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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

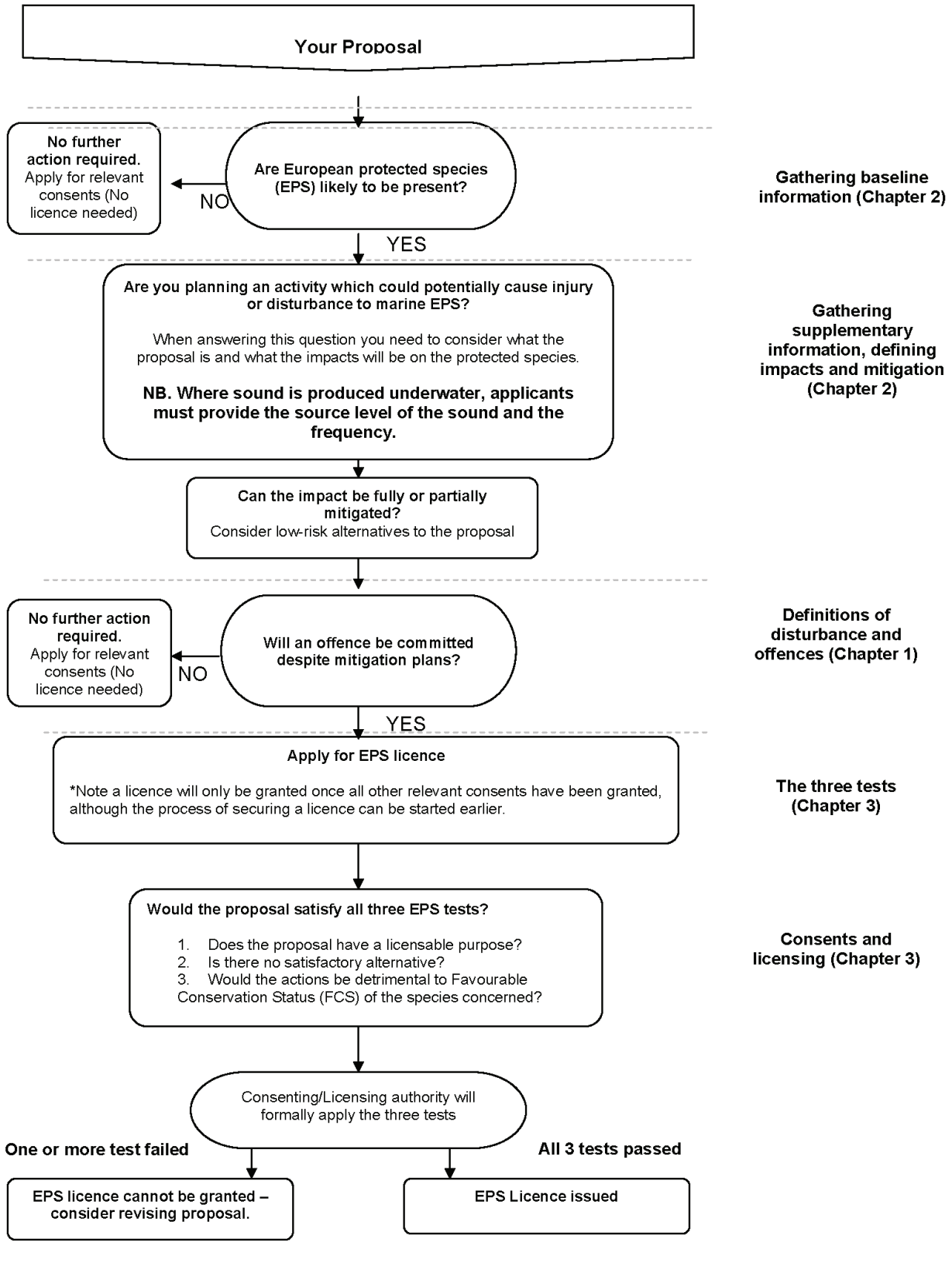
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock,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

**We will not process unsigned application forms.**

**Please ensure that you provide appropriate information to support your application.** Applicants can provide this supporting information in the form of an EPS Risk Assessment. Guidance can be found in [The Protection of Marine European Protected Species from injury and disturbance: 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](mailto: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](mailto:MS.marinelicensing@gov.scot)

## Disclaimer

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 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:  Forename(s):  Surname:

Company Name:

Business Title (if Appropriate):

Address:

Tel no. (inc. dialling code):

Email address:

**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?

Licence number (most recent licence)

Year in which the licence was issued.

