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Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

Application for a licence to disturb or injure marine European protected species (EPS) for one of the following purposes

- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property, or to fisheries.

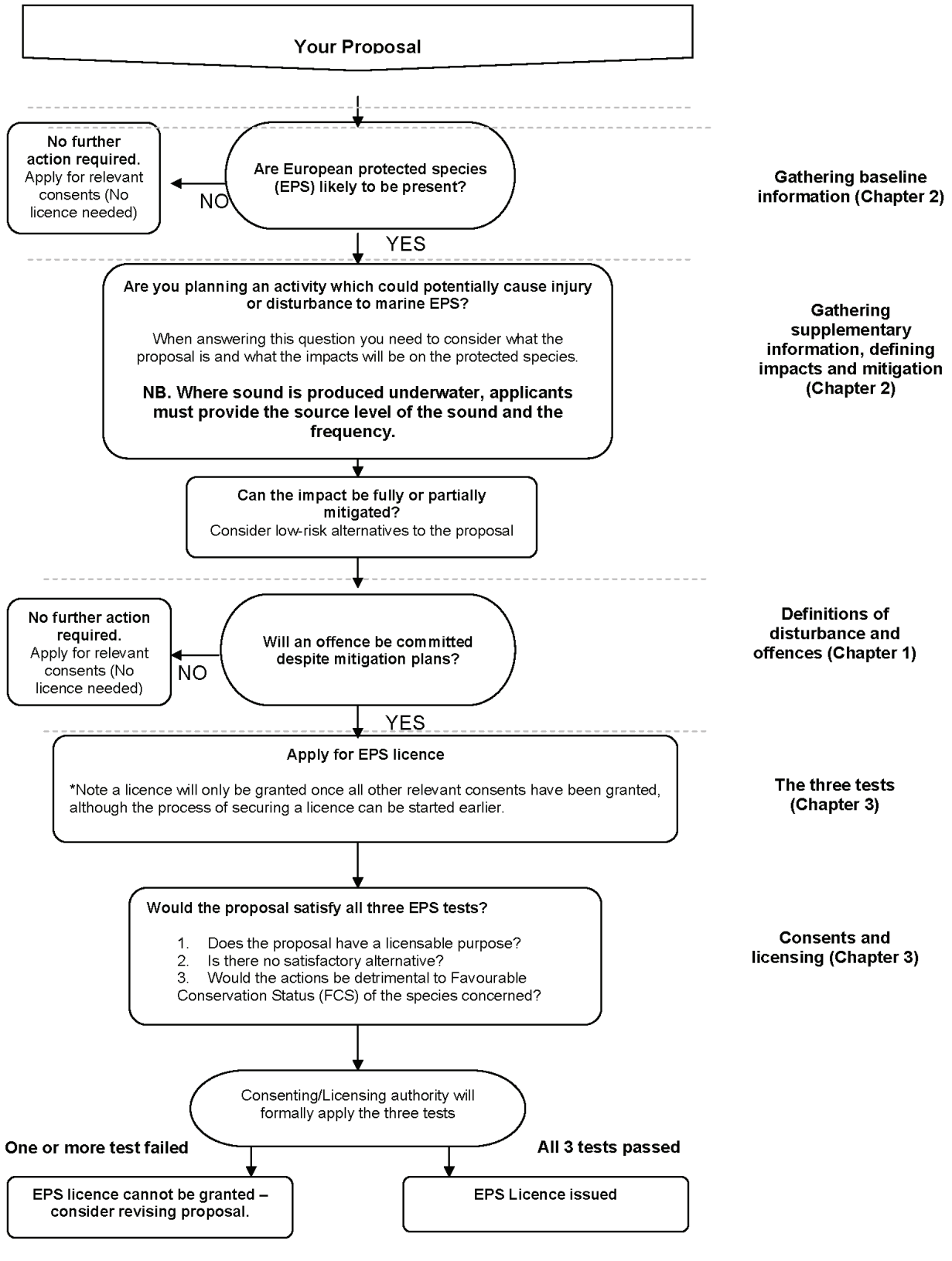
Please use this application form if you wish to undertake works/activities that would affect European protected species in the Scottish inshore marine area (0 – 12nm).

