

Comhairle nan Eilean Siar

COMHAIRLE NAN EILEAN SIAR

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway

Response of Comhairle nan Eilean Siar, Dated 4 February 2019

Application Reference	18/00431/MLCON
Registration Date	21st December 2018
Application Address	Newton Marina Goat Island Stornoway Isle Of Lewis

Proposal Proposed development of 75 pontoon berth Marina at Newton Basin, Goat Island, Stornoway, construction of breakwater, dredging of channel, reclamation of land to north side of Goat Island to be used for parking and boat storage and potential future uses to include a marina facilities building and a boat workshop to provide covered space for boat building and maintenance. Construction of a new public slipway, installation of boat lift including a horizontal rail system supported on steel piles. Provision of a new passing place at the northern end of the Goat island causeway through reclaiming an area of land.

RESPONSE TO MARINE LICENCE CONSULTATION

Cultural Heritage and Archaeology

Cultural Heritage and Archaeology are covered in Chapter 6 of the Environmental Impact Assessment Report. Following on from recommendations made at the consultation and scoping phase of this project, this document sets out the assessment methodology and results of investigations in both the terrestrial and marine zones. The effects of the proposed development have been examined against an assessment of importance of the historic environment assets identified, through desk based and walkover survey data both within and out with the development area. This included identifying potential impacts, suggesting suitable mitigation strategies to offset any adverse effects and identification of residual effects from the development.

Sub section 6.3.2 Planning Policy, sets out the Scottish Government's policy and strategy with regard to cultural heritage. It also identifies the policies of Comhairle na Eilean Siar regarding cultural heritage and development as set out in the Local Development Plan(LDP); however it should be noted that the document referenced in this report was superseded by the current LDP in November 2018.

The conclusions of this report are that there will be negligible impact to any of the identified archaeological or cultural heritage assets by this development. It also assessed that the potential to encounter unknown archaeological material, the report concludes that this aspect is not anticipated; however it does identify the requirement to put in place a methodology and procedure to deal with unexpected material via the Protocols for Archaeological Discoveries (PAD)(Crown

Estates 2014). The PAD requirement should be included within the Construction Environmental Management Plan prior to the commencement of construction works.

The Comhairle Archaeology Service is content with the conclusions and recommendation's of this section of the EIA Report.

Landscape and Visual Impact

It is evident that visual impact, and impact on the Conservation Area (views from), will largely be dependent on the design and end use of the proposed onshore development. However it is welcomed that:

- Following consultation with the Comhairle in May 2018, additional viewpoints have been included in the assessment (frontage of Lews Castle; Ferry terminal; Lewis War Memorial; Iolaire Monument car park; and Sandwick Bay).
- Consideration of wider port developments have been included in cumulative impact assessments.
- In the assessment of potential impacts, the approach was taken to consider the 'worst case scenario'.
- Further information has been provided for assessment regarding phasing in relation to Arnish Deep Water Port proposal.

Overall, the relevant points raised in their scoping response (Nov 2017) have been sufficiently addressed in the EIA accompanying 18/00431/MLCON and we have no further points to raise on the Newton Basin Marina marine license application.

Although planning permission is not being sought for the larger scale onshore elements at this time, the Comhairle would welcome opportunities to feed into early discussions around siting and design in this respect (e.g. building design, colour palette, car-parking, pedestrian access etc). It is acknowledged that while there is potential for the boatshed to obstruct wider views across the harbour from the immediate vicinity, given that the development will be largely characteristic to the locality, and the existing baseline, the proposal has the potential to improve the overall visual amenity of the area.

Environmental Health – Noise and Dust

Environmental Health would recommend that the development is covered by conditions similar to the standard planning conditions for construction noise and dust (detailed following), with works outwith the hours detailed in condition 1, being made subject to the further comments below.

There will be some late evening and night-time work as part of the development and EH would recommend that to help minimise issues associated with these works the developer pre-notify the Comhairle (EH) of any particular construction stages requiring work outwith normal hours along with noise mitigation measures and likely duration of the works.

EH would also recommend that the developer have in place a communication strategy for informing potentially affected noise sensitive premises when these type of works have to be carried out, detailing the points of contacts for the developer/ contractor and likely timing and duration of the works.

Sample conditions referred to above

Noise

Condition 1

Hours of operation should be restricted to 08.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturdays and no working on Sundays.

Reason To protect the amenity at noise sensitive premises.

Condition 2

Should any complaints be received in respect of noise levels, the developer shall fully investigate these complaints and if requested by [Marine Scotland] to establish noise levels at any affected property, shall undertake noise monitoring which shall be carried out by a suitably qualified noise expert or consultant previously agreed in writing by the Planning Authority and which shall be carried out in accordance with BS7445:2003, BS4142:2014 and PAN 1:2011.

