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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

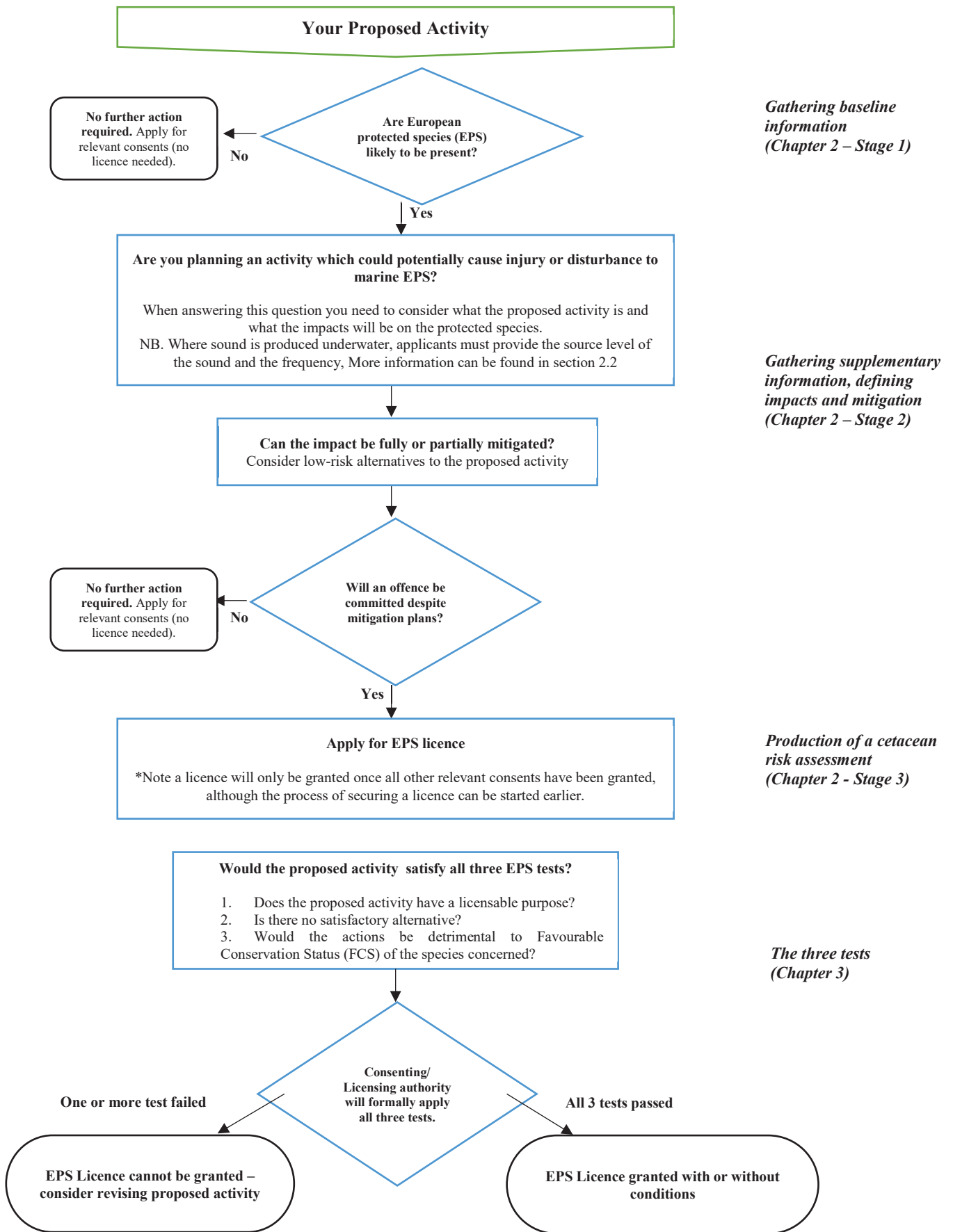
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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): Atlantic white-sided dolphin, Bottlenose dolphin, Harbour porpoise, Minke whale, White-beaked dolphin

Scientific name(s) Lagenorhynchus acutus, Tursiops truncatus, Phocoena phocoena, Balaenoptera acutorostrata, Lagenorhynchus albirostris

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

Up to seven harbour porpoise and up to three white-beaked dolphin have the potential to be disturbed by the Licensable Operations (worst case - USBL), equivalent to 0.002% of the North Sea MU and 0.006% of the Celtic and Greater North Seas MU, respectively.

