, Sound of Houbansetter, Aith, Shetland.

Northern Lighthouse Board recommend the following:

- The site should be marked with a lit yellow Special Mark Buoy fitted with a yellow 'X' topmark.
- The light should display a character of flashing group four yellow every twelve seconds (Fl (4) Y 12s) with a nominal range of 2 nautical miles and be installed above the 'X' topmark.
- The buoy should be positioned at the Western seaward extremity of the longlines.
- The buoy diameter should be approximately 1 metre at the waterline and the 'X' topmark should be $\geq 50\text{cm}$ length by 7.5cm width
- A weekly check of the site's marking equipment shall be performed and records kept of its physical and working status for audit purposes.
- Outlying anchor points should not be marked with buoys, unless specifically requested by local users, and alternative means to locate anchors should be utilised.
- Loose floating lines around site equipment are strongly discouraged as this can cause serious safety implications for other mariners.

The site will require to hold an up to date Marine Licence from the Scottish Government. This consent is concerned solely with the safety of navigation and would include the information given above. For further information and application forms please go to the web site link given below.

<http://www.scotland.gov.uk/Topics/marine/Licensing/marine2>

For the safety of all

Certified to: ISO 9001:2000 • The International Safety Management Code (ISM) • OHSAS

Yours sincerely



Peter Douglas
Navigation Manager

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NLB take seriously the protection of your privacy and confidentiality, and understand that you are entitled to know that your personal data will not be used for any purpose unintended by you. In line with our document retention schedules, copies of this correspondence will be retained on our live internal system in line with our legislative requirements and obligations, before being archived as required for conformance with our data Protection Policy and the associated Data Retention Schedules. Archived copies may be retained indefinitely in the public interest. Our Privacy Notice can be accessed via the following link: <https://www.nlb.org.uk/TermsAndPrivacy/>

For the safety of all

Certified to: ISO 9001:2000 · The International Safety Management Code (ISM)

Shetland Islands Council

These applications, associated plans and documents can be examined, 09.00-17.00, Mon-Fri, at: Shetland Islands Council, Development Services Department, 8 North Ness Business Park, Lerwick, ZE1 0LZ. Please call 744293 to make an appointment if you wish to discuss any application. Applications, associated plans and documents can also be viewed on the Council website at www.shetland.gov.uk.

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013
Format: Ref No; Proposal & Address

2019/130/PPF: To install sewage treatment plant; Skeld Caravan Park And Campsite, Skeld, Shetland, ZE1 9NL

2019/151/PPF: Retrospective change of use of agricultural ground to extend existing garden outbuildings; Lavevick, Lavevick, Vidin, Shetland, ZE2 9GB

2019/111/PPF: Demolish existing garage and erect extension and decking to dwellinghouse, extension to store and change of use of soil contained unit with air source heat pump; 45 Burgh Road, Lerwick, Shetland, ZE1 0LA

2019/162/AMSC: Application for approval of matters specified by condition relating to planning permission ref: 2015/380/PPF comprising the sun path plan and analysis (2), a building operations plan (2) and a noise assessment for ventilation/refrigeration/air conditioning units and heat pumps (2); Breivik House, 27 South Road, Lerwick, Shetland, ZE1 0TG

2019/161/PPF: Erect new dwellinghouse with air-source heat pump; Cott, Welsdale, Shetland

2019/171/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Bastia Voe to Culivoe School. Manhole chambers will be placed every 2km or at roads crossings as applicable; Bastia Voe to Culivoe School

2019/145/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Ullsta to Buravoe. Manhole chambers will be placed every 2km or at roads crossings as applicable; Ullsta to Buravoe

2019/146/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Ullsta to West Sandwick. Manhole chambers will be placed every 2km or at roads crossings as applicable; Ullsta to West Sandwick, Yell

2019/147/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Buravoe to Aywick. Manhole chambers will be placed every 2km or at roads crossings as applicable; Buravoe to Aywick

2019/148/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Aywick to Mid Yell Junction. Manhole chambers will be placed every 2km or at roads crossings as applicable; Aywick to Mid Yell Junction

