[redacted]

From: [redacted]
Sent: 20 August 2020 10:12
To: [redacted]
Subject: ACT NEW DEALING: AR1-2-8 Ardnamurchan Estate - Seasonal Pontoon - 20-09-20
Attachments: AR1-2-8_FIO_Conflict_19Aug2020.pdf; AR1-2-8_Report.docx; XX328-1193 Ardnamurchan Estate application_form_pdf_redacted_2.pdf

[redacted]

Please see attached, I have sent the plan to the tenant to check it is correct.

Can you confirm

1. What type of agreement we can offer them Lease, SML MOA
2. The rental charge/one off consideration re the above
3. Any special clauses to be included in the HOTS in relation to the agreement.

Thanks

[redacted]

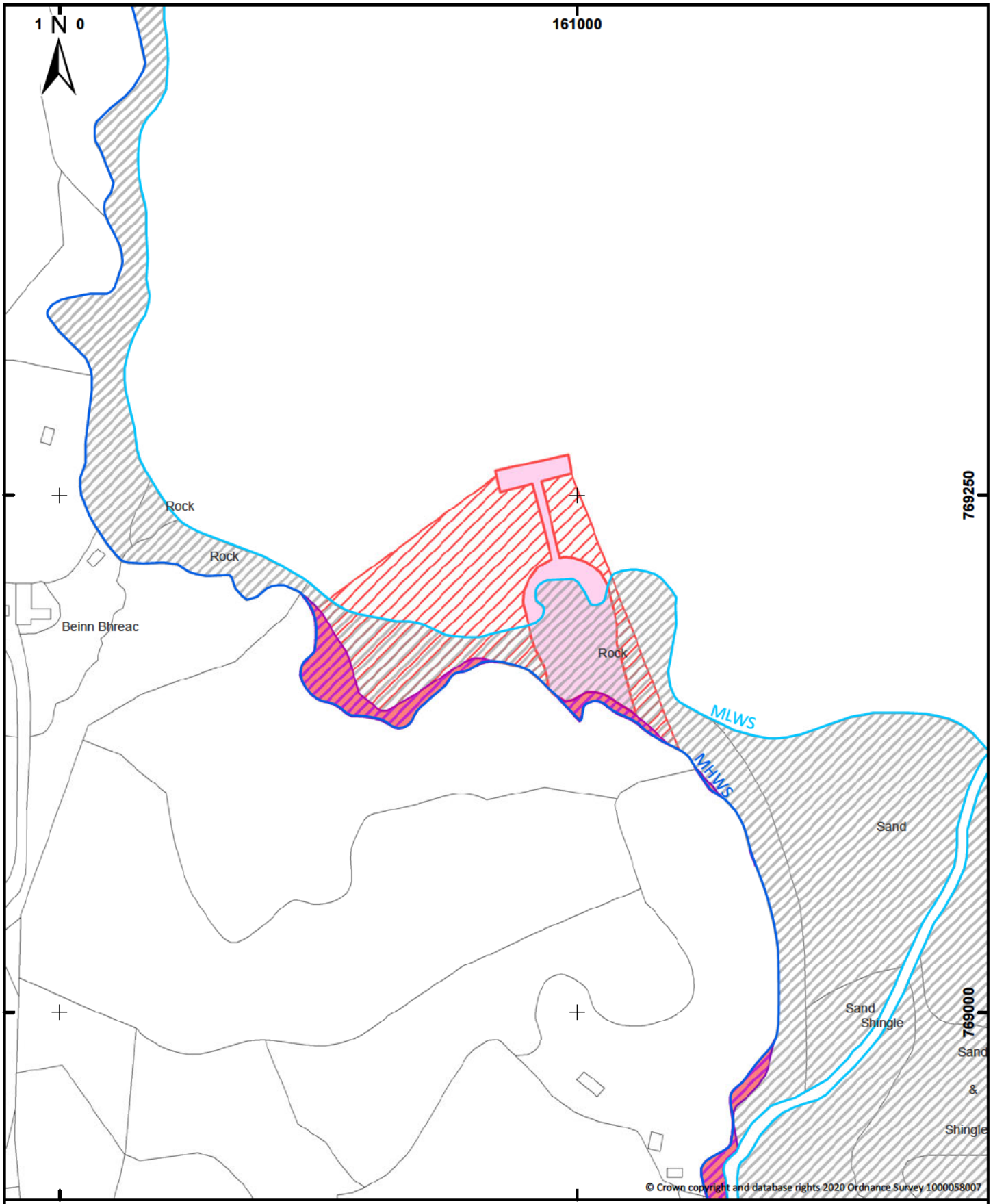
[redacted]

