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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

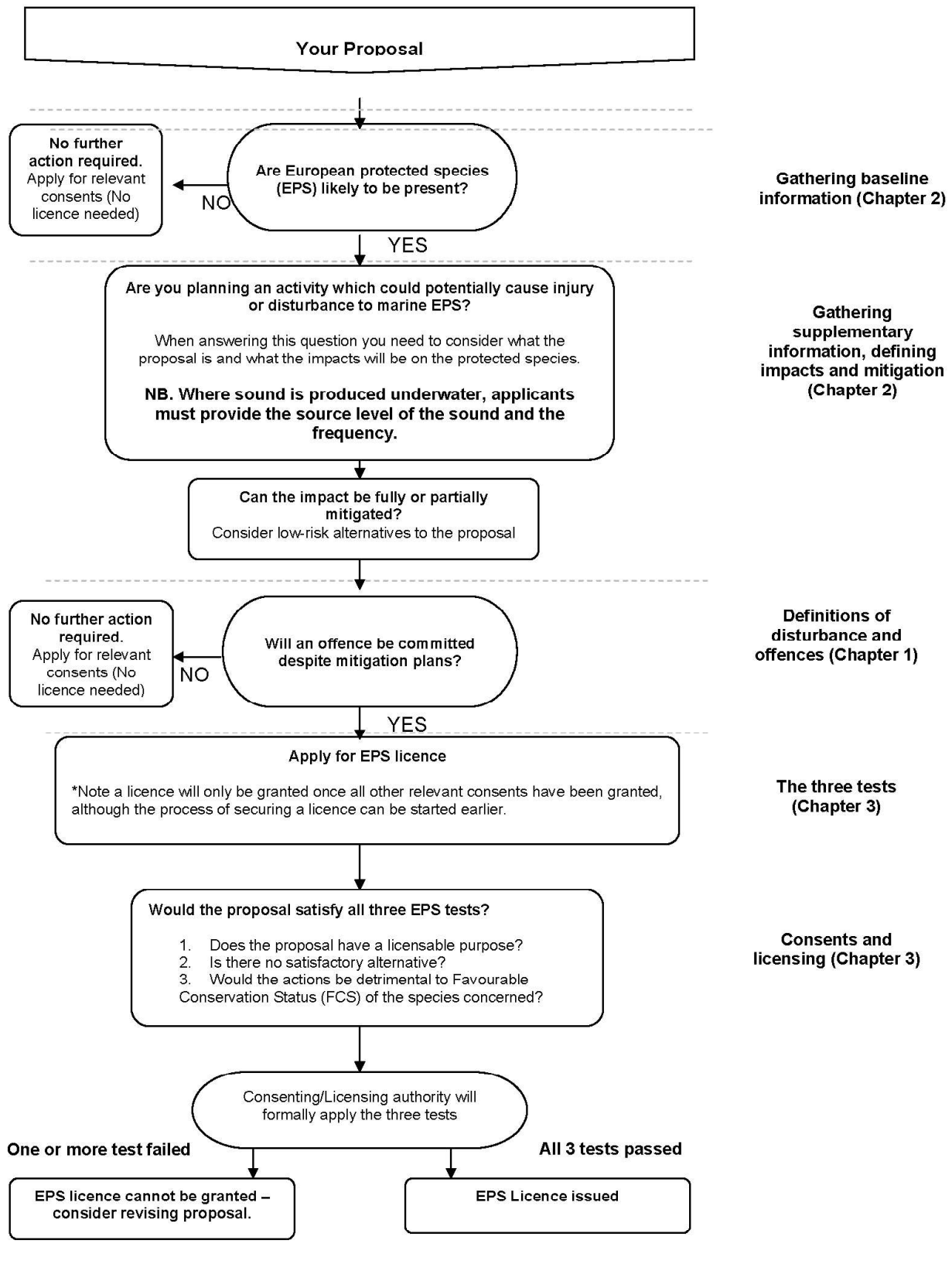
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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):	Harbour porpoise White-beaked dolphin Atlantic white-sided dolphin Risso's dolphin Minke whale Killer whale
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Scientific name(s)	Phocoena phocoena Lagenorhynchus albirostris Lagenorhynchus acutus Grampus griseus Balaenoptera acutrostrata Orcinus orca
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(b) How many individual animals will be affected by licensed work?