2019/155/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at West Sandwick to Camb. Manhole chambers will be placed every 2km or at roads crossings as applicable; West Sandwick to Camb

2019/156/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Camb to Bastavoe. Manhole chambers will be placed every 2km or at roads crossings as applicable; Camb to Bastavoe

2019/169/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Bastavoe to Gutter. Manhole chambers will be placed every 2km or at roads crossings as applicable; Bastavoe to Gutter

2019/170/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Culivoe School to Gutter. Manhole chambers will be placed every 2km or at roads crossings as applicable; Culivoe School to Gutter

2019/179/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Saxavord Camp to Saxavord Base. Manhole chambers will be placed every 2km or at roads crossings as applicable; Saxavord Camp to Saxavord Base

2019/178/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Baltasound to Saxavord Camp. Manhole chambers will be placed every 2km or at roads crossings as applicable; Baltasound to Saxavord Camp

2019/177/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Baltasound. Manhole chambers will be placed every 2km or at roads crossings as applicable; Baltasound

2019/176/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Belmont to Uyeasound. Manhole chambers will be placed every 2km or at roads crossings as applicable; Belmont to Uyeasound

2019/175/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Ports and Harbours to Toll Ferry Terminal. Manhole chambers will be placed every 2km or at roads crossings as applicable; Ports and Harbours to Toll Ferry Terminal

2019/174/PPF: To install a 22mm duct in the existing road verge which contains a fibre optic cable at Shetland Gas Plant to Mossbank School. Manhole chambers will be placed every 2km or at roads crossings as applicable; Shetland Gas Plant to Mossbank School

2019/006/MAR: To deploy 6 x 260m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective); Bight Of Walswick, Sound Of Houbansetter, Aith

2019/007/MAR: To deploy 6 x 110m twin-headline longlines for the production of mussels at the location of an existing consented mussel farm (retrospective); Milburn, Sound Of Houbansetter, Aith

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 28/06/2019.

Town and Country Planning (Scotland) Act 1997 and Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987
Format: Ref No; Proposal & Address

2019/158/LBC: Proposed works to the existing roof including re-slating, flashings and rainwater goods; Lerwick Police Station, Hillhead, Lerwick, Shetland, ZE1 0HD

Written comments may be made to Iain McDiarmid, Executive Manager, at the above address, email development.management@shetland.gov.uk by 05/07/2019.

TAVISH SCOTT MSP CONSTITUENCY ADVICE SURGERY

Monday, 17th June, 2019
5.00pm to 6.00pm

In the
Shetland Parliamentary Office
171 Commercial Street, Lerwick
No appointments necessary
If you are unable to attend the surgery but wish to raise an issue please contact the Shetland Parliamentary Office on 01595 690044 or email: tavish.scott.msp@parliament.scot

Note: The MSP or MP will accept representations on behalf of each other at any surgery.
Please be aware that vehicle access to the Shetland Parliamentary Office is restricted due to ongoing roadworks at North Commercial Street.

SGAN
SHETLAND GOLF AND NATURE
Health & Wellbeing Show, June 2019
RAFFLE WINNING NUMBERS
£500 from Rotary Club of Shetland 22112
£350 Voucher from Dental Shetland 20399
Tomnavulin Scotch Whisky 22634
£60 Voucher from Yasp Physiotherapy 23186
Babyliss Hair Curling Tongs (Boots) 22028
Jon Richards Jewellery 22495
Electric Toothbrush (Dental Shetland) 23366
Superdry Sunglasses from iCareShetland 22770
Superdry Sunglasses from iCareShetland 24083
Teddy Bear 21208
Chocolates 21037
Prizes can be claimed from the ITS shop at 8 North Road, Lerwick on presentation of the numbered ticket.

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The Shetland Times Ltd, Gremista, Lerwick, Shetland, ZE1 0PX

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SLMG SHETLAND LIVESTOCK MARKETING GROUP OFFICE OPENING HOURS

MONDAY

9.30am to 1pm

WEDNESDAY

9.30am to 1pm

FRIDAY

9.30am to 1pm

NHS Shetland - Cancellation of Clinic

There will be
NO Sexual Health
Clinic on June 17.

