

## **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:

<b>BPEO</b>	Best Practicable Environmental Option
<b>EIA</b>	Environmental Impact Assessment
<b>ES</b>	Environmental Statement
<b>MHWS</b>	Mean High Water Springs
<b>MMO</b>	Marine Mammal Observer
<b>MPA</b>	Marine Protected Area
<b>MS-LOT</b>	Marine Scotland – Licensing Operations Team
<b>PAM</b>	Passive Acoustic Monitoring
<b>SAC</b>	Special Area of Conservation
<b>SNH</b>	Scottish Natural Heritage
<b>SPA</b>	Special Protection Area
<b>SSSI</b>	Site of Special Scientific Interest
<b>WGS84</b>	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 (1<sup>st</sup> June to 15<sup>th</sup> 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.

# Marine Licence Application for Construction Projects

Version 1.0

## Marine (Scotland) Act 2010

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.

N/A

## 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

13/04/23

Name in BLOCK LETTERS

MATHEW ROSS

### 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: **Mr**                      Initials: **N**                      Surname: **Uddin**

Trading Title (if appropriate): **Caledonian Maritime Assets Ltd**

Address: Municipal Buildings  
Fore St  
Port Glasgow  
PA14 5EQ

Name of contact (if different):

Telephone No. (inc. dialing code): **[Redacted]**

Email: **nasir.uddin@cmassets.co.uk**

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: **Mr**                      Initials: **M**                      Surname: **Ross**

Trading Title (if appropriate): **Mott Macdonald**

Address: 319 St Vincent St, Glasgow G2 5LD

Name of contact (if different):

Telephone No. (inc. dialing code): **+441412229144**

Email: **mathew.ross@mottmac.com**

### 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
N/A	

#### 5. Project Details

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

The Proposed Development will upgrade the ferry terminal to facilitate accommodation of a new vessel with deeper draught and higher displacement. Works primarily consist of the following:

- Upgrading of existing fenders;
- Construction of approximately 15.2m of new steel sheet piled wall;
- Construction of the protection at existing steel sheet pile walls;
- Fabrication and erection of steel grillage at infill pier;
- Dredging;
- Installation of new rock armour
- Installation of new vessel shore power; and
- Modification to the existing fixed ramp within the ferry terminal.

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

12,000 m<sup>2</sup>

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

August 2023

(d) Proposed completion date:

December 2024

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

£ 3,000,000

(f) Location:

Kennacraig Ferry Terminal, West Loch Tarbert (see photos provided within drawing pack)

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

Latitude										Longitude										
5	5	°	4	8	.	3	9	9	'N	0	0	5	°	2	9	.	0	6	2	'W
5	5	°	4	8	.	3	9	2	'N	0	0	5	°	2	9	.	0	6	2	'W
5	5	°	4	8	.	3	9	4	'N	0	0	5	°	2	9	.	0	0	3	'W
5	5	°	4	8	.	3	8	7	'N	0	0	5	°	2	8	.	9	7	4	'W
5	5	°	4	8	.	3	8	3	'N	0	0	5	°	2	8	.	9	7	5	'W
5	5	°	4	8	.	3	8	3	'N	0	0	5	°	2	8	.	9	8	5	'W
5	5	°	4	8	.	3	7	4	'N	0	0	5	°	2	8	.	9	8	4	'W
5	5	°	4	8	.	3	7	4	'N	0	0	5	°	2	9	.	0	0	3	'W
5	5	°	4	8	.	3	7	1	'N	0	0	5	°	2	9	.	1	2	1	'W
5	5	°	4	8	.	4	1	9	'N	0	0	5	°	2	9	.	1	2	6	'W

(g) Is the project located within the jurisdiction of a statutory harbour authority?

YES  NO

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

Caledonian Maritime Assets Ltd, is the Statutory Harbour Authority and owner of this port infrastructure.

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

See Section 2 of the outline Construction Environmental Management Plan (CEMP) (105612-MMD-KE-ZZ-RP-O-0004-S2-P01).

