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THE WILDLIFE AND COUNTRYSIDE ACT 1981 (as amended)

LICENCE TO DISTURB BASKING SHARKS (*Cetorhinus maximus*)

This licence is granted under Part I, section 16(3)(i) of the Wildlife and Countryside Act 1981 (as amended) by the Scottish Ministers who, after consultation with and having been advised as to the circumstances in which they should grant such licences by Scottish Natural Heritage (SNH) are satisfied that the activities authorised by this licence contribute towards a significant social, economic or environmental benefits and that there is no other satisfactory solution; and unless revoked by the Scottish Ministers is valid from 29 April 2020 to 31 March 2023 and authorises:

Scottish Hydro Electric Power Distribution plc
Inveralmond House
200 Dunkeld Road
Perth
PH1 3AQ

Or any person authorised in writing by Scottish Hydro Electric Power Distribution plc to disturb (intentionally or recklessly) basking sharks (*Cetorhinus maximus*), located at various locations in the West Highland marine region, but only subject to the under-noted conditions:

PURPOSE AND CIRCUMSTANCES IN WHICH ACTION IS REQUIRED

This licence is granted for the purpose of permitting the disturbance of basking sharks (*Cetorhinus maximus*), at various various locations below Mean High Water Springs line in the West Highland marine region, for any social, economic or environmental purpose in connection with cable surveying along entire cable routes at the following indicative locations.

Corran Narrows Centre

56° 43.704' N 005° 14.239' W.
56° 43.630' N 005° 13.888' W.
56° 43.218' N 005° 14.189' W.
56° 43.119' N 005° 14.356' W.
56° 43.133' N 005° 14.723' W.
56° 43.169' N 005° 14.947' W.
56° 43.200' N 005° 14.608' W.
56° 43.291' N 005° 14.525' W.
56° 43.361' N 005° 14.582' W.
56° 43.577' N 005° 15.078' W.
56° 43.687' N 005° 14.773' W.
56° 43.704' N 005° 14.239' W.

Corran Narrows North

56° 43.813' N 005° 13.664' W.
56° 43.622' N 005° 13.899' W.
56° 43.298' N 005° 14.096' W.
56° 43.258' N 005° 14.521' W.
56° 43.361' N 005° 14.582' W.
56° 43.622' N 005° 15.169' W.
56° 43.766' N 005° 15.324' W.
56° 43.828' N 005° 15.015' W.
56° 43.794' N 005° 14.703' W.
56° 43.851' N 005° 13.906' W.
56° 43.813' N 005° 13.664' W.

Corran Narrows South

56° 43.704' N 005° 14.618' W.
56° 43.589' N 005° 13.909' W.
56° 43.296' N 005° 14.093' W.
56° 43.091' N 005° 14.376' W.
56° 43.169' N 005° 14.947' W.
56° 43.200' N 005° 14.608' W.
56° 43.291' N 005° 14.525' W.
56° 43.361' N 005° 14.582' W.
56° 43.578' N 005° 15.079' W.
56° 43.672' N 005° 14.884' W.
56° 43.704' N 005° 14.618' W.

Kyle – Skye North (1)

57° 16.472' N 005° 41.648' W.
57° 16.180' N 005° 42.012' W.
57° 15.943' N 005° 42.468' W.
57° 15.930' N 005° 42.742' W.
57° 16.021' N 005° 43.029' W.
57° 16.352' N 005° 43.053' W.
57° 16.640' N 005° 42.612' W.
57° 16.774' N 005° 42.610' W.
57° 16.850' N 005° 42.467' W.
57° 16.904' N 005° 41.638' W.
57° 16.472' N 005° 41.648' W.

Kyle – Skye South (2)

57° 16.863' N 005° 41.498' W.
57° 16.448' N 005° 41.537' W.
57° 16.071' N 005° 41.862' W.
57° 15.862' N 005° 42.463' W.
57° 15.871' N 005° 42.915' W.
57° 15.990' N 005° 43.114' W.
57° 16.365' N 005° 43.093' W.
57° 16.431' N 005° 42.879' W.
57° 16.592' N 005° 42.503' W.
57° 16.847' N 005° 42.475' W.
57° 16.948' N 005° 41.584' W.
57° 16.863' N 005° 41.498' W.

Loch a'Choire North

56° 37.026' N 005° 28.103' W.
56° 36.867' N 005° 28.087' W.
56° 36.573' N 005° 28.293' W.

56° 36.177' N 005° 28.841' W.
 56° 36.030' N 005° 29.164' W.
 56° 35.931' N 005° 29.691' W.
 56° 35.957' N 005° 29.986' W.
 56° 36.457' N 005° 29.896' W.
 56° 36.541' N 005° 29.565' W.
 56° 36.771' N 005° 29.216' W.
 56° 37.029' N 005° 29.051' W.
 56° 37.026' N 005° 28.103' W.

