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MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) 2017 REGULATIONS

DECISION NOTICE – MARINE LICENCES TO CONSTRUCT, DREDGE AND DEPOSIT DREDGED SUBSTANCES OR OBJECTS ASSOCIATED WITH THE CORRAN FERRY INFRASTRUCTURE IMPROVEMENT SCHEME, CORRAN NARROWS, LOCH LINNHE

1 Application and description of the works

1.1 On 1 March 2025, The Highland Council (“the Applicant”) having its registered office at 94 Diriebught Road, IV2 3QN submitted to the Scottish Ministers applications under Part 4 of the Marine (Scotland) Act 2010 (“the 2010 Act”) for the construction, dredging and deposit of dredged substances or objects, associated with the Corran Ferry Infrastructure Improvement Scheme (“CFIIS”) (hereinafter collectively referred to as “the Works”). The applications were accompanied by an Environmental Impact Assessment Report (“EIA Report”) in accordance with The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”).

1.2 The Works include the following licensable activities below Mean High Water Springs (“MHWS”):

- Capital dredging and sea deposit of dredged material;
- Dredging activities including rock breaking and marine blasting;
- Demolition of existing ferry terminal infrastructure;
- Removal of sub-sea cable connections;
- Groundworks;
- Sheet piling and concrete and steelworks;
- Land reclamation;
- Installation of drainage network; and
- Reinstatement.

- 1.3 The Works are outlined in three phases comprising the construction phase, operational phase and decommissioning and will be carried out as one continuous delivery programme. The expected time to complete the Works is 3 years, with the construction phase expected to begin in November 2025 and completed in March 2027. Construction activities will take place between 7am and 7pm Mondays to Fridays, and between 7am and 1pm Saturdays, however work outwith these hours may be required on an infrequent basis to suit tides, vessel movements or in the event of an emergency.
- 1.4 The Works are part of a wider package of the CFIS with terrestrial works taking place above MHWS. These works do not require marine licences and will not be considered further but may be referred to in order to place works below MHWS in context. The terrestrial works are subject to the relevant planning permission from The Highland Council ("THC").

Capital Dredging and Sea Deposit

- 1.5 Capital dredging will be carried out approximately one month after the commencement of the construction activities. This will require the removal of approximately 24,000 cubic metres ("m³") of dredge material, to be dredged to a depth of 3.5 metres ("m") below chart datum. It is expected the dredge material will be re-used as infill in the land reclamation and/or marine structures. Any remaining unsuitable material is to be deposited in the Armadale sea deposit site (HE070). Dredging is expected to be carried out by a cutter suction and backhoe excavation dredger, with the material being transported by the dredge disposal vessel along the established ferry transit route. The dredge material disposal vessel is expected to travel at a slow speed to the sea deposit site.

Dredging activities including rock breaking and blasting

- 1.6 The Applicant undertook ground investigations and completed point load testing which identified the rock head at Nether Lochaber is sufficient for removal by rock ripping techniques. These techniques include the removal of rock head through mechanical ripping and excavation using a long-reach or amphibious excavator on the shore, breakwater and/or land reclamation bunds and a pontoon-mounted excavator supported by a hopper barge to be used on the seaward side of the dredge area, if required. The Applicant has also considered harder rock substrate during construction works which will require removal by rock breaking or onshore rock blasting. The Applicant has assessed blasting techniques to ensure all potential impacts have been appropriately considered however rock blasting will only be undertaken during daylight hours if other removal methods prove ineffective.

Demolition of existing ferry terminal infrastructure

- 1.7 As part of the construction of the new infrastructure, the existing small pier at Ardgor will be demolished to increase space for ferry vessel operations when accessing the proposed slipway and overnight berthing structure.

Removal of the sub-sea cable connections

- 1.8 Three Scottish and Southern Electricity Network (“SSEN”) power transmission cables are located on or above the seabed of the Corran Narrows. Removal of the cables within the footprint of the CFIS will be undertaken as part of the Works. Two of the cables are de-energised and the third cable is still active. It is expected the de-energising of the third cable will involve the cable to be severed, removed in sections with a workboat crane, and the remaining free end of the cable will then be capped and sealed. Removal of the sub-sea cables is required to be completed before works can commence on the Ardgour side of the Corran Narrows.

Groundworks

- 1.9 The majority of groundworks will occur above MHWS however there will be a requirement for minor earthworks on either side of the Corran Narrows. These works will include the clearing, levelling, and tidying of land to create the foundations and gradients for construction works using standard construction plant below MHWS or above the seabed.

Sheet piling and concrete and steelworks

- 1.10 Sheet piling will occur on the Ardgour side of the Corran Narrows for the construction of the overnight berthing structure and slipway. The driving of steel sheet piles will be undertaken using vibration or impact piling techniques, from a floating barge or shore-based plant. Construction activities below MHWS will require the potential use of concrete infill, and concrete foundations will be installed when required.

Land reclamation

- 1.11 Land reclamation below MHWS will be required on both sides of the Corran Narrows, the Ardgour side and the Nether Lochaber side. On the Ardgour side, land will be reclaimed in association with the overnight berthing structure, the existing slipway and on the seaward side of the A861 road. On the Nether Lochaber side, land will be reclaimed in association with the seaward side of the marshalling area. Land reclamation will involve the construction of outer rock bunds and compacted rockfill and suitable granular infill. These works will be undertaken using shore-based plant. There will be a preference for the use of dredge arisings if the material is found to be suitable.

Installation of a drainage network

- 1.12 The Works will include extended installation of water and drainage services, including the installation of concrete surrounds and anchoring to the underlying rockhead.

Reinstatement

- 1.13 The footprint for the construction works of the CFIS will be bigger than the final infrastructure on completion and involves reinstatement preceding demobilisation. Reinstatement may occur progressively where practicable. This process will involve the laying and levelling of topsoil and the seeding and

planting of native vegetation, as detailed in the Arboricultural Impact Assessment and Method Statement.

- 1.14 This decision notice contains the Scottish Ministers' decision to grant regulatory approval for the Works as described above, in accordance with the 2017 MW Regulations by issuing marine licences under Part 4 of the 2010 Act.

2 Summary of environmental information

- 2.1 The environmental information provided by the Applicant was:

- An EIA Report that provided an assessment of the impact of the Works on a range of receptors.
- Best Practicable Environmental Option ("BPEO").

- 2.2 A summary of the environmental information provided in the EIA Report is given below.

Landscape and Visual

- 2.3 To assess the landscape and visual impacts of the Works, the Applicant undertook a Landscape and Visual Impact Assessment ("LVIA") using best practice guidance. It is anticipated the landscape and visual effects during the construction phase will not be any greater during the operational phase therefore only the effects from the permanent components of the CFIIS have been assessed. The LVIA was based on a worst-case scenario and takes into account the effects on designated landscapes, local landscapes, seascape characters, and visual effects upon residents, road users and tourists. The assessment also considered eight selected viewpoints with views of the Corran Narrows that were identified and agreed through consultation with THC and NatureScot ("NS"). The overall impacts were determined by evaluating the magnitude and sensitivity combination via a significance of effects matrix.
- 2.4 As the Works will involve the construction of new and additional infrastructure, it is concluded there will be a significant effect to local landscapes and seascape at the Ardgour and Nether Lochaber shores of the Corran Narrows, and for the residents, road users and tourists. The assessment of viewpoints also concluded significant effects on visual amenity from six of the selected viewpoints due to the prominence of the Works in coastal views. No long-term significant effects are predicted on the Ardgour Special Landscape Area due to a short-medium term reduction in the scenic qualities therefore it is concluded that there will be no significant effects with regards to designated landscapes.
- 2.5 Mitigation in the form of reinstatement and landscaping includes a new native woodland belt to the east of the Nether Lochaber marshalling area. The Applicant's design choices include careful selection of colours and construction materials which aims to reduce visual detrimental effects and is a careful approach to the manipulation of the landform to accommodate the new infrastructure. These mitigation measures will be implemented by the Applicant during the construction phase to mitigate operational impacts.

