

Marine Licence Application for Construction Projects

Version 1.0

Marine (Scotland) Act 2010

Acronyms

Please note the following acronyms referred to in this application form:

BPEO	Best Practicable Environmental Option
EIA	Environmental Impact Assessment
ES	Environmental Statement
MHWS	Mean High Water Springs
MMO	Marine Mammal Observer
MPA	Marine Protected Area
MS-LOT	Marine Scotland – Licensing Operations Team
PAM	Passive Acoustic Monitoring
SAC	Special Area of Conservation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WGS84	World Geodetic System 1984

Explanatory Notes

The following numbered paragraphs correspond to the questions on the application form and are intended to assist in completing the form. These explanatory notes are specific to this application and so you are advised to read these in conjunction with the Marine Scotland Guidance for Marine Licence Applicants document.

1. Applicant Details

The person making the application who will be named as the licensee.

2. Agent Details

Any person acting under contract (or other agreement) on behalf of any party listed as the applicant and having responsibility for the control, management or physical deposit or removal of any substance(s) or object(s).

3. Payment

Indicate payment method. Cheques must be made payable to: The Scottish Government.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

4. Application Type

Indicate if the application is for a new construction site or an existing construction site. Provide the existing or previous consent/licence number and expiry date if applicable.

5. Project Details

- (a) Give a brief description of the project (e.g. construction of a new sea outfall).
- (b) Provide the total area of proposed works in square metres.
- (c) Provide the proposed start date of the project. The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for the duration of the project but not exceeding 3 years. If a project will not be completed before a marine licence lapses, it will be necessary for licence holders to re-apply for a further licence to continue any ongoing work at least 14 weeks prior to the expiry date of the licence. **Target duration for determination of a marine licence application is 14 weeks.**
- (d) Provide the proposed completion date of the project.
- (e) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover

work taking place below the tidal level of MHWS and must take into consideration the cost of materials, labour fees etc.

- (f) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the proposed project. WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84. In a few cases, (e.g. laying of long pipelines) it may only be practicable to supply co-ordinates for the start and end points.

Example: For positions read from charts the format should be as in the example: 55°55.555'N 002°22.222'W (WGS84). The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the format should be as in the example: 55°55'44"N 2°22'11"W (WGS84).

It is important that the correct positions, in the correct format, are included with this application, as any errors will result in the application being refused or delayed.

To supplement your application, please provide photographs of the project location and submit these with your application. Please also provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

- the full extent of the works in relation to the surrounding area;
- latitude and longitude co-ordinates defining the location of the works;
- the level of MHWS;
- any adjacent SAC, SPA, SSSI, MPA, Ramsar or similar conservation area boundary.

Drawings and plans will be consulted upon. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

Sewer outfalls, discharge pipes for industrial waste etc. The size and description of the pipe must be shown on the longitudinal sections and also details of its supports, foundations, methods of jointing and details of any tidal flaps.

Bridges over tidal waters: An elevation with longitudinal and cross-sections of the bridge to a suitable scale must show the dimensions of the spans and width of piers, etc. above and below MHWS and the maximum and minimum heights of the undersides of the superstructures above MHWS. The headroom above MHWS and the width of span of the nearest bridges, if any, above and below the site must be stated.

Tunnels under tidal waters: The longitudinal section of the tunnel must show the distances between the bed of the river or estuary and the top of the tunnels. Cross-sections must show the internal and external dimensions of the tunnel and particulars of construction. When a proposed future dredging level is known this must also be shown on all sections.

Overhead cables: Catenary must be supplied in addition to the site plan showing the minimum clearance of the cable at MHWS and the electrical clearance allowed.

- (g) Indicate if the project is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.
- (h) Provide a full method statement, including schedule of works and the ultimate fate of the structure.
- (i) Provide assessment of the potential impacts the works may have, including interference with other uses of the sea. Please include details of areas of concern e.g. designated conservation areas, such as a SAC, SPA, SSSI, MPA or Ramsar site and shellfish harvesting areas. Further guidance on designated conservation areas can be obtained from SNH at this website:

<http://gateway.snh.gov.uk/sitelink/index.jsp> and guidance on shellfish harvesting areas can be obtained from <http://www.foodstandards.gov.scot/> with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

Applicants should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage".

