



MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE TO CONSTRUCT, ALTER OR IMPROVE WORKS IN THE SCOTTISH MARINE AREA

Licence Number: MD-00011420

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

**Scottish Hydro Electric Power Distribution Plc
Inveralmond House,
200 Dunkeld Road
Perth
Perthshire
PH1 3AQ**

to construct, alter or improve works as described in Part 2. The licence is subject to the conditions set out, or referred to, in Part 3.

The licence is valid from **30 May, 2026** until **21 December, 2027**

Signed:
Neil MacLeod

For and on behalf of the Licensing Authority

Date of issue: 29 May, 2026

1. PART 1 - GENERAL

1.1 Interpretation

In the licence, terms are as defined in Section 1, 64 and 157 of the Marine Scotland Act 2010, and

- a) **"the 2010 Act"** means the Marine (Scotland) Act 2010;
- b) **"Licensed Activity"** means any activity or activities listed in section 21 of the 2010 Act which is, or are authorised under the licence;
- c) **"Licensee"** means Scottish Hydro Electric Power Distribution Plc
- d) **"Mean High Water Springs"** means any area submerged at mean high water spring tide;
- e) **"Commencement of the Licensed Activity"** means the date on which the first vehicle or vessel arrives on the site to begin carrying on any activities in connection with the Licensed Activity;
- f) **"Completion of the Licensed Activity"** means the date on which the Licensed Activity has been installed in full, or the Licensed Activity has been deemed complete by the Licensing Authority, whichever occurs first;

All geographical co-ordinates contained within the licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless otherwise stated.

1.2 Contacts

All correspondence or communications relating to the licence should be addressed to:
Marine Directorate - Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB
Email: MD.Marinelicensing@gov.scot

1.3 Other authorisations and consents

The Licensee is deemed to have satisfied itself that there are no barriers or restrictions, legal or otherwise, to the carrying on of the Licensed Activities in connection with the licensed activity. The issuing of the licence does not absolve the Licensee from obtaining such other authorisations and consents, which may be required under statute.

1.4 Variation, suspension, revocation and transfer

Under section 30 (1) of the 2010 Act the Licensing Authority may by notice vary, suspend or revoke the licence granted by them if it appears to the Licensing Authority that there has been a breach of any of its provisions. For any such other reason that appears to be relevant to the Licensing Authority under section 30(2) or (3) of the 2010 Act.

Under the 2010 Act variations, suspensions, revocations and transfers of licences are subject to the procedures set out in section 31 of the Act.

Under section 30 (7) of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.

Under section 30 (8) of the 2010 Act, on an application made by the licensee, the Licensing Authority may transfer the licence from the Licensee to another person.

1.5 Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act it is an offence to carry on a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6 Defences: actions taken in an emergency

Under section 40 of the 2010 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act in relation to any activity to prove that –
the activity was carried out for the purpose of saving life, or for the purpose of securing the safety of a vessel, aircraft or marine structure ('force majeure'), and
that the person took steps within a reasonable time to inform the Licensing Authority as set out in section 40(2) of the 2010 Act.

1.7 Offences relating to information

Under section 42 of the 2010 Act it is an offence for a person to make a statement which is false or misleading in a material way, knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act or the provisions of this licence.

1.8 Appeals

Under Regulation 3(1) of the Marine Licensing Appeals (Scotland) Regulations 2011 a person who has applied for a marine licence may by summary application appeal to against a decision taken by the Licensing Authority under section 71(1)(b) or (c) or (5) of the Act.

2. PART 2 – PARTICULARS

2.1 Agent

As per Licensee

2.2 Location of deposit of the substances or objects:

Ardmore to Loch Pooltiel, within the corridor found by joining the points::

57° 31.898' N 06° 43.251' W
57° 29.896' N 06° 45.718' W
57° 29.108' N 06° 46.996' W
57° 28.864' N 06° 47.201' W
57° 28.195' N 06° 47.191' W
57° 28.122' N 06° 45.266' W
57° 28.036' N 06° 44.813' W
57° 27.779' N 06° 44.662' W
57° 27.259' N 06° 44.775' W
57° 27.741' N 06° 45.309' W
57° 28.074' N 06° 47.754' W
57° 29.664' N 06° 46.584' W
57° 29.770' N 06° 46.435' W
57° 30.714' N 06° 45.468' W
57° 32.465' N 06° 42.508' W
57° 32.150' N 06° 39.814' W
57° 32.090' N 06° 39.077' W
57° 33.122' N 06° 38.498' W
57° 33.146' N 06° 38.772' W
57° 33.162' N 06° 38.690' W
57° 33.054' N 06° 38.389' W
57° 32.759' N 06° 38.155' W
57° 32.442' N 06° 38.161' W
57° 32.670' N 06° 38.404' W
57° 32.604' N 06° 38.620' W
57° 32.430' N 06° 38.635' W
57° 32.260' N 06° 38.774' W
57° 32.153' N 06° 38.341' W
57° 31.870' N 06° 38.865' W
57° 31.826' N 06° 39.641' W
57° 32.019' N 06° 40.298' W
57° 32.161' N 06° 40.633' W
57° 32.202' N 06° 40.677' W
57° 32.134' N 06° 42.458' W
57° 31.018' N 06° 44.562' W
57° 29.292' N 06° 46.459' W