Injury - 0 Disturbance - It is estimated that the total number of individuals disturbed will be minimal due to the transient nature of the animals and brief nature of the cable installation activities. Please refer to Appendix A: Noise Impact Assessment within Xodus Document Reference: A-200758-S00-A-REPT-002: Mossbank - Yell Emergency Emergency Cable Replacement Marine Environmental Appraisal.

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

There is no potential for injury and very limited potential for disturbance to cetaceans in the vicinity of the cable installation activities. Predicted numbers of animals to be disturbed has been estimated through sound propagation modelling based on source levels of exemplar geophysical survey equipment which operate at frequencies within marine mammal hearing ranges and source pressure levels may pose a risk of injury or disturbance (i.e. ultra-short baseline transponder). For detailed methodology please refer to Appendix A: Noise Impact Assessment within Xodus Document Reference: A-200758-S00-A-REPT-002: Mossbank - Yell Emergency Emergency Cable Replacement Marine Environmental Appraisal.

(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.

See Appended Table

LATITUDE								LONGITUDE							
		°			.		'N				°			.	'W
		°			.		'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

Scottish Hydro Electric Power Distribution plc (SHEPD) intend to carry out cable replacement for the existing Mossbank to Yell subsea power cable which faulted in May 2024. The proposed cable replacement will involve the construction of a new 33 kV (kilovolt) subsea cable and associated cable protection and the removal of sections of the existing faulted cable, where required. It will be constructed in the proximity of the existing faulted cable in the Yell Sound between the landfalls at Mossbank (Mainland Shetland) and Hoga (Yell).

SHEPD is seeking an EPS licence to enable them to carry out the following cable installation activities:
-Ultra Short Baseline (USBL) positioning.

Acoustic energy emitted from vessels is strongest at frequencies < 1 kHz. The acoustic source levels from vessels typically increase with size:
- 160 – 175 dB re 1µPa (rms) from a small vessel (<50 m length); and
- 165 – 185 dB re 1µPa (rms) for a medium sized vessel (50 m - 100 m length).

The source levels and associated frequency for the equipment use during cable installation / survey activities are:
-USBL: source level will be maximum of 207 dB re 1µPa (peak), with a source frequency between 24 - 33.5 kHz.

Please refer to Sections 1: Introduction, Section 3: Project Description and Appendix A: Noise Impact Assessment within Xodus Document Reference: A-200758-S00-A-REPT-002: Mossbank - Yell Emergency Emergency Cable Replacement Marine Environmental Appraisal.

- (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.

All vessels will adhere to the provisions of the Scottish Marine Wildlife Watching Code to minimise disturbance. The cable installation vessels will be travelling at a slow speed to minimise the risk of injury and disturbance to EPS.

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.

A Designated Sites impact assessment has been carried out within Section 5 of Xodus Document Reference: A-200758-S00-A-REPT-002: Mossbank - Yell Emergency Emergency Cable Replacement Marine Environmental Appraisal.

In summary, the proposed installation corridor overlaps with the Yell Sound Coast SAC designated for marine mammal features (Harbour seal (*Phoca vitulina*), otter (*Lutra lutra*)); the Yell Sound Coast SSSI, designated for mammal features (Otter (*Lutra lutra*)); and the East Mainland Coast, Shetland SPA designated for ornithological features (Great northern diver (*Gavia immer*), red-throated diver (*Gavia stellata*) and Slavonian grebe (*Podiceps auritus*)).

Due to the proximity of the designated sites to the proposed cable corridor, SHEPD recognises there is a potential for the proposed cable installation activities to result in adverse impacts on the qualifying and interest features associated with these sites. However, the assessment found that there is no potential for injury or significant disturbance to the qualifying features of these sites, including cetaceans or other protected species in the vicinity of the proposed surveys and calibration test activities; hence, the conservation status of the protected sites will not be compromised.

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"/>	USBL	23/05/2025 30/11/2026
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

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 following options have been considered in order to restore grid supply to Yell and Unst, and Fetlar:

Option 1: Do Nothing. This was discounted as a viable option due to customers on three of the Northern Shetland Isles will be reduced to single cable supply. Should this single cable fail there will be no supply to the Islands of Yell, Unst and Fetlar, until a suitable number and size of generators can be located on the islands. This option would not support SHEPD's island decarbonisation ambitions and would produce a significant increase in carbon output whilst also reducing the network security for these customers.

