

## Form

### PRE-APPLICATION CONSULTATION REPORT

Marine (Scotland) Act 2010: Section 24

#### 1. Proposed Licensable Marine Activity

Please describe below, or where there is insufficient space, in a document attached to this form the proposed licensable marine activity, including its location.

The marine licensable elements of the Port of Leith Outer Berth project (the 'proposed development') would (Areas are shown in Appendix 1):

- Improve a 125m section of existing berth (Area 1);
- Provide an area of hardstanding to be used for loading/unloading (Area 2); and,
- Include capital dredging to enlarge the existing berth pocket (Area 3).

Improvements to the berth seaward of the existing concrete lead-in jetty would be constructed as a suspended deck, approximately 125m long, 35m in width. The existing steel piled lead-in jetty currently at this location would be removed by cutting them off at bed level. The overburden material from the revetment slope would be removed using excavators. The material would be re-used on site, loaded onto barges and taken to the off-site disposal site (Narrow Deep B Spoil Disposal Ground) or disposed of on land, as appropriate.

Piling platforms would be created on the breakwater to enable the crane to hold the piling hammer. Up to 168 tubular piles (6 rows of 28 piles) of approximately 1.2m diameter would be installed. In addition, a front row of smaller piles (39 piles of approximately 0.8m diameter) would be installed connected with sheet piles. To support the tubular piles and landward development, sheet piles would also be installed.

A combination of 450t and 250t cranes would be used for the piling works. On completion of the piling, precast beams, casted in the hinterland area, would be placed onto the piles by the 450t crane. This would allow the installation of the omni planks and the pouring of the concrete topping in-situ. When the concrete set, the quay furniture would be installed, including the fenders and bollards. The pavement behind the quay structure would also be installed along with the sheet piles for the floodwall.

The existing berth pocket (Area 3) would be enlarged by dredging to -9m Chart Datum (CD) (-9.3m CD including a 0.3m over dredge allowance) and be approximately 300m long by 60m wide. Dredging would be undertaken using a backhoe dredger supported by a barge to take the dredged arisings to the offshore disposal site (Narrow Deep B Spoil Disposal Ground). Total dredge volume (including the removal of the overburden) has been estimated at approximately 101,000m<sup>3</sup>.

## 2. Applicant Details

Title	Initials	Surname
Mr	I	Kerr
Trading Title (if appropriate)	Forth Ports Limited	
Address		
Carron House, Central Dock Road, Grangemouth, FK3 8TY		
Name of contact (if different)		
Position within Company (if appropriate)		
Infrastructure Manager - Scottish Operation		
Telephone No. (Inc. dialling code)	Fax No. (Inc. dialling code)	
01324 668400		
Company Registration No.	Email	
	Ian.Kerr@forthports.co.uk	

Is this prospective application the proposed licensee?

YES

NO

If NO, please complete Section 3 below.

## 3. Proposed Licensee Details

Title	Initials	Surname
Trading Title (if appropriate)		
Address		
Name of contact (if different)		
Position within Company (if appropriate)		
Telephone No. (Inc. dialling code)	Fax No. (Inc. dialling code)	
Company Registration No.	Email	

## 4. Pre-application Online Consultation Event

Please describe below or, where there is insufficient space, in a document attached to this form the pre-application online consultation event

The PAC event was advertised in two newspapers, namely the Edinburgh Evening News and The Gazette on 13<sup>th</sup> and 14<sup>th</sup> December 2021, respectively (Appendix 2). Due to the COVID-19 pandemic and the physical distancing guidance that has been put in place by the Scottish Government, the PAC Regulations were amended by The Marine Works and Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 (“the Amending Regulations”)

and became effective on 20<sup>th</sup> May 2020, meaning that the PAC event had to be held online. The platform chosen was Microsoft Teams. The event was scheduled for 25<sup>th</sup> January 2022 at 7:00 pm.

A web page, as mentioned in the newspaper advertisements, was created ([www.royalhaskoningdhv.com/leithouterberth](http://www.royalhaskoningdhv.com/leithouterberth)) providing relevant information on the project, as well as details of how to provide comments and register for the PAC event. The project information presented on the web page is provided as Appendix 3.

