



## Marine Fish Farm Lease or Lease Option Application Form - Scotland

**Note:** Applicants are referred to the information provided in the document “Guidance Notes for Applicants for Leases of Fish Farming Sites in Scotland” available on The Crown Estate website, prior to completing this form.

<b>Name of Applicant</b>	Cumbræ Oysters Ltd
<b>Contact Name</b>	Alan Forbes
<b>Tel Number:</b>	
<b>E-mail:</b>	
<b>Registered Office &amp; Number</b>	38A Bowfield Road, Howwood, Renfrewshire PA9 1BS 157761 (Registered in Scotland)
<b>Correspondence Address (incl. post code)</b>	38A Bowfield Road, Howwood, Renfrewshire PA9 1BS
<b>If the fish farm is intended to be operated by a partnership or more than one party, please list any not already listed above. Provide the full name and address of each party (continue on a separate sheet if necessary)</b>	

<b>Site Name</b>	Fairlie Bay
<b>Species for Cultivation</b>	Oysters – Crassostrea Gigas
<b>Site Location</b>	Fairlie - North Ayrshire
<b>New Lease/Modification to existing Lease</b> If a modification, please provide current Lease Ref.	

<b>Application Type</b>	Lease Option/ Lease *
	<b>Planning Consent Ref:</b> for a Lease Application – please append a copy of the Planning Consent for a Lease Option Agreement Application – please indicate whether a planning application has been submitted, and if so please supply date of registration

<b>Intended date (s) for</b>	
<b>Equipment deployment:</b>	Commencing 2017 (Spring)
<b>Commencement of operation:</b>	2017 (Summer)

<p style="text-align: center;"><b>Leased Area Co-ordinates</b></p> <p>Please also attach a plan with area required clearly indicated</p> <p>(please continue on a separate sheet if required)</p>	Please specify whether WGS84 or Chart Datum is the co-ordinate system used <b>WGS84/Chart Datum *</b>			
	<b>Latitude</b>		<b>Longitude</b>	
	<b>Degrees</b>	<b>Decimal Min</b>	<b>Degrees</b>	<b>Decimal Min</b>
	55	44 96	004	52 39
	55	45 11	004	52 08
	55	45 07	004	52 00
	55	44 98	004	52 10
	55	44 88	004	52 23

Cultivation Equipment	Type	Size	Number
Cage pens *			
Longlines *			
Shellfish Rafts *			
Other (specify)*	Trestles	6 metres (11 bags)	1000 (upto)

<b>Ancillary Equipment Co-ordinates</b>	Please specify whether WGS84 or Chart Datum is the co-ordinate system used <b>WGS84/Chart Datum *</b>			
	<b>Latitude</b>		<b>Longitude</b>	
	<b>Degrees</b>	<b>Decimal Min</b>	<b>Degrees</b>	<b>Decimal Min</b>
	Feed Barge			
Other Barge (specify)				
Workboat mooring (s)				
<p>Please note that ancillary equipment such as piers, jetties and or pontoons that are likely to remain in situ following cessation of fish farming may require a separate Marine Works Licence. (please contact the Edinburgh office if there are any queries in this regard)</p>				

(\*delete where not applicable)