Option 2: Piece In Repair. This option has been discounted due to historic survey information which highlights the poor condition of the faulted cable, including outer coating damage and armour corrosion throughout the length of the cable. In addition, lifting the cable in its current condition to facilitate the repair may cause further damage which could lead to further faulting. Multiple points of damage were noted on the cable in the routine 2022 inspection, with 40% of the cable unseen which could have further damage. Covered sections would likely require intervention and de-burial resulting in additional detrimental impact to the marine environment.

Option 3: Lay New Shore End (Traditional). This option has been discounted for similar reasons as Option 2. The cable would have to be cut and lifted on to a vessel for jointing which heavily relies on the cable being of good condition to joint and manoeuvre. Fault located mid channel circa 2.6km from Mossbank. Given existing cable damage locations likely to require circa 40 – 50% of the cable to be replaced to remove damage and fault and increase repair success rate. The cable is likely to remain at an unacceptable Health Index 5 following repair.

Option 4: End-to-End Replacement. This is the preferred option to be carried forward. This option involves carrying out a full end-to-end cable replacement / installation. Stock 33 kV cable will be installed from a suitable Cable Lay Vessel (CLV) and connected into Transition Joint Pits (TJPs) at both shore ends. The cable will then tie into the existing overhead line (OHL) networks at each landfall via short sections of underground cable. This option has been determined to be the most cost-effective solution in this situation, despite the expectation that it will be more expensive than a cable repair. This is due to the current condition of the existing cable and the likelihood of success of a repair being low. There is a high probability that even if a repair is successful, a failure may occur within the next three to five years. This will incur further repair or replacement costs, meaning the overall cost of rectifying the issue for the long term is higher. It has been determined that it will be more beneficial to invest in a full cable replacement that is likely to operate for a minimum 25 years. There is also the added advantage of being a more robust solution as no new subsea joints are introduced into the system. This option will improve the security of supply to the customers on Yell, Unst and Fetlar.

Option 5: Replacement by Horizontal Directional Drill (HDD). A duct is drilled under the seabed between shore ends. The cable is pulled through the duct and connected into TJPs at each shore end. This option has been discounted due to operational feasibility. Maximum installation length of power cable estimated to be limited to ~1.4 km. As the cable route is greater than 3 km, this option is unfeasible. There is also significant potential risk with this option, including unknown ground conditions and stability of sediment once drilling commences.

Decommissioning of the OoS cables. Decommissioning and removal of the faulted cable was considered, however, due to the poor physical condition of the cable within the subtidal area it will remain in situ. A section of the faulted cable at the Yell landfall may be required to be removed to facilitate installation of the replacement cable within the intertidal area. Where a cable is in poor condition, cable recovery operations are very difficult due to a lack of mechanical strength and coiling ability. To manage any potential navigation hazard from the old cable, periodic inspections are required to ensure the cable does not pose a risk to environmental receptors or other legitimate users of the sea. Further detail on decommissioning requirements and measures can be found in the OIMD Strategy provided with the application.

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
Marine Licence	Same as EPS Licence	Pending	Pending
Shetland Islands Council Works Licence	Same as EPS Licence	Pending	Pending

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.

The Project will not use explosives, piling, acoustic deterrent devices, or equipment operating in the range of 10 Hz to 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	<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

[Redacted]

Date 29th January 2025

(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.

The cable replacement will provide long-term social, economic and environmental benefits to the customers on Yell, Unst and Fetlar

The installation of the new cable is required to replace the existing faulted cable and restore connection to the power distribution network providing supply to the community on Yell, Unst and Fetlar. It has been determined that it will be more beneficial to invest in a full cable replacement that is likely to operate for a minimum 25 years. This is also considered the most cost-effective solution in this situation. This option will improve the security of supply to the customers on Yell, Unst and Fetlar.

Mobile diesel generation is currently mobilised to provide contingency power supply to customers. If this situation were to continue, this could produce a significant increase in carbon output whilst also reducing the network security for the customers on Yell, Unst and Fetlar.