The clinic at
Gilbert Bain Hospital
will continue
as normal the
following Monday.

Does your group have a meeting planned?

Book an advert to tell people
where and when



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FIRST REGISTRATION
OF A CROFT

Mark Henry has registered the croft South Noonsbrough, Clousa, Beter, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 20th February, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is Z1636.

FIRST REGISTRATION
OF A CROFT

John William Jamieson has registered the croft known as Muir, Muir, Northmavine on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 1st March, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C6024.

FIRST REGISTRATION
OF A CROFT

Ewan Tulloch has registered the croft known as North Ness, Northmavine (Z1239), on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 18th January, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C5981.

FIRST REGISTRATION
OF A CROFT

George Peter White has registered the croft South Houtland, Houtland, Aithing on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 24th February, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C5729.

FIRST REGISTRATION
OF A CROFT

Sandra Goudie has registered the croft Bunahatt, Walls and Sandness parish, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 5th February, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is Z2256.

FIRST REGISTRATION
OF A CROFT

Mr Creighton William Irvine has registered the croft Quoys at Calfrith (Apportionment), West Nessing, Common Grazings, Shetland, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 1st March, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C5997.

FIRST REGISTRATION
OF A CROFT

Ewan Tulloch has registered the croft known as Olesfrieh, Northmavine (Z1231), on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 19th January, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C5990.

FIRST REGISTRATION
OF A CROFT

Mr John Gilbert Priest has registered the croft at Skaw, Norwick, Skaw, Unst, Shetland, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 1st March, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C6017.

FIRST REGISTRATION
OF A CROFT

Mr John Gilbert Priest has registered the croft at Holsens with Norwick Grazings, Holsens, Unst, Shetland, on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 1st March, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C6020.

FIRST REGISTRATION
OF A CROFT

John William Jamieson has registered the croft known as Burn, Burn, Northmavine on the Crofting Register held by the Registers of Scotland.

Any person who wishes to challenge the registration may apply to the Scottish Land Court by 23rd February, 2020. Details of the registration can be found at www.crofts.ros.gov.uk/register/ home. The croft registration number is C5995.

OFFSHORE PETROLEUM
PRODUCTION AND PIPELINES
(ASSESSMENT OF ENVIRONMENTAL
EFFECTS) REGULATIONS 1999
(AS AMENDED)

CADET FIELD
The Secretary of State for Business, Energy and Industrial Strategy has been informed that Equinor UK Limited has submitted a letter of application to the Oil and Gas Authority in relation to the proposed Cadet Field Development. The Cadet Field lies in the Northern North Sea in the United Kingdom Continental Shelf, (UKCS) Block 6/15a. The development is at:

Latitude 59° 35' 21.03" N Longitude 01° 03' 25.37" E

Drilling will take place from the existing Mariner A production, drilling and quarters platform in the adjacent Block 9/11a which is located 134km from the nearest UK coastline (Shetland) and lies 45km from the nearest international median line: UK/Norway

In accordance with the above-mentioned Regulations, this letter of application is supported by an Environmental Statement, copies of which may be inspected between 10am and 4pm on business days at Equinor House, Prime Four Business Park, Kingswells, Aberdeen, AB15 8QG until 13th July 2019. Copies of the Environmental Statement may also be obtained from the address detailed above (subject to a discretionary charge of £2), or may be accessed via the internet at Equinor.com

Interested parties have until the date specified above to make representations in relation to the submission to the Secretary of State. All representations should quote the Department's reference number (04234/2019) and may be made by letter or e-mail to:

Environmental Management Team
Department for Business, Energy and Industrial Strategy
Offshore Petroleum Regulator for Environment & Decommissioning
ABT Building
Crimson Place
E mail: BST@beis.gov.uk

PROPOSED SHORT LEASE OF
OWNER-OCCUPIED CROFT

Mrs Sylvia Jamieson is applying to let part of a croft at Elister, Bigton, Sandwick, on a short term lease to Mr Mark Mainland of Braka, Quendale, Shetland, for five years.

Written comments from those with a relevant interest (which may be made public) to: Crofting Commission, Leachin Road, Inverness IV3 8NW, info@crofting.gov.scot within 28 days from the date of this advert.