(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):

See Habitats Regulations Appraisal (105612-MMD-KE-ZZ-RP-O-0005-S2-P01) and Section 8 and 9 of the outline CEMP (105612-MMD-KE-ZZ-RP-O-0004-S2-P01).

Additionally, an EIA screening request (also attached) was made in May 2021 and the screening opinion was received on 15th September 2021.

The EIA screening opinion concluded that the Proposed Works are not an EIA project under the 2017 Marine Works Regulations and, therefore, an EIA is not required to be carried out in respect of the Proposed Works.

## 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	Piled quay walls	No.		No.
		Dimensions 90m (length)		Dimensions
		365 Weight (kg/tonnes)		Weight (kg/tonnes)
Timber		No.		No.
		Dimensions		Dimensions
		Weight (kg/tonnes)		Weight (kg/tonnes)
Concrete	Tubular pile infill and backfill	No.	4No. concrete outstands on inner dolphin concrete mattress below linkspan	No.
		Dimensions		Dimensions
		870 Weight (kg/tonnes)		100 Weight (kg/tonnes)
Plastic/Synthetic		m <sup>2</sup>		m <sup>2</sup>
Clay (< 0.004 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)
Silt (0.004 ≤ Silt < 0.063 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)
Sand (0.063 ≤ Sand < 2.0 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)
Gravel (2.00 ≤ Gravel < 64.0 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)
Cobbles (64.0 ≤ Cobbles < 256.0 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)		Volume (m <sup>3</sup> )		Volume (m <sup>3</sup> )
		Weight (kg/tonnes)		Weight (kg/tonnes)

Pipe		Length (m)		Length (m)
		External Diameter (cm/m)		External Diameter (cm/m)
Other (please describe below):				
Elastomeric fender units on outer berthing dolphin	Individual fender units to replace existing fenders	<b>6 fenders</b>	Remove existing MV800 fenders	<b>6 fenders</b>
Elastomeric fender units on middle berthing dolphin	Individual fender units to replace existing fenders	<b>8 fenders</b>	Remove existing MV750 fenders	<b>8 fenders</b>
Elastomeric fender units on inner berthing dolphin	Individual fender units to replace existing fenders	<b>8 fenders</b>	Remove existing MV600 fenders	<b>8 fenders</b>
<b>Fender facing plates</b>	UHMW-PE low friction facing plate. Dimensions	<b>11 facing plates</b>	Remove existing facing plates	<b>11 facing plates</b>

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

By road or ferry

(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):

**See above** tonnes

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

**See above**

Source (if sea dredged state location of origin)

**N/A**

Particle size:

**N/A**

**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	Contractor's plant and temporary works (e.g., 2No. 610mm diameter spudlegs).	No.	
		Dimensions	
		20	Weight (kg/tonnes)
Timber	N/A	No.	
		Dimensions	
		Weight (kg/tonnes)	

Concrete	N/A	No.
		Dimensions
		Weight (kg/tonnes)
Plastic/Synthetic	N/A	m <sup>2</sup>
Clay ( < 0.004 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Silt (0.004 ≤ Silt < 0.063 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Sand (0.063 ≤ Sand < 2.0 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Gravel (2.00 ≤ Gravel < 64.0 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Cobbles (64.0 ≤ Cobbles < 256.0 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)	N/A	Volume (m <sup>3</sup> )
		Weight (kg/tonnes)
Pipe	N/A	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.):

Clay and Silt (58.1%), Sand (28.7%) Pebbles, Cobbles and Boulders (13.2%), see BPEO and separate marine licence application for dredging and sea disposal for further details.
--

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

23650	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	20Hz to 1KHz
Use of Accoustic Deterrent Devices	Not applicable
Piling	20Hz to 20kHz
Other (please describe below):	
Rock pre-drilling	50Hz to 5kHz

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?

Yes, Caledonian Maritime Assets Ltd, is the Statutory Harbour Authority and owner of this port infrastructure.