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

The cable replacement will address the need to re-establish the connection to the power distribution network providing supply to the communities of Yell, Unst and Fetlar. The residents of Yell, Unst and Fetlar will therefore benefit from the proposed installation activities.

Why is it imperative the proposed activity goes ahead?

This application covers the proposed installation works (i.e. USBL use during installation).

As described in Section 7: Satisfactory alternatives and this Annex B, SHEPD has considered a 'Do Nothing' approach with regard to the cable replacement and the use of USBL. It was concluded that not using the USBL would limit the data collected and therefore would not provide sufficient resolution for the purposes of cable installation. Thus, the use of USBL is necessary for monitoring during installation.

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

SHEPD holds a licence under the Electricity Act 1989 for the distribution of electricity in the north of Scotland including the Islands. It has a statutory duty to provide an economic and efficient system for the distribution of electricity and to ensure that its assets are maintained to ensure a safe, secure and reliable supply to customers.

Please see Section 2: Legislative Context of Xodus Reference Document -200758-S00-A-REPT-002 Mossbank-Yell Emergency Cable Replacement Marine Environmental Appraisal for full policy consideration.

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.

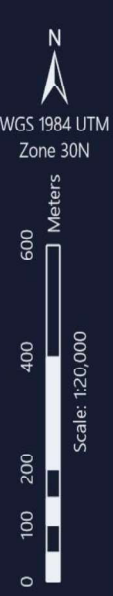
Annex D

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.