Any application for beach replenishment works must be cross checked as to whether the proposed site is a designated bathing water site. If so, all physical works should ideally be done outwith the Bathing Water Season (1st June to 15th September). Further guidance on the Bathing Waters Directive (2006/7/EC) can be obtained from <http://apps.sepa.org.uk/bathingwaters/>.

Where there are potential impacts from the works, please provide details of proposed mitigation, such as use of MMOs or PAM, in response to potential impacts.

6. Deposits and/or Removals

- (a) Complete the table to indicate all permanent substances or objects to be deposited and/or removed from below MHWS. If you propose using types of substances or objects for which a specific box is not provided in the table, please describe the nature of such substances or objects in the box marked "other".
- (b) Please indicate the method of delivery of any substance(s) or object(s) to be placed below MHWS.
- (c) Where the proposed work involves salt marsh feeding, beach replenishment or land reclamation the description of the substances or objects must include details of its chemical quality. Where the substances or objects have not been chemically analysed, MS-LOT may request representative samples for analysis or require the applicant to arrange for analyses to be undertaken before the marine licence application can be determined.
- (d) If temporary deposits are required, please provide details as with the permanent deposits above. The temporary deposit location details (Latitude and Longitude WGS84) must be added to the form, and the period of time the site will be used must be provided. If granting a licence, MS-LOT will include on the document details of any area that has been approved as a temporary deposit site.

7. Disposal of Dredged Substance(s) or Object(s) at Sea

- (a) If you are proposing to dispose of any excess substance(s) or object(s) arising from the project at sea, a separate marine licence will be required (see Dredging and Sea Disposal application form). The granting of a marine licence for construction projects does not imply that a marine licence for sea disposal will also be granted as different assessment criteria are used to determine each type of application. If a separate application is being submitted for dredging and sea disposal then this must be accompanied with a BPEO report.
- (b) Provide the quantity of dredged substance(s) or object(s) for sea disposal in wet tonnes.

8. Noise Monitoring

Under the Marine Strategy Regulations (2010), there is now a requirement to monitor loud, low to mid frequency (10Hz to 10kHz) impulsive noise. Activities where this type of noise is produced include seismic airguns, other geophysical surveys (<10kHz), pile driving, explosives and certain acoustic deterrent devices. Where noisy activity is being undertaken, you must complete an initial registration form for the noise registry which allows you to provide details on the proposed work. Completion of a 'close-out' form, which allows licensees to provide details of the actual dates and locations where the activities occurred, is also required within 12 weeks of the completion of the 'noisy' activity or, in the case of prolonged activities such as piling for harbour construction or wind farms, at quarterly intervals or after each phase of foundation installation.

These forms can be downloaded from:

<http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction>

Marine licence applications will not be accepted until this form has been completed and submitted.

9. Statutory Consenting Powers

Please describe in the answer to this question what (if any) statutory responsibilities you (or your client) have to consent any aspect of the project.

10. Scotland's National Marine Plan

Scotland's National Marine Plan has been prepared in accordance with the EU Directive 2014/89/EU, which came into force in July 2014. The Directive introduces a framework for maritime spatial planning and aims to promote the sustainable development of marine areas and the sustainable use of marine resources. It also sets out a number of minimum requirements all of which have been addressed in this plan. In doing so, and in accordance with article 5(3) of the Directive, Marine Scotland have considered a wide range of sectoral uses and activities and have determined how these different objectives are reflected and weighted in the marine plan. Land-sea interactions have also been taken into account as part of the marine planning process. Any applicant for a marine licence should consider their proposals with reference to Scotland's National Marine Plan. A copy of Scotland's National Marine Plan can be found at: <http://www.gov.scot/Publications/2015/03/6517/0>

Indicate whether you have considered the project with reference to Scotland's National Marine Plan and provide details of considerations made with reference to the policies, including but not limited to General Policies 7 and 13 (GEN 7 and GEN 13), that have been considered. If you have not considered the project with reference to Scotland's National Marine Plan please provide an explanation.

11. Pre-Application Consultation

Certain activities will be subject to public pre-application consultation. Activities affected will be large projects with the potential for significant impacts on the environment, local communities and other legitimate uses of the sea. The new requirement will allow those local communities, environmental groups and other interested parties to comment on a proposed development in its early stages – before an application for a marine licence is submitted. Further information can be obtained from: <http://www.scotland.gov.uk/Resource/0043/00439649.pdf>

If applicable, please provide your pre-application consultation report with your application.