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

The noise modelling report calculated and presented radii of effect for PTS, TTS and disturbance for each species and for each piece of geophysical equipment. These radii were used to calculate area of sea affected. The number of animals affected was calculated by multiplying the density of animals (as per SCANS III (Hammond et al., 2021)) by the area of sea affected. The percentage of the Management Unit population was calculated by dividing the number of animals affected by the relevant Management Unit abundance (IAMMWG, 2021) and multiplying by 100.
 Harbour porpoise: Density - 0.599; Management unit - 346,601 individuals; Radii of disturbance for USBL - 1.93 km
 White-beaked dolphin: Density - 0.243; Management unit - 34,025 individuals; Radii of disturbance for USBL - 1.93 km
 See EPS Licence Supporting Information document accompanying this application for further details.

(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							
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W
		°		.			'N			°		.			'W

Please see table below:

Latitude (WGS84) DMS	Longitude (WGS84) DMS
56° 56' 30.118" N	1° 5' 20.774" W
56° 54' 37.097" N	0° 43' 48.553" W
56° 50' 49.506" N	0° 49' 27.369" W
56° 53' 4.301" N	1° 4' 54.969" W
56° 50' 37.491" N	1° 34' 20.644" W
56° 46' 3.691" N	1° 56' 10.265" W
56° 37' 0.949" N	2° 11' 49.780" W
56° 22' 8.418" N	2° 17' 7.039" W
56° 16' 40.801" N	2° 22' 39.560" W
56° 6' 52.144" N	2° 42' 52.762" W
56° 4' 49.055" N	2° 56' 11.328" W
56° 17' 33.806" N	2° 29' 30.881" W
56° 21' 57.323" N	2° 23' 53.126" W
56° 36' 55.641" N	2° 26' 57.179" W
56° 43' 1.137" N	2° 18' 31.768" W
56° 49' 16.025" N	1° 56' 15.819" W
56° 48' 55.952" N	2° 19' 3.394" W
56° 54' 32.856" N	2° 13' 47.658" W
56° 53' 11.694" N	1° 39' 48.720" W
56° 30' 41.379" N	0° 24' 44.504" W
56° 32' 18.480" N	0° 10' 32.041" W
56° 30' 25.873" N	0° 11' 5.525" W
56° 8' 33.890" N	0° 58' 14.390" W
56° 7' 7.806" N	1° 5' 14.142" W
55° 54' 30.300" N	1° 35' 33.022" W
55° 57' 7.813" N	2° 8' 55.107" W
56° 4' 13.505" N	2° 36' 0.494" W
56° 2' 49.177" N	2° 48' 39.045" W
55° 58' 48.464" N	2° 51' 53.446" W
55° 57' 32.383" N	2° 57' 23.531" W
56° 8' 36.690" N	2° 27' 51.156" W
56° 9' 8.165" N	2° 4' 29.895" W
55° 58' 21.448" N	1° 37' 13.218" W
55° 57' 1.659" N	1° 37' 13.318" W
55° 58' 0.854" N	1° 33' 54.875" W
56° 1' 53.862" N	1° 26' 7.954" W
56° 3' 42.037" N	1° 23' 26.144" W
56° 11' 18.893" N	1° 4' 25.998" W
56° 12' 8.103" N	1° 0' 25.750" W
56° 27' 32.461" N	0° 27' 6.260" 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

