

[Redacted]

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**From:** [Redacted] [@gov.scot](#)>  
**Sent:** 16 June 2020 14:34  
**To:** [Redacted] [sepa.org.uk](#)>  
**Subject:** RE: Wellboat Treatments 2018

Hi [Redacted]

I've actually moved to another team but I've forwarded your email for action so hopefully you will receive them soon.

Kind regards

[Redacted]

Business Casework Manager  
**Marine Scotland** - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Line: [Redacted]  
General Queries: +44 (0)300 244 5046  
Email: [Redacted]  
[ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)  
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

*COVID-19: Marine Scotland - Licensing Operations Team (LOT) is working from home and unable to respond to phone enquiries. Please communicate with LOT via email. Email addresses are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.'*

---

**From:** [Redacted] [@sepa.org.uk](mailto:[Redacted]@sepa.org.uk)>  
**Sent:** 16 June 2020 13:45  
**To:** [Redacted] [@gov.scot](mailto:[Redacted]@gov.scot)>  
**Subject:** RE: Wellboat Treatments 2018

Hi [Redacted]

Are you able to provide details of wellboat treatments during 2019 for our SPRI team please?

Thanks very much  
[Redacted]

---

**From:** [Redacted] [@gov.scot](mailto:[Redacted]@gov.scot)>  
**Sent:** 20 March 2019 12:59  
**To:** [Redacted] [@sepa.org.uk](mailto:[Redacted]@sepa.org.uk)>  
**Subject:** Wellboat Treatments 2018

Dear [Redacted]

Please find attached the spreadsheet detailing wellboat treatments at Marine Fish Farms during 2018, for forwarding to your SPRI team please.

Kind Regards

[Redacted]

Marine Licensing Casework Manager  
**Marine Scotland** - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Line: [Redacted]  
General Queries: +44 (0)300 244 5046  
Email: [Redacted]  
[ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)  
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil. Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

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[Redacted]

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**From:** [Redacted]  
**Sent:** 24 June 2020 10:27  
**To:** Cabinet Secretary for Rural Economy and Tourism; Cabinet Secretary for the Environment, Climate Change and Land Reform  
**Cc:** Minister for Rural Affairs and the Natural Environment; DG Economy; Director of Environment & Forestry; Director of Marine Scotland Mailbox; [Redacted]  
[Redacted] [Redacted] [Redacted] ; [Redacted] ; [Redacted]  
[Redacted] ; [Redacted] [Redacted] ; [Redacted]  
[Redacted] ; [Redacted] ; [Redacted] ; [Redacted]  
; [Redacted] ; [Redacted]  
ications Covid-19  
**Subject:** RE: Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission

Hi [Redacted]

This proposal was welcomed by the industry when it was first recommended 3 years ago, as it will bring efficiencies for the industry in terms of well-boat regulation. At AILG meetings, the sector has routinely requested progress on this matter. And as recently as yesterday the SSPO again expressed its support for this work, noting that they look forward to discussing the details at our planned meeting next week.

[Redacted]

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**From:** [Redacted] @gov.scot> On Behalf Of Cabinet Secretary for Rural Economy and Tourism  
**Sent:** 23 June 2020 08:50  
**To:** [Redacted] gov.scot>; Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>  
**Cc:** Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Minister for Rural Affairs and the Natural Environment <MinisterRANE@gov.scot>; DG Economy <DGEconomy@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Director of Marine Scotland Mailbox <Directormarinescotland@gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]  
[Redacted] @scotland.gsi.gov.uk>; [Redacted] @gov.scot>; [Redacted]  
[Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted]  
[Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]  
[Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted]  
[Redacted] @gov.scot>; [Redacted] @gov.scot>; Communications Covid-19 <CommunicationsCovid-19@gov.scot>  
**Subject:** RE: Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission

Hi [Redacted]

[Redacted] has noted for his interests and would be grateful for advice regarding the industry's reaction to this.

Many thanks,

[Redacted] | Deputy Private Secretary  
Cabinet Secretary for Rural Economy and Tourism  
☎: [Redacted]

**From:** [Redacted] @gov.scot>

**Sent:** 22 June 2020 15:41

**To:** Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>

**Cc:** Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Minister for Rural Affairs and the Natural Environment <MinisterRANE@gov.scot>; DG Economy <DGEconomy@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Director of Marine Scotland Mailbox <Directormarinescotland@gov.scot>;

[Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]

[Redacted] @scotland.gsi.gov.uk>; [Redacted] @gov.scot>; [Redacted]

[Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted]

[Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]

[Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted]

[Redacted] @gov.scot>; [Redacted] @gov.scot>; Communications Covid-19

<CommunicationsCovid-19@gov.scot>

**Subject:** Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission

Cabinet Secretary for the Environment, Climate Change and Land Reform,

Please find attached an update regarding the transfer of responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA.

