

Marine Licence Application for Construction Projects

Version 1.0

Marine (Scotland) Act 2010

Acronyms

Please note the following acronyms referred to in this application form:

BPEO	Best Practicable Environmental Option
EIA	Environmental Impact Assessment
ES	Environmental Statement
MHWS	Mean High Water Springs
MMO	Marine Mammal Observer
MPA	Marine Protected Area
MS-LOT	Marine Scotland – Licensing Operations Team
PAM	Passive Acoustic Monitoring
SAC	Special Area of Conservation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WGS84	World Geodetic System 1984

Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

1. Applicant Details

The person making the application who will be named as the licensee.

2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

4. Application Type

Indicate if the application is for a new construction site or an existing construction site. Provide the existing or previous consent/licence number and expiry date if applicable.

5. Project Details

- (a) Give a brief description of the project (e.g. construction of a new sea outfall).
- (b) Provide the total area of proposed works in square metres.
- (c) Provide the proposed start date of the project. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for the duration of the project but not exceeding 3 years. If a project will not be completed before a marine licence lapses, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work at least 14 weeks prior to the expiry date of the licence. **Target duration for determination of a marine licence application is 14 weeks.**
- (d) Provide the proposed completion date of the project.
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover

work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.

- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the proposed project. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84. In a few cases, (e.g. laying of long pipelines) it may only be practicable to supply co-ordinates for the start and end points.

Example: For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44"N 2°22'11"W (WGS84).

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

To supplement your application, please provide photographs of the project location and submit these with your application. Please also provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;
- any adjacent SAC, SPA, SSSI, MPA, Ramsar or similar conservation area boundary.

Drawings and plans will be consulted upon. 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 must be shown on the longitudinal sections and also details of its supports, foundations, methods of jointing and details of any tidal flaps.

Bridges over tidal waters: An elevation with longitudinal and cross-sections of the bridge to a suitable scale must 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 must be stated.

Tunnels under tidal waters: The longitudinal section of the tunnel must show the distances between the bed of the river or estuary and the top of the tunnels. Cross-sections must 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.

- (g) Indicate if the project is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide a full method statement, including schedule of works and the ultimate fate of the structure.
- (i) Provide assessment of the potential impacts the works may have, including interference with other uses of the sea. Please include details of areas of concern e.g. designated conservation areas, such as a SAC, SPA, SSSI, MPA or Ramsar site and shellfish harvesting areas. Further guidance on designated conservation areas can be obtained from SNH at this website:

<http://gateway.snh.gov.uk/sitelink/index.jsp> and guidance on shellfish harvesting areas can be obtained from <http://www.foodstandards.gov.scot/> 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.

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".

Any application for beach replenishment works must be cross checked as to whether the proposed site is a designated bathing water site. If so, all physical works should ideally 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 <http://apps.sepa.org.uk/bathingwaters/>.

Where there are potential impacts from the works, please provide details of proposed mitigation, such as use of MMOs or PAM, in response to potential impacts.

6. Deposits and/or Removals

- (a) Complete the table to indicate all permanent substances or objects to be deposited and/or removed from below MHWS. If you propose using types of substances or objects for which a specific box is not provided in the table, please describe the nature of such substances or objects in the box marked "other".
- (b) Please indicate the method of delivery of any substance(s) or object(s) to be placed below MHWS.
- (c) Where the proposed work involves salt marsh feeding, beach replenishment or land reclamation the description of the substances or objects must include details of its chemical quality. Where the substances or objects have 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 marine licence application can be determined.
- (d) If temporary deposits are required, please provide details as with the permanent deposits above. The temporary deposit location details (Latitude and Longitude WGS84) must be added to the form, and the period of time the site will be used must be provided. If granting a licence, MS-LOT will include on the document details of any area that has been approved as a temporary deposit site.

7. Disposal of Dredged Substance(s) or Object(s) at Sea

- (a) If you are proposing to dispose of any excess substance(s) or object(s) arising from the project at sea, a separate marine licence will be required (see Dredging and Sea Disposal application form). The granting of a marine licence for construction projects does not imply that a marine licence for sea disposal will also be granted as different assessment criteria are used to determine each type of application. If a separate application is being submitted for dredging and sea disposal then this must be accompanied with a BPEO report.
- (b) Provide the quantity of dredged substance(s) or object(s) for sea disposal in wet tonnes.

8. Noise Monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. Activities where this type of noise is produced include seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. Where noisy activity is being undertaken, you must complete an initial registration form for the noise registry which allows you to provide details on the proposed work. Completion of a 'close-out' form, which allows licensees to provide details of the actual dates and locations where the activities occurred, is also required within 12 weeks of the completion of the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation.

These forms can be downloaded from:

<http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction>

Marine licence applications will not be accepted until this form has been completed and submitted.

9. 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.

10. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made with reference to the policies, including but not limited to General Policies 7 and 13 (GEN 7 and GEN 13), that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

11. Pre-Application Consultation

Certain activities will be subject to public pre-application consultation. Activities affected will be large projects with the potential for significant impacts on the environment, local communities and other legitimate uses of the sea. The new requirement will allow those local communities, environmental groups and other interested parties to comment on a proposed development in its early stages – before an application for a marine licence is submitted. Further information can be obtained from: <http://www.scotland.gov.uk/Resource/0043/00439649.pdf>

If applicable, please provide your pre-application consultation report with your application.

12. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.

13. Environmental Assessment

- (a) Under the Marine Works Environmental Impact Assessment (EIA) Regulations 2007, there may be a requirement for certain projects to undergo an EIA and produce an ES. If EIA is required, MS-LOT will not determine a marine licence application until the EIA consent decision in respect of the marine licence application has been reached. Please confirm if the project falls under Annex I or II of Directive 85/337/EEC: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN> in relation to the Marine Works (EIA) Regulations 2007.

Marine licence applications for proposals which fall under the regulations will not be accepted unless a screening opinion has been issued in relation to this.

- (b) Please indicate if an EIA has been undertaken and whether it was for the marine licence application to which this application relates or for any other EIA regulator (e.g local authority). Please attach any previous ES to the application.

MS-LOT will not determine a marine licence application until the EIA consent decision in respect of any regulated activity associated with the marine licence application has been reached.

14. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. land reclamation, marine/harbour construction works, dredging and sea disposal etc). If this is the case, provide reference/licence number for the related marine projects.

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

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

- (a) for reasons of national security; YES ☐ NO ☐
- (b) for reasons of 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.

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.

Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

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

Signature

[Redacted]

Date

10/09/19

Name in BLOCK LETTERS

Campbell G Fleming

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☒
- Project Drawings ☒
- Maps/Charts ☒
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☒
- Method Statement ☒
- Photographs of the location of the project ☐
- Additional information e.g. consultation correspondence (if applicable) ☒
- Noise Registry – Initial Registration Form (if applicable) ☐
- Pre-application Report (if applicable) ☐
- Environmental Statement (if applicable) ☐
- Payment (if paying by cheque) ☐

1. Applicant Details

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

Statutory Harbour Authority? YES ☐ NO ☐

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

2. Agent Details (if any)

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

3. Payment

Enclosed Cheque ☐ Invoice ☐

Contact and address to send invoice to:

Applicant ☐ Agent ☐ Other ☐

If **OTHER**, please provide contact details:

Title: Initials: Surname:

Address:

Email:

4. Application Type

Is this application for a new construction site or an existing construction site:

New Site ☐ Existing Site ☐

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date

5. Project Details

(a) Brief description of the project (e.g. construction of a new sea outfall):

(b) Total area of the proposed works (in square metres):

m²

(c) Proposed start date (**Target duration for determination of a marine licence application is 14 weeks**):

(d) Proposed completion date:

(e) Cost of the works seawards of the tidal limit of MHWS:

£

(f) Location:

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude										Longitude									
		°			.				' N				°			.			' W
		°			.				' N				°			.			' W
		°			.				' N				°			.			' W
		°			.				' N				°			.			' W
		°			.				' N				°			.			' W
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		°			.				' N				°			.			' W
		°			.				' N				°			.			' W

(g) Is the project located within the jurisdiction of a statutory harbour authority? YES ☐ NO ☐

If **YES**, please specify statutory harbour authority:

(h) Method statement including schedule of work (continue on separate sheet if necessary):

(i) Potential impacts the works may have (including details of areas of concern e.g designated conservation and shellfish harvesting areas) and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

6. Deposits and/or Removals

(a) **Permanent** substance(s) or object(s) to be deposited and/or removed from below MHWS (continue on a separate sheet if necessary):

Type of Deposit/Removal	Deposits		Removals	
	Description	Quantity & Dimensions (metric)	Description	Quantity & Dimensions (metric)
Steel/Iron		No.		No.
		Dimensions		Dimensions
		Weight (kg/tonnes)		Weight (kg/tonnes)
Timber		No.		No.
		Dimensions		Dimensions
		Weight (kg/tonnes)		Weight (kg/tonnes)
Concrete		No.		No.
		Dimensions		Dimensions
		Weight (kg/tonnes)		Weight (kg/tonnes)
Plastic/Synthetic		m ²		m ²
Clay (< 0.004 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Silt ($0.004 \leq \text{Silt} < 0.063$ mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Sand ($0.063 \leq \text{Sand} < 2.0$ mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Gravel ($2.00 \leq \text{Gravel} < 64.0$ mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Cobbles ($64.0 \leq \text{Cobbles} < 256.0$ mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)

Pipe		Length (m)		Length (m)
		External Diameter (cm/m)		External Diameter (cm/m)
Other (please describe below):				

(b) Method of delivery of substance(s) or object(s):

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

Quantity (tonnes):

tonnes

Nature of substance(s) or object(s) (e.g. sand, silt, gravel etc.):

Source (if sea dredged state location of origin)

Particle size:

Have the substance(s) or object(s) been chemically analysed?
If YES, please include the analysis data with your application

YES ☐ NO ☐

(d) **Temporary** substance(s) or object(s) to be deposited below MHWS (continue on a separate sheet if necessary):

Type of Deposit	Description	Quantity & Dimensions (metric)
Steel/Iron		No.
		Dimensions
		Weight (kg/tonnes)
Timber		No.
		Dimensions
		Weight (kg/tonnes)

Concrete		No.
		Dimensions
		Weight (kg/tonnes)
Plastic/Synthetic		m ²
Clay (< 0.004 mm)		Volume (m ³)
		Weight (kg/tonnes)
Silt ($0.004 \leq \text{Silt} < 0.063$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Sand ($0.063 \leq \text{Sand} < 2.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Gravel ($2.00 \leq \text{Gravel} < 64.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Cobbles ($64.0 \leq \text{Cobbles} < 256.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)		Volume (m ³)
		Weight (kg/tonnes)
Pipe		Length (m)
		External Diameter (cm/m)
Other (please describe below):		

7. Disposal of Dredged Substance(s) or Object(s) at Sea

(a) Do you intend to apply for a marine licence for sea disposal of dredged substance(s) or object(s) as part of the project?

