



# Islands (Scotland) Act 2018

## 2018 asp 12

### PART 6

#### DEVELOPMENT IN THE SCOTTISH ISLAND MARINE AREA

##### *Licensing of development activities*

PROSPECTIVE

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

- (1) A scheme established under section 24(1) does not apply to a person if—
- (a) the person is carrying on a development activity in an island licensing area, and
  - (b) any of the conditions in subsection (2) applies.
- (2) The conditions are—
- (a) the development activity commenced before the area was designated as an island licensing area,
  - (b) the development activity is in a part of the island licensing area for which a person has a lease, or an agreement to lease, entered into before the area was designated as an island licensing area,
  - (c) the person, before the area was designated as an island licensing area—
    - (i) commenced the pre-application consultation as required under sections 22 to 24 of the Marine (Scotland) Act 2010 for the development activity,
    - (ii) made an application for, or was granted, a marine licence under Part 4 of that Act for the development activity, or
  - (d) the person, before the area was designated as an island licensing area, applied for, or was granted, a works licence under the Orkney County Council Act 1974 or the Zetland County Council Act 1974 for the development activity.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Section 25.