12. Consultation (other than carried out under pre-application consultation)

Provide details of all bodies consulted and give details of any consents issued including date of issue.

13. Environmental Assessment

- (a) Under the Marine Works Environmental Impact Assessment (EIA) Regulations 2007, there may be a requirement for certain projects to undergo an EIA and produce an ES. If EIA is required, MS-LOT will not determine a marine licence application until the EIA consent decision in respect of the marine licence application has been reached. Please confirm if the project falls under Annex I or II of Directive 85/337/EEC: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN> in relation to the Marine Works (EIA) Regulations 2007.

Marine licence applications for proposals which fall under the regulations will not be accepted unless a screening opinion has been issued in relation to this.

- (b) Please indicate if an EIA has been undertaken and whether it was for the marine licence application to which this application relates or for any other EIA regulator (e.g local authority). Please attach any previous ES to the application.

MS-LOT will not determine a marine licence application until the EIA consent decision in respect of any regulated activity associated with the marine licence application has been reached.

14. Associated Works

Indicate whether the application is associated with any other marine projects (e.g. land reclamation, marine/harbour construction works, dredging and sea disposal etc). If this is the case, provide reference/licence number for the related marine projects.

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It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Section 54 of the Marine (Scotland) Act 2010, all information contained within and provided in support of this application will be placed on a Public Register. There are no national security grounds for application information not going on the Register under the 2010 Act.

Public Register

Do you consider that any of the information contained within or provided in support of this application should not be disclosed:

(a) for reasons of national security; YES ☐ NO ☒

(b) for reasons of confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES ☐ NO ☒

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

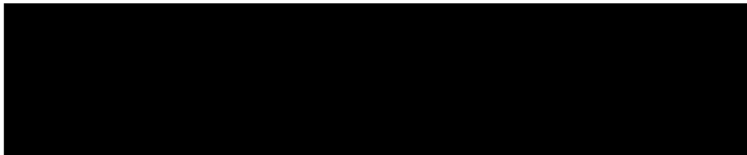
Target duration for determination is 14 weeks. Please note that missing or erroneous information in your application and complications resulting from consultation may result in the application being refused or delayed.

Marine licence applications will not be accepted unless accompanied by a cheque for the correct application fee, or if an invoice is requested, until that invoice is settled. Target timelines for determining applications do not begin until the application fee is paid.

Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

Signature



Date

20/09/2016

Name in BLOCK LETTERS

James Forrest Mc Dougall

Application Check List

Please check that you provide all relevant information in support of your application, including but not limited to the following:

- Completed and signed application form ☐
- Project Drawings ☐
- Maps/Charts ☐
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☐
- Method Statement ☐
- Photographs of the location of the project ☐
- Additional information e.g. consultation correspondence (if applicable) ☐
- Noise Registry – Initial Registration Form (if applicable) ☐
- Pre-application Report (if applicable) ☐
- Environmental Statement (if applicable) ☐
- Payment (if paying by cheque) ☐

1. Applicant Details

Title: **Mr.** Initials: **J. F.** Surname: **Mc Dougall**

Trading Title (if appropriate):

Address: 11 Marine Park, North Kessock, Inverness. IV13XS

Name of contact (if different):

Telephone No. (inc. dialing code): **01463731307**

Email: **jimmy.macdougall@yahoo.com**

Statutory Harbour Authority? YES ☒ NO ☐

If **YES**, please provide a list of the latitude and longitude co-ordinates (WGS84) of the boundary points of the area of harbour jurisdiction using Appendix 01 Additional Co-ordinates form if necessary.

