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.**

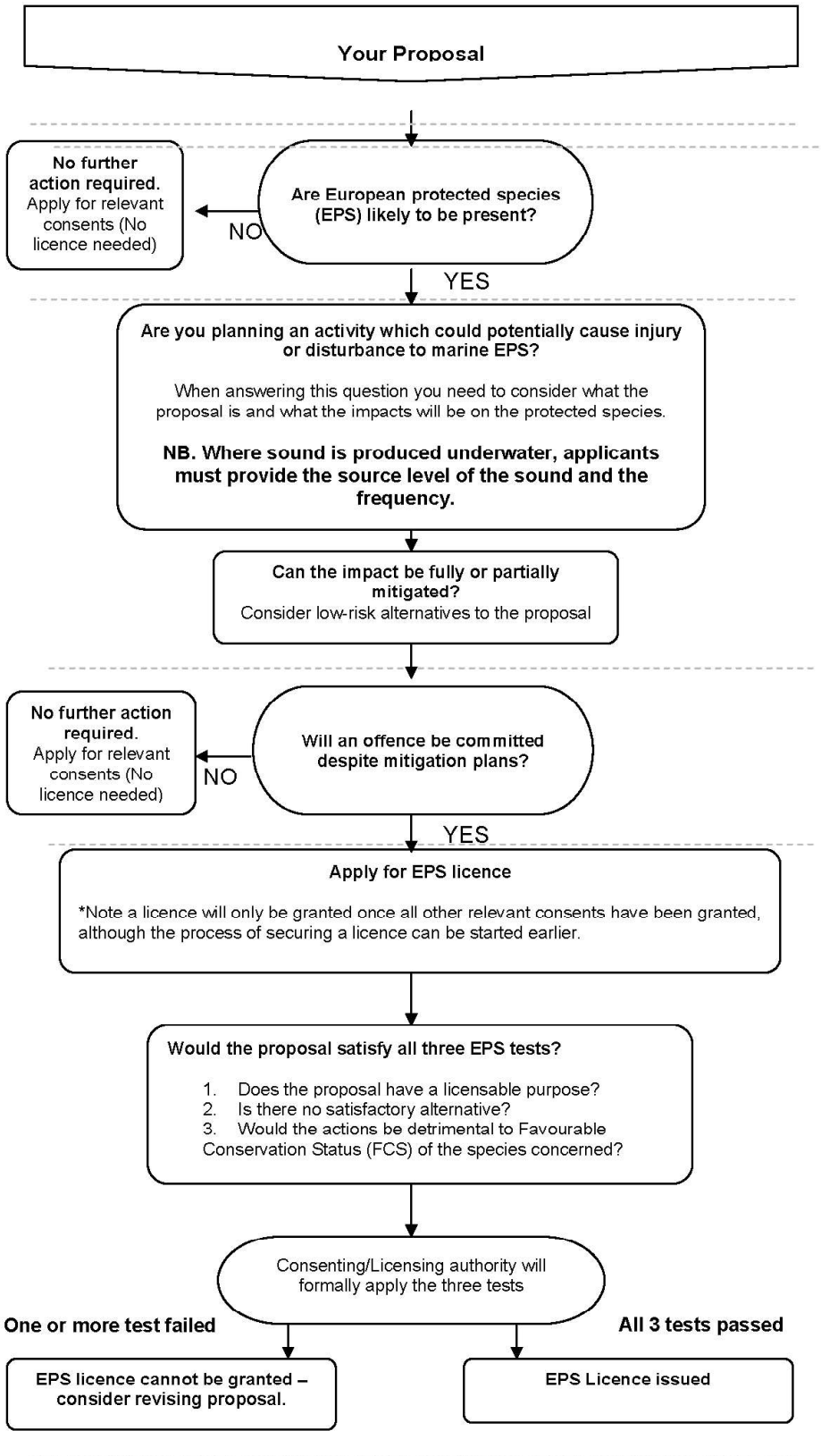
Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish inshore marine area (0 – 12nm).

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 Asessment. 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: Mr Forename(s): Redacted

Company Name: Cerulean Winds Ltd

Business Title (if Appropriate): Director Cerulean

Address:
Cerulean Winds Ltd
24/25 The Shard
32 London Bridge Street
London
SE1 9SG

Tel no. (inc. dialling code): +44 203 457 0614

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? Marine Directorate - Licensing Operations Team

Licence number (most recent licence) EPS/BS-00010699

Year in which the licence was issued. 2024

What species were covered by the licence?
Harbour porpoise
Bottlenose dolphin
White-beaked dolphin
Minke whale

What activity was covered by the licence e.g. disturb, injure? Disturb/Harrass

Part B. The Application

3. Species

(a) Please indicate which species is / are affected by the proposed works.