In-Air Noise and Vibration

- 2.6 To assess the impacts of the effects of in-air noise and vibration by the Works, the Applicant undertook baseline sound level monitoring at five locations, over a continuous two-week survey period, to identify the existing noise levels within the vicinity of the CFIS project. The Applicant also undertook noise modelling to predict noise emission levels attributed to both the construction and operational phase of the Works. The noise modelling assessment included 15 scenarios to represent the 15-month construction period and the anticipated noisy construction activities, including vibrations from construction works. The assessment used three-dimensional sound modelling and was based on a worst-case scenario of all plant operating concurrently in full operational mode using an indicative construction timeline. The Applicant has compared the existing noise levels and predicted noise levels in accordance with noise thresholds detailed in British Standard guidance to inform further assessments and conclusions. Furthermore, the Applicant has assessed road traffic noise for both phases of the Works and no significant impacts are predicted and will not be considered further.
- 2.7 For the construction phase, the Applicant has concluded no significant effects are anticipated in relation to vibration. This is due to the short duration of exposure and from lower vibration levels of roller vehicles operating at a greater distance. For airborne noise, no significant effects are anticipated during evening, weekend and night-time hours based on the predicted noise levels and noise thresholds. However, the assessment of construction noise during daytime hours will have a significant effect on the Ardgour side of the Corran Narrows, due to the proximity to residential and business properties. The Applicant concludes that any temporary or permanent noise generated during the operational phase will not have any significant impact during daytime hours and noise will not be initiated during night-time hours.
- 2.8 To mitigate the effects of construction noise on the residents and business properties, the Applicant proposes to employ a Community Engagement Officer to maintain communications and provide updates on planned construction activities and noise sources. The Applicant also proposes to install temporary noise barriers to mitigate the effects of small plant items such as generators which is anticipated to reduce noise levels by approximately 10 decibels. The assessment concluded that with the implementation of the proposed mitigation the effect of in-air Noise will significantly be reduced.

Air Quality

- 2.9 The Applicant assessed the potential impact of dust emissions during the construction phase of the Works by completing impact assessments and conducting a desk-based study. The Applicant has concluded potential significant effects on human health and dust soiling due to the high risk from dust emissions from earthworks and track out on the Nether Lochaber side of the Corran Narrows, however the Applicant concluded there would be no significant effects on the Ardgour side. The Applicant proposed mitigation in the form of a Dust Management Plan with visual monitoring to be undertaken to assess the implementation of the mitigation. Therefore, the Applicant concluded that where

the mitigation is adhered to there would be no significant impact on air quality from the Works.

Coastal Processes and Flooding

- 2.10 The Applicant assessed the potential impact of the Works on coastal processes and flooding, using coastal process modelling and undertaking a Flood Risk Assessment and a Drainage Impact Assessment. The Applicant identified both the Ardgour side and Nether Lochaber side of the Corran Narrows were at risk from coastal flooding due to their short height above sea level. The coastal process modelling was used to inform the design of the new infrastructure and identified only minor changes to current speeds and patterns. The new infrastructure will ensure there will be no increased flood risk on existing properties and infrastructure and appropriate drainage will be installed to ensure no increased risk of surface water flooding. The assessment concluded there will be no significant effects on the Loch Linnhe North water body.

Biodiversity

- 2.11 A Habitats Regulations Appraisal supporting document was produced to identify likely significant effects to species and habitats associated with the associated designated European sites. No effect on the conservation objectives of the associated designated sites is predicted. A Biodiversity Condition Assessment Report was prepared to present the baseline condition with respect to the Works. The various receptor groups are considered in the following sections.

Terrestrial Ecology and Ornithology

- 2.12 The Applicant undertook a desk-based study and carried out a number of surveys to inform baseline data for species and habitats. The Applicant also undertook an Ecological Impact Assessment to assess the impacts of both the construction and operational phases of the Works.
- 2.13 In total, seven significant impacts were identified from the development of the Works. During the construction phase, the Applicant identified two impacts on ornithological receptors associated with the destruction or abandonment of bird breeding sites and accidental spread of highly pathogenic avian influenza; and four impacts on terrestrial ecology receptors associated with accidental physical injury or mortality along with accidental spread or introduction of Invasive Non-Native Species ("INNS"). During the operational phase, one impact was identified on the terrestrial ecology receptor associated with habitat loss.
- 2.14 Mitigation measures include avoidance of bird breeding seasons and Species Protections Plans which will be implemented through the Construction Environment Management Document. With these mitigation measures in place it is concluded the significant impacts on terrestrial ecology and ornithology during both phases of the Works will not be significant.

Marine Mammals

- 2.15 Three designated sites were identified in relation to the Works: Eileanan Agus Sgeiran Lios Mór Special Area of Conservation (“SAC”), East End of Sound of Mull haul-out site and the Inner Hebrides and the Minches SAC. The species considered in the assessment were harbour seal, common dolphin, harbour porpoise and minke whale.
- 2.16 The EIA Report concluded two significant impacts on marine mammals associated with the construction phase of the Works for rock breaking and piling activities. The Applicant proposes to follow a rock breaking and Piling Marine Mammal Protocol which would employ a Marine Mammal Observer (“MMO”) to ensure there are no marine mammals in the vicinity of the Works prior to commencement. The assessment outlined that rock breaking or ripping are the preferred methods during construction however if these prove ineffective, the Applicant proposes to use blasting techniques considered as a worst-case scenario. If required, mitigation measures will include the use of a bubble curtain to act as a noise barrier, as well as potential acoustic deterrents, with both visual and acoustic monitoring to ensure the area is clear of marine mammals prior to any blasting being undertaken. The EIA Report also concluded sheet piling is a low energy technique and associated noise levels are anticipated to reduce and be short-term and localised in nature.
- 2.17 In terms of sea deposit of dredge material associated with the Works, it has the potential to cause injury to marine mammals or basking shark directly below the dredge vessel during dumping activities. To mitigate any impacts, an MMO will be employed to ensure there are no marine mammals or basking shark in the vicinity of the Works prior to deposit.
- 2.18 All vessels involved in the Works will comply with the Scottish Marine Wildlife Watching Code (“SMWWC”), to minimise disturbance to marine mammals. With the proposed mitigation measures, the impacts on marine mammals associated with the construction phase are reassessed as negligible, non-significant and no increased impacts are anticipated during the operational phase.

Fish and Shellfish Ecology

- 2.19 The Applicant identified three species of fish that have the potential to be affected by the construction phase of the Works: Atlantic Salmon (*Salmo salar*), Sea Trout (*Salmo trutta*) and European Eel (*Anguilla anguilla*). The installation of a bubble curtain would mitigate this effect, but it is also unlikely that there would be fish in the immediate vicinity due to vessel and plant activity prior to the blasting. If blasting is required, then the bubble curtain will ensure there is no significant effect on fish and shellfish from the Works.

Benthic Ecology

- 2.20 The Applicant undertook subtidal and intertidal surveys to assess the baseline habitats and species present in the Corran Narrows, and determined the presence of Annex I reefs, kelp and macroalgae Priority Marine Features (“PMF”). Marine development during the construction phase of the Works will involve permanent loss of benthic habitat. However, it is anticipated the loss will be limited to a small area compared to the wider region in which the priority

marine features are present. The seabed of the Corran Narrows is comprised of coarse sand, gravel and cobbles on the Ardgour side and primarily bedrock on the Nether Lochaber side, meaning that any material suspended in the water column as a result of construction works would drop out of suspension quickly and that following dispersion there would be little to no settlement on the benthic habitats.

- 2.21 The Applicant identified a seagrass bed approximately 800m north of the Works. The Applicant carried out assessments and concluded that there will be no increase in water turbidity at this location as a result of the Works, and that there will be no effect on the seagrass bed at this distance.
- 2.22 Sedimentation can occur following capital dredging and maintenance dredging and will be similarly localised, resulting in low impacts.
- 2.23 All vessels associated with both the construction phase and the operational phase of the Works will adhere to the relevant biosecurity protocols to minimise the introduction and/or spread of INNS.

Archaeology and Cultural Heritage

- 2.24 The Applicant undertook an archaeological and cultural heritage assessment to identify any potential significant effects from the Works on the historic and cultural environment. Direct impacts have been identified in relation to two assets on the Ardgour side of the Corran Narrows relating to the existing small pier which was established in the early 19th Century and a boat maintenance area. To mitigate any impacts to these assets during the construction phase associated with the Works, a Written Scheme of Investigation will be prepared with consideration of an Archaeological Watching Brief and/or archaeological recording prior to any works commencing in the vicinity.
- 2.25 The EIA concluded that the potential for encountering marine heritage assets has been considered as low. Where mitigation is implemented, including a Protocol of Archaeological Discoveries, the effect will be reduced to minor adverse significance at a project level.

Traffic, Transport and Access

- 2.26 The development of the CFIS is to improve transportation including the volume of traffic on both sides of the Corran Narrows, improved provisions for cyclists and pedestrians on the Ardgour side and road-widening along the A861 in the vicinity of the upgraded slipway. On the Nether Lochaber side of the Corran Narrows, there will be an improved junction arrangement and marshalling area to remove the current problem arising from traffic backing up onto the A82 trunk road.
- 2.27 The construction phase of the Works will result in a temporary increase in traffic on the roads. It is estimated that at the peak of the construction period there will be 122 heavy goods vehicle ("HGV") movements a day associated with the Nether Lochaber side of the Corran Narrows, and 14 HGV movements associated with the Ardgour side. Additionally, there is an estimated 50 car or

light goods vehicle movements a day. The HGV movements in the residential area of North Corran were identified as needing appropriate management.