IMPORTANT: Before completing this form, please read these notes carefully

Applicants are advised to read these notes in conjunction with [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#). If further clarification is needed please contact Marine Scotland Licensing Operations Team (MS-LOT) on 0300 244 5046 or email: ms.marinelicensing@gov.scot

Flowchart showing the decision-making process

Please refer to the relevant chapter of [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#)



Please complete all relevant sections of the form.

Please ensure that you answer questions fully in order to avoid delays.

The completed application should be sent to Marine Scotland Licensing Operations Team (MS-LOT) at the address below or emailed to ms.marinelicensing@gov.scot.

We will not process unsigned application forms.

Please ensure that you provide appropriate information to support your application. Applicants can provide this supporting information in the form of an EPS Risk Assessment. Guidance can be found in [The Protection of Marine European Protected Species from injury and disturbance: Guidance for Scottish Inshore Waters](#). Please contact MS-LOT if you wish to discuss the level of supporting documentation required for your application. Failure to provide sufficient supporting information may delay the consultation and licensing process.

MS-LOT will aim to determine whether a licence should be issued **within 6 to 8 weeks of acceptance of a completed application**. However, please note that for large scale or complex projects, the determination period may be longer.

If you experience any problems filling in this form, please contact MS-LOT.

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

Please note that European protected species are also protected in the offshore marine environment (between 12 and 200 nautical miles). Species in this area are protected under The Conservation of Offshore Marine Habitats and Species Regulations 2017.

Do not use this form if your application relates to scientific, research, conservation or educational purposes. Please contact Scottish Natural Heritage (SNH Licensing, Great Glen House, Leachkin Road, Inverness IV3 8NW, Telephone 01463 725000, email licensing@snh.gov.uk or visit [their website](#)) for a licence application for these purposes. SNH also issues licences for the purposes of marking animals or plants in relation to conservation or introducing them to particular areas for conserving natural habitats, and for protecting zoological or botanical collections.

Before a licence can be granted, it is essential that other relevant licences or consents have been secured for the proposed activity (eg Marine licence).

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Part A

Section 1 Personal details

Please provide details of the individual, company or partnership you wish to be named on the licence. The licensee is responsible for ensuring compliance with the licence and its conditions. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with the terms and conditions of a licence.

Section 2 Previous applications

Please provide details of any previous relevant licences.

Part B

Section 3

Species

Please provide details of the species that will be affected by the work, the number likely to be affected and a description of how this number was determined. This information can be described in detail in your supporting information. You will need to provide detailed proposals (to be included in the 'Supporting information') of all the mitigation work that you plan to carry out which will affect European protected species.

Location

Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the proposed project. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84. In a few cases, (e.g. laying of cables or pipelines) it may only be practicable to supply co-ordinates for the start and end points.

Example: For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44"N 2°22'11"W (WGS84).

It is important that the correct positions, in the correct format, are included with this application, as any errors will result in the application being refused or delayed.

Section 4 Consideration of designated sites

Please provide details of any designated sites affected by your proposals. You are advised to consult Scottish Natural Heritage, or other appropriate regulator, if the work you propose to do affects a Natura site, an MPA or a Site of Special Scientific Interest.

Section 5 Activities to be licensed

Please indicate the activities you intend to undertake that would otherwise be unlawful. Provide details of the proposed commencement and completion dates of the activities. **The licence start date will not be backdated, since to commence a project for which a licence has not been obtained may constitute an offence resulting in appropriate legal action.**

It is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

Section 6 Purpose of the licence application

Please indicate the purpose of the licence application, the first of the legal tests.

Please complete the relevant Annex to provide justification for the licensing purpose. This is the [legal basis of the application](#).

Section 7 Satisfactory alternatives

Please provide your consideration of why there is no satisfactory alternative. This must include all other options that have been evaluated, the alternative sites that were considered by you and why they were rejected (if no other sites were considered, you must provide the reasons why), as well as all alternative methods of carrying out the work and alternatives dates / timings.

In relation to each alternative considered, please provide an explanation of why you consider it to be satisfactory or unsatisfactory. In respect of any alternative sites please provide the location(s) and details of the alternative site(s), or your views on how the activity/proposal might have been achieved differently, and any other helpful information; e.g., pros and cons of alternative sites, or whether there is likely to be demand for all suitable sites to be used to meet an identified need. Please explain how this conclusion was reached.

Section 8 Summary of the planning / licensing position

Detail all consents and licences required for the proposed project and indicate those that you have applied for or received.