What species were covered by the licence?

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

**Part B. The Application**

**3. Species**

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

Common name(s): Harbour porpoise,  
bottlenose dolphin,  
white-beaked dolphin,  
minke whale,  
fin whale.

Scientific name(s) Phocoena phocoena,  
Tursiops truncatus,  
Lagenorhynchus albirostris,  
Balaenoptera acutorostrata,  
Balaenoptera physalus.

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

In the Direct Area of Disturbance, the total individuals affected are predicted to be: 0.0539 harbour porpoise (0.00003% of reference population); 0.0009 bottlenose dolphin (0.0004% of reference population); 0.00719 white-beaked dolphin (0.00002% of reference population); 0.003771 minke whale (0.00004% of reference population).

EPS Risk Assessment also presents highly precautionary Total Area of Potential Disturbance (as survey route has not yet been finalised). Total individuals under this calculation are: 1,199 harbour porpoise (0.75% of reference population); 20 bottlenose dolphin (8.93% of reference population); 160 white-beaked dolphin (0.47% of reference population); 84 minke whale (0.82% of reference population).

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

The Direct Area of Disturbance represents the area of impact for behavioural impacts from underwater sound, based on representative sound modelling. The calculation of total individuals for this area uses the species density measurements from the most recent SCANS-IV surveys within Block NS-D. Sound modelling for behavioural effects was based on the Level B harassment threshold of 160dB re 1µPa @ 1 m proposed by the United States National Marine Fisheries Service (NMFS, 2018). Based on a single pulse of the Innomar source, a disturbance radius of 169 m was generated for all EPS, which was in turn used to calculate a 0.90km<sup>2</sup> Behavioural Change Impact Zone (referred to in this document as the Direct Area of Potential Disturbance). This value is based on a single pulse of the source, as it was stated that the sound emitted from the source will dissipate quickly and there will be no accumulation of sound levels.

The Risk Assessment also considers the Total Area of Potential Disturbance, defined as the sections of the combined Peterhead and Aberdeen Scoping Boundaries that fall within the 12 nm limit, plus a 5km buffer based on JNCC (2020) guidance. The number of impacted individuals in this area is also calculated from densities for Block NS-D from the recent SCANS-IV surveys. However, in practice, only a corridor of approximately 1-2km width will be surveyed and data acquired. Furthermore, the Total Area of Potential Disturbance assumes complete disturbance of all individuals within the entire Survey Area, which is not considered realistic. However, the calculation has been included in this EPS Risk Assessment as the final survey route has not yet been finalised.

Further details are described in the attached EPS Risk Assessment document.

(c) **Location of proposed licensed action**

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary.

LATITUDE								LONGITUDE								
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W
		°			.		'N				°			.		'W



- (d) Provide a brief description of the proposed activity and the methods to be used.  
Detailed information should be included in your Supporting Information  
**Please provide details of the source levels and frequencies of underwater noise if relevant**

The proposed activities are geophysical and geotechnical surveys using the following technologies:  
Multibeam echosounder (MBES) and single beam echosounder (SBES) [Frequency range (kHz) 200-700; Indicative SPL (dB re 1µPa) 180-240]  
Sidescan sonar (SSS) [Frequency range (kHz) 100-420; Indicative SPL (dB re 1µPa) 190-230]  
Sub-bottom profiler (SBP) [Frequency range (kHz) 30-42; Indicative SPL (dB re 1µPa) >246]  
Sub-bottom profiler (SBP) [Frequency range (kHz) 85-115; Indicative SPL (dB re 1µPa) 243]  
Ultra-short Baseline (USBL) [Frequency range (kHz) 35-50; Indicative SPL (dB re 1µPa) 200 (peak) / 188 (rms)]  
2D UHR sparker [Frequency range (kHz) 0.4-6; Indicative SPL (dB re 1µPa) 205]

Magnetometer  
CPTs  
Borehole sampling

Detailed specifications for this equipment (representative models) are included in the EPS Risk Assessment document.

