

THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)**LICENCE TO DISTURB MARINE SPECIES****Public Case Handling Report for Licence Number: EPS/BS-00011119**

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| Site | Camas a'Chairn Duibh to Camas a'Chaiginn, Loch Linnhe |
| Company | Scottish Hydro Electric Power Distribution Plc Inveralmond House, 200 Dunkeld Road Perth Perthshire PH1 3AQ |
| Brief Description of Project | Loch A' Choire Subsea Cable Replacement |
| Associated Licences | European Protected Species Licence No. 00011116 Marine Licence No. 00011118 |

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|-------------------------|---------|
| 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>The replacement of both existing cables is required as surveys have deemed them to be at the end of their operational life. Proactive replacement of the cables before they fail is essential to ensure reliable and continued electricity supply to the population. The replacement of the cables will also enable the removal of 4km of remote overhead lines which are largely inaccessible and difficult to maintain.</p> <p>In addition, the activity will contribute to statutory functions under Section 9 of the Electricity Act 1989, including SHEPD’s duty to provide an economic and efficient system for the distribution of electricity and to ensure that it’s assets are maintained to ensure a safe, secure and reliable supply to domestic and business customers.</p> | |
| Test 1 satisfied? | YES |

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| 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 a range of alternatives, including different routes, reducing the scope of the replacement and do nothing until failure option. The chosen method provides the greatest benefits in terms of improving reliability of network and reducing potential for customer interruptions due to a subsea cable fault, as well as reducing similar works at a later date to replace a second cable. The do nothing alternative would risk electricity supply to part of Scotland which would result in an emergency replacement if the existing cable was to fail. The do nothing option is not a viable due to the critical nature of the infrastructure.</p> | |
| Test 2 satisfied? | YES |

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| TEST 3 | Favourable conservation status |
| Comments | |
| <p>NatureScot has concluded in its advice of 01 April 2025 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.</p> | |
| Test 3 satisfied? | YES |

Date application received: 31/01/2025

Consultation start date: 06/03/2025

Consultation end date: 03/04/2025

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 will ensure a reliable power supply to remote communities. This will support local businesses in their operation by having a reliable power supply. This will provide an economic benefit for the community.

GEN 3 Social Benefit:

The proposal will ensure a reliable power supply to remote communities. This will support communities having a reliable power supply. This will provide an social benefit for the community.

NMP Species Protection:

The applicant declared that the proposed activity may disturb 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 proposed proposed works by the applicant and confirmed the activity would not impact the favourable conservation status of the protected species.

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