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(Please note, this line is not active during COVID-19)

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

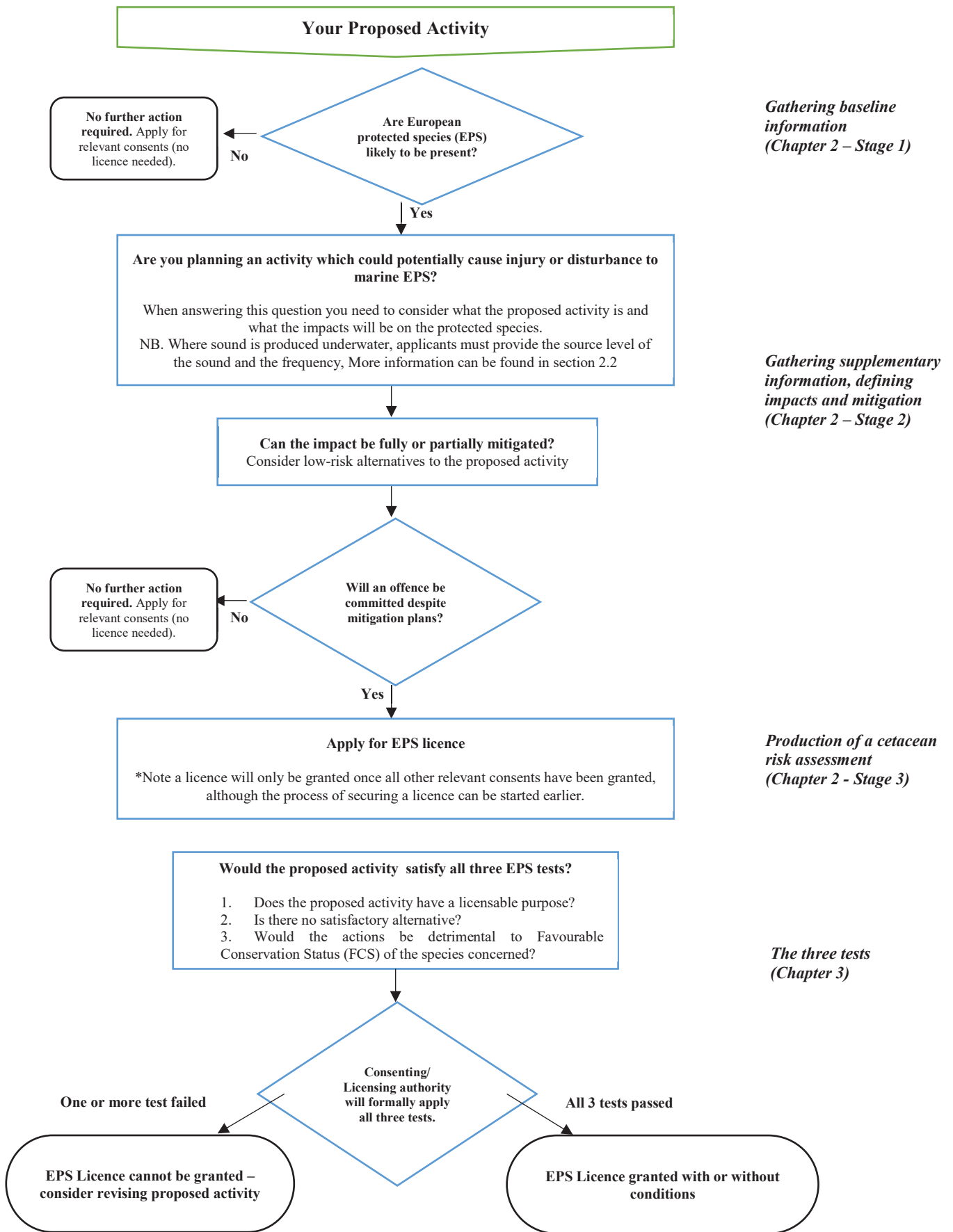
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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) via email: ms.marinelicensing@gov.scot

Flowchart showing the decision-making process
Please refer to the relevant chapter of the guidance



Gathering baseline information (Chapter 2 – Stage 1)

Gathering supplementary information, defining impacts and mitigation (Chapter 2 – Stage 2)

Production of a cetacean risk assessment (Chapter 2 - Stage 3)

The three tests (Chapter 3)

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 NatureScot (NatureScot Licensing, Great Glen House, Leachkin Road, Inverness IV3 8NW, Telephone 01463 725000, email licensing@nature.scot or visit [their website](#)) for a licence application for these purposes. NatureScot 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 NatureScot, 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/>

Part D

Section 10 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 NatureScot is the licensing authority, please contact your local office of NatureScot.

