

Nature Scot

Ms Maureen McIntyre
Marine Directorate – Marine Licensing and Consenting Casework Officer
By Email: MD.MarineLicensing@gov.scot; maureen.mcintyre2@gov.scot

4 October 2024
Your Ref: 0010859
Our Ref: CLC 177251

Dear Ms McIntyre

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS
2017**

Marine Licence Application – Quayside Construction – Eastern Inner Dock Quay, Port of Nigg

Thank you for your email dated 24 September 2024, requesting our comments on this EIA development.

1. Summary

This proposal could be progressed with appropriate mitigation. However, because it could affect internationally important natural heritage interests, we object to this proposal unless it is made subject to the following conditions:

Moray Firth SAC and Cromarty Firth SPA

- A competent Biosecurity Plan is produced to mitigate the risk of invasive non-native species affecting SAC subtidal habitats close-by, in addition to SPA waterbirds and supporting habitats. The plan should be approved by NatureScot and Marine Directorate. We recommend the plan adopts Best Practice measures already mentioned in Annex A of our scoping advice dated 18 March 2024.
- A marine mammal protection plan (MMPP) is drawn up and approved by Marine Directorate and NatureScot ahead of construction commencing.

Cromarty Firth SPA

- A Breeding Bird Protection Plan (BBPP) for common terns, to be agreed with NatureScot and Marine Directorate in advance of construction commencing, should address construction and operational disturbances, etc.

2. Background

This proposal lies within the confines of an existing dry dock, but this is to lie open to existing tidal and estuarine processes throughout the works period. Therefore connectivity exists from the development proposal to Protected Areas, as outlined below.

We recommended overwintering bird survey work at major pre-app and scoping consultations to inform potential impacts linked to new floating turbine technology, as we were informed that the proposed inner dock would also be used for this, in addition to its main function linked to the cable factory. However, no such bird survey work took place. The EIA Report now clarifies that the inner dock will not be used to facilitate floating turbine technology and provides much more detail on the proposal and construction methods to be used and operational use such as number of additional vessel movements versus current use. Our response below is based on that detailed information.

We continue to recommend that changes to the operational function at Port of Nigg to include floating turbine technology will likely require survey work to inform impacts to Protected Areas of at least one

wintering and breeding season. Please contact us to discuss your suggested programme of survey work to help support Port of Nigg to fully engage with the fast-developing offshore renewable sector. For example, the [Inner Moray Firth Local Development Plan](#), NG01 (pp.249-324): Nigg Yard highlights the requirement for an Operational Environmental Management Plan to inform impacts to European Protected Areas.

3. Appraisal of impacts and our advice

3.1 European Protected Areas

The works location lies adjacent (c. 300m) to the Moray Firth Special Area of Conservation (SAC) protected for its subtidal sandbank habitat and bottlenose dolphins, see: <https://sitelink.nature.scot/site/8327>. In addition, this development lies within connectivity distance of the Dornoch Firth and Morrich More SAC for harbour seal, see: <https://sitelink.nature.scot/site/8242>.

The Cromarty Firth Special Protection Area (SPA) and Ramsar protected for its range of estuarine waterbirds, such as common tern, oystercatcher, red-breasted merganser, etc., sits close to the development area. A full list of qualifying species can be found here: <https://sitelink.nature.scot/site/8488>.

The works location also sits approximately 1.9km from the boundary of Moray Firth SPA, protected for its range of marine waterbirds, such as eider, long-tailed duck and shag, etc. see: <https://sitelink.nature.scot/site/10490>. Many of these Moray Firth subtidal species may also utilise the nearby Cromarty Firth and may transit between both SPAs.

The site's status (SAC and SPA) means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, Marine Directorate is required to consider the effect of the proposal on the SAC and SPA before it can be consented (commonly known as Habitats Regulations Appraisal). Our website has a summary of the legislative requirements, see - <https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>.

Moray Firth SAC

a) Subtidal sandbanks

Our advice is that this proposal is likely to have a significant effect on subtidal sandbanks within this SAC. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that based on the information provided, if the proposal is carried out strictly in accordance with an approved Biosecurity Plan, our conclusion is that the proposal should not adversely affect the integrity of the site.

