



NatureScot
Species Licensing
Great Glen House
Leachkin Road
Inverness
IV3 8NW
01463 725364
e-mail: licensing@nature.scot

Licences are issued by Scottish Natural Heritage, acting under its operating name NatureScot.

Animal Licence

| | | | | | |
|----------------|--------|------------|-------------|----------|-------------|
| Licence Number | 211818 | Valid from | 13 Jul 2022 | Valid to | 13 Jul 2027 |
|----------------|--------|------------|-------------|----------|-------------|

This Licence has been amended from Licence Number: 99341

Licence Holder

Name

[REDACTED]

Address

[REDACTED]

This licence is granted under the following legislation

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended): Regulation 44 (2) (a)

Project Details

This licence permits the licence holder to approach by boat in order to track, collect skin and blubber samples and attach tags to individually recognizable adult minke whales, humpback whales, and killer whales in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea (west coast) for the purposes of science, research and education. All works are to be carried out in accordance with the Cetacean & Research Rescue Unit (CCRU) licence application dated 28 April 2015 and additional information supplied June 2015.

Activities, species and locations covered by this licence are listed in Annex 1

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

| Conditions | |
|-------------------|--|
| 1 | The licence holder, agents and assistants, must follow the guidance given in the documents entitled: "Guidance: accompanying notes for survey and monitoring licences". |
| 2 | All working methods, mitigation and compensation measures must be carried out in accordance with those set out in the licence application and supporting documents as listed in the project details of this licence, and any subsequent correspondence agreed in writing between NatureScot Licensing Team and the licence holder, but subject to any modifications or amendments imposed by this licence. |
| 3 | When carrying out work permitted under this licence, the licence holder must make all efforts to ensure that disturbance to marine wildlife is kept to a minimum, including breaking off engagement if animals continue to show signs of disturbance or active avoidance or if the group or adults and young become separated. |
| 4 | Unless otherwise permitted by specific conditions in this licence, the licence holder, agents and assistants, must follow the Scottish Marine Wildlife Watching Code |
| 5 | Contact time with individual whales must not exceed 25 minutes per encounter. |
| 6 | The licence holder may appoint agents assistants to operate under the terms of this licence. |
| 7 | While engaged in work authorised by this licence, the licence holder and agents if appointed, must each be able to produce a copy of this licence to any Police Officer, authorised person, or official of NatureScot on demand. |
| 8 | The licence holder must provide NatureScot licensing team with annual returns, summarising the work carried out under this licence. The final return must be submitted within one month of the expiry of this licence. Failure to submit an annual return may result in NatureScot revoking this licence. The return must include: The location, number, species and status (breeding, non-breeding, migrating) of any cetacean disturbed; and the number and type of any samples taken and method employed. Please send this information by email (including your licence number in the subject line of the email) to: licensing@nature.scot . |

| Notes | |
|---|---|
| Licence holders or any other persons covered by this licence should note the following; | |
| 1 | This licence is granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence. |
| 2 | Agents may work independently of the licence holder. It is the responsibility of the licence holder to ensure that agents have the appropriate training and experience and that they understand the terms and conditions of this licence. |

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Notes - continued

| | |
|---|---|
| 3 | Assistants must work under the personal supervision of the licence holder or agents. The number of assistants that can be appropriately supervised is at the discretion of the licence holder or agent. |
| 4 | Nothing in this licence shall confer any right of entry on to land or property. |
| 5 | This licence may be modified or revoked at any time by NatureScot. |
| 6 | This licence only permits the activities specified in the project details of this licence. Licensed offences that cover these activities are listed in Annex I: Permitted activities. It does not permit any other actions that would otherwise be illegal. |



This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Annex 1: Permitted activities

| Action | Purpose | Species | Location | Grid Reference | Method |
|--------------|---------------------------------|---|--|----------------|--------|
| Attach a tag | Science, Research and Education | Humpback Whale, Killer Whale, Minke Whale | Outer Moray Firth, wider north-east Scottish coastline and Minches and Malin Sea (West Coast) as required. | - | N/A |

| Action | Purpose | Species | Location | Grid Reference | Method |
|---------------------|---------------------------------|---|--|----------------|--------|
| Take Tissue Samples | Science, Research and Education | Humpback Whale, Killer Whale, Minke Whale | Outer Moray Firth, wider north-east Scottish coastline and Minches and Malin Sea (West Coast) as required. | - | N/A |

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Licence 211818

Statement of Reasons for Granting a Licence – Cetacean Survey

A licence to disturb cetacean species for the purpose of Science, Research and Education can only be issued if three licensing tests are met.

