marine scotland

The Scottish Government
Riaghaltas na h-Alba

T: [redacted]
E: fishfarmreview@gov.scot

LEGACY 2014
XX COMMONWEALTH GAMES SCOTLAND

Chris Webb
Cooke Aquaculture Scotland Ltd
Crowness Road
Hatston Industrial Estate
Kirkwall
Orkney
KW15 1RG

17 November 2015

Dear Mr Webb

GRANT OF PLANNING PERMISSION

The Scottish Ministers, having considered your application dated 01 Feburary 2013, hereby grant planning permission under section 31A of the Town and Country Planning (Scotland) Act 1997 (as amended).

APPLICANT:	Cooke Aquaculture Scotland Ltd
APPLICATION No:	FFR/ORK/014
NAME / LOCATION OF DEVELOPMENT:	Lyrawa Bay, Scapa Flow position N58 52.303 W03 12.918
NATURE OF DEVELOPMENT:	8 x 70m circumference circular cages for the cultivation of salmon, including ancillary cage grid and all moorings.

This is subject to the development being in accordance with the plans submitted and attached hereto as stamped and approved, and to the attached conditions.

Yours faithfully

[redacted]

Bridget Bryden
Performance, Aquaculture and Recreational Fisheries

ISO14001 at V.O.
REGISTERED
INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

SCOTTISH GOVERNMENT PLANNING PERMISSION No FFR/ORK/014

SCHEDULE OF CONDITIONS

Condition 1
Subject to Conditions 2 to 10 the equipment shall be as set out in the application and submitted plans unless otherwise agreed in writing with the planning authority.

Reason: For the avoidance of doubt as to what is being authorised by this permission.

Condition 2
At all times when equipment is on site the following navigational marks shall be provided:

This site shall be marked by means of a lit yellow pole, flashing group four yellow every twelve seconds, (Fl(4) Y 12s) and fitted with a yellow multiplication cross topmark.

The pole should be positioned at the midpoint of the sites most seaward side. The pole used should be at least 75mm in diameter and not less than 1 metre in height above the site equipment hand rails, the light should be installed on the top of the pole. The pole should be positioned such that it can be clearly seen by vessels approaching from all navigable directions. The multiplication cross should measure a minimum of 50cm in length by 7.5cm in width.

Reason: In the interests of navigational safety.

Condition 3
In the event of equipment falling into disrepair or becoming damaged, adrift, stranded, abandoned or sunk in such a manner as to cause an obstruction or danger to navigation, the developer shall carry out or make suitable arrangements for the carrying out of all measures necessary for lighting, buoying, raising, repairing, moving or destroying, the whole or any part of the equipment to the satisfaction of the Planning Authority and Orkney Marine Services within a period of 24 hours of notification of the danger unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the development does not cause a danger to other users of the area.

Condition 4
In the event that the fish cages or associated equipment approved by this permission cease to be in operational use for the growing of finfish for a period exceeding three years, they shall be wholly removed and the site restored to the satisfaction of the Planning Authority within 4 months of being notified, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the development is removed, in full, from the site once operational use has ceased ensuring the development will not adversely affect the area.

Condition 5
All equipment and associated moorings approved by this permission shall be wholly contained within the area identified on the Admiralty Chart received as part of this submission, the approved mooring containment area being:
Extent of moorings - N58 52.356 W3 12.763
Extent of moorings - N58 52.356 W3 13.076
Extent of moorings - N58 52.249 W3 12.763
Extent of moorings - N58 52.248 W3 13.074
Cage grid corner - N58 52.329 W3 12.814
Cage grid corner - N58 52.330 W3 13.022
Cage grid corner - N58 52.276 W3 13.023
Cage grid corner - N58 52.276 W3 12.814

Reason: To ensure the development is moored in accordance with the submitted co-ordinates.

Condition 6
The finished surfaces of all equipment above the water surface including surface floats and buoys associated with the development hereby permitted (excluding those required to comply with navigational requirements) shall be non-reflective and finished in a dark muted colour unless otherwise agreed in advance with the Planning Authority.