[Redacted]

[Redacted] [Redacted]

Currently working from home – [Redacted]

– Environmental Quality and Circular Economy Division

## **Transferring responsibility for the authorisation of discharges of chemical treatment residues to the water environment via a well boat from marine licensing to CAR licensing**

### **Background**

A fish farm operator requires authorisation from SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (“CAR”) for the discharge of any chemical substances to the water environment in the course of operations at the farm site. This includes the discharge of any chemical residues left after bath treatments. In addition, if treatment takes place in a well boat, the operator also requires a marine licence under the Marine (Scotland) Act 2010 (“the 2010 Act”) for any discharge of chemical residues from the well boat.

In 2016, the Independent Review of Aquaculture Consenting recommended that the marine licence for the discharge of chemical residues via a well-boat should be consolidated within the associated CAR licence. This will simplify the legislative framework for aquaculture, by integrating the regulation of bath treatment discharges under a single regulator, and removing the need to reapply for marine licences at periodic intervals.

### **Current position**

Resources have been identified within the Scottish Government and Scottish Parliament to develop the necessary legal instrument and take this matter forward to a conclusion as soon as the due process allows.

This paper sets out how we expect the transition from marine licensing to CAR to work in practice, with a view to seeking feedback from the sector, with the aim of informing the finalisation of the legal instrument and its associated implementation.

### **Legislative approach**

It is proposed that this transfer will be achieved by means of an amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011. Detailed drafting is still under development, but the mechanism for achieving this is that the discharge of any substance carried on in the course of the propagation or cultivation of fish, will be exempt from marine licensing. This will include both chemical substances and organic matter discharged as part of the normal operations of well boats.

That means that such discharges will in future fall within the scope of CAR in exactly the same way that discharges of bath treatments currently fall within the scope of CAR, as activities liable to cause pollution of the water environment. Any necessary conditions relating to discharges from well boats will be included within a CAR licence.

### **Transfer of conditions from marine licensing to CAR**

With the exception of licences that are subject to transitional provisions, marine licences will transfer to the CAR regime, and accordingly discharges from well boats will be governed by the CAR regime from the date on which the legal instrument comes into force.

Existing well boat licences will continue to have effect after the date of implementation, but these will become ‘deemed’ CAR licences, sitting alongside a licence holder’s existing CAR licences. The conditions in a ‘deemed’ licence will continue to remain in force, unless varied or removed by SEPA in accordance with CAR. We understand that

in time SEPA will seek to consolidate the 'deemed' CAR licences with existing CAR licences held by the same person or business.

There will be no charges by Marine Scotland or SEPA for this transfer process.

### **Transitional provisions**

A different approach is required for those licences where an administrative process is underway at the date on which the legal instrument comes into force. In the interests of transparency and simplicity, we believe that a clean handover from one regulator to another at the point of transfer is essential. In practice this means that any procedure which has commenced under the 2010 Act will be concluded before the licence is transferred to CAR.

For example, an application for a marine licence made prior to the transfer date will be determined by Scottish Ministers under the provisions of the 2010 Act. If granted, the licence would become a 'deemed' CAR licence from the date of its granting.

A similar approach will be taken in respect of the following procedures:

- any appeals made against the refusal by Scottish Ministers to grant a marine licence under the 2010 Act will continue to be subject to the procedure under the Marine Licensing Appeals (Scotland) Regulations 2011;
- any inquiry underway under the 2010 Act will continue to be governed by the 2010 Act;
- any ongoing variation, suspension or revocation procedure commenced under the Act, whether by an operator or Scottish Ministers, will continue to be governed by the 2010 Act;
- any appeal against a notice of variation, suspension or revocation given by the Scottish Ministers will continue to be subject to the Marine Licensing Appeals (Scotland) Regulations 2011; and
- offences, civil sanctions and enforcement procedures will continue to be governed by the 2010 Act.

