

THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)**LICENCE TO DISTURB MARINE SPECIES****Public Case Handling Report for Licence Number: EPS/BS-00011206**

Site	Carradale Harbour Capital Dredge and Pontoon Construction Area
Company	MOWI Scotland Ltd Farms office Glen Nevis Buisness Park Fort William PH33 6RX
Brief Description of Project	Carradale Harbour Capital Dredging and Pontoon Installation
Associated Licences	European Protected Species Licence No. 00010927 Marine Licence No. 00010926

Inshore/Offshore	Inshore
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TEST 1	Purpose of licence
	Social, economic or environmental purpose ²
Comments	
<p>With regard to Test 1 there are several different purposes for which a Basking Shark licence can be granted including, under Section 16(3)(i) of the Wildlife and Countryside Act 1981, for ‘a social, economic or environmental purpose’.</p> <p>NatureScot Guidance states that, when determining a Basking Shark Licence application, it will be taken into account whether an activity or development is required to meet, or contribute to meeting, a specific need such as maintaining the environment of Scotland's people (including sustainable development and renewable or green energy), complying with national planning policies and supporting economic or social development (including nationally important infrastructure development projects and employment).</p> <p>This project is part of the applicants larger plan to invest in and improve Carradale Harbour and infrastructure. Which aims to improve the socio-economic prosperity of the Kintyre region.</p> <p>The applicant is undertaking the harbour works to improve the operating conditions for it own workers and other harbour users of Carradale harbour. The harbour is home to a number of commercial fishermen, fish farm operators and local leisure users. The proposed pontoons will provide vital additional berths in the harbour whilst retaining existing boat access, single point moorings and space for larger vessels manoeuvring in the wider harbour. The works are being carried out in agreement with local communities, statutory harbour authority and local authority in efforts to stimulate economic growth and improve local amenities.</p>	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
<p>Section 16(1A)(a) of the Wildlife and Countryside Act 1981 requires the Scottish Ministers to be satisfied that there is no other satisfactory solution before a Basking Shark Licence can be issued for the Licensable Operations.</p> <p>The applicant has considered alternate installation methods for the pontoons, namely the use of anchors rather than piles to secure the pontoons. The use of anchors will take up considerable more space within the harbour and possibly present a navigational hazard to other harbour users. The statutory harbour authority also raised concerns with the use of anchors and any future dredging that is required. Installation by fixing the pontoons to the pier was also considered, however this was ruled out due to the unfavourable wave climate in the harbour.</p> <p>Considering the alternatives above, the applicant considered piled pontoons as the best option for this project.</p>	
Test 2 satisfied?	YES

TEST 3	Favourable conservation status
Comments	
NatureScot has concluded that the activity will not be detrimental to the maintenance of the populations of the species concerned at Favourable Conservation Status (FCS) in their natural range if the mitigation measures within the risk assessment are adhered to.	
Test 3 satisfied?	YES

Date application received: 23/04/2025

Consultation start date:

Consultation end date:

Notes

Date	title	Text
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National Marine Plan considerations:

The decision is: In accordance and no further action required

Comments: The proposed activity aligns with the following NMP General Principles:

GEN 2 Economic Benefit:

The proposal is being carried out in conjunction with the Local Authority and local community in efforts to stimulate economic growth and improve local amenities. This project is part of the applicants larger plan to invest in and improve Carradale Harbour and infrastructure. Which aims to improve the socio-economic prosperity of the Kintyre region. The works will provide improved facilities at the harbour for fish farm operators as well as fishing industry and other harbour users.

GEN 3 Social Benefit:

The proposal will improve harbour infrastructure at Carradale Harbour, not only for marine farm use, but by the wider community and fishing industry. The works are aimed at stimulating economic growth and improve the socio-economic prosperity of the Kintyre Region.

NMP Species Protection:

The applicant declared that the proposed activity may disturb/harass protected species. Due to this they have applied for European protected species licence and basking shark licence to ensure any impact on the protected species is reduced.

NatureScot reviewed the mitigation proposed by the applicant and agreed with this in place, the activity would not impact the favourable conservation status of the protected species. The requirement to adhere to this mitigation has been conditioned in this licence.

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