57° 27.381' N 06° 45.045' W
57° 27.452' N 06° 45.128' W
57° 27.659' N 06° 45.186' W
57° 27.793' N 06° 45.621' W
57° 27.839' N 06° 46.486' W
57° 27.794' N 06° 47.313' W
57° 29.220' N 06° 47.675' W
57° 30.981' N 06° 45.236' W
57° 31.820' N 06° 43.998' W
57° 32.085' N 06° 43.700' W
57° 32.544' N 06° 40.585' W

2.3 Description of the Licensed Activity

Installation of a new subsea cable between Ardmore and Loch Pooltiel in order to reinforce the network supplying Skye and the Western Isles

As described in the application dated 02 September, 2025 and correspondence submitted in support of the application.

2.4 Descriptions of the materials to be used during the Licensed Activity

The licence authorises the use of the undernoted construction materials required in connection with the licensed activity, subject to the indicative amounts as specified below:

Materials to be used permanently in the course of the Licensed Activity:

20 Kilometres x HVAC cable
1 Kilometre x Cast iron split pipe
6 x Concrete Mattress
61 x Rock Bags
20 x Grout Bags
4 x Earthing clump weight
20 x Rock anchors
2 x Cable sea earthing deposits conductors
6 x Cable sea earthing deposits rods

Materials to be used temporarily in the course of the Licensed Activity:

4 x Anchors
4 x Mooring Chains
2 x Intertidal pull in aids
4 x Clump weights

2.5 Contractor and Vessel Details

3. PART 3 – CONDITIONS

3.1 General Conditions

3.1.1 The Licensee must only construct the works in accordance with this licence, the application and any plans or programmes approved by the Licensing Authority unless otherwise authorised by the Licensing Authority.

3.1.2 The Licensee must maintain the works in accordance with the licence, the application and any plans or programmes approved by the Licensing Authority unless otherwise authorised by the Licensing Authority.

3.1.3 All conditions attached to the licence bind any person who for the time being owns, occupies or enjoys any use of the works, whether or not the licence has been transferred to that person.

3.1.4 Only the materials listed in Part 2 of the licence may be used during the execution of the Licensed Activity.

3.1.5 All materials used during the execution of the Licensed Activity must be inert and must not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

3.1.6 The Licensee must ensure that the Licensed Activity does not encroach on any recognised anchorage, either charted or noted in nautical publications, within the licensed area as described in Part 2 of the licence.

3.1.7 The Licensee must provide written notification of any serious unforeseen incident of harm to the environment or human health, or any serious unforeseen incident of interference with legitimate uses of the sea during the Licensed Activity, to the Licensing Authority within 24 hours of the incident occurring.

3.1.8 The Licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: sdr@ukho.gov.uk) of commencement of the licensed activities, at least 10 days before commencement of the works. The information supplied must include the start date and end date, a description of the works, positions of the work area (WGS84), and details of any marking arrangements. Notification must also be made within 5 working days of completion of the Licensed Activity. Such notification must include a copy of the licence, and wherever possible, 'as built plans', in order that all necessary amendments to nautical publications are made.

3.1.9 Details of any marks or lights not required by the licence must be submitted to the Northern Lighthouse Board and its ruling complied with. The display of unauthorised marks or lights is prohibited.

3.1.10 Where any damage, destruction, decay or catastrophic failure that could result in a danger or obstruction to navigation is caused to the Works or deposited Objects, the Licensee must notify the Licensing Authority, the UK Hydrographic Office, Maritime and Coastguard Agency, Northern Lighthouse Board, Kingfisher Information Services of Seafish and regional fisheries contacts of such damage, destruction, decay or catastrophic failure in writing as soon as reasonably practicable but no later than six hours after becoming aware of any such damage, destruction, decay or catastrophic failure.

The Licensee must submit a plan to remedy the damage, destruction, decay or catastrophic failure, to the Licensing Authority, for its written approval, within a time period stipulated by the Licensing Authority. The Licensee must carry out the remedial action identified in the plan

approved by the Licensing Authority within the period stipulated by the Licensing Authority. The Licensee shall be responsible for the cost of carrying out the activity identified in the plan.