Test 1 - Licensable Purpose

This licence application was received under Habitats Regulations 44 (2) (a) for the purpose of science, research or education.

The licence application is for the monitoring of cetacean species minke whale, humpback whale, and killer whale in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea.

This licence permits the licence holder to approach by boat in order to track, collect skin and blubber samples and attach tags to individually recognizable adult minke whales, humpback whales, and killer whales in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea (west coast) for the purposes of science, research and education.

In this case we are satisfied, based on the information and evidence received from the applicant that this licence will provide valuable information relating to science, research and/or education in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea

Test 1 is passed

Test 2 – No Other Satisfactory Alternative

In assessing whether or not Test 2 is met, we have considered if there is a way of achieving the licensing purpose through measures which do not require a licence.

Do nothing – this is not an acceptable alternative in this case, as not carrying out surveys and monitoring would mean that information of the health of populations of cetaceans in Scotland would not be obtained.

In this instance we have concluded that there is no other satisfactory solution to disturbing cetacean species.

Test 2 is passed.

Test 3 – Actions will not be detrimental to Favourable Conservation Status

The proposal will result in the disturbance of cetacean species in Scotland whilst surveys and monitoring works are carried out in order to determine the health of populations of cetaceans in Scotland.

It is concluded that there will be no detrimental impact on the population dynamics, range or availability of suitable habitats for cetaceans.

This licence is for the monitoring of cetacean species in Scotland.

The proposed action will not be detrimental to the maintenance of the population of cetacean found on site at a Favourable Conservation Status in their natural range.

Test 3 is passed.

It is considered that this application meets all three species licensing tests and a licence has therefore been approved for the disturbance of cetacean species for the purpose of science, research and education.

Licence 211865

Statement of Reasons for Granting a Licence – Cetacean Survey

A licence to disturb cetacean species for the purpose of Science, Research and Education can only be issued if three licensing tests are met.

Test 1 - Licensable Purpose

This licence application was received under Habitats Regulations 44 (2) (a) for the purpose of science, research or education.

The licence application is for the monitoring of cetacean species at Outer southern Moray Firth, 1200 square km coastal area between port of Lossiemouth and Fraserburgh, in Moray and Aberdeenshire Council areas.

This licence permits to approach the species specified in the licence by boat (in accordance with methodology dated 25 February 2005 and along sub routes as agreed) in order to identify and photograph, trips being no more frequent than once a week, a maximum of 3 trips per month and a maximum of 170 encounters when surveys should cease.

To attach time-depth recorders to no more than 15 individuals of *Balaenoptera acutorostrata* using suction cups in order to carry out studies into the diving ecology of the species at Outer southern Moray Firth, 1200 square km coastal area between port of Lossiemouth and Fraserburgh, in Moray and Aberdeenshire Council areas as part of long-term monitoring for the purposes of science, research and education.

In this case we are satisfied, based on the information and evidence received from the applicant that this licence will provide valuable information relating to science, research and/or education at Outer southern Moray Firth, 1200 square km coastal area between port of Lossiemouth and Fraserburgh, in Moray and Aberdeenshire Council areas.

Test 1 is passed

Test 2 – No Other Satisfactory Alternative

In assessing whether or not Test 2 is met, we have considered if there is a way of achieving the licensing purpose through measures which do not require a licence.

Do nothing – this is not an acceptable alternative in this case, as not carrying out surveys and monitoring would mean that information of the health of populations of cetaceans in Scotland would not be obtained.

In this instance we have concluded that there is no other satisfactory solution to disturbing cetacean species.

Test 2 is passed.

Test 3 – Actions will not be detrimental to Favourable Conservation Status

The proposal will result in the disturbance of cetacean species in Scotland whilst surveys and monitoring works are carried out in order to determine the health of populations of cetaceans in Scotland.