YES ☐ NO ☐

If **YES**, please specify nature of substance(s) or object(s) (e.g sand, gravel, silt, clay, rock etc.):

(b) Quantity of substance(s) or object(s) (wet tonnes):

wet tonnes

A separate marine licence application will be required to be submitted for sea disposal.

8. Noise Monitoring

Will loud, low to mid frequency (10Hz to 10kHz) impulsive noise be produced by the project?

YES ☐ NO ☐

If **YES**, which please indicate the noise generating activities and sound frequencies:

Noise Generating Activity	Sound Frequency (Hertz)
Use of Explosives	
Use of Acoustic Deterrent Devices	
Piling	
Other (please describe below):	

If you have ticked **YES**, please complete the Noise Registry – Initial Registration form located at:
<http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction>

Marine licence applications will not be accepted until this form has been completed and submitted.

9. Statutory Consenting Powers

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

10. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan?

YES ☐ NO ☐

If **YES**, provide details of considerations made with reference to the policies, including but not limited to General Policies 7 and 13 (GEN 7 and GEN 13), that have been considered:

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

11. Pre-Application Consultation

Is the application subject to pre-application consultation, under The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013?

YES ☐ NO ☐

If **YES**, please indicate the date of the public notice for the pre-application consultation event and the type of consultation event held (a copy of the public notice must be supplied with this application):

Event Type	Date

12. Consultation

List all bodies you have consulted and provide copies of correspondence:

[illegible]

13. Environmental Assessment

(a) Does the project fall under Annex I or II of the EIA Directive?

Annex I ☐Annex II ☐Neither ☐

If **ANNEX I** or **ANNEX II**, please provide the screening opinion issued to you in relation to the project.

(b) Has an EIA been undertaken:

for the marine licence application to which this application relates
for any other EIA regulator (e.g local authority)

YES ☐ NO ☐

YES ☐ NO ☐

14. Associated Works

Provide details of other related marine projects, including reference/licence numbers (if applicable):

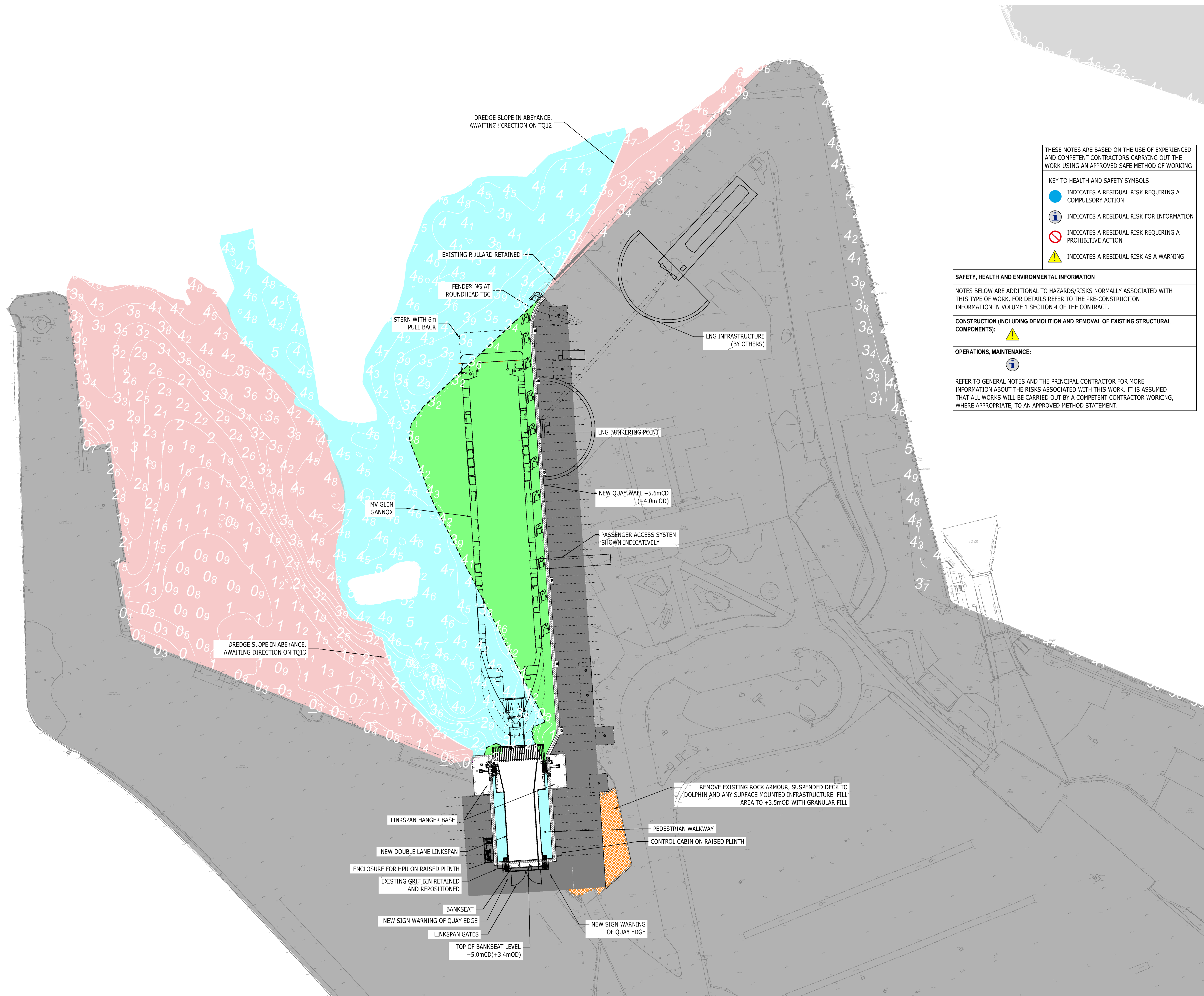
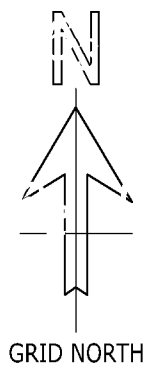
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01 – Geographical Limits of Ardrossan Harbour

Geographical Limits of Statutory Harbour Authority

	Geographical Limits of Ardrossan Harbour Company Limited
SE Corner	55° 37.8'N 004° 47.8'W
SW Corner	55° 36.5'N 004° 50.3'W
NW Corner	55° 37.8'N 004° 52.0'W
NE Corner	55° 39.1'N 004° 49.4'W

02 – Ramboll Site Location Plan



THESE NOTES ARE BASED ON THE USE OF EXPERIENCED AND COMPETENT CONTRACTORS CARRYING OUT THE WORK USING AN APPROVED SAFE METHOD OF WORKING

KEY TO HEALTH AND SAFETY SYMBOLS

- INDICATES A RESIDUAL RISK REQUIRING A COMPULSORY ACTION
- INDICATES A RESIDUAL RISK FOR INFORMATION
- INDICATES A RESIDUAL RISK REQUIRING A PROHIBITIVE ACTION
- INDICATES A RESIDUAL RISK AS A WARNING

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

NOTES BELOW ARE ADDITIONAL TO HAZARDS/RISKS NORMALLY ASSOCIATED WITH THIS TYPE OF WORK. FOR DETAILS REFER TO THE PRE-CONSTRUCTION INFORMATION IN VOLUME 1 SECTION 4 OF THE CONTRACT.

CONSTRUCTION (INCLUDING DEMOLITION AND REMOVAL OF EXISTING STRUCTURAL COMPONENTS):

OPERATIONS, MAINTENANCE:

REFER TO GENERAL NOTES AND THE PRINCIPAL CONTRACTOR FOR MORE INFORMATION ABOUT THE RISKS ASSOCIATED WITH THIS WORK. IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.

- Notes
- DO NOT SCALE FROM THIS DRAWING.
 - ALL DIMENSIONS ARE IN METRES (m) UNLESS NOTED OTHERWISE.
 - ALL LEVELS IN METRES RELATIVE TO CHART DATUM UNLESS NOTED OTHERWISE. ORDNANCE DATUM IS 1.6m ABOVE CHART DATUM.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS.
 - BATHYMETRIC SURVEY BY ASPECT SURVEYS 22.05.2019
 - CO-ORDINATES ARE TO LOCAL GRID. TOPOGRAPHICAL SURVEY BY L & M SURVEY SERVICES MAY 2017 AND JULY 2019.
 - NEW QUAYSIDE LIGHTING BY OTHERS

- KEY:**
- LANDSIDE AREA
 - NEW SURFACING WITHIN MARINE WORKS DESIGN
 - EXISTING QUAY SIDE REMOVED AND LEVEL REMOVED TO -4.9mCD (-6.5mCD)
 - DREDGING TO -4.9m C.D. (-6.5m O.D.)
 - BED LEVEL HIGHER THAN -4.9m C.D. BUT NO DREDGING PROPOSED (INDICATED AROUND ARRAN BERTH ONLY)

P02	FOR COMMENT	2019	HL	LBB
P01	FOR COMMENT	2019	HL	
Rev	Description	Date	By	App
			Chk	

