

SEPA


From: [Planning South](#)
To: [Maureen McIntyre](#)
Subject: PCS-20000901 SEPA response RE: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024
Date: 28 March 2024 16:32:34
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

OFFICIAL

Dear Marine Directorate

Thank you for consulting SEPA on the above proposal. We can confirm with respect to interests relevant to our remit, we consider that EIA is not required. We recommend that the applicant refers to our standing advice on marine consultations in our [SEPA standing advice for The Department of Energy and Climate Change and Marine Scotland on marine consultations](#) for links to best practice guidance for the construction phase of the marine elements of the works.
Kind regards

Peter Minting | Planning Officer
Scottish Environment Protection Agency

 Angus Smith Building | 6 Parklands Avenue | Eurocentral | Holytown |
North Lanarkshire | ML1 4WQ



SEPA logo



OFFICIAL

From: Maureen.Mcintyre2@gov.scot <Maureen.Mcintyre2@gov.scot>
Sent: Monday, March 18, 2024 11:11 AM
To: Planning South <Planning.South@sepa.org.uk>
Subject: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024

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Dear Sir/Madam,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (“the EIA Regulations”)

CONSULTATION UNDER PART 2, REGULATION 10(5) OF THE EIA REGULATIONS

SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement

Caledonian Maritime Assets Ltd (per Jacobs) have requested the Scottish Ministers adopt a screening opinion in relation to the above proposed works under regulation 10(1) of the EIA Regulations.

You were consulted on a previous screening for the same location and a copy of your response is attached for ease of reference.

I should be grateful if you would please review here [Screening - Cumbrae Ferry Slipway Replacement - SCR-0077 | Marine Scotland Information](#) and, as required by regulation 10(5) of the EIA Regulations, provide your view as to whether the above proposed works are an EIA project as defined in the EIA Regulations.

In accordance with regulation 10(6) of the EIA Regulations, please ensure you provide your view no later than 8 April 2024

Kind regards,

Maureen

Maureen McIntyre
Marine Licensing and Consenting Casework Officer
Licensing and Operations Team
Marine Directorate



The Scottish Government

Website: [Marine environment: licensing and consenting requirements - gov.scot \(www.gov.scot\)](http://www.gov.scot)



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NORTH AYRSHIRE COUNCIL

From: [John Mack \(Planning Officer / Planning \)](#)
To: [Maureen McIntyre](#)
Subject: RE: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024
Date: 19 March 2024 15:24:56
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon Maureen,

I can confirm that it is the opinion of North Ayrshire Council Planning expressed in my previous e-mail has been taken in accordance with The Marine Works (Environmental Impact Assessment) (Scotland) Regulations, 2017.

Regards,
John

*John Mack (MRTPI)
Planning Officer
Planning Services
North Ayrshire Council
Cunninghame House
Irvine KA12 8EE*

From: Maureen.Mcintyre2@gov.scot <Maureen.Mcintyre2@gov.scot>
Sent: Tuesday, March 19, 2024 11:44 AM
To: John Mack (Planning Officer / Planning) <JohnMack@north-ayrshire.gov.uk>
Subject: RE: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024

Good morning John

Thank you for the swift response on the screening.

Please can you confirm that your considerations were undertaken in line with The Marine Works (Environmental Impact Assessment) (Scotland) Regulations, 2017, I understand you are carrying out an assessment under the Town and Country Planning Act regarding the terrestrial aspects and this has yet to be concluded.

Kind Regards

Maureen

From: John Mack (Planning Officer / Planning) <JohnMack@north-ayrshire.gov.uk>

Sent: Tuesday, March 19, 2024 10:35 AM

To: Maureen McIntyre <Maureen.Mcintyre2@gov.scot>

Cc: Iain Davies (Senior Development Management Officer / Planning) <iaindavies@north-ayrshire.gov.uk>

Subject: RE: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024

Good Morning Maureen,

Thank you for consulting North Ayrshire Council Planning with regards to this screening request for the erection of a new replacement slipway at the Cumbrae Ferry Slip under The Marine Works (Environmental Impact Assessment) (Scotland) Regulations, 2017.

We are currently processing a screening request for this development under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations, 2017. We have yet to issue a response as I am still awaiting some consultee responses, however, I can confirm that we agree with the conclusions of the screening document provided by Jacobs; i.e. that full EIA is not required.

The previous proposal was for the reconstruction of the existing slipway and therefore was not considered to be either a Schedule 1 or Schedule 2 development and therefore no EIA was required. The revised proposal is for a new replacement slipway to be constructed to the south of the existing slipway and therefore the proposal would fall under Class 10(m) of Schedule 2 of the EIA regulations and the proposal needs to be assessed in terms of Schedule 3.

North Ayrshire Council Planning have considered the characteristics of the development, the location of the development and the characteristics of the potential impact of the development and have come to the conclusion that the proposed development would not result in significant environmental impacts and therefore a full EIA is not considered to be required.