[redacted]

Business continuity during Covid-19 outbreak. Click here to find out more.

HIGHLAND

Loch Ceann Traigh



Pontoon Structure

Anchorage Area

PresNonCrw

PresumdCrwn

Adverse Claim

FOR INFORMATION ONLY

Crown Estate Scotland
Oighreachd a' Chrùin Alba

Scale:	1:2,500
Date:	19/08/2020
Author:	[redacted]
Reference:	AR1-2-8

Coordinate System: British National Grid
Datum: OSGB 1936

0 25 50 75 100 Metres

CORe Report

Asset Name/Location:	Loch Ceann Traigh
Asset Reference:	AR1-2-8
Date:	20/12/2023

Aquaculture Agreements

N/A

Coastal Agreements

N/A

Rural Agreements

N/A

EMI Agreements

N/A

Variations / Resumptions

N/A

EMI Rights

N/A

Miscellaneous Agreements not currently linked to a rental record

N/A

Aquaculture Applications

N/A

Coastal Applications

N/A

Rural Applications

N/A

EMI Applications

N/A

Miscellaneous Applications

N/A

Title

Title_Ref	GIS_File_Ref	Title_Status	Grantor_Grantee_Name	Title_Description
00024203		PresumdCrwn		Argyll2 foreshore - CES application area for Land Registration
00024204		PresNonCrw		Argyll2 foreshore - areas which were presumed-Crown but conflict with other Land Register titles

Land Registration Conflicts and pending Adverse Claims

Asset Name/Location:	Loch Ceann Traigh
Asset Reference:	AR1-2-8
Date:	20/12/2023

File_Ref	Adverse_Claim_Status	Claimant_Name	GIS_Notes
ARG4966	ADVREGISTER		Amber, Agreements do not conflict
ARG4966	ADVREGISTER		Amber, Agreements do not conflict

Title – Coastal Salmon Fishing

N/A

Title – River Salmon Fishing

N/A

Title – Estate Salmon Fishing

N/A

Servitude

N/A

VAT Opted Properties

N/A

Other VAT Opted Areas

N/A

Marine Protected Areas

N/A

Marine Consultation Areas

N/A

Special Areas of Conservation

NAME
Inner Hebrides and the Minches

Sound of Arisaig (Loch Ailort to Loch Ceann Traigh)

Sites of Special Scientific Interest

N/A

Cables knowledge

N/A

Pipelines knowledge

N/A

marinescotland

T: +44 (0)1224 295579
E: ms.marinelicensing@gov.scot

The Scottish Government
Riaghaltas na h-Alba

Marine Licence Application for Pontoons

Version 1.0

Marine (Scotland) Act 2010

Marine Scotland, 375 Victoria Road, Aberdeen, AB11 9DB
http://www.gov.scot/Topics/marine/Licensing/marine

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Acronyms

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

MHWS	Mean High Water Springs
MPA	Marine Protected Area
MS-LOT	Marine Scotland – Licensing Operations Team
SAC	Special Area of Conservation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WGS84	World Geodetic System 1984

Explanatory Notes

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

1. Applicant Details

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

2. Agent Details

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

3. Payment

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

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

4. Application Type

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

5. Pontoon(s) Details

(a) Indicate the type of deposit, either permanent, temporary or seasonal. If **temporary** or **seasonal**, please provide plan of how and when pontoon section(s) are proposed to be deposited and removed in the method statement.

