

Marine Construction Projects in the Territorial Sea and UK Controlled Waters Adjacent to Scotland

Marine (Scotland) Act 2010

IMPORTANT: Before completing this form, please read these notes carefully.

The following numbered paragraphs correspond to the questions on the application form and are intended to assist applicants in completing the form. These explanatory notes are specific to this application and so applicants are advised to read these in conjunction with the General Guidance document. If further clarification is needed please contact Marine Scotland Licensing Operations Team (MS-LOT) on 01224 295579 or email:

MS.MarineLicensing@scotland.gsi.gov.uk

Please refer to the General Guidance for information regarding payment methods.

Explanatory Notes

2. Applicant

The person, company or organisation making the application that will be named as the licensee on any licence issued.

3. Agent

Any person, company or organisation acting under contract (or other agreement) on behalf of any party listed in the answer to question 2, and having responsibility for the control, management or physical deposit of materials anywhere below the tidal limit of the mean high water springs (MHWS) (e.g. a consultancy company submitting the application or a contractor who will be carrying out the works.)

4. Duration of Project

Provide details of the proposed commencement and completion dates of the project. The start date will not normally be backdated, except in exceptional circumstances, since to commence a project for which a licence has not been obtained may constitute an offence resulting in appropriate legal action. A licence is normally valid for 1 calendar year or the duration of the project (whichever is longer) but not normally exceeding 3 years. After this period, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work. Although Marine Scotland Licensing Operations Team (MS-LOT) will aim to write to licence holders one month before the expiry date of a licence, it is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

5. Description and Cost of the Proposed Project

- (a) This estimate should only cover work taking place below the tidal level of MHWS and should take into consideration the cost of materials, labour fees etc.
- (b) Where the project is expected to take longer than 12 consecutive months, this description must detail which elements are to be undertaken in the first 12 months, with an outline of the schedule for each further 12 month period (the method of work should be described in the answer to question 7) In the event that MS-LOT must undertake a wider consultation on your application this description may be used as a basis for informing other bodies as to the nature of the proposed work.
- (c) Best describe the type of work proposed. Where the project involves a number of elements, please complete all appropriate boxes.

6. Location of Project

Include a list of the National Grid References (NGR) or latitude and longitude co-ordinates of the boundary points of the proposed project. In a few cases, (e.g. laying of long pipelines) it may only be practicable to supply NGR or latitude and longitude co-ordinates for the start and end points.

NGR: Should consist of two letters followed by 10 digits (e.g. TL6320031700) where the first 5 digits are the eastings (read from the south west corner of an Ordnance Survey map) and the last 5 digits are northings.

Latitude & longitude: For positions read from charts of 1:25,000 scale or smaller, the format should be, e.g. 55°55.55'N 2°22.22'W. The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the datum should be explicitly marked, e.g. 55°55'44"N 2°22'11"W. For positions read from larger scale charts, e.g. 1:10,000, three decimal places of minutes should be used, e.g. 55°55.444'N 2°22.222'W.

It is important that the correct positions are included with this application, as any errors may result in the application being refused or delayed.

To supplement the information given in section 6, the following must be provided with the completed application form:

- a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which should be marked to indicate:
 - the full extent of the works in relation to the surrounding area;
 - either NGR or latitude and longitude co-ordinates defining the area of operation.
 - the level of MHWS;
 - any adjacent Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI), Ramsar or similar conservation area boundary.

