

Ruth Elsegood
1 Arngrove Court
Barrack Road
Newcastle-Upon-Tyne,
NE4 6DB

Date: 28 August 2024

Dear Ms Elsegood,

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

Thank you for your screening opinion request dated 07 June 2024 in regards to the proposed Lower Largo Pier restoration works, including the repair and reinstatement of the existing pier, reconstruction of the original pier and construction of a breakwater to provide protection to the rebuilt pier structure (“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 being carried out in a sensitive area, as defined by the 2017 MW Regulations. 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 (“NS”) formerly Scottish Natural Heritage, the Scottish Environment Protection Agency (“SEPA”), Fife 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 involve the repair and refurbishment of the remaining 60 metre (“m”) pier structure, the reconstruction of a further 14m section at the southern end of the remaining pier which has collapsed, and the construction of a new breakwater.

The works to the pier are split between the northern end refurbishment and the southern end reconstruction.

Northern End

This will entail the removal of defective boulders used in the revetment and the pier walls, grading the boulders for recycling into the new structure, excavation of the pier infill and

bonding and strengthening using a cement material and replacement of the road setts. Materials from the original structure will be reused where possible.

Southern End

The works at the southern end of the pier are more involved and require the complete reconstruction of the structure to blend into the northern end. Construction works will involve the excavation of sand, gravel and cobbles to enable the formation of 500 millimetre cast concrete foundations which will support the pier walls which will be reconstructed with pitched stones. Between the pier walls will be infilled with Class 6A graded material and stone setts will be laid on top of the rebuilt pier to blend in with the northern end.

Breakwater

A new breakwater will also be constructed alongside the toe of the eastern pier wall utilising existing boulders and imported armourstone material. The breakwater will be the full length of the reinstated and reconstructed pier providing protection to the pier wall.

The Proposed Works are intending to largely utilise the footprint of the original pier with a minor extension to the footprint to allow for construction of the new breakwater.

Location of the works

The Proposed Works are located in Largo Bay, Fife on the East coast of Scotland within the Firth of Forth estuary. The application site is approximately 0.48 hectares which includes the existing pier structure, the proposed area which requires rebuilding and the beach area to the east of the pier. The site is bounded by the Lower Largo Beach to the south and east, the Crusoe Hotel to the North and the Hatton/Keil Burn to the west.

The Proposed Works are situated within the Firth of Forth Special Protection Area (“SPA”), the Firth of Forth Site of Special Scientific Interest, the Firth of Forth Ramsar Site and immediately adjacent to the Outer Firth of Forth and St Andrews Bay Complex SPA.

The Firth of Forth SPA has been designated for overwintering and passage wader, wildfowl, and seabird features. NS advised the Proposed Works will generate direct (loss of habitat) and indirect (displacement and disturbance) impacts upon this SPA.

The Outer Firth of Forth and St Andrews Bay Complex SPA, which lies within 100 m of the Proposed Works, has been designated for a variety of wintering and breeding wildfowl and seabird features. NS advised the Proposed Works will generate direct (loss of habitat) and indirect (displacement and disturbance) impacts upon this SPA.

Although NS advised that there would be likely significant effect on both SPAs, provided its advice regarding mitigation is applied, NS concluded there would be no adverse effect on site integrity. The Scottish Ministers are satisfied this can be managed through the Habitats Regulation Appraisal and marine licensing process. You are directed to the NS response for details of the mitigation measures which should be considered in any marine licence application.

Fife Council advised that it considered the impacts of the Proposed Works would not result in significant adverse effects on any designated areas.

HES advised that it has not been able to identify any significant effects to the historic environment and as such does not consider the Proposed Works to be an EIA project.

Characteristics of the potential impact

Fife Council advised that the Proposed Works would not result in adverse impacts which would be of a significance or magnitude that it would warrant assessment through EIA due to the localised nature and scale of the Proposed Works. Furthermore, any potential impacts could be reduced through adherence to best practice. The Scottish Ministers are satisfied that this can be managed through the marine licensing process.

SEPA advised that it does not consider the Proposed Works to require an EIA Report. SEPA referenced its standing advice, in that the Proposed Works are to be undertaken in the vicinity of the Lower Largo Bathing Water area and advocate that works should be avoided during the bathing season scheduled between 15 May to 15 September. This should be considered in any marine licence application.

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 under the 2017 MW Regulations.

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 Fife Council planning department. The screening opinion has also been made publicly available through the Marine Scotland Information website <https://marine.gov.scot/ml/screening-construction-flood-defences-lower-largo-peir-fife-scr-0085>

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

Yours sincerely,

Neil Macleod

Marine Directorate - Licensing Operations Team