



THE WILDLIFE AND COUNTRYSIDE ACT 1981

LICENCE TO DISTURB BASKING SHARKS (*Cetorhinus maximus*)

Licence Number: BS-00011422

This licence is granted under Part I, section of the Wildlife and Countryside Act 1981 by the Scottish Ministers who, after consultation with and having been advised as to the circumstances in which they should grant such licences by NatureScot, are satisfied that the activities authorised by this licence and that there is no other satisfactory solution; and unless revoked by the Scottish Ministers is valid from 30 May, 2026 to 31 December, 2027 and authorises:

[Redacted]

Scottish Hydro Electric Power Distribution Plc
Inveralmond House,
200 Dunkeld Road
Perth
Perthshire
PH1 3AQ

Or any person authorised in writing by him / her to disturb (intentionally or recklessly) basking sharks (*Cetorhinus maximus*), located at but only subject to the under-noted conditions.

PURPOSE AND CIRCUMSTANCES IN WHICH ACTION IS REQUIRED

This licence is granted for the purpose of permitting the disturbance of basking sharks (*Cetorhinus maximus*) at Social, economic or environmental purpose² in connection with Cable Installation at the following location(s):

Ardmore to Loch Pooltiel
57° 31.898' N 06° 43.251' W
57° 29.896' N 06° 45.718' W
57° 29.108' N 06° 46.996' W
57° 28.864' N 06° 47.201' W
57° 28.195' N 06° 47.191' W
57° 28.122' N 06° 45.266' W
57° 28.036' N 06° 44.813' W
57° 27.779' N 06° 44.662' W
57° 27.259' N 06° 44.775' W
57° 27.741' N 06° 45.309' W
57° 28.074' N 06° 47.754' W
57° 29.664' N 06° 46.584' W
57° 29.770' N 06° 46.435' W
57° 30.714' N 06° 45.468' W
57° 32.465' N 06° 42.508' W
57° 32.150' N 06° 39.814' W
57° 32.090' N 06° 39.077' W
57° 33.122' N 06° 38.498' W
57° 33.146' N 06° 38.772' W

57° 33.162' N 06° 38.690' W
57° 33.054' N 06° 38.389' W
57° 32.759' N 06° 38.155' W
57° 32.442' N 06° 38.161' W
57° 32.670' N 06° 38.404' W
57° 32.604' N 06° 38.620' W
57° 32.430' N 06° 38.635' W
57° 32.260' N 06° 38.774' W
57° 32.153' N 06° 38.341' W
57° 31.870' N 06° 38.865' W
57° 31.826' N 06° 39.641' W
57° 32.019' N 06° 40.298' W
57° 32.161' N 06° 40.633' W
57° 32.202' N 06° 40.677' W
57° 32.134' N 06° 42.458' W
57° 31.018' N 06° 44.562' W
57° 29.292' N 06° 46.459' W
57° 27.381' N 06° 45.045' W
57° 27.452' N 06° 45.128' W
57° 27.659' N 06° 45.186' W
57° 27.793' N 06° 45.621' W
57° 27.839' N 06° 46.486' W
57° 27.794' N 06° 47.313' W
57° 29.220' N 06° 47.675' W
57° 30.981' N 06° 45.236' W
57° 31.820' N 06° 43.998' W
57° 32.085' N 06° 43.700' W
57° 32.544' N 06° 40.585' W

This licence is granted for permitting disturbance of the above named species as a result of the following activities:

Cable Installation and Survey Activities

During the period this licence is valid section 9(4A) of the Wildlife and Countryside Act 1981 does not apply to the undertaking of the aforementioned licensed activities by either the Licensee or any person authorised in writing by him / her, which involves or results in the intentional or reckless disturbance of basking sharks (*Cetorhinus maximus*), at Ardmore to Loch Pooltiel, provided that such activities are done under and in accordance with the terms of this licence.

LICENCE CONDITIONS

1. The Licensee must ensure that all licensed activities are carried out in strict accordance with the mitigation and working methods proposed in the application for this licence, together with supporting information and all licensed activities must be carried out within the timescale(s) given within the application and any subsequent written correspondence between Marine Directorate – Licensing Operations Team ("MD-LOT") and the applicant, but subject to the following modifications or amendments made within this licence.

