



T: +44 (0)300 244 5046

E: ms.marinelicensing@gov.scot

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).

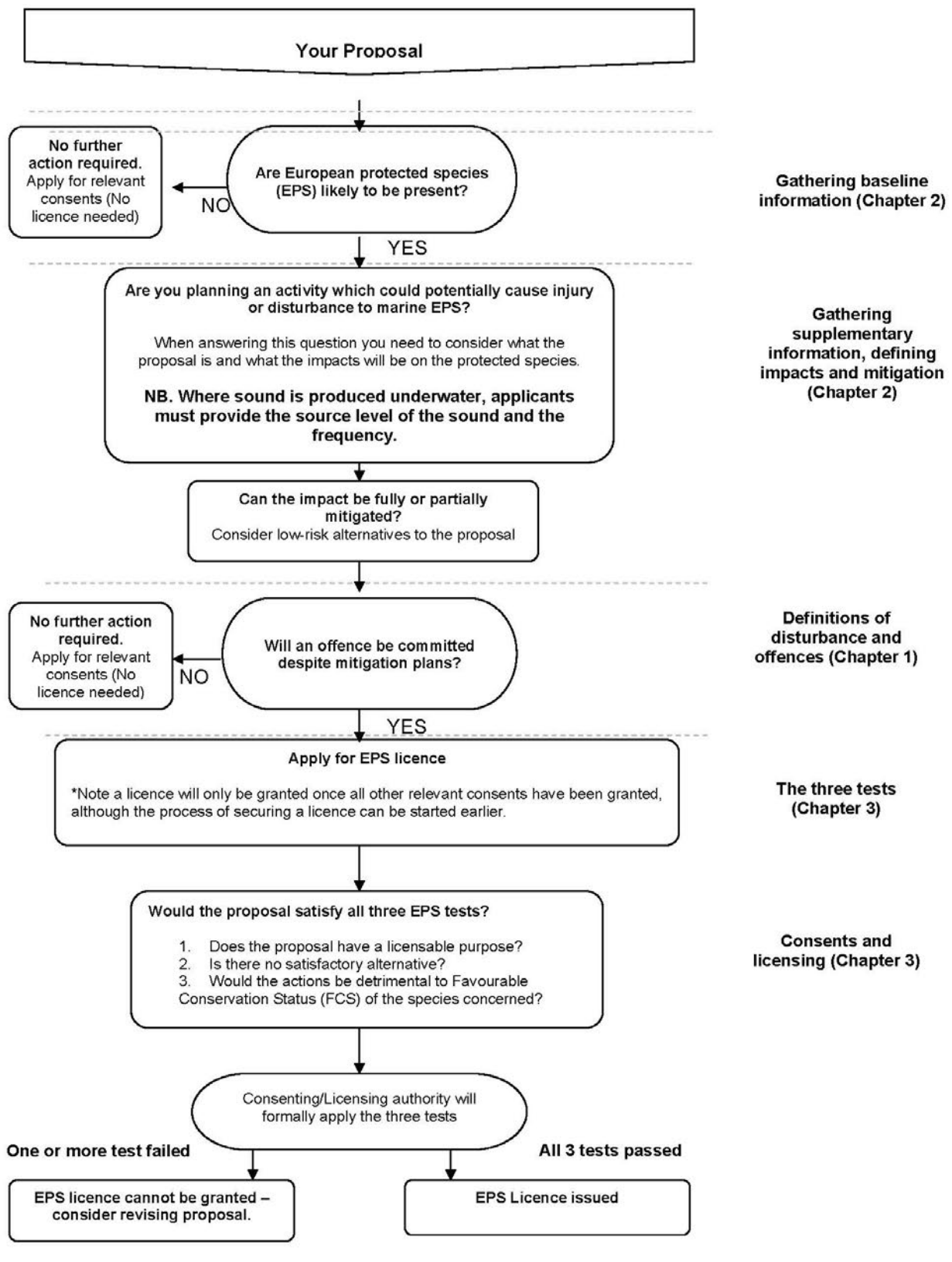
IMPORTANT: Before completing this form, please read these notes carefully

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



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.