NORTHMAVINE
COMMUNITY COUNCIL

Unadopted Road Grant Assistance Grant aid is now available to Northmavine residents towards the upkeep of unadopted roads. Assistance will now only be awarded every second year, except in exceptional circumstances, and will only be considered from applicants that are resident at the property served by the road. Forms are available from:

Tom Morton, Clerk to the Community Council, NDC, Otterhead, Otterhead, ZE2 9HT. Telephone 01866 544222 or email tom@northmavine.com

Completed applications should be received by Friday 5th July. Late applications will not be considered.

SHETLAND AMENITY TRUST
ANNUAL GENERAL MEETING

Notice is hereby given that the 2019 Annual General Meeting of the Shetland Amenity Trust will be held at 9.30am on Friday, 5th July 2019, at the Shetland Amenity Trust Office, Garthspool, Lerwick, Shetland, ZE1 0NY.

Shetland Amenity Trust is a part-funded by the Shetland Charitable Trust

SCALLOWAY PUBLIC HALL
EGM

To be held in the main hall on Monday 24th June, 2019, at 7.30pm. A good attendance is essential for the future of the hall.

EMERGENCY MEETING

Bray Youth Centre Management Committee
Monday 8th July, 2019, 7pm, in the Bray Youth Centre. Please come along and save the Bray Youth Centre from closure!

TRONDRA HALL

Sunday 16th June, at 7pm in the Trondra Hall. Everyone welcome. A good turnout is essential.

SHETLAND LADIES
NETBALL ASSOCIATION

AGM
Wednesday 26th June, 2019, at 7pm, in Bowlers Bar, Clickimin.

BRIDGE-END HALL

Tuesday 25th June, 2019, at 7pm. Good attendance.

T: 01595 742000
adverts@shetlandtimes.co.uk

ADVERTISING

APPLICATION FOR MARINE FISH FARM PLANNING PERMISSION

Town and Country Planning (Scotland) Acts

Please refer to the accompanying Guidance Notes when completing this application
Limited space is available on the form, provide additional information on a separate sheet of paper

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	RAYMOND	Forename	JOHN MICHAEL
Surname	BROWN	Surname	LAURENSEN
Company Name		Company Name	BLUESHELL MUSSELS
Building No./Name		Building No./Name	
Address		Address	
13 WIRLIEGERT AITH BIXTER SHETLAND		SPARL BRAE SHETLAND	
Postcode	ZE2 9NW	Postcode	ZE2 9QJ
Telephone	[REDACTED]	Telephone	[REDACTED]
Mobile		Mobile	
Fax		Fax	
Email	[REDACTED]	Email	[REDACTED]
3. Location of Proposed Development: Please identify/describe the location of the site or sites:			
MILLBURN SOUND OF HOUBANSETTER SHETLAND			
Grid reference (at mid-point of site):			
Easting:	001° 22' 14.859552"W	Northing:	60° 19' 40.340388"N
Latitude/longitude position (at external corners or edges):	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;">60° 19' 44.427036"N</div> <div style="width: 50%;">001° 22' 15.839328"W</div> <div style="width: 50%;">60° 19' 37.387344"N</div> <div style="width: 50%;">001° 22' 20.827632"W</div> <div style="width: 50%;">60° 19' 43.376376"N</div> <div style="width: 50%;">001° 22' 08.899248"W</div> <div style="width: 50%;">60° 19' 42.682872"N</div> <div style="width: 50%;">001° 22' 17.579856"W</div> <div style="width: 50%;">60° 19' 36.252588"N</div> <div style="width: 50%;">001° 22' 13.292688"W</div> </div>		
4. Type of Application			
What is the application for? Please select one of the following:			
New site			<input type="checkbox"/>
Change of Use of Existing site (including species change)			<input type="checkbox"/>
Alterations/extension to existing site			<input checked="" type="checkbox"/>