2. The Licensee must ensure that all licensed activities are carried out in strict accordance with the Marine Construction Environmental Management Plan and Associated Documents.
3. In the event of the Licensee becoming aware that any of the information on which the issue of this licence was based has changed, the Licensing Authority must be notified as soon as reasonably practicable.
4. The Licensee must ensure that the Joint Nature Conservation Committee ("JNCC") 2017 Guidelines for minimizing the risk of injury and disturbance to marine mammals from seismic surveys is followed at all times in connection with the undertaking of such surveys as far as it is practical to do so. These are available from the JNCC website <https://hub.jncc.gov.uk/assets/e2a46de5-43d4-43f0-b296-c62134397ce4>.
5. The Licensee must ensure that, if any aspects of the proposed activities differ from the detail submitted in the Noise Registry - Initial Registration Form, a new Initial Registration Form must be completed and submitted to the Scottish Ministers and the JNCC no later than one week prior to commencement of the licensed activities.
6. The Licensee must ensure that where survey equipment has the capability to undergo a soft start procedure, this is implemented on every occasion survey equipment is switched on.
7. Except where it is not relevant to the provisions of this licence, the Licensee must ensure that the Scottish Marine Wildlife Watching Code is adhered to at all times.
8. The Licensee must ensure that copies of the licence are available for inspection by any person authorised by the Scottish Ministers at the office of the Licensee and at all sites where licensed activities are taking place.
9. Any person authorised by the Scottish Ministers must be permitted to inspect the operations relating to the licence at any reasonable time. The Licensee must allow appropriate assistance to facilitate inspection.
10. The Licensee must, no later than one month after the expiry date of this licence, submit to MD-LOT, a written report detailing all actions taken in accordance with the specified terms and conditions of the licence. This report must detail the procedures, visual observations and include the original Marine Mammal Recording Form(s). Any difficulties encountered, or recommendations should also be noted.
11. The Licensee must, no later than 12 weeks after completion of the noisy activity, complete a 'close-out' noise registry form. This is available from the JNCC website <https://mnr.jncc.gov.uk/>.
12. The Licensee must ensure that the cable installation vessel does not exceed a maximum speed of 4 knots. Should a Basking Shark be found to be in the direct way of the route, the Licensee must ensure that all best measures are taken to slow the vessel down further or, if possible, alter course, to avoid collision.

13. The Licensee must ensure that all contractors or crew undertaking the activities are made aware of all protected species within the marine environment and adhere to best practice guidance in relation to those species such as the Marine Conservation Society Basking Shark Code of Conduct and good practice measures for boat control near basking sharks.

14. The Licensee must ensure that a suitably qualified Marine Mammal Observer (“MMO”) must be present to ensure adherence to adherence to the geophysical survey mitigation guidance (JNCC, 2017) as well as to ensure pre-shoot watches are conducted before any ultra-short baseline survey equipment is used.

15. The Licensee must observe a 500 metre mitigation zone around any vessel operating ultra-short baseline (“USBL”) equipment. If marine mammals are detected within the 500 metre mitigation zone during a pre-shooting search (visually or acoustically), the USBL must be delayed until their passage, or the transit of the vessel, results in the cetaceans being outside the mitigation zone, works must be delayed until a minimum of 20 minutes after the last detection within the mitigation zone. Where the USBL equipment is operated during hours of darkness, passive acoustic monitoring must be employed to assist in the pre-shooting search.

16. The Licensee must ensure that all activities undertaken from 01 June to 31 July are carried out in accordance with specified mitigation:

a) A suitably qualified MMO must be present to conduct a pre-activity search to confirm the presence or absence of harbour seals hauled out and/or in the waters surrounding the works.

b) Vessels must maintain a minimum distance of 200m from Sgeir nam Biast, the islands and islets of Isay, Mingay and Clett should hauled out harbour seals be identified within 500m of the Licensed Activities.

c) No Licensed Activities can commence should harbour seals be identified in the water and within 100m of vessels. Licensed Activities may only commence once seals have moved beyond 100m from the vessels

Authorised on behalf of Scottish Ministers
By a member of staff of the Scottish Government

[Redacted]

Signed:

Marine Directorate - Licensing Operations Team
375 Victoria Road

**Aberdeen
AB11 9DB
29 May, 2026**