Loch a'Choire South

56° 36.916' N 005° 28.043' W.
 56° 36.450' N 005° 28.315' W.
 56° 36.128' N 005° 28.879' W.
 56° 35.969' N 005° 29.367' W.
 56° 35.924' N 005° 29.723' W.
 56° 35.958' N 005° 29.985' W.
 56° 36.467' N 005° 29.774' W.
 56° 36.512' N 005° 29.571' W.
 56° 36.703' N 005° 29.200' W.
 56° 37.010' N 005° 29.041' W.
 56° 37.041' N 005° 28.088' W.
 56° 36.916' N 005° 28.043' W.

Loch Eil Narrows

56° 50.692' N 005° 09.830' W.
 56° 50.513' N 005° 09.432' W.
 56° 50.418' N 005° 09.705' W.
 56° 50.539' N 005° 09.833' W.
 56° 50.576' N 005° 10.071' W.
 56° 50.673' N 005° 10.290' W.
 56° 50.699' N 005° 10.569' W.
 56° 50.832' N 005° 10.388' W.
 56° 50.946' N 005° 09.967' W.
 56° 50.803' N 005° 09.756' W.
 56° 50.692' N 005° 09.830' W.

Loch Sligachan, Skye East

57° 19.133' N 006° 05.824' W.
 57° 18.800' N 006° 05.829' W.
 57° 18.894' N 006° 06.294' W.
 57° 18.797' N 006° 06.760' W.
 57° 19.183' N 006° 06.796' W.
 57° 19.222' N 006° 06.508' W.
 57° 19.120' N 006° 06.317' W.
 57° 19.313' N 006° 06.021' W.
 57° 19.133' N 006° 05.824' W.

Loch Sligachan, Skye West

57° 19.143' N 006° 05.823' W.
 57° 18.799' N 006° 05.850' W.
 57° 18.894' N 006° 06.294' W.
 57° 18.792' N 006° 06.781' W.
 57° 19.183' N 006° 06.796' W.
 57° 19.222' N 006° 06.508' W.
 57° 19.120' N 006° 06.317' W.
 57° 19.322' N 006° 06.012' W.

57° 19.143' N 006° 05.823' W.

Lochaline - Mull

56° 32.009' N 005° 47.856' W.

56° 32.029' N 005° 47.533' W.

56° 31.949' N 005° 47.035' W.

56° 30.830' N 005° 47.029' W.

56° 30.659' N 005° 47.162' W.

56° 30.571' N 005° 47.446' W.

56° 30.709' N 005° 47.631' W.

56° 30.860' N 005° 47.675' W.

56° 30.944' N 005° 48.000' W.

56° 31.892' N 005° 48.031' W.

56° 32.058' N 005° 47.930' W.

56° 32.009' N 005° 47.856' W.

Lochaline (Ardtornish)

56° 32.304' N 005° 45.824' W.

56° 32.227' N 005° 45.892' W.

56° 32.276' N 005° 46.264' W.

56° 32.155' N 005° 46.356' W.

56° 31.960' N 005° 46.288' W.

56° 32.019' N 005° 46.635' W.

56° 32.085' N 005° 46.528' W.

56° 32.254' N 005° 46.561' W.

56° 32.547' N 005° 46.411' W.

56° 32.444' N 005° 45.997' W.

56° 32.304' N 005° 45.824' W.

Lochalsh (Gleneig)

57° 16.485' N 005° 34.214' W.

57° 15.420' N 005° 34.693' W.

57° 15.323' N 005° 35.043' W.

57° 15.317' N 005° 35.501' W.

57° 15.544' N 005° 35.660' W.

57° 16.388' N 005° 35.271' W.

57° 16.509' N 005° 34.813' W.

57° 16.485' N 005° 34.214' W.

Skye - Harris

57° 47.417' N 006° 49.202' W.

57° 45.143' N 006° 49.334' W.

57° 40.511' N 006° 47.780' W.

57° 34.150' N 006° 39.104' W.

57° 33.449' N 006° 38.630' W.

57° 32.992' N 006° 39.212' W.

57° 40.300' N 006° 48.718' W.

57° 45.124' N 006° 50.349' W.

57° 47.077' N 006° 50.208' W.

57° 47.860' N 006° 51.666' W.

57° 48.669' N 006° 51.820' W.

57° 47.417' N 006° 49.202' W.

Skye - Scalpay

57° 16.568' N 005° 59.107' W.

57° 16.433' N 005° 58.822' W.

57° 16.490' N 005° 58.671' W.

57° 16.503' N 005° 58.379' W.

57° 16.335' N 005° 58.403' W.
 57° 16.041' N 005° 58.734' W.
 57° 16.076' N 005° 58.974' W.
 57° 16.226' N 005° 59.572' W.
 57° 16.545' N 005° 59.365' W.
 57° 16.646' N 005° 59.181' W.
 57° 16.568' N 005° 59.107' W.