The appraisal we carried out considered the impact of the proposal on the following:

- A competent Biosecurity Plan is produced to mitigate the risk of invasive non-native species affecting this subtidal habitat feature. The plan should be approved by NatureScot and Marine Directorate. We recommend the plan adopts Best Practice measures which we have already provided in Annex A of our scoping advice dated 18 March 2024.

Moray Firth SAC

Dornoch Firth & Morrich More SAC

b) Bottlenose dolphin and harbour seal

Our advice is that this proposal is likely to have a significant effect on bottlenose dolphin and harbour seal linked to the relevant SAC. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To

help you do this, we advise that based on our appraisal carried out to date, if the proposal is carried out in accordance with an approved MMPP, then our conclusion is that the proposal should not adversely affect the integrity of these sites.

The appraisal we carried out considered the following:

A Marine Mammal Protection Plan will help to reduce disturbance effects to marine mammals¹. The MMPP could include measures such as those below, informed by Best Practice (e.g. Conservation & Management Advice, see: <https://apps.snh.gov.uk/sitelink-api/v1/sites/8327/documents/59>) and should be approved by NatureScot and Marine Directorate well in advance of construction commencing:

- The MMPP should be tailored specifically to this development and can include embedded mitigation, such as the temporary stone bund.
- We recommend a marine mammal mitigation zone (of 500m), involving the use of a Marine Mammal Observer (MMO) at the start of each period of noisy activity.
- MMPP actions should cover all other related activities, such as dredging and rock dumping (to create the temporary platform) with mitigation actions tailored to specific tasks.
- Reducing noise effects, whilst recognising potential cumulative impacts to these SAC mammal populations from other coastal developments occurring over the same timeframe.

Cromarty Firth SPA / Ramsar

c) Intertidal waterfowl

Our advice is that this proposal is likely to have a significant effect on intertidal waterfowl species linked to this SPA. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that based on the information provided, if the proposal is carried out strictly in accordance with an approved competent Biosecurity Plan, our conclusion is that the proposal should not adversely affect the integrity of the site.

The appraisal we carried out considered the impact of the proposal on the following:

- A competent Biosecurity Plan is produced to mitigate the risk of invasive non-native species affecting this subtidal habitat feature. The plan should be approved by NatureScot and Marine Directorate. We recommend the plan adopts Best Practice measures which we have already provided in Annex A of our scoping advice dated 18 March 2024.
- Foraging and roosting locations for intertidal birds are far enough away from the inner dock, where the highest level of noise will occur, that significant disturbance effects should not occur. Existing port buildings and infrastructure cloak the development and its associated vehicle routes. Therefore, this proposal should not adversely affect viability of intertidal SPA birds.

d) Red-breasted merganser and Scaup (subtidal waterfowl)

Our advice is that this proposal is likely to have a significant effect on these subtidal birds linked to this SPA. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that based on the information provided, if the proposal is carried out strictly in accordance with an approved competent Biosecurity Plan, our conclusion is that the proposal should not adversely affect the integrity of the site.

¹ An MMPP will also provide the necessary support when a European Protected Species (EPS) Licence Application is submitted to Marine Directorate. We advise the applicant should factor in EPS approvals well ahead of construction.

The appraisal we carried out considered the impact of the proposal on the following:

- A competent Biosecurity Plan is produced to mitigate the risk of invasive non-native species affecting this subtidal habitat feature. The plan should be approved by NatureScot and Marine Directorate. We recommend the plan adopts Best Practice measures which we have already provided in Annex A of our scoping advice dated 18 March 2024.
- Although some disturbance effects may occur to these subtidal waterbirds, the outflow channel of the Cromarty Firth, close to the development site, is not considered to be a favoured location for sustained foraging, therefore visual and audible disturbance effects should not undermine viability of these SPA populations.

e) Common tern

Our advice is that this proposal is likely to have a significant effect on common terns linked to this SPA. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that based on the information provided, if the proposal is carried out strictly in accordance with the following condition, our conclusion is that the proposal should not adversely affect the integrity of the site.