(b) Indicate the number of pontoon sections that make up the full structure.

(c) Complete the table to indicate the dimensions of each pontoon section making up the entire structure.

(d) Complete the table to indicate any other substance(s) or object(s) to be deposited below MHWS, including quantity and dimensions (e.g steel mooring chain, No. 6 at 50 metres length each).

(e) Indicate the total length of the pontoon, including any access bridge, seawards of the tidal limit of MHWS. The total length should include all sections of the pontoon that make up the entire structure.

(f) Provide the proposed start date for installation of the pontoon(s). The start date will not be backdated, since to commence a project for which a licence has not been obtained will constitute an offence, which may result in appropriate legal action. A licence is normally valid for 6 years. **Target duration for determination of a marine licence application is 14 weeks.**

(g) Provide the cost of the works seawards of the tidal limit of MHWS. This estimate should only cover

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

(h) Describe the location of the proposed works. Include a list of the latitude and longitude co-ordinates (WGS84) for the boundary points of the pontoon(s) including all moorings associated (if applicable). WGS84 is the World Geodetic System 1984 and the reference co-ordinate system used for marine licence applications. Co-ordinates taken from GPS equipment should be set to WGS84. Coordinates taken from recent admiralty charts will be on a WGS84 compatible datum. Ordnance survey maps do not use WGS84.

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

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

To supplement your application, please provide a suitably scaled extract of an Ordnance Survey Map (1:2,500 scale but not more than 1:10,000) or Admiralty Chart which must be marked to indicate:

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

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

(i) Indicate if the pontoon is located within the jurisdiction of a statutory harbour authority and provide details of the statutory harbour authority where relevant.

(j) Provide a full method statement, including plan of how, when and where pontoon section(s) are proposed to be deposited and removed.

(k) Provide assessment of the potential impacts the works may have, including interference with other uses of the sea. Please include details of areas of concern e.g designated conservation areas, such as a SAC, SPA, SSSI, MPA or Ramsar site and shellfish harvesting areas. Further guidance on designated conservation areas can be obtained from SNH at this website: http://gateway.snh.gov.uk/sitelink/index.jsp and guidance on shellfish harvesting areas can be obtained from http://www.foodstandards.gov.scot/ with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

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

Lochs Creran, Alsh, Duich and Long are designated as Special Areas of Conservation (SAC) under the Habitats Directive (Council Directive 92/43/EEC). Loch Creran has been selected for its bedrock and biogenic reefs of the tube worm *Serpula vermicularis* and the horse mussel, *Modiolus modiolus* and Lochs Alsh, Duich and Long for their sublittoral rock (marine) reefs. All are very sensitive to physical damage from anchors and the placement of moorings and in order to assist their protection reference should be made to the special moorings pack which can be downloaded from the following link: http://www.scotland.gov.uk/Topics/marine/Licensing/marine/Applications

Where there are potential impacts from the works, please provide details of proposed mitigation in response to potential impacts.

6. Scotland's National Marine Plan

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

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

7. Pre-Application Consultation

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

Please provide pre-application consultation report with your application.