- (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.

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

The proposed surveys will aim to minimise risk through the planning, active mitigation (described below), and reporting phases. In addition to obtaining an EPS licence, the surveys will consider the minimum technical specifications required to complete the work, bearing in mind the marine mammal species present in the Survey Area and any key seasonal considerations.

Further detail is presented in the EPS Risk Assessment document.

#### 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.

The Southern Trench NCMPA overlaps the Survey Area at its southeastern tip. The Southern Trench NCMPA is designated in part for minke whale. The Conservation Objectives for the Southern Trench NCMPA seek to conserve minke whale at a favourable condition in the site. The proposed surveys are not predicted to have a significant effect on minke whale in the NCMPA or surrounding waters.

Further detail is presented in the EPS Risk Assessment. No consultations with marine stakeholders have been performed as there is not predicted to be any significant effect on the conservation objectives of any protected area in the region.

**5. Activities to be Licenced**

**Proposed Methods**

(a) Please complete all relevant columns in the table below to indicate the methods you propose to use, the activity involved and the time period in which you propose to use each method. This information will be used when preparing the licence to cover activities that would otherwise be unlawful, and failure to give full details may result in an inappropriate licence being issued.

Activity to be licensed (please tick)					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 type="checkbox"/>	<b>MBES/SBES</b>	01 June 2024	31 MAY 2028
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>SSS</b>	01 June 2024	31 MAY 2028
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>SBP</b>	01 June 2024	31 MAY 2028
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geotechnical Surveys	01 July 2014	30 June 2028
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USBL	01 June 2024	31 MAY 2028

**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’.**

Multiple alternatives have been considered in the planning of the proposed surveys. These are listed below, as Options 1 through 3.

### Option 1: No activity

The first option is to not perform the proposed survey activity, however as shown in Test 1 in the EPS Risk Assessment document there is a strong need for this OWF to be developed. In order to proceed with assessments, construction, and licensing, there is an essential requirement for data collection on physical and biological properties of the seabed within the array area and along the export cable corridor. The data obtained from the proposed survey activities will provide a greater understanding of the potential pathways for impact on biological receptors, validate desk-based assessments, and will inform route selection so that any impacts can be minimised. Therefore, it is not advisable to consider this option as a viable alternative.

### Option 2: Different Equipment

The equipment presented has been selected as to have a low impact on EPS, while also being sufficient (in terms of acoustic frequency and SPL) to achieve the required depth and resolution for surveys. As detailed in Section 5.1.2, only the SBP and USBL are likely to cause disturbance to EPS. The use of USBL is the industry standard methodology for obtaining accurate elevation in underwater settings. No other equipment including, for example, pressure transducers, provides the level of accuracy required for design assessment. The USBL equipment will be operated at the lowest practicable sound levels to minimise disturbance risk and will be operated over the shortest practicable period to obtain the necessary measurements and achieve the survey objectives.

The use of SBP is used to generate unique perspectives of the seafloor that cannot be assessed through other technologies such as multi-beam sonar. When used in conjunction with MBES and physical sampling data (from geotechnical surveys) sub-bottom profilers provide a detailed view of the marine geological environment. The use of SBP help identify the location and morphology of submarine landslides, and ancient river channels that may contain artifacts of underwater cultural heritage, and understand sediment deposition.

To further reduce the acoustic properties of the equipment would affect their functionality and capacity to perform the work required.

### Option 3: Location shift

The third option is a shift in location of the proposed activity. The work cannot be undertaken in an alternative location. The current Survey Area takes a precautionary approach, encompassing a significantly broader area than will be required in the construction of the cable. The proposed area accounts for possible cable routes to Aberdeen and to Peterhead, variations in landfall sites at both locations and cable routing to the potential landfall sites pre-identified from desktop studies.