Skye – South Uist

57° 33.224' N 006° 38.397' W.
 57° 29.628' N 006° 50.569' W.
 57° 25.060' N 006° 55.756' W.
 57° 21.627' N 007° 05.914' W.
 57° 21.459' N 007° 15.460' W.
 57° 22.036' N 007° 16.345' W.
 57° 22.137' N 007° 12.618' W.
 57° 22.123' N 007° 06.337' W.
 57° 25.488' N 006° 56.366' W.
 57° 30.038' N 006° 51.229' W.
 57° 34.252' N 006° 39.764' W.
 57° 33.224' N 006° 38.397' W.

Skye Raasay

57° 20.400' N 006° 04.211' W.
 57° 19.911' N 006° 03.784' W.
 57° 19.837' N 006° 04.407' W.
 57° 19.883' N 006° 05.556' W.
 57° 19.849' N 006° 05.912' W.
 57° 19.884' N 006° 06.172' W.
 57° 19.971' N 006° 06.373' W.
 57° 20.086' N 006° 06.425' W.
 57° 20.159' N 006° 06.385' W.
 57° 20.319' N 006° 06.042' W.
 57° 20.418' N 006° 05.754' W.
 57° 20.400' N 006° 04.211' W.

Loch Long (Dornie)

57° 16.983' N 005° 30.645' W.
 57° 16.917' N 005° 30.886' W.
 57° 16.851' N 005° 30.943' W.
 57° 16.727' N 005° 30.965' W.
 57° 16.634' N 005° 30.896' W.
 57° 16.656' N 005° 31.185' W.
 57° 16.716' N 005° 31.158' W.
 57° 16.939' N 005° 31.190' W.
 57° 17.015' N 005° 31.158' W.
 57° 17.186' N 005° 30.929' W.
 57° 17.125' N 005° 30.647' W.
 57° 17.054' N 005° 30.505' W.
 57° 16.983' N 005° 30.645' W.

This licence is granted for permitting disturbance of the above named species as a result of the following activities:

- Vessel traffic
- Ultra-Short Baseline System (USBL)

- Sub Bottom Profiler (SBP)

During the period this licence is valid section 9(4A) of the Wildlife and Countryside Act 1981 does not apply to the undertaking of the aforementioned licensed activities by either the licensee or any person authorised in writing by him, which involves or results in the intentional or reckless disturbance of basking sharks (*Cetorhinus maximus*), located at various locations in the West Highland marine region, provided that such activities are done under and in accordance with the terms of this licence.

Licence Conditions

1. The licensee must ensure that all works are carried out in strict accordance with the mitigation and working methods proposed in the application for this licence, together with supporting information and all works must be carried out within the timescale given within the application and any subsequent written correspondence between Marine Scotland – Licensing Operations Team (MS-LOT) and the applicant, but subject to the following modifications or amendments made within this licence.
2. The licensee must ensure that all works are carried out in strict accordance with the EPS and Protected Sites and Species Risk Assessment – West Highlands (version A02) submitted to the licensing authority on 30 August 2019.
3. In the event of the licensee becoming aware that any of the information on which the issue of this licence was based has changed, the licensing authority must be notified as soon as reasonably practicable.
4. The licensee must ensure that the Joint Nature Conservation Committee (JNCC) guidelines for minimising the risk of injury and disturbance to marine mammals from geophysical surveys dated August 2017 (“JNCC Guidance”) is followed at all times in connection with the undertaking of such surveys as far as it is practical to do so. These are available from the JNCC website http://jncc.defra.gov.uk/pdf/jncc_guidelines_seismicsurvey_apr2017.pdf
5. The licensee must ensure that, if any aspects of the proposed activities differ from the detail submitted in the online Marine Noise Registry, a new Proposed Activity Form is completed and submitted no later than one week prior to commencement of the licensed activities.
6. The licensee must ensure that where survey equipment has the capability to undergo a soft start procedure, this is implemented on every occasion survey equipment is switched on.
7. Except where it is not relevant to the provisions of this licence, the licensee must ensure that the Scottish Marine Wildlife Watching Code is adhered to at all times.
8. The licensee must ensure that copies of the licence are available for inspection by any person authorised by the Scottish Ministers at the office of the licensee and at all sites where licensed activities are taking place.
9. Any person authorised by the Scottish Ministers must be permitted to inspect the operations relating to the licence at any reasonable time. The licensee must allow appropriate assistance to facilitate inspection.

10. The licensee must, no later than one month after the expiry date of this licence, submit to the Scottish Ministers, a written report detailing all actions taken in accordance with the specified terms and conditions of the licence. This report must detail the procedures, visual observations and include the original Marine Mammal Recording Form(s). Any difficulties encountered, or recommendations should also be noted.
11. The licence holder must, no later than 12 weeks after completion of the noisy activity, complete and submit a Close-out Report the online Marine Noise Registry.

Authorised on behalf of Scottish Ministers
By a member of staff of the Scottish Government

Marine Scotland
Marine Planning and Policy
Licensing Operations Team
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Aberdeen
AB11 9DB

29 April 2020