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

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

9. Associated Works

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

Marine Licence Application for Pontoons

Version 1.0

Marine (Scotland) Act 2010

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

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

Public Register

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

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

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

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

WARNING

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

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

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

Declaration

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

Signature [Redacted]

Date 24/01/2020

Name in BLOCK LETTERS [redacted]

Application Check List

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

- Completed and signed application form ☑
- Project Drawings ☑
- Maps/Charts ☑
- Co-ordinates of the boundary points of the area of harbour jurisdiction (if you are a statutory harbour authority) ☐
- Method Statement ☑
- Additional information e.g. photographs, consultation correspondence (if applicable) ☐
- Pre-application Report (if applicable) ☐
- Payment (if paying by cheque) ☐

1. Applicant Details

Title: [redacted] Initials: [redacted] Surname: [redacted]

Trading Title (if appropriate): [redacted]

Address: [redacted]

Name of contact (if different):

Telephone No. (inc. dialing code): [redacted]

Email:

Statutory Harbour Authority? YES ☐ NO ☒

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

2. Agent Details (if any)

Title: [redacted] Initials: [redacted] Surname: [redacted]

Trading Title (if appropriate): [redacted]

Address: [redacted]

Name of contact (if different):

Telephone No. (inc. dialing code): [redacted]

Email: [redacted]

3. Payment

Enclosed Cheque ☐ Invoice ☒

Contact and address to send invoice to:

Applicant ☐ Agent ☒ Other ☐

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

Title: Initials: Surname:

Address:

Email:

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4. Application Type

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

New Site ☒ Existing Site ☐

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

Consent/Licence Number	Expiry Date

5. Pontoon Details

(a) Type of deposit

Permanent ☐ Temporary ☐ Seasonal ☒

If **TEMPORARY** or **SEASONAL**, please provide plan of how and when pontoon section(s) are proposed to be deposited and removed in method statement in section 4 (j).

(b) Number of pontoon sections:

2

(c) Dimensions of pontoon sections:

Pontoon Section	Type of Deposit (e.g steel, plastic etc.)	Length (metres)	Width (metres)
Link span	Steel	50	3.5
Floating Platform	Steel	36	10

(d) Any other substance(s) or object(s) to be deposited below MHWS (e.g mooring chain):

Deposit (e.g steel mooring chain)	Quantity and Dimensions (e.g No. 6 at 50 metres each)
Access causeway and bank seat structure. Th s w be constructed w th oca y won rock from borrow p ts adjacent to the construct on. outer wa s w be arge rocks to form rock	1 No @ 40 metres wide (max) by 75 metres long
Concrete bankseat where the link span connects to the landward side of the construction	1no @ 7.2m wide x 1.9m high x 5m long
Concrete slab on visqueen vapour barrier. This is first part of access pavement on the causeway	1no @ 3.5m wide x 30m long x 500m depth
Concrete slab on visqueen vapour barrier. This is second section where the access pavement connects to bankseat at end of causeway	1 no @ 6m wide x 30 m long x 500mm depth

(e) Total length of pontoon, including any access bridge, seawards of the tidal limit of MHWS:

110.60 metres

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

09/03/2020

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

£40,000

(h) Location:

Gorteneorn Forest, Ardnamurchan, Acharacle

Grid Ref: 160992 769150

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

Latitude										Longitude										
5	6	°	4	5	.	1	2	4	' N	0	0	5	°	5	4	.	4	2	3	' W
5	6	°	4	5	.	1	2	7	' N	0	0	5	°	5	4	.	4	0	3	' W
5	6	°	4	5	.	1	2	1	' N	0	0	5	°	5	4	.	4	2	2	' W
5	6	°	4	5	.	1	2	4	' N	0	0	5	°	5	4	.	4	0	2	' W
5	6	°	4	5	.	0	9	3	' N	0	0	5	°	5	4	.	4	1	1	' W
5	6	°	4	5	.	1	0	8	' N	0	0	5	°	5	4	.	4	1	6	' W
5	6	°	4	5	.	1	1	1	' N	0	0	5	°	5	4	.	3	9	7	' W
5	6	°	4	5	.	0	9	1	' N	0	0	5	°	5	4	.	3	8	5	' W
		°			.				' N				°			.				' W
		°			.				' N				°			.				' W

(i) Is the pontoon located within the jurisdiction of a statutory harbour authority?