Section 9 Noise Monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. This includes use of seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. This monitoring requires completion of a form at the application stage (giving details of the proposed work) as well as completion of a 'close-out' form (giving details of the actual dates and locations where the activities occurred). The close-out form should be returned within 12 weeks of completing the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation.

These forms are available at: <https://mnr.jncc.gov.uk/>

Section 10 Privacy notice

This section briefly describes the Scottish Ministers responsibilities in relation to Data Protection based on the requirements of the data protection laws and the Environmental Information (Scotland) Regulations 2004 and the Freedom of Information (Scotland) Act 2002.

Part D

Section 11 Declaration and warning

It is important to read the Declaration and Warning sections before signing the application form.

Site visits and compliance checks

It is possible that the licensing authority may undertake a site visit prior to the issue of a licence. The majority of site visits will be arranged several days in advance and will be conducted in the presence of the licensee (or applicant) however there may be occasions when a site visit will be made at short notice.

Licensees should be aware that they may receive a request for a site visit by the licensing authority, or a person authorised by the licensing authority, to assess site conditions against the conditions of the licence. It is essential that if any of the agreed mitigation measures contained in the application and supporting information are changed for any reason, the licensing authority is informed as soon as possible.

The Licensing authority will monitor compliance with licences issued based on the information included in licence reports.

Where to seek further information

Further information can be obtained from Licensing Operations Team at the address below.

If your proposal relates to one of the purposes for which SNH is the licensing authority, please contact your local office of SNH.

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

Tel: 0300 244 5046
Email: MS.marinelicensing@gov.scot

Disclaimer

While every effort has been made to ensure the information contained in this document is accurate, nothing in this document should be taken to replace the current legislation in force at this time. You are advised to obtain qualified legal advice in relation to your rights and responsibilities under the 1994 Regulations and other legislation.

Part A. The Applicant: Personal details

These questions relate to the person who will be the **named licensee**. The licence can be issued to an individual or a company or a partnership and the licensee will be responsible for ensuring compliance with the licence and the conditions of the licence. Under the Conservation (Natural Habitats) Regulations 1994 (as amended) it is an offence to fail to comply with any condition imposed by a licence.

1. Name of applicant

Title: [Redacted] Forename(s): [Redacted] Surname: [Redacted]

Company Name: Simply Blue Energy (Scotland) Ltd

Business Title (if Appropriate): [Redacted]

Address: 21 Young Street,
Edinburgh,
EH2 4HU

Tel no. (inc. dialling code): [Redacted]

Email address: [Redacted]

2. **The Applicant: Previous applications:**

Have you previously held a wildlife licence issued in the UK? (please tick as appropriate)

Yes No (If yes, please complete below, if no, please go to Part B)

Who issued the licence? Marine Scotland - Licensing Operations Team

Licence number (most recent licence) EPS/BS-00009866

Year in which the licence was issued. 2022

What species were covered by the licence? harbour porpoise (*Phocoena phocoena*); bottlenose dolphin (*Tursiops truncatus*); minke whale (*Balaenoptera acutorostrata*); Risso's dolphin (*Grampus griseus*); white sided dolphin (*Lagenorhynchus acutus*); killer whale (*Orcinus orca*); white-beaked dolphin (*Lagenorhynchus albirostris*); humpback whale (*Megaptera novaeangliae*)

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

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 dolphins,
Harbour porpoise,
Humpback whale
Killer whale,
Minke whale,
Risso's dolphin and
White-beaked dolphin

Scientific name(s) Lagenorhynchus acutus
Tursiops truncatus
Phocoena phocoena
Megaptera novaeangliae
Orcinus orca
Balaenoptera acutorostrata
Grampus griseus; and
Lagenorhynchus albirostris

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

Injury - 0
Based on worst case, precautionary assumptions, maximum number of animals disturbed:
- Harbour porpoise: 112
- Bottlenose dolphin: 6
- White-beaked dolphin: 46
- Risso's dolphin: Insufficient data
- Atlantic white-sided dolphin: 4
- Killer whale: Insufficient data
- Minke whale: 7
Please see attached EPS Risk Assessment for further details on how these numbers were calculated.

