

From: [Thomas Bulpit](#)
To: [MS Marine Licensing](#)
Cc: [Helen Croxson](#); [James Hannon](#); [Kalvin Baugh](#); [navigation safety](#)
Subject: RE: 00008749/ 00008748 - Stornoway Harbour Authority - Construction and Capital Dredging - Deep Water Port, Glumaig Bay, Stornoway - Consultation - Response required by 28 January 2021
Date: 01 March 2021 13:11:43
Attachments: [image001.png](#)
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Dear Marine Scotland,

Thank you for the opportunity to comment on two Marine Licence application consultations, to undertake construction for the Stornoway Deep Water Port project, and associated capital dredging and disposal activities.

The MCA has recently also been consulted on a Harbour Revision Order application from the developer via Transport Scotland. This is referenced in the project's EIAR (NTS) in Section 2.4. The MCA is currently considering its response to the HRO application and will respond to Transport Scotland separately.

The information provided has been considered by representatives of UK Technical Services Navigation. The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The MCA would therefore like to comment as on both Marine Licence applications as follows:

The site falls within the jurisdiction of Stornoway Port Authority who are the Statutory Harbour Authority (SHA), and therefore responsible for maintaining the safety of navigation before, during and after these proposed works. We would expect the impacts of the works on the safety of navigation to be considered and addressed by the SHA, in consultation with the Harbour Master and other relevant navigation stakeholders.

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 zone36@hmcg.gov.uk is made aware of the works prior to commencement.
2. The Licencee must notify the UK Hydrographic Office to permit the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

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

Advisories:

1. The Licencee 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, 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. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.
4. A local notification must be sent to the Harbour Authority on completion of both the construction works and the dredging and disposal works. Any change data *including engineering drawings, hydrographic surveys, details of new or changed aids to navigation* must then be sent to the Harbour Authority with the instruction to pass onto the UKHO as per guidance in 'Harbour Master's Guide to Hydrographic and Maritime Information Exchange' published on the UKHO website.
5. To address the ongoing safe operation of the marine interface for this project, we would like to point the developers in the direction of the Port Marine Safety Code (PMSC) and its Guide to Good Practice. They will need to liaise and consult with the SHA and develop a robust Safety Management System (SMS) for the project under this code.

The sections that we feel cover navigational safety under the PMSC and its Guide to Good Practice are as follows:

From the Guide to Good Practice, section 7 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely. Section 7.8 Regulating harbour works covers this in more detail and have copied the extract below from the Guide to Good Practice.

7.8 Regulating harbour works

7.8.1 Some harbour authorities have the powers to license works where they extend below the high watermark, and are thus liable to have an effect on navigation. Such powers do not, however, usually extend to developments on the foreshore.

7.8.2 Some harbour authorities are statutory consultees for planning applications, as a function of owning the seabed, and thus being the adjacent landowner. Where this is not the case, harbour authorities should be alert to developments on shore that could adversely affect the safety of navigation. In any case harbour authorities should ensure that the MMO or appropriate licensing authority consults them with regard to any applications for works or developments in or adjacent to the harbour area. Where necessary, consideration should be given to requiring the planning applicants to conduct

a risk assessment in order to establish that the safety of navigation is not about to be put at risk. Examples of where navigation could be so affected include:

- high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation;
- high constructions, which potentially affect wind patterns; and
- lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous.

7.8.3 There is a British Standards Institution publication on Road Lighting, BS5489. Part 8 relates to a code of practice for lighting which may affect the safe use of aerodromes, railways, harbours and navigable Inland waterways.

Should you have any questions, please feel free to contact us.

Best Regards,

Tom

Thomas Bulpit

Marine Licensing Lead
Marine Licensing and Consenting
UK Technical Services Navigation

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www.gov.uk/mca

From: MS.MarineLicensing@gov.scot

Sent: 25 February 2021 16:24

To: navigation safety

Subject: FW: 00008749/ 00008748 - Stornoway Harbour Authority - Construction and Capital Dredging - Deep Water Port, Glumaig Bay, Stornoway - Consultation - Response required by 28 January 2021

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Dear Sir/Madam,

We have not yet received a response to the below consultation which ended 28 January 2021.

We would appreciate if you could send a response at your earliest convenience.