Reason: In the interest of visual amenity.

Condition 7
All lighting above the water surface and not required for safe navigation purposes should be directed downwards by shielding and be extinguished when not required for the purpose for which it is installed on the site.
No maturation lighting shall be used unless otherwise agreed in writing with the Planning Authority.

Reason: To minimise visual impact.

Condition 8
The development shall be constructed and implemented in accordance with the documents "Predator Control" and "Predator Defence & Mitigation Policy for Lyrawa Bay, Scapa Flow" attached to and forming part of this consent, and thereafter operated and maintained in accordance with these procedures and policies throughout the life time of the development unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the natural heritage and biodiversity interests in the area.

Condition 9
The site shall be managed in accordance with the "Emergency Escape Procedure", attached to and forming part of this consent, throughout the life time of the development unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the biodiversity interests in the area.

Condition 10
The site shall be managed in accordance with the "Environment Management Plan/ Statement Lyrawa Bay" throughout the life time of the development unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the biodiversity interests in the area.

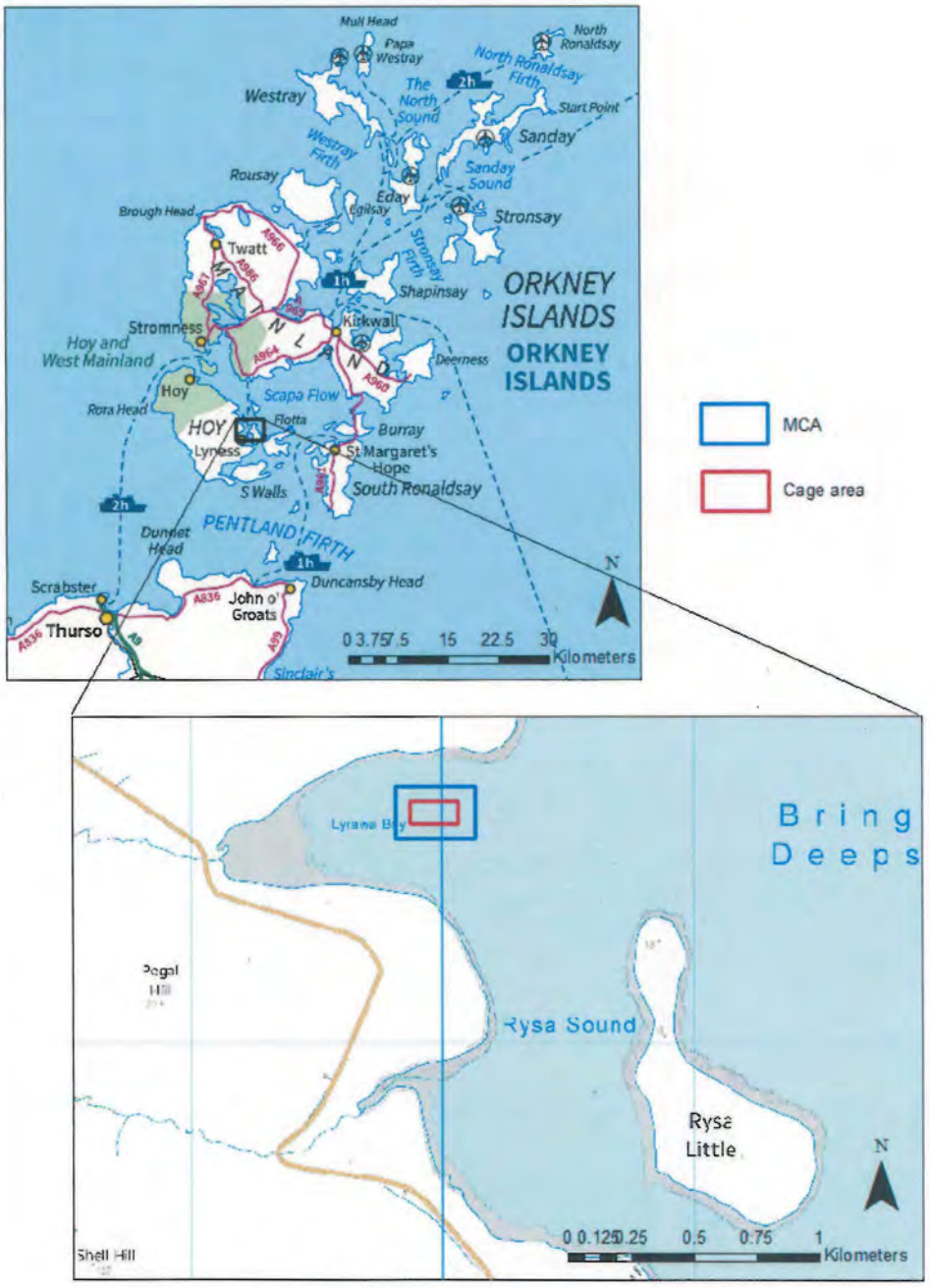
Informatives

1. Northern Lighthouse Board wish to discourage the practice of marking outlying anchor points with buoys (unless specifically requested by local users), and recommend that alternative means to locate anchors are utilised. Allowing loose floating lines around site equipment is also strongly discouraged as this can cause serious safety implications for other mariners.
2. The UK Hydrographic Office shall be notified by Cooke Aquaculture Scotland Ltd of the installation coordinates of the site, in order that BA Chart 1954 can be revised accordingly.
3. The developer will be responsible for ensuring that the farm accords with the Code of Good Practice for Scottish Finfish Aquaculture (National Strategy for sea lice control).