FOR COMMENT

PEEL PORTS GROUP LTD

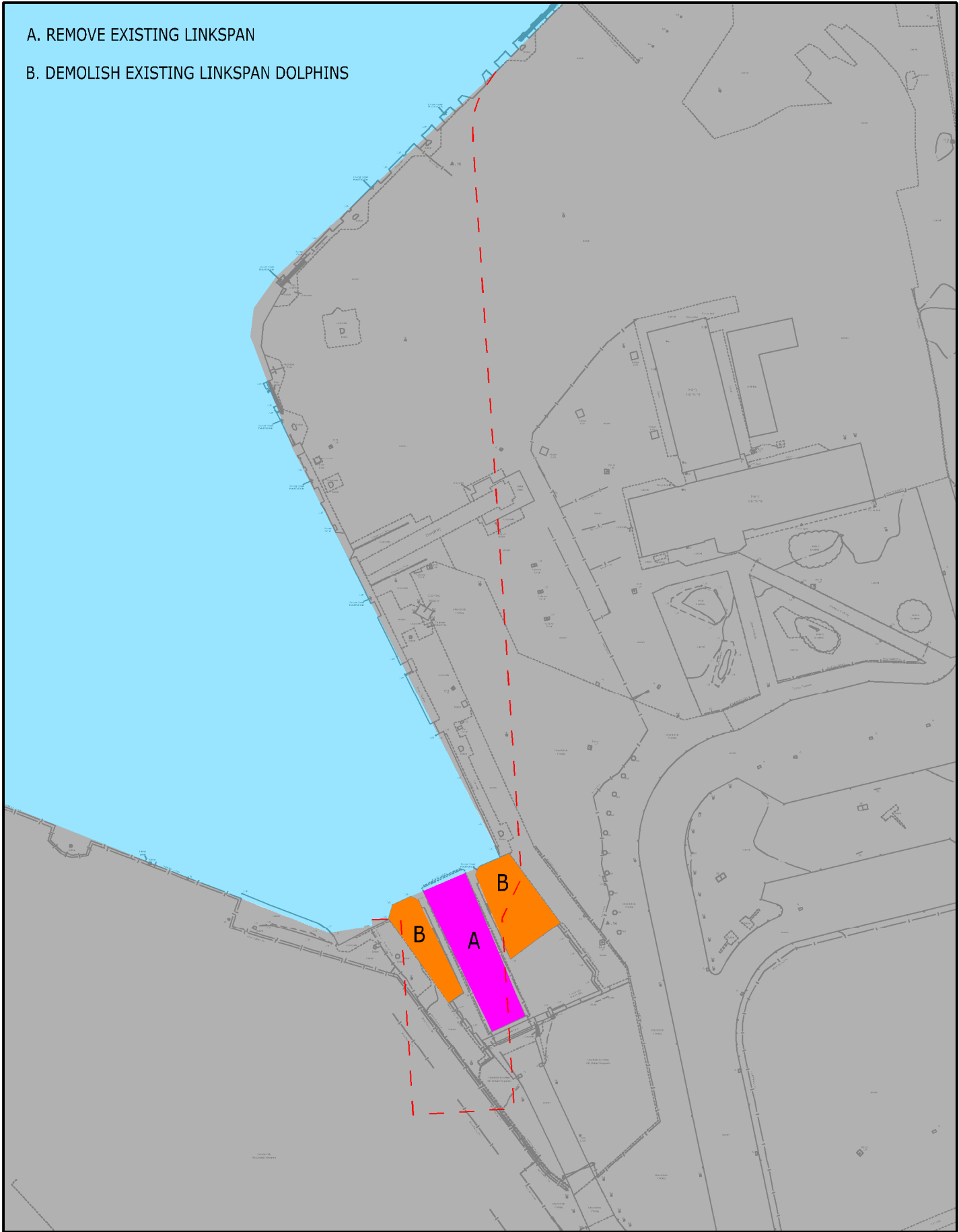
RAMBOLL

tel 020 7631 5291 fax 020 7323 4645 london@ramboll.co.uk
www.ramboll.co.uk

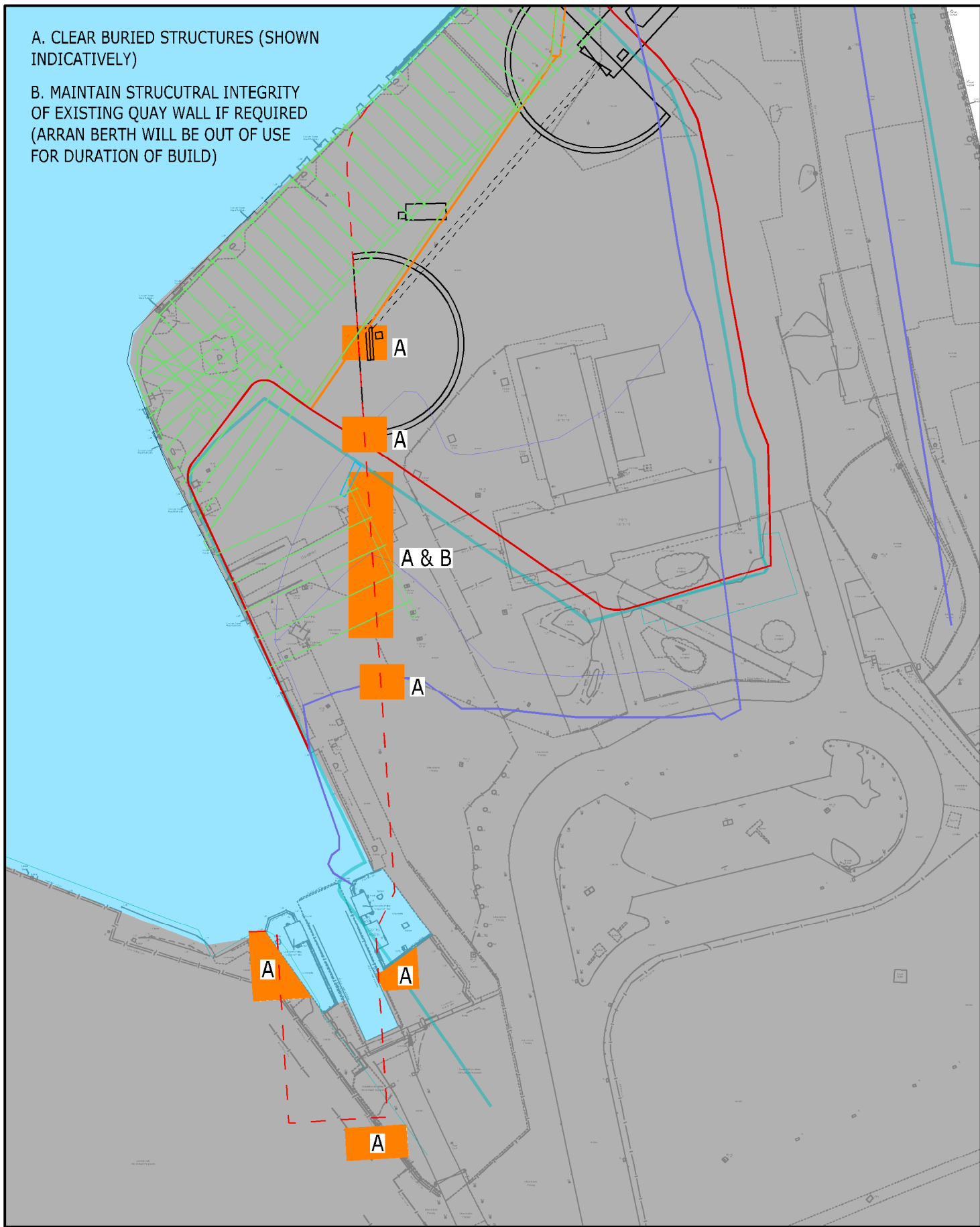
**ARDROSSAN HARBOUR
REDEVELOPMENT - ARRAN
BERTH EXEMPLAR DESIGN
SITE LAYOUT**

Scale:	Date:	Drawn:	Checked:
1:500	JULY 2019	HL	LBB
Drawing No:	Rev:		
1620005121-RAM-AB-00-DR-CM-10001	P02		

