

[Redacted]

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**From:** [Redacted]  
**Sent:** 26 April 2021 09:51  
**To:** [Redacted]  
**Subject:** Marine Licence Wadbister  
**Attachments:** Wadbister.pdf; Wadbister 2.pdf; Wabbister 3.pdf; Wadbister 4.pdf; Wadbister 5.pdf; Wadbister 6.pdf; Wadbister 7.pdf; Wadbister 8.pdf

Good Morning [Redacted]

We were wondering if there was a Marine Licence for Wadbister?

Site is as per attachment.

This was an old Demlane site an might be one that has escaped.

Best Regards

[Redacted]

Blueshell Mussels Ltd  
Sparl  
Brae  
Shetland

[Redacted]

T 01806 522 555  
[www.blueshellmussels.co.uk](http://www.blueshellmussels.co.uk)

*\* I have emailed multiple times since 26.04.2021 to check the status of the Marine License for Wadbister, but only recieved a response today (06.10.2022), so please find application attached.*

NOTE The grid moorings seem to have been omitted on the Marine License, but see attached application - as per approved plans and existing equipment.

[Redacted]



marinescotland

T: +44 (0)1224 295579  
E: ms.marinelicensing@gov.scot



## **Marine Licence Application for Finfish and Shellfish Farms**

Version 1.0

### **Marine (Scotland) Act 2010**

## Acronyms

Please note the following acronyms referred to in this application form:

<b>MHWS</b>	Mean High Water Springs
<b>MS-LOT</b>	Marine Scotland – Licensing Operations Team
<b>WGS84</b>	World Geodetic System 1984

## Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

### 1. Applicant Details

The person making the application who will be named as the licensee.

### 2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

### 3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

**Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.**

### 4. Application Type

Indicate if the application is for a new marine farm site or an existing marine farm site. Provide the existing or previous consent/licence number and expiry date if applicable.

### 5. Marine Farm Details

- (a) Indicate the type of marine farm, either finfish or shellfish.
- (b) Indicate the deposits of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (c) If applicable, indicate the removals of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (d) Provide the proposed start date for installation of the marine farm. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.
- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the moorings area and for each of the component parts of the marine farm, including sub-surface equipment. 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.

**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.**

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

- (g) Indicate if the marine farm is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide assessment of the potential impacts the works may have on navigation, including interference with other uses of the sea.

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

## **6. Planning Permission**

Indicate if you have, or if you are in the process of applying for, planning permission for the marine farm. Provide the reference number for the planning application if applicable and/or supply a copy of the planning permission along with the completed application form.

**Marine licence applications will not be determined without valid planning permission.**

## **7. Scotland's National Marine Plan**

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

## **8. Consultation (other than carried out under pre-application consultation)**

Provide details of all bodies consulted and give details of any consents issued including date of issue.

## 9. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. pontoon, moorings etc). If this is the case, provide reference/licence number for the related marine projects.

# Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

## Marine (Scotland) Act 2010

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

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

### Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

- (a) for reasons of national security; YES  NO
- (b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES  NO

If YES, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

## WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

### Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature [Redacted]

Date 06.10.2022

Name in BLOCK LETTERS [Redacted]

### Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form
- Project Drawings
- Maps/Charts
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority)
- Copy of planning permission (if applicable)
- Additional information e.g. photographs, consultation correspondence (if applicable)
- Payment (if paying by cheque)





**4. Application Type**

Is this application for a new marine farm site or an existing marine farm site:

New Site  Existing Site

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date
05737/16/0	03.03.2022

**5. Marine Farm Details**

(a) Type of marine farm:

Finfish  Shellfish

(b) Deposits of component parts/equipment:

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines	12	6 x 275m & 6 x 220m twin-headline
Feed barges		
Feedpipes (to shore)		
Grid moorings		24
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(c) Removals of component parts/equipment (if applicable):

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(d) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

existing site

(e) Cost of the works seawards of the tidal limit of MHWS:

[Redacted]

(f) Location:

Wadbister Voe  
Shetland

Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

*Continued moorings area*

Latitude										Longitude												
<b>Moorings Area</b>																						
6	0	°	1	4	.	1	4	6	'	N	0	0	1	°	1	3	.	0	6	5	'	W
6	0	°	1	4	.	1	7	8	'	N	0	0	1	°	1	3	.	0	6	5	'	W
6	0	°	1	4	.	2	0	8	'	N	0	0	1	°	1	2	.	9	2	4	'	W
6	0	°	1	4	.	2	0	8	'	N	0	0	1	°	1	2	.	6	1	8	'	W
<b>Cage Group Area/Longline Position(s)</b>																						
6	0	°	1	4	.	2	9	3	'	N	0	0	1	°	1	2	.	3	4	0	'	W
6	0	°	1	4	.	2	4	7	'	N	0	0	1	°	1	2	.	2	7	5	'	W
6	0	°	1	4	.	1	4	6	'	N	0	0	1	°	1	2	.	5	8	6	'	W
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
<b>Feedbarge/Feedpipe Position(s)</b>																						
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
<b>Boat Mooring Position(s)</b>																						
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
<b>Raft Position(s)</b>																						
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
<b>Pontoon Position(s)</b>																						
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W
<b>Marked Buoy Position(s)</b>																						
		°			.				'	N				°			.				'	W
		°			.				'	N				°			.				'	W