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 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

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): 1. Bottlenose dolphin 2. Harbour porpoise 3. Minke whale 4. Common Dolphin
5. White-beaked dolphin

Scientific name(s) 1. Tursiops truncatus 2. Phocoena phocoena 3. Balaenoptera acutorostrata
4. Delphinus delphis 5. Lagenorhynchus albirostris

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

Injury - 0

Disturbance (no. of individuals within potential impact area) - <1 bottlenose dolphin, 23 harbour porpoise, 1 minke whale, 11 common dolphin & 3 white-beaked dolphin.

Please see Caledonia Offshore Wind Farm Geophysical Survey Campaign EPS Risk Assessment (Table 3-5) for full assessment of disturbance.

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

There is no potential for injury or significant disturbance to EPS in the vicinity of the survey activities. It is estimated that the total number of individuals disturbed will be minimal, less than 1% of the Moray Firth population for all species, due to the transient nature of the animals and due to the short duration and localized nature of the works.

See the Caledonia Offshore Wind Farm Geophysical Survey Campaign 2023 EPS Risk Assessment for more information.

(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										
5	8	°		7	.	6	2	5	'N			2	°	3	3	.	7	2	3	'W
5	7	°	5	9	.	9	0	1	'N			2	°	2	5	.	9	1	8	'W
5	7	°	4	0	.	4	0	2	'N			2	°	2	9	.	8	6	6	'W
5	7	°	4	2	.	0	3	8	'N			2	°	4	7	.	2	8	8	'W
5	8	°		7	.	6	2	5	'N			2	°	3	3	.	7	2	3	'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 geophysical survey is of the Export Cable Corridor for the Caledonia Offshore Wind Farm (Caledonia OWF). The geophysical survey is required to inform the bathymetric, geological, and sedimentary characteristics of the seabed within the proposed export cable corridor. The geophysical survey will commence at the earliest on the 1st of March 2023 and conclude no later than the 1st of March 2024 in offshore (>12 nm) and inshore (<12nm) environments. The total duration of proposed activity (excluding downtime due to weather and other unforeseen circumstances) is anticipated to take approximately 2 months to complete.

The survey activities are scheduled to be on a 24-hour working basis and vessels are expected to be present throughout the survey period.

The geophysical methods to be used include ultra-low baseline (USBL) positioning transponders, side-scan sonar (SSS), multi beam echosounder (MBES), sub-bottom profilers (SBP), ultra-high resolution (UHR) and magnetometer (for UXO investigations). Acoustic energy emitted from vessels is strongest at frequencies < 1 kHz. The source levels and associated frequency for the equipment use during the proposed geophysical surveys are:

- USBL system: 188 – 204 dB re 1 µPa (rms), with frequency typically between 17– 50 kHz.
- MBES: Most likely source level 218 dB re 1µPa (rms) but range of 200 – 240 dB re 1µPa (rms), with frequency of 12-500 kHz.
- SSS: Most likely source level 205 – 230 dB re 1µPa (rms), with frequency ranging between 80 - 950 kHz.
- UHR survey: Most likely source level range of 220 – 226 dB re 1µPa (rms), with frequency of approximately 1.5 kHz.
- Sub-bottom profiler: Source level 185 – 250 dB re 1µPa (rms), with frequency range between 100 Hz and 115 kHz.

- (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.

-Marine mammal monitoring; There will be MMO coverage for the duration of the survey, with adequately trained and experienced MMO(s) working standard 12 hour shifts. They will have experience of working at sea and will have successfully deployed and used PAM equipment previously.

-Marine Mammal Observer (MMO); During daylight hours the MMO(s) will carry out visual observations to monitor for the presence of cetaceans before the soft-start commences and will recommend delays in the commencement of the operations should any cetaceans be detected within the 500 m mitigation zone. When visibility is poor (i.e. due to fog or during hours of darkness) the PAM system will be operated by a single MMO/PAM operator prior to soft starts.

-Pre-soft-start search; Visual (MMO) (and acoustic (PAM) monitoring if required) will be conducted for a pre-soft-start search of 30 minutes i.e. prior to the commencement of marine geophysical operations (MBES, SSS, UHR seismic and sub-bottom profiling). This will involve a visual (during daylight hours) and acoustic assessment (during poor visibility or at night) to determine if any cetaceans are within 500 m of the activities. Furthermore, amendment to these distances should be assessed on a case-by-case basis during the proposed works if the need arises.