- 2.28 A Construction Management Plan is proposed to be implemented to mitigate and minimise impacts from the construction works which will include a speed limit for construction vehicles in the residential areas.

Navigation

- 2.29 The Applicant conducted a full Navigational Risk Assessment to assess the impact on navigational safety using a baseline study area of Loch Linnhe, which has similar navigational restrictions and types of vessels in close proximity. Potential navigational risks associated with the Works were also identified through a hazard identification workshop held with relevant stakeholders. The navigational risk assessment considered current risk controls and identified new risk controls, all in accordance with current guidance. Construction controls will be implemented prior to the commencement of the Works and controls for the operational phase will be in place prior to any ferry operations taking place. With the implementation of these controls, it is concluded that the Works during both the construction and operational phases will be non-significant.

Socio-economics

- 2.30 The Applicant considered the socio-economic effects of the Works in the EIA Report for both the construction and operational phases. The significance of the Works is to create a resilient transport connection of the Corran ferry service.
- 2.31 Impacts from construction on the local MOWI fish farm were considered. Underwater noise is a potential source of disturbance on the penned salmon on the farm, and as with wild fish the effects were determined as temporary and non-significant. Monitoring of the fish during piling activities and marine blasting is proposed to ensure no negative impacts on the fish farm.
- 2.32 The Ardgour community and businesses are expected to experience increased noise, traffic, lighting, and visual disruption due to proximity to the Works during the construction phase. Although these impacts are to be temporary (approximately 18 months for the construction phase) these effects and the resulting disturbance could have, in combination, significant effects on the local community. A suitable communication strategy will be implemented to ensure good communication with the residents and businesses on the Ardgour side of the Corran Narrows.
- 2.33 On the Nether Lochaber side of the Corran Narrows, improvements to marshalling and access areas will improve road safety and service user experience, and the improved junction onto the A82 will benefit all users. The Works will create new public parking and access to the loch and glen. Noise and traffic will be diverted out of the Nether Lochaber community with the relocation of the ferry service.
- 2.34 The Applicant concludes that the Works will have positive and significant socio-economic effects for the local communities, and the wider rural and peninsula

communities, supporting their sustainability by ensuring they have continued access to tourism, employment, and medical services.

Materials and Waste

- 2.35 The Applicant has identified the types of materials required during the construction phase of the Works including metals, concrete, aggregate, rock, timber, plastics, and synthetics. The CFIS has been designed to reduce the volume of the materials required and appropriate selection and sourcing of materials has been considered, with a preference for locally sourced and higher recycled materials in accordance with the Highland Council's Community Benefit Policy on Procurement.
- 2.36 During the construction phase, it is anticipated the waste types will include vegetation, dredge spoil, excavation products and demolition waste. Waste will only be disposed of by a licenced waste contractor in line with the waste hierarchy and relevant legislation. Any materials potentially contaminated with INNS will adhere to the Integrated Weed Management Plan and will be segregated and isolated prior to disposal.
- 2.37 Mitigation measures include the implementation of a Materials Management Plan and a Waste Management Plan, ensuring compliance with relevant legislation. Overall, the assessment concluded that there would be no significant effect with regards to materials and waste.

Climate Change

- 2.38 To assess greenhouse gas emissions from the Works, the Applicant has applied a whole lifecycle approach which considers the emissions from all phases of the CFIS to measure the impact of greenhouse gases on global warming. The construction phase is estimated to produce 13,608 tonnes of carbon dioxide equivalent. The replacement of the current diesel ferry with the new electric vessels will reduce the operational carbon dioxide footprint by an estimated 95 per cent. The installation of electric car and bicycle charging facilities will also contribute to the wider move towards low carbon transport.
- 2.39 The Applicant concludes that the CFIS will have a beneficial impact on greenhouse gases by reducing the overall carbon footprint in comparison to the existing ferry service. It is projected that by 2044 the CFIS will be carbon neutral, offsetting any carbon cost during the construction phase.

3 Consultation

- 3.1 In accordance with the 2017 MW Regulations a notice publicising the application and EIA Report must be published in the Edinburgh Gazette, in a newspaper circulating in the locality in which the Works to which the EIA Report relates are situated (or, in relation to proposed Works in, on, over or under the sea, in such newspapers as are likely to come to the attention of those likely to be affected by the proposed works) and on the application website.

- 3.2 As such, the Applicant, in agreement with the Scottish Ministers, published the application, together with the EIA Report:
- (a) In the Edinburgh Gazette on 28 March 2025; and
 - (b) On the Applicant's website,
https://www.highland.gov.uk/info/20028/corran_ferry_project/1070/corran_ferry_infrastructure_improvement_scheme
- 3.3 The Scottish Ministers made the application publicly available on its external facing website: <https://marine.gov.scot/node/26131>
- 3.4 In addition, a consultation exercise on the application and EIA Report was undertaken in accordance with the 2017 MW Regulations for a period from 28 March 2025. The regulatory requirements regarding consultation and public engagement have been met and the representations received taken into consideration.
- 3.5 A summary of the representations is set out at sections 4, 5, 6 and 7. The representations are available to view in full here: <https://marine.gov.scot/?q=node/26890>.

4 Summary of representations from statutory consultees

- 4.1 NatureScot (operating name of Scottish Natural Heritage) responded on 23 April 2025, advising that the proposal is likely to have a significant effect on the harbour seal qualifying feature of the Eileanan agus Sgeiran Lios mor SAC. It considered the proximity of the Works affecting the harbour seal foraging habitat and prey availability and auditory injury and disturbance to harbour seals from vessel movements and construction activities including piling and rock breaking. NS stated that the Works take place in a highly localised area and will be temporary in nature therefore the impact on the foraging habitat will be negligible. NS further stated that adherence to the SMWWC, and the use of mitigation measures; including bubble curtains, Acoustic Deterrent Devices ("ADD") and an MMO, would ensure no adverse effect on site integrity.
- 4.2 NS further advised that the proposal is likely to have a significant effect on the harbour porpoise qualifying feature of the Inner Hebrides and the Minches SAC due to construction activities, vessel movement and dredge disposal. It considered vessels navigating within the vicinity of marine mammals and vessels transiting to and from the disposal site. NS reiterated adherence to the SMWWC, along with an MMO, to ensure the dredge sea deposit site is clear of marine mammals before dredge spoil is deposited. NS stated the distance from the Works to the Inner Hebrides and the Minches SAC is outwith impact ranges of any noise generating construction activities and will not negatively affect the conservation objectives and concluded there will be no adverse effect on site integrity.
- 4.3 In respect of PMF, NS advised that the proposal has the potential to impact PMFs due to habitat loss. It advised that the proposal would have a significant and

unavoidable impact on kelp beds, kelp and seaweed communities on sublittoral sediment and tide-swept algal communities at a local scale. However, NS concluded there would be no impact upon the national status of the PMFs. NS also advised that the proposed mitigation of visual inspections to monitor the sediment plume during dredging works is adhered to and includes the deployment of emergency containment measures, should the sediment plume be transported, on seagrass beds located within 1 kilometre of the proposal.

- 4.4 NS noted the construction activities including vibro-piling and the use of ADD have the potential to disturb any cetacean in the area and therefore advised the Applicant to carry out a risk assessment to determine whether a European Protected Species (“EPS”) licence would need to be applied for. The Applicant will apply for an EPS licence if works in the future deem it necessary.
- 4.5 Historic Environment Scotland (“HES”) responded on 8 May 2025 and advised that the proposal did not raise any historic environment issues of national significance and that it had no objections.
- 4.6 Scottish Environmental Protection Agency (“SEPA”) responded on 7 April 2025, referring the Applicant to its standing advice (‘SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Directorate on marine consultations’, January 2025). This states that SEPA do not assess applications, make site-specific comments or consider the requirement for an EIA from its perspective. The standing advice does not raise specific concerns but advises that legislation and best practice and guidance in relation to pollution prevention, onshore works, dredge spoil and waste material above the low water mark, is adhered to.
- 4.7 The Highland Council responded on 10 June 2025, stating it had no concerns to the proposal and had no further comments to make in relation to the proposed marine works.