Geophysical survey will be undertaken along the proposed cable routes for the E1 East windfarm. The earliest planned start date will be September 2022 and latest end date will be March 2023. The survey duration is expected to last 60 days, including weather delays. The following equipment will be used:

- Multibeam Echosounder (225 dB re 1 uPa re 1 m (rms); 400 kHz)
- Side Scan Sonar (210 dB re 1 uPa re 1 m (rms); 230 kHz (LF); 550 kHz (HF))
- Sub bottom profiler (248 dB re 1 uPa re 1 m (rms); 100 kHz (primary), 4-12 kHz (secondary))
- Ultra Short Base Line (USBL) (202 dB re 1 uPa re 1 m (rms); 19-34 kHz)
- TI Sleeve Gun 10 cu.in. (224 dB re 1 uPa re 1 m (peak))
- Sparker (219 dB re 1 uPa re 1 m (peak), 200-300Hz up to 2500-4000Hz)

- (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.

Marine mammal mitigation activities will be conducted in the field following the JNCC Guidelines for Minimising the Risk of Injury and Disturbance to Marine Mammals from seismic surveys (JNCC, 2017). The following specific mitigation measures are proposed for the planned geophysical surveys:

- Up to three dedicated marine mammal observers / passive acoustic monitoring operatives (potentially dual role) operating during daylight hours
- Monitoring will be carried out with particular attention given to a 500 m exclusion zone around the seismic source and from 30 minutes before start of geophysical equipment, throughout the 20 minute soft-start period until the start of acquisition
- Towed passive acoustic monitoring (PAM) will be used when visual searching is not possible (i.e. during periods of low visibility or darkness).
- In the event that marine mammals are detected within the mitigation zone, the procedures outlined in the JNCC (2017) guidance will be followed with respect to delaying the soft start

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 will be carried out along the cable corridors (map attached) bounded by the coordinates (attached). As this is a geophysical survey, there won't be any interaction with the seabed so there will be no impact on MPAs. Whilst the work will not be carried out within an MPA, the proposed cable corridor and therefore geophysical survey runs alongside the Firth of Forth Banks MPA. Due to the proximity the qualifying features of the Firth of Forth Banks MPA (www.JNCC.gov.uk) have been considered. These features are listed as Ocean quahog aggregations, habitats (sands, gravels, shelf banks and mounds) and the quaternary geology. These are all fairly static features which are not considered likely to have a dynamic interaction with identified EPS. As such, it is unlikely that any impact on EPS will in turn have an impact on the qualifying features of the Firth of Forth Banks MPA.

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"/>	Geophysical survey - MBES, SSS, SBP, Sleeve gun (10 cu.in.), Sparker, USBL	September 2022	March 2023
<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.

Option 1: Do not undertake the geophysical survey works or use subsurface positional equipment. This would result in excessive project risk and potential abandonment of the project. This would mean SSER being unable to develop the design for the E1 East site, or conduct the environmental assessments necessary to support the consent applications. These surveys are therefore fundamental to the project development and without them the wind farm development would be prevented. SSER do not consider this to be an appropriate or responsible option. The risk of not progressing the development of the wind farm could hamper the potential for the UK to reach net-zero emissions by 2050.

Option 2: Carry out surveys in different or smaller location. The site was awarded a lease by the Crown Estate Scotland and therefore SSER can only develop the wind farm in this location- we have no alternative locations to develop on. SSER do not consider this to be an appropriate or responsible option. The risk of not progressing the development of the wind farm could hamper the potential for the UK to reach net-zero emissions by 2050.

