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Arch Henderson  
6 Blair Court  
Clydebank Business Park  
Clydebank  
G81 2LA

Your ref:  
Our ref: 2SPC\1\3\87  
17 July 2018

Dear [Redacted]

## COAST PROTECTION ACT 1949 (SECTION 34): GENERAL MARINE WORKS

I am responding to your renewal application of 15/5/08 seeking approval of Scottish Ministers to undertake this proposal at Sandpoint Marina. This letter consists of the Scottish Ministers decision.

I am directed by Scottish Ministers to issue this letter and attached schedule as consent, to Sand Point Marine solely for the purposes of Section 34 of the Coast Protection Act 1949, as amended by Section 36 of the Merchant Shipping Act 1988, to undertake the following proposal:

- The regulation and deposit of works below the level of mean high water springs as detailed in the attached schedule.

### Specific Conditions

This consent is subject to standard conditions (set out in the Annex CPA1 2003) which I have attached to this letter. In addition to the Standard Conditions, without prejudice to the applicant, the following requirements are also attached to this consent:

- The works should be marked, and or lighted, as required by the Northern Lighthouse Board and remain so until the Scottish Ministers direct that the marking and/or lighting be altered or discontinued. It is therefore considered that:

- a) No navigational lighting or marking of this site are required.*
- b) A local Notice to Mariners and/or Press Notice should be issued clearly stating the location, nature and duration of these works.*
- c) Post completion of works, the UK Hydrographic Office should be notified of the dimensions of the slipway and area of foreshore reclamation to enable Admiralty Chart BA2007 to be updated accordingly.*

- You are asked to make any application to renew this consent at least eight weeks before its expiry date. **This consent shall not, unless renewed, continue in force after the expiry date of 15 May 2009**

- This consent shall cover all items detailed in the attached schedule. Any amendments or modifications to the works **MUST** be approved by the Scottish Ministers prior to its commencement.
- The Hydrographic Office, Ministry of Defence, Taunton, Somerset TAI 2DN **MUST** be informed of *both the progress and completion of the works*. The Hydrographic office must be supplied with a copy of this consent and foreshore plan to enable the works to be included on nautical charts.

### ***Environmental Consideration***

The Scottish Government as competent authority under regulation 48 of the Conservation (Natural Habitats,&c) regulations 1994, has a duty to:

- Determine whether the proposal is directly connected with or necessary to site management for conservation, and, if not,
- Determine whether the proposal is likely to have significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- Make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

Following this determination and from guidance received from Scottish Natural Heritage, the following environmental conditions must also be met:

*a) All environmental conditions stated in FEPA licence must be complied with.*

You should satisfy yourself that you have obtained any other necessary powers to undertake the works.

You should inform this Department if these works are removed before this consent expires. You should also notify this Department of any change in your name, address, ownership or modifications to the proposal to ensure the consent's validity.

Yours sincerely

[Redacted]

[Redacted]

Policy Executive

**SECTION 34, COAST PROTECTION ACT 1949.  
STANDARD CONDITIONS OF CONSENT**

1. The works should be marked and/or lighted as required by the Northern Lighthouse Board and the marking to be continued unless and until the Scottish Ministers rescind this direction.
2. If it is desired to display any marks or lights not required by this consent then details must be submitted to the Northern Lighthouse Board and their ruling complied with. The display of unauthorised marks or lights is prohibited.
3. The works shall be maintained at all times in good repair.
4. No deviation from the schedule specified in the consent shall be made without the further written consent of the Scottish Executive.
5. No radio beacon or radar beacon operating in the Marine frequency bands shall be installed or used on the Works without the prior written approval of the Scottish Ministers.
6. If in the opinion of the Scottish Ministers the assistance of a Government Department, including the broadcast of navigational warnings, is required to deal with any emergency arising from:
  - a) the failure to mark and light the works as required by the consent
  - b) the maintenance of the works
  - c) the drifting or wreck of the works,

The owner of the Works shall be liable for any expenses incurred in securing such assistance.

7. In the event of the consented operations being dis-continued the works shall be removed and the site cleared to the satisfaction of the Scottish Ministers.
8. Officers of HM Coastguard, or any other person authorised by the Scottish Ministers, should be permitted to inspect the works at any reasonable time.
9. Would you please inform this Department and the lighting authority when the works have been completed and the marking established.

**The Scottish Government**

# Coast Protection Act 1949: Schedule of Consent

Consent Reference: 2SPC\1\3\87

This schedule denotes all equipment and their approximate positions given in Latitude and Longitude for the aforesaid proposal. This schedule MUST be accompanied by the formal letter of consent to ensure its validity. In any instance of modification, change of ownership or removal or works this schedule should be returned to the Scottish Government with the nature of the change clearly indicated

## ***Works positions.***

(mooring / pontoon / marine works)

**Description**  
works

**Latitude**  
55 56.40N

**Longitude**  
04 33.90W