Common name(s):

Harbour porpoise
Bottlenose dolphin
White-beaked dolphin
Minke whale

Scientific name(s)

Phocoena Phocoena
Tursiops truncatus
Lagenorhynchus albirostris
Balaenoptera acutorostrata

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

Harbour porpoise: average population size 36,611, average abundance per km2 0.599
Bottlenose dolphin: average population size 1,924, average abundance per km2 0.029
White-beaked dolphin: average population size 10,422 average abundance per km2 0.161
Minke whale: average population size 2600, average abundance per km2 0.604

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

The numbers were calculated in accordance with survey data SCANS IV NS-G and NS-D (Giles et al, 2023), and SCANS III block R and block Q (Hammond et al., 2017). Please see the EPS risk assessment for more information.

References

Gilles, A., Authier, M., Ramirez-Martinez, N.C., Araujo, H., Blanchard, A., Carlstrom, J., Eira, C., Doremus, G., Fernandez-Maldonado, C., Geelhoed, S. C. V., Kyhn, L., Laran, S., Nachtsheim, D., Panigada, S., Pigeault, R., Sequiera, M., Sveegaard, S., Taylor, N.L., Owen, K., Saavedra, C., Vazquez-Bonales, J. A., Unger, B., Hammond, P.S. (2023) Estimates of cetacean abundance in European Atlantic waters in summer 2022 from the SCANS-IV aerial and shipboard surveys. Wageningen Marine Research.

Hammond, P.S., Lacey, C., Gilles, A., Viquerat, S., Börjesson, P., Herr, H., Macleod, K., Ridoux, V., Santos, M., Scheidat, M. and Teilmann, J. (2017) Estimates of cetacean abundance in European Atlantic waters in summer 2016 from the SCANS-III aerial and shipboard surveys. Wageningen Marine Research.

(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										
SEE		°			.				'N					°			.				'W
APP	END	°	DIX		.				'N					°			.				'W
		°			.				'N					°			.				'W
		°			.				'N					°			.				'W
		°			.				'N					°			.				'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 present EPS licence application form has been submitted to cover activities relating to both, inshore (within 12nm) and offshore (out with 12 nm) regions.

The survey campaigns are due to commence from 01.10.24 with expected completion by 01.10.25; this allows for days when unable to survey due to poor weather conditions). The investigations include geophysical, benthic ecology, and geotechnical surveys. The proposed scheduling is as follows:

- Geophysical survey of Aspen Survey Area and Offshore Demand Cable (ODC) Corridor Search Area due to be undertaken from 01.10.25
- Benthic ecology survey of Aspen Survey Area and ODC Corridor Search Area due to be undertaken from 01.10.25
- Geotechnical survey of Aspen Survey Area and Offshore Demand Cable (ODC) Corridor Search Area due to be undertaken in 2025 (date TBC)

The surveys will take place across Aspen Survey Area and along the Offshore Demand Cable (ODC) Corridor Search Area (as documented in the coordinates).

The geophysical survey will utilise an Ultra-Short Baseline (USBL), Sub-Bottom Profiler (SBP), Ultra High Resolution Seismic (UHRS), Multibeam Echosounder (MBES) and Side Scan Sonar (SSS) to provide accurate and precise data on the seabed topography and details to help plan cable routes, pile driving, mooring conditions and anchor plans. The benthic ecology and geotechnical survey campaigns will also include the use of an USBL for positioning of the vessel and have therefore also been included in this application.

The typical sound pressure level and frequencies of the equipment to be used are as follows:

USBL [sound pressure level - 193 200 dB re 1µPa@1m, operating frequency - 18 kHz 50 kHz];
SBP [sound pressure level - 180 dB re1µPa@1m, operating frequency - 100 Hz 300 kHz];
UHRS [sound pressure level 204 227dB re 1µPa @ 1m, operating frequency - 500 Hz 300 kHz];
MBES [sound pressure level - 225-245 dB re 1µPa@1m, operating frequency - 50 kHz 200 kHz]; and
SSS [sound pressure level - 220-226 dB re 1µPa@1m, operating frequency - 114 kHz 455 kHz].

