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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

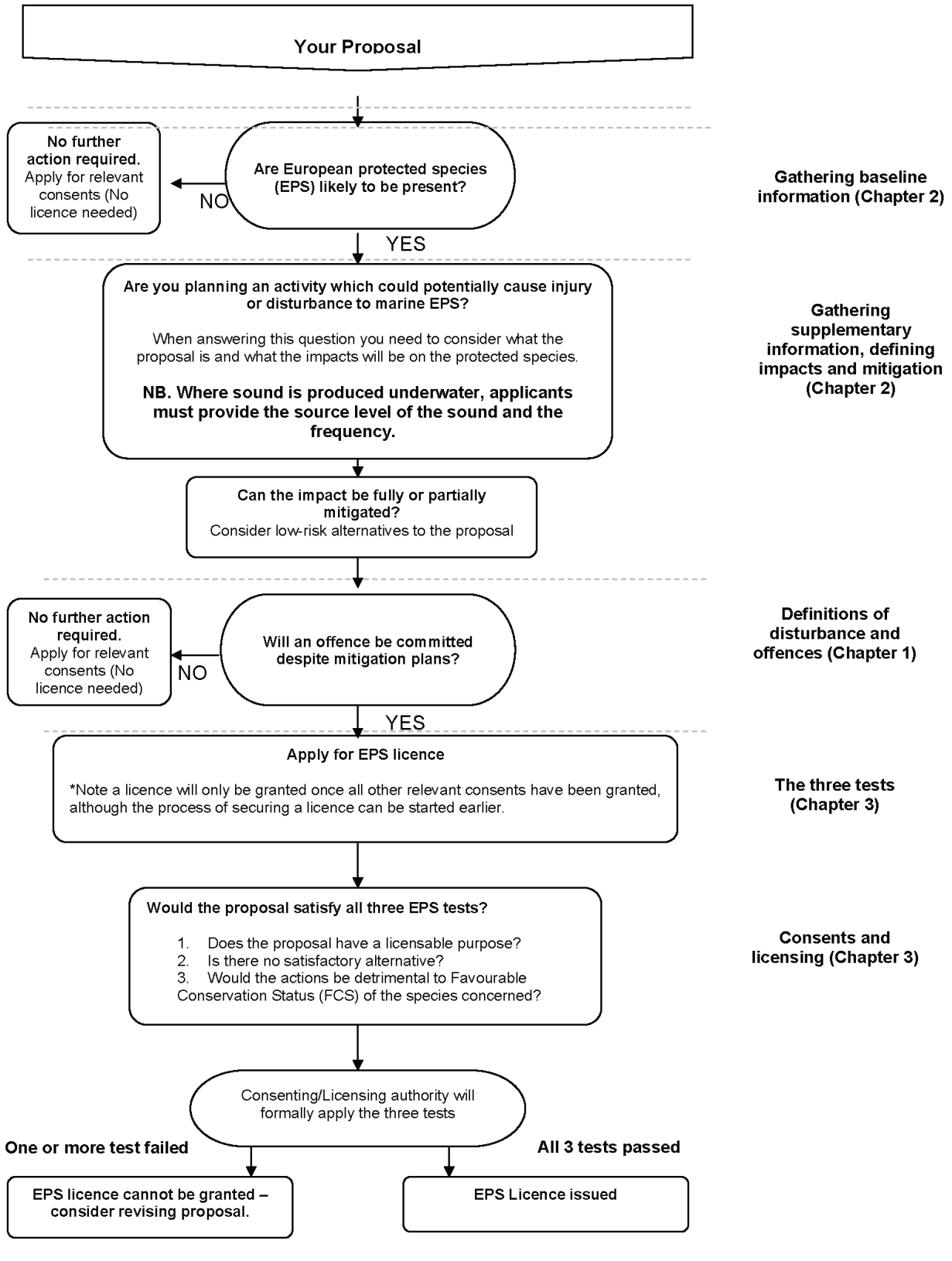
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, 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](#)



Gathering baseline information (Chapter 2)

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

Definitions of disturbance and offences (Chapter 1)

The three tests (Chapter 3)

Consents and licensing (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 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
Minke whale
White beaked dolphin

Scientific name(s) Phocoena phocoena
Balaenoptera acutorostrata
Lagenorhynchus albirostris

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

Please refer to the attached EPS Risk Assessment (LF000009 CST OF L C REP 0007)

njury (blast trauma) Zero individuals of any species

njury (PTS) zero white beaked dolphin; zero minke whale; 5 harbour porpoise (nominal value; see Risk Assessment and below)

Disturbance zero white beaked dolphin; up to one minke whale; up to 579 harbour porpoise

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

Please refer to the attached EPS Risk Assessment (LF000009-CST-OF-LIC-REP-0007).