It is concluded that there will be no detrimental impact on the population dynamics, range or availability of suitable habitats for cetaceans.

This licence is for the monitoring of cetacean species in Scotland.

The proposed action will not be detrimental to the maintenance of the population of cetacean found on site at a Favourable Conservation Status in their natural range.

Test 3 is passed.

It is considered that this application meets all three species licensing tests and a licence has therefore been approved for the disturbance of cetacean species for the purpose of science, research and education.



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Animal Licence

| | | | | | |
|----------------|--------|------------|-------------|----------|-------------|
| Licence Number | 211865 | Valid from | 13 Jul 2022 | Valid to | 13 Jul 2027 |
|----------------|--------|------------|-------------|----------|-------------|

This Licence has been amended from Licence Number: 20400

Licence Holder

Name

[REDACTED]

Address

[REDACTED]

This licence is granted under the following legislation

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended): Regulation 44 (2) (a)

Project Details

To approach the species specified by boat (in accordance with methodology dated 25 February 2005 and along sub routes as agreed) in order to identify and photograph, trips being no more frequent than once a week, a maximum of 3 trips per month and a maximum of 170 encounters when surveys should cease. To attach time-depth recorders to no more than 15 individuals of *Balaenoptera acutorostrata* using suction cups in order to carry out studies into the diving ecology of the species.

Activities, species and locations covered by this licence are listed in Annex 1

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

| Conditions | |
|-------------------|--|
| 1 | The licence holder, agents and assistants, must follow the guidance given in the documents entitled: "Guidance: accompanying notes for survey and monitoring licences". |
| 2 | All working methods, mitigation and compensation measures must be carried out in accordance with those set out in the licence application and supporting documents as listed in the project details of this licence, and any subsequent correspondence agreed in writing between NatureScot Licensing Team and the licence holder, but subject to any modifications or amendments imposed by this licence. |
| 3 | When carrying out work permitted under this licence, the licence holder must make all efforts to ensure that disturbance to marine wildlife is kept to a minimum, including breaking off engagement if animals continue to show signs of disturbance or active avoidance or if the group or adults and young become separated. |
| 4 | Unless otherwise permitted by specific conditions in this licence, the licence holder, agents and assistants, must follow the Scottish Marine Wildlife Watching Code |
| 5 | The licence holder, agents and assistants, must spend no more than 20 hours per month with bottlenose dolphins belonging to the Moray Firth SAC population. Works must be appropriately co-ordinated to ensure this is not exceeded. |
| 6 | Contact time with cetaceans must not exceed the number of hours specified in the licence application or supporting documents as listed in the project details above. |
| 7 | The licence holder may appoint agents assistants to operate under the terms of this licence. |
| 8 | While engaged in work authorised by this licence, the licence holder and agents if appointed, must each be able to produce a copy of this licence to any Police Officer, authorised person, or official of NatureScot on demand. |
| 9 | The licence holder must provide NatureScot licensing team with annual returns, summarising the work carried out under this licence. The final return must be submitted within one month of the expiry of this licence. Failure to submit an annual return may result in NatureScot revoking this licence. The return must include: The location, number, species and status (breeding, non-breeding, migrating) of any cetacean disturbed; and the number and type of any samples taken and method employed. Please send this information by email (including your licence number in the subject line of the email) to: licensing@nature.scot . |

Notes

Licence holders or any other persons covered by this licence should note the following;

This licence is granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Notes - continued

| | |
|---|---|
| 1 | constitute an offence. |
| 2 | Agents may work independently of the licence holder. It is the responsibility of the licence holder to ensure that agents have the appropriate training and experience and that they understand the terms and conditions of this licence. |
| 3 | Assistants must work under the personal supervision of the licence holder or agents. The number of assistants that can be appropriately supervised is at the discretion of the licence holder or agent. |
| 4 | Nothing in this licence shall confer any right of entry on to land or property. |
| 5 | This licence may be modified or revoked at any time by NatureScot. |
| 6 | This licence only permits the activities specified in the project details of this licence. Licensed offences that cover these activities are listed in Annex I: Permitted activities. It does not permit any other actions that would otherwise be illegal. |

