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

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS-00011705

Site	Shetland - Geophysical Survey
Company	XOCEAN UK LTD 71-75 Shelton Street Covent Garden London WC2H 9JQ
Brief Description of Project	Shetland Geophysical Surveys
Associated Licences	EPS-00011705 BS-00012328

Species	harbour porpoise (Phocoena phocoena);bottlenose dolphin (Tursiops truncatus);minke whale (Balaenoptera acutorostrata);Risso's dolphin (Grampus griseus);white sided dolphin (Lagenorhynchus acutus);short beaked common dolphin (Delphinus delphis);killer whale (Orcinus orca);white-beaked dolphin (Lagenorhynchus albirostris);humpback whale (Megaptera novaeangliae)
Inshore/Offshore	Inshore and Offshore

TEST 1	Purpose of licence
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
Comments	
The proposed survey activity addresses a specific need to obtain accurate, highresolution seabed, bathymetric and subsurface data within the identified survey area, which multiple developers require to assess and design potential export cable routes associated with future offshore renewable energy projects. Current publicly available datasets do not meet the accuracy or resolution needed for engineering feasibility assessments, and therefore the survey is required to provide information essential for progressing project planning and decisionmaking. The activity provides environmental, social and economic benefits. Environmentally, the data will support the development of offshore renewable energy infrastructure, which contributes to national and regional emissionsreduction objectives. Economically and socially, such developments have the potential to generate longterm employment and support local supply chains, particularly in remote island communities. The survey also enables these projects to be assessed and progressed efficiently, supporting broader planning considerations and ensuring that engineering decisions are informed by reliable seabed information. The activity is essential because, without it, developers would not have the information needed to determine whether the proposed route is viable for cable installation. This would likely require multiple separate survey campaigns conducted by different developers, involving longer-duration surveys using larger traditional vessels. Such an outcome would increase overall environmental impact, increase survey costs, and delay project development timelines. In the absence of accurate seabed data, developers would not be able to progress route selection or engineering design. The activity serves the public interest by supporting work that contributes to national renewable energy ambitions and the transition to lowcarbon energy systems. The proposed surveys support the UK and Scottish Government targets of expanding offshore wind generation capacity and achieving netzero greenhouse gas emissions. By facilitating earlystage development of these projects, the activity supports energy security objectives and ensures planning decisions are based on sound evidence. The work is directly related to government policy, including commitments to deliver largescale renewable energy capacity and meet netzero targets. The proposed surveys provide information necessary for the development phases of future offshore renewable infrastructure that aligns with these national commitments. The applicant is not undertaking a statutory function; however, the activity directly supports multiple developers who are seeking to progress projects aligned with national policy objectives. The survey represents the most efficient means of providing required data to inform these developments and avoids the need for duplicate surveys, thereby reducing cumulative disturbance and environmental footprint.	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
The applicant has carefully considered all reasonable alternatives to undertaking the proposed geophysical survey and none provide a satisfactory means of achieving the project objectives while reducing potential impacts on European Protected Species. The option of not carrying out the activity was assessed but rejected, as multiple developers require highresolution seabed and subsurface data that cannot be met by publicly available datasets. Without this survey, each developer would need to commission separate, largerscale campaigns using traditional crewed vessels, resulting in significantly greater cumulative underwater noise, vessel presence and environmental disturbance. Alternative equipment was also considered; however, the selected MBES and SBP systems represent the lowestimpact acoustic instruments capable of achieving the required engineering-grade resolution. Higherpower or lowerfrequency systems would expand the area of disturbance, while nonacoustic or alternative imaging technologies cannot deliver the necessary depth penetration or detail for cable route design. Similarly, alternative survey methods such as towed systems or ROVmounted sensors were deemed unsuitable, as they require larger vessels, longer survey duration and generate higher levels of continuous noise. Changing the survey location is not feasible, as the area is dictated by the fixed constraints of the proposed export cable route, landfall points and grid connection availability. Surveying an alternative area would not provide meaningful data to inform project feasibility or engineering design. Adjusting survey timing was also considered; however, conducting the work during the preferred summer window reduces time on site, minimises weatherrelated delays and reduces the need for repeated start-up procedures, thereby limiting marine mammal exposure. Delaying to less favourable seasons would increase both the duration and environmental impact of the operation. The proposed approach—using lownoise, small, electrically powered USVs to collect a single shared dataset for multiple clients—represents the option with the lowest overall environmental footprint. All other alternatives either fail to provide the required data, increase survey effort, or result in higher levels of disturbance. The proposed activity therefore represents the only satisfactory option for achieving the project objectives while keeping environmental impacts as low as reasonably possible.	
Test 2 satisfied?	YES

TEST 3	Favourable conservation status
Comments	
The proposal will not have an adverse impact on the favourable conservation status of the EPS concerned.	
Test 3 satisfied?	YES

Date application received: 06/02/2026

Consultation start date: 19/03/2026 **Consultation end date:** 16/04/2026

Notes

Date	title	Text

National Marine Plan considerations:

The decision is: In accordance and no further action required
Comments: 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. Appropriate Assessment completed and no requirement for Marine Protected Area Assessment. GEN 19 Sound evidence: Decision making in the marine environment will be based on sound scientific and socio-economic evidence. In accordance with the above.

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