Reason To quantify the loss of amenity at noise sensitive premises resulting from the operation of the development.

Condition 3

Should any noise monitoring undertaken in accordance with condition 2 above demonstrate that the noise thresholds are being exceeded, the developer shall submit a scheme of mitigating measures to the [Marine Scotland] for written agreement in consultation with the Comhairle Environmental Health Service within one month of the breach being identified. The agreed mitigating measures shall be implemented within one month of the written agreement or within any alternative timescale agreed in writing by [Marine Scotland] and thereafter retained throughout the life of the development.

Reason To ensure adequate mitigation is in place to protect amenity at noise sensitive premises.

Dust

There is a potential for dust from the construction of this development to cause a nuisance to neighbouring properties. The following condition is recommended.

Condition 1

A method statement should be submitted to [Marine Scotland] outlining what dust mitigation measures will be put in place for the duration of the construction phase. Should any complaints be received in respect of dust, the developer shall fully investigate these complaints to establish dust levels at any affected property.

Reason To protect the amenity at dust sensitive premises.

Traffic and Transport

Both the construction phase and the operational phase of the project will result in additional traffic in the nearby area. The projected traffic figures for the construction stage vary depending on each phase of the project. This will have an effect on the roads used as part of the haulage route.

The proposed Construction Traffic Management Plan (the Plan) should include the points stated in Volume 1 of the submitted Environmental Impact Assessment Report (9.8 Mitigation & Monitoring),

this includes restricting construction traffic at peak school times, managing traffic movements to avoid congestion and measures taken to maintain clean and safe roads. Contact details for communication and a strategy for informing residents or members of the public who may have concerns or queries during the construction phase should be included within the Plan.

Pre-Commencement the developer should provide the Comhairle Roads Department with a copy of the Plan

If the roads infrastructure is damaged, as a result of the works, this must be repaired at the expense of the developer to the satisfaction of the Roads Authority.

The 40 car parking spaces to be provided for marina users (as identified in Section 2.3.2 of Volume 1 of the EIA Report and outlined on Figure 2.1 Site Layout of the EIA Report) should be designed to best practice standards in consultation with the Comhairle as Roads Authority and the 40 car-parking spaces made available for use prior to the first use of the pontoon installation.

The formation of the new passing place on the western side of Battery Point, with a surfaced area of 0.01ha (as identified in Section 2.3.2 of Volume 1 of the EIA Report and outlined in Figure 2.1 Site Layout of the EIA Report) should be designed to road safety standards in consultation with the Comhairle as Roads Authority and the passing place should be completed and made available for use by traffic prior to the first use of the pontoon installation.

Once the development is operational, consideration should be given by the developer to monitoring traffic levels at the junction of the Goat Island road with Newton Street in order to ensure that if traffic congestion does arise at this junction that a future plan is put in place by the developer to mitigate impacts and avoid adverse impact on safety on the public highway.

Economic Development

It is noted that the marina is predicted to have a positive socio-economic impact on Stornoway and the wider population with the overall development, including the proposed new boat workshop, estimated to support 45 construction jobs and create 13 new permanent jobs.

It is also noted that the marina will enhance Stornoway's reputation as a key yachting destination, building on strong demand in the marine leisure sector. The increase in capacity for visiting boats will encourage more people to visit Lewis, generating indirect benefits on the local economy in terms of retail, leisure and marine services. Therefore from an economic development perspective the Comhairle would support the findings of the EIA and this development.

Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: MS.MarineLicensing@gov.scot

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Redacted

Marine Licensing Casework Manager
Marine Scotland - Marine Planning & Policy
Scottish Government
375 Victoria Road
Aberdeen
AB11 9DB

Redacted

Redacted

Our case ID: 300023530
Your ref: 06825/06826

21 January 2019

Dear **Re**
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Marine (Scotland) Act 2010 PART 4 MARINE LICENSING
06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging
and Sea Disposal, Goat Island, Newton Marina, Stornoway
EIA Report

Thank you for your consultation of 21 December in relation to the above development proposal and its accompanying EIA Report. We have reviewed the consultation in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas.

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on this proposal. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C- listed buildings.

Proposed development

We understand that the proposed development consists of the formation of a new marina comprising space for 75 vessels, and associated facilities at Goat Island, Stornoway. The proposed development includes provision for reclamation, dredging, construction of a quay wall, pontoons, slipway, breakwater and boat hoist, areas for overwintering and storage of yachts, boat sheds for rent, and 40 spaces for parking for pontoon and slipway users.