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Annex 1: Permitted activities

| Action | Purpose | Species | Location | Grid Reference | Method |
|--------------|---------------------------------|----------------|---|----------------|-------------|
| Attach a tag | Science, Research and Education | Lesser Rorqual | Outer southern Moray Firth, 1200 square km coastal area between port of Lossiemouth and Fraserburgh, in Moray and Aberdeenshire Council areas | - | Suction cup |

| Action | Purpose | Species | Location | Grid Reference | Method |
|---------|---------------------------------|---------------|---|----------------|--------|
| Disturb | Science, Research and Education | All Cetaceans | Outer southern Moray Firth, 1200 square km coastal area between port of Lossiemouth and Fraserburgh, in Moray and Aberdeenshire Council areas | - | N/A |

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Licence 211850

Statement of Reasons for Granting a Licence – Cetacean Stranding

A licence to disturb and harass cetacean species for the purpose of Conservation can only be issued if three licensing tests are met.

Test 1 - Licensable Purpose

This licence application was received under Habitats Regulations 44 (2) (c) for the purpose of conservation.

This licence application is to allow the use of boats and acoustics to attempt to move cetaceans that are in imminent danger of stranding into deeper waters.

In this case we are satisfied that conservation is the appropriate purpose.

Test 1 is passed

Test 2 – No Other Satisfactory Alternative

In assessing whether or not Test 2 is met, we have considered if there is a way of achieving the licensing purpose through measures which do not require a licence.

Do nothing – this is not a satisfactory option when cetacean are in danger of becoming stranded as once they do so it would be more difficult to rescue them and it would be a greater welfare risk for the animal.

In this instance we have concluded that there is no other satisfactory solution to disturbing and harassing cetacean species.

Test 2 is passed.

Test 3 – Actions will not be detrimental to Favourable Conservation Status

The licence is for the use of boats and acoustics to try and prevent cetaceans from stranding when in imminent danger of doing so. If they do get stranded then this would have serious welfare risks for the animals. Therefore the proposal will not have a detrimental impact on the favourable conservation status of cetacean populations, but may prevent any distress, suffering or death of animals.

Test 3 is passed.

It is considered that this application meets all three species licensing tests and a licence has therefore been approved for the disturbance and harassing of cetacean species for the purpose of conservation.



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Animal Licence

| | | | | | |
|----------------|--------|------------|-------------|----------|-------------|
| Licence Number | 211850 | Valid from | 13 Jul 2022 | Valid to | 13 Jul 2027 |
|----------------|--------|------------|-------------|----------|-------------|

This Licence has been amended from Licence Number: 65781

Licence Holder

Name

[REDACTED]

Address

[REDACTED]

This licence is granted under the following legislation

The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended): Regulation 44 (2) (c)

Project Details

This licence permits the licence holder, agents or assistants, where it has become apparent that animals are in imminent danger of becoming stranded, to disturb and harass cetaceans, using boats and accoustics to attempt to move the animals into deeper water in Scotland, for the purpose of conservation.

Activities, species and locations covered by this licence are listed in Annex 1

Conditions

1

Any actions to be carried out under this licence must be agreed, where possible, with the relevant organisations in advance.

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

| Conditions - continued | |
|-------------------------------|--|
| 2 | When carrying out work permitted under this licence, the licence holder, agents and assistants must make all efforts to avoid actions which will be detrimental to the welfare of the animals involved. |
| 3 | The licence holder may appoint agents or assistants to operate under the terms of this licence. |
| 4 | While engaged in work authorised by this licence, the licence holder must be able to produce a copy of this licence to any Police Officer, authorised person, or official of NatureScot on demand. |
| 5 | The licence holder must provide NatureScot licensing team with annual returns, summarising the work carried out under this licence. The final return must be submitted within one month of the expiry of this licence. Failure to submit an annual return may result in NatureScot revoking this licence. The licence holder must provide NatureScot Licensing Team with the following information covering activities carried out under the licence: the location, dates, species and numbers of cetaceans disturbed during each incident together with a brief description of each incident. Please send this information by email (including your licence number in the subject line of the email) to: licensing@nature.scot . |

