

Marine Scotland

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**Offshore Deposits in the Territorial Sea and UK Controlled Waters
Adjacent to Scotland**

Marine (Scotland) Act 2010

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

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

Explanatory Notes

Please note, the following should be read in place of Section 1 (“Introduction”) of the General Guidance document.

Under Section 20(1) of the Marine (Scotland) Act 2010, written consent from Scottish Ministers is required if any person or organisation intends to carry out any of the following:

- the construction, alteration or improvement of any works within the Scottish marine area lying below the level of mean high water springs (MHWS);
- the deposit of any substance or object within the Scottish marine area, either in the sea, or on or under the seabed below MHWS ;
- the removal of any substance or object from the Scottish marine area below MHWS;
- the deposit or use any explosive substance or article within the Scottish marine area, either in the sea or on or under the seabed.

This includes non-reserved oil and gas activities and deposits relating to oil and gas exploration and production in Scottish inshore waters.

The situation is slightly different for reserved matters of oil and gas exploration and production in Scottish offshore waters, in that the Department for Energy and Climate Change (DECC) is the licensing authority. However, under agreement between the Scottish Government and DECC, the relevant licensing work for licences under the Food and Environment Protection Act 1985 and the Marine and Coastal Access Act 2009, for reserved matters of oil and gas exploration and production activity in Scottish waters, is administered by Marine Scotland Licensing Operations Team (MS-LOT), with the exception of activities relating to offsite injection of produced water and drill cuttings.

As a result, MS-LOT will process applications and the final signed licence will be issued to the applicant by DECC, and MS-LOT will provide copies to the relevant consultees.

2. Applicant

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

3. Agent

Any person, company or organisation acting under contract (or other agreement) on behalf of any party listed in the answer to section 2, and having responsibility for the control, management or physical deposit of materials anywhere below the tidal limit of the MHWS (e.g. A consultancy company submitting the application or a contractor who will be carrying out the works).

4. Duration of Project

Provide details of the proposed commencement and completion dates of the works. The start date will not normally be backdated, except in exceptional circumstances, since to commence a project 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 works (whichever is longer) but not normally exceeding 3 years. After this period, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work. Although 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.

5. Description and Cost of the Proposed Project

- (a) This estimate should only cover works taking place below the tidal level of MHWS and should take into consideration the cost of materials, labour, fees etc.
- (b) Where the project is expected to take longer than 12 consecutive months, this description must detail which elements are to be undertaken in the first 12 months, with an outline of the schedule for each further 12 month period (the method of work etc. should be described in the answer to section 7). 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.
- (c) Best describe the type of work proposed. Where the project involves a number of elements, please complete all appropriate boxes.

6. Location of Works

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, (e.g. laying of long pipelines) 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'.55N 2°22'.22W. 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'.444N 2°22'.222W.

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 6, the following are to 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;
 - either NGR or latitude and longitude co-ordinates defining the area of operation;
 - the level of MHWS;
 - 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 procedures. 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.**

7. Method Statement

Please provide a full method statement, including details of any temporary structures/deposits that may be required below MHWS during the project, the ultimate fate of the structure and material used in its construction. Details of temporary structures will be included in any licence issued.

Proposed measures to ensure the marine environment is adequately safeguarded during the project should also be described (e.g. the method to be adopted to minimise the loss of fine-grained material during construction), as should those taken to minimise any interference with other uses of the sea or foreshore.

8. Deposit Details

Marine Laboratory, PO Box 101, 375 Victoria Road,
Aberdeen AB11 9DB
www.scotland.gov.uk/marinescotland



Please provide details (see below) of all materials to be deposited below MHWS. If you propose using types of materials for which a specific box is not provided, please use the box marked “other”.

- **Nature of Deposits:** Provide details of the nature of the deposits, for example: steel piles, geotextile membrane, timber shuttering.
- **Deposit Amounts:** Provide the amount details for the deposits as indicated in the table.
- **Permanent of Temporary:** Indicate whether the deposits are to remain permanently or temporarily.

If temporary deposits are required, the temporary deposit location details (NGR or Lat/Long) should be added to Section 6 of the form, and the period of time the site will be used must be provided. If issuing a licence, MS-LOT will include on the document details of any area that has been approved as a temporary deposit site.