A Landfall assessment has been completed prior to the proposed survey, and criteria assessed included Grid Connection point; site compound location; regional geology; and landfall methodology. Final landfall is currently under assessment with surveys being required before a decision can be made. The survey strategy therefore covers a broad area to allow for the surveying of multiple potential landfall areas. Once survey data has been collected and assessed a cable corridor will be selected that minimises risk. This approach does result in a greater area being surveyed, however the information collected prior to construction reduces the potential for impact or disruption to human and environmental receptors in future stages, including EPS.

### Option 4: Different timing

Minke whale presence in the Southern Trench MPA is highest in the late summer months (June-October), which may overlap with the survey dates. However, minke whale presence is heavily skewed to the northwest of the MPA during these months. The section of the MPA which overlaps with the surveys has the lowest minke whale density throughout the Southern Trench, with densities not significantly higher than the surrounding waters outside the MPA. Survey activities are limited by weather conditions (where poor conditions in winter months may extend the total length of survey days and thus increase impact) and availability of survey vessels. Therefore, limiting project activities to outside peak minke whale months is not a viable option for the project. However, methodologies and equipment have been selected so as to reduce impacts on EPS.

### Option 5: Current Scenario

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

## 8. Other Licences / Consents

Please detail below all licences / consents you have applied for or received. **Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).**

Type of Licence / Consent (e.g. Marine Licence, Local Planning Authority, Local Works Licence)	Date Applied for	Reference no.	Date of issue of licence / consent

## 9. Noise Monitoring

Please indicate if any of the following noise generating activities will be taking place during the operations:

Use of explosives  Piling  Use of Acoustic Deterrent Devices   
Survey equipment operating in the range 10 Hz – 10kHz

If you have ticked any of the above boxes please complete a Proposed Activity form in the Marine Noise Registry at: <https://mnr.jncc.gov.uk/>.

**Please note the form must only be completed once for each activity. If you have already completed a form for this activity (eg through the marine licensing process) please give details.**

A Proposed application has been entered into the MNR database - Application number 3687

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

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

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

## Part C. Declarations

11. I have read and understand the guidance provided in this application form. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

I authorise employees or representatives of the Scottish Ministers to enter the site which is subject to this application for the purpose of monitoring and inspecting the permitted works.

### Warning

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 05/04/24

(The person named at part 1)

Name in BLOCK LETTERS

Redacted

Note – If signing on behalf of a company, please append your signature with “on behalf of *Company Name*”.

**The completed application should be signed and sent to Marine Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to [MS.Marinelicensing@gov.scot](mailto:MS.Marinelicensing@gov.scot)**

**Please remember to include all supporting information.**

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

### Disclaimer

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 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

N/A

How has the risk been identified. Please give details of any expert advice received.

How will the proposed activity address the identified risk

## Annex B

**Only to be completed if you selected for *Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)* in Question 6 of the application form**

### **Please complete all questions**

What benefits will be provided by the proposed activity? Give details and indicate if they are social, economic or environmental. Please indicate if the benefits are short or long term.

The proposed surveys provide an environmental benefit on both national and international scales and help to deliver environmental policies in relation to climate change, renewable energy targets, and the reduction of greenhouse gas emissions. The development of the new OWF infrastructure is a critical requirement to achieve targets of 50GW and 11GW (UK and Scotland) of renewable energy generated through offshore wind by 2030, and the 2050 UK net zero target (BEIS, 2021).

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

The project has beneficial consequences of primary importance for the environment - therefore both the UK public and global population will benefit through development of renewable energy infrastructure and a reduction of national and global emissions.

Why is it imperative the proposed activity goes ahead?

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

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

The activity supports Scotland's National Marine Plan, including (but not limited to) policies GEN 2, GEN 3, and GEN 5. The activity supports GEN 2 and GEN 3 by creating work within the region and creating economic opportunities through development of sustainable marine infrastructure. The project supports GEN 5 by contributing to a shift from non-renewable fuel sources, thereby reducing the drivers of climate change.



**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.