I hope that this consultation response is of use, please let me know if you have any further queries.

Regards,
John

[Redacted signature block]

[Redacted signature block]

From: eplanning (shared mailbox) <eplanning@north-ayrshire.gov.uk>

logo-for-email-signature



From: Maureen.Mcintyre2@gov.scot <Maureen.Mcintyre2@gov.scot>

Sent: Monday, March 18, 2024 11:13 AM

To: eplanning (shared mailbox) <eplanning@north-ayrshire.gov.uk>

Subject: SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement-EIA Screening - Consultation End Date 8 April 2024

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Dear Sir/Madam,

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (“the EIA Regulations”)**

CONSULTATION UNDER PART 2, REGULATION 10(5) OF THE EIA REGULATIONS

SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement

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You were consulted on a previous screening for the same location and a copy of your response is attached for ease of reference.

I should be grateful if you would please review here [Screening - Cumbrae Ferry Slipway Replacement - SCR-0077 | Marine Scotland Information](#) and, as required by regulation 10(5) of the EIA Regulations, provide your view as to whether the above proposed works are an EIA project as defined in the EIA Regulations.

In accordance with regulation 10(6) of the EIA Regulations, please ensure you provide your view no later than 8 April 2024

Kind regards,

Maureen

Maureen McIntyre
Marine Licensing and Consenting Casework Officer
Licensing and Operations Team
Marine Directorate



The Scottish Government

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ENVIRONMENT
SCOTLAND

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EACHDRAIDHEIL
ALBA

By email to: Maureen.Mcintyre2@gov.scot

Maureen McIntyre
Marine Licensing and Consenting Casework
Officer
Marine Directorate
Licensing and Operations Team

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300066977
Your ref: SCR-0077
17 April 2024

Dear Maureen McIntyre


[The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017
Cumbrae Ferry Slipway Replacement
Request for Screening Opinion](#)

Thank you for your consultation which we received on 18 March 2024 seeking our comments on an Environmental Impact Assessment (EIA) screening opinion for the above proposed development, and for allowing us extra time to respond. This letter contains our comments for our historic environment interests. That is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, gardens and designed landscapes and battlefields on their respective Inventories.

North Ayrshire Council's archaeological and conservation advisors will also be able to offer advice for their interests. This may include unscheduled archaeology, category B- and C-listed buildings and conservation areas.

The Proposal

We understand that the design of this project has been revised since the previous screening consultation in July 2023. The proposed works now involve the construction of a replacement slipway with a transition area to the south of the existing slipway, while the existing slipway would remain during the construction to maintain the ferry service, and be demolished back to the previous quay wall once the replacement slipway is operational. Other associated works include construction of a reclaimed vehicle marshalling area to the south of the replacement slipway, reclamation of an area between the replacement slipway and the existing slipway to provide a new bus stop and waiting area for pedestrians and cyclists, construction of a new terminal building within the pedestrian area along with the provision of facilities for public use, as well as dredging. The proposed works will take place partly onshore, partly within foreshore (i.e. between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS)), and partly below MLWS.

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



Our Screening opinion

We have reviewed the information received. We remain of the view that the proposals are unlikely to have impacts on our historic environment interests of a level that would require consideration through the EIA process. Whilst there is a consolidated wreck of the Catalina flying boat at NS 18499 58607 lying nearby, this is at a sufficient depth and distance that no direct and indirect physical impacts are anticipated.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Adrian Lee and they can be contacted by phone on [REDACTED]

Yours sincerely

Historic Environment Scotland

NATURESCOT



NatureScot NàdarAlba

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

By email to maureen.mcintyre2@gov.scot

Maureen McIntyre
Marine Licensing and Consenting Casework Officer
Licensing and Operations Team
Marine Directorate
Marine Scotland

Our Ref: CLC174892

Date: 4 April 2024

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
("the EIA Regulations")
CONSULTATION UNDER PART 2, REGULATION 10(5) OF THE EIA REGULATIONS
SCR- 0077 - Caledonian Maritime Assets Ltd (per Jacobs) – Cumbrae Ferry Slipway Replacement
EIA Screening Consultation.**

Dear Ms McIntyre,

Thank you for your request of 18 March 2024 for our advice to inform your screening opinion for the above proposal.

Summary

In accordance with the Environmental Impact Assessment (Scotland) Regulations 2017 (the EIA Regulations) we have considered the screening request using the criteria detailed in Schedule 2. The proposed development is likely meet the criteria specified in the EIA regulations. It is our view however given the scale, location and characteristics of the development, this is unlikely to have significant effects on the environment with respect to natural heritage receptors.

As a result, we are broadly of the view that the above application should not be subject to the requirements of the EIA Regulations.

Our advice is that the relevant competent authorities should ensure that sufficient information is provided via an ecological impact assessment, in line with industry best practice¹, to enable potential impacts on Protected Areas, European Protected Species, specifically cetaceans and otters, and Priority Marine Features to be evaluated.