### **Additional Supporting Information Required**

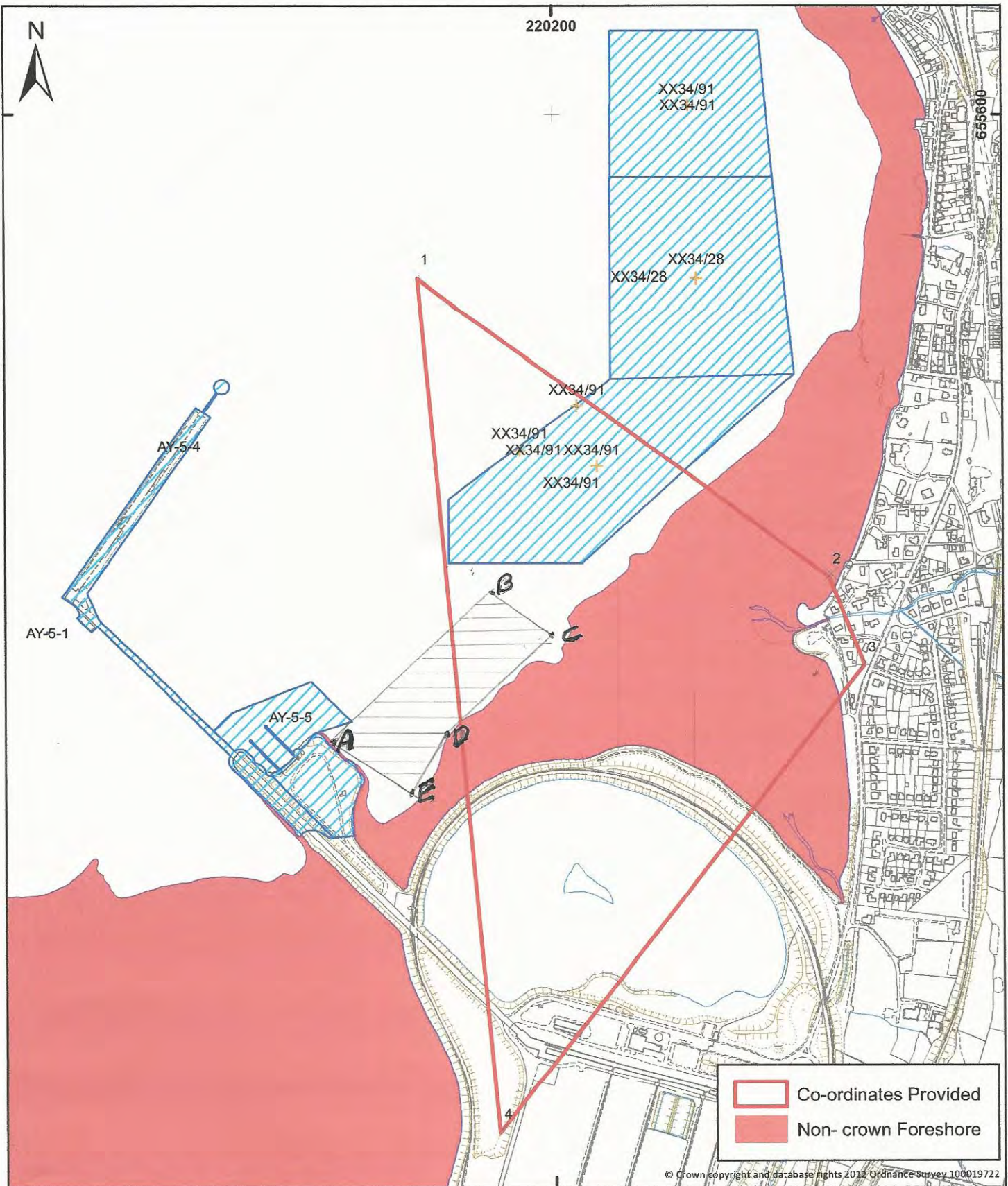
- Plan of Area of Seabed to be Leased (Plans should be of a scale in range 1:10 000 to 1:25 000)
- Copy of Planning Consent, where a Lease is being applied for.
- The relevant consent references and consent holder's names for other statutory consents for this site (eg. authorization by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 and/or Marine Licence issued under part 4 of the Marine (Scotland) Act 2010)
  
- A brief outline of the business/production plan for the site in question to indicate:
  - Provision of financial resources for the installation and operation of the site (bank references may be requested)
  - Business/Production strategy plan (that submitted for planning consent will be acceptable)
  - Decommissioning measures in the event of renunciation/termination of the lease