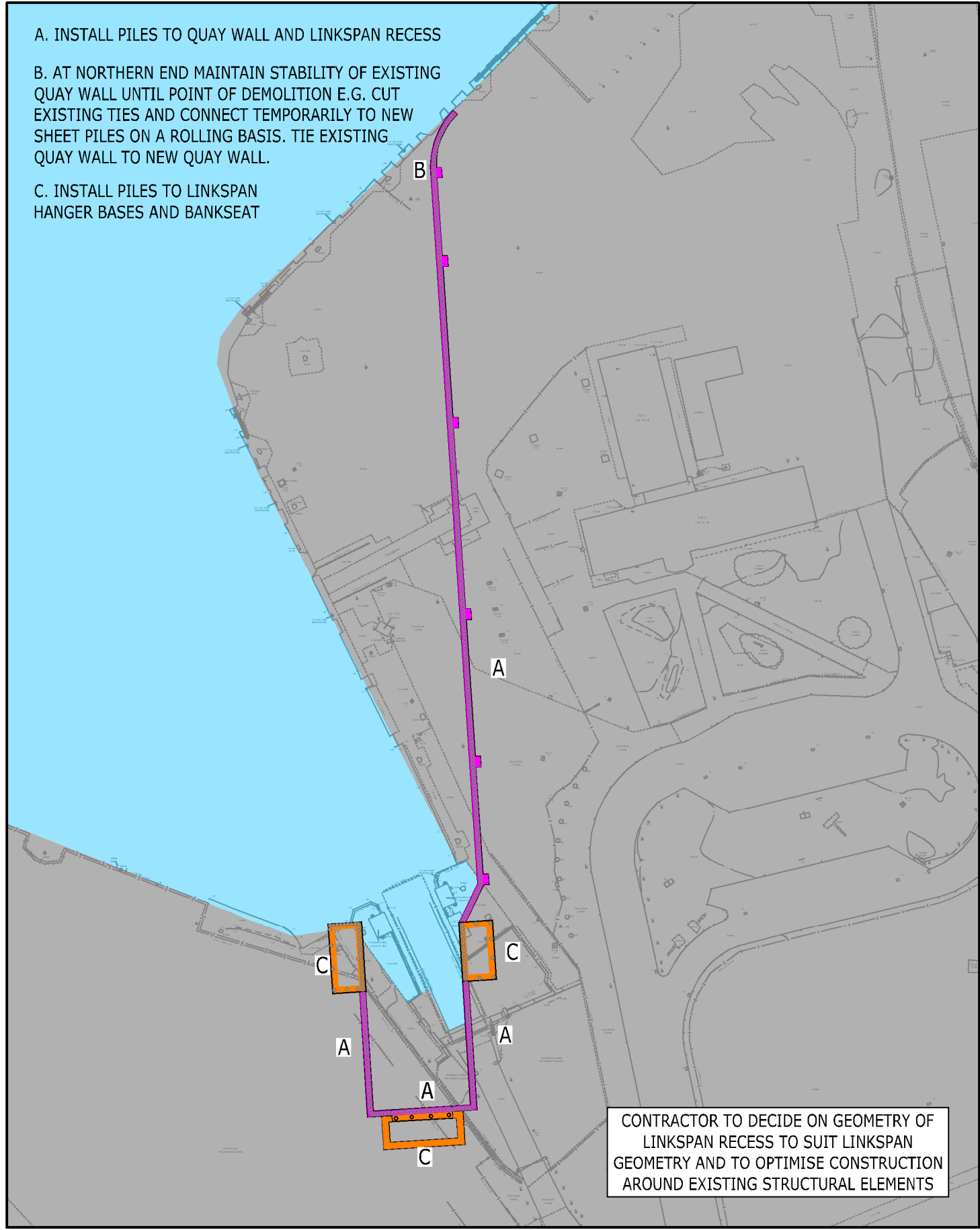
03 – Ramboll Construction Sequence



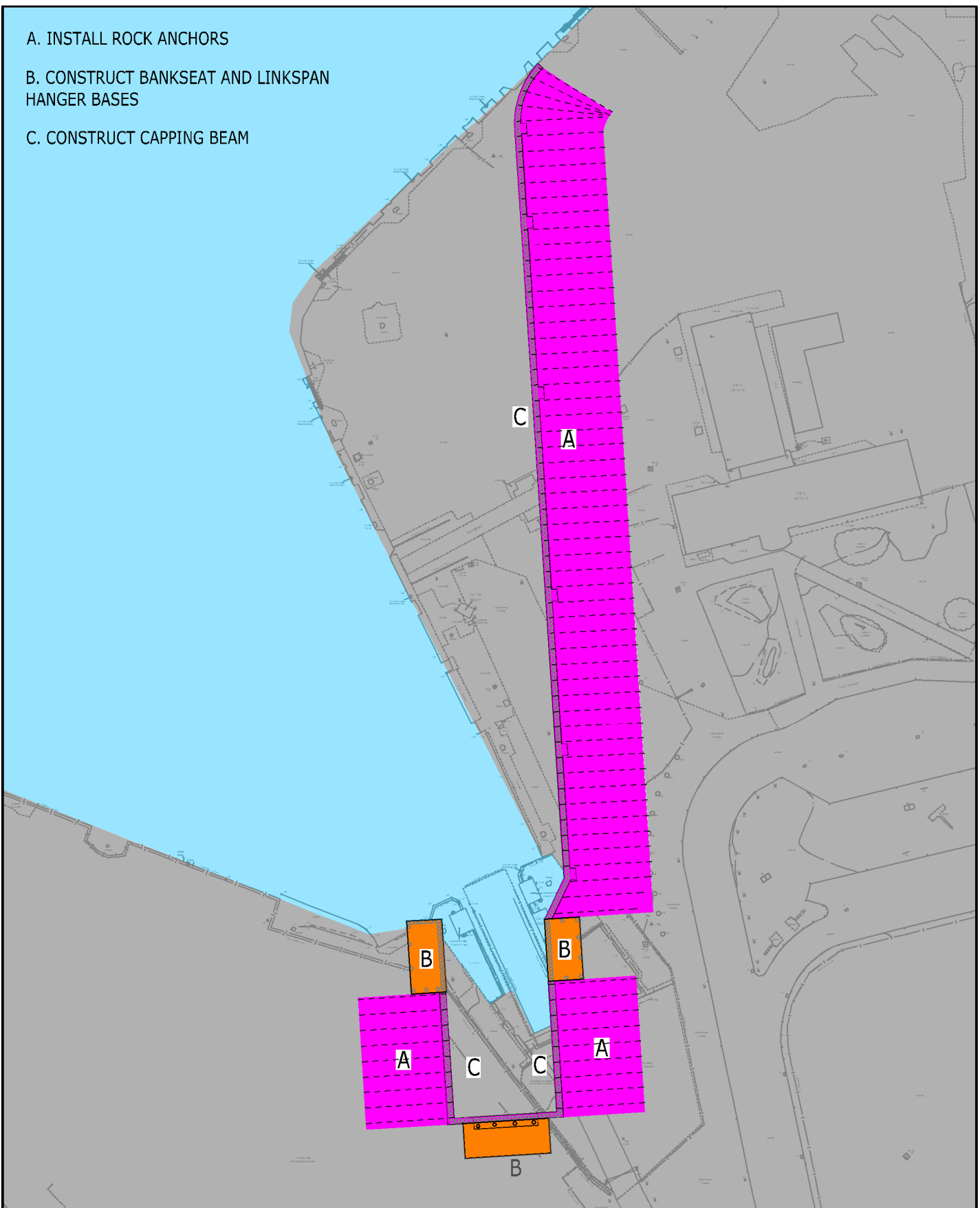
STAGE 1



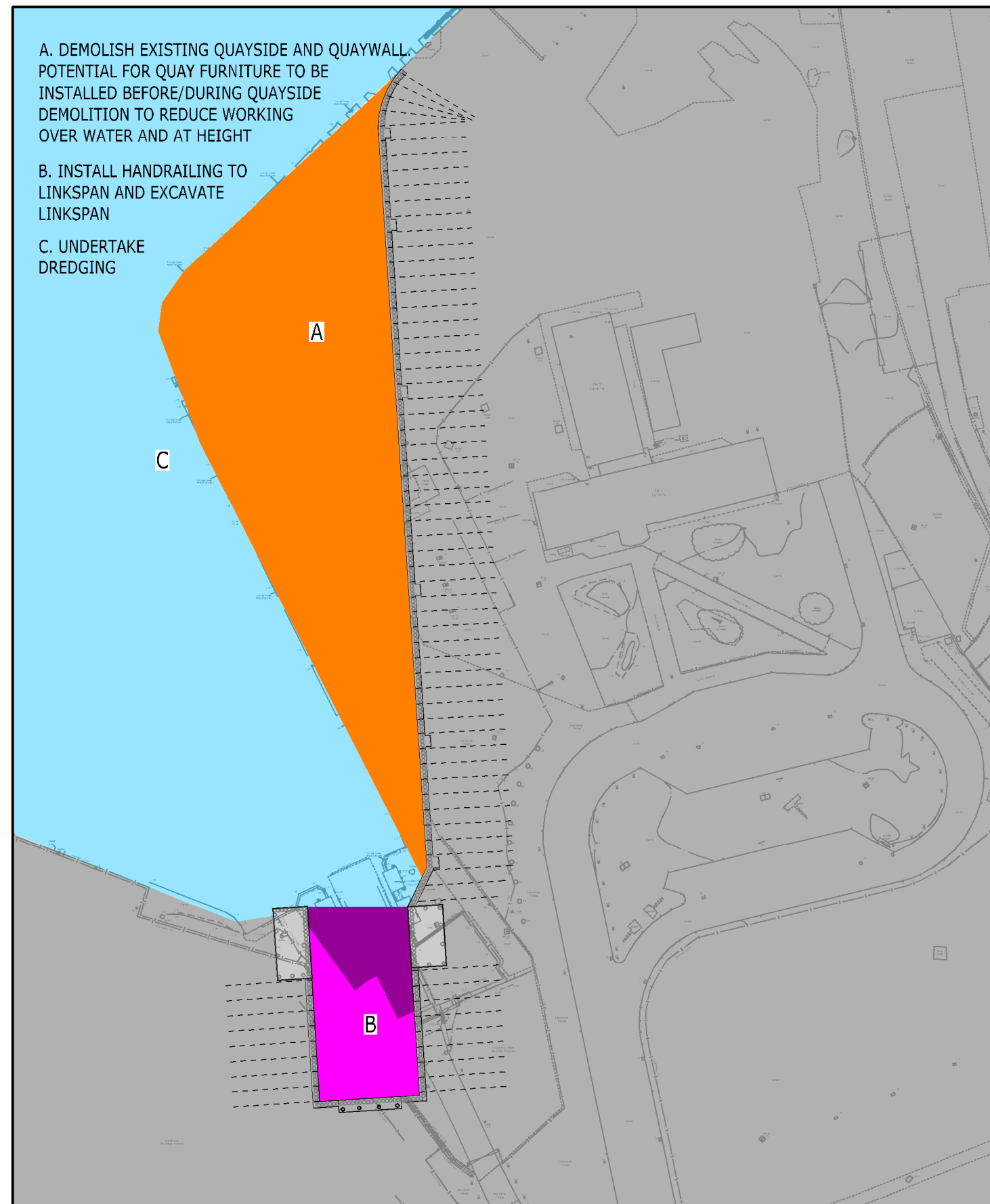
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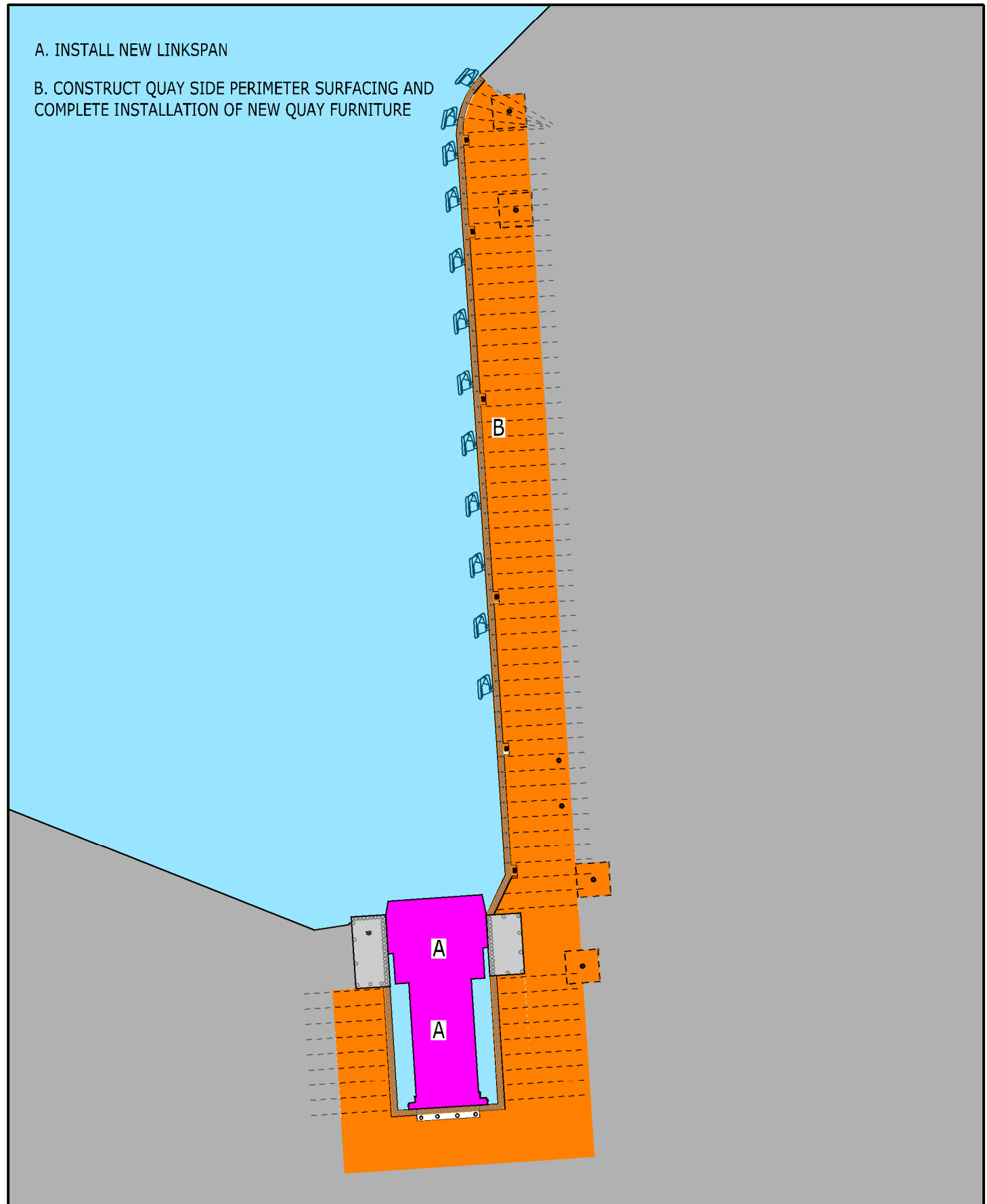
STAGE 3



STAGE 4



STAGE 5



STAGE 6

- Notes
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 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS.
 - BATHYMETRIC SURVEY BY ASPECT SURVEYS 22.05.2019
 - CO-ORDINATES ARE TO LOCAL GRID. TOPOGRAPHICAL SURVEY BY L & M SURVEY SERVICES MAY 2017 AND JULY 2019.
 - OUTLINE EXEMPLAR DESIGN CONSTRUCTION SEQUENCE SHOWN. CONTRACTOR IS RESPONSIBLE FOR DEVELOPING A CONSTRUCTION SEQUENCE TO SUIT HIS PROPOSED METHOD OF CONSTRUCTION.