No members of the local community or stakeholders registered to attend. Therefore, no online PAC event could be held.

#### **5. Information provided by the Prospective Applicant at the Pre-application Online Consultation Event**

Please provide below or, where there is insufficient space, in a document attached to this form details of any information provided by the prospective application for a marine licence at the pre-application online consultation event

A web page was created ([www.royalhaskoningdhv.com/leithouterberth](http://www.royalhaskoningdhv.com/leithouterberth)) with relevant information on the project, as well as details of provide comments and how to register for the PAC event. The project information presented on the web page is provided as Appendix 3.

#### **6. Information received by the Prospective Applicant at the Pre-application online Consultation Event**

Please provide below or, where there is insufficient space, in a document attached to this form of any comments and objections received by the prospective application for a marine licence at the pre-application online consultation event

No PAC event was held as nobody registered for the event. No comments or objections were received by other means, e.g., by post or email.

#### **7. Amendments made, or to be made, to the Application for a Marine Licence by the Prospective Applicant following their Consideration of Comments and/or Objections received at the Pre-application Online Consultation Event**

Where any amendments are made, or are to be made, by the prospective applicant for a marine licence to the marine licence application as a direct result of their consideration of comments and/or objections received at the pre-application online consultation event, please provide below or, where there is insufficient space, in a document attached to this form details of such amendments

No comments or objections were received on the proposed development, no amendments were required.

**8. Explanation of Approach taken by the Prospective Applicant where, following Relevant Comments and/or Objections being received by the Prospective Applicant at the Pre-application Online Consultation Event, no Relevant Amendment is made to the Application for a Marine Licence**

Where, following comments and/or objections have been received by the prospective applicant for a marine licence at the pre-application online consultation event, no relevant amendment is made to the application for a marine licence by the prospective application, then please provide below or, where there is insufficient space, in a document attached to this form an explanation of the approach taken

No objections to the proposed development were received; therefore, no amendments were required to be made to the Marine Licence application.

**CERTIFICATION**

<b>Insert Name</b>	Ian Kerr
<b>Insert Address</b>	Forth Ports Limited
	Carron House, Central Dock Road
<b>Town</b>	Grangemouth
<b>County</b>	Midlothian
<b>Postcode</b>	FK3 8TY

I certify that I have complied with the legislative requirements relating to pre-application consultation and that the pre-application consultation has been undertaken in accordance with the statutory requirements.