Variation or removal of condition <input type="checkbox"/>	
<p>*If there have been previous planning permissions on this site please provide the reference number of the most recent one: SFA/ZET/007 Date of decision: 23.02.2011</p> <p>Reference No: Date of decision:</p> <p>Please provide details of any other consent for the site (i.e. Crown Estate, Scottish Ministers)</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;">CROWN ESTATE TACIT LEASE</div>	
4a. Species (if mixed use please indicate)	
Fin fish <input type="checkbox"/>	Species
Shellfish <input checked="" type="checkbox"/>	Species MUSSELS
Other (Please specify) <input type="checkbox"/>	Species
5. Description of the Proposal	
Please describe the proposal including any change of use:	
<p>TO DEPLOY SIX 110M TWIN-HEADLINE LONGLINES FOR THE PRODUCTION OF MUSSELS AT THE LOCATION OF AN EXISTING CONSENTED MUSSEL FARM (RETROSPECTIVE).</p>	
Please tick the relevant boxes for the type(s) of equipment which will be involved (see notes for full explanation)	
Circular cages <input type="checkbox"/>	Square/rectangular cages <input type="checkbox"/> Longlines <input checked="" type="checkbox"/>
Raft/grids <input type="checkbox"/>	Moorings <input checked="" type="checkbox"/> Feed barges <input type="checkbox"/>
Feed pipes to shore <input type="checkbox"/>	Pontoons <input type="checkbox"/>
Accommodation on the marine installation(s) <input type="checkbox"/>	
Other (please specify)	
N/A	
<p>Have the works already been started? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, please state date and, if completion, the completion date:</p> <p>Date started: 2007 Date completed: 2007</p> <p>If yes, please explain why work has already taken place in advance of making this application</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;">SITE HAS HAD TO BEEN LAID SLIGHTLY DIFFERENT TO LOCATION APPROVED, DUE TO ANOMALIES IN CHARTED DEPTH</div>	

6. Development Area

Please state the dimensions of the site in metres and the total site area in both square metres and hectares:

	Site dimensions			
	length(m)	Width(m)	(sq.m)	Total site area (hectares)
Existing surface area:	100	1X6	600	0.06
Proposed surface area:	110	1X6	660	0.066
Existing moorings area:	200	100	20000	2
Proposed moorings area:	190	100	19000	1.9

Is the surface area of the site 2 hectares or above?

Yes/No

If yes please include with your application a pre application consultations report along with a design statement

7. Equipment

7a. Primary Equipment:

	Existing	Proposed
Type of units (eg cages/pens/longlines/rafts/trestles)	TWIN-HEADLINE LONGLINES	TWIN-HEADLINE LONGLINES
Number of units	6	6
Shape(s) of units	LINEAR	LINEAR
Cage sizes/longline length	100	110
Number of cage/longline/raft/trestle group	1	1
Mooring grid dimensions for each unit (circular cages)		
Other equipment – specify below		

7b. Ancillary Equipment:

	Existing	Proposed
Barge/feeding station type (e.g. automated feed barge)		
Capacity of feed barge(tonnes)		
Number, type and colour of buoys		
Lighting (underwater/ surface)		
Navigational equipment	AS PER NLB	AS PER NLB
Other equipment		

8. Production Information

	Existing	Proposed
Maximum stocked biomass (tonnes)	136	150
Maximum production biomass per cycle (tonnes)	136	150
Proposed production cycle (months)	36	36
Stocking densities		
Fallow Periods		

9. Operation of Facility /Landing/Servicing

How will the site be serviced?

BY WORKBOAT

Where will the site be served from? Details of the shore base location(s)

SPARL, BRAE

Normal daily operational hours of site (feeding, deliveries etc)

0600 -1800

Operational activities during harvesting and stocking periods (method of delivering stock etc)

LIMITED ACCESS REQUIRED FOR SAMPLING, HARVESTING AND DEPLOYMENT – AS EXISTING

10. Supporting Information

Will the site be used in a rotational basis with other sites?

Yes ☐ No ☒

Are there agreements in place with other nearby fish farms and/or fishing interests? Yes ☐ No ☒

Please provide details.

