Scottish Government
Riaghaltas na h-Alba

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE TO CONSTRUCT, ALTER OR IMPROVE WORKS IN THE SCOTTISH MARINE AREA

Licence Number: **MS-00011342**

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

Edinburgh Marina Granton Harbour Ltd
c/o PIP Asset Management, 84 Brook Street
LONDON
W1K 5EH

to construct, alter or improve works as described in Part 2. The licence is subject to the conditions set out, or referred to, in Part 3.

The licence is valid from **31 July, 2025** until **31 July, 2026**

Signed: ……..
Rebecca Ross

For and on behalf of the Licensing Authority

Date of issue: 30 July, 2025

1. PART 1 - GENERAL

1.1 Interpretation

In the licence, terms are as defined in Section 1, 64 and 157 of the Marine Scotland Act 2010, and
a) **"the 2010 Act"** means the Marine (Scotland) Act 2010;
b) **"Licensed Activity"** means any activity or activities listed in section 21 of the 2010 Act which is, or are authorised under the licence;
c) **"Licensee"** means Edinburgh Marina Granton Harbour Ltd
d) **"Mean High Water Springs"** means any area submerged at mean high water spring tide;
e) **"Commencement of the Licensed Activity"** means the date on which the first vehicle or vessel arrives on the site to begin carrying on any activities in connection with the Licensed Activity;
f) **"Completion of the Licensed Activity"** means the date on which the Licensed Activity has been installed in full, or the Licensed Activity has been deemed complete by the Licensing Authority, whichever occurs first;

All geographical co-ordinates contained within the licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless otherwise stated.

1.2 Contacts

All correspondence or communications relating to the licence should be addressed to:

Marine Directorate - Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB
Email: MD.Marinelicensing@gov.scot

1.3 Other authorisations and consents

The Licensee is deemed to have satisfied itself that there are no barriers or restrictions, legal or otherwise, to the carrying on of the Licensed Activities in connection with the licensed activity. The issuing of the licence does not absolve the Licensee from obtaining such other authorisations and consents, which may be required under statute.

1.4 Variation, suspension, revocation and transfer

Under section 30 (1) of the 2010 Act the Licensing Authority may by notice vary, suspend or revoke the licence granted by them if it appears to the Licensing Authority that there has been a breach of any of its provisions. For any such other reason that appears to be relevant to the Licensing Authority under section 30(2) or (3) of the 2010 Act. Under the 2010 Act variations, suspensions, revocations and transfers of licences are subject to the procedures set out in section 31 of the Act.
Under section 30 (7) of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.
Under section 30 (8) of the 2010 Act, on an application made by the licensee, the Licensing Authority may transfer the licence from the Licensee to another person.

1.5 Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act it is an offence to carry on a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6 Defences: actions taken in an emergency

Under section 40 of the 2010 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act in relation to any activity to prove that –
the activity was carried out for the purpose of saving life, or for the purpose of securing the safety of a vessel, aircraft or marine structure (‘force majeure'), and
that the person took steps within a reasonable time to inform the Licensing Authority as set out in section 40(2) of the 2010 Act.

1.7 Offences relating to information

Under section 42 of the 2010 Act it is an offence for a person to make a statement which is false or misleading in a material way, knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act or the provisions of this licence.

1.8 Appeals

Under Regulation 3(1) of the Marine Licensing Appeals (Scotland) Regulations 2011 a person who has applied for a marine licence may by summary application appeal to against a decision taken by the Licensing Authority under section 71(1)(b) or (c) or (5) of the Act.