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority YES  NO

If YES, please specify statutory harbour authority:

(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

The site has been in existing location since 1999.

No issues to navigation have been highlighted during this time period.

#### 6. Planning Permission

Do you have planning permission for the marine farm?  
If YES, please supply a copy of the planning permission

YES  NO

If NO, please provide details of planning application, including reference number:

2007/0022/VS

**Marine licence applications will not be determined without valid planning permission.**

#### 7. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan?

YES  NO

If YES, provide details of considerations made including reference to the policies that have been considered:

Objectives and policies applicable have been implemented where possible and achievable.

The site has proven to be economically viable and contributes to Scotland's food security, whilst minimizing environmental impact.

The development avoids adverse impacts on the landscape and visual amenity of the area and follows SNH guidance on the siting and design of aquaculture sites.

The farm operates in accordance with a bio-security plan that has been fully approved by Marine Scotland: Science.

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

N/a

**8. Consultation**

List all bodies you have consulted and provide copies of correspondence:

All relevant bodies consulted with earlier applications

**9. Associated Works**

Provide details of other related marine projects, including reference/licence numbers (if applicable):

N/a



RECEIVED 08 FEB 2008



## **SHETLAND ISLANDS COUNCIL**

### **Town and Country Planning (Scotland) Act 1997**

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With reference to the application for **Planning Permission** (described below) under the above Act, the Shetland Islands Council in exercise of their powers hereby **GRANT Planning Permission** for the development, in accordance with the particulars given in, and the plans accompanying, the application; subject to the condition(s) specified below.

#### **Applicant:**

SI Seafarms Limited  
Kirkdale Industrial estate  
Kirkdale  
Walls  
Shetland  
ZE2 9QX

**Reference Number: 2007/022/VS**

**To modify existing mussel farm by permitting the increase in length of six double-headrope longlines, Wadbister Voe, Wadbister**

(1) Unless otherwise previously approved in writing by the Council, the development hereby permitted shall not be carried out other than wholly in accordance with the following plans and details received by the Council on 27 March 2007:

- Admiralty Chart;
- Site Plan

Reason: For the avoidance of doubt as to what is being authorised by this permission.

(2) The development hereby permitted shall be commenced within three years of the date of this permission.

Reason: To comply with the Council's Interim Policy for Marine Aquaculture (adopted 4 July 2007).





- (3) All equipment and associated moorings approved by this permission shall be wholly contained within the area identified on the Admiralty Chart received by the Council on 27 March 2007, the approved mid-point of the site being:

60° 14.219' N 1° 12.471' W (WGS84 projection)

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (4) The development hereby permitted shall relate to the longline culture of mussels. Details of any other species to be on-grown shall be submitted to the Council for prior approval.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (5) A maximum of twelve double-headrope longlines shall be permitted at any one time. This permission however relates to only six 275m double-headrope longlines, with the remaining six 220m double-headrope longlines permitted by a previous permission (Works Licence 1999/052/VS).

Reason: For the avoidance of doubt as to what is being authorised by this permission.

- (6) The following navigational marks shall be provided:

- The East most corner of the mooring containment area shall be marked with a yellow conical shaped lightbuoy with light characteristic *flash one every five seconds (Fl Y 5s)*. The lightbuoy shall have a diameter of 1 metre at the waterline and shall be fitted with a yellow multiplication cross topmark. The visible range of the light shall be 2 nautical miles and the focal plane of the light shall be 2 metres above the waterline. The multiplication cross shall measure a minimum of 75cm in length by 15cm in width;
- The Southeast most corner of the mooring containment area shall be marked with a yellow conical shaped lightbuoy with light characteristic *flash one every five seconds (Fl Y 5s)*. The lightbuoy shall have a diameter of 1 metre at the waterline and shall be fitted with a yellow multiplication cross topmark. The visible range of the light shall be 2 nautical miles and the focal plane of the light shall be 2 metres above the waterline. The multiplication cross shall measure a minimum of 75cm in length by 15cm in width;



- All buoys used to mark the extremities of the site shall be of high visibility;
- For the sake of clarity, please see the attached chart regarding required lightbuoy positions.

