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E: ms.marinelicensing@gov.scot

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

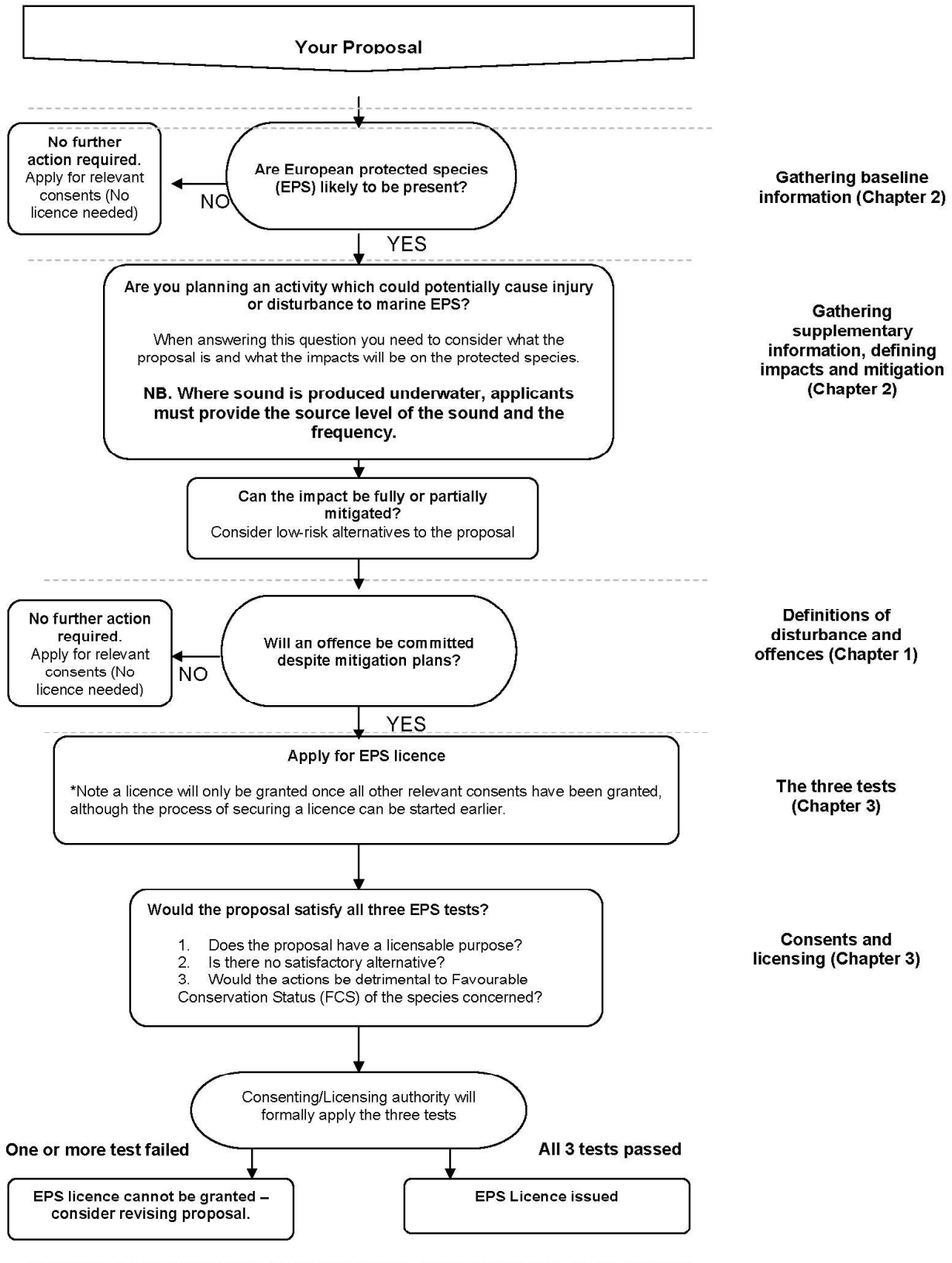
- For preserving public health or public safety
- For an imperative reason of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
- For preventing the spread of disease
- For preventing serious damage to livestock,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

Company Name: Nexans Norway AS

Business Title (if Appropriate): Nexans Project Manager. (SSEN Project Title/Number:LT000017 - Orkney Caithness 220kV Link)