2. PART 2 – PARTICULARS

2.1 Agent

EnviroCentre Ltd
Craighall Business Park
8 Eagle Street
Glasgow
G4 9XA

2.2 Location of the Licensed Activity

Granton West Harbour, Within the boundary of

55° 59.239’ N 03° 13.626’ W
55° 59.231’ N 03° 13.624’ W
55° 59.225’ N 03° 13.685’ W
55° 59.221’ N 03° 13.674’ W
55° 59.219’ N 03° 13.655’ W
55° 59.209’ N 03° 13.636’ W
55° 59.204’ N 03° 13.631’ W
55° 59.196’ N 03° 13.621’ W
55° 59.181’ N 03° 13.605’ W
55° 59.177’ N 03° 13.594’ W
55° 59.173’ N 03° 13.588’ W
55° 59.159’ N 03° 13.567’ W
55° 59.156’ N 03° 13.564’ W
55° 59.154’ N 03° 13.565’ W
55° 59.151’ N 03° 13.565’ W
55° 59.140’ N 03° 13.555’ W
55° 59.131’ N 03° 13.561’ W
55° 59.129’ N 03° 13.583’ W
55° 59.124’ N 03° 13.582’ W
55° 59.126’ N 03° 13.563’ W
55° 59.121’ N 03° 13.564’ W
55° 59.114’ N 03° 13.569’ W
55° 59.108’ N 03° 13.577’ W
55° 59.102’ N 03° 13.548’ W
55° 59.080’ N 03° 13.404’ W
55° 59.132’ N 03° 13.382’ W
55° 59.129’ N 03° 13.407’ W
55° 59.130’ N 03° 13.412’ W
55° 59.134’ N 03° 13.409’ W
55° 59.173’ N 03° 13.194’ W
55° 59.263’ N 03° 13.247’ W
55° 59.267’ N 03° 13.254’ W

55° 59.276’ N 03° 13.250’ W
55° 59.278’ N 03° 13.246’ W
55° 59.285’ N 03° 13.246’ W
55° 59.278’ N 03° 13.347’ W
55° 59.282’ N 03° 13.354’ W
55° 59.285’ N 03° 13.369’ W
55° 59.283’ N 03° 13.382’ W
55° 59.279’ N 03° 13.394’ W
55° 59.272’ N 03° 13.401’ W
55° 59.274’ N 03° 13.375’ W
55° 59.273’ N 03° 13.360’ W
55° 59.271’ N 03° 13.356’ W
55° 59.268’ N 03° 13.355’ W
55° 59.265’ N 03° 13.373’ W

As shown in Annex One.

2.3 Description of the Licensed Activity

Redevelopment of Granton West Harbour including:

• Reconstruction of 225m of sloping stone revetment
• Construction of a new 110m sheet piled quay wall
• Backfilling of land protected by quay wall (1050m2) and stone revetment (5000m2)
• Extension to the existing western breakwater (north mole) with a 50m concrete wall with a rock armour slope on the seaward side and 25m of rock revetment on the end
• 340 berth marina covering an area of approximately 22,879m2.

As described in the application dated 22 July, 2025 and correspondence submitted in support of the application.

2.4 Descriptions of the materials to be used during the Licensed Activity

The licence authorises the use of the undernoted construction materials required in connection with the licensed activity, subject to the indicative amounts as specified below:

Steel/Iron - 10345 tonnes
Concrete - 1600 tonnes
Hardcore - 19322 m^3
Pontoons - 7188 m^2

Less any materials used under marine licence 06806/19/0 and MS-00009904.

2.5 Contractor and Vessel Details

3. PART 3 – CONDITIONS

3.1 General Conditions

3.1.1 All conditions attached to this licence bind any person who for the time being owns, occupies or enjoys any use of the works for which this licence has been granted in relation to those licensed activities authorised under item 5 in section 21 (1) of the 2010 Act whether or not this licence has been transferred to that person.

3.1.2 The licensee must provide, as soon as is reasonably practicable prior to the licensed activities commencing, the name and function of any agent, contractor or sub-contractor appointed to undertake the licensed activities.

3.1.3 Any changes to the supplied details must be notified to the licensing authority, in writing, prior to any agent, contractor or sub-contractor undertaking any licensed activity.

3.1.4 The licensee must ensure that only those agents, contractors or sub-contractors notified to the licensing authority are permitted to undertake the licensed activities.

3.1.5 The licensee must give a copy of this licence and any subsequent variations that have been made to this licence in accordance with section 30 of the 2010 Act to any agent, contractor or sub-contractor appointed to carry out any part, or all, of the licensed activities. The licensee must satisfy themselves that any such agent, contractor or sub-contractor is aware of the extent of the works for which this licence has been granted, the activity which is licensed and the terms of the conditions attached to this licence.

3.1.6 The licensee must submit full details of the vessels to be utilised in respect of the works, and their anticipated movements, to the licensing authority no later than one month, or at such a time as agreed with the licensing authority, prior to the commencement of the works. The vessel details provided must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.

The licensee must ensure that a copy of this licence and any subsequent variations made to it in accordance with section 30 of the 2010 Act have been read and understood by the masters of any vessels being used to carry on any licensed activity under this licence, and that a copy of this licence is held on board any such vessel.

