

Supporting Statement

3 Existing Tern Rafts at Avoch, Moray Firth, 1 Existing Tern Raft at Point of Foulis, Cromarty Firth.

1.0 Introduction and Summary

RSPB Scotland own and maintain 4 tern rafts (floating pontoons that provide nesting habitat for common terns) in the Moray Firth and Cromarty Firth (3 rafts at Avoch, and 1 raft at Point of Foulis) for the benefit of the common tern population, with the help of local volunteers and contractors where required.

The rafts are one of the only nesting habitats left in the Moray Firth/Cromarty Firth that are free from disturbance, and each year around 300-400 common tern pairs nest on the raft, with similar numbers of chicks successfully fledging from the rafts (this is around 10% of the Scottish common tern breeding population). A colony of black-headed gulls also utilise the Point of Foulis raft.

The rafts have been present at these locations for between 15-20 years, and were originally re-purposed from old fish farm equipment. We have only recently become aware that we should have marine licence's in place for the 4 tern rafts, and are submitting 2 pontoon licence applications – 1 for the 3 tern rafts in the Moray Firth at Avoch, and 1 for the tern raft in the Cromarty Firth at the Point of Foulis following an initial phonecall with MarineScotland in January 2023.

2.0 Location

The rafts are moored all year round on a permanent basis just below the mean low spring tide mark at the following locations:

3 rafts at Avoch, Moray Firth:

1 raft at Point of Foulis, Cromarty Firth:

Please refer to Location and Footprint Site Plan.

3.0 Designated Sites

The 3 rafts at Avoch are located within the Moray Firth Special Protection Area (SPA), designated for non-breeding red-throated diver, scaup, common scoter, eider, goldeneye, great northern diver, long-tailed duck, red-breasted merganser, Slavonian grebe, velvet scoter, shag, and breeding shag. They are also within the Moray Firth Special Area of Conservation (SAC) designated for its subtidal sandbanks and population of bottlenose dolphins. The Inner Moray Firth SPA is also within c.3km of the rafts, with one of the designated features of this being breeding common tern.

The single raft at Point of Foulis is located with the Cromarty Firth SPA, which is designated for its non breeding bar-tailed godwit, curlew, greylag goose, knot, oystercatcher, pintail, red-breasted merganser, redshank, scaup, waterfowl assemblage, whooper swan, wigeon and breeding common tern and osprey.

The rafts in both the Moray Firth and Cromarty Firth provide disturbance free habitat for common terns. They are permanently moored all year round, and human activity at the rafts is limited to once a month for 30min- 1 hour at spring low tides when the rafts can be accessed to check the moorings and do any maintenance work.

Common tern is one of the designated features of the Cromarty Firth SPA, and of the Inner Moray Firth SPA and the rafts are linked to the Conservation Management of these SPAs, providing real benefits to both SPA common tern breeding populations, by reducing disturbance and predation effects, thereby increasing breeding productivity & safeguarding SPA common tern populations. NatureScot are fully supportive of the rafts – please refer to attached correspondence.

Avian Flu has been recorded in both the Cromarty and Moray Firth in a variety of species, and it is likely that significant adult mortality of common terns on the Avoch rafts was a result of an avian flu outbreak. The latest guidance on Avian Flu will be followed to ensure any impacts on the terns and species associated with the raft are minimised

3.0 Consultees

NatureScot, Port of Cromarty Firth Harbour Authority and Inverness Harbour Authority were all consulted at the time of installation of the rafts and were supportive of their location and purpose. These organisations have been contacted recently and updated supporting correspondence from each of them is attached.

The Planning Authority has been contacted and confirmed that planning permission is not required.

A 10 year mooring licence is in the process of being secured for all four rafts with Crown Estate Scotland.

4.0 Description of Rafts

3 of the rafts are c. 10m x 5m and the fourth is 8m x 8m. The main frame of the rafts is galvanised steel, and floatation is provided by between 10-14 1000 litre floats. The decking is supported on pressure-treated timber beams and the decking is recycled polyethylene planks.

2 of the rafts are moored with 2 drag embedment anchors, with 32mm ground chain and 32mm three strand polypropylene mooring rope and bridle attachment to the raft.

2 of the rafts are moored with a mooring block and swivel chain with bridle attachment to the raft.

5.0 Scotland's National Marine Plan

The application has been considered with reference to Scotland's National Marine Plan:

GEN 1 General planning principle 'There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of the Plan.'

GEN 4 Co-existence Proposal which enable coexistence with other development sectors and activities within the Scottish marine area are encouraged in planning and decision making processes, when consistent with policies and objectives of this Plan.

GEN 7 Landscape/seascape Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account.'

GEN 8 Coastal process and flooding Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.

GEN 9 Natural Heritage Development and use of the marine environment must: (a) comply with legal requirements for protected and protected species. (b) Not result in significant impact on the national status of Priority Marine Features. (c) Protect and, where appropriate, enhance the health of the marine area.'

GEN 18 Engagement Early and effective engagement should be undertaken with the general public and all interested stakeholders to facilitate planning and consenting processes.

GEN 19 Sound evidence Decision making in the marine environment will be based on sound scientific and socio-economic evidence.

6.0 Justification

All of Scotland's breeding terns have suffered declines over the last 60 years. As summer visitors, terns are only in Scotland for the breeding season (around 5 months) and in that time, they need a safe place to breed that is close to good fishing grounds to provide for their chicks. Tern colonies can be notorious for moving from year to year and as such can be difficult to protect, however they can be very faithful to well-established sites where they have good breeding success. Beaches often make great breeding sites for terns, but they are also the place where human disturbance can be at its greatest. Disturbance from beach goers and dogs off leads can result in whole colonies abandoning the site leaving any eggs and chicks behind.

There are now limited areas in the Moray Firth and Cromarty Firth where terns can successfully nest without being disturbed. The tern rafts were constructed to provide disturbance free habitat and they have successfully achieved this and now support up to 10% of the Scottish breeding population of common tern (based on Seabird 2000 figures).