What operational and management practices are to be put in place to ensure site containment and disease control? *Please provide details.*

EXISTING BIO SECURITY PLAN FOR OTHER SITES, WHICH IS FULLY APPROVED BY 'MARINE SCOTLAND-SCIENCE' WOULD BE ESTABLISHED AT THE NEW SITE

What methods will be used to control the impacts of predatory wildlife (e.g. top nets, anti-predator nets or Acoustic Deterrent Devices. With ADD's provide name of the manufacturer and the model, also the proposed pattern of use (ie continuous/ scare-response/ seasonal). *Please provide details.*

UNLIKELY, BUT IN ANY INSTANCE, WILL BE IN FULL COMPLIANCE WITH RSPB, SNH, ETC

Note: site-specific strategy on predator control may be required which takes account of conservation legislation. Data on protected species in the area may also be required. These should be provided as an attachment.

What level of local employment will be generated directly as a result of the proposal?

EXISTING JOBS SAFEGUARDED

What restoration works are proposed in the event of cessation of operations?

REMOVAL OF ALL EQUIPMENT

Nutrient enhancement calculations, benthic impact, water column and assimilative capacity along with impacts on biodiversity are all issues that are of interest to consultees in the planning process and it may aid their ability to comment on the application if information on these matters are included within your application.

Please provide this information or any other relevant information below.

SHELLFISH FARMING HAS A LOW ECOLOGICAL IMPACT

11. Discharges (not required for shellfish developments)

Has an application been made to SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2005

Yes ☐ No ☒

If yes, please give the date of approval and the maximum biomass approved.

12. Water Quality

Has a water quality report been prepared?

Yes ☐ No ☒

If yes, please attach a copy of the report with your application

If a shellfish proposal, please indicate status of water (e.g. is it shellfish waters)

13. Environmental Assessment

Has the development been the subject of a screening and or scoping opinion under the Environmental Impact Assessment (Scotland) Regulations 1999(as amended)? Yes ☐ No ☒

If yes, please provide a copy of the screening and or scoping opinion

Was an Environmental Assessment required? Yes ☐ No ☒

If yes, please submit the environmental statement along with the application

14. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes ☒ No ☐

If yes, in what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☒

Please indicate who you discussed this proposal with: name & date

JOHN ROSIE
MAY 2019

15. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the Council? Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes ☐ No ☒

If you have answered yes please provide details:

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16. Land Ownership Certificate (includes seabed)

(a) I hereby certify that 21 days before the date of the application: (tick one box only)

1. No person (other than the applicant) was the owner of any of the land, including the seabed, to which the application relates, or an agricultural tenant. ☐

Or

2. The applicant does not own all the land involved, including the seabed, in the application site, but has given a copy of the requisite notice under Regulation 15(1) to the owner(s) or agricultural tenants of any of the application site. ☒

They are:

Name of Owner

THE CROWN ESTATE

Address where notification sent

6 BELLS BRAE. EDINBURGH. EH4 3BJ

Date Notified

04.06.2019

(b) I further certify that 21 days before the date of the application: (tick one box only)

1. None of the land formed part of an agricultural holding. ☒

Or

2. The applicant has given notice to every person who was a tenant of an agricultural holding, any part of which formed part of the application site. ☐

These persons are:

Name of tenant

Address where notification sent

Date Notified

CHECKLIST

Please complete the following checklist to make sure you have provided all the necessary information in support of your application. Failure to submit all this information may result in your application being deemed invalid.

- Appropriate fee (please refer to the guidance notes or Scale of Fees) ☐
- Signed and dated Land Ownership Certificate ☐
- Location plan including north point and scale (Site boundary shown in red) ☐
- Admiralty chart showing the application site ☐
- Site plan or block plan (showing the layout of the site, equipment and grid reference and co-ordinates) ☐
- Plans and sections of the cages/cultivation equipment, including all ancillary equipment ☐
- Photographs and/or photomontages ☐
- (where these have been specified as necessary by the planning authority) ☐

Provide copies of the following documents if applicable:

- Environmental statement: ☐
- Landscape and visual impact assessment ☐
- Design statement ☐
- Pre-application consultation report (required when sites with a surface area of 2 hectares or above) ☐
- Water Quality report ☐

Other, please specify:

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

Signature:



Name:

JOHN MICHAEL LAURENSEN

Date:

04.06.2019

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