Our advice

We are content that there is sufficient information in the EIA report to come to a view on the application for our interests. The visualisations supplied and the accompanying written assessment presented in the Cultural Heritage and Archaeology Chapter of the EIA report were helpful in reaching our position on the impact of the proposed development. Overall, we agree with the EIA assessment's findings that none of the potential indirect and cumulative impacts on heritage assets within our locus would be significant (adverse) in nature.

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



Our position

On the basis of the information provided, Historic Environment Scotland is content that the application does not raise issues of concern for our historic environment remit and therefore we do not object to the proposed development at Goat Island in Stornoway.

EIA report

We note that in terms of sites within our remit, potential impacts on scheduled monument SM6550 (Cnoc na Croich, chambered cairn) and Lews Castle and Lady Lever Park Inventory Garden and Designed Landscape (GDL00263) have been assessed. Our views on the findings of the assessment are presented below.

Scheduled Monuments

SM6550 (Cnoc na Croich, chambered cairn) is a prehistoric cairn on the summit of Cnoc na Croich ('Gallows Hill'). Believed to be the remains of a neolithic chambered cairn, it survives in a partially ruinous state as a low, circular mound of stones, largely overgrown with grass and turf.

The EIA report concludes that the potential impact on the setting of this chambered cairn is likely to be of negligible significance, largely on the basis that it would not constitute an obvious or intrusive presence in views from the cairn. We concur with these findings. We consider that the introduction of a functioning harbour and its associated buildings at an approximate distance of 850m from the cairn would not have a significant detrimental impact on the appreciation, experience or understanding of this scheduled monument.

Inventory Garden and Designed Landscape

Lews Castle and Lady Lever Park IGDL (GDL00263) comprises the mid-nineteenth century landscaped grounds of Lews Castle. There are seven Listed Buildings within the IGDL comprising buildings and monuments associated with the estate and the Matheson family. Lews Castle (LB18677) and the lodges, boundary walls, sea walls and tower near the harbour (LB19206) are all Category A-listed buildings. As their individual settings also relate to, and contribute to, the IGDL's setting they have been assessed as part of the IGDL.

The EIA report notes that the proposed development will be visible from certain points within the IGDL, but the proposal would not obstruct or otherwise obscure the important wide views out across Stornoway and the landscape beyond. It is also predicted that it would remain possible to appreciate and understand the cultural significance of the IGDL and its setting, as well as the significance of the buildings and monuments within it. The assessment concludes that the Lews Castle and Lady Lever Park IGDL (GDL00263) will be subject to operational impacts of negligible significance.

We also note the visualisations supplied from Viewpoint 7- Lews Castle and the accompanying assessment of cumulative impacts. This assessment states that the various parts of the proposed development would fit the wider intrinsic composition of surrounding



port development and infrastructure and in some instances, would potentially improve the existing visual amenity towards the light industrial units on Goat Island. There would be little change to the focus of view and the views across the harbour and open sea beyond are largely unaffected. Overall therefore, the magnitude of cumulative effect is assessed as small, resulting in a moderate (adverse) and not significant visual effect.

Summary: We are content to agree with the assessment provided in relation to potential impacts on Lews Castle and its associated designed landscape.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Redacted and they can be contacted by phone on Redacted or by email on Redacted

Yours sincerely

Historic Environment Scotland

Maritime and Coastguard Agency

Redacted

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 07 January 2019 15:49
To: MS Marine Licensing
Subject: 06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway

Dear Marine Scotland,

RE: 06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal

Thank you for the opportunity to comment on the potential impact of the above proposed works on the safety of navigation.

The Marine Licence application and supporting documentation have been considered by Navigation Safety Branch. On this occasion, the Maritime and Coastguard Agency (MCA) has no objection to consent being granted provided all maritime safety legislation is followed and the conditions/advisories below are applied:

Conditions:

1. The Licencee 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.

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

Advisories:

1. The Consent Holder should ensure suitable bunding, storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.
2. Any jack up barges / vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
3. The site is within port limits and the applicant should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.

If you require any further information please let me know.