These drawings/plans may be copied to others as part of the MS-LOT consultation process. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

- **Sewer outfalls, discharge pipes for industrial waste etc.** The size and description of the pipe should be shown on the longitudinal sections and also details of its supports, foundations, methods of jointing and details of any tidal flaps. The following information should also be provided.
- **Bridges over tidal waters:** An elevation with longitudinal and cross-sections of the bridge to a suitable scale should show the dimensions of the spans and width of piers, etc. above and below MHWS and the maximum and minimum heights of the undersides of the superstructures above MHWS. The headroom above MHWS and the width of span of the nearest bridges, if any, above and below the site should be stated.
- **Tunnels under tidal waters:** The longitudinal section of the tunnel should show the distances between the bed of the river or estuary and the top of the tunnels. Cross-sections should show the internal and external dimensions of the tunnel and particulars of construction. When a proposed future dredging level is known this must also be shown on all sections.
- **Overhead cables:** Catenary must be supplied in addition to the site plan showing the minimum clearance of the cable at MHWS and the electrical clearance allowed.
- **Moorings:** Lochs Creran, Alsh, Duich and Long have Special Area of Conservation (SAC) designation under the Habitats Directive (Council Directive 92/43/EEC). Loch Creran has been selected for its bedrock and biogenic reefs of the tube worm *Serpula vermicularis* and the horse mussel, *Modiolus modiolus* and Lochs Alsh, Duich and Long for their sublittoral rock (marine) reefs. All are very sensitive to physical damage from anchors and the placement of moorings and in order to assist their protection reference should be made to the special moorings pack which can be downloaded from: <http://www.scotland.gov.uk/Topics/marine/Licensing/marine/Applications>
- **Scientific studies:** A Notification of Site Survey (NSS) form may be required in order to give the developer an opportunity to receive comments from stakeholders and interested parties with regards to the impacts of proposed geophysical and geotechnical surveys, e.g. infrastructure surveys and pipeline/cable route surveys undertaken using grabs, corers, side-scan sonar, ROVs / AUVs etc. This form is not required for routine surveys undertaken solely to collect scientific data or samples for environmental studies. Further information regarding scientific studies can be obtained by contacting MS-LOT (01224 295579; MS.MarineLicensing@scotland.gsi.gov.uk).

7. Method Statement

Please provide a full method statement, including details of any temporary structures/deposits that may be required below MHWS during the project, the ultimate fate of the structure and material used in its construction. Details of temporary structures will be included in any licence issued.

Proposed measures to ensure the marine environment is adequately safeguarded during the project should

also be described (e.g. the method to be adopted to minimize the loss of fine-grained material during construction), as should those taken to minimise any interference with other uses of the sea or foreshore.

8. Permanent Deposits

- (a) Complete the appropriate box(es) to indicate all materials to be deposited below MHWS. If you propose using types of materials for which a specific box is not provided, please describe the nature of such material in the box marked "other".
- (b) If any materials to be placed below MHWS are to be brought to the site by sea, give details of the material (e.g. clean rock, average particle size) the vessels to be used,

A chart should also be provided showing the proposed vessel route to the project site and details of any trans-shipment areas (i.e. where material may be off-loaded to smaller vessels/barges for transport inshore).

- (c) Where the proposed work involves salt marsh feeding, beach replenishment or land reclamation the description of the material must include details of its chemical quality. Where the material has not been chemically analysed. MS-LOT may request representative samples for analysis or require the applicant to arrange for analyses to be undertaken before the licence can be determined.

9. Temporary Deposits

If temporary deposits are required, please provide details as with the permanent deposits above. The temporary deposit location details (NGR or Lat/Long) should be added to Section 6 of the form, and the period of time the site will be used must be provided. If issuing a licence, MS-LOT will include on the document details of any area that has been approved as a temporary deposit site.

10. Disposal of Material at Sea

If you are proposing to dispose of any excess material arising from the project at sea a separate marine licence will be required (see application form ML-002). The granting of a construction licence does not imply that a sea disposal licence will also be granted as different assessment criteria are used to determine each type of application.

11. Other Consents

Detail all consents required for the proposed project and indicate those that you have applied for or received. In all cases the applicant must provide the name and address of the nearest Local Planning Authority for the location of the project.

12. Statutory Consenting Powers

Please describe in the answer to this question what (if any) statutory responsibilities you (or your client) have to consent any aspect of the project.