P01	FOR COMMENT	2019	HL	LBB
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FOR COMMENT

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ARDROSSAN HARBOUR
REDEVELOPMENT
ARRAN BERTH
CONSTRUCTION SEQUENCE

Scale:	Date:	Drawn:	Checked:
NTS	JULY 2019	HL	LBB
Drawing No.:	1620005121-RAM-ARN-00-DR-CW-10010		Rev:
			P01

04 – Ramboll Piling Memo

MEMO

Project name **Ardrossan Harbour Redevelopment**
Project no. **1620005121**
Client **Peel Ports**
Memo no. **1620005121-MO-190719-002**
Version **For Comment**
To **Doug Coleman**
From **Luke Bradley**
Copy to **Eileen Ward**
Prepared by **Ross Kirkpatrick**
Checked by **Zoran Levi**
Approved by **Luke Bradley**

Arran Berth Quay Wall Type

Date 19/07/2019

1 Introduction & Aim

In this memo Ramboll will carry out a comparison of different wall forms for the new quay wall at Ardrossan Harbour. Using existing Ground Information data, a profile of the existing ground will be created. Based on the information available, Ramboll will recommend the form of the new quay wall for the Exemplar Design.

2 Ground Conditions

Ramboll have produced a sketch of the ground profile along the line of the new quay wall to allow for an understanding of the underlying layers (Figure 1 below). From the profile it is evident that a sandstone layer exists at a relatively high level, highest point being +0.1mCD (-1.5mOD), along with pockets of conglomerate.

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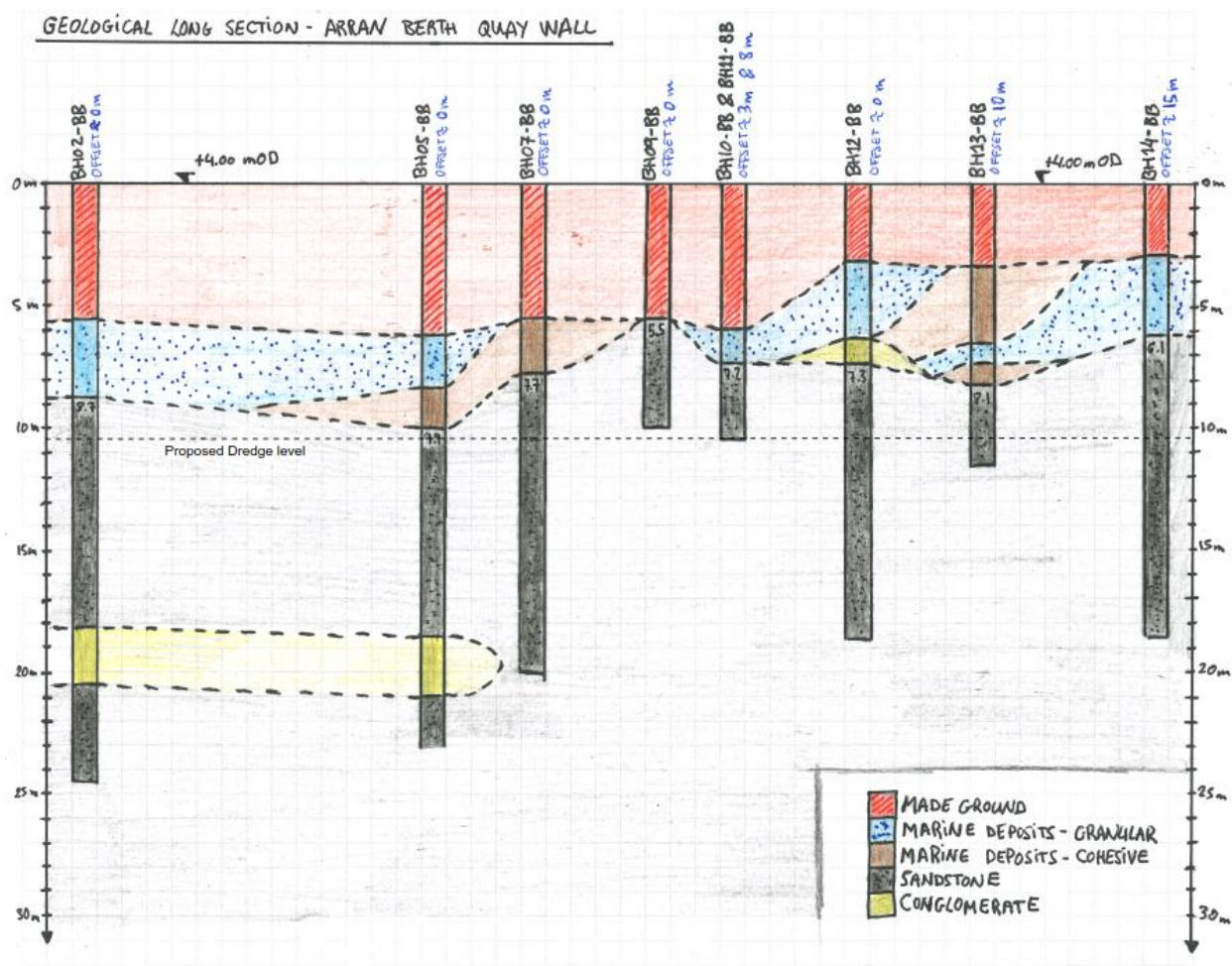


Figure 1: Geological Cross Section (View from Water)

The alignment of the harbour walls at Ardrossan has evolved over the last century and as a result of this there are several redundant quay wall structures buried behind the existing quay wall as well as tie back structures serving the existing quay wall. A drawing indicating the arrangement of existing structures in relation to the proposed quay wall line is given in Figure 2.



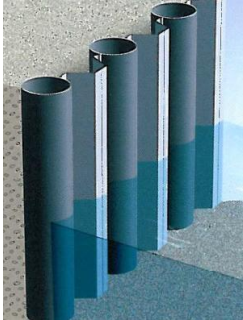



Figure 2: Existing Structures

3 Quay Wall Options

The alignment of the new quay wall is set inland of the existing perimeter quay wall. This presents the opportunity for a “top down” construction method i.e. first construct the new quay wall with land-based plant and then excavate the seaward side of the new quay down to the berth dredged level. This allows a much safer quay wall construction environment compared to overwater working.

Vertical Quay wall options	Comments, advantages/disadvantages	Picture
1A) Clutched drill / drive tube (Such as Ruukki RD Pile)	Drilling method allows piles to be installed through rock layers. Faster construction than other wall types. Crane mounted leader rig (similar to sheet pile plant) can be used with grouting to fill annulus around piles depending on ground conditions. Potentially relatively expensive option. Relatively new technology, however has been used extensively in Nordics and starting to be used in UK. Successfully installed in Peterhead Aberdeen and piling contractor confirms there should be no issue with rock at Ardrossan. Recommended to be grouted on outside of the tubes up to dredge level to fill annulus formed during drilling. Buried structures such as masonry walls are unlikely to be an issue for installation of this system. May need to carry out local excavations to breakdown buried concrete obstructions.	

<p>1B) Secant / Contiguous pile Wall</p>	<p>Longer construction time than tubular piles – continuous flight auger would possibly not cut through rock types – would need to be bored by conventional bored pile rig then cast reinforced concrete pile in-situ. May need to change rig between the made ground and rock layers. Finish may be an issue, likely to have rough surface through made ground due to overbreak. Tight controls required on placement of reinforcement cage to ensure that cover is maintained. Continuous flight auger would not be able to penetrate through the historic concrete and masonry walls. Bored pile rig would also not be able to penetrate – therefore excavate out all obstructions</p>	
<p>1C) Sheet Piled Wall</p>	<p>Sheet piles are not likely to be driven in to rock layers and the installation risk is heightened further if boulders are encountered. It may be possible to excavate a trench into the bedrock and then concrete in the toe of the pile (a similar form of construction to that used for the existing sheet piled quay wall). Previously this was achieved by forming a batter at the perimeter and supporting the sheet piles during concreting off temporary framing. This methodology would increase the amount of overwater working and associated H&S risks. Obstructions in the ground i.e. historic structures or boulders would need to be removed as the sheets cannot be driven through.</p>	
<p>1D) Combi Wall</p>	<p>Tubes would need to be installed via a drill-drive method through rock layers such as a down the hole hammer (similar to Ruukki RD piles). Installation of sheets to sufficient depth (i.e. down to at least to dredge level) through rock layer is likely to be an issue. Compared to the Ruukki RD piles, the tubes will be a greater diameter to make up for the lower stiffness of the interlocking sheets. Obstructions in the ground i.e. historic structures or boulders would need to be removed as the sheets cannot be driven through.</p>	
<p>1E) Diaphragm Wall</p>	<p>Involves a relatively difficult installation process by forming a trench and filling with bentonite. Typical grab plant used for diaphragm walls would not be able to penetrate through the historic concrete and masonry quay walls, a Hydrofraise could potentially but requires a large guide wall requires a lot of plant and space on site. May need to use both methods, a grab for the sand / gravel layers and then a Hydrofraise for rock layers. Likely to be an expensive option.</p>	

3.1 Quay wall tie backs

Due to the retained height, the top of the quay wall requires a tie back to control deflections and reduce the forces in the piles. Two primary tie back options are available. Horizontal buried tie rods from near to the top of the quay wall piles to a tie back structure set inland of the quay wall. The form of this tie back structure could be a buried concrete ground beam or a line of short sheet piles. Excavations is required at each tie rod location to install the tie rods and to connect them to quay wall and tie back structures. Existing quay wall structures would need to be broken out or cored through. The existing quay wall has this form of tie back.

Alternatively, an inclined rock anchor can be used. Though less efficient due to its inclination the rock anchor option does not require the construction of a tie back structure as the anchors are drilled down into the ground. There is no need for excavation except the forming of a trench at the top of the piles from which to drill and make off the head of the anchors. Existing buried quay wall structures would be drilled through. A further advantage of the rock anchors is that less of the surface of the site is sterilised by the tie backs giving greater flexibility for positioning of the terminal building and associated landside works.