The appraisal we carried out considered the impact of the proposal on the following:

- A Breeding Bird Protection Plan (BBPP) for common terns, to be agreed with NatureScot and Marine Directorate in advance of construction commencing. The plan should address a combination of pressures, including construction and operational disturbance, which may require some screening.
- We would welcome other positive factors to be included within this BBPP, to benefit breeding SPA terns, such as predator proof fencing, artificial shelters to protect tern chicks from summer heat and aerial predation risk (if required), and perhaps even a tern raft. There is potential for RSPB to work in collaboration to enhance the Port of Nigg tern colony, with benefits all round. We would be happy to comment on this BBPP in advance of submission to Marine Directorate.

f) Osprey

Our advice is that it's unlikely that the proposal will have a significant effect on osprey, either directly or indirectly. An appropriate assessment is therefore not required.

[Redacted]

The inner dock is far enough away from suitable osprey foraging areas, such as sheltered/shallow estuarine zones, that feeding birds are unlikely to be affected. On this basis, ospreys should remain unaffected by this proposal.

Moray Firth SPA

g) Marine waterbirds

Our advice is that this proposal is likely to have a significant effect on marine waterbirds linked to this SPA, such as long-tailed duck, red-throated diver, shag, etc. Consequently, Marine Directorate, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

To help you do this, we advise that based on the appraisal carried out to date, our conclusion is that the proposal will not adversely affect the integrity of the site. The appraisal we carried out considered the following factors:

- Disturbance effects could occur to marine waterbirds that may temporarily frequent the subtidal outflow channel close to the proposal. However, we consider these effects are likely to be minor, with other more favoured foraging areas likely to present either within this SPA, or within more sheltered waters within the adjacent Cromarty Firth estuary.
- Although this SPA lies further away from this development than other Protected Areas, it will indirectly benefit from an approved Biosecurity Plan (as conditioned above).

3.2 Nationally important Protected Areas

Cromarty Firth Site of Special Scientific Interest (SSSI) / Ramsar

There are natural heritage interests of national importance close to the application area, but these should not be affected by the proposal.

Whooper swan, red-breasted merganser, widgeon and redshank, are covered under 3.1c and d, as above. Intertidal and saltmarsh habitats should remain directly unaffected but will be provided extra safeguard by Best Practice Pollution Prevention measures and the compilation of Biosecurity Plan (conditional for SAC and SPA interests, as above).

Rosemarkie to Shandwick Coast SSSI

There are natural heritage interests of national importance close to the application area, but these should not be affected by the proposal.

Cormorants may loaf on coastal infrastructures, such as the old wooden pier structure, which lies close to the development. Therefore, some disturbance effects may occur to birds in this location during the period of works. Cormorant breeding sites, that lie on coastal cliff stack habitats within this SSSI, further along the coastal stretch to the east, are far enough away from Port of Nigg that disturbance effect to breeding birds are unlikely to occur.

Other coastal habitats, species and geological features should remain unaffected as works to create the Inner Dock quay are far enough away that any adverse impacts are unlikely to occur.

4. Concluding comments

Please contact Emma Jones if you need further information or advice from us on this proposal.

Yours sincerely

Karen Mitchell

Operations Manager – Central Highland

HES



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ALBA

By email: MD.MarineLicensing@gov.scot

Marine Directorate
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131 668 8716
HMConsultations@hes.scot

Our case ID: 300066080
Your ref: 00010859
01 October 2024

Dear Marine Directorate

Marine (Scotland) Act 2010, Part 4 Marine Licensing, The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 – Quayside Construction, Eastern Inner Dock Quay, Port of Nigg, Highlands – Marine Licence/EIA Report

Thank you for consulting us on this Environmental Impact Assessment (EIA) report and marine licence application. We received the consultation on 24 September 2024. We have reviewed the report and considered the proposed development in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

The Highland Council cultural heritage advisors will also be able to offer advice on impacts on the historic environment. This may include topics covered by [our advice-giving role](#), and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

[Our advice](#)

We are content that the EIA report provides sufficient information to come to a view on the application. We do not object to the application and believe the proposed development can be accommodated in this location without raising impacts on assets in our remit which may raise issues of national interest.

Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

[Further information](#)

Decisions that affect the historic environment should take the [Historic Environment Policy for Scotland](#) (HEPS) into account as a material consideration. HEPS is supported by our [Managing Change guidance series](#).

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Kevin Mooney at kevin.mooney@hes.scot.

Yours sincerely

Historic Environment Scotland

The Highland Council

Maureen McIntyre

From: Alexis Chatterton (Planning (North)) <Alexis.Chatterton@highland.gov.uk>
Sent: 29 October 2024 15:08
To: Maureen McIntyre
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

Hi Maureen,

I have reviewed the comprehensive suite of plans and assessments that have been submitted appreciating that the biosecurity plan will be completed by the construction company awarded the contract for construction.

Within their various assessments, they have evidenced that designated sites are satisfactory protected, compliance to NPF4 & NMP, and the applicant has addressed and mitigated amenity issues for noise generation during construction and operation. Consideration has also been given to transport requirements generated, including construction traffic and by employees which is in line with sustainable travel. Based on the information provided, the principal of the development is acceptable.

Thank you for your patience with this consultation request and if I can be of any further assistance then please do not hesitate in contacting me.

Kind Regards

Alexis Chatterton
Principal Planner for Aquaculture & Coastal Development, The Highland Council
01463 702916 | alexis.chatterton@highland.gov.uk
Planning, Infrastructure, Environment & Economy Service

CAUTION: This email was sent from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

From: Alexis Chatterton (Planning (North)) <Alexis.Chatterton@highland.gov.uk>
Sent: 28 October 2024 11:44
To: Maureen McIntyre <Maureen.McIntyre2@gov.scot>
Cc: ePlanning <ePlanning@highland.gov.uk>
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

SEPA

From: [Planning.North](#)
To: [MD Marine Licensing](#)
Cc: [Maureen McIntyre](#)
Subject: PCS-20004491 SEPA Response to 00010859
Date: 06 February 2025 14:04:25
Attachments: [image.png](#)

To Maureen McIntyre,

Your ref: 00010859, Our ref: PCS-20004491
Quayside Construction, Eastern Inner Dock Quay, Port of Nigg

Thank you for the above consultation. We apologise as we have no record of the original consultation in September 2024 on our system.

Based on the information provided, it appears that this application falls below the thresholds for which SEPA provide site specific advice. Please refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available at [standing-advice-for-the-dbeis-md.docx](#). Our general planning standing advice is also available at: [sepa-triage-framework-and-standing-advice.pdf](#)

If there is a significant site-specific issue, not addressed by our guidance or other information provided on our website, with which you would want our advice, then please re-consult us highlighting the issue in question and we will try our best to assist.

I trust these comments are of assistance - please do not hesitate to contact me if you require any further information.

Kind regards,
Jessica Fraser
Planning Officer



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Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois dìomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an

MCA

Maureen McIntyre

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 07 October 2024 13:29
To: MD Marine Licensing
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response

Dear Maureen,

Thank you for the opportunity to comment on the Marine Licence application for Quayside Construction at the Eastern Inner Dock Quay, in Port of Nigg. The UK Technical Services Navigation team of the Maritime and Coastguard Agency has reviewed the documents received and would like to comment as follows:

We note that the works fall within the jurisdiction of a Statutory Harbour Authority (SHA), being Port of Cromarty Firth, and therefore they are responsible for the safety of navigation within their waters.

The MCA confirms we have no objections to a licence being granted on this occasion. This is on the understanding that all maritime safety legislation is adhered to, and that the following risk mitigation measures take place:

Conditions:

None

In addition, the following advice should be provided to the applicant to facilitate the proposed works:

Advisories:

1. Bunding and/or storage facilities must be installed to contain and prevent the release of fuel, oils, and chemicals associated with plant, refuelling and construction equipment, into the marine environment.
2. The site is within port limits and the applicant should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.