5 Summary of representations from other consultees

- 5.1 The Maritime and Coastguard Agency (“MCA”) responded on 9 May 2025, stating it had no objections to regulatory approval being granted provided all maritime safety legislation is adhered to, and the risk mitigation measures are followed. These measures encompassed MCA’s typical requirements and advice around notifications and lighting and marking obligations, which are routinely incorporated as conditions of the marine licences. In addition, advice was given on bunding and storage facilities and signalling of jack-up barges and vessels. The MCA further advised the Applicant to consider adopting the Ports and Marine Facilities Safety Code.
- 5.2 The Northern Lighthouse Board (“NLB”) responded on 23 April 2025 stating it had no objection to the Works. NLB provided recommendations to issue Marine Safety Information prior to the commencement of any dredging activities, and for the final survey data to be submitted to the UK Hydrographic Office on the completion of dredging works, in respect of capital dredging. The recommendations also include notices to mariners as required throughout the

project, further engagement with the NLB regarding any temporary or permanent aids to navigation during and on completion of the project, the Statutory Sanction of the NLB sought prior to the installation, alteration or discontinuation of any aid to navigation, and on completion of the project a copy of the 'as-built' plans must be submitted to the UK Hydrographic Office, in respect of the construction works. These recommendations will be included as conditions on the marine licences.

- 5.3 The Royal Yachting Association ("RYA") responded on 7 April 2025 stating it had no objections to the Works. It advised that the Works should be well publicised for the importance of vessel manoeuvring to recreational boaters by way of Notice to Mariners at marinas and harbours from Ardfarn in the south to Fort William in the north, as well as on the Caledonian Canal.
- 5.4 Scottish Water responded on 14 April 2025 and advised it had no objection to the proposal. It advised the Applicant to undertake an Asset Impact Assessment and submit a Pre-Development Enquiry to allow Scottish Water to fully appraise the proposal with regards connection to the public water supply or waste water infrastructure.
- 5.5 The Scottish Fishermen's Federation responded on 17 April 2025 and confirmed a nil return to the consultation.
- 5.6 Scottish Hydro Electric Power Distribution ("SHEPD") responded on 2 June 2025 and advised that there are three cable assets in proximity to the Works. Two assets are required to be removed prior to the commencement of the Works. Therefore, SHEPD has requested a suspensive condition requiring the complete removal of the Corran Narrows Centre and South subsea cables prior to the Works commencing on the marine licences.

6 Summary of internal advice

- 6.1 The Marine Analytical Unit responded on 23 April 2025 and advised that the assessment had a number of shortcomings. They noted a lack of assessment of the change to economic activity or employment and limited socio-economic data but acknowledged in-depth engagement with local businesses. They concluded that the assessment is considered satisfactory due to the small scale of the development.
- 6.2 Transport Scotland ("TS") responded on 15 April 2025 and advised it had no objections to the Works in terms of environmental impacts on the trunk road network. TS stated conditions that are required for any regulatory approval being granted, requiring the new ghost island priority junction of the Corran Ferry access to be constructed to the satisfaction of the Planning Authority and for a Construction Traffic Management Plan to be submitted and approved by the Planning Authority.

7 Summary of representations from other organisations and members of the public

- 7.1 The Scottish Ministers received public representations, collectively from Ardgour residents objecting to the application. The representations set out a number of concerns with the development of the Works, relating to flood prevention measures, parking and the environmental impact assessments undertaken by the Applicant. The representations also set out a number of objections relating to the proposed new slipway location, structure type of the new overnight berthing pier, location of two new substations, second land addition road, and the pathway to shore.
- 7.2 The representations were passed to the Applicant to consider and address through the process of a gap analysis to record and resolve issues raised by consultees, other organisations, and/or members of the public. The Applicant submitted a gap analysis to the Scottish Ministers addressing the points raised by the Ardgour residents and provided justification on their assessment and conclusions on flood prevention, parking, and aspects of the environmental impact assessments. The gap analysis was passed to the Ardgour residents for their information.
- 7.3 The Scottish Ministers are satisfied the points raised are not considered to be determinative but have been taken into consideration in the final decision.

8 The Scottish Ministers' Regulatory Approval and Main Determinative Issues

8.1 Determination of Marine Licence Applications

8.1.1 In determining the applications for marine licences (including the terms on which they are granted and what conditions, if any, are to be attached to them) the Scottish Ministers have had regard to:

- the need to protect the environment, protect human health, prevent interference with legitimate uses of the sea and such other matters as the Scottish Ministers consider relevant;
- the effects of any use intended to be made of the Works when constructed; and
- representations received from persons with an interest in the outcome of the applications.

8.2 Main Determinative Issues

8.2.1 The Scottish Ministers, having taken account of all relevant information and regulatory requirements, consider that the main determining issues are:

- the extent to which the Works accord with and are supported by Scottish Government policy and the terms of Scotland's National Marine Plan ("NMP"); and

- the main effects of the Works on protecting the environment and human health and preventing interference with the legitimate use of the sea which are in summary, impacts on:
 - PMFs
 - Marine Mammals

Each of these include impacts on European Sites.

8.3 Policy Context

8.3.1 As the Works are proposed to take place within the Scottish marine area, they are subject to the Marine (Scotland) Act 2010 (“the 2010 Act”). The NMP covering inshore waters is a requirement of the 2010 Act. The NMP lays out the Scottish Ministers’ policies for the sustainable development of Scotland’s seas and provides General Planning Principles (“GEN”), and sector specific objectives and policies, specifically to develop offshore wind and marine renewable energy. The relevant policies were considered, with the Works being deemed to meet the requirements of the NMP and to be contributing towards achieving relevant sector specific policies and objectives.

8.3.2 Of particular relevance to the Works are:

- GEN 2 Economic Benefit
- GEN 3 Social Benefit
- GEN 4 Co-existence
- GEN 5 Climate Change

8.3.3 The Scottish Ministers are satisfied that the Works will be carried out in line with the NMP.

8.4 Environmental Matters

8.4.1 The Scottish Ministers are satisfied that an EIA has been carried out. Environmental information including the EIA Report has been produced and the applicable procedures regarding publicity and consultation laid down in regulations have been followed. The environmental impacts of the Works have been assessed and the Scottish Ministers have taken the environmental information into account when reaching their regulatory decision.

8.4.2 The Scottish Ministers have considered fully and carefully the applications, the EIA Report, and all relevant representations from consultees, other organisations, and members of the public.

8.5 Impacts on European Sites and Marine Mammal Impacts

- 8.5.1 The Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 Habitats Regulations”) require the Scottish Ministers to consider whether the Works would be likely to have a significant effect on a European site (either alone or in combination with other plans or projects), as defined in the 1994 Habitats Regulations.
- 8.5.2 In line with the view of NatureScot that the Works are likely to have a significant effect on the qualifying interests of Eileanan agus Sgeiran Lios mor SAC and the Inner Hebrides and the Minches SAC, the Scottish Ministers, as the “competent authority”, were required to carry out an Appropriate Assessment (“AA”).
- 8.5.3 Having had regard to the representations made by NS, it can be ascertained that the Works will not adversely affect the integrity of any SAC providing the Applicant adheres to the conditions set out in the AA and the marine licences. Considering the reasons for which the sites were designated and the associated conservation objectives, the Scottish Ministers are content that the Works will not on their own or in combination with other projects, adversely affect the integrity of the Eileanan agus Sgeiran Lios mor SAC or the Inner Hebrides and the Minches SAC.
- 8.5.4 A full explanation of the issues and justification for decisions regarding site integrity is provided in the AA <https://marine.gov.scot/?q=node/26891>

9 The Scottish Ministers’ Determination and Reasoned Conclusion

- 9.1 The Scottish Ministers are satisfied that an EIA has been carried out, and that the applicable procedures regarding publicity and consultation in respect of the applications have been followed.
- 9.2 The Scottish Ministers have weighed the impacts of the Works, and the degree to which these can be mitigated. The Scottish Ministers have undertaken this exercise in the context of national and local policies.
- 9.3 The Scottish Ministers have considered the extent to which the Works accord with and are supported by Scottish Government policy and the terms of the NMP and the environmental impacts of the Works. In particular, the Scottish Ministers have considered the impacts on marine mammals and PMFs.
- 9.4 The Scottish Ministers are satisfied that the environmental issues associated with the Works have been appropriately addressed by way of the design of the Works and mitigation measures. In particular Ministers are satisfied that the Works will not adversely affect the integrity of Eileanan agus Sgeiran Lios mor SAC or the Inner Hebrides and the Minches SAC.

