

**Marine Directorate - Licensing Operations Team
Scoping Opinion**

**Scoping Opinion adopted by the Scottish Ministers
under Part 4 of The Marine Works (Environmental
Impact Assessment) (Scotland) Regulations 2017**

Caledonian Maritime Assets Ltd (per Mott MacDonald)

Port Ellen Ferry Terminal Development

February 2024

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1. Introduction

1.1 Background

- 1.1.1 On 12 October 2023, the Scottish Ministers received a scoping report (“the Scoping Report”) from Caledonian Maritime Assets Limited (“the Applicant”) as part of its request for a scoping opinion relating to Port Ellen Ferry Terminal Development (“the Proposed Works”). In accordance with regulation 14 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”) the Scottish Ministers considered the content of the Scoping Report to be sufficient.
- 1.1.2 This scoping opinion is adopted by the Scottish Ministers under the 2017 MW Regulations (“the Scoping Opinion”) in response to the Applicant’s request and should be read in conjunction with the Scoping Report. The matters contained in the Scoping Report have been carefully considered by the Scottish Ministers and use has been made of professional judgment, based on expert advice from stakeholders and Marine Directorate in-house expertise and experience. This Scoping Opinion identifies the scope of impacts to be addressed and the method of assessment to be used in the Environmental Impact Assessment Report (“EIA Report”) for the Proposed Works. The Scottish Ministers, in adopting this Scoping Opinion, have, in accordance with the 2017 MW Regulations, taken into account the information provided by the Applicant, in particular, information in respect of the specific characteristics of the Proposed Works, including its location and technical capacity and its likely impact on the environment. In addition, the Scottish Ministers have taken into account the representations made to them in response to the scoping consultation they have undertaken. In examining the EIA Report, and any other environmental information, the Scottish Ministers will seek to reach an up to date reasoned conclusion on the significant effects on the environment from the Proposed Works. This reasoned conclusion will be considered as up to date if the Scottish Ministers are satisfied that current knowledge and methods of assessment have been taken account of. For the avoidance of doubt, this Scoping Opinion does not preclude the Scottish Ministers from requiring the Applicant to submit additional information in connection with any EIA Report submitted with applications for marine licences under the Marine (Scotland) Act 2010 (“the 2010 Act”). In the event that the Applicant does not submit applications for marine licences under the 2010 Act for the Proposed Works within 12 months of the date of this Scoping Opinion, the Scottish Ministers strongly recommend that the Applicant seeks further advice from them regarding the validity of the Scoping Opinion.

2. The Proposed Works

2.1 Introduction

2.1.1 This section provides a summary of the description of the Proposed Works provided by the Applicant in the Scoping Report together with the Scottish Ministers' general comments in response. The details of the Proposed Works in the Scoping Report have not been verified by the Scottish Ministers and are assumed to be accurate.

2.2 Description of the Proposed Works

2.2.1 The purpose of the Proposed Works is to redevelop the Port Ellen Ferry Terminal in order to provide sufficient harbour capacity to accommodate the new generation of larger Roll on Roll off vessels currently under construction for CMAL, and the additional vehicle traffic that they will attract. Port Ellen Ferry terminal is located on the south side of Islay, Argyll and Bute and the Proposed Works will involve both construction and dredging works.

2.2.2 The Proposed Works consists of approximately 22,000m² of land reclamation over the existing pier structure, stretching out in a south-west direction. The land reclamation will be bound by approximately 8000m³ rock armour to the north-west, and a sheet piled quay wall to the south-east. The quay wall will form a new commercial berth of approximately 170m in length. In addition, the fishing berths to the east of the reclaimed land will be replaced with new berths.

2.2.3 The land reclamation will create key areas for the terminal development, namely a marshalling area, a new terminal building area and associated parking. The land reclamation will be infilled with a suitable imported granular material, approximately 1,000,000m³. If suitable, the Applicant proposes to use dredge material as land reclamation infill alongside the imported granular material. The area will be capped with concrete and geotextile to prevent loss of material.

2.2.4 The Applicant also proposes the construction of a new open-piled finger pier with reinforced concrete deck and associated pier furniture, in a south-west/north-east orientation. This is subject to confirmation during detailed design, but is proposed to be approximately 150m in length, with a roundhead structure to support vessel manoeuvring.

2.2.5 The Proposed Works will also include the construction of a new linkspan with supporting structures on the south side of the pier, and a new ramp or linkspan with supporting structures adjacent to the finger pier on the north side.

- 2.2.6 A rock armour revetment is proposed to be constructed below the new fixed ramp and linkspan structures with a suspended deck above.
- 2.2.7 The Proposed Works include the dredging of the new berths at the finger pier and the commercial berth. In addition, a new navigational channel adjacent to the commercial berth will be dredged. Dredging is expected to produce approximately 32,000m³ of wet material with a composition of 22,000m³ soft material and 10,000m³ rock. This will be informed by geophysical surveys.
- 2.2.8 Detailed design of the Proposed Works is ongoing and due to be completed in late 2024.
- 2.2.9 The Applicant anticipate that the works would commence in Spring 2025 and would take between 18 and 24 months to complete.

2.3 Onshore/Planning/Harbour Revision Order

- 2.3.1 The Scottish Ministers are aware the Applicant has sought a separate scoping opinion from Transport Scotland for the associated onshore ferry terminal works. It is essential that the EIA Report concerning onshore works will be available at the time that the EIA Report for the Proposed Works is being considered so that all the information relating to the project as a 'whole' is presented. The EIA Report for the Proposed Works must consider the cumulative impacts with the onshore works.
- 2.3.2 The Scottish Ministers advise that the EIA Report must explicitly detail the licensable marine activities to be carried out below Mean High Water Springs ("MHWS") as part of the Proposed Works and identify which activities overlap with Transport Scotland remit.

2.4 The Scottish Ministers' Comments

Description of the Proposed Works

- 2.4.1 The Scottish Ministers note that the Applicant proposes to dredge approximately 32,000m³ of material as part of the works, with the material to be considered for beneficial re-use as land reclamation infill. The Scottish Ministers advise that if there is any doubt as to the suitability of the dredge material for use in the land reclamation, the worst case scenario must be assessed and all of the infill material requires to be sourced from an alternative location and transported to site. The Applicant must set out the best practicable environmental option for the dredge material which must clearly detail all options that have been considered.

Design Envelope

- 2.4.2 The Scottish Ministers advise that if the Applicant intends to apply a 'Design Envelope' approach, where the details of the Proposed Works cannot be defined precisely, the Applicant will apply a worst case scenario.
- 2.4.3 The Scottish Ministers advise that the Applicant must make every attempt to narrow the range of options. Where flexibility in the design envelope is required, this must be defined within the EIA Report and the reasons for requiring such flexibility clearly stated. At the time of application, the parameters of the Proposed Works should not be so wide-ranging as to represent effectively different projects. To address any uncertainty, the EIA Report must consider the potential impacts associated with each of the different scenarios. The criteria for selecting the worst case and the most likely scenario, together with the potential impacts arising from these, must also be described. The parameters of the Proposed Works must be clearly and consistently defined in the applications for the marine licences and the accompanying EIA Report.
- 2.4.4 The Scottish Ministers will determine the applications based on the worst case scenario. The EIA will reduce the degree of design flexibility required and the detail may be further refined in a Construction Method Statement ("CMS") to be submitted to the Scottish Ministers, for their approval, before works commence. Please note however, the information provided in Section 7 below regarding multi-stage regulatory approval. The CMS will 'freeze' the design of the project and will be reviewed by the Scottish Ministers to ensure that the worst case scenario described in the EIA Report is not exceeded.
- 2.4.5 It is a matter for the Applicant, in preparing the EIA Report, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. If the Proposed Works or any associated activities materially change prior to the submission of the EIA Report, the Applicant may wish to consider requesting a new Scoping Opinion.

Alternatives

- 2.4.6 The EIA Regulations require that the EIA Report include 'a description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the Applicant, which are relevant to the proposed works and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'. The Scottish Ministers note that the Applicant's Scoping Report did not indicate any consideration of alternatives.

- 2.4.7 For the avoidance of doubt, the Scottish Ministers advise that the EIA Report must include an up-to-date consideration of the reasonable alternatives studied as the parameters of the Proposed Works have been refined. The Scottish Ministers expect this to comprise a discrete section in the EIA Report that provides details of the reasonable alternatives studied across all aspects of the Proposed Works and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

3. Contents of the EIA Report

3.1 Introduction

3.1.1 This section provides the Scottish Ministers' general comments on the approach and content of information to be provided in the Applicant's EIA Report, separate to the comments on the specific receptor topics discussed in Section 5 of this Scoping Opinion.

3.2 EIA Scope

3.2.1 Matters are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Scottish Ministers. The matters scoped out should be documented and an appropriate justification noted in the EIA report.

3.3 Mitigation and Monitoring

3.3.1 Any embedded mitigation relied upon for the purposes of the assessment should be clearly and accurately explained in detail within the EIA Report. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The EIA Report must identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

3.3.2 The EIA Report should clearly demonstrate how the Applicant has had regard to the mitigation hierarchy, including giving consideration to the avoidance of key receptors. The Scottish Ministers advise that where the mitigation is envisaged to form part of a management or mitigation plan, the EIA Report must set out these plans or the reliance on these in sufficient detail so the significance of the residual effect can be assessed and evaluated. This should also include identification of any monitoring and remedial actions (if relevant) in the event that predicted residual effects differ to actual monitored outcomes. Commitment to develop plans without sufficient detail is not considered to be suitable mitigation in itself.