Once any such procedures are concluded, a marine licence that remains in force would become a deemed CAR licence. In the case of an appeal against the refusal of an application, should the appeal be successful and the decision to refuse is overturned, the marine licence will become a deemed CAR licence as soon as it is granted.

### **Proposed timing**

The aim is to finalise the necessary legal instrument by the end of August 2020. The due Parliamentary process would then take approximately 7 weeks, and we would anticipate the instrument coming into force in early November 2020.

**Scottish Government  
June 2020**

[Redacted]

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**From:** [Redacted]  
**Sent:** 16 July 2020 17:36  
**To:** [Redacted]  
**Subject:** FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues  
**Attachments:** FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues



Tue 28/04/2020 17:59


[Redacted]

on behalf of [Redacted]

**FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues**

Required

[Redacted]

 As the meeting organizer, you do not need to respond to the meeting.

**When** 29 April 2020 11:00-12:00

**Location** Skype Meeting

-----Original Appointment-----

**From:** [Redacted]

**Sent:** 28 April 2020 17:08

**To:** [Redacted]

**Cc:**

**Subject:** Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues

**When:** 29 April 2020 11:00-12:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

**Where:** Skype Meeting

Hi everyone,

[Redacted] and I have been giving further thought to this. We have our thoughts and we also have questions for you, so we reckoned it would be easier to have a quick meeting to discuss the propositions tomorrow. Skype meeting link is below.

From a quick diary scan 11am looks suitable, we shouldn't need the full hour. Let me know if the time doesn't suit and I'll look for an alternative, although will probably need to be Thursday due to other ongoing work.

I've reduced the copy list so that we can make sure that those of you who need to be on the call can be, but please feel free to forward on if appropriate.

Many thanks

[Redacted]

---

[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

[Redacted]

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**From:** [Redacted]  
**Sent:** 16 Julv 2020 17:39  
**To:** [Redacted]  
**Subject:** FW: Wellboat Order- Transfer to SEPA

---

**From:** [Redacted]  
**Sent:** 23 April 2020 09:41  
**To:** [Redacted] @scotland.gsi.gov.uk>  
**Subject:** RE: Wellboat Order- Transfer to SEPA

Hi [Redacted]

I haven't done anything on this since early April due to Covid-19 priorities, though have spoken to [Redacted] in the intervening period to keep her up to date as there is an outstanding request for a legal timetable detailing the remaining steps.

Current state of play is to get formal agreement from SEPA that the transitional provisions are sufficient then we can progress the legal aspects. This is one of my to-do items but is not near the top at present given the other urgent work which I am having to do with regards to the Hardship Fund and other Covid-19 activities/enquiries etc.

I'm assuming given the colleagues on the circulation list that you've been requested for an update on progress and that you may be being pushed for this to be progressed? If so, is this now seen as a higher priority piece of work or does the position remain that I prioritise Covid-19 work and try to fit this in as and when I am able?

Thanks

[Redacted]

---

**From:** [Redacted] @scotland.gsi.gov.uk>  
**Sent:** 22 April 2020 15:36  
**To:** [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>  
**Cc:** [Redacted] @gov.scot>  
**Subject:** Wellboat Order- Transfer to SEPA

Colleagues

Just to give you a brief update on the Wellboat Order- [Redacted] is currently on leave, but the last update I had on this was mid-March and since then nothing has moved as we have all been supporting COVID 19 work.

As I recall, [Redacted] was in the process of putting together the draft provisions to liaise with SEPA; I think he may have since written to them but I cannot confirm until he is back in the office

tomorrow. There were still some other outstanding issues which he needed to conclude, and at that point, [REDACTED] was awaiting formal confirmation on these from MS-LOT, (this confirmation may also have happened in the interim).

Other than that, I believe the Order is just about there. All the impact assessments are complete but a public consultation exercise will have to be mounted.

