

Application for a Band 1 Marine Licence

Project description

Project name

Bynea Tidal Flap Replacement

Please provide a brief description of the proposed project, including location.

The tidal flap is located between on the east facing side of the rail corridor (Grid Ref: SS 56075 99508) situated parallel with the Loughor estuary (see figure 1). The condition of the tidal flap necessitates replacement as it is no longer in a serviceable condition. Furthermore, due it's condition, localised removal of material built up against the flap will require relocation to allow for controlled flow.

Applicant details

To whom the licence will be issued. This must be a legal entity such as an individual, registered company/ charity or public body.

Title	Mr
Full name	Jason Davies
Company or trading name	Dyer & Butler Ltd
Company Registration Number (if applicable)	01450372
Name of contact or individual (if different)	Jason Davies
Position in company	Project Manager
Address (provide registered company address if applicable)	Abel Smith House, Gunnels Wood Road, Stevenage, Hertfordshire, England,
Postcode	SG1 2ST
Telephone number	07715 068327
Email address	Jason.Davies@dyerandbutler.co.uk

Details of agent, contractor, vehicles and/or vessels used to carry out works

Agent details

This is who we will correspond with unless otherwise informed. If no agent is identified we will contact the applicant.

Title	Mr
Full name	Owain Waters
Company or trading name	EcoVlgour Ltd
Company Registration Number (if applicable)	6313671
Name of contact or individual (if different)	-
Position in company	Senior Environmental Consultant
Address (provide registered company address if applicable)	Hardwick Farm Five Lanes Caerwent, Monmouthshire
Postcode	NP26 5PH
Telephone number	07538275034
Email address	owaters@ecovigour.com

Does the applicant wish to be included in all correspondence?

No

Will the works require the use of vessels?

No

Will the works require the use of any vehicles?

Yes

Proposed project details

Licensable period

Determination of applications will be based on the works taking place during these dates. Please ensure you have included an adequate contingency period. If works are not completed by the requested licence expiry date you may be required to submit a new application. Including a contingency period within your original application does not impact on the licence fee.

Start date (DD/MM/YYYY) 09/01/2023

Requested licence expiry date (DD/MM/YYYY) 01/09/2023

Please detail the location of the proposed project.

This should be either Ordnance Survey National Grid Reference (i.e. SN 12345 67890) or Latitude and Longitude in decimal degrees to 4 decimal places (i.e. Lat 52.1234 Long -4.1234), defining the extent of the project. Please specify which coordinate system has been used and if using GIS co-ordinates, specify which projection has been used.

(Grid Ref: SS 56075 99508)

Please see attached method statement for maps and images.

Method statement

Are the works within a sensitive area or one of the following activities: boreholes, replacement piles or beach management?

Yes

Band 1 method statement template

You can upload your method statement here or fill in the questions below.

- File: Band 1 Method Statement - B1-MS-000876.1 - Bynea Tidal Flap.pdf - [Download](#)
- File: Appendix A - Bynea Tidal Flap - Biosecurity Management Plan & Risk Assessment - 2022 - Rev 1.pdf - [Download](#)
- File: Appendix B - TBS001 - Bynea Tidal Flap Replacement - 1876.pdf - [Download](#)
- File: Appendix C - 1200mm_Square_Flap_Valve.pdf - [Download](#)

Please provide a brief summary of the application including location of the works (coordinates - lat/long, decimal degrees). For activities that cover a large area please provide coordinates of the approximate extent of works.

The tidal flap is located between on the east facing side of the rail corridor (Grid Ref: SS 56075 99508) situated parallel with the Loughor estuary (see figure 1). The condition of the tidal flap necessitates replacement as it is no longer in a serviceable condition. Furthermore, due it's condition, localised removal of material built up against the flap will require relocation to allow for controlled flow.

Works are scheduled to take 1 Day (night shift) to complete. Three over three days over 2 months have been allocated to account for material delays, which would require booking additional possessions which as a 2-week minimum arrangement period, etc.

Possessions that provide the longest availability period (up to 12hrs) are normally on a weekend booking (Saturday Night Possession).