3.3.3 The EIA Report must include a table of mitigation which corresponds with the mitigation identified and discussed within the various chapters of the EIA Report and accounts for the representations and advice attached in Appendix I.

3.3.4 Where potential impact on the environment have been fully investigated but found to be of little or no significance, it is sufficient to validate that part of the assessment by detailing in the EIA Report, the work that has been

undertaken, the results, what impact, if any, has been identified and why it is not significant.

4. Consultation

4.1 The Consultation Process

4.1.1 Following receipt of the Scoping Report, the Scottish Ministers, in accordance with the 2017 MW Regulations, initiated a 30 day consultation process, which commenced on 26 October 2023. The following bodies were consulted, those marked in bold provided a response and those marked in italics sent nil returns or stated they had no comments:

- **Argyll & Bute Council**
- **Caledonian Maritime Assets Limited (“CMAL”)**
- Community Council
- Crown Estate Scotland
- *Defence Infrastructure Organisation (“DIO”)*
- Fisheries Management Scotland
- Fishery Office: Campbeltown
- Hebridean Whale and Dolphin Trust
- **Heritage and Environment Scotland (“HES”)**
- Marine Safety Forum
- **Maritime and Coastguard Agency (“MCA”)**
- National Trust for Scotland
- **NatureScot (operating name of Scottish Natural Heritage)**
- **Northern Lighthouse Board (“NLB”)**
- Port Ellen Harbour Association
- Ports and Harbours (Transport Scotland)
- **Royal Society for the Protection of Birds (“RSPB”)**
- **Royal Yachting Association (“RYA”)**
- Scottish & Southern Energy Network
- Scottish Creel Fishermen's Federation
- *Scottish Environment Protection Agency (“SEPA”)*
- Scottish Fishermens Federation
- Scottish Fishermens Organisation
- Scottish Whitefish Producers Organisation
- Scottish Wildlife Trusts
- South West Coast Regional Inshore Fisheries Group
- UK Chamber of Shipping
- Visit Scotland
- Whale and Dolphin Conservation

- 4.1.2 Specific advice was sought from Marine Directorate – Science, Evidence, Data and Digital (“MD-SEDD”), the Marine Directorate – Marine Analytical Unit (“MAU”) and Transport Scotland (“TS”).

4.2 Responses received

- 4.2.1 From the list above a total of ten responses were received. Advice was also provided by MAU and TS. The purpose of the consultation was to seek representations to aid the Scottish Ministers’ consideration of which potential effects should be scoped in or out of the EIA Report.
- 4.2.2 The Scottish Ministers are satisfied that the requirements for consultation have been met in accordance with the 2017 MW Regulations. The sections below highlight issues which are of particular importance with regards to the EIA Report and any marine licence applications. The representations and advice received are attached in Appendix I and each must be read in full for detailed requirements from individual consultees.

5. Interests to be considered within the EIA Report

5.1 Introduction

5.1.1 This section contains the Scottish Ministers' opinion on whether the impacts identified in the Scoping Report are scoped in or out of the EIA Report. The Scottish Ministers advise that the representations from consultees and advice from MAU and TS must be considered in conjunction with the Scoping Opinion and with the expectation that recommendations and advice as directed through this Scoping Opinion are implemented.

5.2 Air Quality

5.2.1 The Applicant considers air quality in Section 4 of the Scoping Report. It studies potential impact on air quality in Section 4.4 and proposes air quality be scoped out in Section 4.5.

5.2.2 The Applicant notes that the Proposed Works have the potential during construction, to result in the emission of exhaust gases and dust into the atmosphere from vehicles and machinery, leading to a deterioration in air quality for receptors close to the construction site and access routes. During operation the Applicant notes that any impacts on air quality from vessels is anticipated to be minor, as the additional usage of the area of Proposed Works in relation to current operational activities is small in scale. The Scottish Ministers are satisfied with the Applicant's proposal to mitigate against air quality impacts through good practice management measures incorporated into a Construction Environmental Management Plan ("CEMP").

5.2.3 To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree, that air quality is scoped out of further assessment within the EIA Report for construction and operational phases.

5.3 Cultural Heritage

5.3.1 The Applicant considers the potential impact of the Proposed Works on cultural heritage in Section 5 of the Scoping Report, with due consideration of the impacts during the construction phase in Section 5.4.1 and operational phase in Section 5.4.2. The Scottish Ministers are content with the baseline assessment given in Section 5.3 and are satisfied that all receptors have been identified.

5.3.2 The Scoping Report identifies that potential impacts on cultural heritage require further assessment and has been scoped in for the construction and operational phases of the Proposed Works. The Scottish Ministers are

content with the proposal to further assess maritime heritage assets, in particular maritime wrecks, via analysis of marine geophysical survey data, undertaken in August 2022, and by the inclusion of a desk-based assessment and walk-over survey.

- 5.3.3 The Scottish Ministers agree that cultural heritage is scoped in for further assessment within the EIA Report for construction and operational phases.

5.4 Landscape/seascape and visual amenity

5.4.1 The Applicant details the potentially significant effects on landscape, seascape and visual amenity during the Proposed Works in Section 6 of the Scoping Report, with specific details on the effects during construction given in Section 6.4.3 and operation given in Section 6.4.4. The Scottish Ministers agree with the Applicants baseline assessment of receptors detailed in Section 6.3 and note the inclusion of potential effects and mitigation measures in Section 6.4.

5.4.2 The Scottish Ministers agree with the content and approach to the assessment of landscape, seascape and visual amenity proposed in the Scoping Report and agree that this is scoped into the EIA Report. This view is supported by the Argyll and Bute Council representation. The Scottish ministers advise that Policy LDP 9 – Development Setting, Layout and Design, associated Supplementary Guidance, and the Argyll and Bute Landscape Capacity Assessment, must be considered in addition to that detailed in Table 6.5, in line with the Argyll and Bute Council representation.

5.5 Terrestrial Ecology

5.5.1 The Applicant considers the potential impact of the Proposed Works on terrestrial ecology in Section 7 of the Scoping Report. The Scoping Report states that potential significant effects to terrestrial ecology are not anticipated as a result of the construction or operational phases of the Proposed Works and have therefore been scoped out.

5.5.2 The Applicant has identified <Re_{duct}>, birds and <Re_{duct}> as the protected and notable species potentially present within the site of the Proposed Works. They have also acknowledged that there may be effects on other receptors including Invasive Non-Native species and terrestrial habitats. The Scottish Ministers are content that all the appropriate receptors have been identified by the Applicant via baseline surveys detailed in Section 7.4.5.

- 5.5.3 To the extent that the effects relate to marine licensable activities, The Scottish Ministers agree that terrestrial ecology can be scoped out from further assessment within the EIA Report for construction and operational phases.

5.6 Marine Ecology

- 5.6.1 The Applicant considers the potential impacts of the Proposed Works on marine ecology in Section 8 of the Scoping Report.
- 5.6.2 NatureScot are satisfied that the approaches to further assessments and surveys outlined in the Scoping Report aim to assess potential adverse effects to the marine habitats and species of interest in the vicinity of the Proposed Works. However, it notes that within Section 13.1.2 of the Scoping Report reference is made to blasting and explosives. They advise that further details of these methodologies are required. The Applicant is directed to Section 5.11 for further detail.
- 5.6.3 In their representation, RSPB advise that Arctic Terns (*Sterna paradisaea*) breed on the skerries nearest to the Proposed Works in the southwest. The potential for disturbance to this species should therefore be considered further. In addition, the RSPB advise that there are Sea Grass beds 300m to the north of the Proposed Works in the bay, which may be at risk of being swamped by sediment during dredging activity.
- 5.6.4 The Scottish Ministers are in agreement with the elements proposed by the Applicant to be scoped in for further assessment and the approach to the assessment. The Scottish Ministers direct the Applicant to the NatureScot, Argyll & Bute Council and RSPB representations in Appendix I and advise that they are fully addressed within the EIA Report.

5.7 Geology & soils

- 5.7.1 The Applicant considers the potential impacts of the Proposed Works on geology and soils in Section 9 of the Scoping Report and concludes that geology and soils should be scoped out in Section 9.5.
- 5.7.2 The Scottish Ministers agree with the approach to the assessment of geology and soils proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that geology and soils can be scoped out from further assessment.

5.8 Materials & Waste

- 5.8.1 The Applicant discusses the potential effects of materials and waste in Section 10 of the Scoping Report and identifies the existing materials in the area of Proposed Works that may become waste during the Works. The Applicant states that the dredge is likely to produce a large amount of waste and that the mitigation for deposit of the dredge sediment will be contained with the Best Practicable Environmental Option assessment. In its representation, Argyll and Bute Council agreed with the Applicant that a Site Waste Management Plan (“SWMP”) can be employed for dealing with all waste produced by the Proposed Works.
- 5.8.2 The Scottish Ministers agree with the content and approach to the assessment of materials and waste proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that materials and waste for both operation and construction phases can be scoped out from further assessment.

5.9 Material Assets

- 5.9.1 The Applicant details the potential impacts on material assets in Section 11 of the Scoping Report and proposes that material assets be scoped out.
- 5.9.2 The Scottish Ministers are satisfied that the Applicant has identified the potential disruption to local material assets, including access roads and the existing pier, during construction. This disruption is not expected to be significant. There is no change of use expected during operation, therefore disruption to material assets will be comparable to the existing use of the site.
- 5.9.3 To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree, that material assets can be scoped out of further assessment within the EIA Report for construction and operational phases.