Address: Freserveien 1, 0196 Oslo
http://nexans.no/
+47 22886100

Tel no. (inc. dialling code): +47 950 34 901

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? MD-LOT

Licence number (most recent licence) EPS-00011440

Year in which the licence was issued. 2025

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);short beaked common dolphin (Delphinus delphis);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): Harbour porpoise, Risso’s dolphin, white-beaked dolphin, minke whale, humpback whale, bottlenose dolphin, short-beaked common dolphin, atlantic white sided dolphin, killer whale, otter

Scientific name(s) Phocoena phocoena, Grampus griseus, Lagenorhynchus albirostris, Balaenoptera acutorostrata, Megaptera novaengliae, Tursiops truncatus, Delphinus delphis, Lagenorhynchus acutus, Orcinus orca, Lutra lutra

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

No animals are expected to be injured as a result of the proposed licensed works.

A small number of individual animals may be subject to temporary disturbance associated with the proposed activities. Disturbance has been assessed using the four most commonly occurring cetacean species within the survey area as proxy receptors, which are considered representative and precautionary for the wider cetacean assemblage. Other cetacean species are considered to be occasional or rare visitors, with less than one individual of each species likely to be affected.

Based on a worst-case, pre-mitigation assessment, the maximum number of individuals of the four most commonly occurring species that could potentially be affected by disturbance is estimated to be:

- 22 harbour porpoises (approximately 0.01% of the reference population)
- 76 Risso’s dolphins (approximately 0.97% of the reference population)
- 48 white-beaked dolphins (approximately 0.16% of the reference population)
- 62 minke whales (approximately 0.50% of the reference population)

Any disturbance is expected to be localised and short-term.

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

The estimates represent the maximum number of individual cetaceans that could potentially be subject to temporary disturbance from underwater sound generated by geophysical survey and positioning equipment, prior to the application of mitigation measures.

A precautionary impact radius of 5 km was applied to represent the maximum distance over which behavioural disturbance could occur. This distance was selected as a conservative proxy and is reduced from the 10 km behavioural response distance reported by Thompson et al. (2013). An impact area of 78.5 km² was therefore assumed, based on a simple calculation of πr^2 , representing the maximum area that could be affected by survey sound at any one time.

Species-specific density estimates from SCANS-IV (Gillies et al., 2023) were applied to this impact area to estimate the number of individuals that could be present. Reference population abundance estimates were taken from JNCC (2019) to contextualise these figures at the population level.

The resulting estimates are highly precautionary, as they assume that all individuals potentially present within the impact area at a given time would be disturbed. Further detail on the methodology and assumptions is provided in the Orkney – Mainland Subsea Link Geological Investigations European Protected Species Risk Assessment.

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

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project. Please continue on a separate sheet if necessary.

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

Nexans are planning to undertake a General Visual Inspection (GVI) survey and associated localised concrete mattress installation works in connection with the installation of a 220 kV Alternating Current (AC) cable system between Orkney and Dounreay on the Scottish Mainland (HVAC Cable – Orkney to Mainland Scotland MS-00010803). The GVI survey works will use at least a Work-class ROV to visually inspect and document the seabed as well as the use of USBL positioning systems. An optional scope of surveys is also being considered including crossing survey and nearshore photogrammetry survey of the Warebeth landfill.

Temporary, non-impulsive underwater noise will also arise from vessel operations, ROV thrusters and lifting activities associated with concrete mattress installation; these sources are of lower magnitude than the survey acoustic systems and are assessed in the supporting EPS Risk Assessment.

The equipment of potential impact to marine EPS and associated sound sources is as follows (please see Table 3.2 of the attached Orkney Mainland HVAC 220 kV Subsea Link EPS Risk Assessment report for detailed equipment specifications).

- MBES - 200-400 or 700/200-400/10.5-13.5/ 260/ 720 or 1200 kHz and 200-700; SPL of between 191 and 230 (rms) and 221 and 240 (peak) dB re 1µPa rms at 1 m
- USBL - 21.5-30.5/21-31/30-60/20-34 kHz; SPL of between 175 and 190 (rms) and 184 and 202 (peak) dB re 1µPa at 1 m
- DVL - 1000 kHz; SPL above 190 (rms) dB re 1µPa rms at 1 m and 70-120 kHz; SPL of 210 (rms) and 225 (peak) dB re 1µPa rms at 1 m.; 200-500 kHz with an estimated noise between 190 and 200 dB re 1µPa rms at 1 m and 400 or 600 kHz with an estimated noise of 217 B re 1µPa rms at 1 m
- SVP - 200-700 kHz; with an estimated SPL of 190 dB re 1µPa rms at 1 m
- ADCP - 400, 600 or 1000 with an estimate SPL between 213 and 220 B re 1µPa rms at 1 m

- (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.