Hope this helps

Kind regards

[Redacted]

Head of Aquaculture Unit | Marine Scotland | Scottish Government | 1B North | Victoria Quay | Edinburgh | EH6 6QQ

Tel: [Redacted] | Mobile [Redacted] | email:

[Redacted] [@gov.scot](mailto:[Redacted]@gov.scot) [Redacted] [@scotland.gsi.gov.uk](mailto:[Redacted]@scotland.gsi.gov.uk) [Redacted] [@scot.cg.gov.uk](mailto:[Redacted]@scot.cg.gov.uk)



[Redacted]

---

**From:** [Redacted]  
**Sent:** 18 June 2020 17:03  
**To:** [Redacted] scottishsalmon.co.uk'  
**Cc:** [Redacted] sepa.org.uk);  
**Subject:** Transferring well-boat licensing from Marine Scotland to SEPA  
**Attachments:** Wellboats - transfer to CAR - discussion paper.docx

Hi [Redacted]

As you are aware an exercise to transfer responsibility for well-boat discharge authorisations from Marine Scotland to SEPA has been mooted several times over recent years. Within SG we have now secured the policy and legal resource to take this forward as soon as the due legal and Parliamentary processes allow. The current aim is to finalise the draft SSI by the end of August, with it coming into force in November.

We have made good progress in identifying the necessary transitional arrangements. We are now at a stage when we can share that thinking with the industry, and discuss how this might work in practice to make sure we have considered all likely eventualities. With that in mind, I attach a short paper that sets out how we expect the transition to take effect. I would be grateful if you could circulate this to your member companies, and we would be happy to talk through any initial feedback or queries you might have at the next regulators meeting on 30 June. We can explore at that point what further discussion/ engagement may be appropriate.

Regards  
[Redacted]

– Environmental Quality and Circular Economy Division

Currently working from home – 07557 197303

Cabinet Secretary for Environment, Climate Change and Land Reform

## **TRANSFERRING RESPONSIBILITY FOR WELL BOAT LICENSING FROM MARINE SCOTLAND TO SEPA – AN UPDATE**

### **Purpose**

1. This **routine** submission provides an update on progress with the development of a legal instrument to transfer responsibility for the authorisation of chemical treatment residues discharged from well boats from Marine Scotland to SEPA.

### **Background**

2. A fish farm operator requires authorisation from SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (“CAR”) for the discharge of any chemical substances to the water environment in the course of operations at the farm site. This includes the discharge of any chemical residues left after sea lice treatments. In addition, if treatment takes place in a well boat, the operator requires a marine licence under the Marine (Scotland) Act 2010 (“the 2010 Act”) for any discharge of chemical residues from the well boat.

3. In 2016, the Independent Review of Aquaculture Consenting recommended that the marine licence for the discharge of chemical residues via a well-boat should be consolidated within the associated CAR licence. This would simplify the legislative framework for aquaculture, by integrating the regulation of such discharges under a single regulator, and removing the need to reapply for marine licences at periodic intervals.

4. [Redacted]

5. The COVID-19 emergency highlighted the challenges faced by the sector in its having to approach 2 regulators operating 2 quite different regulatory systems, in order to secure the flexibility that the industry requires during this difficult period. This prompted us collectively to make a concerted effort to progress this work, and resources have now been identified within both the Scottish Government and Scottish Parliament to bring forward the necessary legal instrument as soon as the due process allows.

### **Legislative approach**

6. It is proposed that this transfer will be achieved by means of an amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011. Detailed drafting is still under development, but the mechanism for achieving this is that the discharge of any substance carried on in the course of the propagation or cultivation of fish will be exempt from marine licensing. This will include both chemical substances and organic matter discharged as part of the normal operations of well boats.

7. That means that such discharges will in future fall within the scope of CAR in the same way that discharges of bath treatments, as activities liable to cause pollution of the water environment, currently fall within the scope of CAR. Any necessary conditions relating to discharges from well boats will be included within a CAR licence.

### **Transfer of conditions from marine licensing to CAR**

8. As a general rule, marine licences will transfer to the CAR regime, and accordingly discharges from well boats will be governed by the CAR regime, from the date on which the legal instrument comes into force. These marine licences will continue to have effect after the date of implementation, but they will become 'deemed' CAR licences, sitting alongside a licence holder's existing CAR licence. The conditions in a 'deemed' licence will continue to remain in force, unless varied or removed by SEPA in accordance with CAR. We understand that in time SEPA will seek to consolidate the 'deemed' CAR licences with existing CAR licences held by the same person or business. There will be no charges by Marine Scotland or SEPA for this transfer process.

9. A different approach is required for those licences where an administrative process is underway at the date on which the legal instrument comes into force. In the interests of transparency and simplicity, we believe that a clean handover from one regulator to another at the point of transfer is essential. In practice this means that any procedure which has commenced under the 2010 Act should be concluded before the licence is transferred to CAR. Transitional provisions will be drafted to support this approach.

