marinescotland

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

The Scottish Government
Riaghaltas na h-Alba

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 FFA/ORK/003

The Scottish Ministers, having considered your application dated 23 May 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:	FFA/ORK/003
NAME / LOCATION OF DEVELOPMENT:	Chalmers Hope, Scapa Flow Position N58° 53.474, W3° 14.428
NATURE OF DEVELOPMENT:	12 x 90m circumference circular cages, the ancillary cage grid and all moorings, for the cultivation of salmon.

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 sincerely

[redacted]

FIONA M WATT
Performance, Aquaculture and Recreational Fisheries

ISO14001 at V.Q.
INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

SCOTTISH GOVERNMENT PLANNING PERMISSION No FFA/ORK/003
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 2 lit yellow poles, flashing group four yellow every twelve seconds, (Fl(4) Y 12s) and fitted with a yellow multiplication cross topmark.

One pole should be positioned at the most Northerly corner of the group of cages and the remaining pole at the most Easterly corner of the group of cages.

The poles 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 multiplication cross should measure a minimum of 50cm in length by 7.5cm in width and be installed below the light. The poles should be positioned such that it can be clearly seen by vessels approaching from all navigable directions.

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 53.422 W3 14.182
Extent of moorings - N58 53.334 W3 14.378
Extent of moorings - N58 53.524 W3 14.672
Extent of moorings - N58 53.611 W3 14.474
Cage grid corner - N58 53.430 W3 14.289
Cage grid corner - N58 53.395 W3 14.367
Cage grid corner - N58 53.553 W3 14.491
Cage grid corner - N58 53.518 W3 14.570
Centre - N58 53.474 W3 14.428

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 Defence & Mitigation Policy" for Chalmers Hope, Scapa Flow attached to and forming part of this consent, and thereafter operated and maintained in accordance with the "Predator Defence and Mitigation Policy" 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 Chalmers Hope" 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 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).

3. Any diving associated with the development either in construction or during the operation can only be undertaken by those licensed by the Harbour Authority.

4. Any defect or failure in the equipment which has the risk of items breaking free, or has caused a floating item to break free must be reported to Orkney VTS in order that a Notice to Mariners can be issued.

5. Any significant impact on ferry usage as a result of the development and/or its construction should be discussed with the Ferry Services Manager at Orkney Ferries Limited in sufficient time for service provision to be agreed.

6. The Aquatic Animal Health (Scotland) Regulations 2009 requires the authorisation of all Aquaculture Production Businesses (APBs) 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.

7. 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.

8. 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.

Chalmers Hope Site Co-ordinates

Extent of Moorings	N58 53.422 W3 14.182
Extent of Moorings	N58 53.334 W3 14.378
Extent of Moorings	N58 53.524 W3 14.672
Extent of Moorings	N58 53.611 W3 14.474
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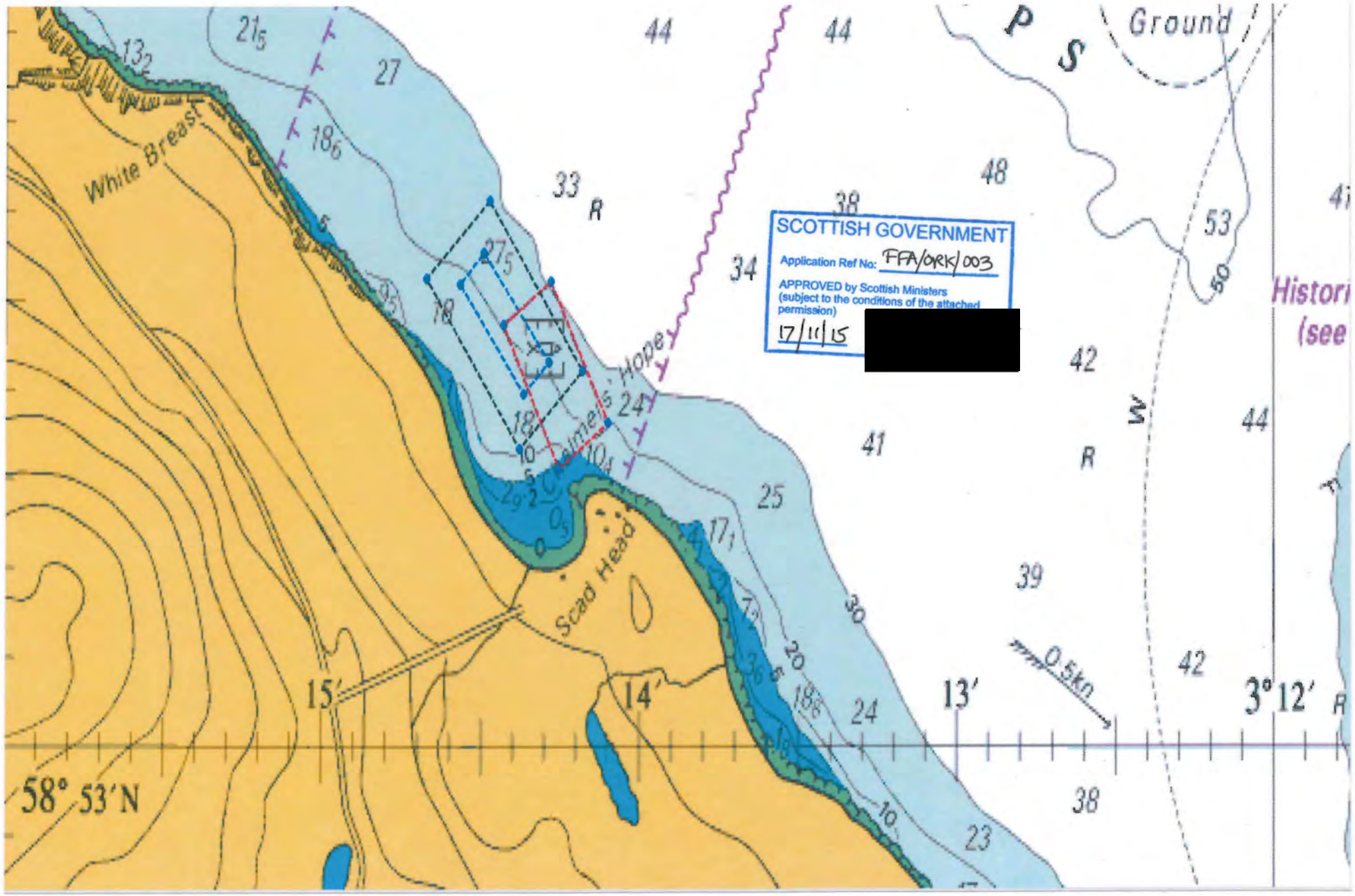
SCOTTISH GOVERNMENT
Application Ref No: FFA/ORK/003
APPROVED by Scottish Ministers
(subject to the conditions of the attached permission)
17/11/15
[redacted]