YES ☐ NO ■

If **YES**, please specify statutory harbour authority:

(j) Method statement including schedule of work (continue on separate sheet if necessary). If **TEMPORARY** or **SEASONAL**, please provide plan of how, when are where pontoon section(s) are proposed to be deposited and removed.

The facility is a floating spud leg pontoon with link span bridge to shore side of MHWS level. The floating pontoon is to allow ship access to allow the loading of timber from a forest to the east of the proposal location. The facility is necessary to take timber harvested from the forest off of the public roads in Highlands.
The floating pontoon and link span are temporary seasonal structures which will be floated in and out of the site as required. The linkspan will be connected to a permanent bankseat on causeway from MHWS on the shore which will then link to the pontoon which is situated on the sea bed via spud legs allowing the pontoon to rise and fall with tide. The facilities are anchored to the shoreline by guy ropes to permanent anchor points above MHWS.
The structures will be used as and when timber is required to be removed from the forests. This is more likely to be during the spring to autumn period of any year. The length of time will depend on the amount of timber to be moved. The onshore infrastructure above the MHLS and causeway/bankseat structure will be permanent and the floating pontoon facility moved in as and when required.

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

There are no shellfish harvesting areas impacted by the proposals.

The site lies in the adjacent to the Inner Hebrides and Minches SAC and Sound of Arisaig SAC

The sea bed where the pug legs will be located is a sand bed with no rocks. The footprint of the legs on the seabed will be less than 20m2. No other structure will be on the sea bed.

6. Scotland's National Marine Plan

Have you considered the application with reference to Scotland's National Marine Plan? YES ☒ NO ☐

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

GEN1, GEN 1 and GEN 3: The project will use sea transport offering the prospect of timber traffic being removed from fragile rural roads, while improving access to strategically significant reserves of timber in an environmentally appropriate manner. The scheme will have environmental, road safety, community, social and carbon reduction benefits.
The environmental, social and economic benefits of this proposal are high as it will reduce the impact on environment through the reduction of road miles of timber haulage: reduce impact on local people by taking road vehicles off of the public roads creating safer and healthier communities; will provide economic benefits to the local and wider Scottish Economy through the unlocking of a significant timber resources currently landlocked for our timber processing industries.
Moving timber away from minor rural road fits with the high-level strategies of the STTS, Timber Transport Forum, Scottish Executive Freight Action Plan for Scotland, Scotland's National Transport Strategy, Scottish Forestry Strategy, draft HITRANS Regional Transport Strategy, Highland Forest & Woodland Strategy.
There is widespread support for the concept, and this project, amongst FC, FE(S), forest industry, local community councils and Highland Council.
GEN 4: No other developments or marine activities will be impacted by the proposals.
GEN 5: Climate Change. The proposals will significantly reduce road haulage miles and therefore emissions from vehicles. The proposal will create economic opportunities for restructuring forests and new planting which will assist the Scottish Governments carbon sequestration targets through sustainable forestry development. A key priority for SG.
GEN 6: Historic Environment. A full archaeological survey will be carried out of the site and access routes and design and location will incorporates the mitigation advise of archaeologist. There are no recorded marine cultural heritage sites impacted by proposals.
GEN 7: An EIA determination will be requested from Scottish Forestry which included landscape impact of the proposals a

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

7. Pre-Application Consultation

Is the application subject to pre-application consultation, under The Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013? YES ☐ NO ☒

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

Event Type	Date
The project has been scoped through a current planning application 20/00148/FUL which is currently ongoing involving statutory, local and neighbouring stakeholders. Concurrently with this a Forest Plan renewal application is being scoped with same stakeholders. Both include plans for floating pier	26/03/2020 01/06/2020

8. Consultation

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

The process is subject to a planning application which will include wider consultation with all stakeholders. The project is also subject to a Forest Plan renewal process, during which consultation will be carried out with all statutory and non statutory stakeholders will take place.

9. Associated Works

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

None