Signature

09/04/2022

Date

Redacted

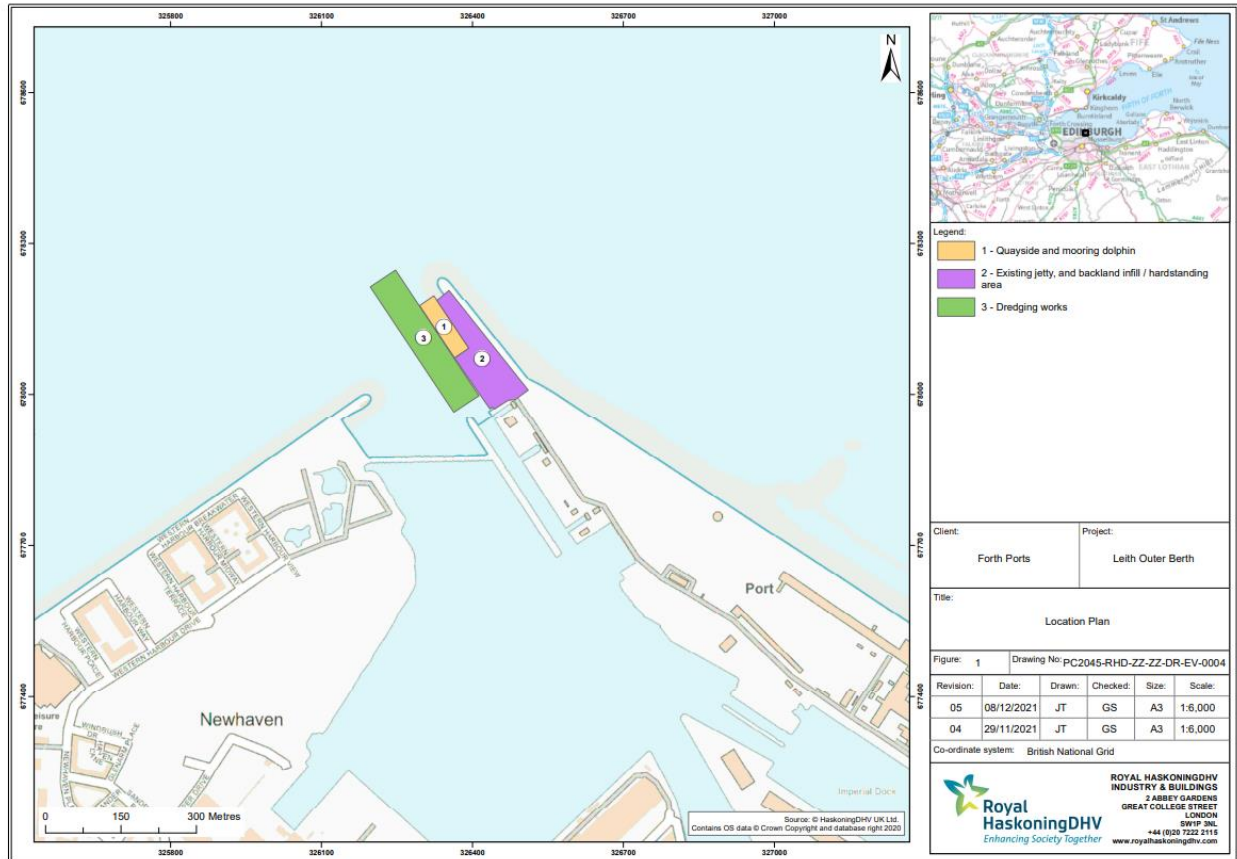
X

Ian Kerr

Signed by: Ian Kerr

The Marine Works and Marine Licensing (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 No. 157

Appendix 1 – Marine elements of the Port of Leith Outer Berth Development



**Appendix 2 Copy of newspaper advertisements**

<p><b>FORTH PORTS LIMITED</b></p> <p><b>IMPROVEMENT WORKS TO THE OUTER BERTH AT THE PORT OF LEITH</b></p> <p><b>PRE-APPLICATION CONSULTATION NOTICE</b></p>	
<p>Notice is hereby given that Forth Ports Limited intends to apply to the Scottish Ministers for a marine licence for improvement works to the outer berth at the Port of Leith. The pre-application consultation event will take place online via the video-conferencing application 'Microsoft Teams' on Tuesday 25th January 2022, starting at 7:00 pm. The event will provide an opportunity for the public and stakeholders to consider and comment on the prospective application.</p> <p>To register for the event, please send an email to <a href="mailto:leithouterberth@rhdhv.com">leithouterberth@rhdhv.com</a> by 5:00 pm on 21st January 2022 with the subject 'Register'. Event invite will be provided by email.</p> <p>For more information visit <a href="http://www.royalhaskoningdhv.com/leithouterberth">www.royalhaskoningdhv.com/leithouterberth</a>. Information will be available from 9:00 am on Monday 17th January 2022. If you wish to comment on the proposed development, please email <a href="mailto:leithouterberth@rhdhv.com">leithouterberth@rhdhv.com</a> by 5:00 pm on Friday 28th January 2022.</p> <p>Please note that comments made to Forth Ports Limited are not representations to the Scottish Ministers. Once the marine licence application is submitted there will be an opportunity for representations to be made to the Scottish Ministers on the application.</p>	

Newspaper advert published in Edinburgh Evening New on 13<sup>th</sup> December 2021

## **Other Notices**

### **FORTH PORTS LIMITED**

#### **IMPROVEMENT WORKS TO THE OUTER BERTH AT THE PORT OF LEITH PRE-APPLICATION CONSULTATION NOTICE**

Notice is hereby given that Forth Ports Limited intends to apply to the Scottish Ministers for a marine licence for improvement works to the outer berth at the Port of Leith. The pre-application consultation event will take place online via the video-conferencing application 'Microsoft Teams' on Tuesday 25th January 2022, starting at 7:00 pm. The event will provide an opportunity for the public and stakeholders to consider and comment on the prospective application.

