

## MS-LOT European Protected Species Case Handling Report

**Licence Number:** 00010990

**Licensing Officer:** [Redacted]

<b>Site</b>	Kennacraig Ferry Terminal Survey Site
<b>Company</b>	Caledonian Maritime Assets Limited  Municipal Building Fore Street Port Glasgow PA14 5EQ
<b>Applicant</b>	[Redacted]
<b>Brief Description of Project</b>	Kennacraig Ferry Terminal Development
<b>Associated Licences</b>	Basking Shark Licence No. 00010991 Marine Licence No. 00010987

<b>Species</b>	harbour porpoise ( <i>Phocoena phocoena</i> );bottlenose dolphin ( <i>Tursiops truncatus</i> );minke whale ( <i>Balaenoptera acutorostrata</i> )
<b>Inshore/Offshore</b>	Inshore

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<b>TEST 1</b>	<b>Purpose of licence</b>
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
<b>Comments</b>	
<p>Is a specific need being addressed? There is a requirement to upgrade the port infrastructure to allow for the new greener vessels to be employed on the lifeline ferry route.</p> <ul style="list-style-type: none"><li>• What benefit does the activity provide or what need does it address – Will allow for increased capacity of vessels, reduce emissions. In turn this will protect and benefit remote communities</li><li>• Why is the activity essential? It will inform the design of the new infrastructure which is required for the new vessels</li><li>• What public interest is served? Lifeline ferry will be maintained bringing social and economic support to remote communities. Benefits for Islay and Colonsay residents and businesses. There will also be an increase in carriage capacity on the ferry.</li><li>• Is the activity in relation to any government targets or policies? Yes maintaining a lifeline ferry, possible reduction of emissions by use of more efficient vessels</li><li>• Is the applicant undertaking a statutory function? This is a lifeline ferry and the operation may have a statutory obligation</li></ul>	
<b>Test 1 satisfied?</b>	YES

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<b>TEST 2</b>	<b>Satisfactory alternatives</b>
<b>Comments</b>	
<p>• Has the applicant demonstrated that reasonable effort has been made to consider alternatives that would achieve the same result but with less / no impact on EPS? Yes two alternatives considered, no survey and no dredge works.</p> <p>• They should explain what alternatives were considered and justification for considering they are unsatisfactory. Yes two alternatives considered.</p> <p>1. Not undertaking enabling survey - Staus Quo would remain with newer cleaner vessels being unable to access the Island, impacting negatively on the social and economic development of the Island.</p> <p>2. No dredge - not meet the capacity for services required for the newer vessels, restricting access and requiring further extension of jetties into deeper waters.</p> <p>• They should always consider the 'do-nothing' alternative. Yes considered as above</p> <p>• Possible alternatives may be equipment, methods, locations and timing. Other methods and equipment considered.</p>	
<b>Test 2 satisfied?</b>	YES

<b>TEST 3</b>	<b>Favourable conservation status</b>
<b>Comments</b>	
<p>NatureScot has considered the application and advised in its responses of 3 July 2023 Providing the mitigation detailed in the application is employed, the proposal is not capable of having an adverse impact on the favourable conservation status of the European Protected Species concerned or an adverse impact on basking sharks.</p> <p>To the best of our knowledge all the species capable of being disturbed by the activity and all the equipment capable of disturbing the species have been correctly identified by the applicant.</p> <p>The Sound of Gigha is designated as an Special Protection Area for non-breeding birds. The activity is unlikely to have a significant effect on the qualifying interests of the Sound of Gigha Special Protection Area.</p> <p>We do not expect that the activity will affect any further marine designated sites.</p> <p>NatureScot re consulted on the 30 October 2024 in relation to the application to vary the initial licence ( temporal extension only) . NatureScot responded on the 30 October 2024 advising that the previous advice stands.</p>	
<b>Test 3 satisfied?</b>	YES

**Date application received:** 24/10/2024

**Consultation start date:** 30/10/2024

**Consultation end date:** 13/11/2024

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### Notes

Date	Text	Created By
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### Awaiting Information

Start date	End date	Duration (days)	Waiting for	Waiting on Information From
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**Licence issue date:** 16/12/2024

**Date report due:** 31/05/2025

**Licence start date:** 31/12/2024

**Licence end date:** 30/04/2025

### National Marine Plan considerations:

The decision is: In accordance and no further action required

Comments: Application for EPS linked to construction licence 00010987 assessed under the National Marine Plan - once the works are completed they will benefit the local rural community, persons travelling to the island for work and tourism, and have been considered under the following General Polices.

Gen Policy 1 - presumption of favour - tourism especially important in remote area.

Gen policy 2- Economic Benefit - sustainable and provides an economic benefit to Scottish communities.

Gen Policy 3- Social benefit - economic growth and opportunities for trade.

Reviewed and signed by:

[Redacted]

Signed: [Redacted]

Date: 16/12/2024