Licensing Operations Team
Marine Scotland
375 Victoria Road
Aberdeen
AB11 9DB

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): Cetacean species likely to be present around the Hebridean coast, which may include:
Harbour porpoise
Minke whale
Common or Striped dolphin

Scientific name(s) Phocoena phocoena
Balaenoptera acutorostrata
Delphinus delphis, Stenella coeruleoalba

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

It is anticipated that a small number of individuals may potentially be affected by the survey activity; less than 2 Harbour porpoise, and less than 1 Minke whale, Common or Striped dolphin (based on density estimates for SCANS III Block I).

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

The estimated number of marine mammals that could be affected by the activity has been derived from SCANS III (Hammond et al. 2017). Data from the survey has been used to identify species which may be present in the area of the activity and estimated animal density in the region (SCANS III Block I). The estimated number of individuals affected has been calculated from animal density and area of the predicted disturbance zone. Full details are provided in the accompanying Risk Assessment.

Land area has not been subtracted from the calculation.

The assessment does not include the context in terms of short duration of the activity and potential effect; effect on any marine mammals will only be temporary and any marine mammals disturbed from the area would return after cessation of activity. Context in terms of background noise in the area is also not included; the proposed survey area is adjacent to an active port area and navigation channel, where sound associated with shipping activity etc is an established feature.

(c) **Location of proposed licensed action**

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary.

LATITUDE										LONGITUDE										
5	7	°	2	2	.	6	5	0	'N	0	0	7	°	1	4	.	3	0	7	'W
5	7	°	2	2	.	6	4	3	'N	0	0	7	°	1	4	.	4	4	3	'W
5	7	°	2	2	.	6	8	1	'N	0	0	7	°	1	4	.	6	9	4	'W
5	7	°	2	2	.	8	1	4	'N	0	0	7	°	1	5	.	0	4	7	'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

Survey work to locate a section of sub-sea cable is proposed, using Sub-Bottom Profiling (SBP) equipment operating at a frequency of 8 - 15 kHz.
Primary Source Level >238dB uPa re -1m

Survey work is anticipated to take 1-2 days (<12hrs per day, daylight operations only) and will be conducted from a small workboat.

- (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 duration of the survey work will be short (1-2 days), and limited to the minimum time necessary to locate the target sub-sea cable.

A trained Marine Mammal Observer (MMO) will be on board the survey vessel, and SBP activity will be postponed for 20 minutes from last sighting should a cetacean be observed within a 500m mitigation zone around the vessel.

To minimise the potential for any cetaceans to be directed inshore by the activity, survey work will be completed in a shore-outwards fashion.

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 NatureScot website <https://sitelink.nature.scot/home> or from your local NatureScot 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 survey area is not located within a designated area for EPS; the nearest designated area is the Inner Hebrides & The Minches SAC (designated for Harbour porpoise), some ~2.75km to the east. Consultation has been undertaken with NatureScot (underwater noise specialist Dr C Carter and aquaculture specialist L Wright), copy of feedback as attached.

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)					Method to be used, (e.g. piling)	Time period	
Capture	Kill (exceptional circumstances only)	Injure	Transport	Disturb/ Harass		From	To
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SBP survey	Est 2-day survey	
<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 Annex D

(e) If you wish to use acoustic deterrent devices to protect fish farm sites in Scottish waters, you must also complete Annex E.

Complete Annex E

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'**. Please continue on a separate sheet if necessary.