The MCA has considered the relevant Marine Plan as part of its assessment of this application.

If you have any questions about this response, please let us know.

Kind regards

Jo Cooke

Marine Licensing and Consenting
Advisor

UK Technical Maritime Services NavigationSafety@mcga.gov.uk
Navigation



Mobile: [Redacted]

Maritime & Coastguard Agency
Spring Place, 105 Commercial Road,
Southampton, SO15 1EG

NLB



Northern Lighthouse Board

84 George Street
Edinburgh EH2 3DA

Tel: 0131 473 3100
Fax: 0131 220 2093

Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk

Your Ref: MSL 00010859
Our Ref: AL/OPS/ML/C8_03_111

Ms Maureen McIntyre
Licensing Operations Team – Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

25 September 2024

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg

Thank you for your e-mail correspondence dated 24th September 2024 relating to the application submitted by **Global Energy Group (per EnviroCentre)** for consent to undertake construction of a new quayside at Eastern Inner Dock Quay, Port of Nigg.

Northern Lighthouse Board have no objection to the proposed construction works, and note the mitigations included within the project Method Statements to minimise the impact of the works on navigation within the port. These include the promulgation of Notices to Mariners (NtoM), lighting arrangements, and regular meetings with the Harbour Master (Cromarty Firth Port Authority).

NLB also note the intention to temporarily deploy buoyage to demarcate the stone bund during the piling operations. NLB request that details of this buoyage is included within a NtoM, and that the buoys are deployed in accordance with the requirements of the Harbour Master. Notification of the removal of the buoyage should also be subject to a NtoM.

On completion of the project, 'as-built' plans should be provided to the UK Hydrographic Office (sdr@ukho.gov.uk) to enable the update of navigational publications.

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notices/

Yours sincerely
[Redacted]

Peter Douglas
Navigation Manager

NLB respects your privacy and is committed to protecting your personal data.
To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notice/

In Salutem Omnium
For the Safety of All

RYA

Maureen McIntyre

From: Pauline McGrow <Pauline.McGrow@ryascotland.org.uk>
Sent: 27 September 2024 11:05
To: MD Marine Licensing
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

Hi Maureen,

I write to inform you that RYA Scotland has no objections to this application.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Mob: 07436 296765

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk



Protecting your personal information is important to us, view our full Privacy Statement [here](#)

Port of Cromarty Firth

From: [Calum Slater](#)
To: [MD Marine Licensing](#)
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024
Date: 24 October 2024 16:17:13
Attachments: [image001.png](#)
[image002.jpg](#)

Good afternoon Maureen

Many thanks for the opportunity to consult on the below application. I can confirm that we have now reviewed the Marine Licence - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - 00010859 and have the following comments:

- A Works Licence issued by PoCF, prior to undertaking any quayside construction, will be required.
- We note the need for LVIA surveys, etc was established for the immediate use of the berth development and assume that there will be a similar requirement for other potential uses of the berth once these have been identified.

Should you need to discuss, please give me a call.

Kind regards

Calum



Calum Slater | General Manager

Port Office, Shore Road, Invergordon IV18 0HD

tel: 01349 852308 **I mob:** [Redacted] **I web:** www.cfpa.co.uk

From: MD.MarineLicensing@gov.scot <MD.MarineLicensing@gov.scot>

Sent: 24 September 2024 13:01

Subject: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

***** THIS MESSAGE CAME FROM AN EXTERNAL SOURCE - PLEASE EXERCISE CAUTION *****

Dear Sir/Madam,

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017**

00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg

Marine licences have been requested under the Marine (Scotland) Act 2010 in regard to the proposed construction of a quayside at Eastern Inner Dock Quay, Port of Nigg . An Environmental Impact Assessment ("EIA") report has also been submitted under the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 along with supporting documentation. The licence applications, EIA report and supporting documentation can be accessed via the following link:

[Marine Licence - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - 00010859 | marine.gov.scot](#)

Please forward your comments on these proposals via electronic communication to MD.MarineLicensing@gov.scot or as a hard copy to the address detailed below by **24 October 2024**.