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

The number of individuals which may experience disturbance from the worst-case scenario has been calculated using the area of disturbance based on JNCC guidance (JNCC 2020), and animal densities from Hammond et al. (2021) and management unit information from IAMMWG (2021). In these calculations, the impact range serves as a radius with which to calculate the total area of coverage for a potential disturbance event associated with the survey activities.

The calculation method is further described in the attached EPS Risk Assessment document.

JNCC. (2020). Guidance on noise management in harbour porpoise SACs. Joint Nature Conservation Committee.

Hammond, P.S., Lacey, C., Gilles, A., Viquerat, S., Börjesson, P., Herr, H., Macleod, K., Ridoux, V., Santos, M.B., Scheidat, M., Teilmann, J., Vingada, J., and Øien, N. (2021). Estimates of cetacean abundance in European Atlantic waters in summer 2016 from the SCANS-III aerial and shipboard surveys. June 2021.

IAMMWG (2021). Updated abundance estimates for cetacean Management Units in UK waters. JNCC Report No. 680, JNCC Peterborough, ISSN 0963-8091.

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

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary. See attached spreadsheet with survey coordinates and map

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

- (d) Provide a brief description of the proposed activity and the methods to be used.
 Detailed information should be included in your Supporting Information
Please provide details of the source levels and frequencies of underwater noise if relevant

Simply Blue Energy (Scotland) Limited (SBES), a Joint Venture between Simply Blue Group, Ørsted and Subsea7 are developing the Salamander Offshore Wind Farm, a proposed Floating Offshore Wind development off the east coast of Scotland.

SBES plan to undertake a geophysical survey of the nearshore section of the offshore export cable corridor (from the shoreline out to approximately 8 km) using the following techniques:

- High frequency Sub-Bottom Profiler (SBP);
- Multi Beam Echosounder (MBES);
- Side Scan Sonar (SSS);
- Ultra-Short Baseline (USBL) positioning; and
- Magnetometer.

An Environmental Baseline Survey (EBS) will also be undertaken and will involve the use of USBL.

Underwater noise emissions from geophysical survey equipment is the primary source of potential injury and disturbance to EPS. While some survey techniques may introduce noise to the marine environment, the majority of survey equipment types do not operate in relevant frequency ranges or generate sufficient levels of noise to be considered as potential sources of noise-related injury or disturbance to EPS. It is acknowledged that the physical presence of vessels during the proposed survey operations may also generate disturbance to EPS, however this is deemed to be negligible due to the speed at which the vessels will travel (max speed 4 knots) and the linear survey route that will be followed.

The marine survey equipment to be used, including their source levels and frequencies, are detailed in the attached EPS Risk Assessment.

- (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.

Mitigation measures specifically designed to mitigate injury risks from the geophysical survey will be adopted (JNCC, 2017). These measures include deployment of a Marine Mammal Observer (MMO) to monitor for the presence of marine mammals within a 500 m mitigation zone prior to the commencement of geophysical operations.

Mitigation measures for the geophysical survey include:

- All vessels will adhere to the provisions of the Scottish Marine Wildlife Watching Code (SNH, 2017).
- Survey teams will be made aware of all protected species within the marine environment and their responsibility to implement the mitigations to be followed.
- A trained MMO should be present on the vessel and, where survey activities may be undertaken in poor visibility, PAM will be in place as an additional mitigation measure.

No mitigation measures are proposed for the Environmental Baseline Survey as it is concluded that there is negligible risk of injury to marine mammals during these survey activities.

Further details are provided in the attached EPS Risk Assessment.

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.

Southern Trench NCMPS. This site is designated for minke whale, burrowed mud, fronts, Quaternary of Scotland, submarine mass movement and shelf deep.

Following consultation with NatureScot, the proposed survey activities are unlikely to affect the benthic features that this site is designated for.

Further details area provided in Section 4 and 5 of the attached Risk Assessment.

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	1st May 2023	31st July 2023
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	USBL	1st May 2023	31st July 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"/>			

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'.**

SBES have considered several options in relation to the requirements for the geophysical survey of the inshore export cable corridor:

Option 1: Do not undertake the geophysical survey activities, resulting in no data being available of the seabed in the inshore section of the export cable corridor. However, gathering seabed information as part of surveys is a key element to inform the project design and the EIA, which will aim to minimise risks to the environment from the installation and operation of the future Salamander Offshore Wind Farm. For this, not undertaking the survey is not considered to be a viable option.