4. ARCHAEOLOGY INFORMATIVE: You are advised that there may be material archaeological remains within, or in the vicinity of, the development site of the application hereby approved. If any potential archaeological features/materials are uncovered whilst carrying out the works hereby approved, then you should contact the County Archaeologist on [redacted] for advice
5. The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APB's) in relation to animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals. The authorisation procedure is undertaken on behalf of the Scottish Ministers by the Fish Health Inspectorate (FHI) at Marine Scotland Marine Laboratory. To apply for authorisation for an APB or to amend details of an existing APB or any site that an APB is authorised to operate at, you are advised to contact the FHI as follows: Fish Health Inspectorate, Marine Scotland Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB. Tel: 01224 295525; Email: ms.fishhealth@scotland.gsi.gov.uk
6. All marine farms, whether finfish, shellfish or algal, are required to apply for a marine licence under Part 4 of the Marine (Scotland) Act 2010. To apply for a marine licence, or to amend details of an existing marine licence (formally Coast Protection Act 1949 – Section 34 consent), please visit the Scottish Government's website at http://www.scotland.gov.uk/Topics/marine/Licensing/marine/Applications where application forms and guidance can be found. Alternatively you can contact the Marine Scotland Licensing Operations Team (MS-LOT) by emailing MS.MarineLicensing@Scotland.gsi.gov.uk; or calling 01224 295 579.
7. Please be aware that although this farm has planning permission you are still required to hold a Crown Estate lease for the seabed below this farm and you should contact the Crown Estate regarding the renewal of your lease.

Lyrawa Bay Site Co-Ordinates

Extent of Moorings	N58 52.356 W3 12.763
Extent of Moorings	N58 52.356 W3 13.076
Extent of Moorings	N58 52.249 W3 12.763
Extent of Moorings	N58 52.248 W3 13.074
Cage grid corner	N58 52.329 W3 12.814
Cage grid corner	N58 52.330 W3 13.022
Cage grid corner	N58 52.276 W3 13.023
Cage grid corner	N58 52.276 W3 12.814
Centre	N58 52.303 W3 12.918

SCOTTISH GOVERNMENT
Application Ref No: FFR/ORIL/012
APPROVED by Scottish Ministers
(subject to the conditions of the attached permission)
17/11/15 [redacted]