Kind Regards, Maureen

Maureen McIntyre

Marine Licensing and Consenting Casework Officer

Kyle of Sutherland District Salmon Fishery Board

Maureen McIntyre

From: Keith Williams <director@kylefisheries.org>
Sent: 22 October 2024 10:42
To: MD Marine Licensing
Cc: Jo-Anne Leonard
Subject: 00010859 - Global Energy Group - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg

Dear Sir/Madam

Many thanks for consulting with the Kyle of Sutherland District Salmon Fishery Board regarding the proposed quayside construction at Nigg. We have no comments to make on the proposal at this time.

Best regards

Keith

--

Dr Keith Williams

Director

Kyle of Sutherland Fisheries

Bank House, Ardgay, IV24 3BG

T: 01863 766 702 : [Redacted]

E: director@kylefisheries.org

W: www.kylefisheries.org

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MOD

Maureen McIntyre

From: DIO-Safeguarding-Offshore (MULTIUSER) <DIO-Safeguarding-Offshore@mod.gov.uk>
Sent: 07 October 2024 10:55
To: MD Marine Licensing
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation

F.A.O Maureen McIntyre,

Good morning Maureen,

Thank you for your email below with regards to the consultation for 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg.

I can confirm that from the information provided, the MOD has no objection regarding this activity.

Kind regards,

Joanne Moore | Safeguarding Officer

Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
Email: joanne.moore243@mod.gov.uk

From: MD.MarineLicensing@gov.scot <MD.MarineLicensing@gov.scot>
Sent: Tuesday, September 24, 2024 1:01 PM
Subject: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

Dear Sir/Madam,

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg

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[Marine Licence - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - 00010859 | marine.gov.scot](https://marine.gov.scot)

NATS

Maureen McIntyre

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 24 September 2024 15:08
To: MD Marine Licensing
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024 [SG37154]

Our Ref: SG37154

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

www.nats.co.uk



NATS Internal

From: MD.MarineLicensing@gov.scot <MD.MarineLicensing@gov.scot>
Sent: Tuesday, September 24, 2024 1:01 PM
Subject: [EXTERNAL] 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

**MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING
THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg

Marine licences have been requested under the Marine (Scotland) Act 2010 in regard to the proposed construction of a quayside at Eastern Inner Dock Quay, Port of Nigg. An Environmental Impact Assessment ("EIA") report has also been submitted under the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 along with supporting documentation. The licence applications, EIA report and supporting documentation can be accessed via the following link:

RSPB

Maureen McIntyre

From: Bea Ayling <Bea.Ayling@rspb.org.uk>
Sent: 17 October 2024 11:51
To: MD Marine Licensing
Subject: RE: 00010859 - Global Energy Group (per EnviroCentre) - Quayside Construction - Eastern Inner Dock Quay, Port of Nigg - Consultation – Response Required by 24 October 2024
Attachments: RE SCOP-0037 -Global Energy Nigg Limited (per EnviroCentre) - Eastern Inner Dock Quay - Nigg Energy Park - Scoping Consultation Request - Response Required by 16th February 2024

Dear Maureen,

Thank you for consulting RSPB Scotland on this marine licence application.

We submitted a response to the Marine Scotland scoping consultation in February 2024, see attached for information.

Since the works are located in the Inner Quay, it is likely that works could proceed without impacting on nearby designated sites for birds via disturbance, with appropriate mitigation in place with regards to timing of works and safe working buffers according to NatureScot guidance (<https://www.nature.scot/doc/disturbance-distances-selected-scottish-bird-species-naturescot-guidance>). We welcome that an EcOW is proposed to oversee construction works.