Option 3: Carry out the surveys at another time. The timing of the surveys has been scheduled in to take into account favourable weather, avoiding winter whereby harsh weather conditions and sea states have the potential to have health and safety risks to crew. Likewise carrying out the survey in winter conditions has the potential to prolong the survey duration due to slower rate of survey, this has the potential to disturb EPS to a greater extent. Carrying out the survey during another period would also mean that further surveys may be required as the survey would be undertaken in sub-optimal times meaning that data gathered might not be sufficient. This too has the potential to mean further surveys and disturbance to EPS may be experienced. SSER do not consider this to be an appropriate or responsible option. The risk of not progressing the development of the wind farm could hamper the potential for the UK to reach net-zero emissions by 2050.

Option 4: Smaller survey windows/smaller survey times. Conducting the surveys over a number of visits is not deemed a viable option as extra survey time would be required to ensure the survey covered the entire area. Again this option would likely increase the overall survey period and therefore has potential to increase disturbance to EPS. SSER do not consider this to be an appropriate or responsible option. The risk of not progressing the development of the wind farm could hamper the potential for the UK to reach net-zero emissions by 2050.

Option 5: To undertake the geophysical survey works and use subsurface positional equipment, in conjunction with undertaking a Marine Mammal / EPS Risk Assessment. The EPS Risk Assessment will identify, quantify and determine a mitigation strategy for the works such that the conservation status of EPS & Marine Mammals present in the works area or in adjacent waters where a disturbance could be perceived, are protected through the use of mitigation tools i.e. MMO and PAM following the JNCC seismic guidelines.

SSE has determined that Option 5 will be progressed, as the survey activities will provide SSE with an in depth understanding of Scotwind E1 East Ooffshore cable routes, while maintaining favourable conservation status of Cetaceans within the works or adjacent area.

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

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 checked="" 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.

Copenhagen Offshore Partners

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

(The person named at part 1)

Name in BLOCK
LETTERS

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.

While the marine surveys associated with the Scotwind Offshore Wind farms present a temporary disturbance to a localised marine environment, this work will allow an important addition to Scotland's growing contributions to the UK's renewable energy sector. The UK has an urgent need for new electricity generation capacity due to the closure of coal fired stations, the aging of thermal power stations and the closure of nuclear power programmes. 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. The UK also has committed to a range of national and international targets for reducing greenhouse gas emissions in order to contribute towards the global action plan towards climate neutrality and limiting the increase in global average temperature. As the UK follows policies to meet its national and international commitments to greenhouse gas reduction, additional demands will be placed on domestic electricity supply as use of, for example, electric vehicles, increases. The project will provide additional support to the UK government's national and international commitments to reduce greenhouse gases, which will bring long-term benefits.

See EPS Licence Supporting Information document accompanying this application for further details.

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

Scotwind offers the deployment of a proven technology 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 development will also provide employment over the course of the project.

See EPS Licence Supporting Information document accompanying this application for further details.

Why is it imperative the proposed activity goes ahead?

Should the work not proceed, the progression of the Scotwind offshore wind farms development would not be possible.

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

The proposed activities will participate in meeting national and international commitments to greenhouse gas reduction, which are under the form of UK policies. This includes pieces of UK and Scottish legislation that have been enacted to help achieve targets for reduction in greenhouse gasses. This legislation includes:

- The Climate Change Act 2008, which the UK committed to a net reduction in GHG emissions by 2050 of 80% against the 1990 baseline;
- The Energy Act 2013 which makes provisions to incentivise investment in low carbon electricity generation, ensure security of supply, and help the UK meet its emission reduction and renewables targets.
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 which amends the Climate Change (Scotland) Act 2009, and introduces binding targets on the Scottish Government to reduce net Scottish greenhouse gas emissions by at least 100% by 2045 from 1990 levels.

Other policies include, but are not limited to:

- Offshore Wind Policy Statement
- Scottish National Marine Plan
- The Scottish Energy Strategy
- Sectoral Marine Plan for Offshore Wind Energy
- Draft National Planning Framework 4 –achieving net zero in Scotland by 2045 (Scottish Government, 2021e).

This project will help to support the UK government's commitments to reducing GHG emissions as part of these policies and legislation. ScotWind offers the deployment of a technology 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.

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