

# **ISLANDS (SCOTLAND) ACT 2018**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE ACT**

#### **PART 6 – DEVELOPMENT IN THE SCOTTISH ISLAND MARINE AREA**

##### **Licensing of development activities**

##### *Section 25 – Exception from requirement for licence*

75. This section makes saving provision in respect of the licensing scheme to be established by regulations under section 24. It provides that the licensing scheme does not apply to a person carrying out a development activity in an area designated under the regulations as an “island licensing area”, if before the relevant designation was made:
- the person was already carrying out a development activity;
  - the person has a lease or an agreement to lease in order to carry out a development activity – in practice this would usually be granted by a Crown Estate body;
  - the person has commenced the pre-application consultation for a marine licence required under sections 22 to 24 of the 2010 Act;
  - the person has made an application for – or already been granted – a marine licence under Part 4 of the 2010 Act;
  - the person has made an application for – or already been granted – a works licence under the Orkney County Council Act 1974 or the Zetland County Council Act 1974.