However, it is disappointing that the Biodiversity Enhancement Plan does not include a Tern Management Plan or provisions for breeding rafts as recommended in our scoping response. Arctic Terns breed at Nigg Energy Park at the base of the jetty, and occasionally Common Terns will also breed on the site. Breeding Common Terns are also a qualifying feature of the Cromarty Firth SPA. Tern rafts successfully provide safe nesting areas for Common Terns at other locations in the Cromarty Firth, including at Invergordon Port, away from working dock areas and reducing the risk of disturbance and nest abandonment. This is a missed opportunity to provide real benefits for biodiversity at Nigg.

We would strongly recommend that the Applicant reconsider the request for a tern raft for Common terns, as well as identifying a suitable onshore area of the Port away from sources of disturbance to be set aside and managed for Arctic terns. RSPB Scotland would be happy to advise on such actions.

Kind regards,

Bea Ayling | she/her/hers

Conservation Officer, North Highland

bea.ayling@rspb.org.uk

[Redacted] | I am currently working from home



RSPB North Scotland Regional Office

Etive House

Beechwood Park

Scottish Water

Friday, 04 October 2024



Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Quayside Construction, Eastern Inner Dock Quay, Port of Nigg, IV19 1QU
Planning Ref: SCOP-0010859
Our Ref: DSCAS-0118450-5WR
Proposal: Quayside Construction - Eastern Inner Dock Quay, Port of Nigg – Consultation.

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application. The applicant should be aware that this does not confirm that the proposed development can currently be serviced.

Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Please note:

Scottish Water would ask that the developers make direct contact with SW if there is a proposal for on site concrete batching so that we can have advanced site of the water flow demands.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at

<https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will typically require surface water to be eliminated from any new discharges of trade effluent.

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Next Steps:

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non-Domestic Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best

management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter, please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.

Marine Analytical Unit Response
Marine Directorate

Port of Nigg Eastern Inner Dock Quay

Marine Analytical Unit Response **Marine Directorate**

The Port of Nigg Eastern Inner Dock Quay license application includes a description of a range of potential impacts. This response focuses only on the assessment of social and economic impacts.

In the scoping opinion, the MAU disagreed with the developer's proposal to scope out socio-economic assessment and we advised that a full Socio-Economic Impact Assessment should be included in the final assessment. We are pleased to note that socio-economic assessment has been included in the Technical Appendix 9.1, Volume 3 of the Environmental Impact Assessment Report, and has been considered separately from the cable manufacturing factory.

Methodology

Socio-economic impacts have been assessed using a bespoke and high level economic model split into two phases (construction and operation). With regards to construction, the report considered the economic activity and multiplier effects (in person year employment and GVA). With regards to operation, direct, supply spending, staff spending, and estimated GVA effects have been considered.

The report mainly relied on desk based economic methodologies, and no social research-specific methodologies were used in the assessment.

Apart from the Highland Council's response provided during the scoping stage of the application, no consultation with either relevant organisations or communities was undertaken as part of the socio-economic assessment

The report set out a range of relevant indicators in the baseline section of the assessment (covering population, economic activity, employment, businesses, qualifications, earnings, SIMD, wider economic benefits).

Potential impacts

A range of potential beneficial effects were identified in the assessment (including economic impacts and impacts on the labour market) as a result of the development. This included £150k that benefited Highland based companies during the pre-development stage; £2.3million of supply chain benefits in the region; an expected 35 full-time construction jobs at the local level over the 20-month construction phase; and 14 new full time local jobs once the new quay is fully operational.

The assessment did not consider whether it may lead to any negative socio-economic impacts.

We note that the assessment did not include a wider range of socio-economic impacts such as housing, local services, socio-cultural, and distributional impacts. Although their inclusion is not essential in a relatively small scale development, this could have added value to the assessment.

No mitigation measures for negative impacts or enhancement measures for positive impacts (e.g. requirement upon contractor to provide local jobs and training, consultation with local businesses) were suggested in the assessment.

Local residents' opinion about the development were not incorporated in the assessment, as no consultation was undertaken beyond the Highlands Council during the scoping stage. Whilst community engagement is considered good practice for SEIA, we recognise that it may not be necessary for a small scale development such as this one.

Conclusions

Overall, we consider that the assessment of socio-economic impacts set out in the EIR report is proportionate and satisfactory.