| Notes | |
|---|---|
| Licence holders or any other persons covered by this licence should note the following; | |
| 1 | This licence is granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence. |
| 2 | Agents may work independently of the licence holder. It is the responsibility of the licence holder to ensure that agents have the appropriate training and experience and that they understand the terms and conditions of this licence. |
| 3 | Assistants must work under the personal supervision of the licence holder or agents. The number of assistants that can be appropriately supervised is at the discretion of the licence holder or agent. |
| 4 | Nothing in this licence shall confer any right of entry on to land or property. |
| 5 | This licence may be modified or revoked at any time by NatureScot. |
| 6 | The relevant organisations referred to in condition 1 include British Divers Marine Life Rescue, Whale and Dolphin Conservation, Hebridean Whale and Dolphin Trust, Sea Mammal Research Unit and NatureScot. |
| 7 | This licence only permits the activities specified in the project details of this licence. Licensed offences that cover these activities are listed in Annex I: Permitted activities. It does not permit any other actions that would otherwise be illegal. |

This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

Annex 1: Permitted activities

| Action | Purpose | Species | Location | Grid Reference | Method |
|--------------------|--------------|---------------|---------------|----------------|--------|
| Disturb and Harass | Conservation | All Cetaceans | All Scotland. | - | N/A |



This licence is granted subject to compliance with the terms and conditions specified.

Authorised on behalf of NatureScot by: [REDACTED] on 13 Jul 2022

[REDACTED]

From: [REDACTED]
Sent: 05 June 2018 13:33
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Query

[REDACTED]

Happy with proposed wording

All the best

[REDACTED]

From: [REDACTED]
Sent: 01 June 2018 13:57
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Query

Thanks [REDACTED]

Happy with all your suggested amendments.

[REDACTED] – in terms of the response to [REDACTED] which I am leading on - and picking up on [REDACTED] comments below - are you happy with the following suggested wording re. the licence:

“We have checked the latest licence to the Cetacean Research and Rescue Unit and can confirm that the licence permits the licence holder to approach by boat in order to track, collect skin and blubber samples and attach tags to individually recognizable killer whales, adult minke whales and humpback whales in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea (west coast) for the purposes of science, research and education.”

I'm keen to get the response out to [REDACTED] ASAP as, from past experience, delays in responding to him [REDACTED].

[REDACTED]

[REDACTED] | **Operations Officer**

Scottish Natural Heritage | Dingwall | Fodderty Way | Dingwall Business Park | Dingwall | IV15 9XB | t: [REDACTED]

| dd: [REDACTED] | [REDACTED]

Inbhir Pheofharain | Slighe Fhodhraitidh | Pàirc Gnothachais | Inbhir Pheofharain | Inbhir Pheofharain | IV15 9XB

[nature.scot](#) – *Connecting People and Nature in Scotland* – [@nature_scot](#)

From: [REDACTED]
Sent: 01 June 2018 10:15
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Query
Importance: High

Hi [REDACTED]

Comments below in red

Thanks for starting this off – you’ll see we have yet another query in from [REDACTED] on the subject so I’ve added a response to him as well. I think depending what [REDACTED] comes back with, we may want to amend his licence anyway. [REDACTED] – I’ve copied you in as we are bound to get follow up following this weeks activities in the Pentland Firth

[REDACTED]

From: [REDACTED]
Sent: 24 May 2018 17:55
To: [REDACTED]
Subject: RE: Query

Hi both

Here are the bones of our response to [REDACTED] – as discussed. Any comments/amendments etc.?

General – comments relevant to both parties

Our advice is that if any vessel is adhering to the [Scottish Marine Wildlife Watching Code](#) or other relevant/approved code that may be in place for a specific area, then the operator is following best practice and should avoid or reduce the risk of disturbance to marine wildlife occurring. If a vessel does not follow the [Scottish Marine Wildlife Watching Code](#) or the relevant/approved best practice then this could result in disturbance occurring and a breach of the [legislation](#). **Therefore if a vessel deviates from best practice the operator may be carrying out actions that constitute an offence.** To deviate from best practice and stay within the law the operator would need a [license](#). SNH can issue licenses for certain purposes (including for scientific or educational purposes) under [The Conservation \(Natural Habitats, &c.\) Regulations 1994 \(as amended\): Regulation 44 \(2\) \(a\)](#).