3.1.7 If by any reason of force majeure any substance or object is deposited other than at the site which is described in this licence, then the licensee must notify the licensing authority of the full details of the circumstances of the deposit within 48 hours of the incident occurring (failing which as soon as reasonably practicable after that period of 48 hours has elapsed). Force majeure may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel, vehicle or marine structure determines that it is necessary to deposit the substance or object other than at the specified site because the safety of human life or, as the case may be, the vessel, vehicle or marine structure is threatened. Under Annex II, Article 7 of the Convention for the Protection of the Marine Environment of the North-east Atlantic, the licensing authority is obliged to immediately report force majeure incidents to the Convention Commission.

3.1.8 The licensee must, where any information upon which the granting of this licence was based has, after the granting of the licence, altered in any material respect, notify the licensing authority of this fact, in writing, as soon as is practicable.

3.1.9 Where it would appear to the licensee that there may be a delay in the submission of the reports, studies or surveys to the licensing authority then the licensee must advise the licensing authority of this fact as soon as is practicable and no later than the time by which those reports, studies or surveys ought to have been submitted to the authority under the terms of this licence.

The reports, studies and surveys must include executive summaries, assessments and conclusions and any data must, subject to any rules permitting non-disclosure, be made publicly available by the licensing authority, or by any such party appointed, at their discretion.

3.1.10 The licensee must ensure that all measures listed in the Schedule of Mitigation submitted as part of the Environmental Impact Assessment ("EIA") Report are implemented throughout the works to address significant environmental effects.

3.1.11 The licensee must ensure that all reasonable, appropriate and practicable steps are taken at all times to minimise damage to the Scottish marine area caused by the licensed activity authorised under this licence.

3.1.12 The licensee must ensure that any debris or waste materials placed below MHWS during the construction of the works are removed from the site, as soon as is reasonably practicable, for disposal at a location above MHWS approved (as appropriate) by the Scottish Environment Protection Agency.

3.1.13 The licensee must ensure that all substances and materials used during the execution of the works are inert (or appropriately coated or protected so as to be rendered inert) and do
not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

3.1.14 The licensee must ensure that the risk of transferring non-native species to and from the site is kept to a minimum by ensuring appropriate bio-fouling management practices are implemented during the works.
3.1.15 The licensee must ensure that if oil based drilling muds are utilised they must be contained within a zero discharge system.

3.1.16 The licensee must ensure that copies of the licence are available for inspection by any persons authorised by the licensing authority at:

a) the premises of the licensee;
b) the premises of any agent, contractor or sub-contractor acting on behalf of the licensee;
c) the site of the works; and
d) any onshore premises directly associated with the licensed activities.

3.1.17 Any persons authorised by the licensing authority, must be permitted to inspect the works at any reasonable time.

3.1.18 The licensee must submit a Construction Environmental Management Plan ("CEMP") to the licensing authority for their written approval at least two months prior to the commencement of works, or less if agreed by the licensing authority. The CEMP must be consistent with the application and supporting information and must address but not be limited to:

a) mitigation measures to prevent significant adverse impacts to environmental interests including protected areas and features, as identified in the application and supporting information
b) Adherence to good practice measures including Guidance for Pollution Prevention
c) Navigational Risk Assessment
d) Construction Method Statement

3.1.19 The licensee must remove the works from below the level of Mean High Water Springs, or such alterations made, within one month of notice being given by the licensing authority at any time it is considered necessary or advisable for the safety of navigation, and not replaced without further consent by the licensing authority. The licensee shall be liable for any expense incurred.

3.1.20 Should the Licensee proceed to undertake the Licensed Activity under the authority of this licence, the Licensed Activity authorised under the previous marine licence in favour of Edinburgh Marina Granton Harbour, dated 20 July 2022 (licence number MS-0009904) is not permitted.

3.2 Prior to the commencement of the Licensed Activity

3.2.1 The licensee must, no later than 7 days prior to commencement of the works, notify the licensing authority of the proposed start date of the works.

3.2.2 The licensee must liaise with Forth Ports with regard to the promulgation of Notice to Mariners or other local warnings to alert those navigating in the vicinity to the presence of the works during the construction.

3.2.3 The licensee must ensure that HM Coastguard, in this case nmoccontroller@hmcg.gov.uk, The National Maritime Operations Centre, is made aware of the works prior to commencement.

3.2.4 The Licensee must complete and submit a proposed activity form in the online Marine Noise Registry for all Licensed Activities that will produce loud, low to medium frequency (10Hz-10kHz) impulsive noise no later than seven days prior to commencement of the Licensed Activity. If any aspects of the Licensed Activity differs from the proposed activity form in the online marine noise registry, the Licensee must complete and submit a new proposed activity form no later than seven days prior to commencement of the Licensed Activity.

