

Nicholas Brown
Partner and Parliamentary Agent
Bircham Dyson Bell LLP

Date: 11 May 2018

By email to nicholasbrown@bdp-law.co.uk

Dear Nicholas,

Proposed Cruise Berth at Greenock Ocean Terminal

1. Thank you for your letter of 13 April 2018 indicating that your client, Clydeport Operations Ltd proposes to apply for a harbour revision order (“HRO”) under the Harbours Act 1964 (“the 1964 Act”) for the development of a relocated cruise berth at Greenock Ocean Terminal, and requesting a screening opinion under paragraph 3 of schedule 3 of the 1964 Act.

Screening decision

2. Where Scottish Ministers are notified of a proposed HRO which authorises a project they are required in terms of paragraph 4 of Part 1 of Schedule 3 to the 1964 Act to decide
 - (i) whether that application relates to a project which falls within Annex I or Annex II to Council Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, and
 - (ii) if it relates to a project which falls within Annex II, whether taking into account the selection criteria, the project is a relevant project.
3. The Scottish Ministers have considered the characteristics of the project as described in your letter, the associated reports and plans and have concluded that the project proposed at Greenock Ocean Terminal falls within paragraph 10(e) of Annex II to the Directive and is not a relevant project by virtue of its size as the area of the works does not exceed 1 hectare and the site is sufficiently far from the Inner Clyde SSI and SPA to avoid interference with protected species. This means that an Environmental Statement is not required when the application for the HRO is made.
4. A copy of this decision will be posted on Transport Scotland’s website.

Yours sincerely

Val Ferguson

Val Ferguson
Ports Policy Co-ordinator