- 9.5 The Scottish Ministers consider that the licensing tests in respect of an EPS disturbance application for cetaceans will likely be met, and an EPS licence will likely be granted if necessary.
- 9.6 In their consideration of the environmental impacts of the Works, the Scottish Ministers have identified conditions to be attached to the marine licences to reduce environmental impacts. These include development and adherence to the mitigation measures outlined in the Schedule of Mitigation in the Applicant's EIA Report and the Construction Environmental Management Document.
- 9.7 The Scottish Ministers are satisfied, having regard to current knowledge and methods of assessment, that this reasoned conclusion, as required under the 2017 MW Regulations, is valid.
- 9.8 The Scottish Ministers are satisfied that regard has been given to protecting the environment, protecting human health, and preventing interference with legitimate uses of the sea, as well as other factors considered to be relevant, as required by section 27 of the 2010 Act.
- 9.9 The Scottish Ministers **grant marine licences subject to conditions** under the 2010 Act for the capital dredging and sea deposit and construction activities associated with the Corran Ferry Infrastructure Improvement Scheme in the Corran Narrows, Loch Linnhe. The marine licences are attached at Appendix 1.
- 9.10 The embedded mitigation and any additional mitigation identified in the EIA Report has been incorporated into the conditions of the marine licences.
- 9.11 In accordance with the 2017 MW Regulations, the Applicant must publicise notice of the Scottish Minister's regulatory decision by ensuring that a copy of this decision letter is published on the application website, and within the same publication listed at paragraph [3.2] of this decision letter, namely the Edinburgh Gazette, and West Coast Today – The Lochaber Times. The Applicant must provide copies of the public notices to the Scottish Ministers.
- 9.12 Copies of this decision notice have been sent to the bodies consulted on the applications including the local planning authority, NS, SEPA and HES. This decision notice has also been published on the Scottish Ministers' external facing website: Marine Scotland Information.
- 9.13 The Scottish Ministers' decision is final, subject to the right of any aggrieved person to apply to the Court of Session for judicial review. Judicial review is the mechanism by which the Court of Session supervises the exercise of administrative functions, including how the Scottish Ministers exercise their statutory function to determine applications for consent. The rules relating to the judicial review process can be found on the website of the Scottish Courts - [Court of Session rules | Scottish Courts and Tribunals Service](#). Your local Citizens' Advice Bureau or your solicitor will be able to advise you about the applicable procedures.

Yours sincerely,

Peter Sparrow

Marine Licensing Group Leader, Marine Directorate - Licensing Operations
Team

A member of the staff of the Scottish Ministers

10 October 2025.

The chart displays the Corran River and its surrounding areas. Key features include:

- Corran Point:** Located at the bottom left, with a light buoy (L.B.) and a light (L.) marked "G.4s12m10/7M".
- Corran Narrows:** A narrow section of the river, marked with a light buoy (L.B.) and a light (L.) marked "Fl.5s4m4M".
- Corran Shoal:** A large area of shallow water in the center, marked with a light buoy (L.B.) and a light (L.) marked "R. Q.R.". It contains several depth soundings, including 152, 27, 59, 15, 10, 16, and 12.
- North Corran:** Located on the left side, with a light buoy (L.B.) and a light (L.) marked "FLR.3M".
- Corran Narrows NE:** Located on the right side, with a light buoy (L.B.) and a light (L.) marked "Fl.5s4m4M".
- Depth Soundings:** Various numbers indicating water depth, such as 36, 25, 23, 33, 27, 15, 10, 16, and 12.
- Navigational Aids:** Several buoys and beacons are marked, including a red buoy (R.B.) and a red buoy (R.B.) marked "R. Q.R.". There are also several black buoys and beacons.
- Geographical Features:** The chart shows the Corran River, Corran Point, Corran Narrows, and North Corran. It also includes a small inset map of Scotland in the bottom left corner, showing the location of the Corran area.

NOT FOR NAVIGATION. Created by Scottish Government (Marine Directorate) 2025.
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APPENDIX TWO:
MARINE LICENCES

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE TO CARRY OUT ANY FORM OF DREDGING AND DEPOSIT ANY SUBSTANCE OR OBJECT IN THE SCOTTISH MARINE AREA

Licence Number: **MS-00011152**

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

**The Highland Council
Development and Infrastructure Project Design Unit
Materials Testing Lab
Diriebught Depot
94 Diriebught Road
Inverness
IV2 3QN**

to carry out any form of dredging and deposit any substance or object as described in Part 2. The licence is subject to the conditions set out, or referred to, in Part 3.

The licence is valid from **11 October, 2025** until **10 October, 2028**

Signed:
Rebecca Ross

For and on behalf of the Licensing Authority

Date of issue: 10 October, 2025

1. PART 1 - GENERAL

1.1 Interpretation

In the licence, terms are as defined in Section 1, 64 and 157 of the Marine Scotland Act 2010, and

- a) **"the 2010 Act"** means the Marine (Scotland) Act 2010;
- b) **"Licensed Activity"** means any activity or activities listed in section 21 of the 2010 Act which is, or are authorised under the licence;
- c) **"Licensee"** means The Highland Council
- d) **"Mean High Water Springs"** means any area submerged at mean high water spring tide;
- e) **"Commencement of the Licensed Activity"** means the date on which the first vehicle or vessel arrives on the site to begin carrying on any activities in connection with the Licensed Activity;
- f) **"Completion of the Licensed Activity"** means the date on which the Licensed Activity has been installed in full, or the Licensed Activity has been deemed complete by the Licensing Authority, whichever occurs first;

All geographical co-ordinates contained within the licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless otherwise stated.

1.2 Contacts

All correspondence or communications relating to the licence should be addressed to:

Marine Directorate - Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB
Email: MD.Marinelicensing@gov.scot

1.3 Other authorisations and consents

The Licensee is deemed to have satisfied itself that there are no barriers or restrictions, legal or otherwise, to the carrying on of the Licensed Activities in connection with the licensed activity. The issuing of the licence does not absolve the Licensee from obtaining such other authorisations and consents, which may be required under statute.

1.4 Variation, suspension, revocation and transfer

Under section 30 (1) of the 2010 Act the Licensing Authority may by notice vary, suspend or revoke the licence granted by them if it appears to the Licensing Authority that there has been a breach of any of its provisions. For any such other reason that appears to be relevant to the Licensing Authority under section 30(2) or (3) of the 2010 Act. Under the 2010 Act variations, suspensions, revocations and transfers of licences are subject to the procedures set out in section 31 of the Act.

Under section 30 (7) of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.

Under section 30 (8) of the 2010 Act, on an application made by the licensee, the Licensing Authority may transfer the licence from the Licensee to another person.

1.5 Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act it is an offence to carry on a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6 Defences: actions taken in an emergency

Under section 40 of the 2010 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act in relation to any activity to prove that –
the activity was carried out for the purpose of saving life, or for the purpose of securing the safety of a vessel, aircraft or marine structure ('force majeure'), and
that the person took steps within a reasonable time to inform the Licensing Authority as set out in section 40(2) of the 2010 Act.

1.7 Offences relating to information

Under section 42 of the 2010 Act it is an offence for a person to make a statement which is false or misleading in a material way, knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act or the provisions of this licence.

1.8 Appeals

Under Regulation 3(1) of the Marine Licensing Appeals (Scotland) Regulations 2011 a person who has applied for a marine licence may by summary application appeal to against a decision taken by the Licensing Authority under section 71(1)(b) or (c) or (5) of the Act.

2. PART 2 – PARTICULARS

2.1 Agent

Affric Limited
Lochview Office
Loch Duntelchaig
Farr
IV2 6AW

2.2 Location of the Licensed Activity

2.2.1 Location of production of the dredge material

CORRAN NARROWS, LOCH LINNHE, As bounded by the points;

Nether Lochaber

56° 43.400' N 05° 14.019' W
56° 43.401' N 05° 14.127' W
56° 43.409' N 05° 14.141' W
56° 43.421' N 05° 14.140' W
56° 43.465' N 05° 14.087' W
56° 43.463' N 05° 14.005' W
56° 43.523' N 05° 13.963' W
56° 43.521' N 05° 13.939' W

Ardgour

56° 43.350' N 05° 14.598' W
56° 43.364' N 05° 14.556' W
56° 43.415' N 05° 14.516' W
56° 43.522' N 05° 14.598' W
56° 43.520' N 05° 14.612' W
56° 43.519' N 05° 14.680' W
56° 43.470' N 05° 14.734' W
56° 43.459' N 05° 14.734' W
56° 43.459' N 05° 14.727' W
56° 43.451' N 05° 14.726' W
56° 43.421' N 05° 14.738' W

As shown in Annex One

2.2.2 Location of deposit of the substances or objects

ARMADALE, SOUND OF SLEAT authorised sea deposit site HE070 within the area bounded by joining the following points:

57° 3.62' N 5° 53.3' W
57° 3.53' N 5° 53.6' W
57° 3.44' N 5° 53.5' W
57° 3.53' N 5° 53.2' W

2.3 Description of the Licensed Activity

Capital Dredge and Sea deposit at Corran Narrows, Loch Linnhe.

As described in the application dated 28 February, 2025 and correspondence submitted in support of the application.