Background

We understand that the Cumbrae Slipway Reconstruction project comprises works onshore and offshore which involves the construction of a replacement slipway approximately 27.5m to the south of the existing slipway. The existing slipway would remain during construction in order to maintain the ferry service, and then once the replacement slipway was operational the existing

¹ <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>

slipway would be demolished. The land in this area will be raised so as to be level with the surrounding area and a revetment placed in front of the old quay wall. The total estimated dredge volume required to facilitate the works is approximately 350m³.

Appraisal of the impacts of the proposal and advice

Development of a type listed in Schedule 2 of the EIA Regulations will require EIA if it is likely to have a significant effect on the environment, by virtue of factors such as its size, nature or location. These requirements are reflected in Schedule 1 of the EIA Marine Works Regulations 2017 ('Matters relevant to consideration of whether or not an Annex II project [schedule 2; the EIA Regulations] is likely to have significant effects on the environment'). These considerations include:

- 1) characteristics of project
- 2) location of project
- 3) characteristics of potential impacts.

In line with the EIA Regulations, the proposed development type is listed as an Annex II project – 10 " (m) 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"

We do not believe the works reflect "maintenance" or "reconstruction" of existing infrastructure as there is the construction of the new slip way element to the project. The development is therefore likely to meet the criteria.

The proposals are relatively small scale (c.9740m²) and include the infill of areas of adjacent foreshore.

There are no seal haul-out sites in the vicinity of the proposed works. In addition our records do not indicate presence of benthic Priority Marine Features (PMF) within or in proximity to the proposal site. It is our view that, with appropriate industry best practice mitigation, the development should not impact any statutory protected site such as the nearby Ballochmartin Bay Site of Special Scientific Interest (SSSI) which is located approximately 450m to the south of the proposed works and is the only designated site within 2km of the proposal. We note that a sediment sampling plan has been prepared, which will assess the proposed dredge area for sediment bound contaminant, and advise that this be used to further mitigate for any impacts to both the SSSI and wider marine environment.

The development will however take place within Firth of Clyde and may affect a number of important protected species (e.g. otters and cetaceans). There will also be residual environmental impacts associated with the construction of built features within the marine environment. This may affect water quality and potentially coastal processes in the area.

Cetaceans & Priority Marine Features (PMFs)

We advise that the following European Protected Species (EPS) and PMF species are all found within the Firth of Clyde and the impact of the development on them needs to be evaluated: harbour porpoise, bottlenose dolphin, common dolphin, minke whale, harbour seal, grey seal and basking shark. Cetaceans are EPS and as such are strictly protected under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Under these regulations it is an offence to intentionally or recklessly kill, injure, disturb or harass cetaceans. Any activity likely to cause injury or disturbance requires a licence and strict conditions must be satisfied .

Potential pathways that have been identified in the screening report that could impact on cetaceans, and the wider environment include:-

- noise (and vibration) arising from hammer or vibrating the slipway sheet pile walls through the seabed
- dredging activity;
- disposal of dredged material; and
- noise and disturbance arising from construction work.
- disturbance to the water environment through deposition of materials (i.e. changes to coastal processes)
- discharge of wash water and egress of concrete into the marine environment where they could cause smothering and potentially could be toxic to sensitive features;

Marine construction projects, particularly those that generate noise and vibration, may affect marine EPS, specifically cetaceans. As this application progresses it should incorporate measures which aim to minimise and mitigate any impacts upon marine EPS. In particular, pile driving can adversely affect cetaceans by generating noise that may mask communication between animals, disturb natural behaviour and distribution, impair hearing or even, at close proximity, cause injury or death.

If there are likely to be impacts upon marine EPS, even after mitigation is applied, then the applicant should also consider whether an EPS licence will be required.

European Protected Species (EPS) – Otters

Otters are also EPS and both they and their breeding or resting places are strictly protected. Otters occur widely around the Cumbrae coastline and we advise that an otter survey, specific to the proposed works, will be required. If otter could be affected by the proposed works the applicant should be requested to submit a robust species protection plan to the relevant consenting authority before the works are authorised to proceed.

Notwithstanding the above, given the location, scale and characteristics (i.e. extent, nature, magnitude, probability, duration, frequency and reversibility of impacts) of proposals, potential impacts are unlikely to have a significant effect on natural heritage interests.

We would however advise that wider environmental protection measures, such as those detailed in supporting screening information provided by the developer be fully implemented. This should include pre-construction checks for protected species as well as any other measures deemed necessary by the Marine Directorate to protect the marine environment.

Concluding comments

In conclusion, given the location, scale and characteristics of the proposed development, we are broadly of the view that an EIA is not required.

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage.

I hope these comments are useful, if you would like to discuss them further you can contact me at

[REDACTED]

Yours sincerely

[by email]

Ian Cornforth
Operations Officer-West Central Scotland.