Kind regards,

Kate

Kate Taylor
Marine Licensing Support Officer
Marine Scotland - Marine Planning & Policy

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

Email: kate.taylor2@gov.scot

Website: <https://www2.gov.scot/Topics/marine/Licensing/marine>

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From: MS Marine Licensing

Sent: 24 December 2020 11:11

To: 'argyll_outerhebrides@nature.scot' <argyll_outerhebrides@nature.scot>; 'planning.north@sepa.org.uk' <planning.north@sepa.org.uk>; 'Maritime and Coastguard Agency (MCA) (navigationsafety@mcga.gov.uk)' <navigationsafety@mcga.gov.uk>; 'Northern Lighthouse Board (NLB) (navigation@nlb.org.uk)' <navigation@nlb.org.uk>; 'sypa@stornowayport.com' <sypa@stornowayport.com>; 'admin@ohft.org.uk' <admin@ohft.org.uk>; 'info@syangling.com' <info@syangling.com>; 'm.morrison@sff.co.uk' <m.morrison@sff.co.uk>; 'info@scottishfishermen.co.uk' <info@scottishfishermen.co.uk>; 'general@fms.scot' <general@fms.scot>; 'admin@ohft.org.uk' <admin@ohft.org.uk>; 'FO Stornoway' <FO.Stornoway@gov.scot>; 'Scotland-Marine@bidwells.co.uk' <Scotland-Marine@bidwells.co.uk>; 'Pauline.McGrow@ryascotland.org.uk' <Pauline.McGrow@ryascotland.org.uk>; 'operations@cmassets.co.uk' <operations@cmassets.co.uk>; 'fiona.read@whales.org' <fiona.read@whales.org>; 'science@hwdt.org' <science@hwdt.org>; 'Iain.Robertson584@mod.gov.uk' <Iain.Robertson584@mod.gov.uk>; 'DIO ODC-LMS SNI1c (Massey, Shona C2) (DIOODC-LMSSNI1c@defence.gsi.gov.uk)' <DIOODC-LMSSNI1c@defence.gsi.gov.uk>; 'DIO-safeguarding-offshore@mod.uk' <DIO-safeguarding-offshore@mod.uk>; 'Protection of Birds (RSPB) (planning.scotland@rspb.org.uk)' <planning.scotland@rspb.org.uk>; 'Historic Environment Scotland (HES) (hmconsultations@hes.scot)' <hmconsultations@hes.scot>; 'scollin@scottishwildlifetrust.org.uk' <scollin@scottishwildlifetrust.org.uk>; 'stornowaycommunitycouncil@gmail.com' <stornowaycommunitycouncil@gmail.com>; 'planning@cne-siar.gov.uk' <planning@cne-siar.gov.uk>; 'esther@scotlink.org'

<esther@scotlink.org>; 'secretary@marinesafetyforum.org'
<secretary@marinesafetyforum.org>; Pratt D (David) <David.Pratt@gov.scot>;
'rmerrylees@ukchamberofshipping.com' <rmerrylees@ukchamberofshipping.com>;
'planningconsultations@scottishwater.co.uk' <planningconsultations@scottishwater.co.uk>;
'Douglas.Keith@visitscotland.com' <Douglas.Keith@visitscotland.com>;
'laura.blackburn@visitscotland.com' <laura.blackburn@visitscotland.com>;
development_management <development_management@transport.gov.scot>;
'doninicholson@hotmail.com' <doninicholson@hotmail.com>

Subject: 00008749/ 00008748 - Stornoway Harbour Authority - Construction and Capital Dredging - Deep Water Port, Glumaig Bay, Stornoway - Consultation - Response required by 28 January 2021

Dear Sir/Madam,

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

00008749/ 00008748 – Stornoway Harbour Authority - Construction and Capital Dredging - Deep Water Port, Glumaig Bay, Stornoway

Marine licences have been requested under the Marine (Scotland) Act 2010 in regards to the proposed Deep Water Port project, Glumaig Bay, Stornoway. An Environmental Impact Assessment (“EIA”) report has also been submitted under the Marine Works (EIA) (Scotland) Regulations 2017 (as amended) along with supporting documentation. The construction and dredging licence applications, EIA report and supporting documentation can be accessed via the following link:

[Deep Water Port, Glumaig Bay, Stornoway | Marine Scotland Information](#)

Please forward your comments on these proposals via electronic communication to ms.marinelicensing@gov.scot. If you require an extension to the consultation period, please inform me in writing as soon as possible and within 28 days of this email.

Kind Regards,

Neil Macleod
Marine Licensing Casework Officer

Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB
General Email: MS.marinelicensing@gov.scot

Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

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MS.MarineLicensing@gov.scot for all licensing queries.



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