### **Consultation and stakeholder interests**

10. The 2010 Act requires that the Scottish Ministers consult such persons as they consider appropriate in relation to the proposed Order. As this is primarily a procedural exercise, with no wider policy considerations, we consider that a targeted consultation with key interests will suffice in this instance. We do not propose to carry out a public consultation.

11. We have begun engaging with the sector to discuss how the transitional provisions might work in practice, and to seek their feedback before finalising the instrument.

### **Legal issues and proposed timing**

12. The instrument is subject to affirmative procedure. The aim is to finalise the instrument by the end of August 2020. The due Parliamentary process would then take approximately 7 weeks, and we would anticipate the instrument coming into force in early November 2020. We will bring forward further advice, a draft instrument, and the necessary impact assessments for your approval towards the end of August.

### **Recommendation**

13. I **recommend** that the Cabinet Secretary:
- **notes** progress on this matter; and
  - **agrees** that we do not need to carry out a public consultation in view of the circumstances outlined at paragraph 10.

[Redacted]

Environmental Quality & Circular Economy Division

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Cabinet Secretary for Rural Economy and Tourism					X
Minister for Rural Affairs and Natural Environment					X
DG Economy					
Director ENFOR					
Director Marine Scotland					
[Redacted] ARF					
[Redacted] ARF					
[Redacted] ARF					
[Redacted] SGLD					
[Redacted] SGLD					
[Redacted] MS-LOT					
[Redacted] EQCED					
[Redacted] EQCED					
[Redacted] Special Adviser					
[Redacted] Special Adviser					
[Redacted] Communications					
Communications COVID-19 Hub					

[Redacted]

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**From:** [Redacted]  
**Sent:** 24 June 2020 12:12  
**To:** [Redacted]  
**Subject:** FW: Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission  
**Attachments:** Wellboats - transferring responsibility to CAR - submission 2.docx

fyi

---

**From:** [Redacted] @gov.scot>  
**Sent:** 22 June 2020 15:41  
**To:** Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>  
**Cc:** Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Minister for Rural Affairs and the Natural Environment <MinisterRANE@gov.scot>; DG Economy <DGEconomy@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Director of Marine Scotland Mailbox <Directormarinescotland@gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted] @scotland.gsi.gov.uk>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; Communications Covid-19 <CommunicationsCovid-19@gov.scot>  
**Subject:** Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission

Cabinet Secretary for the Environment, Climate Change and Land Reform,

Please find attached an update regarding the transfer of responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA.

[Redacted]

[Redacted]

Currently working from home – [Redacted]

– Environmental Quality and Circular Economy Division





T: [Redacted] F: [Redacted]  
E: DirectorMarineScotland@gov.scot

By email to [Redacted] [scottishsalmon.co.uk](http://scottishsalmon.co.uk)

Copy by post to:-  
Julie Hesketh-Laird  
Chief Executive  
Scottish Salmon Producers Organisation  
83 Princes Street  
Edinburgh  
EH2 2ER

13<sup>th</sup> December 2019

Dear Julie,

Thank you for your letter of 4 October 2019 about wellboat licensing applications and [Redacted] apologies for not having responded sooner. I am pleased to be able to provide you with this update and in doing so happy to confirm we are making progress in both these areas, as outlined in the update below. I hope this is helpful.

### **1. Wellboat licensing applications**

[Redacted]



[Redacted]

I am also pleased to advise that we are continuing to make arrangements for the transfer of wellboat licensing into the CAR regime by way of a statutory instrument and we will be in touch in due course to arrange a discussion about transitional arrangements.

[Redacted]

[Redacted]



[Redacted]

Yours sincerely,

[Redacted]

**Graham Black**  
Director Marine Scotland

Cc:- Fergus Ewing MSP – [CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)



[Redacted]

[Redacted]

---

**From:** [Redacted]  
**Sent:** 31 July 2020 15:07  
**To:** MS LOT Business and Operational Delivery  
**Subject:** FW: sensitive: wellboat - drafting transitional arrangements  
**Attachments:** Draft transitional arrangements.docx

---

**From:** [Redacted] @gov.scot>  
**Sent:** 19 September 2019 16:15  
**To:** [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]  
[Redacted] gov.scot>  
**Cc:** [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]  
[Redacted] @gov.scot>  
**Subject:** FW: sensitive: wellboat - drafting transitional arrangements

Hi All,

Ahead of tomorrow's meeting at 12.30 with Sepa- grateful if anyone has had any additional thoughts on the attached if you can let me know?