White Breast
Scad Head
Hope
Ground
SCOTTISH GOVERNMENT
Application Ref No: FFA/ORK/003
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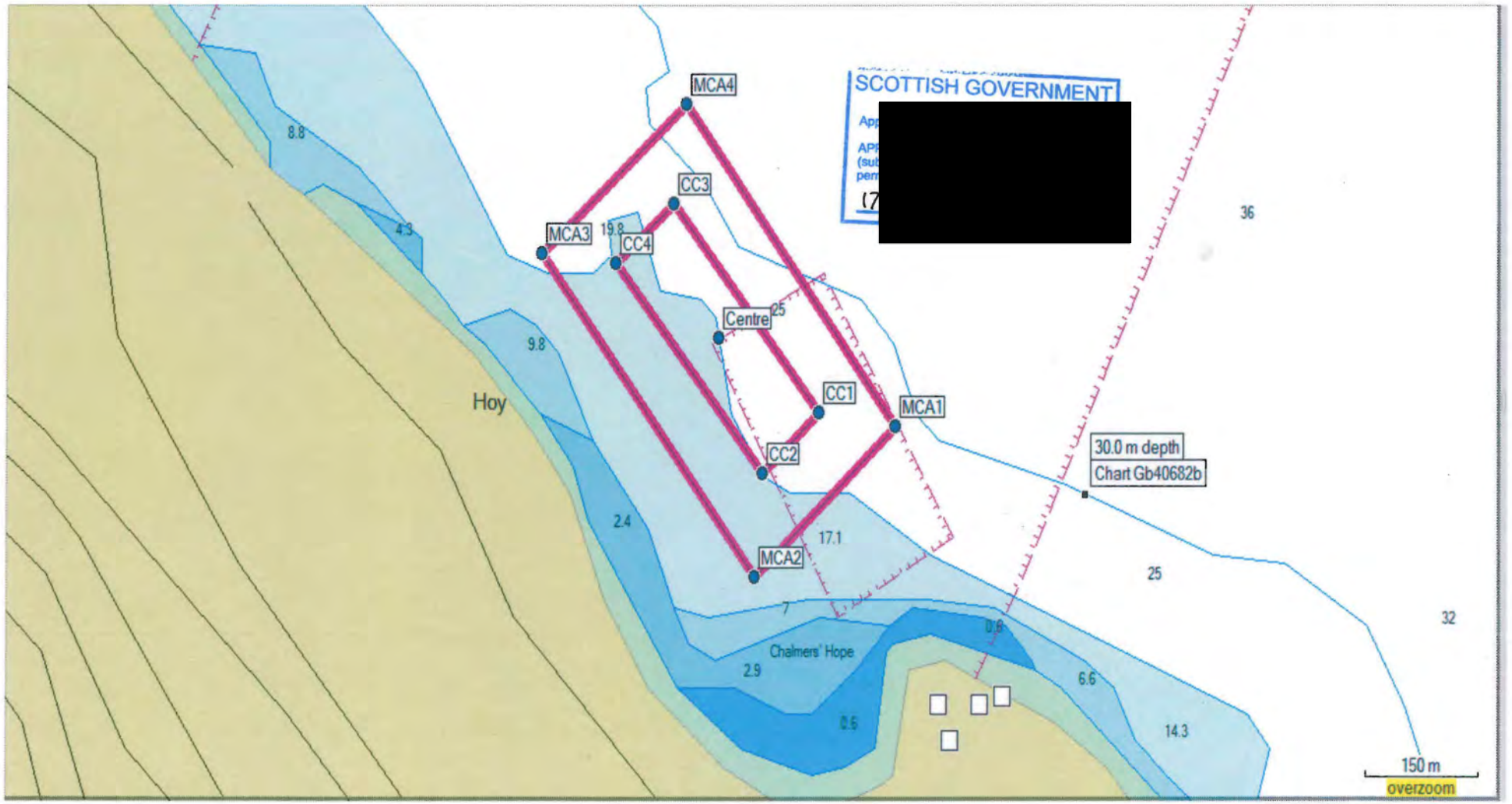