Reason: In the interest of navigational safety and to comply with the guidelines laid down by the Northern Lighthouse Board.

- (7) All surface floats and buoys (excluding those required to comply with navigational requirements) shall be coloured dark grey, black or blue.

Reason: In the interest of visual amenity and to minimise the impact of the development on the wider landscape setting.

- (8) Any necessary predator control measures shall be non-lethal and non-destructive in accordance with the guidance provided by Scottish Natural Heritage. If anti-predator nets are used, they must be properly installed and maintained to ensure effective and predator-friendly protection (see Note to Applicant below for guidance). Any changes to permitted anti-predation measures shall be submitted to the Council for consideration and approval prior to any installation and use.

Reason: In the interest of protecting wildlife within the area, and for the avoidance of doubt as to what is being authorised by this permission.

- (9) In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoys, raising, repairing, moving or destroying, as appropriate, the whole or any part of the equipment so as to remove the obstruction or danger to navigation.

Reason: In the interest of navigational safety.

[Redacted]

Date: .

Signed:

**Coastal Zone Manager**

Marine Management Department, NAFC Marine Centre, Port Arthur, Scalloway, Shetland, ZE1 0UN



## **Note to Applicant**

### **Anti-predator netting:**

It is recommended that you consider the following as guidelines with regard to installation of anti-predator netting:

- Monofilament netting must not be used under any circumstances. Brightly coloured thick mesh should instead be used in order to make the netting visible to diving birds and minimise the risk of entanglement and drowning;
- Only vertical anti-predator netting panels should be used. Horizontal panels must not be used as they increase the potential for entanglement and drowning of diving birds;
- The anti-predator netting must be properly tensioned. Nets that are not properly installed and maintained pose a potential hazard to wildlife, in particular diving birds such as eider ducks may become entangled and drown;
- The anti-predator netting must have a mesh size of 70mm to avoid entangling and drowning diving birds;
- Netting should only be deployed on site between February and April when year one mussels are most vulnerable to predation by eiders. After this time all netting must be removed from the water and stored at a recognised location above Mean High Water Springs;
- The operator should keep records of any animals that are by-caught in the anti-predator netting and submit an annual report to the Council and Scottish Natural Heritage.

### **Disease Control:**

In accordance with The Registration of Fish Farming and Shellfish Farming Businesses Order 1985, all fish farming businesses are required to register with the Scottish Government Marine Directorate (SGMD) for disease control purposes. The Fish Health Inspectorate (FHI) at Fisheries Research Services (FRS) Marine Laboratory acts on behalf of the Scottish Ministers in maintaining the Fish and Shellfish Business Register. To register, you are advised to contact the FHI as follows: FRS Marine Laboratory, PO Box 101, Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 876544; Email: [enquiries@marlab.ac.uk](mailto:enquiries@marlab.ac.uk)



### **Safety of Navigation:**

Under Section 34 of the Coast Protection Act 1949, prior written consent from the Scottish Ministers is required for development which may constitute an obstruction or danger to navigation. To ensure compliance, you are advised to contact the Scottish Government as follows: Scottish Government Transport Directorate, Ports & Harbours Branch, Area 2G Dockside, Victoria Quay, Edinburgh, EH6 6QQ. Tel: 0131 244 7273; Email: [Redacted]

### **Seabed Lease:**

Under the terms of the Crown Estate Act 1961, a seabed lease is required for the development hereby permitted. To obtain or update a seabed lease from the Crown Estate, you are advised to contact their agent as follows: Bidwells Property Consultants, Alder House, Cradlehall Business Park, Inverness, IV2 5GH. Tel: 01463 796050.

### **Important Information – Appeal Procedures**

If you feel aggrieved by any of the conditions imposed on your Planning Permission you can appeal to the Scottish Ministers to have them changed or omitted. You must lodge your appeal within six months of the date of the notice of the Council's decision (in certain circumstances the Scottish Government is prepared to consider an appeal after 6 months but there would have to be a very good reason for this).

If you wish to appeal, the relevant form can be obtained from the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. Tel: 01324 696 400; Email: [DPEA@scotland.gsi.gov.uk](mailto:DPEA@scotland.gsi.gov.uk). The form can also be downloaded along with information on appeals and appeals procedures at [www.scotland.gov.uk/Topics/Planning/Appeals](http://www.scotland.gov.uk/Topics/Planning/Appeals). The form should be completed and sent back to the Directorate for Planning and Environmental Appeals, and a copy also sent to the Coastal Zone Manager at Marine Management Department, NAFC Marine Centre, Port Arthur, Scalloway, Shetland, ZE1 0UN.