13. Advertising and Consultation

- (a) Confirm whether these proposals have been advertised, and if so how and where?
- (b) Have the public been invited to comment on these proposals? If so to whom and what was the closing date?
- (c) Have any consultation meetings been held with the public? If so where and when?

14. Consultation with Conservation Bodies

Consenting Authorities have a duty to ensure marine projects will not have a significant adverse environmental impact, particularly upon designated conservation areas (e.g. SSSI, SAC, SPA, Ramsar sites etc). All details of consultations with conservation bodies (e.g. SNH) should be given, particularly where the applicant has statutory powers for consenting aspects of the project

Any application for beach replenishment works should be cross checked as to whether the proposed site is a designated bathing water site and if so, ideally all physical works should be done outwith the Bathing Water Season (1st June to 15th September). Further guidance on the Bathing Waters Directive (2006/7/EC) can be obtained from www.sepa.org.uk/data/bathingwaters.

In addition, guidance can be obtained from www.foodstandards.gov.uk/ with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

15. Designated Conservation Areas

Indicate whether the proposed project is located within or close to the boundaries of a conservation area such as a SAC, SPA, SSSI or Ramsar site

16. Environmental Assessment

Under the Marine Works (EIA) Regulations 2007, there may be a requirement for certain projects to undergo an Environmental Impact Assessment (EIA) and produce an Environmental Statement (ES). If an EIA/ES is deemed necessary, MS-LOT cannot issue a marine Licence until the outcome of the EIA/ES has been determined. Please indicate whether any EIA has been carried out in respect of the proposed project, either under your own powers or as required by another authority. If such an assessment has been undertaken, please indicate if a copy has been provided with your application. If the statement/assessment has been completed but is not available, please provide an explanation in the space provided.

Additionally, please also give details regarding if and where a copy has been/is being made available for public inspection.

Other Considerations

Applicants should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage". Please ensure that you have:

- completed **all** applicable sections of the application form;
- signed and dated the declaration;
- provided the correct relevant documents, charts, and continuation sheets (where necessary); and
- enclosed the correct payment (together with the remittance slip) or paid by means of BACS (if appropriate).

Otherwise your application may be delayed or returned to you.

**Application for Marine Construction Projects in the Territorial Sea and UK
Controlled Waters Adjacent to Scotland**
(ML-001)

Marine (Scotland) Act 2010

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Part 4, Section 54 of the Marine (Scotland) Act 2010 and Section 101 of the Marine and Coastal Access Act 2009 all information contained within or provided in support of this application will be placed on the Public Register. There is no national security grounds for application information not going on the Register under the 2010 Act. Under the 2009 Act, application information goes on the Register unless the Secretary of State determines that it's disclosure in the Register would be contrary to the interests of national security.

Public Register

Is there any information contained within or provided in support of this application that you consider should not be included on the Public Register on the grounds that its disclosure

- (a) would be contrary to the interests of national security; or YES NO
- (b) would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES NO

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

1. Project Title and Payment Details

Please give a brief identifiable description, including the location, of the project.

Public Realm Improvements and Road Improvements within Gourock to area of foreshore near Kempock Street / Shore Street.

Payment: Enclosed payment BACS **OR** Invoice
(By post)

2. Applicant Details

Title **Mr** Initials **G** Surname **Gregory**

Trading Title (if appropriate) **Riverside Inverclyde (Property Holding) Limited**

Address Ladyburn Business Centre
Room 17
Pottery Street
Greenock
PA15 2UH

Name of contact (if different) N/A

Position within Company (if appropriate) N/A

Telephone No. (inc. dialing code) 01475 755 080 Fax No. (inc. dialing code) -

Company Registration No. 304355 Email geoff.gregory@riversideinverclyde.com or info@riversideinverclyde.com

3. Agent Details (if any)

Title Mr Initials G Surname Barr

Trading Title (if appropriate) Fairhurst

Address 225 Bath Street
Glasgow
G2 4GZ

Name of contact (if different) N/A

Position within Company (if appropriate) Technical Director

Telephone No. (inc. dialing code) 0141 204 8800 Fax No. (inc. dialing code) 0141 204 8801

Company Registration No. N/A - Private Partnership Email gerry.barr@fairhurst.co.uk

4. Duration of Project

Start date Expected completion date

5. Description and Cost of the Proposed Project

(a) Estimated gross cost of the works proposed seawards of the tidal limit of MHWS

(b) Give a detailed description of the proposed schedule of work.