3.1.11 If governmental assistance is required (including UK governmental assistance or the assistance of any UK devolved government) to deal with any emergency arising from:

- a) the failure to mark and light the Works as required by the licence;
- b) the maintenance of the Works; or
- c) the drifting or wreck of the Works,

to include the broadcast of navigational warnings, then the Licensee is liable for any expenses incurred in securing such assistance.

3.1.12 The Licensee must ensure that any cable protection works do not compromise safe navigation through depth reduction. There must be no more than a 5% reduction in surrounding depth referenced to Chart Datum.

3.1.13 The Licensee must adopt measures to prevent the introduction and spread of invasive non-native species as a result of the Licensed Activity.

3.1.14 In the event of the Licensed Activity being ceased or terminated before completion, the materials used under the authority of the licence must be removed from the seabed to the satisfaction of the Licensing Authority.

3.1.15 The Licensee must ensure that the works are maintained at all times in good repair.

3.1.16 The Licensee must ensure that the Licensed Activity is only carried out at the location of the Licensed Activity specified in Part 2 of the licence.

3.1.17 The Licensee must ensure that every effort is made to micro-route within the corridor, where possible, to avoid rock exposures and any Priority Marine Features ("PMFs"). The Licensee must ensure that all efforts must be made to ensure that the finalised cable route provides a 50m buffer to any PMFs or Annex 1 habitats identified during pre-construction surveys and a 100m buffer in relation to any maerl bed features identified.

3.1.18 The Licensee must ensure that where maerl bed PMFs cannot be adequately avoided through the use of micro-routing as per condition 3.1.17, cable stabilisation techniques and seabed deposits as well as anchors and spud legs are avoided over areas of live maerl beds.

3.2 Prior to the commencement of the Licensed Activity

3.2.1 The Licensee must complete and submit a proposed activity form in the online Marine Noise Registry for all Licensed Activities that will produce loud, low to medium frequency (10Hz-10kHz) impulsive noise no later than seven days prior to Commencement of the Licensed Activity. If any aspects of the Licensed Activity differ from those submitted on the proposed activity form in the online Marine Noise Registry, the Licensee must complete and submit a new proposed activity form no later than seven days prior to Commencement of the Licensed Activity.

3.2.2 The Licensee must notify the Licensing Authority in writing of the name and address of any agent, contractor or sub-contractor not already listed in Part 2 of the licence being used to

carry out any Licensed Activity listed in Part 2 of the licence. Such notification must be received by the Licensing Authority no less than 24 hours before the commencement of the Licensed Activity

3.2.3 The Licensee must issue local notification to marine users, including fisher's organisations, neighbouring port authorities and other local stakeholders, of the commencement of the Licensed Activity at least five days before the Commencement of the Licensed Activity.

The Licensing Authority must be sent a copy of the notification within 24 hours of the notification being sent.

3.2.4 The Licensee must notify HM Coastguard National Maritime Operations Centre (nmoccontroller@hmcg.gov.uk), HM Coastguard (Zone36@hmcg.gov.uk), no less than 7 days prior to the Commencement of the Licensed Activity, of the following information:

a) the start date and proposed end date of the Licensed Activity.

3.2.5 The Licensee must ensure that the Licensed Activity is carried on in accordance with a Construction Environmental Management Plan which the Licensee must submit, in writing, to the licensing authority for its written approval, no later than two months prior to the Licensed Activity commencing or at such a time as agreed with the licensing authority. It is not permissible for the Licensed Activity to proceed prior to the granting of such approval. In the event that the Licensee wishes to update or amend the Construction Environmental Management Plan, the Licensee must submit details of proposed updates or amendments to the Licensing Authority, in writing, for its written approval, no later than one month or at such a time as agreed with the Licensing Authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any Licensed Activity associated with the proposed updates or amendments to proceed prior to the granting of such approvals. The Construction Environmental Management Plan must include monitoring measures that will be used to identify the extent of damage to live maerl and proportion of maerl that has been lost or died as a result of the works.

3.2.6 The Licensee must submit a Cable Burial and Protection Plan ("CBPP") to the Licensing Authority for its written approval as soon as reasonably practicable prior to the Commencement of the Licensed Activities. It is not permissible for any Licensed Activities to commence prior to the granting of such approval. In granting such approval, the Licensing Authority may consult any such other advisers, organisations or stakeholders as may be required at its discretion. The CBPP must be consistent with the marine licence application and supporting information. All works must proceed in accordance with the approved CBPP. The CBPP must include the following:

a) Details of the location of all works relating to the licence and cable laying techniques;

b) Summaries of the survey work used to inform cable routing. The summaries must include geophysical, geotechnical and benthic surveys, desk top studies and cable route studies where available. A non-technical summary of this information must be provided;

c) A burial plan based on survey data to show proposed burial depths throughout the whole cable route. In locations where burial is not proposed, it must be demonstrated, to the satisfaction of the Licensing Authority, that burial is not feasible. In locations where burial is not feasible, cables must be suitably protected through recognised and approved measures where practicable, and as risk assessments direct;

d) Details of any PMF or Annex 1 Habitats which are unlikely to be adequately avoided in line with the buffer zones outlined in condition 3.1.17;