Scope of works

Please provide a full description of all proposed works including: Sequence of works (mobilisation, marine works, site remediation (if required)) Estimated timing of works (duration, working hours, day/night, plus contingency) Plant, machinery or vessel required Estimated quantities (removals, deposits, construction materials)

Site Welfare - Delivery/Setup

No formal compound is required to support the works. Welfare will be provided using mobile welfare vans. Delivery of equipment for the works will be transport via the rail network itself, with a Road Rail Vehicle (RRV) which will load and transport a small 3 tonne mini excavator to the tidal flap location.

Access and Egress

Access to the structure will be achieved by from the rail network during a scheduled position with all rail traffic along this section paused while the works are undertaken.

The 3T machine will limit its movement to the area in front of the tidal flap and edges, only for the purpose of ensuring the existing flap is removed and replaced in the most efficient manner possible.

Where possible and safe. Bog mats will be placed down to reduce ground pressure on areas outside of the Network Rail boundary.

Excavation and placement of material

The material removed from the front of the tidal flap is to be deposited to the edges and the rear of the asset adjacent to the rail embankment. From the estimate volume of material (approx. 2-3m³), it is likely to arise from the material relocation from the outlet face of the tidal flap.

Replacement of safety barriers

The current safety barriers at the rear and sides of the outlet headwalls are in fair condition, however they may require replacement should they need to be temporarily dismantled to allow for ease of access to the tidal flap. Replacement will be a like for like undertaking with the new barriers fixed to the existing structure mounts.

Complete works

Demobilise and remove all site equipment during the single night possession.

Access and working areas

Please provide details of access to the site and working areas. This should include: Attached map of the access/egress route and working areas (annotated aerial image and/or OS map) Predicted plant/vehicle movements Storage areas for plant, equipment and materials (if required) Risks to navigation

Please see attached method statement for images and maps.

Environmental mitigation

Please list appropriate mitigation measures to minimise impacts on the marine environment these may include: Pollution prevention and control procedure (guidance available on the NetRegs website) Spill response kits Minimise plant traffic Designated access and egress routes Storage of materials (fuel, chemicals, construction waste) Biosecurity (guidance available at <http://www.snh.gov.uk/docs/A1294630.pdf>) Note: To assist you, the following mitigation statements will be used as conditions within the licence. By signing this method statement you will be agreeing to adhere to these restrictions. If you are unable to do this, the application will not qualify as Band 1. All equipment, temporary structures, access tracks, waste and/or debris associated with the works will be removed on completion of the works. Bunding, storage facilities and spill kits

will be employed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. Plant, vehicles and machinery will not be refuelled on the foreshore. Coatings and treatments will be suitable for use in the marine environment and are used in accordance with best environmental practice. All equipment, materials, machinery and PPE used will be in a clean condition prior to their arrival on site, and upon removal from site, to minimise risk of introducing non-native species into the marine environment. In the event of removal of any sensitive species or habitat designated by NRW under Schedule 7 of the Environment (Wales) Act 2016, no further removals will occur at that location or within 20m of that location.

Please list your bespoke mitigations here:

- A pre-works ecological assessment will be undertaken to ensure no features pertaining to Otters are present up or down stream of the tidal flap. Otter survey report will be written and forwarded to NRW.
- All equipment, temporary structures, access tracks, waste and/or debris associated with the works will be removed on completion of the works.
- Bunding, storage facilities and spill kits will be employed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment.
- Plant vehicles, and machinery will not be refuelled on the foreshore or within the designated site boundary.
- Any coatings and treatments will be suitable for use in the marine environment and are used in accordance with best environmental practice.
- All equipment, materials, machinery and PPE used will be in a clean condition prior to their arrival on site, and upon removal from site, to minimise risk of introducing non-native species into the marine environment.
- In the event of removal of any sensitive species or habitat designated by NRW under Schedule 7 of the Environment (Wales) Act 2016, no further removals will occur at that location or within 20m of that location.