5.10 Airborne Noise & vibration

- 5.10.1 The Applicant identifies the potential impacts of airborne noise and vibration in Section 12 of the Scoping Report, noting that there is the potential for elevated noise and vibration for receptors in the immediate vicinity of the Proposed Works, although during construction it will be temporary and short-term. During the operation phase, an increase in vessel capacity may create additional noise, however the increased capacity of the vehicle marshalling area will reduce noise from queuing traffic.
- 5.10.2 The Scottish Ministers agree with the content and approach to the assessment of airborne noise and vibration proposed in the Scoping Report.

To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that airborne noise and vibration for both operation and construction phases is scoped in.

5.11 Underwater Noise

- 5.11.1 The Applicant has considered underwater noise in Section 13 of the Scoping Report, detailing the potential impacts of the construction phase of the Proposed Works in Section 13.1.2 and the potential impacts of the operational phase in Section 13.1.3. The Scottish Ministers are content with the baseline assessment given in Section 13.1.1 and are satisfied that all receptors have been identified.
- 5.11.2 The Scottish Ministers note the proposed mitigation detailed in Section 13.1.2 to reduce impacts on receptors during construction and that these will be captured in the CEMP. The Scottish Ministers also note that no increase in underwater noise is expected during the operational phase of the construction and are therefore satisfied with the Applicants proposal to scope out underwater noise for operational effects.
- 5.11.3 In their representation, NatureScot, note that within Section 13.1.2 of the Scoping Report reference is made to blasting and explosives. They advise that further details of these methodologies are required, including; when these methods may become necessary within the Proposed Works; what impact assessments and mitigation strategies would be implemented in addition to existing assessments and strategies for piling and dredging; and, should blasting become necessary, the intention to issue a method statement and risk assessment. The Scottish Ministers agree with NatureScot and advise that method statements must be supplied and include the duration and timing of dredging, piling and blasting in order for the impacts of the methods to be fully assessed.
- 5.11.4 The Scottish Ministers agree with the content and approach to the assessment of underwater noise proposed in the Scoping Report. The Scottish Ministers advise that underwater noise for the construction phase be scoped in, however, for the operational phase, underwater noise is scoped out of further assessment.

5.12 Population & Human health

- 5.12.1 The Applicant considers the potential impact of the Proposed Works on Population and Human Health in Section 14 of the Scoping Report, with due

consideration of the impacts given in Section 14.4. The Applicant has concluded that no significant adverse effects are anticipated during construction and operation and any disruption to the population can be managed through good practice measures to be detailed in the Construction Environmental Management Plan. As such, the Applicant has scoped population and human health (construction and operation) out of any further assessment.

- 5.12.2 The MAU representation notes that the Scoping Report proposes to scope out the assessment of population and human health, and that socio-economic assessment of the development is not mentioned in the Scoping Report. The MAU advise that socio-economic impacts must be scoped in to the EIA Report. The Applicant is directed to Section 5.17 for further detail.
- 5.12.3 In their representation, the RYA state that population and human health should be scoped in for both the construction and operational phases as it is unclear what the impact will be on the functioning and financial viability of the marina during both phases.
- 5.12.4 The Scottish Ministers advise that population and human health should be scoped in. The applicant is directed to the MAU advice in regard to socio-economics and that this advice should be fully considered in the EIA Report giving regard to RYA representation.

5.13 Water and environmental processes

- 5.13.1 The Applicant considers water and environmental processes in Section 15 of the Scoping Report and studies potential effects in Section 15.4.
- 5.13.2 Specifically, this includes consideration of potential effects from flood risk and groundwater, which will be mitigated against via a Flood Risk Assessment, and therefore has been scoped out. Coastal processes have been scoped in for further assessment in the EIA Report due to potential significant disruption to coastal processes during the construction phase and small changes as a result of the operation phase of the Proposed Works that includes dredging. Dredging may also impact the water quality and alter the pattern of water flow in the vicinity of the Proposed Works, therefore construction and operational impacts in relation to water quality have been scoped in.
- 5.13.3 The Scottish Ministers agree with the content and approach to the assessment of water and environmental processes proposed in the Scoping Report. To the extent that the effects relate to marine licensable activities, the Scottish Ministers agree that water and environmental processes for the

construction phase be scoped in, however, flood risk and groundwater during both phases be scoped out.

5.14 Climate

- 5.14.1 The Applicant considers the risk of impacts on climate change as a result of greenhouse gas emissions from the Proposed Works in Section 16 of the Scoping Report.
- 5.14.2 The Scottish Ministers are content with the elements proposed by the Applicant to be scoped in and out from further assessment in the EIA Report. The Scottish Ministers broadly agree with the Applicant's proposed assessment methodology however advise that the IEMA Environmental Impact Assessment Guide "Assessing Greenhouse Gas Emissions And Evaluating Their Significance" ("IEMA GHG Guidance") was updated and published in February 2022 and the Applicant's approach should be updated accordingly. The Scottish Ministers advise that the GHG Assessment included within the EIA Report should be based on a Life Cycle Assessment ("LCA") approach and notes that the IEMA GHG Guidance provides further insight on this matter. The Scottish Ministers highlight however that this Assessment should consist of the pre-construction, construction, operation and decommissioning phases, as well as benefits beyond the life cycle of the Proposed Works.

5.15 Risks of Major Accidents and/or Disasters

- 5.15.1 The Applicant considers risk of major accidents and/or disaster in Section 17 of the Scoping Report. However, the Scottish Ministers do not consider that the Applicant has provided sufficient information to justify scoping out the risk of major accidents and/or disaster. Consequently, it must be scoped in for further assessment in the EIA Report in respect of the construction phase of the project.
- 5.15.2 In doing so, the Applicant should make use of appropriate guidance, including the IEMA 'Major Accidents and Disasters in EIA: A Primer', to better understand the likelihood of an occurrence and the Proposed Works' vulnerability to or ability to cause a potential accident or disaster.
- 5.15.3 The Scottish Ministers advise that existing sources of risk assessment or other relevant studies should be used to establish the baseline rather than collecting survey data and note the IEMA Primer provides further advice on this. This should include the review of the identified hazards from your baseline assessment, the level of risk attributed to the identified hazards and the relevant receptors to be considered.

- 5.15.4 The assessment must detail how significance has been defined and detail the inclusions and exclusions within the assessment. Any mitigation measures that will be employed to prevent, reduce or control significant effects should be included in the EIA Report.

5.16 Commercial and recreational navigation

- 5.16.1 The Applicant has considered commercial and recreational navigation in Section 18 of the Scoping Report and has identified that the potential impacts are significantly different for construction and operational phases of the Proposed Works in Section 18.4.
- 5.16.2 The Scottish Ministers note that the Applicant has considered the impact of closing the port to ferries during the construction phase of the Proposed Works. In addition, the impact of the Works on the wider harbour area have been considered including the fisherman's quay, small craft pontoons in the marina, the dredging operation and aids to navigation. The Scottish Ministers are satisfied with stakeholder engagement proposed to determine the necessary provisions and constraints required during construction.
- 5.16.3 The Scottish Ministers note that the Applicant has considered the operational impacts of the Proposed Works on commercial and recreational navigation, and proposes to undertake additional navigation studies to ensure the berth areas and dredged area are safe for navigation. The Scottish Ministers agree that this part of the operational phase is scoped in.
- 5.16.4 In their representation, the RYA do not consider that the negative impacts on recreational boating during the construction phase have been established in the Scoping Report. The RYA express concerns regarding notification of the works for recreational vessels seeking to use Port Ellen for shelter during the construction phase. The RYA state that this can be mitigated against but the risk needs to be stated and addressed within the EIA report.
- 5.16.5 The RYA note that it is unclear what the impact will be on the existing moorings on the south side of the channel and that these are not mentioned in the Scoping Report.
- 5.16.6 The Scottish Ministers agree that commercial and recreational navigation for both the construction and operational phases be scoped in. The Applicant is directed to the MCA, NLB and RYA, representation in Appendix I and advise that these should be given full regard within the EIA Report.

5.17 Socio-economics

- 5.17.1 Socio-economic assessment of the Proposed Works is not addressed in the Scoping Report. The Scottish Ministers advise that this must be scoped in for further assessment in the EIA Report. This view is supported by the MAU advice.
- 5.17.2 The Scottish Ministers advise that the Applicant should fully consider the MAU advice, including further exploration of social impacts and potential negative socio-economic impacts as a result of the Proposed Works. In addition, the Scottish Ministers advise the Applicant to fully consider the guidance and principles detailed in the MAU advice.

5.18 In-combination & cumulative effects

- 5.18.1 The Applicant considers the in-combination and cumulative effects of the Proposed works in Section 19 of the Scoping Report and proposes that in-combination and cumulative effects are scoped in.
- 5.18.2 The Scottish Ministers agree with the Applicants identification of potential in-combination and cumulative effects on receptors in the vicinity of the Proposed Works, and with the content and approach to the assessment of in-combination and cumulative effects proposed in the Scoping Report.
- 5.18.3 The Scottish Ministers advise that in-combination and cumulative effects for both phases be scoped in.

6. Application and EIA Report

6.1 General

- 6.1.1 The EIA Report must be in accordance with the 2017 MW Regulations and the Scottish Ministers draw your attention in particular to, regulation 6. In accordance with the 2017 MW EIA Regulations, the Scottish Ministers advise that the EIA Report must be based on this Scoping Opinion.
- 6.1.2 The Scottish Ministers note the need to carry out an assessment under the The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). This assessment must be coordinated with the EIA in accordance with the 2017 MW Regulations.
- 6.1.3 A gap analysis template is attached at Appendix II to record the environmental concerns identified during the scoping process. This template should be completed and used to inform the preparation of the EIA Report. As part of the submission of the EIA Report the Scottish Ministers advise that Applicant must provide confirmation of how this Scoping Opinion is reflected in the EIA Report.