- Enabling works to foreshore including removal of loose large rocks and removal of vegetation.
- Granular upfilling to create formation for revetment.
- Geotextile material laid on formation.
- Secondary rock armour laid on geotextile.
- Primary rock armour on top of secondary rock armour.

(c) Types of Work Proposed **Revetment works.**

General Marine Project (e.g. outfall pipe, dock wall, coast protection, pier, slipway):

Land reclamation on the foreshore which comprises suitably engineered fill material deposited on the existing sea bed/foreshore. The seaward retention will comprise a sloping rock armoured revetment. The works will also include a small headwall for a surface water outfall and a concrete ramp access to the foreshore to the east side of the revetment.

Scientific/Marine Survey (e.g. geotechnical, geophysical, waverider):

N/A

Moorings (e.g. private, commercial):

N/A

6. Location of Project (including temporary deposits)

This should include either National Grid References (NGR) or Latitude and Longitude co-ordinates defining the extent of the project.

Northing: N677951
Easting: E224175

7. Method Statement

- Enabling works to foreshore including removal of large loose rocks and removal of vegetation.
- Granular material will be deposited to create a development platform.
- Geotextile material laid on top of sloped platform/formation.
- Secondary rock armour laid on top of membrane.

- Primary rock armour on top of secondary rock armour.

8. Permanent Deposits

(a) Quantity of permanent materials to be deposited below MHWS:

Type of Deposit	Nature of Deposit	Deposit Quantity
Steel/Iron	-	Tonnes - No. (if applicable)
Timber	-	- m ³ /tonnes
Plastic/Synthetic	Geotextile	1,750m ²
Concrete	Headwall base	2m ³
Silt	-	- m ³
Sand	-	- m ³
Stone/Rock/Gravel	- GA grade granular upfill (A) - secondary rock armour (B) - primary rock armour (C)	- (A) GA grade granular material to highway specification. - (B) 10-60kg standard grading - (C) M50 =: 3 tonnes, Total volume = 7,250m ³
Concrete bags/mattresses	-	No. Dimensions - Total m ³
Pipe	Above MHWS	- Length (m)
Other (please describe below):		

(b) Method of delivery of material.
(see Guidance Notes)

Materials brought on site by road.

(c) For work involving salt marsh feeding, beach replenishment or land reclamation please provide the following information relating to the material to be deposited:

Quantity (tonnes):

N/A

Nature of Material:
(e.g. sand, silt, gravel etc.)

N/A

Source:
(if sea dredged state
location of origin)

N/A

Particle size:

N/A

Has the material been chemically analysed?

YES NO

If YES, please include the analysis data with your application.

9. Temporary Deposits

Will there be a need to make any temporary deposits of material below MHWS during the works? If YES

complete the table below. NO

Type of Deposit	Nature of Deposit	Deposit Quantity
Steel/Iron		Tonnes No. (if applicable)
Timber		m ³ /tonnes
Plastic/Synthetic		m ²
Concrete		m ³
Silt		m ³
Sand		m ³
Stone/Rock/Gravel		Size range (mm) Total m ³
Concrete bags/mattresses		No. Dimensions Total m ³
Pipe		Length (m)

If 'other' please describe below:

10. Disposal of Material at Sea

Do you intend to apply for a licence to DISPOSE AT SEA material dredged as part of the project?