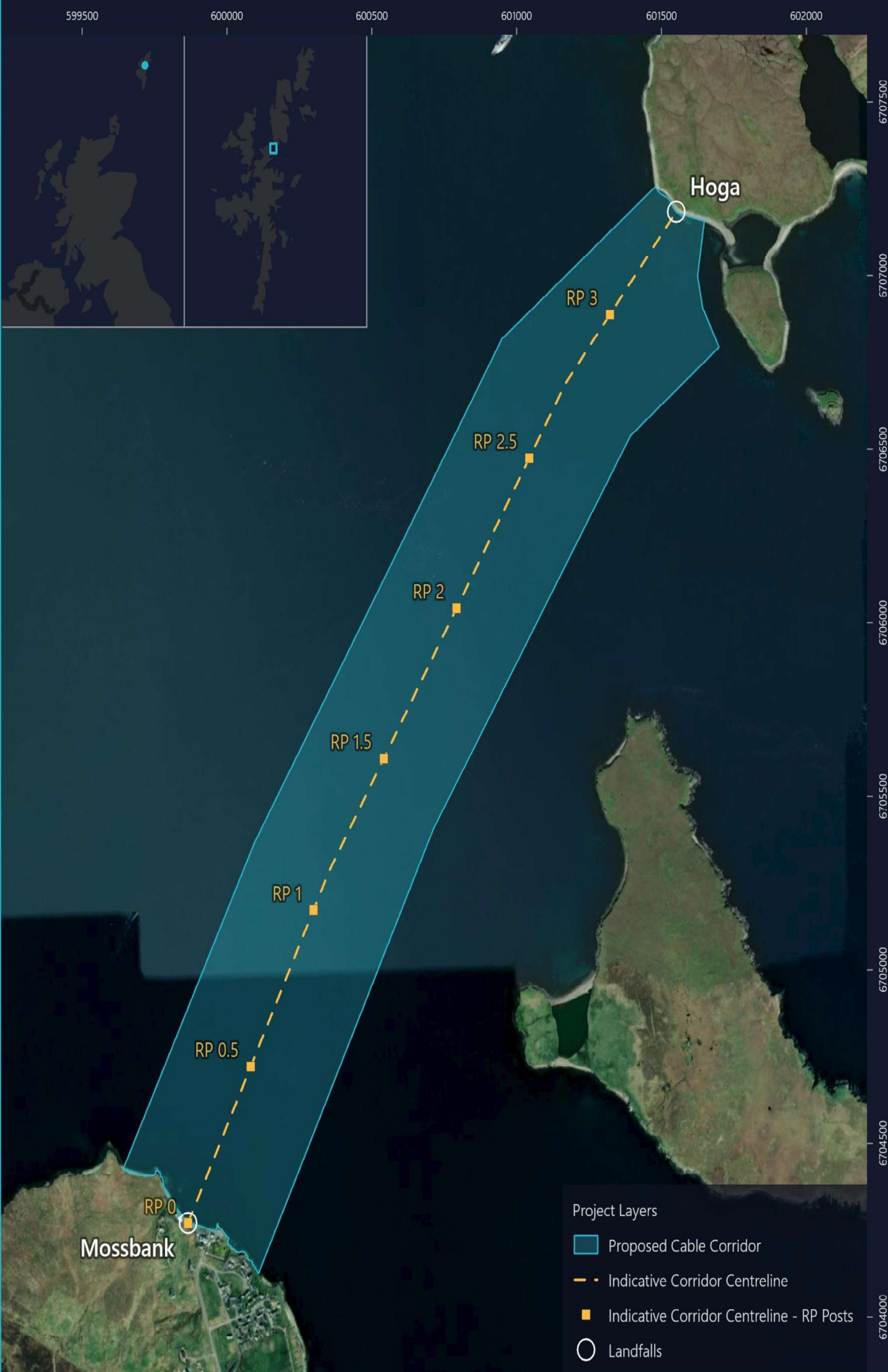
Please complete all questions

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.