We take wildlife disturbance issues very seriously and if you or anyone else suspects that disturbance has taken place for any protected species then we advise that this is reported to the police immediately. To report a wildlife crime you can telephone the non-emergency **101** number. Further information on reporting wildlife crime and Police Scotland’s network of Wildlife Crime Officers can be found [here](#).

Response to [REDACTED] question “I have a copy of CRRU [REDACTED] research licence which you sent me and is still current. I wonder if this has been extended to cover areas not mentioned in the document. It may be that mine is out of date?”

We have checked the latest licence to the Cetacean Research and Rescue Unit and can confirm that the licence permits the licence holder to “... approach by boat in order to track, collect skin and blubber samples and attach tags to individually recognizable adult minke whales and humpback whales in the Outer Moray Firth, wider north-east Scottish coastline, the Minches and Malin Sea (west coast) for the purposes of science, research and education.” **Note that this is from his older license - the amended licence includes killer whales**

This licence is subject to a number of conditions including the need for the licence holder to:

- Make all efforts to ensure that disturbance to marine wildlife is kept to a minimum including breaking off engagement if animals show signs of disturbance, or active avoidance or if the group or adults and young become separated.
- Ensure that contact time with individual whales must not exceed 25 minutes per encounter.
- Provide SNH with annual returns summarising the work carried out under the licence.

Response to [REDACTED]

To go before general text /or just before we take wildlife disturbance very seriously above:

Not all research activities require an EPS research licence. Invasive studies such as biopsy, and sample collection clearly require an EPS licence and in many cases a Home Office licence issued under the Animals (Scientific Procedures) Act 1986. Photo ID work that requires extensive time with animals , closely following them etc would require a licence whereas opportunistic photography from a distance or from animals that approach you, may not.

To go after the text

We note that your annual return for licence number 99341 is over due. Please could you send this in as soon as possible, Failure to submit an annual return may result in SNH revoking this licence.

Response to [redacted]

Same standard text plus 1st paragraph of [redacted] response.

As before, we are unable to confirm whether [redacted] has a home office licence however we did advise [redacted] last year that this would likely be required.

[redacted] is named as an agent on [redacted] EPS licence as we had been instructed that CRRU was working with [redacted] on the killer whale project. If this is incorrect, please ask [redacted] to contact us directly so that we can make the appropriate amendments , if required, to the licence.

Thanks for passing on the information about the risks to cetaceans from biopsy procedures going wrong. I will make [redacted] aware of these and we will also discuss within SNH whether conditions related to procedures for biopsy need to amended or more advice given in light of these reports.

Final statements to all:

Its all ready been an incredible year for killer whale sightings. As you know, any sighting of killer whales causes a great deal of excitement both on land and at sea and last year we had a number of complaints (that were subsequently reported to the police)about the behaviour of vessels (tour, research and private boats) around these pods in various areas around Scotland. Please be aware that any activity on the water will be watched and recorded by many people and ensure you stay within the [Scottish Marine Wildlife Watching Code](#) at all times. If you are undertaking activities under licence we would advise that you inform the local police and cetacean group in advance so that folks are aware your activities and in addition, refrain from your particular licensed activities if there are a lot of vessels in close attendance with or following the pod.

[redacted] | Operations Officer

Scottish Natural Heritage | Dingwall | Fodderty Way | Dingwall Business Park | Dingwall | IV15 9XB | t: [redacted]
| dd: [redacted]
Inbhir Pheofharain | Slighe Fhodhraitidh | Pàirc Gnothachais | Inbhir Pheofharain | Inbhir Pheofharain | IV15 9XB
[nature.scot](#) – Connecting People and Nature in Scotland – [@nature_scot](#)

From: [redacted]
Sent: 24 May 2018 15:08
To: [redacted]
Subject: RE: Query

Yes, I'm free now.

Shall we have a quick conference call at 15:15?