Yours sincerely,



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

Safer Lives, Safer Ships, Cleaner Seas



The Maritime and Coastguard Agency (MCA) will use your personal details to contact you about Navigational Safety as part of its functions as a government department. Your information will be kept secure and will not be used for any other purpose without your permission. To find out more about how the MCA looks after personal data, your rights, and how to contact our data protection officer, please go to:

<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/personal-information-charter>

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

Sent: 21 December 2018 12:26

To: info@scottishfishermen.co.uk; Redacted sff.co.uk; info@syangling.com; argyll_outerhebrides@snh.gov.uk; navigation@nlb.org.uk; Redacted @stornowayport.com; navigation safety <navigationsafety@mcga.gov.uk>; admin@ohft.org.uk; general@fms.scot; FO.Stornoway@gov.scot; Scotland-Marine@bidwells.co.uk; planning.dingwall@sepa.org.uk; Redacted ryascotland.org.uk; Redacted @transport.gov.scot; science@hwdt.org; operations@cmassets.co.uk; Redacted @cmassets.co.uk; Redacted @whales.org; DIOODC-LMSSNI1c@defence.gsi.gov.uk; Redacted 584@mod.gov.uk; planning.scotland@rspb.org.uk; hmconsultations@hes.scot; scollin@scottishwildlifetrust.org.uk; planning@cne-siar.gov.uk; Redacted cne-siar.gov.uk; Reda @scotlink.org Redacted @ukchamberofshipping.com; Redacted @british-shipping.org; secretary@marinesafetyforum.org; Reda @asfb.org.uk; Redacted @ukchamberofshipping.com; Redacted ukchamberofshipping.com; hmconsultations@hes.scot Redacted @ryascotland.org.uk; Redacted @transport.gov.scot; Redacted transport.gov.scot; Redacted visitscotland.com

Subject: 06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway - Consultation - Response Required by 25 January 2019

Dear Sir/Madam,

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway

CO-ORDINATES

Construction Area (Marine Licence):

Latitude			Longitude		
58	12.3114	N	6	22.9652	W
58	12.2688	N	6	23.0766	W
58	12.2405	N	6	23.0780	W
58	12.2731	N	6	22.9717	W
58	12.2378	N	6	22.9858	W
58	12.2126	N	6	22.9821	W
58	12.1897	N	6	23.0097	W
58	12.1667	N	6	23.0189	W
58	12.1368	N	6	22.8216	W
58	12.1578	N	6	22.8245	W
58	12.1936	N	6	22.6509	W
58	12.2161	N	6	22.6735	W
58	12.2056	N	6	22.7475	W
58	12.2304	N	6	22.7571	W
58	12.2733	N	6	22.5581	W
58	12.1929	N	6	22.6089	W
58	12.2164	N	6	22.7593	W

Dredge Area:

Latitude			Longitude		
58	12.3126	N	6	23.0426	W
58	12.2978	N	6	23.0120	W
58	12.3089	N	6	22.9805	W
58	12.3138	N	6	22.9362	W
58	12.3068	N	6	22.8834	W
58	12.2984	N	6	22.8697	W
58	12.2639	N	6	22.8845	W
58	12.2194	N	6	22.7614	W
58	12.2278	N	6	22.7129	W
58	12.2409	N	6	22.7203	W
58	12.2482	N	6	22.7108	W
58	12.2578	N	6	22.7172	W
58	12.3238	N	6	22.8665	W
58	12.3328	N	6	22.9316	W
58	12.3272	N	6	22.9966	W

The Licensing Officer for this case is **Redacted** and the Casework Manager **Redacted**

A marine licence has been requested under the above Act to undertake construction works and capital dredging and sea disposal at a location below the level of Mean High Water Springs. Licence application details can be found at <http://marine.gov.scot/ml/newton-marina-development>.

Should you have any comments on these proposals, I would be grateful if they could be forwarded to me in an electronic format (MS.MarineLicensing@gov.scot) or as a hard copy within 35 days of the date of this email.

If you require an extension to the consultation period, please inform me in writing as soon as possible and within 35 days of this email. A maximum two week extension to the consultation period will only be granted where significant concerns are raised.

If an extension request or a written reply to this consultation is not received within 35 days, it will be assumed that you are content with the proposals.

Any licence that is subsequently issued for the proposed works will be made available on Marine Scotland Information at <http://marine.gov.scot/ml/newton-marina-development>.

Kind regards,

Redacted

Marine Licensing Casework Manager

Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Scotland | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Line: **Redacted**

General Queries: 0300 244 5046

Email: **Redacted**

Website: <http://www.gov.scot/marinescotland>

Please note that the Marine Scotland licensing office will be closed 25.12.2018 – 02.01.2019. We will contact you as soon as possible after the festive closure.

