

**Ed Taylor**  
**Angus House**  
**Orchardbank Business Park**  
**Forfar**  
**DD8 1AX**  
**Angus**

Date: 02 July 2023

Dear Mr Taylor,

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

Thank you for your screening opinion request dated 10 April 2024 in regards to the proposed coastal erosion project, including construction of two rock groynes and both short term and long term beach nourishment at Montrose Bay, Angus (“the Proposed Works”).

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

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

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

### **Characteristics of the works**

The Proposed Works are required to address the continuing erosion of Montrose Beach. The Proposed Works include short term and long term beach nourishment activities along with dune restoration works, which are located above mean high water springs. Sacrificial sand material will be placed in the intertidal zone, this will help with dune restoration by establishing itself within the dunes prior to being subject to erosion. The sacrificial material will be sourced from already licenced marine dredging activities, with the material being transported by barge/dredger to Montrose Bay, where it will then be pumped ashore by floating pipes to the foreshore. The material will then be moved into place by plant to the final location as required.

A long term (10 year) beach nourishment strategy will also be required, this will involve approximately one deposit top up event per year over the 10 year period. The total material

required during the initial nourishment and top up activity will be approximately 300,000 m<sup>3</sup> of material over the 10 year period, with up to 75,000 m<sup>3</sup> being deposited in any one year.

The Proposed Works will also include the construction of two rock groynes, these will be perpendicular to the shoreline and extend from the foot of the dunes to approximately mean low water springs. They will be constructed from existing rock armour material currently installed as toe protection along Montrose Beach, which due to the erosion of the dunes is no longer performing its purpose. Detailed design has not yet been completed, however it is anticipated that the groynes will be 5 metres wide and 1.5 metres high. The groynes will seek to limit the movement and loss of sand from the beach following the completion of dune restoration and beach nourishment works.

### **Location of the works**

NatureScot advised that any potential impacts from the Proposed Works upon the bottlenose dolphin feature of the Moray Firth Special Area of Conservation (“SAC”) and the Atlantic salmon feature of the River South Esk SAC and other major east coast salmon river SAC’s which may have connectivity should be fully considered in the form of a Habitats Regulations Appraisal as part of the standard marine licensing process.

NatureScot further advised that the Proposed Works lie to the south of St. Cyrus and Kinnaber Links Site of Special Scientific Interest (“SSSI”) and are directly linked to the Proposed Works due to a dependence on sediment transport within the Montrose Bay coastal cell. As the new groynes are designed to partly interrupt sediment transport it identified a likely significant effect in EIA screening terms on the St. Cyrus and Kinnaber Links SSSI.

However, NatureScot advised that, provided the potential impact on nearby designated sites are addressed by the creation of a targeted environmental report in support of any marine licence application, it supports the beach nourishment and dune restoration at Montrose as proposed in the screening report. The Scottish Ministers are content that the environmental report can be submitted in support of a marine licence application.

### **Characteristics of the potential impact**

Angus Council advised that the effects of the Proposed Works are not likely to be significant and do not constitute an EIA project. It agreed with NatureScot that any future application will require a detailed assessment of potential impacts on St Cyrus and Kinnaber SSSI in the form of a targeted environmental report.

HES advised that the Proposed Works are unlikely to have an impact on its historic environment interests of a level that would require consideration through the EIA process.

SEPA confirmed that it does not consider an EIA is required for the Proposed Works in respect of its interests.

### **Conclusion**

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works are not an EIA project under the 2017 MW Regulations and, therefore, an EIA is not required to be carried out in respect of the Proposed Works.

If you increase, alter or extend the Proposed Works, you are advised to contact Marine Directorate - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Angus Council planning department. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

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

Yours sincerely,  
[Redacted]

Kirsten Watson  
Marine Directorate - Licensing Operations Team