2. Agent Details (if any)

Title: Initials: Surname:

Trading Title (if appropriate):

Address:

Name of contact (if different):

Telephone No. (inc. dialing code):

Email:

3. Payment

Enclosed Cheque ☐ Invoice ☒

Contact and address to send invoice to:

Applicant ☒ Agent ☐ Other ☐

If **OTHER**, please provide contact details:

Title: Initials: Surname:

Address:

Email:

4. Application Type

Is this application for a new construction site or an existing construction site:

New Site ☒ Existing Site ☐

If an **EXISTING SITE**, please provide the consent/licence number and expiry date:

Consent/Licence Number	Expiry Date

5. Project Details

(a) Brief description of the project (e.g. construction of a new sea outfall):

1) construction of a groyne at the south side of the entrance to Avoch Harbour using armoured rock (2017) 2) siting pontoons within the harbour at dredged sites (see separate application) These to be attached to the west south and south east inner harbour walls their distal ends attached to concrete anchoring blocks by chain (2019 2020) 3) construction of a 1 meter high concrete wall on the west side of the slipway a protective wall of armoured rock on the east side of the slipway (1 meter high) and a 200 mm concrete deck on the slipway (2021 2022) Note the reason for the extended timescale is that the various parts of the project can only be carried out as funds become available from harbour income

(b) Total area of the proposed works (in square metres):

1,240 m²

(c) Proposed start date (Target duration for determination of a marine licence application is 14 weeks):

March 2017

(d) Proposed completion date:

May 2022

(e) Cost of the works seawards of the tidal limit of MHWS:

£30,000.00

(f) Location:

Avoch Harbour, Easter Ross. Please see attached diagrams and charts which show in detail the exact areas where construction is to take place. Note that the red line on the attached OS map delineates the area of land and seabed owned by Avoch Harbour Trust and that MLWS, the seaward boundary, marked by the red line, now lies well outwith the harbour entrance.

Latitude and Longitude co-ordinates (WGS84) defining the extent of the project (continue on Appendix 01 Additional Co-ordinates form if necessary):

Latitude									
5	7	°	3	4	.	0	5	7	'N
5	7	°	3	4	.	0	2	1	'N
5	7	°	3	3	.	9	9	8	'N
5	7	°	3	3	.	9	9	4	'N
5	7	°	3	4	.	0	0	8	'N
5	7	°	3	4	.	0	2	8	'N
		°			.				'N
		°			.				'N
		°			.				'N
		°			.				'N

Longitude										
0	0	4	°	0	9	.	9	3	3	'W
0	0	4	°	0	9	.	9	2	5	'W
0	0	4	°	0	9	.	9	9	1	'W
0	0	4	°	0	9	.	9	9	4	'W
0	0	4	°	1	0	.	0	4	0	'W
0	0	4	°	1	0	.	0	5	7	'W
			°			.				'W
			°			.				'W
			°			.				'W
			°			.				'W

(g) Is the project located within the jurisdiction of a statutory harbour authority?

YES ☒ NO ☐

If YES, please specify statutory harbour authority:

Avoch Harbour Trust

(h) Method statement including schedule of work (continue on separate sheet if necessary):

1) Groyne. this will be constructed of armoured rock quarried from Daviot quarry .The rock will be conveyed to the harbour by road and positioned using a mechanical digger. This part of the operation will be completed withit one week. (low spring tides March 2017). 2) installation of pontoons will be :- walkways will be attached to RSJ's, bolted to the inner harbour wall,by sliding collars. The fingers, attached to the walkways, will be anchored at their outer ends using chain attached to concrete blocks buried in the harbour seabed. Installation of pontoons will begin in March 2019 at LWS tides. Once the RSJ's are attached to the walls, attaching and anchoring the pontoons can proceed and should be completed by October 2019.The work of fixing the RSJ's and ladders will be done from the top of the harbour wall and by using a floating platform within the harbour. 3) the concrete work at the slipway will be carried out at LWS tides in March 2021/2022 using portable shuttering and ready mixed concrete, (1:1:2 mix and no lime or alumina in the cement)

(i) Potential impacts the works may have (including details of areas of concern e.g designated conservation and shellfish harvesting areas) and proposed mitigation in response to potential impacts (continue on separate sheet if necessary):

The areas concerned are not shellfish harvesting areas. The area owned by Avoch Harbour Trust is immediately adjacent to the inner Moray Firth SAC and pSPA. ie. the area below MLWT's, but the harbour itself is outwith the SPA. The proposed works, taking place not only at low water,(on dry land) but at a time of the year when dolphins are most unlikely to be in the area, will not cause any disturbance to either the dolphins or other marine life.The construction of the groyne will have a very small impact in its immediate area. This will soon mitigate and the groyne itself will provide additional surface for attached marine species. The proposals have been discussed with SEPA and SNH on an informal basis and neither body has any undue concerns regarding the proposals.