2.4 Descriptions of the materials to be dredged and substances or objects to be deposited

The licence authorises the dredging and deposit of the undernoted substances and objects required in connection with the licensed activity, subject to the maximum amounts as specified below:

Permitted dredge deposit quantities:

11 October 2025 to 10 October 2028 – 52,550 wet tonnes

2.5 Contractor and Vessel Details

3. PART 3 – CONDITIONS

3.1 General Conditions

3.1.1 The Licensee must only deposit the Substances or Objects listed in Part 2 of the licence in accordance with the licence, the application and any plans or programmes approved by the Licensing Authority unless otherwise authorised by the Licensing Authority. Only the Substances or Objects listed in Part 2 of the licence may be deposited during the execution of the Licensed Activity. Any unauthorised materials associated with the Substances or Objects scheduled for deposit, including debris such as demolition waste, wood, scrap metal, tyres and synthetic materials, shall be disposed of on land at an approved location above the tidal level of Mean High Water Springs. All tank/hopper washings shall be deposited in the authorised sea deposit area(s).

3.1.2 All Substances and Objects used during the execution of the Licensed Activity must be inert and must not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

3.1.3 The Licensee must provide written notification of any serious unforeseen incident of harm to the environment or human health, or any serious unforeseen incident of interference with legitimate uses of the sea during the Licensed Activity, to the Licensing Authority within 24 hours of the incident occurring.

3.1.4 The Licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: sdr@ukho.gov.uk; tel.: 01823 484444) of the progress and upon completion of the the Licensed Activity. Such notification must include a copy of the licence, and wherever possible, 'as built plans', in order that all necessary amendments to nautical publications are made.

3.1.5 The Licensee must adopt measures to prevent the introduction and spread of invasive non-native species as a result of the Licensed Activity.

3.1.6 The Licensee must deposit the Substances or Objects described in Part 2 of the marine licence in the following authorised sea deposit area: Armadale, HE070, located as bounded by the points 57° 3.62' N 5° 53.3' W, 57° 3.53' N 5° 53.6' W, 57° 3.44' N 5° 53.5' W, 57° 3.53' N 5° 53.2' W, up to a maximum of 52,550 wt, or may be deposited during the period of validity of the licence, within the area bounded by joining the points as shown in Annex One.

3.1.7 The Licensee must ensure that the Licensed Activity is only carried out at the location of the Licensed Activity specified in Part 2 of the licence.

3.1.8 The Licensee must adhere to the Schedule of Mitigation and Monitoring listed in Chapter 21 of the Corran Ferry Infrastructure Improvement Scheme, Environmental Impact Assessment Report: Volume 2, submitted to the Licensing Authority on 01 March 2025. In the event that the Licensee wishes to update or amend the Schedule of Mitigation and Monitoring, the Licensee must submit, in writing, details of proposed updates or amendments to the Licensing Authority for its written approval, no later than one month or at such a time as agreed with the Licensing Authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any activities associated with the proposed updates or amendments to proceed prior to the granting of such approvals.

3.2 Prior to the commencement of the Licensed Activity

3.2.1 The Licensee must notify the Licensing Authority in writing of the name and address of any agent, contractor or sub-contractor not already listed in Part 2 of the licence being used to carry out any Licensed Activity listed in Part 2 of the licence. Such notification must be received by the Licensing Authority no less than 24 hours before the commencement of the Licensed Activity

3.2.2 The Licensee must issue local notification to marine users, including fisher's organisations, neighbouring port authorities and other local stakeholders, of the commencement of the Licensed Activity at least five days before the Commencement of the Licensed Activity.

The Licensing Authority must be sent a copy of the notification within 24 hours of the notification being sent.

3.2.3 The Licensee must notify HM Coastguard (Zone35@hmcg.gov.uk), prior to the Commencement of the Licensed Activity.

3.2.4 The Licensee must ensure the existing Corran Narrows North, Corran Narrows Centre and Corran Narrows South cables have been completely removed from the marine environment before any Works can commence.

3.3 During the Licensed Activity

3.3.1 Only those persons acting on behalf of, and authorised by, the agent or the Licensee shall undertake the Licensed Activity.

3.3.2 The Licensee shall ensure that a log of activities is maintained on each vessel employed to undertake the Licensed Activity. The log(s) shall be kept onboard the vessel(s) throughout the Licensed Activity, and be available for inspection by any authorised Marine Enforcement Officer. The log(s) shall be retained for a period of six calendar months following expiry of the licence, and copies of the log(s) may be requested during that period for inspection by the Licensing Authority. The log(s) shall record in English the following information:

- a) the name and description of the vessel;
- b) the nature and quantity of each substance or object loaded for deposit;
- c) the date and time of departure from port, and the date and time of arrival at the authorised sea deposit area(s), on each occasion that the vessel proceeds to the designated sea deposit area(s);
- d) the date, time and position of commencement, and the date, time and position of completion, of each deposit operation;
- e) the course(s) and speed(s) throughout each deposit operation (multiple changes may be recorded as "various");
- f) the weather, including wind strength and direction, sea-state and tidal set throughout each deposit operation;
- g) the rate of discharge during each deposit operation, if appropriate, and the duration of each deposit operation (if the rate of discharge is not constant, the maximum and mean rates of discharge should be indicated);

- h) comments on the deposit operations, including any explanations for delays in the deposit operations; and
- i) the signature of the Master at the foot of each page of the record.

3.3.3 The Licensee must ensure that any debris or waste materials arising during the course of the Licensed Activity are removed for disposal at an approved location above the tidal level of Mean High Water Springs.

3.3.4 The Licensee must ensure that a copy of the licence is available for inspection by a Marine Enforcement Officer at:

- a) the premises of the Licensee;
- b) the premises of any agent, contractor and sub-contractor engaged in the Licensed Activity;
- c) location of the Licensed Activity;
- d) any vessel or vehicle carrying on the Licensed Activity.

3.3.5 The Licensee must provide a copy of the licence to each agent, contractor and sub-contractor engaged in the Licensed Activity and must ensure that any person engaged in the Licensed Activity is aware of the particulars in Part 2 of the licence and the conditions in Part 3 of the licence.

3.3.6 The Licensee must minimise suspension of sediment and minimise damage to the seabed when carrying on the Licensed Activity.

3.3.7 Any person authorised by the Licensing Authority must be permitted to inspect the site at any reasonable time.

3.4 Upon Completion of the Licensed Activity

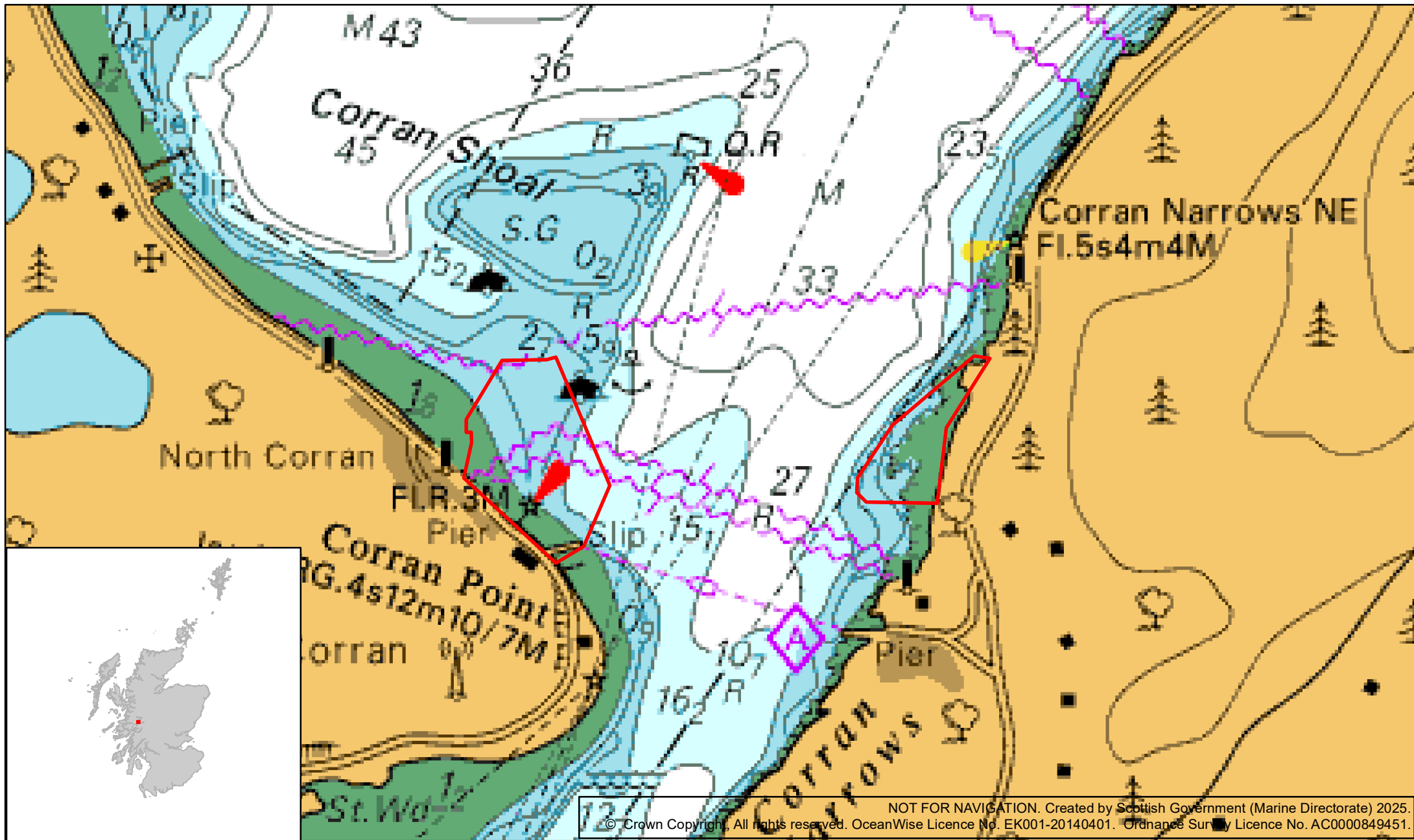
3.4.1 The Licensee must submit written reports to the Licensing Authority stating the nature and total quantity, in wet tonnes, of all Substances or Objects deposited under authority of the licence. The written reports must be submitted to the Licensing Authority annually and on the forms provided by the Licensing Authority.