**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:

GEN 5: Climate change: Recognises that marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change. In relation to the Proposed Development, the methods to complete the works have considered ways to reduce emissions of carbon and other greenhouse gases. The works are to accommodate new "greener" ferries.

GEN 6: Historic Environment: Recognises that development and use of marine environment should protect, and where appropriate, enhance heritage assets in a manner proportionate to their significance. The Proposed Development has considered the historic environment within the design, environmental impact assessment screening report and within the outline Construction Environmental Management Plan.

GEN 7 Landscape/seascape: Recognises that development and use of the marine environment should take seascape, landscape and visual impacts into account. Landscape and seascape are important elements of people's enjoyment of the coastal and marine environment. They are also important as the setting for coastal communities, contributing to sense of place, economic livelihoods and quality of life. Scotland's varied coastal landscapes are internationally renowned and support a valuable recreation and tourism sector. These factors have been considered within the design, environmental impact assessment screening report and outline Construction Environmental Management Plan.

GEN 9 Coastal process and flooding: Recognises that developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding. This Proposed Development is a water compatible development and would be resilient to coastal change and flooding.

GEN 9 Natural Heritage: Recognises that development and use of the natural environment should comply with protected areas and protected species and priority marine features. These factors have been considered within the design, environmental impact assessment screening report and outline Construction Environmental Management Plan.

GEN 12 Water quality and resource: Recognises that development and activities should not result in deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related directives apply. These factors have been considered within the design, environmental impact assessment screening report and outline Construction Environmental Management Plan.

GEN 13 Noise: Recognises that development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects. Noise and vibration impacts are considered within the environmental impact assessment screening report, Habitats Regulations Appraisal and outline Construction Environmental Management Plan.

GEN 14 Air quality: Recognises that development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits. Any potential air quality impacts have been considered within the environmental impact assessment screening report, Habitats Regulations Appraisal and outline Construction Environmental Management Plan.

Chapter 13 of Scotland's National Marine Plan (2015) relates to Shipping, Ports, Harbours and Ferries. The primary objective is to safeguard access to ports and harbours and navigational safety. Section 13.13 recognises the importance of maintenance dredging and disposal to support safe access to ports. Section 13.21 recognises maintenance or restoration of harbour facilities can boost local activity and generate social benefits for the local community as well as economic benefits for the harbours; necessary closure for safety purposes can have negative impacts for an activity and a community which previously relied upon the facility. Harbour developments, including marinas have been successful in supporting increased boating activity with benefits to the sport, as well as local economies.

Section 13.23 recognises many of Scotland's more fragile and remote communities are supported by lifeline ferry routes. Many of these routes are subsidised by the Scottish Government or Local Authorities to maintain or improve the economic and social conditions of the Highlands and Islands. This includes support to business and tourism, delivery of goods and access to schools and healthcare. In 2009, over 10 million passengers and approximately 3 million cars, commercial vehicles and buses were carried on ferries in Scotland.

Section 13.28 identifies that dredging [and deposition] can cause loss or damage to habitats and species and exposure of buried archaeological remains. This is not considered to be a risk for maintenance dredging to pre-existing depths within a busy operational harbour, or deposition at a licensed sea deposit site that has been in use for many years.

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

N/A

### 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
Public Consultation Events  Also see results within Pre-Application Consultation Report (105612-MMD-00-ST-BN-Z-1000-S0-P03-Pre-Application Consultation Report.docx)	16/08/22

### 12. Consultation

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

MS-LOT was consulted a request for an EIA Screening Opinion (see responses attached).

NatureScot was consulted in relation to the Habitats Regulations Appraisal (105612-MMD-KE-ZZ-RP-O-0005-S2-P01).

NatureScot was consulted in relation to EPS licences for otter and marine mammals. Note otter licence has already been issued (Licence Number 218155).

NatureScot was consulted in relation to basking shark licence.

### 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):

New Islay Vessel Enabling Works for Port Ellen, Port Askaig and Colonsay (EIA Screening Application reference number: 0051).