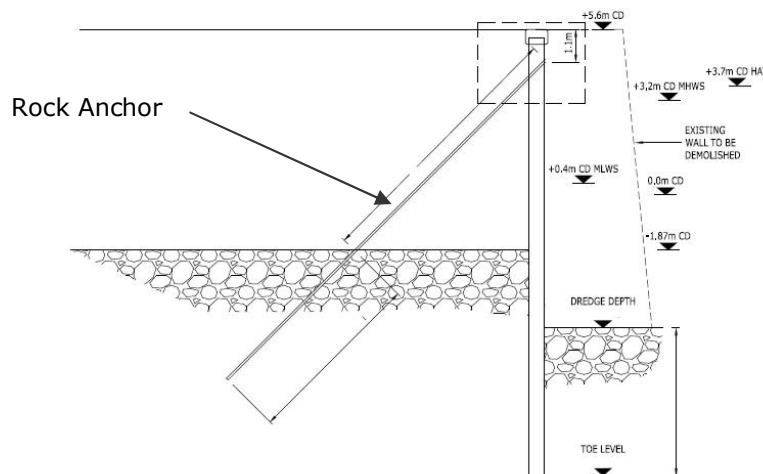


Figure 3: Quay wall with rock anchor

An initial analysis on inclined rock anchors has been undertaken to confirm if they are a suitable arrangement for the quay wall and ground conditions. Initial findings show that this method is feasible with preliminary values of approximately 8m of rock anchor embedment in to the sandstone required.

4 Conclusion

The study has identified that there is a sandstone rock layer with a varying head level along the length of new quay wall. This rock layer lies within the embedment depth of the new quay posing constraints regarding the form of the new wall. Based on the foregone assessment Ramboll would recommend the clutched drill/drive tube form of quay wall restrained by ground anchors as a robust solution for the Exemplar Design. It is noted that tendering contractors may weigh up the constraints and risks and decide to put different forms of piling forward as alternative solutions.

05 – National Marine Plan Considerations

The project has been considered against the principles and general policies of Scotland's National Marine 2015 and was found to be in keeping with those relevant to the nature of the works. Those relevant considerations include Gen1 -General Planning Principle; Gen2 - Economic Benefit ; Gen3 - Social Benefit; General Policies 4.13, 4.14 and 4.17; in addition to Gen7 --Landscape and Seascape ; Gen8 - Coastal Processes and Flood Risk; and Gen13 -Noise.

Gen 1 states there is a presumption in favour of sustainable development which is in keeping with the planning principles and use of the marine environment when consistent with the policies of this plan. The project involves reducing the area of current quayside, ultimately restoring and increasing the sea bed. No material deposits are anticipated, only excavation for the majority of the proposed site below MHWS, with the exception of re-surfacing along the new quay wall margin and behind the linkspan. The projects seeks to reduce the footprint of the existing infrastructure, not increase it.

Currently, the existing infrastructure and services provided at Ardrossan support economic and social benefits for the local communities of Arran and North Ayrshire, i.e. in enabling the movement of necessary and commercial supplies to support the continuation of services between the mainland, Arran, remote Kintyre Peninsula (i.e. Campbeltown) and Ireland. Gen 2 and Gen 3 are key project objectives in the maintenance of important existing community services, all associated employment and income.

General Policy 4.13 states the requirement for projects to consider spatial and temporal co-existence of compatible services/synergistic utility of the proposed site where possible. A range of economic services and social benefits are directly and indirectly dependent upon the continued operation of the Harbour and Ferry Terminal (as stated previously). Ardrossan Harbour is a multi-user site that plays a key role in supporting Scotland's valuable tourism and recreation industry. Likewise, in addressing Gen Policy 4.14, the existing infrastructure is sufficiently utilised and will continue to promote increased opportunity for offshore businesses in the future (i.e. Arran, Campbeltown). The marine project is not likely to impede existing agreements between utilising sectors and initiatives will likely continue to be encouraged between sectors, as per Gen Policy 4.17.

The project proposes to reduce the area of made ground/laydown area which will effectively restore and enhance the natural seabed after the excavation of the existing quay wall and re-orientation of the linkspan. The integrity of local character types, Landscape and Seascape will be preserved as per Gen7.

A Flood Risk Assessment (FRA) has been undertaken for the proposed site, and it was found that the development will not affect coastal processes as it lies out-with the sheltered confines of the harbour. Construction mitigation recommendations will subsequently be provided prior to construction in order to reduce potential adverse impacts upon Coastal Processes and Flood Risk. This provision satisfies the requirements of Gen 8.

In terms of the construction method, a layer of sandstone and conglomerate has been identified thus necessitating the need for some piling. This is mostly anticipated to be out-with the marine consenting boundary, with the exception of a small area at the re-aligned linkspan. As per Gen 13 Noise is not anticipated to be a concern due to the temporary nature of the works and assessment of alternative driving methods.

06 – Screening Requests

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Sent by email to: ms.majorprojects@gov.scot

15 August 2018

Dear Sir / Madam

**Request for a Screening Opinion under The Marine Works (Environmental Impact Assessment)
(Scotland) Regulations 2017
Ardrossan Harbour Improvements**

We write on behalf of our clients, Ardrossan Harbour Company Ltd. (AHCL), with reference to proposed improvements at Ardrossan Harbour.

We therefore request that Marine Scotland, as regulatory authority, formally adopt a screening opinion under Regulation 10 (1) of the above Regulations. In accordance with the requirements of Regulation 10 we have attached an environmental review which describes the nature and purpose of the project, the proposed construction work, a desk-based review of the possible effects on the environment and a site location plan identifying the land to which the proposed development relates.

Should you require further information to assist in this matter please do not hesitate to contact us.

Yours sincerely
for EnviroCentre Ltd

(issued electronically)

E Cormack
Principal Consultant

Dr Campbell G Fleming
Director

Enc: Ardrossan Harbour Upgrade Environmental Review

CC: North Ayrshire Council (NAC)

Mr. James Miller
North Ayrshire Council
Head of Planning
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Our ref 169719/ec/004
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6 August 2018

Dear Sir / Madam

**Request for a Screening Opinion under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
Ardrossan Harbour Improvements**

We write on behalf of our clients, Ardrossan Harbour Company Ltd. (AHCL), with reference to proposed improvements at Ardrossan Harbour.

We request that North Ayrshire Council, as regulatory authority, formally adopt a screening opinion under Regulation 8 (1) of the above Regulations. In accordance with the requirements of Regulation 8 we have attached an environmental review which describes the nature and purpose of the project, the proposed construction work, a desk-based review of the possible effects on the environment and a site location plan identifying the land to which the proposed development relates.

Should you require further information to assist in this matter please do not hesitate to contact us.

Yours sincerely
for EnviroCentre Ltd

(issued electronically)

E Cormack
Principal Consultant

Dr Campbell G Fleming
Director

Enc: Ardrossan Harbour Upgrade Environmental Review

CC: Marine Scotland Licencing Operations Team (MS-LOT)



Ardrossan Terminal Upgrade Environmental Review



September 2017

Ardrossan Terminal Upgrade

Environmental Review

Client: Peel Ports Group

Document number: 7843
Project number: 169719
Status: Final

Author: Campbell Fleming
Reviewer: Emma Cormack

Date of issue: 26 September 2017
Filename: Ardrossan Terminal Upgrade-1.docx

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This report has been prepared by EnviroCentre Limited with all reasonable skill and care, within the terms of the Contract with Peel Ports Group ("the Client"). The report is confidential to the Client, and EnviroCentre Limited accepts no responsibility of whatever nature to third parties to whom this report may be made known.

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Appendices

A	Drawings
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1 INTRODUCTION

1.1 Background

EnviroCentre Ltd has been appointed by Peel Ports Group (PPG) to undertake an environmental review of the New Linkspan, Irish Quay Linkspan (Campbeltown Ferry) and Ardrossan Quay Improvements.

PPG owns the Ardrossan Ferry Terminal, from which a regular daily service to Brodick on the Isle of Arran operates. There is also a service to Campbeltown which operates in the summer months. Both services are operated by Caledonian MacBrayne Ferries Ltd.

1.2 Remit and Purpose of Review

The purpose of this review is to:

- Define the proposals in relation to their context in terms of the surrounding water and land environment;
- Consider the high level applicable environmental legislation and compliance or management actions required; and
- Define any actions that should be undertaken to avoid significant impacts on the surrounding environment.

This review does not consider Health and Safety or any form of construction quality standards or regulations.

1.3 Overview of the Proposals

A new 102m length ferry has been commissioned by Caledonian Maritime Assets Limited (CMAL), and is expected to enter service from Ardrossan Ferry Terminal (FT) in July 2018. In order to accommodate the operation of CMAL's new vessel, which will operate from the Calmac Berth, a number of upgrades to the existing berth at Ardrossan FT will be undertaken.

One of the main activities is to extend the length of the berth to accommodate the new ferry, and move the bankseat of the existing linkspan bridge approximately 45m south-east thus increasing the length of the available quay wall. The key activities that will be carried out as part of the overall project are described in the bullet points below. As activities are both on land and over, or in the water environment, we have noted in *italics* below the general location of each activity:

- Demolition and removal of the existing linkspan and supporting structures (*over water*);
- Dredging of sediment below mean high water springs (MHWS) present beneath the existing linkspan, and disposal of dredged material at a licenced disposal site at sea (*in water*);
- Construction of new steel sheet pile wall (total length approximately 155 m) to extend the existing dock to the south-east and form a new linkspan deck area (*in land area prior to exposure to sea*);
- Excavation of existing fill material (within the new sheet pile wall) to extend the existing dock south east wards (*from land generally in dry conditions*);
- Demolition of the existing masonry retaining wall to open up the extended dock to the sea (*from land in contact with water environment*);
- Installation of a new linkspan, with revetment beneath, and construction of new supporting structures (*over water and on land*); and
- Refurbishment (essential maintenance) of the existing steel sheet pile sea wall over a length of approximately 180m, which will comprise localised patch repairs of steel sheet piles and installation of

a sacrificial anode cathodic protection system (*over water environment and in water but not on seabed*).

As is shown within the Drawings in Appendix A, the extent of the construction works to take place below MHWS and/or above water is approximately 800m² (0.08 ha). There is also a potential further dredging requirement of circa 670m² (0.067 ha). The extent of land works is approximately 1,100m² (0.11 ha).

With regard to the works on land relative to works in the water environment it is evident therefore that:

- The main construction works will only take place on land or adjacent to the water environment not on the seabed;
- Removal of existing masonry will be within the water environment but will not directly impact the existing seabed;
- Minor refurbishment for existing infrastructure over and in the water environment but not on the seabed; and
- The only activity on the existing seabed will be a small area of dredging which will take place under the existing maintenance dredge licence from Marine Scotland.

2 ENVIRONMENTAL REVIEW

2.1 Environmental Impact Assessment Regulations

The primary legislation relating to potential environmental impact of development projects is split between works above and below Mean High Water Springs and is implemented by the relevant Local Authority and Marine Scotland respectively:

- The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017; and
- The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

For projects which fall within Schedule 1 of these Regulations the developments are automatically considered an EIA Project. If the works fall within Schedule 2 they may be considered as an EIA Project if they are likely to have significant effects on the environment.

Schedules 1 and 2 within both of the above pieces of legislation are the same. We have reviewed the development proposals against the Schedules and have provided below our opinion on the applicability of the individual paragraphs to the works proposed.

Schedule 1

The only Paragraph that could have been considered applicable to the development is Paragraph 8 (2) below:

‘Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes’.

However the definition excludes ferry piers which this development relates to. Therefore the development is not Schedule 1 development.