7. Multi-Stage Regulatory Approval

7.1 Background

- 7.1.1 The 2017 MW Regulations contain provisions regulating the assessment of environmental impacts. A multi-stage approval process arises where an approval procedure comprises more than one stage; one stage involving a principal decision and one or more other stages involving implementing decision(s) within the parameters set by the principal decision. While the effects which works may have on the environment must be identified and assessed at the time of the procedure relating to the principal decision, if those effects are not identified or identifiable at the time of the principle decision, assessment must be undertaken at the subsequent stage.
- 7.1.2 The definition in the 2017 MW Regulations is as follows: “application for multi-stage regulatory approval” means an application for approval, consent or agreement required by a condition included in a regulatory approval where (in terms of the condition) that approval, consent or agreement must be obtained from the Scottish Ministers before all or part of the works permitted by the regulatory approval may be begun”.
- 7.1.3 A marine licence, if granted, by the Scottish Ministers for the Proposed Works, may have several conditions attached requiring approvals etc. which fall under this definition, for example the approval of a CMS. When making an application for multi-stage approval the Applicant must satisfy the Scottish Ministers that no significant effects have been identified in addition to those already assessed in the EIA Report.
- 7.1.4 If during the consideration of information provided in support of an application for multi-stage regulatory approval the Scottish Ministers consider that the works may have significant environmental effects which have not previously been identified in the EIA Report (perhaps due to revised construction methods or updated survey information), then information on such effects and their impacts will be required. This information will fall to be dealt with as additional information under the 2017 MW Regulations, and procedures for consultation, public participation, public notice and decision notice of additional information will apply.

Signed

<Redacted>

06 February 2024

Authorised by the Scottish Ministers to sign in that behalf.

Appendix I: Consultation Responses & Advice

SEPA consultation Response

Dear <Redacted>

Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 SCOP-0034

Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

Port Ellen, Islay

SEPA understand that this consultation pertains only to the offshore elements of the proposal and as such we have no comment to make as these matters are outwith our remit.

I trust these comments are of assistance - please do not hesitate to contact me if you require any further information.

Kind regards,
<Redacted>

Senior Planning Officer

MOD/DIO Consultation Response

Good morning <Redacted>

Thank you for your email below regarding the scoping request for the Port Ellen Terminal Development.

After review, I can confirm that MOD Safeguarding have no objections regarding this proposal.

Kind regards

<Redacted>

<Redacted> | Assistant Safeguarding Officer

Defence Infrastructure Organisation

Estates | Safeguarding

DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire
|WS14 9PY

Argyll & Bute Council Consultation Response

Argyll and Bute Council
Comhairle Earra Gháidheal agus Bhóid



Development And Economic Growth
Director: Kirsty Flanagan

Marine and Coastal Development Unit
Municipal Buildings, Albany Street, Oban, Argyll, PA34 4AW
www.argyll-bute.gov.uk

Ref: SCO_0034

6th November 2023

<Redacted>

Marine Licensing Casework Officer
Marine Planning & Policy Marine Directorate
Scottish Government
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (“the MW EIA Regulations”)**

CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS

SCHEDULE 2, 10 (m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

SCOP-0034 - Caledonian Maritime Assets Ltd (per Mott MacDonald) - Port Ellen Scoping Request - Port Ellen, Islay

Thank you for consulting Argyll and Bute Council on the above Environmental Impact Assessment Scoping Opinion.

In relation to the Applicant’s Scoping Report, please refer to the comments below from a marine planning policy perspective. Please note that previous screening opinion comments were submitted on the 20.07.21 (Ref: B2383700).

Yours sincerely

<Redacted>

Marine and Coastal Development Policy Officer

Overall EIAR Scoping Opinion

The Applicant's proposal must conform to all relevant National Planning Framework 4 (NPF4) policies, Local Development Plan (LDP), Local Development Plan 2 policies, as proposed, National Marine Plan (NMP) policies and detailed guidance as stipulated below.

National Planning Framework 4 (NPF4) overarching policies

Policy 1: Tackling the climate and nature crises

- The development will need to demonstrate reduced emissions as far as practically possible and adapt to current and future risks of climate change by promoting nature recovery and restoration in the area. In this respect, the applicant must aim to conserve and recycle assets where possible.

Policy 3: Biodiversity

a) The development proposal will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

d) Any potential adverse impacts, including cumulative impacts, of the development proposal on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 4: Natural places

- b) The development proposal that is likely to have a significant effect on an existing or proposed European site (Special Area of Conservation or Special Protection Areas) and are not directly connected with or necessary to their conservation management are required to be subject to an "appropriate assessment" of the implications for the conservation objectives.
- e) The precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance.
- f) Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

Policy 12: Zero waste

- a) The development proposal will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.
- b) The development proposal will be supported where they:

- i. reuse existing buildings and infrastructure;
 - ii. minimise demolition and salvage materials for reuse;
 - iii. minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life;
 - iv. use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials;
 - v. use materials that are suitable for reuse with minimal reprocessing.
- c) The development proposal that is likely to generate waste when operational, including residential, commercial, and industrial properties, will set out how much waste the proposal is expected to generate and how it will be managed including:
- i. provision to maximise waste reduction and waste separation at source, and
 - ii. measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Policy 29: Rural development

- a) The development proposal that contributes to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:
- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
 - ii. diversification of existing businesses;
 - iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
 - iv. essential community services;
 - v. **essential infrastructure**;
 - vi. reuse of a redundant or unused building;
 - vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
 - viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
 - ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
 - x. **improvement or restoration of the natural environment.**
- b) The development proposal in a rural area should be suitably scaled, sited and designed to be in keeping with the character of the area. The applicant should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.
- c) The development proposal is in a remote rural area, where new development can often help to sustain fragile communities, will be supported where the proposal:
- i. will support local employment;
 - ii. supports and sustains existing communities, for example through provision of digital infrastructure; and
 - iii. is suitable in terms of location, access, siting, design and environmental impact.

Local Development Plan (LDP)

- The proposal must conform to all relevant general policies of the adopted LDP (2015) and Supplementary Guidance (2016), and in particular with the policies stated below:
 - **Policy LDP 3 Supporting the Protection, Conservation and Enhancement of our Environment;**
 - Policy LDP 4 – Supporting the Sustainable Development of our Coastal Zone;
 - Policy LDP 9 - Development Setting, Layout and Design;
 - Policy LDP 10 - Maximising our Resources and Reducing Our Consumption;
 - Policy LDP DM1 - Development within the Development Management Zones.

 - **SG LDP ENV 1 - Development Impact on Habitats, Species and our Biodiversity;**
 - SG LDP ENV 2 – Development Impact on European Sites;
 - SG LDP ENV 7 - Water Quality and the Environment;
 - SG SERV 7 - Flooding and Land Erosion – The Risk Framework for Development;
 - SG LDP TRAN 8 - Piers and Harbours; and
 - SG LDP CST 1 - Coastal Development.

- In terms of SG LDP CST 1, note that there is a presumption against development of the Natural Foreshore unless:
 1. there is a specific operational purpose for the proposal's Natural Foreshore location;
 2. there is no effective alternative location for the development landward of the natural foreshore;
 3. the development does not damage or undermine the key features of the natural foreshore area including;
 - the dynamics and balance of the ecology of the foreshore,
 - the sustainable productive capacity of the foreshore for shell-fish farming; and
 - the effective functioning of the foreshore in providing access between land and water activity.

- The proposal should also take into consideration all the relevant and general proposed policies of the 2019 LDP Written Statement (https://www.argyll-bute.gov.uk/sites/default/files/migrated_files/finalpldp2writtenstatementdepositv2_ac1.pdf). In particular:
 1. Policy 04 – Sustainable Development;
 2. Policy 28 – Supporting Sustainable Aquatic and Coastal Development;
 3. Policy 42 – Safeguarding Piers, Ports and Harbours;
 4. Policy 55 – Flooding;
 5. Policy 56 – Land Erosion;
 6. Policy 59 – Water Quality and the Environment;
 7. Policy 63 – Waste Related Development and Waste Management;
 8. Policy 73 – Development Impact on Habitats, Species and Biodiversity; and
 9. Policy 74 – Development Impact on sites of international importance.

National Marine Plan

- The proposal must be consistent with the following General Policies of the Plan:
 - GEN 1 General planning principle
 - GEN 2 Economic benefit
 - GEN 3 Social benefit
 - GEN 4 Co-existence
 - GEN 5 Climate change
 - GEN 6 Historic environment
 - GEN 7 Landscape/seascape
 - GEN 8 Coastal process and flooding
 - GEN 9 Natural heritage
 - GEN 10 Invasive non-native species
 - GEN 11 Marine Litter
 - GEN 12 Water quality and resource
 - GEN 13 Noise
 - GEN 14 Air quality
 - GEN 21 Cumulative impacts

- including 'Shipping, Ports, Harbours and Ferries' policies: TRANSPORT 3, 4, and 5.

Environmental Impact Assessment (EIA) Scoping Report chapter comments

4 Air Quality (scoped out) – no comments.

5 Cultural Heritage (scoped in) – no comments.

6 Landscape/seascape and visual amenity (scoped in)

- Agree that Landscape/Seascape and Visual Amenity should be scoped into the EIAR. Section **6.6.2 Legislation, policy and guidance**, **Table 6.5: Summary of legislation, policy, and guidance in relation to landscape and visual amenity** under **Local (Argyll and Bute Council Local Development Plan)**, the table must include *Policy LDP 9 – Development Setting, Layout and Design, associated Supplementary Guidance and the Argyll and Bute Landscape Capacity Assessment*.