Several different survey activities will be employed as part of the survey works, each with varying risk to protected species. They include:
- Survey vessels noise impacts from propellers, engines and propulsion activities and collision risk from increased vessel activity; and
- Survey equipment noise - operating in the range of 10 Hz to 10 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.

The following measures will aim to minimise the impact of the proposed geophysical and benthic surveys on megafauna:

- Deployment of a Marine Mammal Observer (MMO) to monitor the presence of cetaceans when utilising licensed equipment, prior to the commencement of operations;

- 500 m mitigation zone in which to monitor and survey for the presence of marine mammals (500 m around the vessel);

- If marine mammals have been observed inside the mitigation zone within 10 minutes of survey operations, the MMO will delay acoustic survey operations until at least 10 minutes after the last sighting within the mitigation zone;

- Reporting on cetacean sightings (species and number of individuals) and any impacts observed (from possible disturbance);

- Mitigation measures, such as passive acoustic measures (PAM), for SBP operations - for when MMO's cannot easily detect cetaceans e.g. during hours of darkness and/or periods of poor visibility, and/or during periods when the sea state is greater than Beaufort 3.

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 ODC Corridor Search Area is in close proximity to Turbot Bank Marine Protected Area (MPA).

The Developer is in contact with Marine Directorate - Licensing Operations Team (MD-LOT) through regular quarterly meetings and is in contact with NatureScot through the submission of a Notice of Intention to Carry Out an Exempted Activity for the benthic survey component of the survey campaign.

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
☐	☐	☐	☐	☑	USBL, SBP, UHRS, MBES and SSS	1 Oct 2024	1 Oct 2025
☐	☐	☐	☐	☐			
☐	☐	☐	☐	☐			
☐	☐	☐	☐	☐			
☐	☐	☐	☐	☐			

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 developer will be conducting geophysical, benthic ecology and geotechnical survey campaigns in 2024/25 to progress the Project's Environmental Impact Assessment (EIA) in addition to providing data for engineering purposes in the case of the geophysical survey. The aim of the survey campaign 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. Outputs from surveys will also inform the specification of the benthic survey over the North Sea Renewable Grid sites. Benthic (and intertidal) surveys over the Aspen Survey Area and ODC Corridor Search Area are estimated to be undertaken in autumn 2024/Winter 2025 (detailed in section 3(d)).

Four options are discussed below; this includes do-nothing, alternative location, equipment alternatives, and alternative coverage scenarios:

Consideration of Do-Nothing Approach: The first option is to not perform the proposed survey activity. However, there is a strong need for the offshore array areas and transmission pathways to be developed. To safely install the development, there is a requirement for data collection on physical and biological properties of the array areas and seabed along the proposed cabling routes. This data collection allows design of the pathways and array areas to consider impacts on biological receptors determined to be present, validates desk-based assessments, and informs the routes so that physical presence can be minimised. Doing nothing is not a feasible option if the project is to be progressed. The surveys are required to understand the seabed ecosystem. This is therefore not considered to be a viable alternative.

Consideration of Alternative Location: The second option is a shift in location of the proposed survey activity. The current proposed survey area takes a precautionary approach, encompassing a significantly broader area than will be required in the construction of the development. This design follows conversations with MD-LOT and follows the broad lease area set out in the Sectoral Marine Plan Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022), and therefore aims to reduce the number and frequency of survey applications or variations. The proposed area therefore accounts for possible variations in landfall sites. The final landfall sites are still under consideration, with surveys required before a final decision can be made. The surveys therefore cover a broad area and allow for the surveying of multiple potential landfall areas. Once survey data has been collected, it will be possible to select the corridor that has the lowest geotechnical risk, minimises disruption to local communities, and that has the lowest impact on land and marine protected areas. While this approach results in a greater area being surveyed, it also allows more comprehensive data collection prior to any construction, which in turn reduces the potential for impact or disruption to human and environmental receptors in future stages, including marine mammals, basking sharks, leatherback turtles and pinnipeds harbour and grey seals (please see the EPS risk assessment for more information).

Consideration of Alternatives to equipment: The best viable option is to carry out geophysical and benthic surveys 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 and the proposed equipment has been selected in order to produce the specific data required to inform on consent (e.g. A USBL system would be used to transmit acoustic pulses to a transponder with the return pulse then being detected by the shipboard transceiver which could cause disturbance to marine mammals.) While there are potentially different types of equipment that can be used, this is often constrained by the specific purpose of the survey that is being undertaken and in this instance the use of alternative equipment for all proposed equipment is deemed not be effective to meet the objectives of the survey. Therefore, there are no alternative options to the use of the equipment.

