

## Marine Benthic Sampling and Instrument Deployment Projects in the Territorial Sea and UK Controlled Waters Adjacent to Scotland

### Marine (Scotland) Act 2010 Marine and Coastal Access Act 2009

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

The following numbered paragraphs correspond to the questions on the application form and are intended to assist applicants in completing the form. These explanatory notes are specific to this application and so applicants are advised to read these in conjunction with the General Guidance document. If further clarification is needed please contact Marine Scotland Licensing Operations Team (MS-LOT) on 01224 295579 or email:

[MS.MarineLicensing@scotland.gsi.gov.uk](mailto:MS.MarineLicensing@scotland.gsi.gov.uk)

Please refer to the General Guidance for information regarding payment methods.

**NOTE:** Should sediment removal and/or instrument deployments be part of a wider research project involving geophysical surveys, a completed Notification of Site Survey form must also be submitted to Marine Scotland Licensing Operations Team to establish any requirement for an European Protected Species licence.

# Explanatory Notes

## 1. Applicant

The person, company or organisation making the application that will be named as the licensee on any licence issued.

## 2. Agent

Any person, company or organisation acting under contract (or other agreement) on behalf of any party listed in the answer to question 1, and having responsibility for the control, management or physical removal or deposit of materials anywhere below the tidal limit of the mean high water springs (MHWS) (e.g. a consultancy company submitting the application or a contractor who will be carrying out the works.)

## 3. Duration

Provide details of the proposed commencement and completion dates of the research. The start date will not normally be backdated, except in exceptional circumstances, since to commence a works for which a licence has not been obtained may constitute an offence resulting in appropriate legal action. A licence is normally valid for 1 calendar year or the duration of the project (whichever is longer). After this period, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work. Although Marine Scotland Licensing Operations Team (MS-LOT) will aim to write to licence holders one month before the expiry date of a licence, it is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

## 4. Cost of the Proposed Project

This estimate should only cover work taking place below the tidal level of MHWS and should take into consideration the cost of materials, labour fees etc.

## 5. Type of Application

If applying for a renewal or amendment please enclose a copy of the original consent with this application or provide the consent reference number, and provide details of the amendments to be made to the consent.

## 6. Type of Research

Best describe the type of work proposed. Where the project involves a number of elements, please complete all appropriate boxes.

## 7. Research Method Statement

For benthic surveys/sediment removal, give an estimate of the number of grabs/cores/trial pits to be undertaken. This is only to give MS-LOT an indication of the scale of the survey and will not be detailed on the licence.

For deployment of equipment, include the period of time it will be in place, it's purpose and expected position (e.g. sea bed or water column).

If appropriate, proposed measures to ensure the marine environment is adequately safeguarded during the survey should also be described (i.e. mitigation measures), as should those taken to minimise any interference with other uses of the sea or foreshore.

In the event that MS-LOT must undertake a wider consultation on your application this description may be used as a basis for informing other bodies as to the nature of the proposed work.

## 8. Details of Equipment

Depending on the type of research being undertaken, please include the details below:

Research involving towed equipment:

- No of cables
- Length of towed equipment, including tail-buoys (m)
- Width of towed equipment (m)
- Depth of towed equipment (m)

Research involving deployment of buoys:

- Type
- Size

Research involving deposits on the sea bed:

- Description
- Number of items being deposited
- Dimensions
- Whether they will be permanent or temporary deposits

Research involving sediment removal:

- Type of grab/coring equipment
- Whether any drilling fluids/mud are required
- Name and expected quantities of the fluids to be used

## 9. Location

Include a list of the National Grid References (NGR) or latitude and longitude co-ordinates of the boundary points of the proposed project. In a few cases it may only be practicable to supply NGR or latitude and longitude co-ordinates for the start and end points.

**NGR:** Should consist of two letters followed by 10 digits (e.g. TL6320031700) where the first 5 digits are the eastings (read from the south west corner of an Ordnance Survey map) and the last 5 digits are northings.