9. Consultation with Conservation Bodies

Consenting Authorities have a duty to ensure that any works will not have a significant adverse environmental impact, particularly upon designated conservation areas (e.g SSSI, SAC, SPA, Ramsar sites etc). As a result, it is useful to determine whether the relevant conservation body (e.g. JNCC) has already been contacted and if so, what the initial response to the proposal was.

10. Designated 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 (further information can be found on the SNH SiteLink webpage <http://gateway.snh.gov.uk>).

11. Environmental Assessment

Indicate whether any environmental assessment 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.

Additionally, please also give details regarding if and where a copy has been/ is being made available for public inspection.

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”. 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.

**Application for Offshore Deposits in the Territorial Sea and UK
Controlled Waters Adjacent to Scotland**
(ML-005)

Marine (Scotland) Act 2010

**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 it's 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.

1. Project Title and Payment Details

Please give a brief identifiable description, including the location, of the project.

Payment: Enclosed payment BACS **OR** Invoice

2. Applicant Details

Title Initials Surname

Trading Title (if appropriate)

Address

Name of contact
(if different)

Position within Company
(if appropriate)

Telephone No.
(inc. dialing code)

Fax No.
(inc. dialing code)

Company Registration No.

Email

3. Agent Details (if any)

Title Initials Surname

Trading Title (if appropriate)

Address

Name of contact
(if different)

Position within Company
(if appropriate)

Telephone No.
(inc. dialing code)

Fax No.
(inc. dialing code)

Company Registration No.

Email

4. Duration of Project

Start date

Expected completion date

5. Description and Cost of the Proposed Project

(a) Estimated gross cost of the works proposed seawards of the tidal limit of MHWS.

(b) Give a detailed description of the proposed schedule of work.

(c) Types of Work Proposed (tick appropriate box and provide details of deposits)

New Project/Development Repairs/Maintenance Removal of material

(e.g. mattresses, grout bags, rock dumping, abrasive cutting, pipeline, anchor, piles, manifolds etc..)

6. Location of Project (including temporary deposits)

This should include either National Grid References (NGR) or Latitude and Longitude co-ordinates (WGS84, to 2 decimal minutes) defining the extent of the project.

7. Method Statement

8. Deposit Details:

Type of Deposit	Nature of Deposit (Permanent (P) or Temporary (T))	Deposit Quantity
Steel/Iron		Tonnes N ^o . (if applicable)
Timber		m ³ /tonnes
Concrete Mattresses		N ^o . Dimensions Total m ³
Stone/Rock/Gravel		Size range(mm) Total m ³
Grout/Sand Bags		N ^o . Dimensions Total m ³
Concrete		m ³
Plastic/Synthetic		m ²
Pipe		Length (m)

If 'other' please describe below

9. Consultation with Conservation Bodies

Provide details of any consultation that has taken place with Joint Nature Conservation Committee (JNCC) and/or Scottish Natural Heritage (SNH) and, if appropriate, include copies of any correspondence with your application.

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10. Designated Conservation Areas

Are any parts of the proposed work located within the boundaries of a designated conservation area?

If yes, please indicate approximate distance of project from the boundary of the nearest conservation area(s).

11. Environmental Assessment

Has an environmental assessment been undertaken to support any application in respect of the works, your own statutory powers (if applicable) or any other reason? YES NO

If **YES**, is a copy of the assessment included with this application?

YES NO

If the assessment 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

1. Electronic Application

- Completed application form **x 1**
- Best Practicable Environmental Option document **x 1**
- Analytical chemistry data (capital projects only) **x 1**
- Method Statement **x 1**
- Maps/charts – General map of dredge area & disposal site **x 1**
- Transportation plan (dredger route to and from disposal site - if required) **x 1**
- Additional environmental information, eg. Photographs, Environmental Impact Assessment etc (if required) **x 1**
- Payment (signed cheque or BACS details)

2. Non-electronic Application

- Completed, signed application form **x 7**
- Best Practicable Environmental Option document **x 7**
- Analytical chemistry data (capital projects only) **x 1**
- Method Statement **x 7**
- Maps/charts – General map of dredge area & disposal site **x 7**
- Transportation plan (dredger route to and from disposal site - if required) **x 7**
- Additional environmental information, eg. Photographs, Environmental Impact Assessment etc (if required) **x 7 (dependent on size and relevance to consultees)**
- Payment (signed cheque or BACS details)

Alternative means of disposa