Dial in number [redacted]
Conference code [redacted]

[redacted]

██████████ | Operations Officer

Scottish Natural Heritage | Dingwall | Fodderty Way | Dingwall Business Park | Dingwall | IV15 9XB | t: ██████████
| dd: ██████████
Inbhir Pheofharain | Slighe Fhodhraitidh | Pàirc Gnothachais | Inbhir Pheofharain | Inbhir Pheofharain | IV15 9XB
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From: ██████████
Sent: 24 May 2018 15:02
To: ██████████
Subject: RE: Query

██████████ – are you around – I’m busy laminating so if free if one of you just call

From: ██████████
Sent: 24 May 2018 14:47
To: ██████████
Subject: RE: Query

Free for the next hour for a quick chat

From: ██████████
Sent: 24 May 2018 13:35
To: ██████████
Subject: RE: Query

Hi ██████████

I think (as there always seems to be) there are a lot of politics over seeing killer whales – we had this last year between ██████████.

Would it be useful to have a quick t/c about this? I’m in this afternoon. I think we need to be explicit to both that adhoc/opportunistic photo ID does not necessarily require an EPS license providing they do not cause disturbance. However if they are planning research which requires being close to animals eg tagging or deliberately targeting groups for photo ID then they should have a licence. ██████████

Absolutely agree that we should not get in to who goes in whos patch but given Orca watch starts next week it would be useful to have a line prepared as we are bound to get angry calls about it.

██████████

From: ██████████
Sent: 24 May 2018 12:30
To: ██████████
Subject: RE: Query

H ██████████

I agree with not getting embroiled in what appears to be an issue about relationships. The bottom line for me is whether people are doing things that require a licence, and if they are making sure that any licence covers them for those activities.

In the case of [REDACTED]

I note there are questions about [REDACTED] licence. From a quick check his licence is about taking samples and attaching tags to minke and humpbacks and nothing else. Does he not do photo ID work or is it that he does but in such a way so as to avoid disturbance?

Happy to discuss

From: [REDACTED]
Sent: 23 May 2018 17:26
To: [REDACTED]
Subject: FW: Query

Hi there

[REDACTED] is asking a direct question regarding the CRRU licence and he also alludes to a second question in the final sentence of his email.

I am reluctant for SNH to get involved in the nitty gritty of this case, but we clearly need to be even handed about licences for these operators and there does appear to be a role here for us on that specific issue, rather than getting involved in some of the wider issues [REDACTED] raises below.

[REDACTED] you mentioned in earlier correspondence (attached) that you were in Shetland recently and I wondered if [REDACTED] and yourself managed to discuss this and come to any decisions about how to move forward?

I have had [REDACTED] in the past and I am also involved with [REDACTED] through the [REDACTED] which looks at the marine wildlife tourism angle. From past experience I also know that if we don't respond timeously to [REDACTED] then this is likely to escalate.

As our main locus here appears to be licencing, is this something that you or your team can pick up [REDACTED]

Happy to discuss and to think about how to deal with this, tactics etc. if that would be helpful.

[REDACTED] | **Operations Officer**

Scottish Natural Heritage | Dingwall | Fodderty Way | Dingwall Business Park | Dingwall | IV15 9XB | t: [REDACTED]

| dd: [REDACTED]

Inbhir Pheofharain | Slighe Fhodhraitidh | Pàirc Gnothachais | Inbhir Pheofharain | Inbhir Pheofharain | IV15 9XB
nature.scot – *Connecting People and Nature in Scotland* – [@nature_scot](https://twitter.com/nature_scot)

From: [REDACTED]
Sent: 23 May 2018 16:23
To: [REDACTED]
Subject: Query

Dear [REDACTED]

Hope all is good with you during this warm weather.

I would like to ask an official question and explain the reason for it.

I have a copy of CRRU/ [REDACTED] research licence which you sent me and is still current. I wonder if this has been extended to cover areas not mentioned in the document. It may be that mine is out of date?

The reason for this is that [REDACTED] has, on Monday, posted some comments on our Findhorn Facebook page concerning SNH licences etc. I had to delete his confrontational and aggressive comments and ban him from our page. The following day we had to do the same with our Lossiemouth page. It seems his gripe is that we can not run trips from locations without your authority. While I know this not to be the case I wish to inform you as this has been put out there and may have some reflection on current proposals for the scheme that we seem to be getting close to signing up to. I would suggest that [REDACTED] is not pleased/unaware of our successful operations, attention to minimal disturbance, and ability to collect valuable research data with minimal disruption to the animals.