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Northern Lighthouse Board

Northern Lighthouse Board

Your Ref: 06825/06826
Our Ref: GB/S1_03_053

84 George Street
Edinburgh EH2 3DA
Switchboard: 0131 473 3100
Fax: 0131 220 2093
Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk



Redacted

Marine Licensing Officer
Marine Scotland – Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
ABERDEEN
AB11 9DB

22 January 2019

Dear Rania

MARINE (SCOTLAND) ACT 2010 – PART 4 MARINE LICENSING STORNOWAY PORT AUTHORITY (PER ENVIROCENTRE) – MARINA CONSTRUCTION AND CAPITAL DREDGING AND SEA/LAND DISPOSAL OF DREDGED SPOIL FROM NEWTON MARINA, GOAT ISLAND, STORNOWAY

Thank you for your e-mail correspondence dated 21 December 2018 regarding the application submitted by **Stornoway Port Authority (per EnviroCentre)** for consent to construct a marina and undertake capital dredging and sea/land disposal of dredged spoil from Newton Marina, Goat Island, Stornoway.

Northern Lighthouse Board has no objections to the proposed marina construction, dredging and/or disposal operations, and would advise the following:

Marina Construction (06825)

- **Stornoway Port Authority** should liaise with the Northern Lighthouse Board with respect to the required navigation lighting and buoyed channel.
- The Statutory Sanction of the Northern Lighthouse Board must be sought prior to the installation of any AtoN (Aid to Navigation). "Application for Statutory Sanction" forms are available on request from navigation@nlb.org.uk, the applicant should complete the form and return it to the Northern Lighthouse Board for processing.
- **Stornoway Port Authority** should issue a Notice to Mariners clearly stating the nature and duration of the works.
- On completion of the marina construction, a copy of the 'as built' plans along with the layout of the buoyed channel and the position of the new navigation lighting should be submitted to the UK Hydrographic Office (sdr@ukho.gov.uk) in order that the associated chart can be revised accordingly.

the safety of all

to: ISO 9001:2000 · The International Safety Management Code (ISM) · OHSAS

Marine Scotland

22 January 2019

Dredging and Disposal (06826)

- Marine safety information as considered appropriate is issued prior to the commencement of the dredging campaign.
- **Stornoway Port Authority** inform the UK Hydrographic Office (sdr@ukho.gov.uk) of the revised water depths.

Yours sincerely

Redacted

Redacted

Navigation Manager

Privacy Statement

NLB take seriously the protection of your privacy and confidentiality, and understand that you are entitled to know that your personal data will not be used for any purpose unintended by you. In line with our document retention schedules, copies of this correspondence will be retained on our live internal system in line with our legislative requirements and obligations, before being archived as required for conformance with our data Protection Policy and the associated Data Retention Schedules. Archived copies may be retained indefinitely in the public interest. Our Privacy Notice can be accessed via the following link: <https://www.nlb.org.uk/Terms/Privacy/>.

Royal Yachting Association Scotland

Redacted

From: Redacted Redacted ryascotland.org.uk>
Sent: 14 January 2019 11:47
To: MS Marine Licensing
Subject: RE: 06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway - Consultation - Response Required by 25 January 2019

Hi Redacted

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

Kind Regards

Pauline

Redacted

Senior Administrator
Tel: 0131 317 4611

Royal Yachting Association Scotland

T: Redacted

E: Redacted ryascotland.org.uk



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549

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



From: MS.MarineLicensing@gov.scot [mailto:MS.MarineLicensing@gov.scot]

Sent: 21 December 2018 12:26

To: info@scottishfishermen.co.uk; Redacted sff.co.uk; info@syangling.com; argyll_outerhebrides@snh.gov.uk; navigation@nlb.org.uk; Redacted @stornowayport.com; navigationsafety@mcga.gov.uk; admin@ohft.org.uk; general@fms.scot; FO.Stornoway@gov.scot; Scotland-Marine@bidwells.co.uk; planning.dingwall@sepa.org.uk;

Redacted @ryascotland.org.uk>; Redacted @transport.gov.scot; science@hwdt.org; operations@cmassets.co.uk; Redacted @cmassets.co.uk; Redacted @whales.org; DIOODC-LMSSNI1c@defence.gsi.gov.uk; Redacted 584@mod.gov.uk; planning.scotland@rspb.org.uk; hmconsultations@hes.scot; scollin@scottishwildlifetrust.org.uk; planning@cne-siar.gov.uk; Redacted cne-siar.gov.uk; Reda @scotlink.org; Redacted @ukchamberofshipping.com; Redacted @british-shipping.org; secretary@marinesafetyforum.org; Red @asfb.org.uk; Redacted @ukchamberofshipping.com; Redacted ukchamberofshipping.com; hmconsultations@hes.scot; Redacted @ryascotland.org.uk> Redacted @transport.gov.scot; Redacted @transport.gov.scot; Redacted @visitscotland.com

Subject: 06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway - Consultation - Response Required by 25 January 2019

Dear Sir/Madam,

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway

CO-ORDINATES

Construction Area (Marine Licence):