3.2.5 The licensee must invite the Royal Forth Yacht Club, the Forth Corinthian Yacht Club, the Edinburgh Marina Ltd, the Royal Yachting Association Scotland and the Sea Cadets to contribute to a stakeholder agreement. The agreement must detail how the licensee will liaise with stakeholders with regards to the following matters:

a) Access to the harbour during construction works
b) Construction work schedules
c) Development of an Operational Management Plan
d) Monitoring of wave climate and sedimentation
e) Maintenance dredging of the harbour
f) Any other matters as required

3.3 During the Licensed Activity

3.3.1 The licensee must ensure that only the materials listed in Part 2 of this licence are used during the construction of the works and that all substances or objects used during the works are inert (or appropriately coated or protected so as to be rendered inert) and do not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

3.3.2 The licencee must ensure that all works are carried out in accordance with the approved CEMP. In the event that the licensee wishes to amend or update the CEMP, the licensee must submit, in writing, details of proposed updates or amendments to the licensing authority for their written approval, no later than two months, or at such time as agreed by the licensing authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.

3.3.3 The licensee must ensure that works are carried out in accordance with the Marine Mammal Protection Plan "MMPP" (issued 28 September 2018). In the event that the licensee wishes to amend or update the MMPP, the licensee must submit, in writing, details of proposed updates or amendments to the licensing authority for their written approval, no later than two months, or at such time as agreed by the licensing authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.

3.3.4 The licensee must ensure that the marine mammal observer protocol as detailed in the MMPP is used whenever possible and that piling works during sea states exceeding 4 and during periods of darkness and/or low visibility are minimised.

3.3.5 The licensee must ensure that the works are marked and/or lighted as required by the Northern Lighthouse Board and Forth Ports and the marking to be continued unless and until the licensing authority rescind this direction.

3.3.6 The licensee must liaise with the Northern Lighthouse Board and Forth Ports with regard to the required characters for the propose navigational lights. The Statutory Sanction of the Northern Lighthouse Board must be sought prior to the installation of the aids to navigation; forms are available on request from: navigation@nlb.org.uk.

3.3.7 The licensee must ensure that the navigational light and topmark for the breakwater extension (north mole) are positioned at the south-easterly end of the 25 metre rock revetment, are at least 2 metres above MHWS and have a nominal range of 2 nautical miles.

3.3.8 If it is desired by the licensee to display any marks or lights not required by this licence then details of such marks or lights must be submitted to the Northern Lighthouse Board and Forth Ports and their ruling must be complied with. The display of unauthorised marks or lights is prohibited.

3.3.9 The licensee must ensure that the works are maintained at all times in good repair.

3.3.10 The licensee must ensure suitable bunding and storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.

3.3.11 The licensee must ensure the best method of practice is used to minimise re-suspension of sediment during these works.

3.3.12 In the event of the works being discontinued prior to their completion, the licensee must remove the works and clear the site to the satisfaction of the licensing authority.

3.3.13 If, in the opinion of the licensing authority, the assistance of a Government Department, including the broadcast of navigational warnings, is required to deal with any emergency arising from:

a) The failure to mark and light the works as required by licence;
b) The maintenance of the works; or
c) The drifting or wreck of the works.

The licensee is liable for any expenses incurred in securing such assistance.

3.3.14 The licensee must ensure that no deviation from the schedule specified in the licence is made without the further written consent of the licensing authority.

3.3.15 The licensee must ensure that, where practicable, works are carried out at times of day which avoid times of low tide feeding activity in order to minimise disturbance to birds.

Upon Completion of the Licensed Activity

3.4.1 The licensee must, within 7 days of completion of the works, notify the licensing authority of the date of completion of the works.

3.4.2 The licensee must submit a written report regarding the materials used during construction to the Licensing Authority. The written report must be submitted on completion of the works and on the forms provided by the Licensing Authority no later than 31 October 2026. Where appropriate, nil returns must be provided.

3.4.3 The licensee must, within 28 days of completion of the works, supply Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (email: sdr@ukho.gov.uk; tel.: 01823 337900) with a copy of the 'as built plans', in order that all necessary amendments to nautical publications are made. The licensee must notify the licensing authority of the notification at the time it is made.

3.4.4 The licensee must complete and submit a Close-out Report for the licensable marine activities that produced loud, low to medium frequency (1 0Hz-1 0kHz) impulsive noise in the online Marine Noise Registry at 6 month intervals during the validity of the licence and no later than 12 weeks from the completion of the licensable marine activity.

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed activity. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.
2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.