No other comments on the proposed methodology.

7 Terrestrial ecology (scoped out)

- Agree that Terrestrial ecology should be scoped out. In general agreement with the Applicant's comments. It will be important to ensure that a pre-works otter checking survey is undertaken by the Applicant. Agree that where necessary European Protected Species (EPS) Licencing will be obtained from NatureScot prior to the commencement of works. Agree that mitigation measures along with any requirement for EPS Licencing and associated species protection plans, will be managed as part of a wider Construction Environmental Management Plan (CEMP).

8 Marine ecology (scoped in)

- Agree with the Applicant's scoping assessment and proposed methodology and section 8.6.2 Further assessment and surveys.
- It is agreed that the contractor must provide a CEMP and Method Statement. The Method Statement must detail the proposed piling works, including duration, type of piling, predicted noise levels and mitigation measures that will be adhered to. The CEMP and Method Statement should be agreed by the Council in consultation with NatureScot prior to works commencing.
- With advice from NatureScot; piling works should be undertaken out-with the months of June to July to ensure calving and feeding harbour seals are not disturbed.
- It is important to note that the west coast of Scotland is an important UK and European habitat for cetaceans and Basking sharks. The waters off Argyll are noted as key migratory routes for these European Protected Species. Any effects must be mitigated by the following existing guidance and good practice:
 1. Marine Scotland Guidance: The Protection of Marine European Protected Species from Injury and Disturbance Guidance for Scottish Inshore Waters (July 2020). Please refer to web link:
<https://www.gov.scot/publications/marine-european-protected-species-protection-from-injury-and-disturbance/>
 2. JNCC guidance: Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise. Please refer to web link:
<https://data.jncc.gov.uk/data/31662b6a-19ed-4918-9fab-8fbcff752046/JNCC-CNCB-Piling-protocol-August2010-Web.pdf>
- In addition to the above comments and as a measure of good practice, it is advised that the contractor log daily seal, cetacean and basking shark sightings and prepare a report during the construction phase.

9 Geology and soils (scoped out) – no comments.

10 Materials and Waste (scoped out)

- Agree that the applicant can manage waste through a Site Waste Management Plan (SWMP).

11 Material Assets (scoped out) – No comments.

12 Airborne Noise and vibration (scoped in) – No comments.

13 Underwater noise (scoped in for construction effects and scoped out for operational effects)

Agree with the Applicant's proposed assessment methodology. Please refer to additional comments above under **8 Marine ecology (scoped in)**.

14 Population and human health (scoped out) – No comments.

15 Water environment and coastal processes – Flood risk and groundwater (construction and operation) (scoped out); Construction and operational impacts in relation to coastal processes (scoped in); Construction and operational impacts in relation to water quality (scoped in).

- Agree with the Applicant’s proposed assessment methodology and mitigation.
- The operation of a silt boom would be required, where appropriate to minimise suspended sediments and reduce siltation.
- The Applicant is required to apply for a Dredging and Sea Disposal licence, and a Marine Construction Projects licence respectively from the Marine Directorate – Licensing and Operations Team (MD – LOT). The Applicant must also apply for a Crown Estate (Scotland) licence. All licensable marine work information is available on the following web links:
 - <https://www.gov.scot/publications/marine-licensing-applications-and-guidance/>.
 - <https://www.crownestatescotland.com/scotlands-property/coastal/marine-works>.
- No further comments.

Chapter 16 Climate – no comments.

Chapter 17 Major accidents – no comments.

Chapter 18 Commercial and recreational navigation (scoped in for construction and scoped out for operation) – no comments.

Chapter 19 In-combination and Cumulative effects (scoped in)

- Agree with the Applicant’s proposed scope and assessment methodology outlined in **Table 19.1: Summary of legislation, policy, and guidance in relation to in-combination and cumulative effects**. The Applicant should also consider the cumulative effects policy discussed in the National Marine Plan (GEN 21 Cumulative impacts).

RYA Consultation Response

13 November 2023

<Redacted>

Marine Directorate –Licensing Operations Team

Scottish Government

Marine Laboratory,

375 Victoria Road,

Aberdeen,

AB11 9DB

<Redacted>

md.marinelicensing@gov.scot

Dear <Reda ,

<Redacted>
SCOP-0034–Port Ellen, Islay

Port Ellen is an important destination for recreational sailors on passage on the west coast. The UK Coastal Atlas of Recreational Boating is currently being updated by the RYA but the AIS heat-maps for sailing and pleasure craft on National Marine Plan Interactive show that most recreational boats arriving in Port Ellen come from round the Mull of Kintyre, from the marinas in Northern Ireland and from the Republic of Ireland. Alternatives for vessels heading towards Oban or Colonsay, as most will be, are Craighouse in Jura and Ardmish in Gigha. Additional sources of information for the EIA not mentioned in the scoping report are the *Kintyre to Ardnamurchan* volume of the *Clyde Cruising Club Sailing Directions and Anchorages* (Third edition 2020 with annual electronic updates) and the annual publication *Welcome Anchorages* which is available online and which has an entry for Port Ellen. Care needs to be taken on entry. As the *Sailing Directions* state, '...there is not much room for error when entering or leaving the marina.'

I have read the relevant parts of the scoping report on behalf of RYA Scotland and have consulted colleagues who are familiar with these waters as well as my colleague in the Cruising Association. I recognise the need for the works to be carried out and consider that there are opportunities to improve the facilities for visiting recreational boaters as well as possible risks.

I broadly agree with the topics scoped in or out in Table 20.1 with the following exceptions.

Population and human health should be scoped in for both the construction and operational phases as it is unclear what the impact will be on the functioning and financial viability of the marina during both phases. I presume that the marina will

be inaccessible for certain periods during construction. If so, the Port Ellen Harbour Association will suffer from a loss of income while still incurring costs.

We feel strongly that the wave modelling study mentioned in section 2.3.1 should include an assessment of the impact of the development on the marina in adverse weather. RYA Scotland is aware of several cases where changes to shore infrastructure creating solid structures have led to the funnelling of waves into previously sheltered harbours. The Port Ellen marina is used for shelter during strong winds and we know that when a commercial vessel is tied up to the existing pier it can be very close to the boats in the marina in these conditions. The capital dredging associated with the works could create a new and improved channel, which would be welcome as access to the marina is currently tight due to the shallows to the south-east of the marina. I note that maintenance dredging may be required. The community group running the marina would find it difficult to pay for dredging if the consequence of the works was to result in increased sedimentation in the marina and its immediate approaches. This should be the responsibility of CMAL.

It is unclear what the impact will be on the existing moorings on the south side of the channel. These are not mentioned in the scoping report.

I consider that there may be benefits to the marina during the operational phase, for example from improving access by dredging, and this should be considered during the EIA.

Recreational navigation should be scoped in for the construction phase. That there may be benefits in the operational phase, and I do not consider that has been established for recreational boating in the scoping report, does not mean that there can be no negative impacts during the construction phase. A key issue would be when recreational vessels head to Port Ellen for shelter and their skippers are unaware of the works. This can be mitigated against but the risk needs to be stated and addressed.

Major accidents should be scoped in for the operational phase. It is unclear what the implications of the development would be on a recreational vessel trying to enter the marina during a storm, or indeed on vessels tied up on the marina, particularly if a commercial vessel was tied up to the pier at the time. The wave impact study mentioned above would help answer this.

I note that the existing Navigational Risk Assessment will be updated by the Harbour Master and hope that this will be carried out together with stakeholders such as ourselves, the Port Ellen Harbour Association, and possibly RYA Northern Ireland. This will be an important way of establishing mitigations for impacts identified during the EIA and indeed should form part of the EIA, as is normal practice. Key embedded mitigation will relate to the effective promulgation of information about the works during the construction phase to marinas and

January 2024

harbours from which recreational craft sail to Port Ellen. The Clyde Cruising Club should also be informed (sailingdirections@clyde.org) so that the relevant entry in the Sailing Directions can be updated.

I consider that the issues listed above can be addressed by appropriate mitigations or by clarifying the programme of works. However, they should be addressed at this stage of the project.

Yours sincerely,

<Redacted> FCIEEM(retd) FRMetS Planning and Environment Officer, RYA Scotland

Transport Scotland Consultation Response

<Redac

ted>

Thank you for the opportunity for Transport Scotland to comment on the Scoping Report for the proposed Port Ellen Ferry Terminal Development on Islay. I note the Port is located some 56km from the nearest trunk road, which is the A83(T) at Kennacraig. I understand that the redevelopment of the Terminal is proposed because the existing ferry terminal is not able to provide sufficient marshalling capacity to match the capacity of the next generation CMAL major vessels currently under construction and some elements of the existing infrastructure are approaching the end of their serviceable life and should be replaced.

Having reviewed the Scoping Report supporting the application, I note that construction of the development will involve the importation of considerable quantities of granular material for the purposes of land reclamation and there may be quantities of dredge materials to be disposed of, either in landfill or spread on agricultural land. No details are provided as to how these operations will occur, or if they will be via the ferry terminal at Kennacraig. While Transport Scotland would acknowledge that there are no trunk roads on Islay, it should be noted that if construction of the Terminal Development requires materials to be transported on/off the mainland, Transport Scotland will require an assessment of any transport-related impacts be carried out and mitigated against as necessary. In addition, should the construction require the use of any Abnormal Indivisible Loads on the trunk road network, Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

I trust the above information is satisfactory at this stage, however, please contact me if you require any further information.

Regards.