If YES, please indicate: NO

Nature of material (sand, gravel, silt, clay, rock etc.):

N/A

Quantity of material (tonnes):

N/A

11. Other Consents

Please detail below all consents you have applied for or received

Type of Consent	(Tick appropriate box)		Reference No.	Date of Issue of Consent
	Applied for	Not Applied for		
1. Local Planning Authority (LPA) (e.g. Town and Country Planning Act)	18/07/12		12/0212/IC	07/03/13
Name and address of LPA for Location of proposed works:	Inverclyde Council 6 Cathcart Square Greenock PA15 1LS			

2. Land Owner e.g. The Crown Estate		Initial Consultation with the Crown Estate		Crown Estates interests only affected if works extend below MLWS – all works are above MLWS.
3. Local Port or Harbour Authority e.g. local work licence		Not considered necessary		
4. Scottish Environment Protection Agency (SEPA)		Initial consultation with SEPA		Not consented by SEPA as works take place within transitional waters – approval is outwith SEPA's jurisdiction
5. Others SNH		Initial consultation with SNH		SNH will respond formally through consultation with Marine Scotland during the Marine License Application process.

12. Statutory Consenting Powers

Do you, or (if appropriate) your client, have statutory powers to consent any aspect of this project?

No

13. Advertising and Consultation

(a) Have these proposals been advertised to the public?
If YES, how and where?

YES NO

- Public Consultation event held on 16/08/11 in the Gamble Hall, Gourock
- Exhibition in Public Library, Gourock between 15/08/11 and 02/09/11.
- Second exhibition held in Old Gourock and Ashton Church Hall on 13/12/11
- Further exhibition in the Gourock Library between 12/12/11 and 22/12/11.
- Plus several meetings with Local Community Council and Local Community Groups.

(b) Have the public been invited to submit comments? YES NO
If YES, to whom and by what closing date?

Comments to Riverside Inverclyde on several closing dates linked to the formal pre-application planning consultation.

(c) Have any consultation meetings with the public been arranged? YES NO
If YES, where and when are these to be held?

See above.

14. Consultation with Conservation Bodies

Provide details of any consultation that has taken place with Scottish Natural Heritage (SNH) and, if appropriate, include copies of any correspondence with your application.

- initial consultation with SNH who will respond formally through the Marine License Application process.
 - Consult with RSPB through the planning process.
 - Consulted with Historic Scotland through the planning process.
 - Consulted with West of Scotland Archaeology services through the planning process.

15. Designated Conservation Areas

Are any parts of the proposed project located within the boundaries of a designated conservation area? No.

If yes, please indicate approximate distance of project from the boundary of the nearest conservation area(s)

16. Environmental Assessment

Has an Environmental Impact Assessment (EIA)/Environmental Statement (ES) been undertaken to support any application in respect of the project, your own statutory powers (if applicable) or any other reason? YES NO

If YES, is a copy of the EIA/ES included with this application? YES NO

If the EIA/ES has been undertaken but has not been included with this application, please provide an explanation below.

The EIA/ES was a planning requirement. A non technical summary is included with this application.

Is the EIA/ES available for public inspection?
If **YES**, at what locations:

YES NO

During the planning application process.

Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Signature

Gerald Barr

Date

2/07/13

Name in BLOCK LETTERS

GERALD BARR

Position within company
(if appropriate)

TECHNICAL DIRECTOR

Please check carefully the information you have given and that all the enclosures (including copies) have been included.

Application Check List

1. Electronic Application

- Completed application form x 1
- Project drawings x 1
- Method Statement x 1
- Maps/Charts x 1

- Additional environmental information, e.g. Photographs, Environmental Impact Assessment etc (if required) **x 1**
- Payment (signed cheque or BACS details)

2. Non-electronic Application

- Completed, signed application form **x 7**
- Project drawings **x 7**
- Method Statement **x 7**
- Maps/Charts **x 7**
- Additional information, e.g. photographs, Environmental Impact Assessment etc (if required) **x 7 (dependent on size and relevance to consultees)**
- Payment (signed cheque or BACS details)
