

Amanda Roger
Annan Harbour Action Group
The Old Pickery
87 Port Street
Annan
DG12 6BT

Date: **16 April 2026**

Dear **Ms. Roger**,

SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

Thank you for your screening opinion request dated 28 January 2026 in regards to the proposed works, including temporary deposit of a modular pontoon unit, construction of a sheet-piled cofferdam, sluice, pipeworks, rip-rap and gabion baskets, footbridge and associated excavation at Annan Harbour, Annan (“the Proposed Works”).

The Scottish Ministers consider the Proposed Works to fall under paragraph 10 (m) of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), with the Proposed Works meeting the corresponding threshold described in column 2 of schedule 2. Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an Environmental Impact Assessment (“EIA”) project under the 2017 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, the Scottish Ministers have consulted with NatureScot (formerly Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), Dumfries and Galloway Council and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are attached for your review (at Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations, as are relevant to the Proposed Works. This is set out below.

Characteristics of the works

The Proposed Works include the construction of a sheet-piled cofferdam, sluice, pipeworks, and installation of rip-rap and gabion baskets, and then the lining of a man-made lagoon and construction of a crossing footbridge.

Preceding all works, all necessary vegetation will be cleared. A temporary modular pontoon unit will be deposited for mobile excavator access. The mounted excavator will install the piles for the cofferdam. Dredging will be undertaken to remove loose or soft silts from either side of the cofferdam. This dredged material will be disposed of off-site to a licenced facility. A temporary pile will be installed to ensure there is no tidal inundation to the lagoon whilst lining works are underway.

Following completion of the piling installation for the cofferdam, the river side gabion and rip-rap will be installed, which will involve dredging. It is expected that 60 cubic metres of this dredged material will be reused as landscape fill. On completion of these works the modular pontoon will be removed.

A combination of land-based reach excavators and amphibious excavators will undertake the works associated with the tidal lagoon, which includes the lining of the lagoon using geofabric layers, excavation and deposit of imported clay to tie in the lining to the existing quay wall.

Location of the works

The Proposed Works are located under 150 metres from the Solway Firth Special Protected Area (“SPA”), the Solway Firth Special Area of Conservation (“SAC”), the Upper Solway Flats and Marshes Ramsar site and the Upper Solway Flats and Marshes Site of Special Scientific Interest (“SSSI”) in and above a tidal lagoon on the eastern bank of the River Annan.

NatureScot advised that as the Proposed Works are of relatively small scale, no EIA is necessary. NatureScot highlighted that due to the proximity of the Solway Firth SPA, Solway Firth SAC, Upper Solway Flats and Marshes Ramsar site and the Upper Solway Flats and Marshes SSSI, mitigation measures will be required for any subsequent marine licence.

HES conclude the Proposed Works are unlikely to have impacts on historic environment interests of a level that would require consideration through the EIA process.

Characteristics of the potential impact

Dumfries and Galloway Council concluded that an EIA is not required.

SEPA advised that the application falls below the threshold for which they offer site-specific advice.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works **are not** an EIA project under the 2017 MW Regulations and, therefore, an 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 Directorate - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Dumfries and Galloway Council planning department. The screening opinion has also been made publicly available through the Marine Scotland Information website. <https://marine.gov.scot/>

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely,

Gemma Girling
Marine Directorate - Licensing Operations Team