Sediment Sampling and Scientific Instrument Deployment

Under The Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011 (as amended) and The Marine Licensing (Exempted Activities) (Scottish Offshore Region) Order 2011 (as amended) sediment sampling (i.e. the removal of sediment from the seabed for scientific or investigative purposes) and scientific instrument deployment (i.e. the deposit of any scientific instrument or associated equipment, reagent or chemical or particle tracer for scientific or investigative purposes) are exempt from the requirement for a marine licence subject to certain conditions:

Sediment Sampling

The exemption for sediment sampling applies to an activity where:

- the volume of sediment removed is less than 1 cubic metre (per grab);
- it is not likely to cause a danger or obstruction to navigation;
- it is a plan or project not likely (either alone or in combination with other plans or projects) to have a significant effect on a European site; a Ramsar site; the protected features of an Marine Protected Area (MPA); or any process on which the conservation of any protected feature of a MPA is dependent. Check protected sites on Sitelink: http://gateway.snh.gov.uk/sitelink/index.jsp;

Please note that you must also ensure that the activity is not likely to have a significant adverse impact on a historical monument or designated wreck, and that the site is not in the locality of a designated bathing water site (if so all physical works should be done out with the Bathing Water Season (1st June to 15th September). In addition, guidance can be obtained from www.foodstandards.gov.uk/ with regards to the Shellfish Waters Directive (2006/113/EC) which sets parameters to protect the water quality in which edible shellfish are grown. A Notice to Mariners, and a notice in the Kingfisher Fortnightly Bulletin which clearly states the nature and duration of the works, must be issued regardless of whether the activity is exempt.

Scientific Instrument Deployment

The exemption for scientific instrument deployment applies to an activity where:

- it is not likely to cause a danger or obstruction to navigation (a marine licence will usually be required if a marker buoy is used);
- it is a deposit of a reagent or chemical/particle tracer approved by Marine Scotland;
- it is a plan or project not likely (either alone or in combination with other plans or projects) to have a significant effect on a European site; a Ramsar site; the protected features of a MPA; or any process on which the conservation of any protected feature of a MPA is dependent (this condition does not apply if the activity is directly connected with or necessary to the management of the site or area). Check protected sites on Sitelink: http://gateway.snh.gov.uk/sitelink/index.jsp.

Please note that you must also ensure that the activity is not likely to have a significant adverse impact on a historical monument or designated wreck, and have regard to the Shellfish Waters
Directive (2006/113/EC) which sets parameters to protect the water quality in which edible shellfish are grown. A Notice to Mariners, and a notice in the Kingfisher Fortnightly Bulletin which clearly states the nature and duration of the works, must be issued regardless of whether the activity is exempt. If a scientific instrument is to be in situ for longer than six months you must also notify the UK Hydrographic Office (hdcfiles@ukho.gov.uk) Any scientific instrument or associated equipment deployed must be removed on conclusion of the survey (this activity will be exempt where the deposit is exempt).

If you intend to carry out an exempted activity (i.e. all of the aforementioned conditions relative to that activity are satisfied), then you should submit the Notice of Exempted Activity form http://www.scotland.gov.uk/Topics/marine/Licensingmarine/Applications/exemptedactivity; to the Marine Scotland–Licensing Operations Team (MS-LOT) prior to commencing the activity. Please note that it is a legal requirement to give notice of such activity to MS-LOT in writing.

If any of the conditions relative to that activity are not satisfied then the Application Form http://www.scotland.gov.uk/Resource/Doc/295194/0120083.pdf; for a Marine Licence must be submitted. MS-LOT aim to process such applications within 30 days, but this period may be extended in order to resolve any issues raised during the consultation period.

Contact

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