



## THE CONSERVATION (NATURAL HABITATS, &c.) REGULATIONS 1994

### LICENCE TO DISTURB MARINE SPECIES

This licence is granted under regulation 44 (2) (e) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) by the Scottish Ministers who, after consultation with, and having been advised as to the circumstances in which they should grant such licences by Scottish Natural Heritage are satisfied as regards the purpose for which the licence is granted, (namely, for an imperative reason of overriding public interest including that of a social or economic nature and beneficial consequences of primary importance for the environment); and that (a) there is no other satisfactory alternative and (b) that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range; and unless revoked by the Scottish Ministers is valid from 30 April 2020 to 30 November 2020 and authorises:

Mr Sean Woods  
Roadbridge UK  
1 Sholto Crescent  
Righead Industrial Estate  
Bellshill  
ML4 3LX

Or any person authorised in writing by him

To disturb the European protected species of bottlenose dolphin (*Tursiops truncatus*), harbour porpoise (*Phocoena phocoena*) and minke whale (*Balaenoptera acutorostrata*) at Port of Cromarty Firth, Invergordon as detailed in the application for a licence to disturb European protected species and supporting documents but only subject to the under-noted conditions:

#### PURPOSE AND CIRCUMSTANCES IN WHICH ACTION IS REQUIRED

This licence is granted for the purpose of permitting the disturbance of bottlenose dolphin (*Tursiops truncatus*), harbour porpoise (*Phocoena phocoena*) and minke whale (*Balaenoptera acutorostrata*) at Port of Cromarty Firth, Invergordon for an imperative reason of overriding public interest including that of a social or economic nature and beneficial consequences of primary importance for the environment in connection with The Port of Cromarty Firth Phase 4 Development at the following location.

Dredging within the area bounded by the following points:

57° 41.188' N, 004° 10.886' W  
57° 41.093' N, 004° 10.871' W

57° 41.099' N, 004° 10.734' W  
57° 41.059' N, 004° 10.728' W  
57° 41.040' N, 004° 11.186' W  
57° 41.190' N, 004° 11.195' W  
57° 41.201' N, 004° 10.949' W  
57° 41.186' N, 004° 10.947' W

Sea disposal at Sutors deposit area (CR019) within the area bounded by the following points:

57° 41.230' N, 003° 59.880' W  
57° 41.230' N, 003° 59.280' W  
57° 41.040' N, 003° 59.280' W  
57° 41.040' N, 003° 59.880' W

This licence is granted for permitting disturbance of the above named species as a result of the following activities:

- Dredging and sea disposal of dredge spoil

### **Licence Conditions**

1. The licensee must ensure that all works are carried out in strict accordance with the mitigation and working methods proposed in the application for this licence to disturb European protected species, together with supporting information and all works must be carried out within the timescales given within the application and any subsequent written correspondence between Marine Scotland and the applicant, but subject to the following modifications or amendments made within this licence.
2. The licensee must ensure that all works are carried out in strict accordance with the mitigation measures identified in the Environmental Impact Assessment Report and the Vessel Management Plan as approved by the licensing authority.
3. The licensee must adhere to the approved Construction Environmental Management Document ("CEMD") (revision 3, dated 07 August 2018) and ensure that all mitigation measures listed are fully implemented. In the event that the licensee wishes to update or amend any of the protocols in the CEMD, the licensee must submit, in writing, details of proposed updates or amendments to the licensing authority for their written approval, no later than one month or at such a time as agreed with the licensing authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.
4. The licensee must co-ordinate the movements of any vessels utilised in respect of the works with the vessel movements of any other developments or activities, taking place at the same time, to spread out vessel activity as far as is practically possible so that it does not occur simultaneously.
5. In the event of the licensee becoming aware that any of the information on which the issue of this licence was based has changed, the licensing authority must be notified as soon as reasonably practicable.

6. Except where it is not relevant to the provisions of this licence, the licensee must ensure that the Scottish Marine Wildlife Watching Code is adhered to at all times.
7. The licensee must ensure that copies of the licence are available for inspection by any person authorised by the Scottish Ministers at the office of the Licensee and at all sites where licensed activities are taking place.
8. Any person authorised by the Scottish Ministers must be permitted to inspect the operations relating to the licence at any reasonable time. The licensee must allow appropriate assistance to facilitate inspection.
9. The licensee must, no later than one month after the expiry date of this licence, submit to Marine Scotland, Planning and Policy, Licensing Operations Team, a written report detailing all actions taken in accordance with the specified terms and conditions of the licence. This report must detail the procedures, visual observations and include the original Marine Mammal Recording Form(s). Any difficulties encountered, or recommendations should also be noted.

Authorised on behalf of Scottish Ministers  
By a member of staff of the Scottish Government

Marine Scotland  
Marine Planning and Policy  
Licensing Operations Team  
375 Victoria Road  
Aberdeen  
AB11 9DB  
30 April 2020