<Redac

ted>



<Redacted>

Transport Scotland
Development Management Quality Manager
Roads Directorate

NLB Consultation Response



Northern
Lighthouse
Board

84 George Street
Edinburgh EH2 3DA

Tel: <Redacted>
Fax: 0131 220 2093

Website: www.nlb.org.uk
Email: enquiries@nlb.org.uk

Your Ref: SCOP-0034
Our Ref: GB/ML/C3_01_316

<Redacted>

Marine Licensing Casework Officer
Licensing Operations Team - Marine Directorate
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

21 November 2023

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 ("THE MW EIA REGULATIONS") & CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS

SCOP-0034 -Caledonian Maritime Assets Ltd (per Mott MacDonald) - Port Ellen Scoping Request - Port Ellen, Islay

Thank you for your e-mail correspondence dated 26th October 2023 regarding the scoping report submitted by **Caledonian Maritime Assets Ltd (per Mott MacDonald)** relating to the proposed construction and dredging works at the ferry terminal, Port Ellen, Islay.

We note that additional navigation studies will be scoped in and will include further stakeholder engagement. We also note that the Aids to Navigation (AtoN) will be reviewed during both the construction and operational phases in consultation with the Statutory Harbour Authority and NLB.

Northern Lighthouse Board are content with the proposed EIA scoping report.

Yours sincerely

<Redacted>

Navigation Manager

HES Consultation Response

Dear <Redacted>

[The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 Port Ellen, Islay - Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works Scoping Report](#)

Thank you for your consultation which we received on 26 October 2023 about the above scoping report. We have reviewed the details 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 (HMPAs) and undesignated marine historic assets.

The West of Scotland Archaeology Service (WoSAS) will also be able to offer advice for their interests. This may include unscheduled archaeology, category B- and C-listed buildings and conservation areas.

Proposed Development

We understand that the proposals involve works for the refurbishment of the Port Ellen Ferry Terminal in Islay, Argyll and Bute. The works comprise the creation of a deeper berth through dredging and other associated enabling works, including a new retaining wall along a section of quayside and the repositioning of the linkspan.

Scope of assessment

We welcome that the assessment of construction and operational impacts in relation to terrestrial cultural heritage assets has been scoped into the EIA Assessment. When we were consulted at screening for the proposals (July 2021), we noted that several marine historic environment features are located within the red line boundary for the development. These include the Ann, Schooner, 19th C. (Canmore Maritime ID 284008), the Catharine, Sloop, 19th C. (Canmore Maritime ID 274404) and the Saracen, Motor Fishing Vessel 20th C. (Canmore Maritime ID 303219). We did not, however, consider that significant impacts on these heritage assets are likely because of the proposed works. This is because this area has already been dredged and cleared for the existing harbour, and we do not anticipate that the proposed works would give rise to further impacts.

Further information

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 on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.

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

RSPB Consultation Response

Dear <Redacted> ,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (“the MW EIA Regulations”)

CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS

SCHEDULE 2, 10 (m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

Thank you for consulting RSPB Scotland regarding the Scoping Opinion for the above-named development.

I have been made aware of two local issues not captured by the Applicant in the Scoping report:-

- Arctic Terns *Sterna paradisaea* breed (though not every year) on the skerries nearest to the Proposed Development in the southwest. The potential for disturbance to this species should therefore be considered in the proximity and timing of works.
- There are Sea Grass beds 300m to the north of the Proposed Development in the bay, which may be at risk of being swamped by sediment during dredging activity.

With a view to the delivery of mitigation and Biodiversity Enhancement activities as required under the Fourth National Planning Framework, the Applicant may wish to explore the installation of Black Guillemot *Cephus grylle* nesting boxes, plus actions to support breeding terns in the wider area. RSPB Scotland would be pleased to provide advice on the delivery of these activities via our locally based staff and Species on the Edge partnership programme.

Please do not hesitate to contact me if I can provide further information or assistance in this regard.

Sending all good wishes from Mull,

<Redacted> .

<Redacted> | (she/her/hers)

Conservation Officer - Argyll, Arran, Ardnamurchan

MCA Consultation Response

Dear <Redacted> ,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (“the MW EIA Regulations”) Caledonian Maritime Assets Ltd (per Mott MacDonald) - Port Ellen Scoping Request - Port Ellen, Islay

Thank you for your email dated 26th October 2013 inviting comments on the Scoping Report for the proposed works at Port Ellen by CMAL Ltd. The Scoping Report has been considered by representatives of UK Technical Services Navigation, and the Maritime and Coastguard Agency (MCA) would like to respond as follows:

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 proposal is to redevelop the Port Ellen Ferry Terminal and to replace some of the existing infrastructure. The works will include (but are not limited to):

- 1) land reclamation over existing pier structure,
- 2) a sheet piled quay wall to the south-east to form a new commercial berth;
- 3) replacement of the fishing berths,
- 4) construction of a new open-piled finger pier; and
- 5) dredging of the new berths at the finger pier and commercial berth, along with the navigational channel adjacent to the new commercial berth.

It is our understanding that the site falls within the jurisdiction of a Statutory Harbour Authority (SHA) – Caledonian Maritime Assets Ltd, who are also the applicant. The SHA is responsible for maintaining the safety of navigation within their waters during the construction and the operational phase of the project.

Chapter 18 considers the potential effects of the proposed development in respect to the navigation around Port Ellen, noting the port will be closed for ferries but not for grain deliveries, fishing boats or general marina operations during construction. Therefore, careful coordination and reconfiguration for vessel arrangements will be required. We note the SHA will update their current navigational risk assessment for the revised layout of the harbour to ensure the safety of all vessels using the port during the operational phase.

We understand that further stakeholder engagement will also be undertaken to determine the minimum acceptable provision and to determine the necessary constraints to be placed on the construction. Additional navigation studies are required to validate the berth layout and dredged areas are safe for operation. This part of the operation phase is therefore scoped in.

The MCA notes that shipping and navigation is scoped in for further assessment for both construction and operation phase of the proposed project, which we welcome.

We note that a Harbour Revision Order (HRO) application will also be prepared to accommodate the new developments within the SHA’s jurisdiction. The MCA is likely to be consulted on the Harbour Order and supporting documentation by Transport Scotland at the formal application stage.

Finally, to address the ongoing safe operation of the marine interface for this project, the MCA would like to point the applicant in the direction of the Port Marine Safety Code (PMSC) and its Guide to Good Practice. They will need to develop a robust Safety Management System (SMS) for the project under this code. 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.

The MCA would expect the Navigation Risk Assessment (NRA) to be updated in accordance with the Port Marine Safety Code (PMSC) and its associated Guide to Good Practice. To ensure local stakeholder input, the MCA would recommend a hazard identification workshop be held, to bring together relevant navigational stakeholders for the area to discuss the potential impacts on navigational safety. Decisions relating to further controls should be agreed in consultation with other interested parties to determine whether the ALARP status has been met for each risk. The outputs of the NRA should be used to inform a judgement on significance of effects arising from the Project.

The MCA is satisfied with the scoping report at this stage as the basis for an Environmental Impact Assessment and an Environmental Statement from the shipping and navigation perspective subject to the clarification required above. The MCA would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the NRA and further stakeholder consultation.

We hope you find this information useful at scoping stage.

Yours sincerely,

<Redacted>

Marine Licensing Lead

UK Technical Services Navigation

NatureScot Consultation Response

05 December 2023
Your ref: SCOP-0034
Our ref: CEA172978

Dear <Reda ,

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 CONSULTATION UNDER PART 4, REGULATION 14(4) OF THE MW EIA REGULATIONS PROPOSAL: PORT ELLEN FERRY TERMINAL DEVELOPMENT, PORT ELLEN, ISLAY

Thank you for your consultation dated 26 October 2023 requesting a scoping opinion for the above development.

1. Summary

NatureScot is broadly in agreement with the recommendations of the scoping report relating to proposed works below MHWS necessary for the development of Port Ellen Terminal.

Assessments and surveys have been outlined in the scoping report that aim to gauge the likely impact on the features of interest from disturbance, noise, sediment dispersion, and pollution. Licenses will need to be applied for if there is the potential to adversely affect any protected habitat or species.

It is recommended that the construction methods section in the scoping report is amended.

2. Assessment of proposed approach

The proposed redevelopment work at Port Ellen Ferry Terminal could impact protected features including but not limited to the harbour seals associated with the South-East Islay Skerries Special Area of Conservation (SAC), European Protected Species (EPS) such as cetaceans and otters, and kelp and maerl priority marine features (PMFs).

Chapter 8 of the scoping report identifies the marine ecological receptors and sets out the following key information:

8.6.2 Further assessment and surveys

The following assessments and surveys will be undertaken to inform the EIA in relation to marine ecology:

- A subtidal fauna and sediment characterisation survey (samples and locations to be decided);
- ☑ *Underwater noise modelling will be undertaken to determine the extent of any potential harm or disturbance on marine fauna;*
- ☑ *Sediment dispersion modelling (to include suspended sediment and sedimentation rates) to determine the potential extent and magnitude of impacts on species and habitats present; and*
- ☑ *A desk study and stakeholder engagement will be undertaken to determine if there is a risk of the planned works resulting in an adverse effect on European Protected Species (i.e., cetaceans etc.). This will include consultation with Marine Directorate and NatureScot. Where potential adverse effects are present a European Protected Species Licence will be required in support of any marine licencing.*

NatureScot is satisfied that the above outlined approaches aim to assess potential adverse effects to the habitats and species of interest in the vicinity of Port Ellen Terminal development.