[REDACTED] obviously not happy that we recently encountered a pod of Killer Whales within his 'patch' and were able to collect valuable research data on these animals. He seemed to have then noticed on our Facebook that we will be running trips from John 'O'Groats Harbour at the start of next week. He informed us publicly that we can not do this without SNH Licence. We operate in the Orkney isles regularly doing commercial work and tourist trips, in fact we were up that area last week. However we have sought the relevant permissions and have working agreements in place for our time up there. Our intention is to run full day Orkney and wildlife trips and as this is during Orca Watch we have the chance of seeing these animals too.

I'd like to confirm also exactly what our research format is and why we do not need a licence for it- as confirmed by SNH licensing in 2014. We take photographic ID shots of all the wildlife we can; seals, dolphins, and whales. We share our research with the relevant people, as requested, and are willing to collaborate with anyone on it – including [REDACTED] which we tried to do in 2014 but he wanted nothing to do with our research. All of our photographs are opportunistically taken i.e. during normal wildlife trips or commercial activities. At no time do we do anything out with our normal trip code of conduct to gain this data.

During [REDACTED] I became intrigued if his licence to disturb for research extends to the Killer Whales on the North coast as he also intends to be up there next week. We know where he is likely to be and will keep clear of him as his disturbance is enough pressure on the animals.

Kind Regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 28 September 2021 12:15
To: [REDACTED]
Subject: RE: CRRU

Hi [REDACTED]

Thanks for getting in touch.

I am checking the status and conditions on CRRU's EPS licence (for photo ID) as they may have been conducting photo ID at the time. Regardless I will get in touch with them to say we have had concerns raised from a member of the public and to remind them to stick with the SMWWC and minimise time spent with individuals.

If you have concerns about disturbance instances its always best to contact the police on 101 or your local wildlife liaison officer in the Police. I will also raise it with my contacts in police Scotland aswell.

Appreciate its frustrating but we are working hard with the police and other bodies to try and improve things.

Thanks

[REDACTED]

[REDACTED] | [REDACTED] NatureScot | Ground Floor, Stewart Building, Alexandra Wharf, Lerwick, Shetland, ZE1 0LL | t: [REDACTED] (DD) [REDACTED] (M) nature.scot | @nature_scot | Scotland's Nature Agency | Buidheann Nàdair na h-Alba

Please note that I am currently working at home and doing flexible hours, therefore there may be a delay in responding to your email.

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

From: [REDACTED]
Sent: 27 September 2021 11:51
To: [REDACTED]@nature.scot>
Subject: CRRU

Morning [REDACTED]

I was out coxing a dive RHIB on Saturday 25-9-21 & witnessed CRRU following a pod of dolphins with 2 calf's past us & along the coast heading west from Cullen. I really felt the need to find out who to complain to, as this RHIB was only approximately 10-15 feet from this pod & certainly wasn't giving them space with 2 young. When I saw the pod heading towards me, I killed the engine & let them pass. Look forward to your reply.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

From: [REDACTED]
Sent: 27 September 2021 12:03
To: LICENSING <LICENSING@nature.scot>
Subject: FW: CRRU

Hi Licensing folk

Can you let me know if CRRU ([REDACTED]) have a current photo ID or other relevant research licence from ourselves? If there is any information on recent returns that they have made that would also be useful. I would like to check these before following it up further.

Thanks

[REDACTED]

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

From: [REDACTED] >
Sent: 27 September 2021 11:51
To: [REDACTED]@nature.scot>
Subject: CRRU

Morning [REDACTED]

I was out coxing a dive RHIB on Saturday 25-9-21 & witnessed CRRU following a pod of dolphins with 2 calf's past us & along the coast heading west from Cullen. I really felt the need to find out who to complain to, as this RHIB was only approximately 10-15 feet from this pod & certainly wasn't giving them space with 2 young. When I saw the pod heading towards me, I killed the engine & let them pass. Look forward to your reply.

Kind regards

[REDACTED]