Option 2: Undertake the geophysical survey with equipment that results in limited impacts to EPS species (i.e. SSS, MBES only). This would limit the data that SBES would collect as part of the scope, while still involving the presence of a vessel for a significant number of days. The equipment that SBES plan to use as part of the survey have been carefully selected in order to obtain the relevant data to inform the overall project design and the EIA. The sole use of SSS or MBES would not provide the seabed depth penetration required to obtain subsurface information of the required standard. Therefore, it is not considered that this is a viable option.

Option 3: Undertake the geophysical survey over a different location. SBES has selected the Offshore Array Area to develop the future Salamander Offshore Wind Farm, and this site has been applied for under INTOG seabed leasing round. The proposed area for survey under this EPS licence application is the inshore section of the selected offshore export cable route to shore, therefore, surveying an alternative location would mean gathering information over an area which no development would be undertaken by SBES. In addition, it is not possible to reduce the size of the proposed survey area as this encompasses the inshore section of the offshore export cable corridor. This is not considered to be a viable option.

Option 4: Undertake the survey at a different time of year, avoiding potentially sensitive periods for EPS species (for example periods of typical higher densities); white sided dolphin: May-August, bottlenose dolphin: March - April, harbour porpoise: May - August; killer whales: October - March and white beaked dolphin: June to September (Cetacean Research and Rescue Unit, 2021). Minke whale are also spotted between May and September (NatureScot, 2020).

SBES have selected to undertake the survey from May to July 2023. Surveys typically occur during the spring and summer months in order to avoid or minimise any delays due to weather downtime. Additionally, the EPS risk assessment undertaken to support this application indicates that there is unlikely to be a significant impact to the cetaceans species that may be present. The survey being conducted in the early part of the year will maximise the good weather availability to allow the survey to be completed with the shortest survey duration. Undertaking a survey at an alternative time, such as later on in the year, would likely result in delays due to bad weather, and therefore the vessel being onsite for longer. Therefore, a survey later in the year is not the preferred option. Nominal mitigation measures will in place for the geophysical survey (in line with the JNCC guideline) which will further minimise potential impacts to EPS species. In addition, SBES require the results from the survey to inform the project engineering and EIA process as early as possible; delaying the survey would impact the EIA process and overall project timeline.

Option 5: To undertake the geophysical survey activities, in conjunction with undertaking an EPS Risk Assessment. The Risk Assessment will identify and determine a mitigation strategy for the survey activities, such that the conservation status of EPS and other protected species present in the survey area or adjacent waters where a disturbance may be perceived, are protected through the use of appropriate protocols, i.e. MMO following the JNCC geophysical survey guidelines. This would ensure that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

SBES have determined that Option 5 will be progressed, as it will allow geophysical surveys to progress and support the future development on the inshore section of the offshore export cable corridor. This future work is required to obtain the relevant seabed and environmental information to design the Salamander Offshore Wind Farm. The survey will be undertaken while maintaining the favourable conservation status of cetaceans within the survey area or adjacent waters.

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 exemption	17/02/2023	TBC	
Marine Works Licence	17/02/2023	TBC	
Marine Noise Registry	17/02/2023	TBC	

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.

N/A

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

11. **Privacy notice**

The Scottish Government’s Marine Scotland Licensing Operations Team (MS-LOT) has a range of statutory responsibilities including determining applications for licences to disturb or injure marine European protected species (EPS) under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 and Basking shark licences under the Wildlife and Countryside Act 1981 (as amended).

MS-LOT will, where necessary, process personal information including: names, addresses, email addresses and telephone numbers to determine a licence application. Personal information will be stored securely in the Scottish Government’s official corporate record.

A full privacy notice can be found at: <http://www.gov.scot/Topics/marine/Licensing/marine/PrivacyNotice>. If you are unable to access this, or you have any queries or concerns about how your personal information will be handled, contact MS-LOT at: Marine Scotland - Licensing Operations Team, Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Email: ms.marinelicensing@gov.scot

Have you remembered to enclose Supporting Information with your application, as described in the accompanying guidance? Please check

- | | |
|---|-------------------------------------|
| Completed Application form | <input checked="" type="checkbox"/> |
| Completed Annex | <input checked="" type="checkbox"/> |
| Map / Chart | <input checked="" type="checkbox"/> |
| Correct co-ordinates | <input checked="" type="checkbox"/> |
| Additional information / EPS risk assessment | <input checked="" type="checkbox"/> |

Part C. Declarations

11. I have read and understand the guidance provided in this application form. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

I authorise employees or representatives of the Scottish Ministers to enter the site which is subject to this application for the purpose of monitoring and inspecting the permitted works.