Alternative siting of activity:

The location this application relates to is an existing subsea cable (fibre communications cable, BT Highlands & Islands Segment 115). The proposed survey work is to ascertain the exact location of the cable, following its installation in 2014. This is to prevent potential damage to the cable associated with proposed marine farm development in the vicinity. Development of marine farm facilities takes into account many factors including hydrographic suitability, fish health management, environmental interactions and other marine users. Alternative siting has been considered in the site development process to date, with the given location being selected on the basis of the aforementioned factors, and being in an area used for marine farming for many years. The cable is already in-situ, and the location proposed for survey is out-with areas designated for cetacean conservation. As such, alternative siting for the activity has not been considered further.

Alternative methods for carrying out the work:

Visual survey methods have been considered, however due to the installation method of the cable, reported to be buried at 0.6 - 1.0m at the survey location, surface observations are not appropriate. The SBP survey method is proposed as a reliable and rapid way to locate the cable position.

Alternative dates/timings:

The proposed survey work will be short in duration, anticipated to take 1-2 days to complete. This is proposed to take place in summer 2022. This timing is suggested as calm weather is needed to successfully and efficiently complete the SBP survey. Operating in a less favourable season could result in a longer period to complete the works. During the survey a Marine Mammal Observer will be present on the survey vessel, and SBP activity will be ceased should cetaceans be sighted within the 500m mitigation zone. This will ensure flexibility in terms of survey activity timing, and minimise the risk of activity coinciding with cetacean presence in the area.

'Do nothing' approach:

By not completing the proposed survey, the as-laid location of the subsea fibre communications cable will not be accurately determined. This would mean that the proposed marine farm development could not be progressed without undue risk to the cable. This risk would be in terms of potential direct damage from installation of moorings or disruption of future cable maintenance / repair as working space could be constrained by mooring equipment. This could have a significant impact on cable functionality, and therefore it is considered preferable to complete a short-duration survey to ascertain the accurate cable location so risk of this may be avoided.

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
n/a - subsea cable owned by BT			

9. Noise Monitoring

Please indicate if any of the following noise generating activities will be taking place during the operations:

- | | |
|---|-------------------------------------|
| Use of explosives | <input type="checkbox"/> |
| Piling | <input type="checkbox"/> |
| Use of Acoustic Deterrent Devices | <input type="checkbox"/> |
| Survey equipment operating in the range 10 Hz – 10kHz | <input checked="" type="checkbox"/> |

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.

Loch Duart Ltd

EPS licence applications will not be accepted until this form has been completed and submitted.

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

10. 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, 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 03/08/2022

(The person named at part 1)

Name in BLOCK
LETTERS

SONJA BROWN, LOCH DUART LTD

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
Version 3.0 October 2020



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 proposed activity will accurately determine the location of BT Highlands & Islands subsea fibre cable Segment 115 along a short run (approximately 800m) at Bagh nam Faollean (South Ford), between South Uist and Benbecula. While the cable location is noted on charts, this represents the location at installation in 2014 and the position may have altered over time. The charted location indicates separation between the cable route and a proposed marine farm development, however the cable position needs to be confirmed.

The benefits of the proposed activity are to ensure no risk to cable integrity while allowing the proposed marine farm development to progress taking into account the confirmed cable location. These benefits are considered to be primarily social and economic, ensuring no risk to an essential communication link while facilitating aquaculture development which is a key source of year-round of employment and skills investment in the region with associated links into the local economy and community. Environmental benefit may also be achieved, with successful progression of the proposed marine farm development allowing relinquishment of historic farm sites in lower-energy locations; this would positively impact food production efficiency through factors such as optimal fish-rearing conditions, and reduce the intensity of permitted localised seabed impacts at a more energetic location.

The above benefits are considered long-term, in line with lifespan of the communication link and established marine farm operations.

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

Public interest will be served in terms of safeguarding communication links and local employment. Those that benefit from the activity will be local communities, primarily through employment and skills development offered by ongoing marine farm activity, and significant input into the local economy from the aquaculture sector.

The proposed activity addresses a need identified through expert advice received from the cable owners BT and their contractor Red Penguin Marine Ltd. The survey proposal has been compiled by experts Briggs Marine Ltd, who are experienced in designing and undertaking geophysical survey work to locate subsea cables such as Highland & Island Segment 115, and the survey proposal has been reviewed by BT and Red Penguin Marine Ltd to confirm appropriate methodology to address the identified need.

Why is it imperative the proposed activity goes ahead?