Latitude			Longitude		
58	12.3114	N	6	22.9652	W
58	12.2688	N	6	23.0766	W
58	12.2405	N	6	23.0780	W
58	12.2731	N	6	22.9717	W
58	12.2378	N	6	22.9858	W
58	12.2126	N	6	22.9821	W
58	12.1897	N	6	23.0097	W
58	12.1667	N	6	23.0189	W
58	12.1368	N	6	22.8216	W
58	12.1578	N	6	22.8245	W
58	12.1936	N	6	22.6509	W
58	12.2161	N	6	22.6735	W
58	12.2056	N	6	22.7475	W
58	12.2304	N	6	22.7571	W
58	12.2733	N	6	22.5581	W
58	12.1929	N	6	22.6089	W
58	12.2164	N	6	22.7593	W

Dredge Area:

Latitude			Longitude		
58	12.3126	N	6	23.0426	W
58	12.2978	N	6	23.0120	W
58	12.3089	N	6	22.9805	W
58	12.3138	N	6	22.9362	W
58	12.3068	N	6	22.8834	W
58	12.2984	N	6	22.8697	W
58	12.2639	N	6	22.8845	W
58	12.2194	N	6	22.7614	W
58	12.2278	N	6	22.7129	W
58	12.2409	N	6	22.7203	W
58	12.2482	N	6	22.7108	W

58	12.2578	N	6	22.7172	W
58	12.3238	N	6	22.8665	W
58	12.3328	N	6	22.9316	W
58	12.3272	N	6	22.9966	W

The Licensing Officer for this case is **Redacted** and the Casework Manager **Redacted**

A marine licence has been requested under the above Act to undertake construction works and capital dredging and sea disposal at a location below the level of Mean High Water Springs. Licence application details can be found at <http://marine.gov.scot/ml/newton-marina-development>.

Should you have any comments on these proposals, I would be grateful if they could be forwarded to me in an electronic format (MS.MarineLicensing@gov.scot) or as a hard copy within 35 days of the date of this email.

If you require an extension to the consultation period, please inform me in writing as soon as possible and within 35 days of this email. A maximum two week extension to the consultation period will only be granted where significant concerns are raised.

If an extension request or a written reply to this consultation is not received within 35 days, it will be assumed that you are content with the proposals.

Any licence that is subsequently issued for the proposed works will be made available on Marine Scotland Information at <http://marine.gov.scot/ml/newton-marina-development>.

Kind regards,

Redacted

Marine Licensing Casework Manager
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Scotland | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Line: **Redacted**
 General Queries: 0300 244 5046
 Email: **Redacted**
 Website: <http://www.gov.scot/marinescotland>

Please note that the Marine Scotland licensing office will be closed 25.12.2018 – 02.01.2019. We will contact you as soon as possible after the festive closure.

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Scottish Environmental Protection Agency

Our ref: PCS/162008
Your ref: 670526/0001

If telephoning ask for:
Redacted

7 January 2019

Redacted
Marine Scotland
Aberdeen

By email only to: MS.MarineLicensing@gov.scot

Dear **Redacted**

**Marine (Scotland) Act 2010
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Proposed Development of Newton Marina, Stornoway**

Thank you for your consultation email which SEPA received on 21 December 2018; we received the information direct from the applicant in October.

Advice for the determining authorities

We have **no objection** to the Dredging and Disposal Marine Licence on the understanding that all the material will either be used in the construction works and or disposed of at the licenced off-shore facility. The developer should note the advice outlined in section 3.2 below.

We have **no objection** to the Construction Marine Licence on the understanding that the submitted figures, such as Figure 2.3, become approved plans. This will ensure that issues such as drainage are adequately controlled. We also recommend you consider using a **condition** to ensure compliance with the submitted Schedule of Mitigation. Please note the advice outlined below.

1. Site specific advice

- 1.1 In relation to flood risk then Figure 2.2 shows a platform level of 6.7-6.9 m Chart Datum, with proposed rock armoured breakwater of an additional 1 m. We had previously stated that all new development, including development on reclaimed land, should be above the estimated 1 in 200 year flood level for the area which is 3.4 m AOD (which is equivalent to 6.11 m CD) and recommended an additional 600 mm freeboard. We are pleased to note that the proposals meet these requirements. We consider that the above levels should provide a suitable level of platform to facilitate subsequent industrial and business use. However the results of the wave modelling should also be taken into consideration when setting the design level.
- 1.2 We are content that the development should not have a negative effect on any existing outfalls.

- 1.3 We welcome the submission of an Outline Schedule of Mitigation and as outlined above suggest that compliance is ensured via a suitable condition.
- 1.4 For all other issues we refer you to our [SEPA standing advice for The Department of Energy and Climate Change and Marine Scotland on marine consultations](#).