### **Terms & Conditions**

1. At its cessation, The Crown Estate lease will require complete removal of **all equipment, including ancillary**, arising from the operation of the Fish Farm. The Applicant will be responsible for providing the resources to do so. The Crown Estate reserves the right to request a survey, at the tenant's expense, to confirm removal of such equipment.
2. Whilst financial information submitted with this application is intended to be confidential, The Crown Estate is subject to The Freedom of Information Act 2000. In the event that request for information pursuant to such Act is received The Crown Estate will act in accordance with its statutory duties and will determine what information requested should be disclosed subject to any order for disclosure that may bind The Crown Estate.
3. In processing your application and/or granting any option consequent on this application The Crown Estate expresses no view on whether or not any planning permission will be received to permit a fish farm operation to be carried on in the area or



# Hunterston, Firth of Clyde



Co-ordinates Provided  
 Non- crown Foreshore

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## FOR INFORMATION ONLY



The Crown Estate  
 6 Bell's Brae  
 Edinburgh  
 EH1 3DU

Scale: 1:10,000  
 Date: 08/10/2015  
 Author: JM

Coordinate System: British National Grid  
 Datum: OSGB 1936

0 105 210 420 metres

marinescotland

T: +44 [REDACTED]  
E: ms.marinelicensing@gov.scot



## Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

### Marine (Scotland) Act 2010

## Acronyms

Please note the following acronyms referred to in this application form:

<b>MHWS</b>	Mean High Water Springs
<b>MS-LOT</b>	Marine Scotland – Licensing Operations Team
<b>WGS84</b>	World Geodetic System 1984

## Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

### 1. Applicant Details

The person making the application who will be named as the licensee.

### 2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

### 3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

**Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.**

### 4. Application Type

Indicate if the application is for a new marine farm site or an existing marine farm site. Provide the existing or previous consent/licence number and expiry date if applicable.

### 5. Marine Farm Details

- (a) Indicate the type of marine farm, either finfish or shellfish.
- (b) Indicate the deposits of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (c) If applicable, indicate the removals of marine farm component parts/equipment as a number (e.g 4 ring cages). Provide details of any component parts/equipment not included in the list and specify the quantity as a number.
- (d) Provide the proposed start date for installation of the marine farm. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.
- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the moorings area and for each of the component parts of the marine farm, including sub-surface equipment. 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.

**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.**

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;

Drawings and plans will be consulted upon. 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.**

- (g) Indicate if the marine farm is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide assessment of the potential impacts the works may have on navigation, including interference with other uses of the sea.

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

## 6. Planning Permission

Indicate if you have, or if you are in the process of applying for, planning permission for the marine farm. Provide the reference number for the planning application if applicable and/or supply a copy of the planning permission along with the completed application form.

**Marine licence applications will not be determined without valid planning permission.**

## 7. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made including reference to the policies that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

## 8. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.



**9. Associated Works**

Indicate whether the application is associated with any other marine projects (e.g. pontoon, moorings etc). If this is the case, provide reference/licence number for the related marine projects.

# Marine Licence Application for Finfish and Shellfish Farms

Version 1.0

## Marine (Scotland) Act 2010

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

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

### Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

(a) for reasons of national security; YES  NO

(b) for reasons of 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.

A lease application is currently with Crown Estates and it could be to the commercial detriment of the applicant should disclosure be made prior to the conclusion of this application.

## 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.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

### Declaration

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

Signature

Date

Name in BLOCK LETTERS

Alan Forbes

### Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form
- Project Drawings
- Maps/Charts
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority)
- Copy of planning permission (if applicable)
- Additional information e.g. photographs, consultation correspondence (if applicable)
- Payment (if paying by cheque)

**1. Applicant Details**

Title: **Mr**                      Initials: **A**                      Surname: **Forbes**

Trading Title (if appropriate): **Cumbræ Oysters Ltd**

Address: **38A Bowfield road, howwood, Johnstone  
Renfrewshire PA9 1BS**

Name of contact (if different):

Telephone No. (inc. dialing code): **[REDACTED]**

Email: **[REDACTED]**

Statutory Harbour Authority?      YES  NO

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

**2. Agent Details (if any)**

Title:                      Initials:                      Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