Consideration of Alternative coverage scenarios: For full coverage of the site and for a minimum detectable target size of 0.3 m, 150 m line spacing is proposed as part of the geophysical surveys. Alternative coverage scenarios have been considered (e.g. 200 m line spacing), with increased line spacing and therefore lower resolution. However, these scenarios are not considered to be a satisfactory alternative as they do not allow sufficient potential archaeological searches. 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 to examine potential archaeological impacts, thus increasing the overall number of days when the geophysical equipment is in use (and therefore involving more survey days when there could be a potential impact on marine mammals). 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 therefore these higher resolution surveys are required.

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 Planing Authority, Local Works Licence)	Date Applied for	Reference no.	Date of issue of licence / consent
Crown Estate Scotland General Marine Works Licence	18/09/2024	EI/0049	25/09/2024

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.

A Proposed Activity form was amended through the Marine Noise Registry on 26 September 2024 (reference number: AAN 3674). This form relates to the proposed equipment which fall into the operating frequency range of 10 Hz - 10 kHz.

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	☑
Completed Annex	☑
Map / Chart	☑
Correct co-ordinates	☑
Additional information / EPS risk assessment	☑

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		Date	27/09/2024
(The person named at part 1)			
Name in BLOCK LETTERS	Redacted		

Note – If signing on behalf of a company, please append you 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.

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 geophysical, geotechnical, and benthic surveys associated with the Proposed Development presents a temporary disturbance to a localised marine environment, these activities will facilitate 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.

The survey activities will inform the design and development of the proposed INTOG project and are necessary to understand the ecology and environment of the Aspen Array Area and ODC corridor. The Proposed Development provides a range of practical ways to support innovation, reduce North Sea carbon emissions, and encourage technical and commercial innovation in the offshore renewables market. These include environmental (reduced greenhouse gas emissions), social (creation of local blue economy jobs) and economic (reduced cost of energy generation and less reliance on energy sources from overseas) benefits.

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

The Proposed Development offers the deployment of proven technologies in a location with a recognised wind resource 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 Proposed Development will benefit the public socioeconomically through financial support to the supply chain, significant contribution towards national climate change policies and delivery of multi-billion-pound investments and jobs locally.

A key benefit of the INTOG process is the decarbonisation of existing and new oil and gas producing assets in the Central North Sea. By enabling the assets to operate from electricity rather than burning gas there is a significant carbon reduction benefit to Scotland. The Proposed Development will therefore serve public interest by reducing greenhouse gas emissions by providing a minimum of 600 MW of green electricity generation, in line with the North Sea Transmission Deal.

Additionally the Proposed Development responds to the need to limit global warming and climate change effects, as recognised in the Scottish Government's Climate Change (Scotland) Act 2009.

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.

The proposed surveys are also required to understand environmental receptors and enable an effective and proportionate EIA.

Should the survey activies not proceed, the construction of the Proposed Development will not be possible, and the benefits described above would not materialise.

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

The proposed activities are required to develop the Proposed Development. The Proposed Development supports and is in line with the following policies:

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).

The NSRG also supports the Scottish Government's 'A Blue Economy Vision for Scotland" (2022: ministerial foreword) that views our seas as critical in the endeavour to "create and maintain economic prosperity for the nation, especially in our remote, coastal and island communities."

As the UK follows policies to meet its national and international commitments to greenhouse gas reduction, the Proposed Development will provide additional support to the UK government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

This Proposed Development is also in line with the Scottish National Marine Plan objectives (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.

The proposal will enact part of the UK Government's North Sea Transition Deal (2023) that recognises that the oil and gas industry will have a critical role in maintaining the UK's energy security through the UK's transition to net zero carbon by 2050.

The Scottish Government's Offshore Wind Policy Statement (2023) aims to generate 11 GW of clean electricity through offshore wind projects by 2030, which is in line with the UK Government's Industrial Strategy and the Offshore Wind Sector Deal (2019) to generate 40 GB, on a UK wide basis, by 2030.

The Proposed Development will also contribute towards the Scottish Government's Sectoral Marine Plan for Offshore Wind for Innovation and Targeted Oil and Gas Decarbonisation (2022) targets.

While not providing a statutory role, this Proposed Development provides an important infrastructure provision role to meet UK policy 2050 targets for net zero, and the Scottish Government's Climate Change (Scotland) Act 2009 as well as Scottish Government net zero targets for 2045 and the proposed surveys will facilitate the development of the Proposed Development.

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.