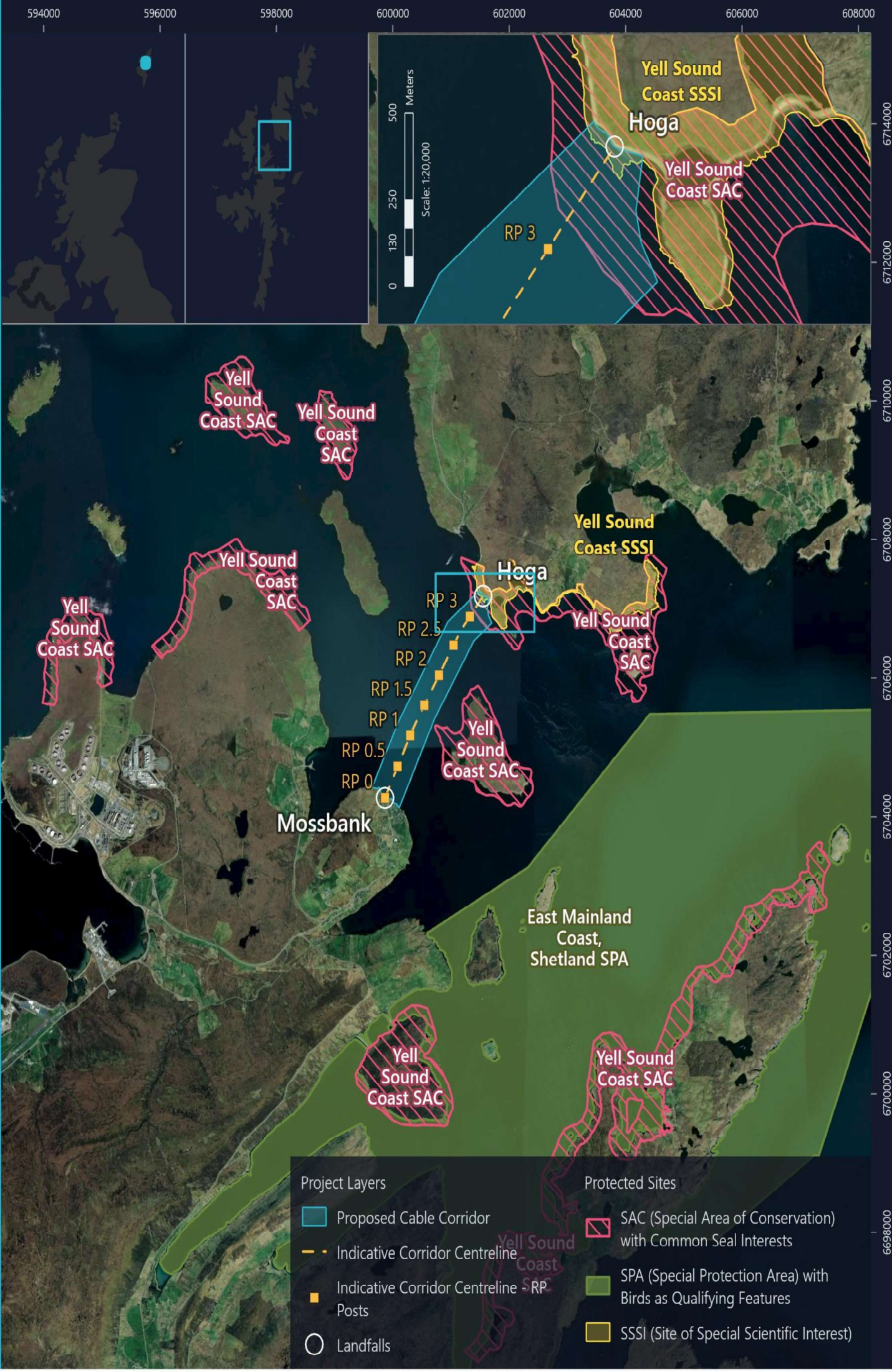


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N
 WGS 1984 UTM
 Zone 30N
 0 500 1000 2,000 3,000 Meters
 Scale: 1:100,000

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- | Project Layers | | Protected Sites | |
|----------------|---|-----------------|---|
| | Proposed Cable Corridor | | SAC (Special Area of Conservation) with Common Seal Interests |
| | Indicative Corridor Centreline | | SPA (Special Protection Area) with Birds as Qualifying Features |
| | Indicative Corridor Centreline - RP Posts | | SSSI (Site of Special Scientific Interest) |
| | Landfalls | | |

Table 1 Mossbank - Yell Emergency Cable Replacement coordinates for the proposed cable corridor (MHWS to MHWS) (WGS84) in Degrees, Minutes and Seconds (DMS), Degrees and Decimal Minutes (DDM) and Decimal Degrees (DD).

LATITUDE DMS	LONGITUDE DMS	LATITUDE DDM	LONGITUDE DDM	LATITUDE DD	LONGITUDE DD
60° 29' 19" N	1° 9' 11" W	60° 29.319' N	1° 9.191' W	60.488643	-1.15319
60° 29' 18" N	1° 9' 8" W	60° 29.298' N	1° 9.140' W	60.488296	-1.152325
60° 29' 16" N	1° 9' 6" W	60° 29.275' N	1° 9.094' W	60.487913	-1.151569
60° 29' 16" N	1° 9' 1" W	60° 29.263' N	1° 9.010' W	60.487721	-1.150165
60° 29' 11" N	1° 9' 2" W	60° 29.178' N	1° 9.040' W	60.486299	-1.150671
60° 29' 8" N	1° 9' 1" W	60° 29.129' N	1° 9.024' W	60.485481	-1.150406
60° 29' 4" N	1° 8' 58" W	60° 29.066' N	1° 8.966' W	60.484437	-1.149431
60° 28' 56" N	1° 9' 18" W	60° 28.934' N	1° 9.307' W	60.48223	-1.155113
60° 28' 20" N	1° 10' 5" W	60° 28.334' N	1° 10.084' W	60.472236	-1.168061
60° 27' 39" N	1° 10' 47" W	60° 27.654' N	1° 10.781' W	60.460893	-1.179681
60° 27' 43" N	1° 10' 56" W	60° 27.715' N	1° 10.927' W	60.461912	-1.182117
60° 27' 43" N	1° 11' 2" W	60° 27.723' N	1° 11.021' W	60.462055	-1.183688
60° 27' 45" N	1° 11' 6" W	60° 27.755' N	1° 11.098' W	60.46259	-1.184972
60° 27' 49" N	1° 11' 9" W	60° 27.810' N	1° 11.142' W	60.463493	-1.185702
60° 27' 48" N	1° 11' 11" W	60° 27.803' N	1° 11.175' W	60.463382	-1.186253
60° 27' 49" N	1° 11' 17" W	60° 27.823' N	1° 11.281' W	60.463714	-1.188009
60° 28' 19" N	1° 10' 47" W	60° 28.321' N	1° 10.759' W	60.472018	-1.179324
60° 29' 5" N	1° 9' 47" W	60° 29.090' N	1° 9.783' W	60.484835	-1.163052
60° 29' 19" N	1° 9' 11" W	60° 29.319' N	1° 9.191' W	60.488643	-1.15319

For the avoidance of doubt, the landward boundaries of the cable corridor covered by this application are MHWS. The landfall boundaries defined by the coordinates should be considered approximations, due to the requirement to limit the number of vertices.