See/ speak to you tomorrow. Thank you for your help.

Kind regards,

[Redacted]

---

[Redacted]

[Redacted]

---

**From:** [Redacted]  
**Sent:** 31 July 2020 15:09  
**To:** MS LOT Business and Operational Delivery  
**Subject:** FW: Wellboats 2

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**From:** [Redacted] <[Redacted]@gov.scot>  
**Sent:** 12 August 2019 13:39  
**To:** [Redacted] <[Redacted]@SEPA.org.uk>  
**Cc:** [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>  
**Subject:** Wellboats  
[Redacted]  
Afternoon

Thank you for your e-mail last week. I had a further query, which I wondered whether you could help with?

I am completing a Business and Regulatory Impact Assessment for the regulation, and so I wondered if you had any information relating to costs, i.e. will there be any additional costs/ reduction in costs going forward?

Thank you for your help.

Kind regards,

[Redacted]

[Redacted]

[Redacted]

Marine Scotland – Aquaculture, Scottish Government, 1B North, Victoria Quay, Edinburgh EH6 6QQ  
Tel: [Redacted]

[Redacted]

---

**From:** [Redacted]  
**Sent:** 31 July 2020 15:08  
**To:** MS LOT Business and Operational Delivery  
**Subject:** FW: Wellboats

---

**From:** [Redacted] @gov.scot>  
**Sent:** 29 August 2019 14:02  
**To:** [Redacted] sepa.org.uk>; [Redacted] SEPA.org.uk>  
**Cc:** [Redacted] @gov.scot>; [Redacted] @gov.scot>  
**Subject:** RE: Wellboats

Hi [Redacted]

Thank you for your e-mail about the Business and Regulatory Impact Assessment (BRIA) for the regulation. I just had a few further queries which I wondered whether yourself/ [Redacted] could help with:

1. I just wanted to double check with regards to a CAR licence- are there any renewals associated with this (once granted)/ are there any annual fees?
2. There is a section in the BRIA that asks about whether there will be new forms for businesses to complete- will it just be that amendments are made to existing Sepa forms?

Kind regards,

[Redacted]

**BRIEFING – FERGUS EWING – AILG – 13 DECEMBER 2018**

<b><i>Date and Time of Engagement</i></b>	<b>Thursday 13<sup>th</sup> December 2018</b> <b>09:00 – 11:00</b>
<b><i>Where</i></b>	Macdonald Holyrood, 81 Holyrood Road, Edinburgh, EH8 8AU Salisbury 1 Meeting Room
<b><i>Why</i></b>	[Redacted]  <i>7th Meeting of the AILG.</i>
<b><i>Official Support Required</i></b>	<b>Graham Black, Director (Marine Scotland)</b> [Redacted] [Redacted]
<b><i>Media Handling</i></b>	• [Redacted]
<b><i>Dress code</i></b>	[Redacted]
<b><i>car/parking arrangements</i></b>	[Redacted]
<b><i>Briefing contents</i></b>	Annex A – Attendees. Annex B – Agenda Annex C – Minutes & Actions - previous meeting [Redacted]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**Agenda 2. Progress Updates on Recommendations:**

[Redacted]

[Redacted] to give update on wellboats – (see Annex E).

[Redacted]



[Redacted]

[Redacted]



**Wellboats**

QW4	Integrate wellboat Marine Licence into the CAR Licence	Integrate wellboat Marine Licence into the CAR Licence. It is understood that this would: -require one additional sentence to be added to the CAR Licence. -cover all wellboat discharges. -Be supported by SEPA and the finfish industry.	In progress <b>Mike Palmer to Update AILG</b>
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[Redacted]

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**BRIEFING – FERGUS EWING – AILG – THURSDAY 14 MARCH 2019**

<b><i>Date and Time of Engagement</i></b>	<b>Thursday 14th March 2019</b> <b>09:00 – 11:00</b>
<b><i>Where</i></b>	Macdonald Holyrood, 81 Holyrood Road, Edinburgh, EH8 8AU Salisbury Suite Meeting Room
<b><i>Why</i></b>	[Redacted]  <i>8th Meeting of the AILG.</i>
<b><i>Official Support Required</i></b>	<b>Graham Black, Director (Marine Scotland)</b> [Redacted] [Redacted]
<b><i>Media Handling</i></b>	• [Redacted]
<b><i>Dress code</i></b>	[Redacted]
<b><i>car/parking arrangements</i></b>	[Redacted]
<b><i>Briefing contents</i></b>	Annex A – Attendees. Annex B – Agenda Annex C – Minutes & Actions - previous meeting [Redacted]

