



THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: BS-00011415

<b>Site</b>	Little Minch, Hebrides
<b>Company</b>	Scottish Hydro Electric Power Distribution Plc  Inveralmond House, 200 Dunkeld Road Perth Perthshire PH1 3AQ
<b>Brief Description of Project</b>	South Uist Planned Subsea Cable Replacement
<b>Associated Licences</b>	

<b>Species</b>	
<b>Inshore/Offshore</b>	Inshore

<b>TEST 1</b>	<b>Purpose of licence</b>
	Social, economic or environmental purpose2

<b>Comments</b>	
<p>This application has been assessed against the licensable purpose for IROPI, in particular the necessity for safe and reliable electricity on the Islands of Skye and Uist (South). Is a specific need being addressed? Scottish Hydro Electric Power Distribution ("SHEPD") have responsibility to distribute electricity within Scotland, including the Islands. They have a duty to ensure the system is efficient and carry out necessary repairs. The existing Skye Cable to South Uist requires repair as the existing cable has been identified as requiring replacement. What benefit does the activity provide or what need does it address – social, economic, environmental, health and safety etc? SHEPD has a statutory duty to provide a safe, secure, economic and efficient system for the distribution of electricity, ensuring a reliable source of telecommunications is maintained for customer use. Why is the activity essential? The existing cable has been identified as requiring replacement and the surveys are required during works to ensure the cable burial and associated protection are safe for the duration of use. The cable is critical to Island life and should it fail then the supply of electricity is at risk. What public interest is served? Those living, working and visiting the Isle of Skye and South Uist rely on access to safe electricity which is vital to daily living and working.</p>	
<b>Test 1 satisfied?</b>	YES

<b>TEST 2</b>	<b>Satisfactory alternatives</b>
<b>Comments</b>	
<p>Various alternative landfall sites were assessed as possibilities for the Skye – South Uist cable replacement. Following review of the existing landfall sites, the sites were considered not feasible for the landing of an additional cable. Skye: Loch Pooltiel East – This landing site had rock outcrops, required an additional 1.4km of cable length, required the crossing of a chartered anchorage, had a limited extent and therefore was not suitable to land more than one cable, limited soil thickness and required beach alter courses. Loch Pooltiel East – This landing site had rock outcrops, required an additional 1.4km of cable length, required the crossing of a chartered anchorage, had a limited extent and therefore was not suitable to land more than one cable, limited soil thickness and required beach alter courses. Milovaig Beach – This landing site had poor access, required both an increased subsea and terrestrial cable length, had challenging landing geomorphology and crossed anchorages and moorings within the Meanish Community Pier. South Uist Loch Duart Fishery – This landing site had limited spatial extent and a very narrow beach preventing the landing of additional future cables, required the temporary movement of equipment, had a challenging landing geomorphology, irregular seabed and potential landownership conflicts. Oilear Bheag – This landing site is not located near a substation, required additional subsea cable length, crosses a third party cable and would result in an extremely congested marine route out of Loch Carnan. To nothing would severely impact the safe installation of the cable and not considered appropriate for a statutory undertaker as there is need for the connection between Skye and South Uist.</p>	
<b>Test 2 satisfied?</b>	YES

<b>TEST 3</b>	<b>Favourable conservation status</b>
<b>Comments</b>	
<p>Basking shark typically appear in summer (May – October), and peak in abundance in July- August in the seas around the Hebrides.</p> <p>A basking shark licence for disturbance has been applied for by the Applicant, which we agree is appropriate. We welcome and agree with the following mitigation proposed to be included in the licence.</p> <p>Slow moving vessels - the installation vessel will be moving at a maximum speed of 4 knots to allow any basking sharks time to move away from the vessel should they be disturbed by the vessel presence or noise. Should a Basking Shark be found to be in the direct way of the route, the vessel will slow down further or, if possible, alter course to avoid collision.</p> <p>Toolbox talks - Crew will be made aware of all protected species within the marine environment through guidance such as the Marine Conservation Society (MCS) Basking Shark Code of Conduct and good practice measures for boat control near basking sharks.</p>	
<b>Test 3 satisfied?</b>	YES

**Date application received:** 01/09/2025

**Consultation start date:** 14/11/2025

**Consultation end date:** 09/01/2026

**Notes**

Date	title	Text
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National Marine Plan considerations:

The decision is: In accordance and no further action required

Comments: The activity has been assessed and aligns with the following General Policies and Specific Policy on Submarine Cables, (Cables 1, 2, 3 and 4). The following factors will be taken into account on a case by case basis when reaching decisions regarding submarine cable development and activities: Cables should be buried to maximise protection where there are safety or seabed stability risks and to reduce conflict with other marine users and to protect the assets and infrastructure. Where burial is demonstrated not to be feasible, cables may be suitably protected through recognised and approved measures (such as rock or mattress placement or cable armouring) where practicable and cost-effective and as risk assessments direct. Sea Fisheries (Fisheries 1 and 2), Existing fishing opportunities and activities are safeguarded wherever possible. The potential impact (positive and negative) of marine developments on the sustainability of fish and shellfish stocks and resultant fishing opportunities in any given area. Shipping, ports, harbours and ferries (Transport 1 and 6) (Section 2.8). GEN 1, General planning principle There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan. GEN 2, : Economic Benefit Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of this Plan. GEN 4, Proposals which enable coexistence with other development sectors and activities within the Scottish marine area are encouraged in planning and decision making processes, when consistent with policies and objectives of this Plan. GEN 9, Natural heritage Development and use of the marine environment must: (a) Comply with legal requirements for protected areas and protected species. (b) Not result in significant impact on the national status of Priority Marine Features. (c) Protect and, where appropriate, enhance the health of the marine area. GEN 12, : Water quality and resource Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply. GEN 13, Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects. GEN 15, Planning - Alignment A Marine and terrestrial plans should align to support marine and land-based components required by development and seek to facilitate appropriate access to the shore and sea. GEN 16 Planning -Alignment B Marine plans should align and comply where possible with other statutory plans and should consider objectives and policies of relevant non-statutory plans where appropriate to do so. GEN 18. Engagement Early and effective engagement should be undertaken with the general public and all interested stakeholders to facilitate planning and consenting processes.