Schedule 2

Two paragraphs within Schedule 2 (Paragraphs 10 (g), and (m)) could be construed as being applicable to the development, these are defined in the table below (in italics) along with the relevant thresholds. Our opinion is also provided therein.

Para.	Description of development	Applicable thresholds / criteria	Opinion
Infrastructure projects			
10(g)	<i>Construction of harbours and port installations, including fishing harbours (unless included in Schedule 1)</i>	<i>The area of the works exceeds 1 hectare.</i>	The definition notes that this only applies unless included in Schedule 1). The development is included in Schedule 1 as described above but ferry piers are excluded. Furthermore the development area is less than 1 Ha so it does not meet the Schedule 2 threshold.

Para.	Description of development	Applicable thresholds / criteria	Opinion
10(m)	<i>Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works</i>	<i>All development/ All Works.</i>	The development proposed takes place within the inner harbour area and does not include any of the features noted in the description. The development provides no coastal work or erosion protection function capable of altering the coastline.

From our review of Schedule 2 development it is our opinion that the development does not fall under the EIA Regulations described above.

2.2 Marine Licencing

A marine licence from the Scottish Ministers is required if organisations intend on carrying out certain acts in the Scottish marine area (i.e. below the mean high water springs mark). These acts can include:

- The deposit of substances or objects into the sea or onto the sea bed;
- The removal of substances or objects from the sea bed;
- Construction, alteration and improvement works;
- Dredging; and
- The deposit or use of explosives.

Marine Scotland also stipulate that for any dredging works taking place that involves disposal at sea, then a Marine Licence for Sea Disposal may also be required.

The development proposal do not include any construction or deposit of materials on the seabed. While dredging is a requirement this is under an existing marine licence (maintenance) issued by Marine Scotland.

Therefore we do not consider any further such marine licencing is required.

2.3 Discharges to Water Environment

If there is a requirement for new surface water drainage and discharge from areas of hardstanding, the Scottish Environment Protection Agency (SEPA) should be consulted with regards to whether or not a consent is required under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (the 'Controlled Activities Regulations' or CAR). CAR will be used by SEPA as the primary route to ensure the requirements of both the Shellfish Waters Directive and the Water Framework Directive are met.

We are not aware of any new discharges being proposed. However the Contractor should be aware of the requirements of the above Regulations and ensure compliance with them and SEPA's general good practice guidance that accompanies those regulations for working in or near water.

2.4 Potential Environmental Effects

While the development does not fall under the EIA Regulations or require any further marine licencing, any construction project should be carried out mindful of the surrounding environment, human health or nuisance potential.

Potential practical mitigation against negative impacts during construction are described in the table below for a range of topics.

Topic Area	Potential Issues	Potential Mitigation (if Required)
Soils	Potential contamination or other deleterious material	<ul style="list-style-type: none">• Suitable inspection and testing of excavated materials to ensure appropriate disposal or re-use routes are utilised and protection of workforce and neighbours.
Water Environment	Marine environment contamination through suspended solids or concrete (no surface water present)	<ul style="list-style-type: none">• Suitable control of excavations and any required dewatering to protect the marine environment.• Careful storage and placement of concrete to protect the marine environment.• Contractors to produce method statements to protect the water environment during activities.• Adherence by Contractor to SEPA CAR guidance¹ and legislation.
Ecology	Open excavations and construction activity	<ul style="list-style-type: none">• Covering of any manhole type features to prevent trapping of mammals/otters (although unlikely).• General caution and awareness of presence of wildlife by Contractor.• Water environment protection is considered the key mitigation for ecology in the area.
Noise	Piling noise and other construction noise	<ul style="list-style-type: none">• The works are relatively small in scale however liaison with the local community regarding timing of works would be good practice and piling activities should be carried out in normal working hours.
Air Quality	Dust emissions	<ul style="list-style-type: none">• Works have the potential to emit dust during excavations and although the works are relatively small scale good practice should be applied by the Contractor to avoid nuisance dust emissions from site.

The works proposed are generally small in scale and within an existing commercial port area. It is considered that by using a competent Contractor, who applies good construction practice that no unacceptable impacts should occur to the surrounding environment.

¹ *The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended): A Practical Guide A practical guide to the regulations, Version 7.6 June 2017*

3 CONCLUSIONS AND RECOMMENDATIONS

Following our review of the works proposed and consideration against the environmental legislation described in this document we consider the following points to be the most relevant conclusions of our Work:

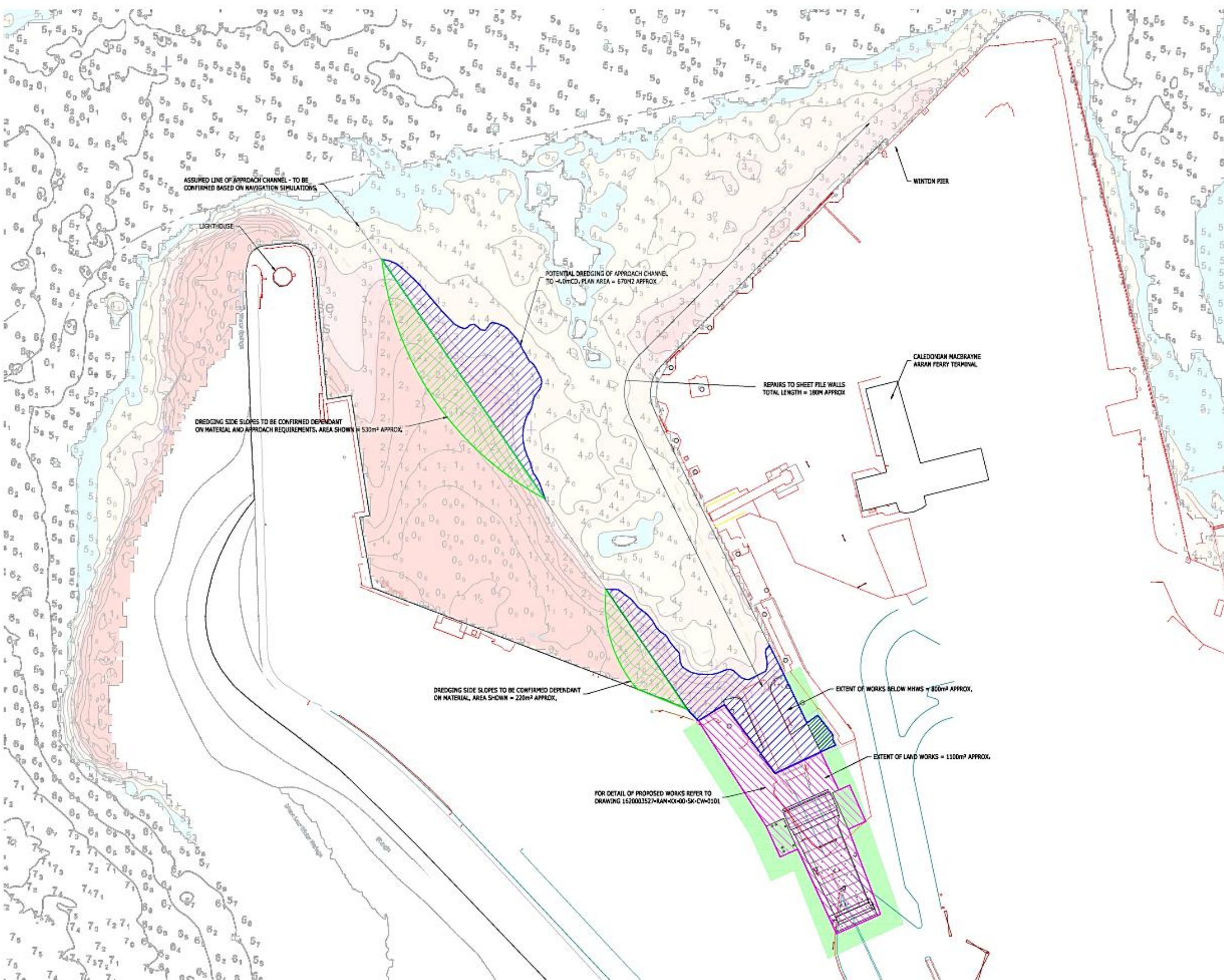
- The development as proposed is not an EIA Project;
- Further marine licencing should not be required to undertake the Works proposed; and
- SEPA Water Environment CAR Guidance should be consulted by the Contractor to ensure suitable protection of the water environment.

We would also recommend that for the water environment in particular, method statements should be produced by the Contractor prior to undertaking the Works and reviewed by a competent organisation to ensure a suitable level of protection to the water environment. Good practice related to noise and dust should also be implemented.

Provided the above is undertaken we see no obvious residual risk to the environment surrounding the Works.

APPENDICES

A DRAWINGS



- NOTES
1. DO NOT SCALE FROM THIS DRAWING.
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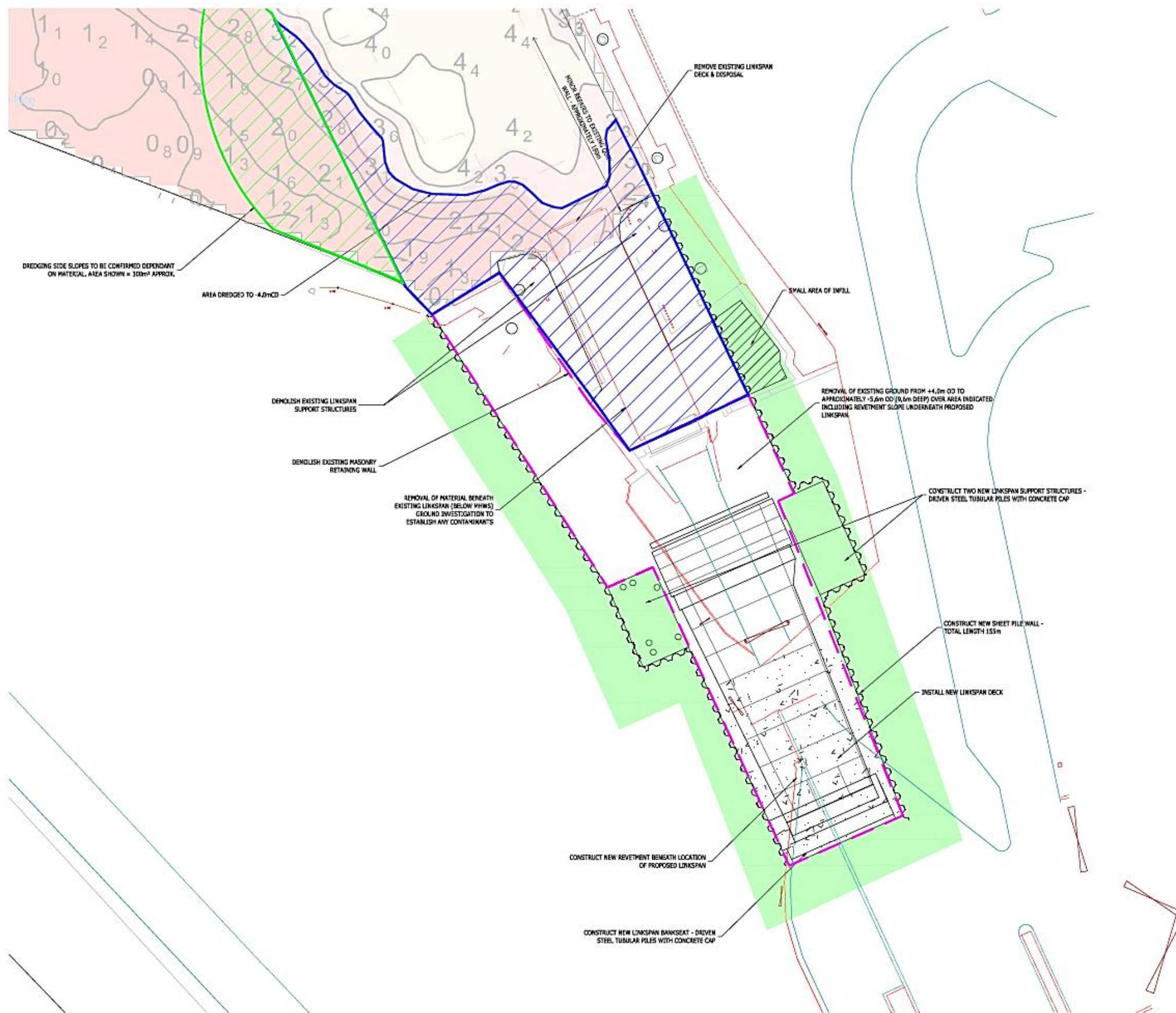
PEEL PORTS GROUP