**Latitude & longitude:** For positions read from charts of 1:25,000 scale or smaller, the format should be, e.g. 55°55.55'N 2°22.22'W. The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the datum should be explicitly marked, e.g. 55°55'44"N 2°22'11"W. For positions read from larger scale charts, e.g. 1:10,000, three decimal places of minutes should be used, e.g. 55°55.444'N 2°22.222'W.

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

To supplement the information given in section 8, the following must be provided with the completed application form:

- a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which should be marked to indicate:
  - the full extent of the works in relation to the surrounding area;
  - any adjacent Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI), Ramsar or similar conservation area boundary.

These drawings/plans may be copied to others as part of the MS-LOT consultation process. 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.

#### 10. Details of Vessels

The table must be completed as the information contained within it is important in the decision making process. Please note a licence cannot be issued without these details.

#### 11. Marine Mammal Observer(s)

This section will not be applicable to all surveys.

#### 12. Passive Acoustic Monitoring

This section will not be applicable to all surveys.

#### 13. Consultation

Indicate all contacts made and whether any bodies require to issue a consent for the works.

Consenting Authorities have a duty to ensure marine projects will not have a significant adverse environmental impact, particularly upon designated conservation areas (e.g. SSSI, SAC, SPA, Ramsar sites etc). All details of consultations with conservation bodies (e.g. SNH) should be given, and if appropriate, copies of any correspondence should be submitted with your application.

Similarly, Consenting Authorities also have a duty to ensure marine projects will not have a significant adverse impact on historical monuments and protected wrecks. All details of consultations with Historic Scotland should be given, and if appropriate, copies of any correspondence should be submitted with your application.

For surveys involving sediment removal, it should be investigated as to whether any sites in the locality are designated bathing water sites and if so, ideally all physical works should be done outwith the Bathing Water Season (1<sup>st</sup> June to 15<sup>th</sup> September). Further guidance on the Bathing Waters Directive (2006/7/EC) can be obtained from [www.sepa.org.uk/data/bathingwaters](http://www.sepa.org.uk/data/bathingwaters).

In addition, guidance can be obtained from [www.foodstandards.gov.uk/](http://www.foodstandards.gov.uk/) with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

#### 14. Designated Wrecks and/or Conservation Areas

Indicate whether the proposed project is located within or close to the boundaries of a conservation area such as a SAC, SPA, SSSI or Ramsar site etc.

#### 15. Environmental Assessment

Under the Marine Works (EIA) Regulations 2007, there may be a requirement for certain projects to undergo an Environmental Impact Assessment (EIA) and produce an Environmental Statement (ES). If an EIA/ES is deemed necessary, MS-LOT cannot issue a marine Licence until the outcome of the EIA/ES has been determined. Please indicate whether any EIA has been carried out in respect of the proposed project, either under your own powers or as required by another authority. If such an assessment has been undertaken, please indicate if a copy has been provided with your application. If the statement/assessment has been completed but is not available, please provide an explanation in the space provided.

#### Other Considerations

Applicants should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage".

Additionally, the details of any surveys involving trawling should be provided to one of the following contacts at least 14 days before the proposed start date:

Norman Preston or Gillian D Smith

Fisheries Division  
Area 1B South  
Victoria Quay  
Edinburgh  
EH6 6QQ

Telephone: 0131 244 6188 / 6466

E-mail: [norman.preston@scotland.gsi.gov.uk](mailto:norman.preston@scotland.gsi.gov.uk) or [gillian.d.smith@scotland.gsi.gov.uk](mailto:gillian.d.smith@scotland.gsi.gov.uk)

Please ensure that you have:

- completed **all** applicable sections of the application form;
- signed and dated the declaration;
- provided the correct relevant documents, charts, and continuation sheets (where necessary); and
- enclosed the correct payment (together with the remittance slip) or paid by means of BACS (if appropriate).

**Otherwise your application may be delayed or returned to you.**

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

Under Part 4, Section 54 of the Marine (Scotland) Act 2010 and Section 101 of the Marine and Coastal Access Act 2009 all information contained within or provided in support of this application will be placed on the Public Register. There is no national security grounds for application information not going on the Register under the 2010 Act. Under the 2009 Act, application information goes on the Register unless the Secretary of State determines that its disclosure in the Register would be contrary to the interests of national security.