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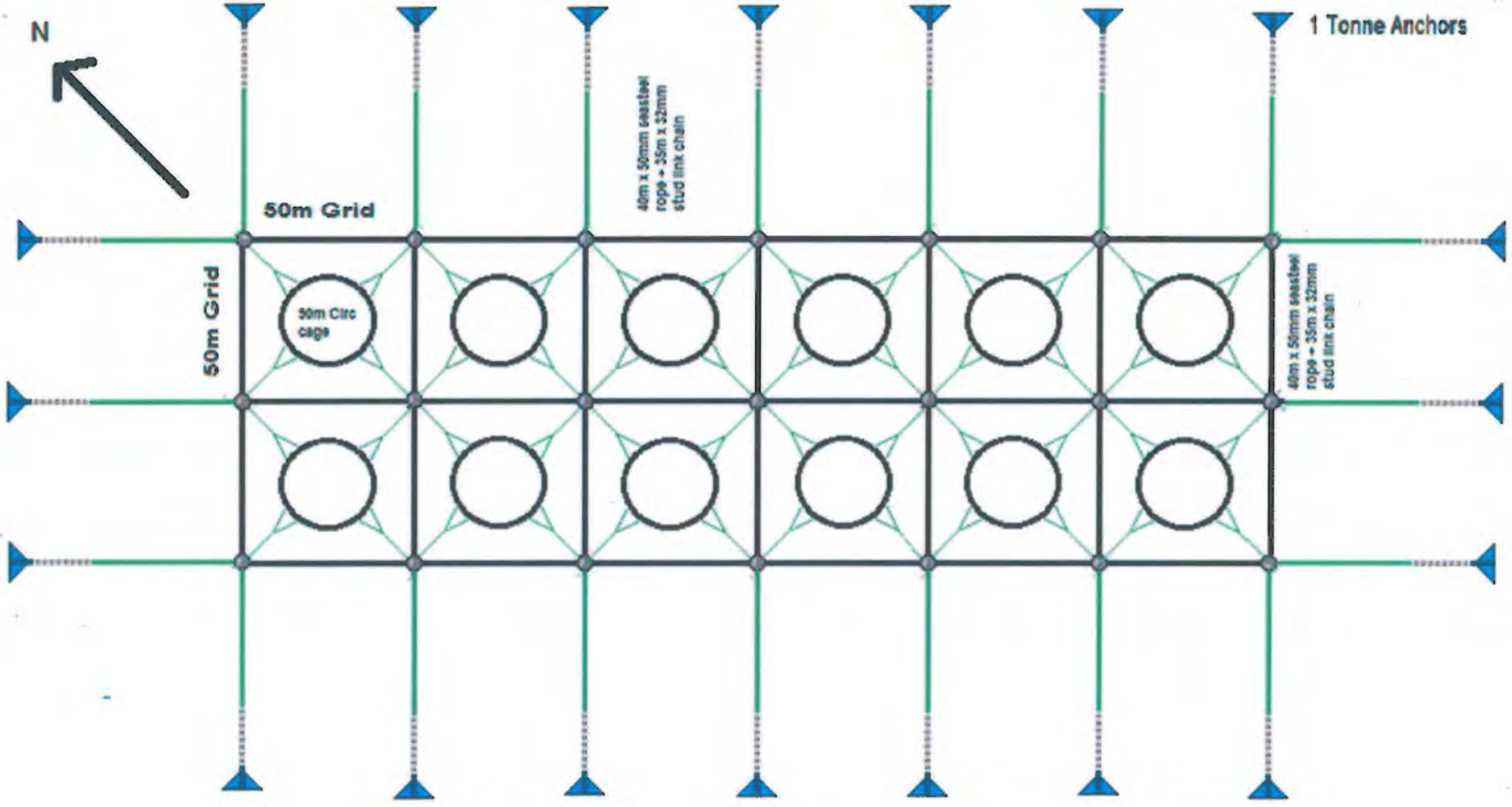
SCOTTISH GOVERNMENT

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