3.4.2 If a new licence is required, the Licensee must make an application at least fourteen weeks before the expiry date of the licence. This licence shall not continue in force after the expiry date of 10 October 2028.

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed activity. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.
2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.

Chart showing location of Licensed Activity



ANNEX TWO

Contractors authorise to be used for construction works, removal of substances or objects, dredging and deposit of substances or objects at licensed **Highland Council locations** and vessels authorised to be used for removal of substances or objects, dredging or deposit of substances or objects at licensed **Highland Council** locations.

Licence Number:

MS-00011152

Expiry Date:

10 October 2028

Contractors:

TBC

Vessels:

Vessel Name	IMO	Flag
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TBC

The agent or licensee must notify the licensing authority as soon as reasonably practicable if a contractor or vessel not listed on the Annex Two is to be used for any construction works, removal of substances or objects, dredging or the deposit of substances or objects. The information required by the licensing authority regarding any additional contractor(s) and vessel(s) is listed in Part 3 of the associated licences. **Operations using any additional vessel(s) may only commence if a revised Annex Two, including details of the additional vessel(s), is issued by the licensing authority.**

Signed: Gerry Millar

For and on behalf of the licensing authority

Date: 10 October 2025

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING**LICENCE TO CONSTRUCT, ALTER OR IMPROVE WORKS IN THE SCOTTISH MARINE AREA**

Licence Number: **MS-00011153**

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

The Highland Council
Development and Infrastructure Project Design Unit
Materials Testing Lab
Diriebught Depot
94 Diriebught Road
Inverness
IV2 3QN

to construct, alter or improve works as described in Part 2. The licence is subject to the conditions set out, or referred to, in Part 3.

The licence is valid from **11 October, 2025** until **10 October, 2028**

Signed:

Rebecca Ross

For and on behalf of the Licensing Authority

Date of issue: 10 October, 2025

1. PART 1 - GENERAL

1.1 Interpretation

In the licence, terms are as defined in Section 1, 64 and 157 of the Marine Scotland Act 2010, and

- a) **"the 2010 Act"** means the Marine (Scotland) Act 2010;
- b) **"Licensed Activity"** means any activity or activities listed in section 21 of the 2010 Act which is, or are authorised under the licence;
- c) **"Licensee"** means The Highland Council
- d) **"Mean High Water Springs"** means any area submerged at mean high water spring tide;
- e) **"Commencement of the Licensed Activity"** means the date on which the first vehicle or vessel arrives on the site to begin carrying on any activities in connection with the Licensed Activity;
- f) **"Completion of the Licensed Activity"** means the date on which the Licensed Activity has been installed in full, or the Licensed Activity has been deemed complete by the Licensing Authority, whichever occurs first;

All geographical co-ordinates contained within the licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless otherwise stated.

1.2 Contacts

All correspondence or communications relating to the licence should be addressed to:

Marine Directorate - Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB
Email: MD.Marinelicensing@gov.scot

1.3 Other authorisations and consents

The Licensee is deemed to have satisfied itself that there are no barriers or restrictions, legal or otherwise, to the carrying on of the Licensed Activities in connection with the licensed activity. The issuing of the licence does not absolve the Licensee from obtaining such other authorisations and consents, which may be required under statute.

1.4 Variation, suspension, revocation and transfer

Under section 30 (1) of the 2010 Act the Licensing Authority may by notice vary, suspend or revoke the licence granted by them if it appears to the Licensing Authority that there has been a breach of any of its provisions. For any such other reason that appears to be relevant to the Licensing Authority under section 30(2) or (3) of the 2010 Act. Under the 2010 Act variations, suspensions, revocations and transfers of licences are subject to the procedures set out in section 31 of the Act.

Under section 30 (7) of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.

Under section 30 (8) of the 2010 Act, on an application made by the licensee, the Licensing Authority may transfer the licence from the Licensee to another person.

1.5 Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act it is an offence to carry on a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6 Defences: actions taken in an emergency

Under section 40 of the 2010 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act in relation to any activity to prove that –
the activity was carried out for the purpose of saving life, or for the purpose of securing the safety of a vessel, aircraft or marine structure ('force majeure'), and
that the person took steps within a reasonable time to inform the Licensing Authority as set out in section 40(2) of the 2010 Act.

1.7 Offences relating to information

Under section 42 of the 2010 Act it is an offence for a person to make a statement which is false or misleading in a material way, knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act or the provisions of this licence.

1.8 Appeals

Under Regulation 3(1) of the Marine Licensing Appeals (Scotland) Regulations 2011 a person who has applied for a marine licence may by summary application appeal to against a decision taken by the Licensing Authority under section 71(1)(b) or (c) or (5) of the Act.

2. PART 2 – PARTICULARS

2.1 Agent

Affric Limited
Lochview Office
Loch Duntelchaig
Farr
IV2 6AW

2.2 Location of the Licensed Activity

CORRAN NARROWS, LOCH LINNHE, As bounded by the points;

Nether Lochaber

56° 43.400' N 05° 14.019' W

56° 43.401' N 05° 14.127' W

56° 43.409' N 05° 14.141' W

56° 43.421' N 05° 14.140' W

56° 43.465' N 05° 14.087' W

56° 43.463' N 05° 14.005' W

56° 43.523' N 05° 13.963' W

56° 43.521' N 05° 13.939' W

Ardgour

56° 43.350' N 05° 14.598' W

56° 43.364' N 05° 14.556' W

56° 43.415' N 05° 14.516' W

56° 43.522' N 05° 14.598' W

56° 43.520' N 05° 14.612' W

56° 43.519' N 05° 14.680' W

56° 43.470' N 05° 14.734' W

56° 43.459' N 05° 14.734' W

56° 43.459' N 05° 14.727' W

56° 43.451' N 05° 14.726' W

56° 43.421' N 05° 14.738' W

As shown in Annex One.

2.3 Description of the Licensed Activity

Construction of the Corran Ferry Infrastructure Improvement Scheme and Land Reclamation.

As described in the application dated 28 February, 2025 and correspondence submitted in support of the application.

2.4 Descriptions of the materials to be used during the Licensed Activity

The licence authorises the use of the undernoted construction materials required in connection with the licensed activity, subject to the indicative amounts as specified below:

Materials used to construct permanent Works:

Steel/Iron - 5412 tonnes
Timber - 17 tonnes
Concrete - 10,622 tonnes
Plastic/synthetic (geotextile and fenders) - 104 tonnes
Silt - 3176 tonnes
Sand - 17,763 tonnes
Gravel - 32,400 tonnes
Cobbles - 36,792 tonnes
Boulders - 54,684 tonnes
Metal (zinc) anodes - 21 tonnes

Materials to be removed in the course of the Licenced Activity:

Existing Pier - 120 tonnes
Timbers - 5 tonnes
Concrete - 1200 tonnes
Boulders - 777 tonnes
Metal (aluminium) -10 tonnes
HVAC Cable - 2 No. of 200m – 400m

Materials to be used in temporary Works:

Steel/iron - 200 tonnes
Timber - 10 tonnes

2.5 Contractor and Vessel Details

3. PART 3 – CONDITIONS

3.1 General Conditions

3.1.1 The Licensee must only construct the Works in accordance with this licence, the application and any plans or programmes approved by the Licensing Authority unless otherwise authorised by the Licensing Authority.