Licenses will need to be applied for if it is likely that any protected habitat or species will be adversely affected. For information on licensing please see our webpage <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing>

3. Construction methods

NatureScot recommends that within the construction methods section of the scoping report, reference is made to blasting and explosives e.g. when might this last resort become necessary; what impact assessments and mitigation strategies would be planned over and above existing assessments/strategies for piling and dredging; and, should blasting become necessary, the intention to issue a method statement and risk assessment. The method statement would need to include information on the durations and timing of dredging/piling/blasting to be able to fully assess the impacts of the work.

Please get in touch if you have any questions or need further information.

Kind regards,

<Redacted

Operations officer - Operations West

SHA Consultation Response

Having reviewed the Port Ellen Terminal Development Environmental Impact Assessment Scoping Report, I am content the report presents sufficient evidence and justification regarding which environmental topics have been scoped in and out of the EIA.

In addition, I consider the 'proposed development boundary' and the 'indicative site boundary' accurately reflect the areas of the port within which the development is to be undertaken.

With no further comment to make I am content this process can proceed.

Best Regards,
Leis gach deagh dhùrachd,

<Redacted> | **Dàibhidh McHardie**
Harbour Master | **Maighstir Cala**

Caledonian Maritime Assets Limited | Stóras Mara Cailleannach Eta

MAU Consultation Response

Marine Analytical Unit response Marine Directorate

The Port Ellen Terminal Development (Islay) scoping report includes a description of a range of potential impacts. This response focuses only on the assessment of social and economic impacts.

The scoping report proposes to scope out the assessment of population and human health. Socio-economic assessment of the development is not mentioned in the scoping report.

We believe that socio-economic impacts must be scoped into the Environmental Impact Assessment (EIA). Please see Annex 1, which provides general advice for SEIAs, where you will also find a list of data sources that could be used to assess potential socio-economic impacts. Please use most up-to-date data sources to inform this assessment.

The SEIA should analyse the gross value added (“GVA”) and employment impacts of the proposed development, including the direct, indirect and induced impacts and take account of deadweight, leakage, displacement and substitution. The inclusion of sensitivity analysis to account for risk, uncertainty and optimism bias is also welcomed. The assessment of the employment impacts should focus on the years of employment and type of jobs. If it is possible to supply additional information about the types of jobs that are expected to be created (e.g. part-time, full-time, skilled, unskilled etc) and how these compare to the existing jobs in the study area, this will add further depth to the analysis.

Current study area is defined as located within 300m of the proposed development. We propose that the Isle of Islay is used as a study area. It is mentioned in the report that the current ferry terminal will be closed during the construction, and it is important to assess the impacts this might have on the island as a whole.

Please note that the assessment of potential socio-economic impacts would benefit from the engagement with local communities (see Methods Toolkit referenced in the Annex). We expect to see which social and economic impacts are anticipated by local communities. This could be built into any community engagement or consultation activities the developer is planning to use.

We expect to see a detailed description of the methodology used to assess social and economic impacts in the EIA, including specific details about the methodological approach taken and any key assumptions that underpin any findings. This is a small scale development, and the approach to SEIA should be proportionate.

Annex 1: General Advice for Socio-Economic Impact Assessment Marine Analytical Unit (MAU) Marine Directorate December 2023

This document sets out some suggestions for delivering socio-economic impact assessment drawing on the professional expertise of the Marine Analytical Unit (MAU), Marine Directorate.

Section 1. Some general best practice tips

- Take a proportionate approach to SEIA in line with the size and generating capacity of the development
- Consider offshore and onshore components of the development in the same assessment.
- Employ experts to design and carry out the assessment. The relevant expertise would include:
 - Social research and economist training, qualifications and experience
 - Familiarity and experience with appropriate methods for each discipline (including economic appraisal, social research methods such as surveys, sampling, interviews, focus groups and participatory methods)
- Consider potential secondary socio-economic impacts of any changes that affect the other relevant receptor groups covered in the wider EIA e.g. commercial fisheries, cultural heritage and archaeology and visual impacts.
- Include consideration of the cumulative impact of multiple offshore developments.
- Outline the rationale for scoping out impacts that are deemed to be minimal, including any evidence or analysis that has been used. If this is not provided it can be difficult for MAU to understand why impacts have been scoped out and we may suggest scoping them back in.

Section 2. Key components of a Socio-economic Impact Assessment

We set out below what we consider to be the key steps to an assessment. We recommend a combined approach so that social and economic impacts are covered together in the assessment, whilst acknowledging that different methodologies for social and economic impacts assessment are needed at certain stages, and that the two disciplines are distinct.

We wish to highlight the importance of stakeholder engagement throughout the assessment, and the use of social research methods (see Methods Toolkit referenced at the end of this Annex) to gather primary data and first hand perspectives from particular groups and communities that are affected. These are helpful in order to better understand the nature and degree of impacts that might be caused by changes that are expected occur. A change in itself may or may not bring about tangible impact, impacts may vary for different people or be perceived in different ways, are affected by individual values and attitudes, and conditioned by the context.

Stakeholder engagement and data collection can occur at a number of stages in the SEIA process and may involve similar methodologies but there are important differences to note. The primary aims of stakeholder engagement are to inform, consult or involve key stakeholders, and to communicate information and gather feedback. Data collection, in contrast is a more rigorous analytical process involving:

- Setting out a planned methodology in advance with clear objectives of what you wish to achieve through data collection
- Sampling strategies that take account of the demographic variations in the population and the need to include difficult to reach groups
- Robust methods to collect information from people in a neutral and unbiased way
- Awareness of how data will be analysed and reported on to obtain and disseminate robust conclusions
- Taking account of research ethics including informed consent, and data protection requirements under GDPR

The stages below are divided into the activities that we suggest are **before** the developer submits a request for a scoping opinion and those that are done **after** the scoping phase. We recommend an iterative approach which means that steps inform each other, information is built up over time, and some steps may be repeated or done in a different order.

The key steps should include:

Pre-scoping activities

- 1) Getting started:** Employ economist and social research experts and work with them to develop a plan for the SEIA that sets out data requirements, and the proposed social and economic data collection and impact assessment methodologies, timescales, any data protection considerations, risk assessment and ethical issues that might arise from the work.
- 2) Develop a detailed description** of the planned development and consider the project phases where socio-economic impacts might be experienced (covering development, construction, operation and maintenance and decommissioning phases). Start to map out potential socio-economic impacts and initial consideration of areas of impact on land that will need to be covered.
- 3) Initial scoping of impacts:** develop a broad list of potential impacts informed by experts (including social researcher, economist, local representatives from key groups, community stakeholders and others).
- 4) Define potential impact areas on land** taking into account locations and connections between activities. Different types of impacts may be experienced at different geographic levels, some in the area nearest the landfall or the nearest coastline to the development at sea, and others much further away (at Scotland level, UK level and internationally). The geographical scale at which social impacts are experienced may be different for social impacts compared with economic impacts. There may be multiple epicentres from which impacts radiate

including the site of the development, land-based areas such as landfall and grid connections, construction bases and places from which the development is visible. Activities that take place in the sea are also relevant for defining the impact area on land, for example the location of fishing activity and ports where fish are landed. The definition of the impact area will inform which communities and which sectors are included in the assessment and vice versa, so this exercise needs to be done iteratively with step 3, the initial scoping of impacts.

- 5) **Stakeholder mapping** is required to identify all the people, groups and stakeholders who may be affected by the development and is a first step in order to conduct effective stakeholder engagement. This exercise is informed by the definition of the impact area. A broad approach is recommended. Stakeholders are likely to include local communities, businesses, workers, other users of the sea, interest groups, community councils and so on.

Steps 4 and 5 may lead to a change in the list of potential impacts so this will need refined/checked.

- 6) **Stakeholder engagement (with those affected by the development, sea users, communities etc)** is a key requirement of SEIA that is done at different stages of the process. We recommend doing some initial stakeholder engagement before submitting the scoping report. Stakeholder engagement will fulfil a number of requirements:

- **Provide information about the development** so that those who might be affected are able to make an informed judgement about potential impacts
- **Present and refine list of potential impacts based on feedback** - identify impacts that are most relevant and add any additional ones that are identified
- **Collect initial data/ insights from stakeholders** on what potential socio-economic impacts (to be developed later)
- **Build relationships** with the community and key groups affected for later stages of the SEIA process so that they can understand the decisions making process and how they can influence it.

There are many **participatory methodologies** that can be used for effective stakeholder engagement that provide a deliberative space for community discussions.

This stage may also require the setting up of governance structures and a community liaison officer. **Early engagement** with those who might be affected is very important, as is meaningful and inclusive engagement where people feel that they are being listened to and that their feedback will be acted upon. It is important to set out clearly how stakeholder engagement is being done for the SEIA specifically.

- 7) **Gather contextual information** to develop a social and economic profile of the area prior to the development that will help with setting the baseline and impact

prediction, identifying potential industries and communities that might be affected and sources of data that can be used in the assessment. This might include primary data collection using social research methods (such as surveys, interviews, focus groups) as well as desk based analysis (of existing data sets such as fishing data, population data).

Primary data collection may occur alongside participatory activities (e.g. engagement events) but must be done in a rigorous and systematic fashion and the findings should be robustly analysed and incorporated into the SEIA. Impacts that are identified for the other receptors in the wider EIA may also have socio-economic consequences and so it may be important to include these in the SEIA.

8) Produce list of anticipated impacts to be covered in the scoping report

setting out the range of potential impacts that could occur, building on what has already been done using data and insights that have been collected from various activities described above. Details of the methods that have been used should be included to enable Marine Directorate to determine if the analysis is based on a robust and appropriate approach. Justification should be provided for any impacts that are scoped in or out. This could be based on suggestions made by stakeholders and the public during stakeholder engagement or an assessment based on the analysis of primary and secondary data.