6. Deposits and/or Removals

(a) **Permanent** substance(s) or object(s) to be deposited and/or removed from below MHWS (continue on a separate sheet if necessary):

Type of Deposit/Removal	Deposits		Removals	
	Description	Quantity & Dimensions (metric)	Description	Quantity & Dimensions (metric)
Steel/Iron	RSJ's galvanised. + brackets,(40)	10 No.		No.
		Dimensions 4mX250mmx250mm		Dimensions
		5tonnes Weight (kg/tonnes)		Weight (kg/tonnes)
Timber		No.		No.
		Dimensions		Dimensions
		Weight (kg/tonnes)		Weight (kg/tonnes)
Concrete	ready mix.suitable for marine purpose.(slipway 30m3) (Anchor blocks 14m3)	No.		No.
		Dimensions 44m3		Dimensions
		106 Weight (kg/tonnes)		Weight (kg/tonnes)
Plastic/Synthetic		m ²		m ²
Clay (< 0.004 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Silt (0.004 ≤ Silt < 0.063 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Sand (0.063 ≤ Sand < 2.0 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Gravel (2.00 ≤ Gravel < 64.0 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Cobbles (64.0 ≤ Cobbles < 256.0 mm)		Volume (m ³)		Volume (m ³)
		Weight (kg/tonnes)		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)	armoured rock	60 Volume (m ³)		Volume (m ³)
		180 Weight (kg/tonnes)		Weight (kg/tonnes)

Pipe		Length (m)		Length (m)
		External Diameter (cm/m)		External Diameter (cm/m)
Other (please describe below):				

(b) Method of delivery of substance(s) or object(s):

All materials will be delivered by road transport to Avoch harbour. The pontoons are already on site. Armoured rock will be positioned by mechanical digger. RSJ's will be positioned using a floating platform and mechanical hoist

(c) For work involving salt marsh feeding, beach replenishment or land reclamation please provide the following information relating to the substance(s) or object(s) to be deposited:

Quantity (tonnes):

tonnes

Nature of substance(s) or object(s) (e.g. sand, silt, gravel etc.):

Source (if sea dredged state location of origin)

Particle size:

Have the substance(s) or object(s) been chemically analysed?
If YES, please include the analysis data with your application

YES ☐ NO ☒

(d) Temporary substance(s) or object(s) to be deposited below MHWS (continue on a separate sheet if necessary):

Type of Deposit	Description	Quantity & Dimensions (metric)
Steel/Iron		No.
		Dimensions
		Weight (kg/tonnes)
Timber		No.
		Dimensions
		Weight (kg/tonnes)

Concrete		No.
		Dimensions
		Weight (kg/tonnes)
Plastic/Synthetic		m ²
Clay (< 0.004 mm)		Volume (m ³)
		Weight (kg/tonnes)
Silt ($0.004 \leq \text{Silt} < 0.063$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Sand ($0.063 \leq \text{Sand} < 2.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Gravel ($2.00 \leq \text{Gravel} < 64.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Cobbles ($64.0 \leq \text{Cobbles} < 256.0$ mm)		Volume (m ³)
		Weight (kg/tonnes)
Boulders (≥ 256.0 mm)		Volume (m ³)
		Weight (kg/tonnes)
Pipe		Length (m)
		External Diameter (cm/m)
Other (please describe below):		

7. Disposal of Dredged Substance(s) or Object(s) at Sea

- (a) Do you intend to apply for a marine licence for sea disposal of dredged substance(s) or object(s) as part of the project?

YES ☒ NO ☐

If **YES**, please specify nature of substance(s) or object(s) (e.g sand, gravel, silt, clay, rock etc.):

Silt, sand and small rock/boulders will be dredged from the areas where the pontoons will be sited. This is the content of a separate licence application, for dredging and sea disposal.(submitted at this time).

- (b) Quantity of substance(s) or object(s) (wet tonnes):

1000 wet tonnes

A separate marine licence application will be required to be submitted for sea disposal.

8. Noise Monitoring

Will loud, low to mid frequency (10Hz to 10kHz) impulsive noise be produced by the project?