To register for the event, please send an email to [leithouterberth@rhdhv.com](mailto:leithouterberth@rhdhv.com) by 5:00 pm on 21st January 2022 with the subject 'Register'. Event invite will be provided by email.


For more information visit [www.royalhaskoningdhv.com/leithouterberth](http://www.royalhaskoningdhv.com/leithouterberth). Information will be available from 9:00 am on Monday 17th January 2022. If you wish to comment on the proposed development, please email [leithouterberth@rhdhv.com](mailto:leithouterberth@rhdhv.com) by 5:00 pm on Friday 28th January 2022.

Please note that comments made to Forth Ports Limited are not representations to the Scottish Ministers. Once the marine licence application is submitted there will be an opportunity for representations to be made to the Scottish Ministers on the application.

Newspaper advert published in The Gazette on 14<sup>th</sup> December 2021

Appendix 3 - Project Information

## Background to the Project



**Forth Ports Limited is in the process of obtaining a marine licence from Marine Scotland for works to improve the outer berth at the Port of Leith**

**Need for the project**

- Offshore wind is a key growth industry for Scotland, and there is a desire for the construction and operation of wind farms to be supported locally.
- The proximity of the Port of Leith to both consented and future offshore wind projects (and other renewables) means it could be a key area to support the industry in the future.
- To support both the construction and operation of these projects, it is therefore proposed that the outer berth at the Port of Leith will be improved to provide berthing for vessels that cannot currently transit through the lock.


**Proposed works**

The proposed works comprise three elements:

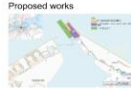
- Improvements to a 125m section of existing berth (Area 1).
- Creation of a hardstanding area for loading / unloading (Area 2).
- Dredging to enlarge the existing berth pocket (Area 3).

**Click to enlarge**

Current port set up




Proposed works



**Pre-Application Consultation Event**


A pre-application consultation event will take place online on **Tuesday 25th January 2022 at 7:00pm**. This event will provide the opportunity for the public and stakeholders to consider and comment on the application.

To register for this event, please email [leithouterberth@rhdhv.com](mailto:leithouterberth@rhdhv.com) by 5:00pm on the 21st January 2022 with the subject 'Register'. An event invite will then be provided by email.




**Legend:**

- 1 - Quayside and mooring dolphin
- 2 - Existing jetty, and backland infill / hardstanding area
- 3 - Dredging works

  
 Enhancing Society Together  
 0 150 300 Metres  
Source: © HaskoningDHV UK Ltd. Contains OS data © Crown Copyright and database right 2020

Background to Project
Project Description
Environmental Considerations
Project Timeline
Pre-Application Consultation Event

## Project Description



The works to improve the outer berth comprise:

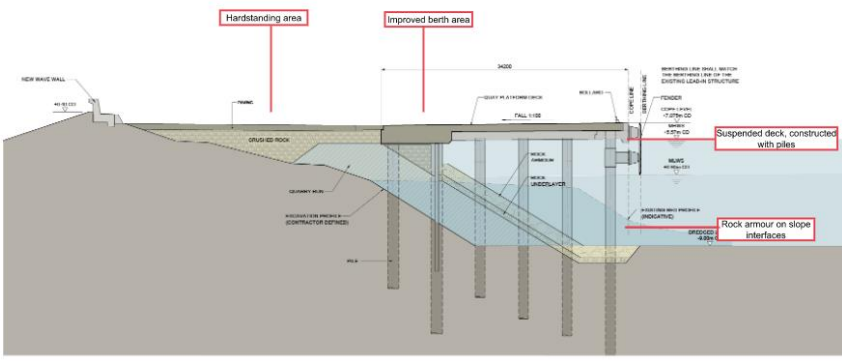
- Improvements to a 125m section of existing berth**
  - Part of the existing jetty would be removed by vibro-extraction or cutting at seabed.
  - Rock armour would be placed on all slopes that reach the water.
  - Majority of deliveries would be by vessel.
  - Constructed as a suspended deck, approx. 125m long and 35m wide.
  - Piling would be undertaken from the existing breakwater, with a combination of sheet piles and tubular piles.
  - Pre-cast concrete beams added onto piles.
- Creation of a hardstanding area for loading / unloading**
  - Area to the rear of the existing jetty and new suspended deck to be developed to form area of hardstanding to facilitate the loading on and off of offshore renewable components
- Dredging to enlarge the existing berth pocket**
  - Dredging to -9m CD
  - Total dredge volume approx. 100,000m<sup>3</sup>