**3. Payment**

Enclosed Cheque                       Invoice

Contact and address to send invoice to:

Applicant                       Agent                       Other

If **OTHER**, please provide contact details:

Title:                      Initials:                      Surname:

Address:

Email:

**4. Application Type**

Is this application for a new marine farm site or an existing marine farm site:

New Site  Existing Site

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date

**5. Marine Farm Details**

(a) Type of marine farm:

Finfish  Shellfish

(b) **Deposits** of component parts/equipment:

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify) Trestle	1500	6 metres X 0.8 Metres X 0.6 metre high Approx

(c) **Removals** of component parts/equipment (if applicable):

Component Parts/Equipment	Quantity	Dimensions (metres)
Ring cages		
Square pens		
Longlines		
Feed barges		
Feedpipes (to shore)		
Grid moorings		
Boat moorings		
Rafts		
Pontoons		
Marked Buoys		
Other (please specify)		

(d) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

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(e) Cost of the works seawards of the tidal limit of MHWS:

£Less than £2400
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(f) Location:

Fairlie Bay. Firth of Clyde Please see attached map illustration and co-ordinates
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Latitude and Longitude co-ordinates (WGS84) defining the boundary points of the moorings area and each of the component parts, including sub-surface equipment, of the marine farm (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude										Longitude										
<b>Moorings Area</b>																				
			°																	' N
			°																	' N
			°																	' N
			°																	' N
<b>Cage Group Area/Longline Position(s)</b>																				
			°																	' N
			°																	' N
			°																	' N
			°																	' N
			°																	' N
			°																	' N
<b>Feedbarge/Feedpipe Position(s)</b>																				
			°																	' N
			°																	' N
<b>Boat Mooring Position(s)</b>																				
			°																	' N
			°																	' N
<b>Raft Position(s)</b>																				
			°																	' N
			°																	' N
<b>Pontoon Position(s)</b>																				
			°																	' N
			°																	' N
<b>Marked Buoy Position(s)</b>																				
			°																	' N
			°																	' N
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			°																	' W
			°																	' W
			°																	' W
			°																	' W

(g) Is the marine farm located within the jurisdiction of a statutory harbour authority YES  NO

If YES, please specify statutory harbour authority:

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(h) Potential impacts the works may have on navigation and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

Impact on marine navigation expected to be negligible to nil.

Area in question is situated within the inter tidal zone, with little to no marine traffic.

Marker bouys can be situated as necessary to identify boundary of area thus offering indication of boundary at high water.

There is a designated shipping lane within the channel providing for the safe navigation of marine vessels in the area.

The proximity of the Hunterston Ore Terminal Pier acts as a restriction to marine traffic in the vicinity of the proposed site, as the site is situated landward of this structure.

## 6. Planning Permission

Do you have planning permission for the marine farm?

YES  NO

If YES, please supply a copy of the planning permission

If NO, please provide details of planning application, including reference number:

Initial application initiation made to North Ayrshire Council (Ross Middleton).

**Marine licence applications will not be determined without valid planning permission.**

## 7. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan?

YES  NO

If YES, provide details of considerations made including reference to the policies that have been considered:

It meets the objectives of Scotland's National Marine Plan in that this proposal will provide a sustainable, diverse and economically viable shellfish production site, and help contribute to Scotland's shellfish production target of 13,000 tonnes by 2020.

It will also help contribute to the local economy through employment and the wider economic chain.

The site is a 'Designated Shellfish Water Protected Area' under the Water Environment Shellfish Water Protected Areas Designation (Scotland) Order 2013. Part 1 of the Water Environment and Water Services Act (Scotland) 2003. Scotland River Basin District Map 16 Fairlie. (Map attached).

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

**8. Consultation**

List all bodies you have consulted and provide copies of correspondence:

Crown Estate  
Scottish National Heritage  
North Ayrshire Council  
SEPA  
Scottish Enterprise

**9. Associated Works**

Provide details of other related marine projects, including reference/licence numbers (if applicable):

N/A