-Mitigation zone; Should any cetaceans be detected within 500 m of the vessel, commencement of marine geophysical operations will be delayed until their passage, or the transit of the vessel, results in the cetaceans being more than 500 m away from the vessel. In both cases, there will be a 20 minute delay from the time of the last sighting within 500 m of the source to the commencement/recommencement of the operations.

-Soft start; The geophysical source will, where feasible, not be operated at full power straight away, but the power will be built up slowly over at least 15 minutes (and no more than 25 minutes) to give any cetaceans adequate time to leave the area. Build-up of power will occur in uniform stages to provide a constant 'ramp-up' in amplitude. The soft start procedures will be undertaken if the source is stopped for longer than 10 minutes, to avoid injury to any cetaceans which have entered the area during this 'downtime'. MMO or PAM observations will only take place prior to any soft start. Once operations have commenced there will be no further observations until another soft start is required.

-Reporting; All recordings of cetaceans will be made using JNCC Standard Forms. At the end of the operations, a monitoring report detailing the cetaceans recorded, methods used to detect them and details of any problems encountered will be submitted to Marine Scotland and NatureScot. The report will also include feedback on how successful the mitigation measures were. This requirement will be communicated to the MMOs at project start up meetings and at crew change. If the MMOs have any queries on the application of the guidelines during the works they will contact Caledonia OWF (who will in turn contact Marine Scotland and NatureScot for advice).

Survey Vessel speed; survey vessels will be moving at a speed of approximately 4 knots during surveys to allow cetaceans to move away from the vessel should they be disturbed by the vessel presence or noise emissions.

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 proposed activity will take place within the Moray Firth SPA and the Southern Trench NCMPS, and is within the vicinity of the Moray Firth SAC.

Due to the close proximity of these designated sites to the proposed survey area, Caledonia recognises that there is potential for interaction with qualifying and interest features associated with these sites. However, as there is no potential for injury or significant disturbance to EPS in the vicinity of the survey operations, it is considered that there is no potential for any adverse effect on the integrity of the designated sites in relation to the conservation objectives for marine mammals.

Caledonia OWF's view was to consult when all relevant information could be provided through the EPS risk assessment. We believe the best way to consult with NatureScot is during the licence application consultation facilitated through MS-LOT, and we will also be reaching out to NatureScot directly to engage.

For further information, please see the Caledonia Offshore Wind Farm Geophysical Survey Campaign 2023 EPS Risk Assessment.

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)					Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass	Method to be used, (e.g. piling)	From To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MBES	01/03/2023 01/03/2024
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBP & SSS	01/03/2023 01/03/2024
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UHR Survey	01/03/2023 01/03/2024
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USBL System	01/03/2023 01/03/2024
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Magnetometer & Vessels	01/03/2023 01/03/2024

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'.**

The Caledonia OWF Cable Corridor survey is a necessity in order to construct an offshore wind farm, an important addition to Scotland's growing contributions to the UK's renewable energy sector in the long term. Offshore wind provides the opportunity to deliver this new capacity from a renewable, low carbon resource, which is indigenous and does not depend upon the geo-economic and geo-political risks of importing fuels, a vital point given the UK's current energy crisis. Should the proposed activity not proceed, the completion of the Caledonia Offshore Wind Farm would not be possible, therefore due to imperative reasons of overriding public interest, the "do nothing" approach is unacceptable.

Ocean Winds were awarded an option agreement to develop Caledonia OWF in January 2022 as part of the Crown Estate Scotland ScotWind leasing round, and the offshore scoping corridor joins the site to land between Sandend and Old Haven, therefore there is no alternative to survey location.

Geophysical surveys are required to map the seabed (and record features such as boulders and unexploded ordnance), measure water depth and characterise layers of sediment or rock below the seabed. These surveys are essential for developing offshore wind projects. While there are potentially different types of equipment that can be used, this is often constrained by the specific purpose the geophysical survey that is being undertaken and in this instance the use of alternative equipment is deemed not to be effective to meet the objectives of the survey. Therefore, there are no alternative options to the use of the geophysical equipment proposed for this survey.