3.1.2 The Licensee must maintain the Works in accordance with the licence, the application and any plans or programmes approved by the Licensing Authority unless otherwise authorised by the Licensing Authority.

3.1.3 All conditions attached to the licence bind any person who for the time being owns, occupies or enjoys any use of the works, whether or not the licence has been transferred to that person.

3.1.4 Only the materials listed in Part 2 of the licence may be used during the execution of the Licensed Activity.

3.1.5 All materials used during the execution of the Licensed Activity must be inert and must not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

3.1.6 The Licensee must ensure that the Licensed Activity does not encroach on any recognised anchorage, either charted or noted in nautical publications, within the licensed area as described in Part 2 of the licence.

3.1.7 The Licensee must provide written notification of any serious unforeseen incident of harm to the environment or human health, or any serious unforeseen incident of interference with legitimate uses of the sea during the Licensed Activity, to the Licensing Authority within 24 hours of the incident occurring.

3.1.8 The Licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: sdr@ukho.gov.uk; tel.: 01823 484444) of the progress and upon completion of the the Licensed Activity. Such notification must include a copy of the licence, and wherever possible, 'as built plans', in order that all necessary amendments to nautical publications are made.

3.1.9 Details of any marks or lights not required by the licence must be submitted to the Northern Lighthouse Board and its ruling complied with. The display of unauthorised marks or lights is prohibited.

3.1.10 The Licensee must notify the Licensing Authority within one week of the Licensed Activity being ceased or terminated before completion and, within one month of such notification, submit a decommissioning plan to the Licensing Authority for its approval. The decommissioning plan must set out measures to be taken for decommissioning the Works and be based on best practice at that time. The licensee must carry out all measures in the approved decommissioning plan within a timescale stipulated by the Licensing Authority. Where approval for the decommissioning plan is not given by the licensing authority, the licensee must carry out the measures to decommission the works as stipulated by the Licensing Authority in any notice served by the Licensing Authority in a timeframe described in the notice. The Licensee shall be liable for all costs.

3.1.11 Where any damage, destruction, decay or catastrophic failure that could result in a danger or obstruction to navigation is caused to the Works or deposited Objects, the Licensee must notify the Licensing Authority, the UK Hydrographic Office, Maritime and Coastguard Agency, Northern Lighthouse Board, Kingfisher Information Services of Seafish and regional fisheries contacts of such damage, destruction, decay or catastrophic failure in writing as

soon as reasonably practicable but no later than six hours after becoming aware of any such damage, destruction, decay or catastrophic failure.

The Licensee must submit a plan to remedy the damage, destruction, decay or catastrophic failure, to the Licensing Authority, for its written approval, within a time period stipulated by the Licensing Authority. The Licensee must carry out the remedial action identified in the plan approved by the Licensing Authority within the period stipulated by the Licensing Authority. The Licensee shall be responsible for the cost of carrying out the activity identified in the plan.

3.1.12 If governmental assistance is required (including UK governmental assistance or the assistance of any UK devolved government) to deal with any emergency arising from:

- a) the failure to mark and light the Works as required by the licence;
- b) the maintenance of the Works; or
- c) the drifting or wreck of the Works

to include the broadcast of navigational warnings, then the Licensee is liable for any expenses incurred in securing such assistance.

3.1.13 The Licensee must complete and submit a Close-out Report for the licensable marine activities that produced loud, low to medium frequency (10Hz-10kHz) impulsive noise in the online Marine Noise Registry no later at 6 month intervals during the validity of the licence.

3.1.14 The Licensee must adopt measures to prevent the introduction and spread of invasive non-native species as a result of the Licensed Activity.

3.1.15 The Licensee must engage with the Northern Lighthouse Board with regards any permanent or temporary Aids to Navigation during the construction and on completion of the project, including any movement of the existing Aids to Navigation, and seek statutory sanction of the Northern Lighthouse Board prior to the installation, alteration or discontinuation of any Aid to Navigation.

3.1.16 In the event of the Licensed Activity being ceased or terminated before completion, the materials used under the authority of the licence must be removed from the seabed to the satisfaction of the Licensing Authority.

3.1.17 The Licensee must ensure that the Works are maintained at all times in good repair.

3.1.18 The Licensee must ensure that the Licensed Activity is only carried out at the location of the Licensed Activity specified in Part 2 of the licence.

3.1.19 The Licensee must adhere to the Schedule of Mitigation and Monitoring listed in Chapter 21 of the Corran Ferry Infrastructure Improvement Scheme, Environmental Impact Assessment Report: Volume 2, submitted to the Licensing Authority on 01 March 2025. In the event that the Licensee wishes to update or amend the Schedule of Mitigation and Monitoring, the Licensee must submit, in writing, details of proposed updates or amendments to the Licensing Authority for its written approval, no later than one month or at such a time as agreed with the Licensing Authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any activities associated with the proposed updates or amendments to proceed prior to the granting of such approvals.

3.2 Prior to the commencement of the Licensed Activity

3.2.1 The Licensee must complete and submit a proposed activity form in the online Marine Noise Registry for all Licensed Activities that will produce loud, low to medium frequency (10Hz-10kHz) impulsive noise no later than seven days prior to Commencement of the Licensed Activity. If any aspects of the Licensed Activity differ from those submitted on the proposed activity form in the online Marine Noise Registry, the Licensee must complete and submit a new proposed activity form no later than seven days prior to Commencement of the Licensed Activity.

3.2.2 The Licensee must provide the name and address of any agent, contractor or sub-contractor proposed to be engaged in the activity to the Licensing Authority prior to the Commencement of the Licensed Activity.

3.2.3 The Licensee must issue local notification to marine users, including fisher's organisations, neighbouring port authorities and other local stakeholders, of the commencement of the Licensed Activity at least five days before the Commencement of the Licensed Activity.

The Licensing Authority must be sent a copy of the notification within 24 hours of the notification being sent.

3.2.4 The Licensee must notify HM Coastguard (Zone35@hmcg.gov.uk), prior to the Commencement of the Licensed Activity.

3.2.5 The Licensee must ensure that the Licensed Activity is carried on in accordance with a Construction Environmental Management Plan which the Licensee must submit, in writing, to the Licensing Authority for its written approval, no later than two months prior to the Licensed Activity commencing or at such a time as agreed with the Licensing Authority. It is not permissible for the Licensed Activity to proceed prior to the granting of such approval. In the event that the Licensee wishes to update or amend the Construction Environmental Management Plan, the Licensee must submit details of proposed updates or amendments to the Licensing Authority, in writing, for its written approval, no later than one month or at such a time as agreed with the Licensing Authority, prior to the planned implementation of the proposed updates or amendments. It is not permissible for any Licensed Activity associated with the proposed updates or amendments to proceed prior to the granting of such approvals.

3.2.6 The Licensee must ensure the existing Corran Narrows North, Corran Narrows Centre and Corran Narrows South subsea cables have been completely removed from the marine environment before any Works can commence.

3.3 During the Licensed Activity

3.3.1 Only those persons acting on behalf of, and authorised by, the agent or the Licensee shall undertake the Licensed Activity.

3.3.2 The Licensee must ensure that any debris or waste materials arising during the course of the Licensed Activity are removed for disposal at an approved location above the tidal level of Mean High Water Springs.

3.3.3 The Licensee must remove all materials used to construct temporary Works from the sea prior to expiry of the licence.

3.3.4 The Licensee must ensure that a copy of the licence is available for inspection by a Marine Enforcement Officer at:

- a) the premises of the Licensee;
- b) the premises of any agent, contractor and sub-contractor engaged in the Licensed Activity;
- c) location of the Licensed Activity;
- d) any vessel or vehicle carrying on the Licensed Activity.

3.3.5 The Licensee must provide a copy of the licence to each agent, contractor and sub-contractor engaged in the Licensed Activity and must ensure that any person engaged in the Licensed Activity is aware of the particulars in Part 2 of the licence and the conditions in Part 3 of the licence.

3.3.6 The Licensee must minimise suspension of sediment and minimise damage to the seabed when carrying on the Licensed Activity.

3.3.7 The Licensee must ensure appropriate steps are taken to minimise damage to the seabed during the Licensed Activity.

3.3.8 Any person authorised by the Licensing Authority must be permitted to inspect the site at any reasonable time.

3.4 Upon Completion of the Licensed Activity

3.4.1 The Licensee must submit a written report regarding the materials used during the Works to the Licensing Authority. The written report must be submitted on completion of the Works and on the forms provided by the Licensing Authority no later than 31 October 2029.

3.4.2 The seabed must be returned as close as reasonably practicable to the original profile following completion of the Licensed Activity unless otherwise agreed in writing with Licensing Authority.

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed activity. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.
2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.

Annex One for Marine Licence MS-00011153

Chart showing location of Licensed Activity