[Redacted]



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]





**Agenda 5. The Consenting Review – do we now consider progressing towards a Marine Licensing regime?**

[Redacted]

- [Redacted] the work on progressing the licensing of well boats through the CAR regime [Redacted] will in themselves **lead to a more effective planning/ consenting Regime.**

[Redacted]

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**From:** [Redacted]  
**Sent:** 31 July 2020 15:14  
**To:** MS LOT Business and Operational Delivery  
**Subject:** A24417992  
**Attachments:** A24417992.obr

-----Original Message-----

From: [Redacted] @gov.scot>  
Sent: 04 June 2019 11:37  
To: [Redacted] @gov.scot>  
Subject: AILG - 2019 - Aquaculture Industry Leadership Group: Cabinet Secretary for Rural Economy - Thursday 6th June: Radisson Blu, Edinburgh - 9th meeting - draft briefing (A24417992)

Hi [Redacted]

[Redacted] are looking to send the AILG briefing today. Ahead of this I have added a caveat to the line of page 18, in the wellboat section, which I thought may be helpful?

Kind regards,

[Redacted]

[Redacted] has sent you a link to "AILG - 2019 - Aquaculture Industry Leadership Group: Cabinet Secretary for Rural Economy - Thursday 6th June: Radisson Blu, Edinburgh - 9th meeting - draft briefing" (A24417992) from Objective.

Open in Navigator  
Double click on the attachment

Open in Your Browser  
Latest: <https://erdm.scotland.gov.uk/id:A24417992/document/versions/latest>  
Published: <https://erdm.scotland.gov.uk/id:A24417992/document/versions/published>



**– FERGUS EWING – AILG – 9<sup>TH</sup> MEETING – THURSDAY 6 JUNE 2019**

<b><i>Date and Time of Engagement</i></b>	<b>Thursday 6th 2019 09:00 – 11:00</b>
<b><i>Where</i></b>	<ul style="list-style-type: none"> <li>• Radisson Blu, Great Scots Hall, 80 High Street, EH1 1TH, Edinburgh</li> </ul>
<b><i>Why</i></b>	<ul style="list-style-type: none"> <li>• [Redacted]</li> <li>• 9th Meeting of the AILG.</li> </ul>
<b><i>Official Support Required</i></b>	<ul style="list-style-type: none"> <li>• Graham Black, Director (Marine Scotland)</li> <li>• Mob: [Redacted]</li> </ul>
<b><i>Media Handling</i></b>	<ul style="list-style-type: none"> <li>• [Redacted]</li> </ul>
<b><i>Dress code</i></b>	[Redacted]
<b><i>car/parking arrangements</i></b>	
<b><i>Briefing contents</i></b>	<p>Annex A – Attendees.  Annex B – Agenda  Annex C – Minutes &amp; Actions - previous meeting  [Redacted]</p>

[Redacted]

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[Redacted]



[Redacted]

## **Agenda 5. The Consenting Review and Progressing a Marine Licencing regime**

- In 2015 Marine Scotland and The Crown Estate jointly commissioned an independent review of the consenting process for aquaculture. The final report of the review was published in July 2016. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

## **The Consenting Review & Progressing a Marine Licensing regime**

### **Consenting Review**

- In 2015 Marine Scotland and The Crown Estate jointly commissioned an independent review of the consenting process for aquaculture. The final report of the review was published in July 2016. [Redacted]

- [Redacted]

**as well as the transfer of Wellboat licensing to SEPA's Controlled Activities Regulations (CAR) regime** [Redacted]

[Redacted]

[Redacted]

**(Quick Win 4 – Integrate wellboat marine licence into the CAR)**

- Officials are currently working on a legislative timetable for a statutory instrument. This will include planning a public consultation this summer, including a discussion on how best to manage any transitional arrangements, with the potential for the Regulation to come into force within this year, subject to Parliamentary scrutiny.
- SSPO have been in contact with officials to discuss wellboat licensing and have requested a meeting with Mr Ewing and Ms Cunningham, relating to marine licensing.



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