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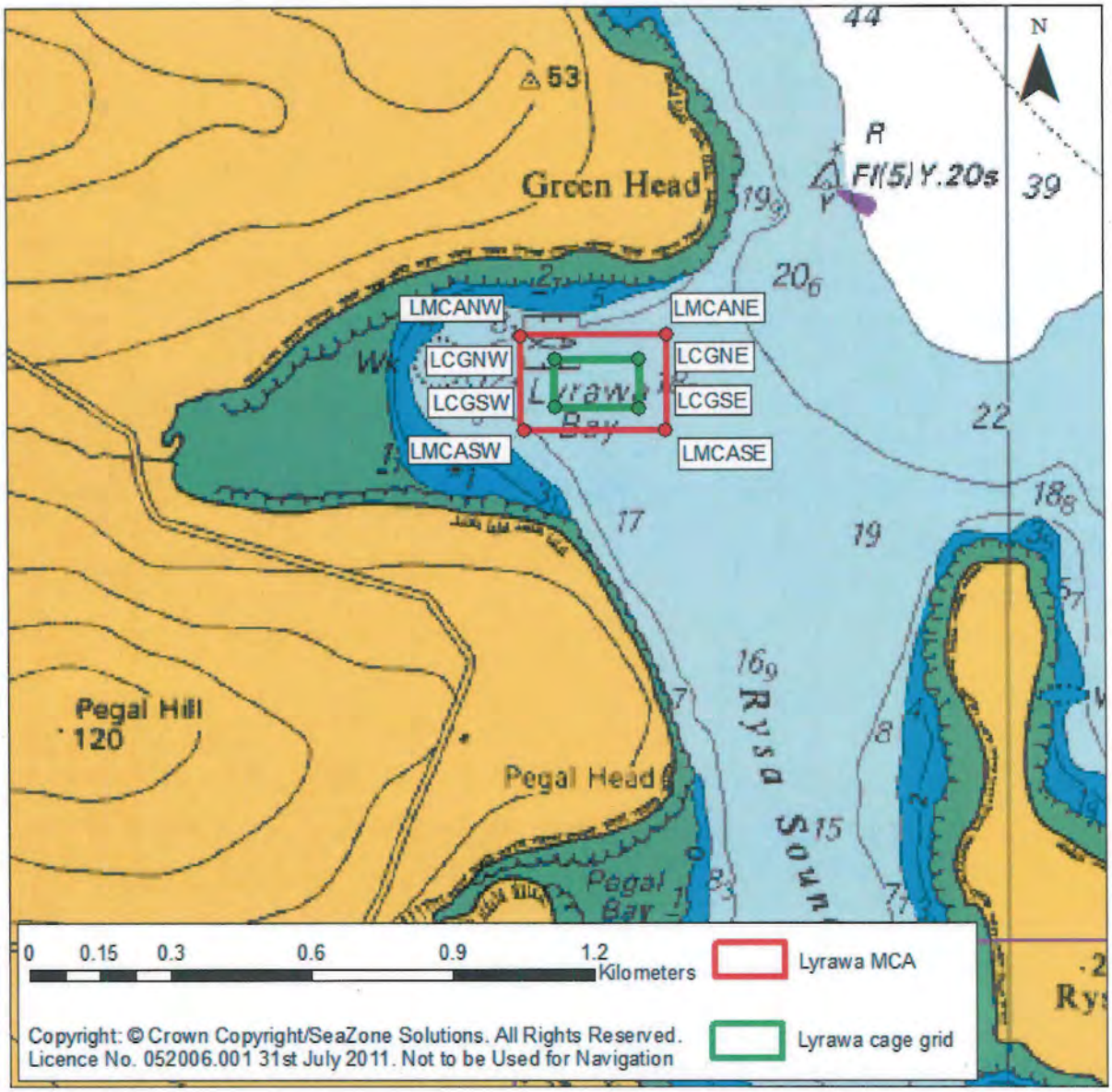