Advice for the developer

2. Subsequent planning applications

- 2.1 We refer you to our previous pre-application consultation responses for advice on the aspects of the land based works in which we have an interest.

3. Regulatory requirements

- 3.1 Details of general regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website.
- 3.2 The developer should note that if the reclamation works are constructed by way of initially creating an impermeable bund (such as a sheet piled metal wall) then the use of waste such as dredge spoil for infill works will be considered to be occurring above mean high water springs and therefore will be controlled by SEPA. Such works would require either a waste management licence or a waste management exemption and early discussion with SEPA's local office is advised.
- 3.3 If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: 2 James Square, James Street, Stornoway, Isle of Lewis, HS1 2QN - Tel: 01851 706477.

Should you wish to discuss this letter please do not hesitate to contact me on **Redacted** or planning.dingwall@sepa.org.uk.

Yours sincerely

Redacted
Senior Planning Officer
Planning Service

ECopy to: **Redact** @envirocentre.co.uk; **Redacted** @transport.gov.scot

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Scottish Natural Heritage

BY EMAIL

FAO: Redacted
Marine Licensing Manager
Marine Scotland - Marine Planning & Policy
Email: ms.marinelicensing@gov.scot

Date: 25 January 2019

Our ref: CLC153711
Your refs: 06825/06826

Dear Red

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

**06825/06826 – Stornoway Port Authority (per EnviroCentre) - Construction and
Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway**

Thank you for your consultation email dated 21 December 2018 regarding the above marine licence applications and associated EIA Report.

Background

You previously consulted us at the EIA scoping stage of this project proposal. In our response of 25th January 2018, we advised that the EIA Report should examine potential impacts on the following natural heritage receptors:

- Protected Areas (and the need for HRA)
- European Protected Species (EPS)

Summary of SNH advice

We recognise the prospective socio-economic significance of the proposal. We are therefore pleased to note the quality of the EIA Report and supporting technical appendices that relate to our remit. The dialogue we have had with the applicant and their consultants post scoping has helped shape the MMPP in particular to fully meet our expectations. We support the assessments and conclusions of the report as they pertain to our interests. We recommend that you secure all mitigation as described in EIA Report section 11 – Schedule of Mitigation (Marine Ecology), this will minimise impacts upon natural heritage receptors.

Annex 1 contains our advice on the above natural heritage receptors.

I hope these comments are useful, if you would like to discuss them further you can contact me on Redacted Redacted nature.scot

Yours sincerely

Redacted
Operations Officer
Outer Hebrides

Annex 1 – Natural heritage advice

Natura sites, and the need for Habitats Regulations Appraisal (HRA)

The application is supported by a comprehensive HRA Report (Technical Appendix 5.3). Our advice below follows the three stages of HRA, with site specific comments on the information included in the EIAR which will inform an Appropriate Assessment

HRA Stage 1 – is the proposal connected with conservation management of the Natura sites?

No – this proposal is not connected to the conservation management of any Natura site.

HRA Stage 2 – is the proposal ‘likely to have significant effects’ upon the Natura sites?

We support the conclusions in the HRA report (appendix 5.3) with regard to ‘likely significant effect’ on **The Inner Hebrides and the Minches cSAC**. At scoping we advised to scope out impacts on birds which we intended to include potential impacts on **Lewis Peatlands SPA**. Impacts on the otter feature of the **Lewis Peatlands SAC** were also scoped out at that stage. However as the EIAR has specifically identified a likely significant effect on features within these three sites we have provided advice on a site by site basis below.

HRA Stage 3 – will the proposal have adverse effects on the integrity of the Natura sites?

We commend the applicant on the approach they have taken to inform the Appropriate Assessment. In our view if the measures outlined in the Marine Mammal Mitigation Plan (technical Appendix 5.2 section 4), are all secured then there will be no adverse effect on the integrity of The Inner Hebrides and the Minches cSAC.

We suggest that Marine Scotland can use the HRA Report and other supporting documentation as the basis of their Appropriate Assessment, taking into account the comments below.

Inner Hebrides and the Minches cSAC

We support the conclusions of the HRA Report (technical appendix 5.3) and advise that there will be no adverse effects on the integrity of this site if the proposed mitigation measures outlined in the Marine Mammal Protection Plan (technical appendix 5.2) are adhered to. We recommend that you secure the measures laid out therein.

North East Lewis pMPA

The proposed North East Lewis MPA has no policy protection at time of writing. However Marine Scotland advises that MPA proposals should be taken into account through any licensing or consenting process. We are satisfied that the EIAR (section 5.7) properly considers impacts on the proposed features of the site and that the measures detailed in the MMPP are appropriate to ensure impacts on Risso’s dolphin are also adequately mitigated. We recommend that you secure the measures laid out therein.