- e) Proposals for survey activity and programming to ensure safety of navigation to other legitimate users of the sea, and with particular relevance to fishing activity, in line with industry best practices and guidelines. Such proposals must apply to the entire cable route;
- f) Proposals for further surveys to be undertaken, determined by the analysis of the data from previous survey activity and subsequent modelling and trending of seabed conditions; and
- g) Steps taken to ensure existing and future safe navigation is not compromised.
- h) Details describing the location, size and information contained on cable marker boards to be installed at each end of the cable route

3.3 During the Licensed Activity

3.3.1 Only those persons acting on behalf of, and authorised by, the agent or the Licensee shall undertake the Licensed Activity.

3.3.2 The Licensee must ensure that any debris or waste materials arising during the course of the Licensed Activity are removed for disposal at an approved location above the tidal level of Mean High Water Springs.

3.3.3 The Licensee must remove all materials used to construct temporary works from the sea prior to expiry of the licence.

3.3.4 The Licensee must ensure that a copy of the licence is available for inspection by a Marine Enforcement Officer at:

- a) the premises of the Licensee;
- b) the premises of any agent, contractor and sub-contractor engaged in the Licensed Activity;
- c) location of the Licensed Activity;
- d) any vessel or vehicle carrying on the Licensed Activity.

3.3.5 The Licensee must provide a copy of the licence to each agent, contractor and sub-contractor engaged in the Licensed Activity and must ensure that any person engaged in the Licensed Activity is aware of the particulars in Part 2 of the licence and the conditions in Part 3 of the licence.

3.3.6 The Licensee must minimise suspension of sediment and minimise damage to the seabed when carrying on the Licensed Activity.

3.3.7 The Licensee must ensure appropriate steps are taken to minimise damage to the foreshore and seabed during the Licensed Activity.

3.3.8 Any person authorised by the Licensing Authority must be permitted to inspect the site at any reasonable time.

3.3.9 The Licensee must ensure that progress of the Licensed Activity is promulgated regularly in the Kingfisher Fortnightly Bulletin.

3.3.10 The Licensee must ensure that all Licensed Activities are carried out at all times in strict accordance with the Marine Environmental Appraisal, P2816_R6690_Rev3, as submitted to the Licensing Authority.

3.3.11 The Licensee must ensure that all Licensed Activities undertaken from 01 June to 31 July are carried out in accordance with specified mitigation:

a) A non-dedicated Marine Mammal Observer must be present to conduct a pre-activity search to confirm the presence or absence of harbour seals hauled out and/or in the waters surrounding the works.

b) Vessels must maintain a minimum distance of 200m from Sgeir nam Biast, the islands and islets of Isay, Mingay and Clett should hauled out harbour seals be identified within 500m of the Licensed Activities.

c) No Licensed Activities can commence should harbour seals be identified in the water and within 100m of vessels. Licensed Activities may only commence once seals have moved beyond 100m from the vessels.

3.3.12 The Licensee must adhere to the Scottish Marine Wildlife Watching Code at all times with vessels maintaining a slow speed, including transiting to and from the works area

3.4 Upon Completion of the Licensed Activity

3.4.1 The Licensee must submit a decommissioning plan to the licensing authority for approval two years prior to the predicted end of life of the cable or immediately in the case of cable faulting. The plan must be based on best practice at that time. The Licensee shall be liable for all costs.

3.4.2 The Licensee must carry out an assessment of any risks to the safety of navigation and other legitimate uses of the sea posed by the presence of the Works within eight weeks of the completion of cable laying and protection works or such other time as directed by the Licensing Authority in writing. The Licensee must submit a report detailing any risks identified, and the mitigation proposed to address the risks, to the Licensing Authority within 12 weeks of the the completion of cable laying and protection works or such other time as directed by the Licensing Authority in writing.

3.4.3 The Licensee must notify the Kingfisher Information Service - Offshore Renewables & Cable Awareness of the 'as laid' cable location and a 500 m zone either side of it as a hazardous area for anchoring following completion of the Works.

3.4.4 The Licensee must submit a written report regarding the materials used during the works to the Licensing Authority. The written report must be submitted on completion of the works and on the forms provided by the Licensing Authority no later than 31 October 2028.

3.4.5 The seabed must be returned as close as reasonably practicable to the original profile following completion of the Licensed Activity unless otherwise agreed in writing with Licensing Authority.

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed activity. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.
2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.