- Adherence to best practice measures outlined in JNCC guidelines (2017) and the Marine Directorate (in conjunction with NatureScot) July 2020 guidelines for Scottish inshore waters.
- Pre-work searches carried out by an MMO/PAM operator.
- Recommended mitigation zone of 500 m.
- Additional pre-work mammal watches required if a significant break in operations were to occur with deactivation of USBL system for more than 10 minutes. In this case, a 30 minute pre-watch would be carried out before restarting work.
- Soft-start for all acoustic equipment used during survey and installation activities - over 20 minutes to full necessary output - where possible.
- An observer will be present on the bridge of the survey or installation vessel, undertaking a watch during transit from the port to the survey and installation corridor. In the case of an observation, the Vessel Master will ensure all marine mammals are avoided to a distance of at least 100 m, and will minimise the use of high powered vessel manoeuvres (where safety is not impaired).
- A log of all MMO effort and geophysical survey systems and positioning equipment operations will be kept.
- Following completion of the survey programme, Nexans will submit a report to MD-LOT.
- The Marine Noise Registry close-out report (<https://mnr.jncc.gov.uk/>) will also be completed.

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.

No European site directly overlaps the cable corridor; the Stromness Heaths and Coast SAC is located approximately 2.07 km away from the cable corridor. Other relevant SACs were identified based on an overlap with the 25 km general screening boundary, or by having highly mobile features as a primary reason for site selection. Table 6-1 and 6-2 within the Orkney Mainland HVAC 220 kV Subsea Link HRA Screening and Report to Inform Appropriate Assessment (RIAA) lists all protected sites considered for potential impacts.

No consultation has been undertaken as the survey and mattress installation activities are predicted to be unlikely to injure any EPS and may disturb a small percentage of the reference EPS population, however the proposed mitigations will reduce the disturbance risk.

The potential survey area overlaps with North Caithness Cliffs SPA and Hoy SPA/SSSI and is adjacent to the Scapa Flow SPA. While these are not EPS, the survey activities may cause some disturbance and/or displacement of bird species due to the physical presence of the survey and installation vessel and equipment. However, the mitigation measures proposed for marine mammals will reduce this risk, as will the short duration of activities and predefined routes making vessel movements predictable.

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"/>	Operation of acoustic survey and positioning equipment (including USBL optional MBES,	01/03/2026	30/09/2026
<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"/>			
<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’.**

To fulfil Regulation 44(3)(a) of the Habitats Regulations, alternatives to the proposed geophysical survey programme and associated localised concrete mattress installation works have been considered. Further detail is provided in Section 7.2 of the supporting Orkney Mainland HVAC 220 kV Subsea Link European Protected Species Risk Assessment.

Alternatives considered include the use of lower impact survey and positioning equipment, alternative approaches to concrete mattress installation, and a “do nothing” option.

The use of alternative survey and positioning equipment was considered; however, the proposed equipment represents current industry standard and is required to safely and accurately position and control underwater survey equipment. The use of alternative equipment would not materially reduce the potential for disturbance and could compromise data quality, equipment safety and operational safety.

Alternative approaches to concrete mattress installation were also considered. The proposed method of controlled lifting and placement has been selected as it represents a low-impact approach. Alternative installation approaches would not materially reduce the potential for disturbance to EPS and could result in similar or greater levels of vessel activity and operational noise.

A “do nothing” alternative, whereby the proposed survey and mattress installation activities do not proceed, was considered. This option is not viable as the survey data are required to inform safe engineering design, and the installation of concrete mattresses at discrete locations is required to ensure the protection and stabilisation of infrastructure. Without these activities, the Orkney – Mainland Subsea Link could not be progressed safely.

It is therefore concluded that there are no satisfactory alternatives to the proposed activities that would avoid or reduce the potential for disturbance to EPS.

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	25 April 2024	MS-00010803	07 June 2024

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.

None of the listed noise-generating activities will be undertaken. No explosives, piling or acoustic deterrent devices will be used, and no survey equipment operating within the 10 Hz–10 kHz frequency range will be deployed.

As such, completion of a Proposed Activity form in the Marine Noise Registry is not required.

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 03/03/2026

(The person named at part 1)

Name in BLOCK LETTERS

[Redacted]

Note – If signing on behalf of a company, please append your signature with “on behalf of *Company Name*”.

