

Mr A. Cadzow
Ardlarach House
Isle of Luing
Argyll
PA34 4TZ

Date: **25th March 2026**

Dear **Mr Cadzow**,

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

Thank you for your screening opinion request dated **27 January 2026** in regards to the proposed extraction of minerals by marine or fluvial dredging, including removal of sand at Blackmill Bay, Isle of Luing (“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 (formerly Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), Argyll & Bute 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 shall comprise the extraction of sand from an area of the beach situated above Mean Low Water Springs by means of an excavator and tractors equipped with trailers. The Proposed Works shall involve the removal of a superficial layer of sand not exceeding 30cm in depth. The total quantity of sand to be removed shall be approximately 200kg, which shall be transported to a designated delivery location situated above Mean High Water Springs. No vessels shall be utilised in the execution of the Proposed Works.

All Proposed Works shall be undertaken during periods of low tide and shall be confined to an area not exceeding 1,250 square metres. Proposed timescale is 2 – 5 days, taking place before the proposed completion date of the 1st May 2026 pending Licence issue.

Location of the works

Blackmill Bay is situated on the west side of the Isle of Luing with the Proposed Works lying adjacent to the Firth of Lorn Special Area of Conservation (“SAC”), Loch Sunart to the Sound of Jura Marine Protected Area and The Inner Hebrides and Minches SAC.

NatureScot advised that there are natural heritage interests of international importance on the site but these will not be adversely affected by the Proposed Works. It advised that the Proposed Works would have a likely significant effect on the reef feature of the Firth of Lorn SAC. However, it stated that the Proposed Works will not have a significant effect on the environment as defined by the EIA Regulations for interests within its remit. The Scottish Ministers are content that the potential effects from the Proposed Works on the qualifying feature of the Firth of Lorn SAC can be effectively addressed through the marine licence application process.

Argyll & Bute Council stated that the Proposed Works do not constitute an EIA project as defined in the EIA Regulations.

Characteristics of the potential impact

HES advised that it had no specific comments to make on the requirement or otherwise for an EIA for the Proposed Works.

SEPA advised that the application falls below the threshold for which SEPA will provide site specific advice.

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 Argyll & Bute 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,

Laura Goldie

Marine Directorate - Licensing Operations Team