Overall construction programme is expected to be 14 months.

**Proposed usage of the improved berth**

The primary use of the improved outer berth would be for use within the offshore renewables industry, providing facilities for the transportation and storage of components such as all wind turbine generator (WTG) parts associated with a wind farm project (including the blades, towers and nacelles) as well as foundations (such as pin piles, jackets and floating foundations). The berth could also be used for other tidal energy projects and the decommissioning of redundant oil and gas structures where vessels cannot transit the existing lock entrance.

As with the port currently, the outer berth could be operational 24 hours a day, seven days a week, however, use by the offshore renewables industry, i.e. those vessels which cannot transit the lock gates due to the beam restrictions, is expected to be relatively infrequent as these vessels would only use the facility during the construction phase of an offshore renewable project.



*Cross section of design*

[Click to enlarge](#)  
 Cross Section    Design visual 1    Design visual 2

Background to Project
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# Environmental Considerations

**The following legislation applies the proposed project:**

- The Marine (Scotland) Act 2010, and the requirement for a Marine Licence.
- The Conservation (Natural Habitats, &c.) Regulations 1994, as amended, and the requirement to undertake a Habitats Regulations Appraisal and obtain a European Protected Species Licence.
- The Wildlife and Natural Environment (Scotland) Act 2011, and the potential requirement for Site of Special Scientific Interest assent.

A request for an Environmental Impact Assessment (EIA) Screening Opinion was made to Marine Scotland and the City of Edinburgh Council. The Council has confirmed that the proposed project is not an EIA Development and an EIA is not required. Marine Scotland's Screening Opinion is expected on the 18th January.

**The following environmental sensitives have the potential to be affected by the proposed project:**

**Designated sites**

- 4No Special Protection Areas;
- 4No Special Areas of Conservation;
- 1No Ramsar site; and,
- 1No Site of Special Scientific Interest.

**Residential properties**

- Existing residential properties within 500m; and,
- Proposed residential properties related to the Western Harbour Masterplan and, if built, would be within 300m of the outer berth.



**The following surveys and assessments are being carried out to support the Marine Licence application:**

**Bird surveys**

- Estuarine bird surveys are being carried out twice monthly from March 2021 to February 2022, providing a whole year of data.
- Survey for breeding terns, including a flight path survey, have been undertaken from May to July, covering the entire breeding season.

**Visual assessment**

- A visual assessment will be undertaken of the potential impact of a vessel berthed and the improved berth.

**Noise assessment**

- Airborne noise assessment - To predict potential noise impacts during construction and operation on human and ecological Noise Sensitive Receptors.
- Underwater noise modelling - To predict underwater from the proposed piling activities on marine mammals and fish.

**Air quality assessment**

- To assess the potential impact to air quality when a vessel is present at the berth.

**Coastal processes**

- Hydrodynamic modelling will be undertaken to predict the effects the proposed project would have on currents and waves.
- Sediment dispersion modelling will be undertaken to predict the effects the dredging would have on suspended sediment levels and subsequent deposition.
- Sedimentation modelling will be undertaken to predict future maintenance dredge requirements following the enlargement of the berth pocket.



# Project Timeline