The proposed survey will accurately identify the location of BT Highlands & Islands subsea fibre cable Segment 115 within the area stated above. This will allow proposed marine farm developments to be adapted so as to avoid the risk of interaction between installations / activity and the subsea cable.

As above, it is considered that the proposed activity is justified on the basis of social and economic benefit achieved by accurately defining the location of the subsea cable to avoid risk to its integrity while allowing marine farm development to progress in support of the local economy and community.

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

Output of the proposed activity i.e. progression of marine farm development is aligned to the vision and policies laid out in Scotland's National Marine Plan, being of economic benefit to the Scottish community (policy GEN 2), and providing social benefit (policy GEN 3) through skilled employment opportunities, training opportunities, and contribution to maintaining population levels in a remote rural area.

The proposed development location is also aligned to sector-specific policies, being in a suitable location with regards to nutrient status of waterbodies (policy AQ 3; located out-with a Category 1 or 2 area) and aquaculture-animal health management (policy AQ 6; located within DMA 7a). Equipment design and layout will into account seascape and visual amenity considerations (policies GEN 7 & AQ 5; equipment muted in colour & with a vessel-like feed barge design) and be suitable for site environmental conditions (policy AQ 11; manufacturer assessments undertaken). Biological health-control methods will also be utilised (policy AQ 12).

No statutory role is being fulfilled by Loch Duart Ltd as applicant for EPS License, however the proposed activity subject of the application (SBP cable survey) would contribute to the statutory consultation process necessary for all marine farm developments.

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.

Annex E

Only to be completed if you intend to operate ADDs at marine fish farm sites in Scotland

Please complete a copy of this annex for each individual site included on your application

Please complete all questions

Site name and ID (FS number)

Device Type 1

Device Details

Device name (and version if relevant)

Number of devices proposed

Source level of device (rms and SPLpeak)

Typical frequency content

Please give details of the proposed duty cycle (or available settings) including the system duty cycle

Duration of use of device (e.g. hours per 24 hour period)

Time of use (e.g. particular time of day or time of year)

If multiple devices of this type are to be used, please give details of numbers to be deployed and locations in relation to the site.

Management of ADD Use

Please give details of the cues/triggers and the decision process to activate ADDs. These cues / triggers should be specific and measurable and should relate to predation events by seals rather than presence of seals in the area.

Give details of how ADD use is to be reviewed

Give details of criteria for deactivation or removal of ADDs (including if they appear to be ineffective)

Give details of ADD deployment plans and any relevant planning conditions relating to ADD use

Device type 2

Device details

Device name (and version if relevant)

Number of devices proposed

Source level of device (rms and SPLpeak)

Typical frequency content

How is the device triggered (please state if the device operates constantly or if there is no triggering method)

Please give details of the proposed duty cycle (or available settings) including the system duty cycle

Duration of use of device (e.g. hours per 24 hour period)

Time of use (e.g particular time of day or time of year)

If multiple devices of this type are to be used, please give details of numbers to be deployed and locations in relation to the site.

Management of ADD Use

Please give details of the cues/triggers and the decision process to activate ADDs. These cues / triggers should be specific and measurable and should relate to predation events by seals rather than presence of seals in the area.

Give details of how ADD use is to be reviewed

Give details of criteria for deactivation or removal of ADDs (including if they appear to be ineffective)

Give details of ADD deployment plans and any relevant planning conditions relating to ADD use

Device type 3

Device Details

Device name (and version if relevant)

Number of devices proposed

Source level of device (rms and SPLpeak)

Typical frequency content

How is the device triggered (please state if the device operates constantly or if there is no triggering method)

Please give details of the proposed duty cycle (or available settings) including the system duty cycle

Duration of use of device (e.g. hours per 24 hour period)

Time of use (e.g particular time of day or time of year)

If multiple devices of this type are to be used, please give details of numbers to be deployed and locations in relation to the site.

Management of ADD Use

Please give details of the cues/triggers and the decision process to activate ADDs. These cues / triggers should be specific and measurable and should relate to predation events by seals rather than presence of seals in the area.

Give details of how ADD use is to be reviewed

Give details of criteria for deactivation or removal of ADDs (including if they appear to be ineffective)

Give details of ADD deployment plans and any relevant planning conditions relating to ADD use

Please use additional sheets for further device types