### Public Register

Is there any information contained within or provided in support of this application that you consider should not be included on the Public Register on the grounds that its disclosure

(a) would be contrary to the interests of national security; or YES  NO

(b) would adversely affect the 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.



**5. Application Type**

Is this a new application or a renewal/amendment of an existing consent? (please tick)

New application

Renewal/Amendment

**6. Type of Research**

**Instrument Deployments**

Scientific Buoys (e.g. waveriders; wave powered)

Marker Buoys

Profiling instruments (e.g. ACDPS)

Remotely Operated Vehicle (ROV)

Other (please specify)

**Benthic Sampling/Sediment Removal**

Mechanical bucket or shovel

Grabbing - surface sediments

Coring - to depths of one meter

Coring - depths of 3 meters or more

Boreholes

Trial Pits

Other (please specify)

**7. Research Method Statement**

Provide a description of the work to be undertaken (see guidance notes)



**8. Details of Equipment**

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**9. Location**

<b>Areas</b>	<b>Name of Area</b>	<b>Co-ordinates</b>	<b>Approx. Survey Area (km<sup>2</sup>)</b>	<b>Distance from Nearest Coastline</b>
A				
B				
C				
D				
E				

*If necessary please continue on a separate sheet and tick this box*

**10. Details of Vessel(s)**

No of vessels involved:	
Name:	
Type of Vessel:	
Operator Name & Address	
Vessel Role (e.g. source, guard, fisheries liaison)	
Will the vessel be stationery for extended periods of time? (If yes, indicate how approximately how long for.)	
Will Dynamic Global Positioning System (DGPS) be used?	
Does the vessel have cowled/ducted propellers?	

*If necessary please continue on a separate sheet and tick this box*

**11. Marine Mammal Observer(s)**

Will Marine Mammal Observer(s) be present during the survey work? YES  NO   
 If **YES**, how many will there be and which organisation will provide them?

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**12. Passive Acoustic Monitoring**

Has Passive Acoustic Monitoring (PAM) been arranged? YES  NO   
 If **YES**, which organisation will provide the PAM?

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**13. Consultation**

<b>Interested Parties/Regulators</b>	<b>Contacted?</b>	<b>Consent Required?</b>	<b>Reference No.</b>
Nature Conservation Bodies			
Historic Scotland			
Land Owner (e.g. The Crown Estate)			
Local Port or Harbour Authority			
Fishing Organisations			
Scottish Environment Protection Agency (SEPA)			
Local Planning Authority (LPA)			
Others			

If discussions with conservation bodies (either nature or historic) have been undertaken, provide details below:

If discussions with fisheries organisations have been undertaken, has a Fisheries Liaison Officer been arranged? YES  NO

If **YES**, how many will there be and which organisation will provide them?

**14. Designated Wrecks and/or Conservation Areas**

Are any parts of the proposed survey located within the boundaries of a designated area? YES  NO

If yes, please specify the type of designation, identify the specific site(s) and indicate approximate distance of the survey from the boundary of the nearest area(s)

**15. Environmental Assessment**

Has an Environmental Impact Assessment (EIA)/Environmental Statement (ES) been undertaken to support any application in respect of the project, your own statutory powers (if applicable) or any other reason? YES  NO

If **YES**, is a copy of the EIA/ES included with this application? YES  NO

If the EIA/ES has been undertaken but has not been included with this application, please provide an explanation below.

## Declaration

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

### 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.**

Signature

Date

Name in BLOCK LETTERS

Position within company  
(if appropriate)

**Please check carefully the information you have given and that all the enclosures (including copies) have been included.**

### Application Check List

- Completed, signed application form **x 1**
- Project drawings **x 1**  
(or 7 paper copies if larger than A3 size and no electronic version is available)
- Maps/Charts **x 1**
- Additional information, e.g. photographs, Environmental Impact Assessment etc (if required) **x 1**
