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Dear Duncan

1. I refer to your letter of 18 December 2023 with an application seeking an extension of the period for completion of works under article 16 of the Port of Ardersier Harbour Revision Order 2014 (the 2014 Order). This letter conveys the Scottish Ministers' decision following their consideration of the application and representations made on it.

### **Background**

2. On 14 August 2014, Port of Ardersier Ltd was empowered by the 2014 Order to construct port facilities at the former McDermott Yard in Ardersier and to operate the port as harbour authority in place of Whiteness Marine Company. Then, on 8 June 2017, Ardersier Port Ltd assumed the powers as harbour authority by means of the Port of Ardersier Harbour Revision (Transfer) Order 2017 and confirmed the intention to undertake the works authorised by the 2014 Order for which they also applied for new Marine Licences and planning consent.

3. The time limit for completion of the works expired on 19 August 2019. As Article 16 of the 2014 Order allows for an extension of the period for completion of the works, in 2019 Ardersier Port Ltd applied to Scottish Ministers for a 5-year extension. This was granted on 12 June 2019.

4. As the works are yet to commence, a further 10-year extension is being sought. The application attached drawing 294067-ARUP-Z1-XX-SK-CG-000120 Rev P02 showing the works to be carried out as Phase 1 of Work No. 1 shown on Sheet 1 of the plans deposited with the 2014 Order.

### **Consultation process**

5. On the 18 December 2023 we informed you that the environmental assessment undertaken previously for the Harbour Revision Order may need to be updated.

6. Consequently, Transport Scotland contacted its consultees – the Scottish Environment Protection Agency, NatureScot, Highland Council, the Northern Lighthouse Board, the Maritime and Coastguard Agency, the Royal Yachting Association Scotland, and the UK Chamber of Shipping – to ascertain whether the previous environmental assessment, along with more recent environmental assessments in relation to Marine Licence requirements, are sufficient to provide enough evidence on the environmental impact of the works.

7. The consultation period concluded on 2 February 2024 and no objection to the extension was received.

### **Assessment**

8. Scottish Ministers have considered the above proposal and consultation undertaken. They have agreed to grant an extension of 10 years for the completion of the works. The extended period for completion, in terms of article 16 of the 2014 Order, will now expire on 19 August 2034.

9. The extension is conditional upon Ardersier Port Ltd obtaining all necessary Marine Licences and planning consent prior to carrying out the works and upon compliance with any conditions imposed under these licenses or consents.

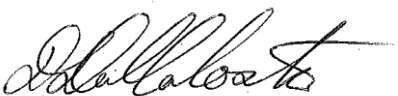
### **Next steps**

10. In compliance with article 16 of the 2014 Order you are now required to arrange for a notice to be published in the Edinburgh Gazette and in a local newspaper circulating in the area where the port is situated. The notice shall contain a concise summary of this consent.

11. During the period of one month, beginning with the date on which the notice is published in a local newspaper, a copy of the consent shall be kept by the Ardersier Port Ltd at its port offices. The document shall, at reasonable hours, be available for public inspection without payment.

12. Please provide me with copies of the notices in due course.

Yours sincerely



**Dario Dalla Costa**  
Ports Policy Advisor