

**Ganavan Sands- update**

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**1.0 SUMMARY**

- 1.1 The sand in the upper reaches of the beach at Ganavan Sands was affected by a number of storm events between early December 2011 and January 2012.

The outcome of these storm events was that the sand from the upper reaches of the beach was removed to below the Mean High Water Spring Level by extreme wave action exposing the shingle and cobble foundations.

On the 17 April 2012, a paper with photographs about Ganavan Beach was presented informing the Oban, Lorn and the Isles Area Committee that the sand was coming back up the beach naturally covering the shingle and cobble. The committee agreed that no action should be taken as this would involve a licence, resources and could do more damage than good in the long term. It was agreed to let nature take its course.

The GRAB Trust in partnership with BIDS, Oban organised a beach clean on 29<sup>th</sup> April 2012 and discovered a digger removing shingle and cobble to the northern end of the beach and taking sand from below the Mean High Water Spring Level and depositing it covering the remains of the shingle and cobble.

A complaint by members of the public has gone to Marine Scotland who is the licensing authority and to the Wildlife Liaison Officer for Strathclyde Police; an investigation was carried out by Marine Scotland and Strath Clyde Police under Marine (Scotland) Act 2010 and the Wildlife and Countryside Act 1981. Marine Scotland took the lead and following their investigation decided to write to the offender in the first instance rather than prosecute as they felt that this was a one off offence and closed the case, They have requested that they are kept posted on any further unauthorised activities.

The officer made a site monitoring visit on 9 July and 30 October 2012 to assess any changes and photograph them which illustrates that the beach is recovering naturally.

**2.0 RECOMMENDATION**

- 2.1 The Committee notes the content of this report.

**3.0 DETAIL**

3.1 On 29<sup>th</sup> April 2012, a local resident using a mechanical digger moved and deposited shingle and cobble to the northern end of the beach and then proceeded to move sand from below the Mean High Springs Level to cover the remaining shingle and cobble. The Machine operator had no license from Marine Scotland and permission from Argyll and Bute Council. On a site monitoring visit on 25<sup>th</sup> October 2012, the Local Biodiversity Officer assessed the beach and took photographs to compare with previous visits see Appendix 1.

## 4.0 CONCLUSION

4.1 **Marine Scotland** Investigations deemed the activities of 29<sup>th</sup> April 2012 as a 'licensable marine activity' under the Marine (Scotland) Act 2010 to deposit or remove substance or objects from the Scottish marine area below mean high water springs level. See Implications- 5.3 Legal. The sand is moving up the beach at its own rate as had been originally documented.

Ganavan Beach will only be monitored now after storm events in order to ensure that the sea defences are not compromised and during the months where maintenance regimes apply.

## 5.0 IMPLICATIONS

5.1 Policy- There is no Council policy covering this type of activity as the Marine (Scotland) Act 2012 covers this issue. The Coastal Development Strategy (currently being development) is unlikely to cover this kind of activity as it is not development but management.

5.2 Financial - None

5.3 Legal: *Licensable marine activities*

### **21 Licensable marine activities**

(1) For the purposes of this Part, it is a licensable marine activity to do any of the following—

1 To deposit any substance or object within the Scottish marine area, either in the sea or on or under the seabed, from any of the following—  
(a) a vehicle, vessel, aircraft or marine structure,  
(b) a container floating in the sea, or  
(c) a structure on land constructed or adapted wholly or mainly for the purpose of depositing solids in the sea.

2 To deposit any substance or object anywhere in the sea or on or under the seabed from a vehicle, vessel, aircraft, marine structure or floating container which was

loaded with the substance or object either—  
(a) in Scotland, or  
(b) in the Scottish marine area.

5.4 HR - none

5.5 Equalities- none

5.6 Risk- The Blue Flag Status may be threatened in the future by such operations

5.7 Customer Service- n/a

## **6.0 APPENDICES**

6.1 Images from 26 January, 08 March, 01 May 2012, 9 July and 25 October 2012

**Executive Director of Development and Infrastructure-** Sandy MacTaggart  
09 July 2012

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**Appendix 1.** Photographs showing that the sand is returning.

Ganavan Sands 26 January 2012, 08 March 2012, 01 May 2012 and 9 July 2012



Image take 26 January 2012  
May 2012

9 July 2012

08 March 2012  
25 October 2012

01



26 January 2012  
2012

9 July 2012

08 March 2012  
25<sup>th</sup> October 2012

01 May



26 January 2012  
2012

9 July 201

08 March 2012  
25<sup>th</sup> October 2012

01 May



26 January 2012

9 July 2011

08 March 2012  
25<sup>th</sup> October 2012

01 May



1 May 2012 post mechanical intervention 9 July 2012- sand covering, part shingle/cobble  
Note change two hogs backs from one. 9/07/12 - 25 October 2012