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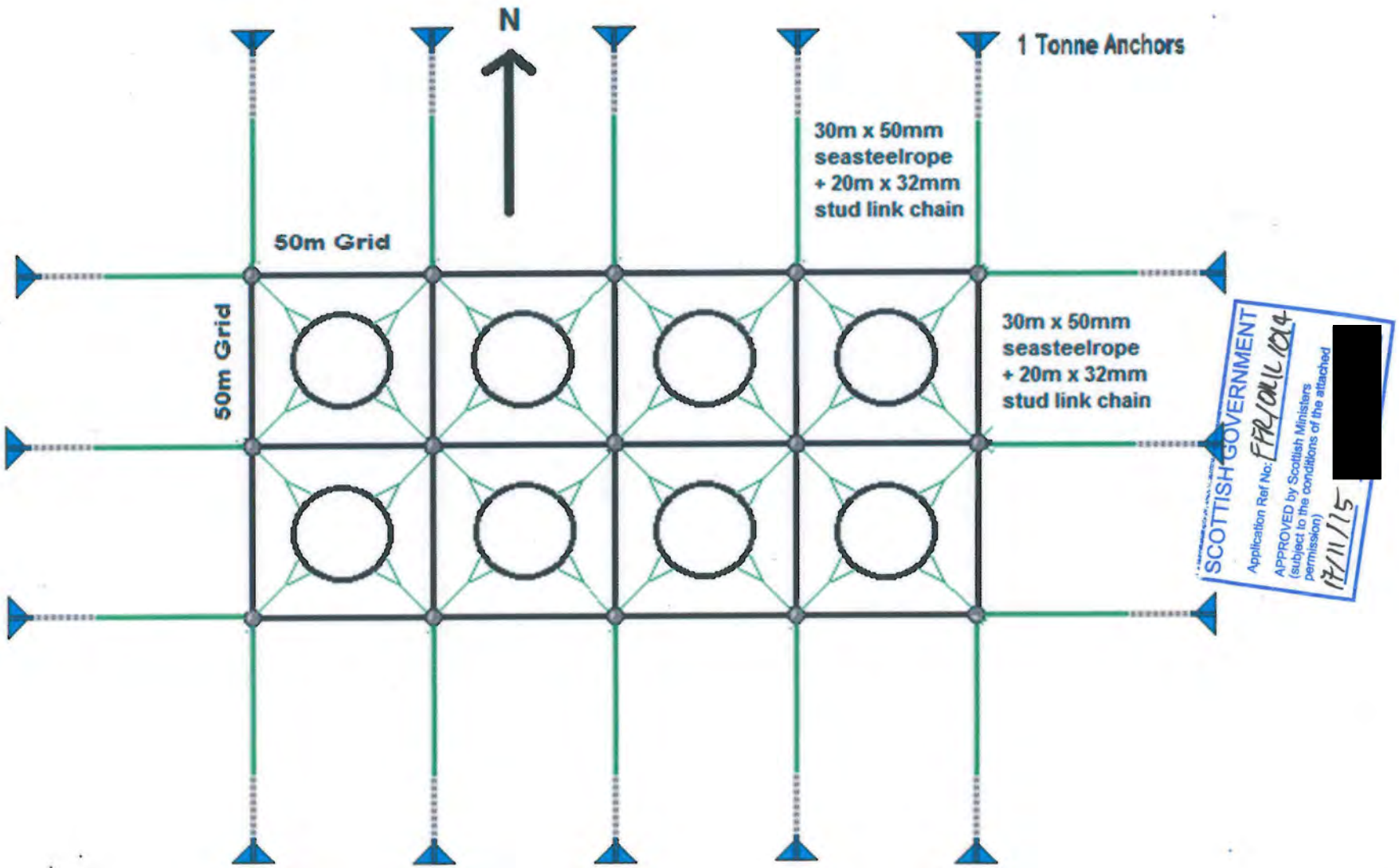
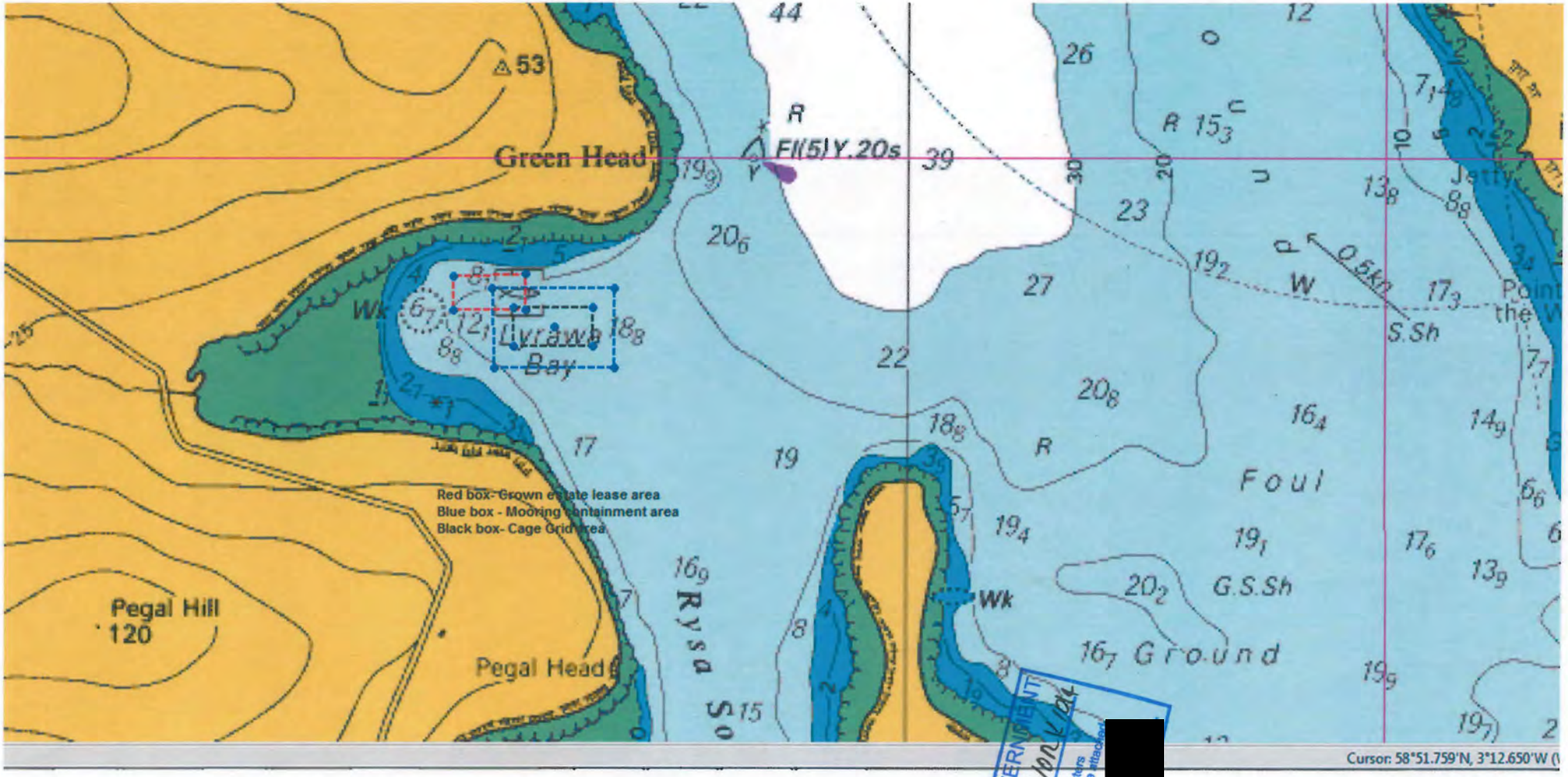


Figure 3.3 Lyrawa Bay site configuration and mooring plan



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