



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

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS-00012089

<b>Site</b>	Ayrshire to Scottish / Northern Irish Area Border
<b>Company</b>	SP Transmission PLC  320 St. Vincent Street Glasgow  G2 5AD
<b>Brief Description of Project</b>	Western Link 2
<b>Associated Licences</b>	BS-00012088

<b>Species</b>	harbour porpoise ( <i>Phocoena phocoena</i> );bottlenose dolphin ( <i>Tursiops truncatus</i> );minke whale ( <i>Balaenoptera acutorostrata</i> );Risso's dolphin ( <i>Grampus griseus</i> );short beaked common dolphin ( <i>Delphinus delphis</i> );Cuvier's beaked whale ( <i>Ziphius cavirostris</i> )
<b>Inshore/Offshore</b>	Inshore

<b>TEST 1</b>	<b>Purpose of licence</b>
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
<b>Comments</b>	
<p>The application addresses a specific and defined need for offshore geophysical, geotechnical and benthic survey works to inform the safe routing and design of the Western Link 2 (WL2) High Voltage Direct Current subsea electricity transmission link between Scotland and Wales. The activity provides significant public benefit by enabling nationally important electricity transmission infrastructure that supports integration of increased renewable energy generation, particularly offshore wind, thereby delivering longterm environmental benefits through decarbonisation, alongside economic benefits such as increased energy security, network resilience and support for supplychain activity. The surveys are essential because, without baseline seabed and geological data, cable routing and construction would be unsafe and environmentally unjustifiable; failure to proceed would prevent delivery of the WL2 project entirely due to unacceptable engineering, environmental and health and safety risks associated with unknown seabed conditions. The activity serves a clear overriding public interest by enabling nationally strategic electricity transmission reinforcement required to support the transition to a lowcarbon energy system. The proposed activity is directly aligned with government targets and policies, including UK and Scottish netzero commitments, national electricity system planning through the Holistic Network Design and Beyond 2030 programme, and policies within Scotland’s National Marine Plan relating to submarine cable and renewable energy infrastructure. The applicant is undertaking works that support statutory electricity transmission functions, as the surveys are a necessary precursor to the delivery of infrastructure required to meet statutory climate change, energy security and electricity network obligations.</p>	
<b>Test 1 satisfied?</b>	YES

<b>TEST 2</b>	<b>Satisfactory alternatives</b>
<b>Comments</b>	
<p>Alternatives considered include the use of different or lowerimpact survey equipment, survey methods, adjustments to location or timing, and the donothing option. The applicant has provided clear justification as to why these alternatives are not satisfactory. In particular, alternative equipment or methods would either fail to provide the data necessary to safely design and route the cable or would still require an EPS licence and therefore cannot be considered satisfactory. Alternative locations or timing would not eliminate the presence of EPS within the survey corridor, and the donothing option would prevent delivery of the Western Link 2 project entirely by leaving seabed conditions unknown and resulting in an unsafe and nonviable development.</p>	
<b>Test 2 satisfied?</b>	YES

<b>TEST 3</b>	<b>Favourable conservation status</b>
<b>Comments</b>	
<ul style="list-style-type: none"> <li>• The proposed activities are not capable of having an adverse impact on the favourable conservation status of the European Protected Species concerned or capable of having an adverse impact on basking sharks.</li> <li>• The species considered in the risk assessment are correctly identified as those at risk from disturbance and injury of the proposed activities. The proposed equipment which has the potential to injure and/or disturb those species has been adequately described.</li> </ul> <p>Mitigation</p> <p>NatureScot advise that mitigation should be implemented and follow the JNCC guidelines (JNCC, 2017). We welcome the mitigation strategy presented in Section 9 of the risk assessment.</p> <ul style="list-style-type: none"> <li>• In addition to the above mitigation, we advise the following measures are also adopted:</li> <li>• Nearshore transects – survey transects in the nearshore such as at Troon, Prestwick and Girven, should start at the coast and move seaward to avoid entrapment of EPS, Seals and Basking Shark.</li> <li>• Indicative maximum vessel speed during surveys should be specified as part of the mitigation strategy with a commitment to slow moving vessels and avoidance of EPS in direct path of vessels while on survey in addition to transiting.</li> <li>• Toolbox talks should be given to survey crew to highlight species and best practices.</li> </ul>	
<b>Test 3 satisfied?</b>	YES

**Date application received:** 21/04/2026

**Consultation start date:** 08/05/2026

**Consultation end date:** 05/06/2026

**Notes**

Date	title	Text
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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.

No requirement for Appropriate Assessment or Marine Protected Area Assessment.

GEN 19 Sound evidence: Decision making in the marine environment will be based on sound scientific and socio-economic evidence.

Date document generated: 10/06/2026