YES ☐ NO ☒

If **YES**, which please indicate the noise generating activities and sound frequencies:

Noise Generating Activity	Sound Frequency (Hertz)
Use of Explosives	
Use of Acoustic Deterrent Devices	
Piling	
Other (please describe below):	

If you have ticked **YES**, please complete the Noise Registry – Initial Registration form located at:
<http://www.scotland.gov.uk/Topics/marine/science/MSInteractive/Themes/noise-reduction>

Marine licence applications will not be accepted until this form has been completed and submitted.

9. Statutory Consenting Powers

Do you, or (if appropriate) your client, have statutory powers to consent any aspect of this project?

Notwithstanding the requirement to obtain a licence to deposit materials below MHWS from Marine Scotland. Avoch Harbour Trust, under the harbour order of 1903, is in effect its own planning authority and can maintain and construct piers, wharves, jetties, buildings, railways, roads etc. The Trust, recognising that there have been changes since 1903, would not carry out any of the above without consulting the appropriate authorities or obtaining the appropriate consents.

10. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan?

YES ☒ NO ☐

If **YES**, provide details of considerations made with reference to the policies, including but not limited to General Policies 7 and 13 (GEN 7 and GEN 13), that have been considered:

Avoch Harbour Trust, which owns the harbour and surrounding grounds down to MLWS, operates the harbour through Avoch Harbour Trust Ltd. AHT Ltd. is a limited company and a registered charity. The harbour is used mainly for recreational purposes although at present there are three registered boats fishing for shellfish from the harbour. There is no longer any aquaculture in the area. There was salmon farming until six or seven years ago and the harbour was used by the salmon farming company. The harbour is active although a survey carried out for SNH and the Moray Firth Partnership a few years ago reported that the %time that leisure craft were actively at sea was less than 10%. Therefore increasing the number of boats in Avoch Harbour by about 15 will have little or no effect on the local marine habitats. The harbour is also used by the local sea scouts, by bird watchers, tourists and locals. Dolphin Trips Avoch operates successfully out of the harbour. The harbour is of some historical importance, being designed by Thomas Telford and is important as a focal point for people living and visiting the area. The harbour has been improved continually since the trust purchased it in 2004. The Trust is very aware that if the harbour is not maintained and improved it will quickly fall into dis-repair. This would be a sad loss of amenity and would not support the ideas and policies set out in the above mentioned document.

If **NO**, please provide an explanation of why you haven't considered the National Marine Plan?

11. Pre-Application Consultation

Is the application subject to pre-application consultation, under The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013?

YES ☐ NO ☒

If **YES**, please indicate the date of the public notice for the pre-application consultation event and the type of consultation event held (a copy of the public notice must be supplied with this application):

Event Type	Date

12. Consultation

List all bodies you have consulted and provide copies of correspondence:

The local community council is represented on both the trust and the Trust Ltd. Information on the current proposals was sent to SNH, SEPA and highland council in Nov. 2015 when Marine Scotland was first approached regarding this application. Historic Scotland was not consulted as the current proposals do not affect that part of the harbour designed by Thomas Telford. Informal communication regarding these proposals indicate that there are no undue concerns from the bodies consulted. These bodies, as I am myself, are under the impression that once the application is submitted to Marine Scotland then MS disseminates the relevant information to each of the bodies for comment. (This was the situation as described to me by SNH this week). If this is not the case then I am happy to forward all the application details to all concerned bodies. PLEASE LET ME KNOW ABOUT THIS AS SOON AS POSSIBLE. The public will, if necessary, be informed through the local press as to where and when they can peruse the proposals and who to contact should they have any questions. The houses near the harbour will ,as before, receive a hand delivered letter explaining fully what is to happen and when.

13. Environmental Assessment

(a) Does the project fall under Annex I or II of the EIA Directive?

Annex I ☐

Annex II ☐

Neither ☒

If **ANNEX I** or **ANNEX II**, please provide the screening opinion issued to you in relation to the project.

(b) Has an EIA been undertaken:

for the marine licence application to which this application relates
for any other EIA regulator (e.g local authority)

YES ☐ NO ☒
YES ☐ NO ☒

14. Associated Works

Provide details of other related marine projects, including reference/licence numbers (if applicable):

Dredging of parts of the harbour where the pontoons are to be sited and deposition of dredged material is a concurrent part of the upgrading proposals. A licence from Marine Scotland for this is also being applied for at this time.