It is helpful if the scoping report includes details on the approach to be used for the SEIA including methods for data collection, planned stakeholder engagement activities and data-sets to be used.

Post scoping activities for the SEIA

The scoping opinion will advise on the final list of socio-economic impacts to be assessed in the SEIA. This may require additional data collection/ social research to enable a more rigorous assessment of a narrower set of anticipated impacts. It may also require further stakeholder engagement in order to check the significance of impacts with different groups, and the acceptability of mitigation options.

The data and information that has been collected throughout the scoping phase will be used to conduct steps 9, 10 and 11 below.

9) Conduct baseline analysis to assess the situation in the absence of the development, to provide a point of comparison against which to predict and monitor change. Appropriate social and economic measures should be used for the baseline and cover relevant issues (see section 4 for suggested data sources). Key stakeholders and other interested parties including affected communities and sectors may be aware of baseline data to be included, and this can be explored in the participatory approaches described above. The findings from social research can also be included in the baseline. Note that baseline data can be presented in the scoping report but is also the first stage of the SEIA and so should be included in the SEIA report.

10) Predict impacts and assess their significance (otherwise known as impact appraisal or options appraisal): Through analysis, estimate the social and

economic changes and their expected impacts, considering any alternative development options and how significant the impacts might be. This is the core part of the assessment and forms the main part of the assessment report. Different methodologies and both primary and secondary data inform this part of the exercise.

Different phases of the development should be covered (development, construction, operation and maintenance) and also transitions between phases (if relevant).

The knock on socio-economic consequences of impacts in other parts of the EIA assessment should be assessed here, such as the impact on commercial fisheries, and impacts on related industries such as tourism could also be included.

It is important to consider distribution of impacts among different social groups (covering protected quality characteristics, socio-economic groups and geographic area where relevant to do so).

Economic impact appraisal should include consideration of:

- Direct, indirect and induced impacts
- Leakage, displacement and substitution effects
- Deadweight
- Cumulative impacts
- Sensitivity analysis to account for risk, uncertainty and optimism bias

There are a range of methodologies for calculating direct, indirect and induced impacts. These include the appropriate use of multipliers, a local content methodology, stakeholder involvement and expert opinion.

Modelling approaches should be realistic, based on robust data, and avoid over promising the economic impacts

All prices should be presented in real terms (excluding inflation) and should state which year the prices represent.

11) Development enhancement, mitigation strategy and complete SEIA report.

There may be an opportunity for adaptation or other approaches to mitigate potentially adverse impacts and to maximise positive opportunities. This may include engagement with the community to develop a strategy for enhancing benefits and mitigating against impacts; or development of a Community Benefit Agreement (CBA). Again these activities should be done collaboratively with stakeholders where relevant and appropriate.

The SEIA report should clearly set out the methods used in the assessment, justification for decision made such as scoping certain impacts in or out of the assessment, and the approach to analysis. The report should cover the baseline analysis and results of the impact prediction or appraisal, and distributional impacts. Social and economic impacts can be set out separately (where this makes sense) and together where they overlap.

It is good practice for the report to be reviewed by the people (i.e. the wider group of stakeholders and communities) who were involved in providing data for its production.

Section 3. Examples of different types of socio-economic impacts

In the literature social and economic impacts are defined in many different ways. Sometimes social and economic impacts are covered separately, whilst other sources refer to socio-economic impacts.

The following table sets out some commonly identified socio-economic impacts.

Examples of Socio-economic Impacts from Glasson 2017¹

1. Direct economic:

- GVA
- employment, including employment generation and safeguarding of existing employment;
- characteristics of employment (e.g. skill group);
- labour supply and training; and
- other labour market effects, including wage levels and commuting patterns.

2. Indirect/induced/wider economic/expenditure:

- employees' retail expenditure (induced);
- linked supply chain to main development (indirect);
- labour market pressures;
- wider multiplier effects;
- effects on existing commercial activities (eg tourism; fisheries);
- effects on development potential of area; and

3. Demographic:

- changes in population size; temporary and permanent;
- changes in other population characteristics (e.g. family size, income levels, socio-economic groups); and
- settlement patterns

4. Housing:

- various housing tenure types;
- public and private;
- house prices and rent / accommodation costs;
- homelessness and other housing problems; and
- personal and property rights, displacement and resettlement

¹ Glasson J (2017a) "Socio-economic impacts 2: Overview and economic impacts" in Therivel R and Wood G (eds.), *Methods of Environmental and Social Impact Assessment*, Abingdon: Routledge

5. Other local services:

- public and private sector;
- educational services;
- health services; social support;
- others (e.g. police, fire, recreation, transport); and
- local authority finances

6. Socio-cultural:

- lifestyles/quality of life;
- gender issues; family structure;
- social problems (e.g. crime, ill-health, deprivation);
- human rights;
- community stress and conflict; integration, cohesion and alienation; and
- community character or image

7. Distributional effects:

Distributional analysis is a term used to describe the assessment of the impact of interventions on different groups in society. Interventions may have different effects on individuals according to their characteristics such as income level or geographical location

- effects on specific groups in society (eg: by virtue of gender, age, religion, language, ethnicity and location); environmental justice

Section 4: Useful Data Sources for Socio-Economic Impact Assessments

Name	Summary	Link to Source
Statistics.gov.scot	Contains a wide range of data by local authority and other geographic breakdowns. Has a search by subject and area option.	statistics.gov.scot
Marine Economic Statistics, 2019	Annual economic statistics publication including GVA and employment data for marine economy sectors.	Scotland's Marine Economic Statistics 2019 - gov.scot (www.gov.scot)
Scottish Sea Fisheries Statistics, 2021	Provides data on the tonnage and value of all landings of sea fish and shellfish by Scottish vessels, all landings into Scotland, the rest of the UK and abroad, and the size and structure of the Scottish	Summary - Scottish Sea Fisheries Statistics 2021 - gov.scot (www.gov.scot)

	fishing fleet and employment on Scottish vessels.	
Scottish Shellfish Farm Production Survey 2021	Statistics on employment, production and value of shellfish from Scottish shellfish farms.	Scottish Shellfish Farm Production Survey 2021 - gov.scot (www.gov.scot)
Scottish Annual Business Statistics 2020	Scottish Annual Business Statistics (SABS) presents estimates of employment, turnover, purchases, Gross Value Added and labour costs. Data are provided for businesses that operate in Scotland. Data are classified according to the industry sector, location and ownership of the business.	Scottish Annual Business Statistics 2020 - gov.scot (www.gov.scot)
Sub-Scotland Economic Statistics Database	The Sub-Scotland Economic Statistics Database provides economic, business, labour market and population data for Scotland, and areas within Scotland.	Sub-Scotland Economic Statistics Database - gov.scot (www.gov.scot)
Nomis Official Labour Market Statistics	Labour market statistics including data on employment, unemployment, qualifications, earnings etc.	Nomis - Official Labour Market Statistics (nomisweb.co.uk)
Economics of the UK Fishing Fleet 2020	Economic estimates at UK, home nation and fleet segment level for the UK fishing fleet. The estimates are calculated based on samples of fishing costs and earnings gathered by Seafish as part of the 2020 Annual Fleet Economic Survey.	Economics of the UK Fishing Fleet 2020 — Seafish

Scotland's Census, National Records of Scotland	Census data that provides information about the characteristics of people and households in the country.	Scotland's Census National Records of Scotland (nrscotland.gov.uk)
Scottish Index of Multiple Deprivation	Collection of documents relating to the Scottish Index of Multiple Deprivation - a tool for identifying areas with relatively high levels of deprivation.	Scottish Index of Multiple Deprivation 2020 - gov.scot (www.gov.scot)
The Green Book	HM Treasury guidance on how to appraise and evaluation policies, projects and programmes.	The Green Book: appraisal and evaluation in central government - GOV.UK (www.gov.uk)
The Magenta Book	HM Treasury guidance on evaluation. Chapter 4 provides specific guidance on data collection, data access and data linking.	The Magenta Book - GOV.UK (www.gov.uk)
Enabling a Natural Capital Approach (ENCA)	Supplementary guidance to The Green Book. ENCA resources include data, guidance and tools to help understand natural capital and know how to take it into account.	Enabling a Natural Capital Approach (ENCA) - GOV.UK (www.gov.uk)

Section 5: Further sources of guidance:

HM Treasury guidance on how to appraise and evaluate policies, projects and programmes: [The Green Book: appraisal and evaluation in central government](https://www.gov.uk)

Best practice in Social Impact Assessment according to the International Association for Impact Assessment: [Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects](https://www.iaia.org)

The project A two way Conversation with the People of Scotland on the Social Impacts of Offshore Renewables (CORR/5536) has developed elements of a conceptual framework on social values that can be used to support and inform existing processes for assessing the potential social impacts of offshore renewables plans: [Offshore renewables - social impact: two way conversation with the people of Scotland](https://www.gov.scot)

Best practice guidance for assessing the socio-economic impacts of OWF developments: [Guidance on assessing the socio-economic impacts of offshore wind farms \(OWFs\)](https://www.gov.uk)

[A toolkit of methods available to assist developers, consultants, and researchers carrying out socio-economic impact assessments: Methods Toolkit for Participatory Engagement and Social Research - gov.scot \(www.gov.scot\)](https://www.gov.scot)

Appendix II: Gap Analysis

Applicant to complete:

Consultee	No.	Point for Inclusion	EIA Report Section	Justification
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