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**ARDROSSAN FERRY TERMINAL
PROPOSED UPGRADES
SHEET 1 OF 2**

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Drawing No.:	1620001527-NAM-XX-00-SK-CW-0101	Rev:					101



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• NEW REVETMENT



- EXISTING GROUND REMOVED

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**ARDROSSAN FERRY TERMINAL
PROPOSED UPGRADES
SHEET 2 OF 2**

Scale:	Date:	Drawn:	Checked:
1:200	05/07/2017	CW	
Drawing No.:	1620001527-RAM-01-00-SK-CW-0101	Rev:	101

07 – Screening Responses

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Dr Campbell G Fleming
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Craighall Business Park
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Date: 26 September 2018

Dear Dr Fleming,

**SCREENING OPINION UNDER PART 2, REGULATION 11 OF THE MARINE WORKS
(ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)**

Thank you for your screening opinion request for the proposed removal and construction of a new quay wall, removal and replacement of an existing linkspan and associated supporting structures at Ardrossan Harbour received on 15 August 2018.

In considering your screening opinion request, the Scottish Ministers have consulted with Scottish Natural Heritage ("SNH") as to their view on whether the proposed works are an Environmental Impact Assessment ("EIA") project. A copy of SNH's response is enclosed for your review (Appendix I).

The Scottish Ministers consider the works to fall under paragraph 10(m) of the Marine Works (Environmental Impact Assessment (Scotland) Regulations 2017 (as amended) ("the 2017 MW Regulations"). The threshold for sea defence works, as described in column 2 of schedule 2 of the 2017 MW Regulations, is "all works", thus the proposed works exceeds this threshold.

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must take into account such of the selection criteria set out in schedule 3 of the 2017 MW Regulations (Appendix II) as are relevant to the works. In this regard, the Scottish Ministers have considered the following:

1. Characteristics of the works

In regard to the size of the proposed works the area does not exceed 1 hectare and is restricted to the existing footprint of the harbour. The works are expected to be predominantly land based in order to avoid impacts on the marine environment.

Sheet piling is proposed to be undertaken with no impact piling.

Based on the information provided and advice received, the Scottish Ministers are of the opinion that the characteristics of the works are unlikely to have significant effects on the environment.

2. Location of the works

The location of the proposed works is within a developed harbour environment and is unlikely to be capable of altering the coast. The distance between the works and the Ardrossan to Saltcoats Site of Special Scientific Interest ("SSSI") is approximately 700m and the distance between the RSPB Horse Island nature reserve is approximately 1000m.

SNH has advised that the proposed works are unlikely to have significant effects on these sites. However, SNH has recommended consideration should be given to the timing of the works to avoid disturbance of nesting birds and destruction of nests.

The construction works encompass sheet piling however, no concerns were identified by SNH with regards to underwater noise and cetaceans.

Based on the information provided and the advice received, the Scottish Ministers do not have any significant concerns regarding the environmental sensitivity of the geographical areas likely to be affected by the proposed works.

3. Characteristics of the potential impact

In view of the findings in sections 1 and 2 above, the Scottish Ministers are content that the proposed harbour construction works are unlikely to significantly affect the environment and that any potential impacts can be effectively addressed and mitigated by the marine licence application and determination process.

The Scottish Ministers are therefore of the opinion that the proposed works are not an EIA project under the 2017 MW Regulations and EIA is not required to be carried out in respect of the proposed works.

If you increase, alter or extend the proposed works, you are advised to contact Marine Scotland – Licensing Operations Team to confirm the screening opinion is still valid.

A copy of the screening opinion has been forwarded to North Ayrshire Council planning department for their information. The screening opinion has been made publicly available through the Marine Scotland Information webpage: <http://marine.gov.scot/marine-projects>.

Thank you for consulting with us on this matter.

Yours sincerely,

Sophia Irvine
Licensing Operations Team
Marine Scotland

Irvine S (Sophia)

From: MS Marine Licensing
Sent: 19 September 2018 08:36
To: Irvine S (Sophia)
Subject: FW: Ardrossan Harbour Company Limited (per EnviroCentre) - Ardrossan Harbour - Consultation on Request for Screening Opinion

From: Graeme Walker <Graeme.Walker@nature.scot>
Sent: 18 September 2018 16:25
To: MS Marine Licensing <MS.MarineLicensing@gov.scot>
Subject: Ardrossan Harbour Company Limited (per EnviroCentre) - Ardrossan Harbour - Consultation on Request for Screening Opinion

Dear Sophia

Thank you for consulting SNH over the above screening opinion.

I can confirm that I have reviewed the submitted screening reports and that in this case we are content with the approach to environmental assessment which is being recommended. I hope that the following comments are helpful.

The proposals will not have a damaging impact on the Saltcoats to Ardrossan Coastal Section SSSI.

The proposals are unlikely to have an impact on the Horse Island bird reserve.

In terms of the assessment of the range of environmental impacts caused by the project, the submitted report does not fully clarify the situation re the disposal of the dredged materials. It is most likely that they would go to a licenced disposal site however, they could also be brought onshore for disposal along with the terrestrial excavations.

Although the site of the proposed works is fully man made and in regular use, it is used by nesting birds. Rock Pipits nest on the rock armour around the existing link span and black guillemot nest in the harbour wall to the west of the existing link span. The applicants should give consideration to planning the timing of the works to avoid disturbance and destruction of nests.

If you would like to discuss this response in further detail, please do not hesitate to get in touch.

Yours sincerely

Graeme

Graeme Walker | Operations Area Officer

Scottish Natural Heritage | 31 Miller Road | Ayr | KA7 2AX | t: 01292 270760
nature.scot – Connecting People and Nature in Scotland - [@nature_scot](https://twitter.com/nature_scot)

Appendix II The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Schedule 3 - Selection Criteria for Screening Schedule 2 Works

Characteristics of works

1.The characteristics of works must be considered having regard, in particular, to—

- (a) the size and design of the works;
- (b) cumulation with other existing works and/or approved works;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example due to water contamination or air pollution).

Location of works

2.The environmental sensitivity of geographical areas likely to be affected by works must be considered having regard, in particular, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

Characteristics of the potential impact

3.The likely significant effects of the works on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the works on the factors specified in regulation 5(3), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved works;
- (h) the possibility of effectively reducing the impact.

Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
EIA Schedule 2 SCREENING OPINION

REFERENCE:

18/00712/EIA

NAME AND EMAIL ADDRESS OF APPLICANT:

ENVIRO CENTRE (FAO E. CORMACK)

SITE ADDRESS or LOCATION:

ARDROSSAN HARBOUR, MONTGOMERIE STREET, ARDROSSAN

PROPOSAL:

HARBOUR INFRASTRUCTURE WORKS

EIA REQUIRED

NO

The written statement of reasons and measures envisaged to avoid or prevent significant adverse effects on the environment is provided overleaf.

WRITTEN STATEMENT

1. With reference to the criteria set out in schedule 3 as are relevant to the development, the following statement provides the main reasons for the planning authority's conclusion as to whether the development is, or is not, EIA development.
2. In cases where the opinion of the planning authority is that the proposed development is not EIA development, any features of the proposed development or proposed measures envisaged to avoid or prevent significant adverse effects on the environment are set out below.

Firstly, it is agreed that the project is not a Schedule 1 development in terms of the EIA Regulations. It is agreed that the scope of the works would fall into Paragraph 10(g) of Schedule 2.

Having reviewed the submitted document, the planning authority concludes that the proposal is **not** a Schedule 2 EIA development for the following reasons:

The circumstances which have led to the need for the works are the introduction of a larger passenger ferry vessel on the Ardrossan – Brodick route. This would not be materially different, in terms of environmental impact, than the existing ferry operations.

The physical works required to accommodate the larger vessel involve the modification of an existing ferry terminal within an already developed and fully operational harbour environment that has existed for in excess of 100 years. It is not proposed to construct a new berthing facility on an undeveloped site. The landside area of the harbour would be marginally reduced in area (for the berthing of the new ferry) and the opportunity is being taken to redevelop the facilities to meet the expectations of the various users of the ferry terminal. The landside area is already heavily developed with hardstandings, yards, buildings and plant. Due to past development, there are no natural heritage features on the landside area, nor any cultural heritage. The fact that the harbour is on made ground reclaimed from the sea reduces the potential for any archaeology.

As such, it is not considered that the relatively small extent of the works would result in a significant impact on the environment in comparison with the existing situation. The planning authority therefore agrees with the conclusions reached in relation to potential environmental effects as set out in Part 4 of the Environmental Review.

Measures to avoid or prevent significant adverse effects on the environment

Table 4.1 sets out a series of topic areas, considers potentially significant effects and identifies potential mitigation measures. The topics include soils, water, ecology (terrestrial, birds and marine), noise, air quality, landscape, archaeology/cultural heritage and designated sites.

The identified mitigation measures for each topic relate primarily to the construction phase of the works. Such measures would require prior investigation of soils, marine ecology, working methods and so on in order to inform the implementation phase of the development. There is no evidence to suggest that the completed works would result in any material increase in the established environmental impacts created by the ferry terminal. Indeed, future operations may have a reduced environmental impact as technological improvements in energy efficiency would be applied to the design, insulation standards and M&E plant for the new ferry terminal building(s) and in relation to vehicle emissions.

Please note that the above screening opinion does not constitute pre-application advice, which should be sought separately.