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

Please remember to include all supporting information.

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

Disclaimer

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

Marine Laboratory, 375 Victoria Road,
Aberdeen AB11 9DB
<http://www.gov.scot/Topics/marine/Licensing/marine>



Annex A

Only to be completed if you selected for *Preserving public health or public safety* in Question 6 of the application form

Please complete all questions

Give details of the risk to public health or safety

How has the risk been identified. Please give details of any expert advice received.

How will the proposed activity address the identified risk

Annex B

Only to be completed if you selected for *Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)* in Question 6 of the application form

Please complete all questions

What benefits will be provided by the proposed activity? Give details and indicate if they are social, economic or environmental. Please indicate if the benefits are short or long term.

The proposed Orkney – Mainland Subsea Link will deliver significant environmental, economic and social benefits at a national and regional scale. The geophysical survey and associated localised concrete mattress installation activities are essential enabling works required to allow the project to be progressed safely and effectively.

Environmental benefits (long term): The project will facilitate the export of renewable electricity generated on the Orkney archipelago to the national transmission network, supporting the reduction of greenhouse gas emissions and contributing to Scotland's transition to a low-carbon energy system. This directly supports the targets set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, including the commitment to achieve net-zero emissions by 2045.

Economic benefits (long term): The provision of increased transmission capacity will enable existing and future renewable energy developments in Orkney, supporting investment, employment and economic activity associated with the renewable energy sector and its supply chains.

Social benefits (long term): By supporting the development of renewable energy and strengthening electricity transmission infrastructure, the project contributes to energy security and the delivery of national climate and energy objectives that provide wider societal benefits.

The proposed survey and concrete mattress installation activities are necessary to realise these benefits and are therefore considered to be justified by Imperative Reasons of Overriding Public Interest.

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

The proposed activity serves the public interest by enabling the delivery of critical electricity transmission infrastructure required to support the transition to a net zero energy system in Scotland and the wider UK. The UK and Scottish Governments have set legally binding targets to reduce greenhouse gas emissions and increase renewable energy generation, as set out in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019.

The Orkney – Mainland Subsea Link addresses a clear national and regional need by providing the transmission capacity required to export renewable electricity generated on the Orkney archipelago to mainland Scotland. Without this connection, existing and future renewable generation in Orkney would be constrained, limiting progress towards decarbonisation objectives.

The proposed geophysical survey and associated localised concrete mattress installation activities are necessary enabling works that allow the project to be planned and delivered safely. These activities support the development of infrastructure that will benefit the wider public through reduced reliance on fossil fuels, improved energy security and long-term environmental benefits associated with a low-carbon energy system.

The primary beneficiaries of the proposed activity are the wider public at local, regional and national levels, through the delivery of renewable energy infrastructure that supports climate targets, economic growth and the transition to a sustainable energy system.

Why is it imperative the proposed activity goes ahead?

The proposed activity is imperative to enable the delivery of the Orkney – Mainland Subsea Link, which is required to provide additional electricity transmission capacity between Orkney and mainland Scotland. This transmission connection is necessary to facilitate the export of renewable electricity generated on the Orkney archipelago to the national transmission network, supporting Scotland's and the UK's decarbonisation and net zero objectives.

The Orkney – Mainland Subsea Link cannot progress safely to detailed design, planning and consenting stages without the completion of the proposed geophysical and visual survey works. These surveys are required to characterise seabed conditions, identify existing infrastructure and obstructions, and inform engineering design.

In addition, the localised installation of concrete mattresses at discrete locations is required to ensure the protection and stabilisation of infrastructure crossings. Without these enabling works, the project could not be progressed safely or effectively. The proposed activities are therefore essential and imperative to the delivery of nationally important electricity transmission infrastructure.

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

The proposed activities do not fulfil a statutory role. However, by enabling the development of electricity transmission infrastructure required to support the export of renewable electricity from Orkney to mainland Scotland, the proposed survey and associated localised concrete mattress installation works support a range of local, regional and national policies, including:

- The UK Net Zero Strategy.
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the associated Scottish Government Energy Strategy.
- Scotland's National Strategy for Economic Transformation.
- National developments identified within the Scottish National Planning Framework 4, which support the delivery of electricity generation and associated grid infrastructure.
- Policy 7c(i) of the Orkney Local Development Plan (2017–2022), which supports renewable and low-carbon energy developments and associated transmission infrastructure where environmental effects can be appropriately managed.

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.