Please list your bespoke mitigations here:

Construction plant will be used on the viaduct within the estuary and hence there is a heightened risk of hydrocarbon release due to leaks of fuels and oils. The contractor will refer to guidance from:

- GPP 5 - Works and maintenance in or near water
- GPP 7 - Safe storage – The safe operation of refuelling facilities,
- GPP 21 - Pollution incident response planning,
- GPP 22 - Dealing with spills,

Maintenance work will result in a period of noise, however all works will be completed during one day, with the plant machine only operating until the material is cleared from the outlet of the tidal flap.

Noise levels are unlikely to exceed those currently generated by trains currently utilising the rail corridor.

Toolbox talks will be provided by the Environmental Clerk of Works prior to works commencing. This will identify potential impacts and direct localised mitigation where required.

Night working is to occur on a single night. All works will occur during low tide conditions. If works are not completed in a single night, then a further individual line possession will be booked for a different weekend. There will not be continuous works over several consecutive nights as part of this remit.

The project will not represent a hard boundary inhibiting access to the wider up and downstream habitats by this species. Timing of works will avoid working consecutive nights to reduce potential cumulative impacts.

Should an Otter be encountered during works, personnel will temporarily cease until the animal has vacated the immediate area under its own volition.

Works will result in periods of noise; however, all works within the watercourse will be completed

during 1 night shift and the clearing itself will only be actively happening for relatively short period of time.

Noise levels are unlikely to exceed those currently generated by passenger and freight trains currently utilising the rail corridor.

No bespoke formalised compound is required which would leave a new overnight presence. All equipment and welfare will be deployed from vans parked within the secure Network Rail compound to the north near Llangennech.

Ecological oversight will be available for the duration of the works.

Additional information

Please list any additional information that may help with the application:
Consents/permissions required List of plans or drawings attached to method statement
Emergency procedures Contact details

Please see attached Method Statement

Materials of the project

Description of materials to be deposited seaward of Mean High Water Springs (MHWS) (Please tick all that apply)

Iron/steel

Other (please provide a description of materials):
New Tidal Flap

Delivery method of materials to site

If sea delivery, details of vessels to be used with a chart of proposed route and transshipment area is required. If delivery is by vehicle, the details about the proposed access route are required. Please indicate if you are providing details in a separate file.

Delivery of material via rail corridor.

Will the works involve removals seaward of MHWS?

Yes

Description of materials to be removed seaward of MHWS (Please tick all that apply)

Silt

Stone/rock

Description of objects/materials to be removed seaward of MHWS, including quantities to be removed.

Material in front of failed flap to be relocated to allow for new flap to be installed. Approx (2-3m³, meters cubed).

Additional information

Please provide the following:

You must include a suitably scaled extract of an Ordnance Survey Map or Admiralty Chart with location of project complete with north arrow and scale

If applicable, any construction plans and sectional drawings showing those proposed works below/seaward of MHWS, which should give details of the materials to be used (for beach replenishment the quantity, particle size and source of material to be deposited and deposit location is also required)

You must include details of correspondence with MCA, Trinity House and The Crown Estate

You must include any pre application advice/correspondence with NRW

Correspondence with RCAHWW (B1 removals only)

Please upload these below

Please list below all supporting documents that have been submitted with this application.

Cannot attached outlook emails via portal. Please request these during correspondence.

Statutory powers

Does the applicant have statutory powers to consent any aspect of the project? e.g. coast protection authority, dredging powers, statutory undertakers

No

Public register

Is there any information contained within or provided in support of this application that you consider should NOT be included on the Public Register on the grounds that its disclosure:

	Yes	No
Would be contrary to the interest of National Security?		X
Would prejudice to an unreasonable degree you, or some other person's commercial interest or those of a third party?		X

Application fee

Please provide the method of payment

BACS

Reference number (not BACS remittance no.)
PO004144

Declaration

I declare that to the best of my knowledge and belief that the information given in this application form and supporting documentation is true.

WARNING: It is an offence under the Marine and Coastal Access Act 2009, under which this application is made, to fail to disclose information or to provide false or misleading information. This could invalidate any licence granted.

Name Owain Waters (On behalf of Dyer & Butler)

Date 21/11/22

Position in company Environmental Consultant

If you would like a copy of your completed form, please add your preferred email address below:

owaters@ecovigour.com