The aim of the Caledonia OWF Cable Corridor survey is to gather Ultra-high resolution site data to feed into environmental assessments of the following EIA topics – Physical Processes, Benthic (and intertidal ecology), Archaeology, Fish Ecology and Marine Mammals.

For full coverage of the site and for a minimum detectable target size of 0.3 m, 100 m line spacing is proposed. Alternative coverage scenarios have been considered, with increased line spacing (200m, 1500m) and therefore lower resolution. After consultation with technical specialists including Wessex Archaeology (who will undertake the archaeological assessment), these scenarios were not considered to be a satisfactory alternative as they did not sufficiently de-risk the project against UXO or potential archaeological discoveries. While the lower resolution scenarios would have a shorter survey duration than the current proposed scope, additional higher resolution surveys would be required at a later stage of the project, increasing the overall number of days the geophysical equipment is in use.

Public safety is paramount, and it is not possible to safely construct a wind farm without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables, or ensuring there is no UXO present within the area.

Please see Appendix B for additional justification against the "do nothing" approach.

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
Licence to disturb or injure marine European protected species - for inshore area (within 12 nautical miles)	06 September 2022	EPS/BS-00010025 (superseded EPS/BS-00009861)	16 September 2022
All appropriate licences will be applied for as and when required	N/A	N/A	N/A

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.

MNR Activity Application Numbers - SBP: 3130 & MBES: 3131

(JNCC do not accept activity applications for any other types of equipment proposed for these works.)

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

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

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

DocuSigned by:
[Redacted]
615FFA23785843B...

Date 28-Nov-2022

(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

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

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.

While the marine survey associated with the Caledonia OWF presents a temporary disturbance to a localised marine environment, this work will allow an important addition to Scotland's growing contributions to the UK's renewable energy sector in the long term. Offshore wind provides the opportunity to deliver this new capacity, not only from a renewable, low carbon resource, but a resource which is indigenous and does not depend upon the geo-economic and geo-political risks attendant with importing fuels, a vital point given the UK's current energy crisis.

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

Caledonia OWF offers the deployment of a proven technology in a location with a recognised wind resource (based on current Moray West and Moray East Offshore Wind Farm projects) and to deliver a low-cost, low-carbon supply of electricity at a time when the UK urgently needs new generation capacity to maintain a secure, affordable supply of power. The development of the wind farm (as a result of the proposed activity) will benefit the public socioeconomically, as Ocean Winds is uniquely placed, through our project and financial support to the supply chain, to contribute significantly towards national climate change policies, deliver multi-billion pound investments and thousands of jobs locally. We aim to establish globally competitive fabrication facilities in Scotland, position the country as a world leader in exportable innovation, and address wider sector opportunities around skills and diversity for current and future generations.

Why is it imperative the proposed activity goes ahead?

Public safety is paramount, and it is not possible to safely construct a wind farm without understanding ground conditions to enable appropriate design and installation of foundation structures or subsea cables, or ensuring there is no UXO present within the area. Should the work not proceed, the completion of the Caledonia Offshore Wind Farm would not be possible.

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

The proposed activity is required to develop the offshore wind farm, the development of which supports the Scottish Government's Offshore Wind Policy - "the Scottish Government plans to ensure that Scotland's long and positive association with renewables continues to go from strength to strength and is central to our green recovery. Scotland's people will be key to this, which will mean ensuring local communities can participate in, and benefit from Scotland's transition to net zero emissions" (2020). As the UK follows policies to meet its national and international commitments to greenhouse gas reduction, additional demands will be placed on domestic electricity supply as use of, for example, electric vehicles, increases. The project will provide additional support to the UK government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

This project is also in line with the Scottish National Marine Plan objectives in Section 11. Offshore Wind and Marine Renewable Energy (2015), and supports the targets set in the Scottish Government's 'Securing a green recovery on a path to net zero: climate change plan 2018–2032' (3.1 Electricity, 2020) by producing renewable energy to aid the transition to net zero.

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.

