



Shetland Islands Council

Works Licence Application Form for Dredging, and for Piers, Marinas, Breakwaters, Cables, Pipelines and other similar Constructions

Our aim is to process your application in as open, accountable and efficient manner as possible. However, we can only do this with your co-operation.

Please note that if you do not have the necessary technical skills or understanding of the Works Licence process, it may be preferable for you to employ a competent agent.

The biggest delay to processing applications is the poor standard of the original submission. This could be due to incomplete forms, lack of information, or poor standard of drawings. If the application is not complete it cannot be registered and will not be progressed.

If you do employ an agent, then all negotiations and discussions will be directed to him or her. Having to deal with duplicate queries from applicants and agents is time consuming and can often lead to confusion and/or delay in progressing of your application.

Thank you for your co-operation in these matters.

Coastal Zone Manager

Marine Planning Service
Infrastructure Services Department
Grantfield
Lerwick
ZE1 0NT

Telephone (01595) 744800
Fax (01595) 744804

9.00am - 5.00pm Monday - Friday

Before you submit your application it is advisable to make an appointment and discuss your proposals with the Marine Planning Service. However it should be noted that any comments are informal officers comments only and are made without prejudice to the formal consideration of any application by the Council or its Committees.

NOTES FOR GUIDANCE

Works Licence Applications for Dredging, and for Piers, Marinas, Breakwaters, Cables, Pipelines and other similar Constructions

These notes have been prepared to help you fill in the Works Licence application form. If you need any more help or are unsure if a Works Licence is required, please contact the Marine Management Section.

(NOTE: INCOMPLETE/INCORRECT APPLICATIONS CANNOT BE ACCEPTED, WHICH MAY DELAY YOUR PROPOSALS).

1. Applicant's/Agent's Name and Address

Please give your full name and address, including your postcode and, if possible, a daytime telephone number. You may also give other contact details such as fax or email.

You may decide to employ an agent to prepare the drawings and complete these forms for you. This is preferable, especially for more complex applications. If this is the case, all correspondence from the Marine Management Section will be sent to the agent. Please give the name, address and phone number of the firm or company, and the individual dealing with this application.

2. Location of Development

Please provide a site name (e.g. Breiwick) and a location (e.g. Gruting Voe).

Please also provide an admiralty chart plotting reference of the mid-point of the site (WGS84 datum) and an Ordnance Survey grid reference.

3. Application Type

There are two types of application that can be made:

- New development – this will involve a proposal for a new previously undeveloped site;
- Modification of an existing development – this may involve a change to the overall size of the development and/or the equipment used at an existing development.

4. Description and Use of Proposed Development

A full description of the proposal should be included, i.e. 'carry out dredging to improve vessel access to an existing marina', 'develop a new pier to serve a salmon farm' or 'install a septic tank sea outfall to serve a new dwellinghouse'. The description should fully and accurately reflect the nature of the development, and failure to do so may result in your application being delayed.

5. Dredging

Please provide as much information as possible by answering all relevant questions in detail.

6. Constructions

Please provide as much information as possible by answering all relevant questions in detail.

7. Discharges (outfall pipes only)

Under the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (or CAR), it will be necessary to obtain a CAR licence from SEPA for discharges to the sea from outfall pipes. If a CAR licence has already been obtained, please provide a reference number and an approval date.

8. Declaration

Four sets of the following plans should be submitted with the application form:

- Admiralty Chart extract showing the application site outlined in red;
- Site plan showing the layout of the development. Where possible, details of the known water depth, reduced to chart datum, should be indicated at: (a) each extremity of the proposed development, and (b) the position of least depth within the application site;
- Elevations and sections of the proposed development.

Please ensure that the application form is signed by yourself or the agent acting on your behalf. The Council cannot register your application if this section is incomplete.

Where should I submit my application?

You should submit 2 copies of the completed application form along with 4 sets of the necessary plans to the address shown on the front page of these guidance notes.

It is advisable to make copies of your application for your own information.

What happens next?

Once the Marine Planning Service has received your application, it will be checked to ensure it is complete. If for some reason the application is incomplete, it cannot be registered, and you will be informed in writing what additional information is required.

If your application is complete, you will receive an acknowledgement letter. This will confirm the name of the officer dealing with your application and a reference number which you should quote in all future correspondence with the Marine Planning Service. The applicant or their agent has a responsibility to advertise submission of a Works Licence application in a paper circulating in Shetland prior to registration of the application. A copy of an advert template can be obtained from the Marine Management Section.

Most Works Licence applications are approved at officer level. Applications attracting objections or those which are contrary to policy must however go before the Planning Board for a decision. Once a decision has been made, you will be sent a decision notice informing you whether a Works Licence has been granted or refused and the reasons for the decision.

If your application is refused or if you feel aggrieved by any of the conditions imposed on any Works Licence, you can appeal to the Scottish Government. The appeal must be lodged within 28 days of the date of notice of the Council's decision. You can also appeal if you have not received a decision on your application within three months of it being formally accepted by the Council (this is called a deemed refusal). Any person who submitted a valid objection to your application can also appeal, within 28 days of the approval.