Warning

Under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) it is an offence to fail to comply with the conditions imposed by a licence. The licensee is responsible for ensuring compliance with the licence.

The Scottish Ministers can modify or revoke a licence at any time, provided there are good reasons. Any licence that may be issued is likely to be revoked immediately if it is discovered that false information was provided and resulted in the issue of a licence.

Under the Conservation (Natural Habitats, &c.) Regulations 1994, any person who in order to obtain a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such offences is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale (currently £5,000), or to both imprisonment and a fine.

Note: Previous convictions for wildlife offences will be taken into account and in some cases may mean that the Scottish Ministers do not consider it appropriate to grant a licence.

Signature of the Applicant [Redacted] Date

(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
<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 Scottish Government is committed to ensuring secure, reliable and affordable energy supplies (i.e. social and economic benefits), within the context of long-term decarbonisation of energy generation (i.e. environmental benefits). The continued growth of the renewable energy sector in Scotland is an essential feature of the future clean energy system and a key driver of economic growth (Scottish Government, 2020). The development of the Salamander Offshore Wind Farm is an important step in the continued growth of renewable energy in Scotland.

Benefits also include:

Social: improving the supply of clean energy, making it more accessible and more affordable to the population.

Economic: job creation and development of the Scottish supply chain.

In addition, the proposed Project will represent a significant contribution to the development of Scotland's energy transition infrastructure, economy, and skills, creating new opportunities and long-term, high-quality jobs. This will provide long term environmental benefits associated with supply of renewable energy, and long term social and economic benefits associated with job creation and the investment associated with the project in, for example, ports and harbours.

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

The Project aims to contribute to Scotland's target of 11GW of offshore wind by 2030 and the UK's 50GW target for 2030.

The development of the wind farm will serve to provide UK homes/businesses with a renewable source of power and will create jobs for the various roles required.

The general population will serve to benefit from the proposed activity. The activity will be beneficial to the environment as a low carbon energy source.

The proposed activity will serve to address the demand for cleaner sources of energy in line with the UK Government's goals and objectives.

Why is it imperative the proposed activity goes ahead?

If the proposed survey activities do not go ahead the geophysical and benthic data for the proposed Project cannot be collected which will hinder the design and layout of the Project as well as prevent a robust environmental impact assessment.

The proposed survey operations are required to facilitate the progression of the proposed wind farm, which will allow an increase in renewable energy generation capacity, and decrease the national reliance on fossil fuels. The Salamander Offshore Wind Farm is also a stepping stone project, helping to develop the Scottish supply chain and allow for key learnings within floating offshore wind, in advance of the Scotwind projects. Hence, the survey activities constitute work of an overriding public interest whilst presenting a minimal and temporary disturbance in a limited area.

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

The Salamander Offshore Wind Farm is aligned with the following:

- Scottish Government Offshore Wind Policy Statement.
- Offshore Wind Sector Deal.
- Scottish Offshore Wind Energy Council (SOWEC) vision and goals.
- Scottish Government Energy Strategy: Position Statement.

In recognising the importance of reducing carbon emissions, the EU, UK and Scottish Government have all committed to reduce emissions and increase the use of renewable energy:

- In 2009 the EU introduced Directive 2009/28/EC on the Promotion of the use of energy from renewable sources, which set renewable energy targets for each member state. The Directive imposed on the UK a mandatory national target of deriving 15% of gross final energy consumption from renewable sources by 2020.
- The Climate Change Act 2008, which commits the UK to a net reduction in greenhouse gas emissions of 80% by 2050 and 34% by 2020; and
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 sets increased targets from those identified in The Climate Change (Scotland) Act, 2009, for the reduction of greenhouse gases emissions. Scottish Emissions Reductions Targets include a reduction of all greenhouse gases to net-zero by 2045, with interim targets for reductions of at least 75% by 2030 and 90% by 2040. The 2019 Act also enables a Just Transition to a net zero economy and society, ensuring the journey is fair and creates a better future for everyone – regardless of where they live, what they do, and who they are.

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.