

**Argyll and Bute Council**  
**Comhairle Earra-Ghàidheal Agus Bhòid**

*Customer Services*  
*Executive Director: Douglas Hendry*



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14 May 2019

**SUPPLEMENTARY PACK 1**

**PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE - TAYINLOAN VILLAGE HALL, TAYINLOAN, ARGYLL on WEDNESDAY, 15 MAY 2019 at 9:30 AM**

I enclose herewith supplementary report for **item 3** on the Agenda for the above meeting.

Douglas Hendry  
Executive Director of Customer Services

**SUPPLEMENTARY REPORT**

- 3. SCOTTISH SALMON COMPANY: RELOCATION AND ENLARGEMENT OF EXISTING MARINE FISH FARM (CURRENTLY COMPRISING; 12 NO. 80 METRE CIRCUMFERENCE CAGES AND FEED BARGE) BY RE-EQUIPMENT WITH 12 NO. 120 METRE CIRCUMFERENCE CAGES AND FEED BARGE: EAST TARBERT BAY, ISLE OF GIGHA (REF: 18/01561/MFF)**

Report by Head of Planning, Housing and Regulatory Services (Pages 3 – 6)

**Planning, Protective Services and Licensing Committee**

Councillor Gordon Blair  
Councillor Robin Currie  
Councillor Lorna Douglas  
Councillor George Freeman  
Councillor David Kinniburgh (Chair)  
Councillor Roderick McCuish  
Councillor Alastair Redman  
Councillor Richard Trail

Councillor Rory Colville (Vice-Chair)  
Councillor Mary-Jean Devon  
Councillor Audrey Forrest  
Councillor Graham Hardie  
Councillor Donald MacMillan  
Councillor Jean Moffat  
Councillor Sandy Taylor

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## Argyll and Bute Council

## Development and Infrastructure Services

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 18/01561/MFF

**Planning Hierarchy:** Local Application

**Applicant:** Scottish Salmon Company

**Proposal:** Relocation and enlargement of existing marine fish farm (currently comprising; 12 No. 80 metre circumference cages and feed barge) by re-equipment with 12 No. 120 metre circumference cages and feed barge.

**Site Address:** East Tarbert Bay, Isle of Gigha

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### SUPPLEMENTARY REPORT NO. 1

#### 1.0 INTRODUCTION

The purpose of the report is to advise Members of the contents of a late representation which was received on 13 May 2019.

#### 2.0 DETAIL

The representation is from Mark Carter of Marine Concern.

The points of representation are summarised below. Full details of the representation can be viewed on the Council's public access system [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk)

It is considered that the antiquated situation still maintained by planning authorities, that of, - 'Presumption in favour' for development, especially in the marine scenario, must be retracted as a matter of urgency, allowing for real and detailed consideration and input from communities and NGO's.

*Comment: This point is noted.*

An appropriate assessment is distinct from those required under EIA and SEA and is legally binding on the competent authority.

*Comment: This point is noted. Two appropriate assessments have been undertaken in relation this proposal.*

The Proposed Special Protection Area for the Sound of Gigha holds 20% of the British population, Great Northern Divers, more than 100 red-breasted merganser, the Sound and surrounding area is important for feeding, as fish eaters, they would be attracted to the salmon farm installations as seen in 'fish aggregating devices', whether they are feeding on wild fish attracted to floating installations or not. 'Management' i.e. shooting or other lethal anti-predation methods must not be permitted.

The Sound accommodates around 1,300 common eider and is important for their moulting cycle and roosting, salmon farm chemicals are readily taken up by shellfish, especially muscles the stable diet of eiders, the adverse effects can be devastating. Dispersing chemicals into the Sound must not be permitted. A proposed and candidate site has the same protection as a fully designated site.

*Comment: This point is noted. SEPA is the controlling body for medication.*

The Sound and shoreline of Gigha, with its many sheltered bays, rocky outcrops and skerries provide for vital haul out and feeding opportunities for seals. The South east Islay Skerries SAC is situated just a few miles west of the Sound of Gigha and is within easy reach to the 600 protected common seals, that is, 2% of the UK population and forms an important discrete colony to the west coast. These larger colonies are vital in supporting other local groups and may well be pivotal in the future populations given their susceptibility to disease as was seen in the PDV outbreaks in the and around the North Sea.

Despite the salmon farming industry stating otherwise shooting is often the first or second method of 'managing' seals i.e. shooting them. The use of double-skinned anti-predator netting or closed-containment would all but eliminate the need for any lethal control methods. Seals which actually target salmon installations are few of those termed 'salmon specialists' necropsy has returned tiny amounts of salmon in their stomach contents, often none! Like the fish-eating birds they too are attracted to wild fish found around the 'fish aggregating devices', namely salmon farm structures. As the terms of their license's salmon farms should not shoot seals unless it is an actual last resort, i.e. all of the non-lethal methods have been tried first! To date this is rarely the case, with the industry regularly flouting conditions and licenses.

*Comment: This comment would appear to relate to impacts from seal shooting at the fish farm. Seal shooting by fish farm companies is regulated by licence through Marine Scotland, who would take into account any impacts on the SAC.*

Inner Hebrides and the Minches SAC extends to the northern tip of Gigha. Porpoise are adversely affected by acoustic deterrents and this is well documented in science. Any use of AHDs/ADDs by salmon farms would be in contravention of the Habitats Directive. Therefore, any use of acoustic deterrents would be subject to court proceedings and seen as an unacceptable method of predator deterrent.

*Comment: This issue is covered in the main report. An appropriate assessment has also been carried out and this contained within Appendix B of the report.*

The current system in place regarding planning and/or Scottish Agencies fails to address the accumulative effects of the many fin-fish farms which occupy the west and north coasts of Scotland. These effects include 'treatments' and 'medicines' routinely used by the salmon farming industry, just one of which, the treatment for sea-lice has the potential to kill entire crustacean communities. In times of cleaning waters and the Water Framework Directive, namely that of ensuring that untreated human waste is no longer discharged in to pristine Scottish waters why is this industry still permitted to discharge vast amounts of excreta and

what is known as 'sloppy-feeding', i.e. waste food products in to the water column? The current outdated planning system fails to give due weight to information which may oppose the submissions or lack of submissions from the relevant Scottish Agencies or Marine Scotland, this has to change. True involvement of communities and a like is catered for and signed up to within Agenda 21 of the Rio 'Earth' Summit.

*Comment: Discharge of medicines into the marine environment is an issue for SEPA.*

The concept of utilising closed-containment has now reached a development stage where it is viable and commercially available.

*Comment: This comment it noted, however, the planning authority is required to consider the acceptability of the application as submitted.*

### **3.0 CONCLUSION**

This points contained within this representation have been noted and considered. It is not considered that any issues have been raised which would change the recommendation in the main report.

### **4.0 RECOMMENDATION**

It is recommended that planning permission be granted subject to:

- i) the holding of a discretionary pre-determination local hearing;
- ii) the conditions an reasons set out in the main report of handling.

**Author of Report:** Sandra Davies

**Date:** 14/5/19

**Reviewing Officer:** Peter Bain

**Date:** 14/5/19

**Angus Gilmour**  
**Head of Planning, Housing and Regulatory Services**

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