Predicted impact ranges have been generated for a variety of UXO sizes and disposal scenarios, based on published thresholds of effect for physical trauma, auditory injury (permanent threshold shift, PTS) and behavioural disturbance (using the onset of temporary threshold shift, TTS, as a proxy).

Considering the mitigation measures which will be implemented (see Section 5 and Appendix 3), the residual risk of injury to harbour porpoise is considered to be very low. Nonetheless, the proposed mitigation measures cannot guarantee the complete exclusion of animals from the area over which PTS is predicted to occur therefore, to avoid an injury offence, a licence is applied for potential injury to harbour porpoise. It is difficult to estimate the number of animals which might be exposed to such noise levels, so a nominal value of 5 harbour porpoise is proposed for inshore waters.

For disturbance, population density estimates have been taken from the Seagreen offshore wind farm updated EIA baseline, as consulted upon with MSS and SNH during 2018. For principal species SCANS III density estimates for Block R have been used and it has been conservatively assumed that animals are uniformly distributed within the area of UXO clearance activities and extent of predicted impact ranges. Density estimates harbour porpoise - 0.599 per km sq minke whale 0.039 per km sq white-beaked dolphin 0.243 per km sq.

In the risk assessment, species density estimates are combined with predicted impact ranges based on a variety of potential UXO sizes. The above estimates consider a worst-case scenario of the largest potential UXO size undergoing a full high-order detonation at a location within the site which results in the maximum overlap of impacted area with inshore waters. Furthermore, the predicted noise levels and impact ranges also contain considerable precaution (see Section 4.7). As such, this is considered to represent a worst-case scenario and the actual numbers of animals which may be disturbed is likely to be considerably less. While it is acknowledged that multiple explosive detonations and incidences of ADD use will take place during the UXO clearance campaign, the above worst-case scenario is considered to encompass the maximum extent of potential disturbance to individuals for inshore waters throughout the campaign for all noise sources.

While bottlenose dolphin are present in the wider region, animals associated with the East Scotland population are strictly coastal, with most animals encountered in waters less than 20 m deep and within 2 km from the coastline. Considering the location of the planned activities (26+ km offshore of the 20 m depth contour), no interaction with coastal bottlenose dolphins is anticipated.

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

Please refer to the attached EPS Risk Assessment (LF000009-CST-OF-LIC-REP-0007).

Seagreen Wind Energy Limited are proposing to undertake a campaign of UXO clearance at the Seagreen wind farm site. A UXO identification survey is currently underway (see LF000009-CST-OF-SUR-REP-0005) to identify potential UXO for further investigation. These will then undergo detailed examination and assessment by ROV to determine their status and determine an appropriate course of action. There is an initial preference to leave the UXO in situ and micro-site construction work and infrastructure around it. If avoiding the UXO is not possible then relocation to a safe location will be favoured. If this is not possible then explosive disposal will be pursued. It is currently anticipated that up to 20 confirmed UXO may require explosive disposal. UXO will be assessed on a case-by-case basis to select the most suitable disposal method options which will be pursued by the UXO clearance contractor (in order of preference) are low-yield disposal low-order disposal (deflagration) high-order disposal. See Section 2.7 for further details of these methods. Low-yield and low-order methods present alternatives to the traditional high-order approach, and will result in much reduced risk of noise impacts on EPS.

All disposal methods involve the use of an explosive donor charge to disrupt the UXO. Low-yield and low-order approaches attempt to disrupt the UXO without detonating the main UXO filling (a high-order detonation). Low-order carries a small risk of causing a high-order detonation, while high-order approaches aim to cause a full high-order detonation of the UXO.

UXOs / explosive charges
The majority of emitted acoustic energy from underwater explosions will be below a few hundred Hz, typically peaking around 100-200 Hz and with decreasing energy at higher frequencies. Data indicate a particularly pronounced drop-off in energy levels above c. 5-10 kHz.

Source sound pressure levels of donor charges will be up to approximately SPL (peak) 280 dB re 1 μ Pa @ 1 m (i.e., up to 3.5 kg). Where UXOs in the Seagreen area are detonated by high-order disposal, source levels will be SPL (peak) > 280 dB re 1 μ Pa @ 1 m. Predicted noise levels at different ranges from the source are provided in the attached risk assessment.

Acoustic Deterrent Device (ADDs)
The Lofitech ADD to be used for mitigation will emit acoustic energy primarily in the range 10-20 kHz, with a nominal source Sound Pressure Level (rms) of 189 dB re 1 μ Pa.

Survey equipment (ROV) - potential effects from this equipment are not considered possible within inshore waters
Multi-beam echo-sounder (MBES) SPL (rms) 230 dB re 1 μ Pa @ 1m, 200-700 kHz
Ultra-short baseline acoustic positioning system (USBL) SPL (rms) 200 dB re 1 μ Pa @ 1m, 21-31 kHz

A desk-based review has suggested that individual UXO of > 300 kg are unlikely to occur in the Seagreen site, but the assessment has considered a worst-case-scenario of high-order detonation of a 1,000 kg UXO as the maximum potential size of UXO which may occur in the Seagreen site.