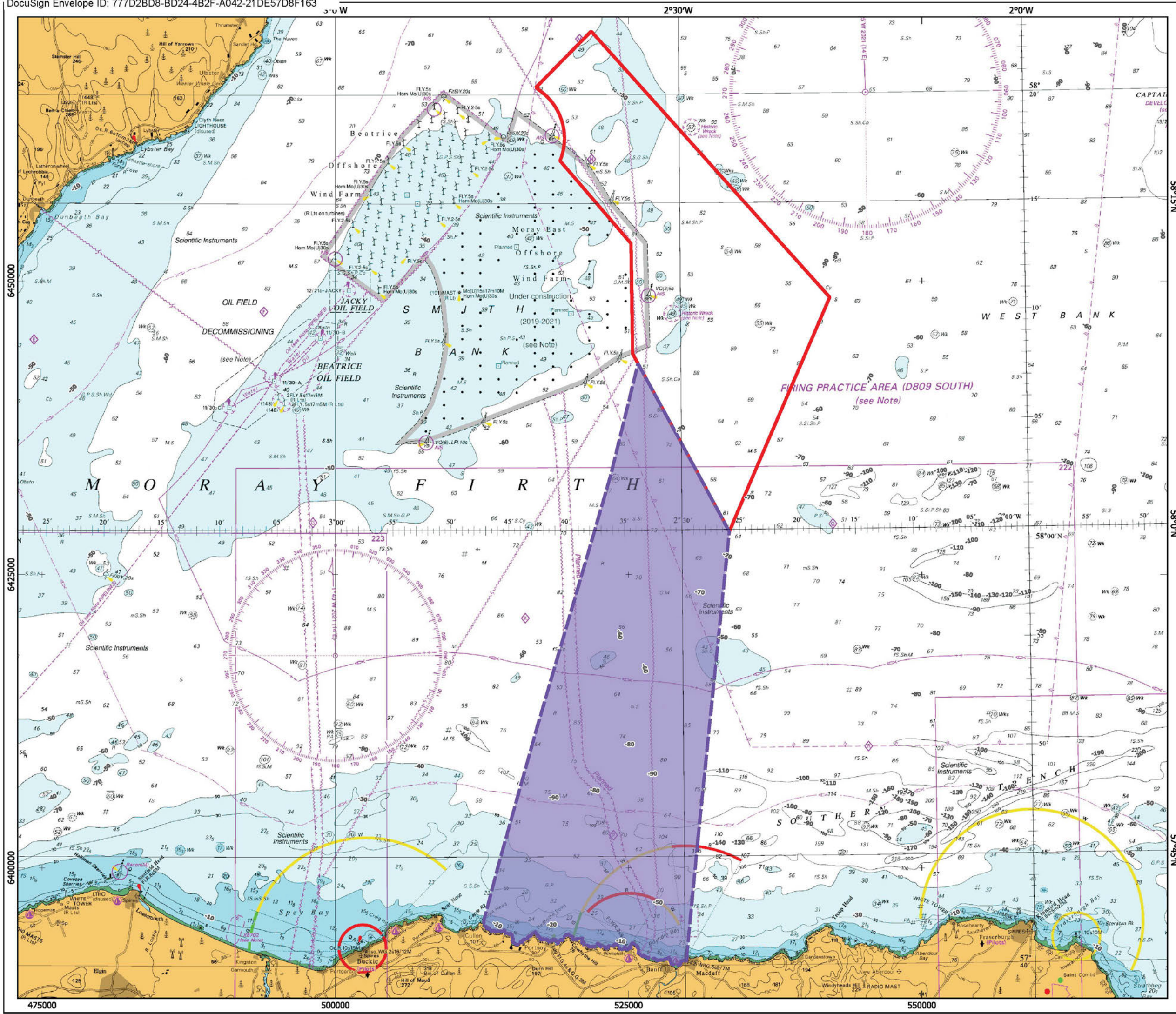
Annex D

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.



- Legend**
- Caledonia OWF Project Boundary
 - EPS Licence Application Area

Chart @ Crown Copyright. 2022. All rights reserved.
License No. EK001-FN800-004994. Not to be used for Navigation.



Scale at A3: 1:300,000		
CRS: WGS84 UTM30N (EPSG:32630)		
Produced:	Reviewed:	Approved:
JS	KEW	AH
Date: 25/11/22		Revision: 01
REF: UKCAL-OW-CON-PRT-MAP-00002		

Export Corridor EPS
Licence Application Area