Lewis Peatlands SPA

The HRA report concludes a likely significant effect on the red throated diver feature of the SPA. It is our view however no appropriate assessment should be required (in line with our scoping advice of 25th January 2018). We’d agree that there is a potential pathway for impact as identified in the EIAR, however in our view there is no likelihood of an impact on the conservation objectives of the site that warrants further consideration. We agree with the conclusion that there will be no likely significant effect on any of the other features of the site.

Lewis Peatlands SAC

The HRA report concludes a likely significant effect on the otter of the SAC. It is our view however no appropriate assessment should be required (in line with our scoping advice of 25th January 2018). We agree with the conclusion that there will be no likely significant

effect on any of the other features of the site. We'd agree that there is a potential pathway for impact as identified in the EIAR, however in our view there is no likelihood of an impact on the conservation objectives of the site that warrants further consideration.

European Protected Species (EPS)

The application identifies the relevant Marine EPS (cetaceans) and sets out a comprehensive Marine Mammal Protection Plan. We support the applicant's position that this plan will protect marine mammals from impacts arising from the development – i.e. primarily disturbance. The MMPP effectively mitigates against the risk of an offence under the Habitats regulations and in our view no licence is required. We recommend that you secure the measures laid out therein.

Similarly we are content that the Otter Report (technical appendix 5.5) in tandem with the Schedule of Mitigation set out in Chapter 11 of the EIAR obviates the need for a licence. We recommend that you secure the measures laid out therein.

Other natural heritage topics

We advise that if the Marine Mammal Protection Plan is secured then this will minimise risk of injury or significant disturbance to seals.

Visit Scotland (Response 1)

30 January 2019

Redacted

Marine Scotland - Marine Planning & Policy
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Dear Redacted ,

Proposed Construction and Dredging and Sea Disposal, Goat Island, Newton Marina, Stornoway

Thank you for giving VisitScotland the opportunity to comment on the above development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

Tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:

<http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf>

Taking tourism considerations into account

We would suggest that full consideration be given to providing a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Yours sincerely

Redacted

Redacted

Government & Parliamentary Affairs
VisitScotland

Visit Scotland (Response 2)

Redacted

From: MS Marine Licensing
Sent: 11 February 2019 08:35
To: Redacted
Subject: FW: Proposed Construction and Dredging and Sea Disposal, Goat Island, Newtown Marina, Stornoway

From: Redacted <visitscotland.com>
Sent: 08 February 2019 15:51
To: MS Marine Licensing <MS.MarineLicensing@gov.scot>
Cc: Redacted <visitscotland.com>; Redacted <visitscotland.com>
Subject: Proposed Construction and Dredging and Sea Disposal, Goat Island, Newtown Marina, Stornoway

This email is for the attention of Redacted – Marine Planning and Policy, Marine Laboratory, Aberdeen.

I refer to a letter dated 30th January 2019, sent to you by Redacted of our Government and Parliamentary Affairs team, regarding the above. I felt it important to clarify a number of points in our response.

1. VisitScotland is not objecting to this proposal
2. VisitScotland recognises the significant opportunities that exist to grow marine tourism throughout Scotland and this proposal will undoubtedly assist this development – reference the Marine Tourism Strategy – Awakening the Giant
http://scottishtourismalliance.co.uk/uploads/TS2020%20Marine/Awakening_the_Giant_final.pdf
3. The Scottish Government's Themed Year for 2020 is, as you will be aware, the Year of Coasts and Waters and this development will undoubtedly have a strong role to play within this overarching initiative
4. I have consulted with the Tourism Destination Organisation for the Outer Hebrides and they are content that there is no tourism related negative impacts likely to arise from the proposed development

I trust that this clarifies our position and would ask if you require any further input from us to contact me directly.

Best wishes

Redacted

Redacted

Director of Industry and Destination Development
VisitScotland
Ocean Point One
94 Ocean Drive
Edinburgh
EH6 6JH
Tel Redacted
Mobile: Redacted
Email: Redacted @visitscotland.com

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For information on [VisitScotland](#)

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For information on [Travel trade](#)

2019 marks the 50th anniversary of VisitScotland and in further celebration of this golden year, Scotland hosts The [Solheim Cup](#) at Gleneagles on 9-15 September.

Don't forget to share your experiences with us via [#ScotlandIsNow](#)

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Tha VisitScotland a' comhairleachadh gu bheil sibh a' fosgladh puist-d agus cheangalachain aig ur cunnart fhèin.
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