- (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.

Please refer to the attached EPS Risk Assessment (LF000009-CST-OF-LIC-REP-0007), in particular Sections 2.7, 5 and Appendices 2 and 3.

Impacts will be minimised by the preferential approach of avoiding or relocating confirmed UXO without the need for explosive disposal. Where disposal is required, there will be a preferential selection of low-yield and low-order approaches to minimise the acoustic output and associated risk of injury and disturbance impacts to EPS from UXO clearance. A detailed Marine Mammal Mitigation Plan (MMMP) has been developed which will be implemented throughout the UXO clearance operations to reduce the risk of EPS being exposed to noise levels which may result in injury.

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.

See the associated risk assessment (LF000009-CST-OF-LIC-REP-0007) for consideration of designated SACs and associated marine mammals species.

The area of operations also overlaps with part of the Firth of Forth Banks Complex MPA. The protected features of this MPA do not include EPS and are not sensitive to noise disturbance and as such do not require consideration within this EPS licence application.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explosives	1st June 2021	31st August 2021
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Acoustic Deterrence Device	1st June 2021	31st August 2021
<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’.**

UXO represent a material risk to the safe construction of the project and therefore their identification, assessment and clearance is essential. The proposed approach to UXO clearance activities will, wherever possible, utilise lower-impact alternatives to explosive detonation and, in particular, high-order detonation. A specific UXO clearance contractor has been selected which offer two lower-impact alternative disposal methods to high-order detonation, including: low-yield and low-order (deflagration) disposal.

There is an initial preference for leaving the UXO in situ and micro-site construction work and infrastructure around it. If it is not possible to safely leave the UXO in situ and micro-site, an appropriate clearance approach will be selected. In order of preference, these are:

1. Relocation and leave in situ;
2. Low-yield disposal;
3. Low-order disposal;
4. High-order disposal.

High-order disposal represents the most commonly used approach to date for disposal of underwater UXO in situ. This involves deliberate detonation initiated by a small donor charge placed on the UXO to initiate an explosion of the main charge, therefore neutralising it. The resulting shock wave and noise level is therefore expected to be proportional to the combined explosive mass of the donor and main charge. By contrast, low-yield and low-order methods aim to neutralise the UXO without detonation of the main charge and, therefore, the energy generated should relate to the detonation of the donor charge only. Consequently, for a given size of UXO, the potential for impacts to marine life from low-yield or low-order disposal are considerably less than would be expected from a high-order disposal.

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 for UXO, boulder and debris clearance	30/03/2021	N/A	Awaiting determination

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.

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 Signature]

Date 30/03/21

(The person named at part 1)

Name in BLOCK
LETTERS

[Redacted Name] Seagreen Wind Energy 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
<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 proposed UXO clearance activities are required to ensure the safe construction of the project. The Seagreen wind farm project will confer long-term environmental and economic benefits and a higher degree of short-term economic benefits during construction. The key environmental benefit of the wind farms is the generation of electricity from a renewable energy source that will reduce or avoid the use of fossil fuels in thermal power plants. Economic benefits will occur through investment to develop, install and operate the facility, the creation of jobs and the development of supporting industries along the supply train.

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

The Seagreen wind farm project will contribute to the Scottish Governments stated aim of addressing climate change and reducing fossil fuel dependence by increasing power generation from renewable resources. There is a need for new energy infrastructure and renewable energy will play an important role, as highlighted by the Electricity Generation Policy Statement and the Scottish Energy Strategy, and the Seagreen wind farm project will contribute towards energy generation from a renewable and low carbon source. The development of offshore wind electricity will improve energy security, and help secure a low carbon home grown energy supply, reducing the reliance on imported energy sources.

The energy sector in the UK plays a central role in the economy and renewable energy is laying and increasingly important role in boosting the Scottish and UK economies.

Why is it imperative the proposed activity goes ahead?

UXO represent a material risk to the safe construction of the project and therefore their identification, assessment and clearance is essential.

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

The proposed UXO clearance activities are required for the construction of the Seagreen wind farm project, which will contribute significantly to the new energy infrastructure that needs to be developed to replace existing generating capacity, to ensure security of supply and to assist in meeting targets for renewable energy generation capacity. The development of renewable energy and low carbon energy sources supports Scotland's obligations under the Climate Change (Scotland) Act 2009.

The Electricity Generation Policy Statement and the Scottish Energy Strategy (2017) also highlight the important role that renewable and low carbon energy solutions provide in meeting ambitious energy production and use targets.

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.