

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Conwy County Borough
Council

Cyngor Bwrdeistref Sirol Conwy / Conwy
County Borough Council
Environment, Roads & Facilities
Mochdre Offices
Conway Road
Mochdre
Conwy
LL28 5AB

Kinmel Bay Coastal Defence Improvements
Scheme

Licence Number:

CML2272

Kinmel Bay Coastal Defence Improvements Scheme

Marine Licence number: CML2272

Introductory note

This introductory note does not form a part of the marine licence

The main features of the marine licence are as follows.

The Kinmel Bay Coastal Defence Improvements Scheme includes upgrades to existing rock armour, raising the height of the sea wall and a new flood gate. The area of permanent works covers approximately 35,111m². Public realm and ecological enhancements also form part of the scheme.

The status log of the marine licence sets out the marine licence history, including any subsequent marine licence variation(s)

Status log of this marine licence		
Description	Date	Comments
Application	24 November 2022	Application received and considered to be duly made
Date licence determined	15 March 2023	Determination date

Related marine licences or applications under determination

Not applicable.

End of introductory note.

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MARINE LICENCE, NUMBER CML2272

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2272** and duly made on **24 November 2022** and authorises the Licence Holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009, (2009 Act). This licence should be interpreted in accordance with **Section 4**.

1.2 Licence Holder

The Licence Holder is the organisation set out below:

Organisation name: Conwy County Borough Council

Address: Cyngor Bwrdfestref Sirol Conwy / Conwy County Borough Council, Environment, Roads & Facilities, Mochdre Offices, Conway Road, Mochdre, Conwy, LL28 5AB

1.3 Licence Validity

Licence Start Date	01 April 2023
Licence End Date	31 December 2024
Licence Issue Date	15 March 2023

1.4 Conditions

This licence is subject to the conditions set out in **Section 3**.

Signed:



Dr. Emmer Litt – Marine Licensing Team Leader

For and on behalf of the Licensing Authority

2 LICENSED ACTIVITIES

2.1 Project

Kinmel Bay Coastal Defence Improvements Scheme

The following Licensed Activities can be conducted within the Licence Period, within the Licensed Area and in accordance with the Approved Application and the Approved Supporting Documents:

Table 1 Licensed Activities

Activity 1 Upgrades to the current rock armour and improvements to the existing seawall and beach access points at Towyn Revetment	
Type of Licensed Activity	Deposit/Removal/Construction
Description	The new rock armour will be a height of 7.2mOD, the current 1 in 4 slope angles of the rock armour will be retained, with the height and width of the crest increasing. The new design will reuse and repurpose the current rock armour material where possible. The existing seawall will be raised by 0.75m, up to 8mOD and improvements will take place at the two beach access points.
Material types to be removed or deposited	Iron/Steel, Stone/Rock, Sand
Activity 2 Temporary works at Kinmel Bay	
Type of Licensed Activity	Deposit/Removal
Description	The deposit of construction vehicle tracking and movements. Minor movement of material for the placement of rock armour.
Material types to be removed or deposited	Iron/Steel, Stone/Rock, Sand

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 bounded by the coordinates specified in Table 2 and as indicated in the plan attached at Appendix 1:

Table 2 Coordinates

Latitude	Longitude
53.308767	-3.5372187
53.308995	-3.5369568
53.309646	-3.5352841
53.310073	-3.5342037
53.310211	-3.5339985

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53.310313	-3.533762
53.310353	-3.5334182
53.310259	-3.5330246
53.310109	-3.5328091
53.309904	-3.5326667
53.309929	-3.5328627
53.309963	-3.532984
53.309999	-3.5330003
53.310016	-3.5330609
53.309987	-3.533195
53.310003	-3.5333906
53.309993	-3.5334353
53.309909	-3.5336575
53.309827	-3.5337596
53.309781	-3.533878
53.309735	-3.5339514
53.309688	-3.5341298
53.309549	-3.53444
53.309456	-3.5346769
53.309371	-3.534974
53.309268	-3.5352705
53.309213	-3.5353586
53.309138	-3.5356111
53.309045	-3.5358179
53.308906	-3.5361881
53.308887	-3.5362625
53.308784	-3.5365439
53.3087	-3.5368111
53.308723	-3.5371121
53.308714	-3.5371568
53.30874	-3.5371727
53.31445	-3.5202502
53.314858	-3.5192889
53.315101	-3.518502
53.315274	-3.5176975
53.316043	-3.5151428
53.316297	-3.5142811
53.316546	-3.5130589
53.316688	-3.5118029
53.31671	-3.5114435
53.316722	-3.5112637
53.316723	-3.5111737
53.316724	-3.5110836
53.316723	-3.5111737
53.316485	-3.5128916
53.316181	-3.5142169
53.315413	-3.5166666
53.315014	-3.5183338
53.314919	-3.5187207
53.314742	-3.5192248
53.314758	-3.5193454
53.31472	-3.5195542
53.314637	-3.5197164

In the event of any discrepancy between the coordinates set out above and the plan attached at Appendix 1, the coordinates shall take precedence.

2.3 Approved Supporting Documents

Title/Description of Document	Date Submitted
CML2271 – GKX – JBAU-DD-00-AP-EN-0001-S4-P03-ML_App_Form	23 November 2022
CML2272 Updated Coordinates	08 December 2022
CML2272-GKX-JBAU-00-00-DS-EN-0001-S3-P02-Design_Access_Statement	23 November 2022
CML2272-GKX-JBAU-00-00-PC-EN-0001-S4-P02-ML_WMNP	23 November 2022
CML2272-GKX-JBAU-00-00-MS-EN-0001-S4_P02_ML_Construction_MS	23 November 2022
CML2272 – GBX-JBAB-00-00-RP-EN-0005-S3-P02-Planning_Statement	23 November 2022
CML2272 -GBX-JBAB-00-00-RP-EN-0006-S3-P04-Environmental_Statement	23 November 2022
CML2272-GKX-JBAU-00-00-RP-EN-0008-S3_PO3-Environmental_Statement_Technical_Summary.	23 November 2022
CML2272 – GKX-JBAU-00-00-RP-EN-0009-S3-P02-Environmental_Statement_Volume_2	23 November 2022
CML2272 GKX-JBAU-00-00-RP-EN-0009-S3-P02-Environmental_Statement_Volumes_2_P1	23 November 2022
CML2272 GKX-JBAU-00-00-RP-EN-0009-S3-P02-Environmental_Statement_Volumes_2_p2	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0001 – Site Location Plan	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0116 - General Arrangement Drawing Sheet 1 of 4	23 November 2022

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CML2272 CH1701-AMEY-HGN-XX-DR-CH-0117 - General Arrangement Drawing Sheet 2 of 4	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0118 - General Arrangement Drawing Sheet 3 of 4	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0119 - General Arrangement Drawing Sheet 4 of 4	23 November 2022
CML2272 CH1701-AMEY-EWE-XX-DR-CH-3001 - Proposed Works Showing Mean High Water Springs Location	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-CB-2519 - Structures - Sea Wall Typical Cross Section-Location Plan	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-CB-2520 - Structures - Sea Wall Typical Cross Sections	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-CH-2514 - Flood Gate General Arrangement	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-SE-2515 - St Asaph Car Park Public Conveniences Plan Layout and Section	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-SE-2516 - St Asaph Ave. Car Park Public Conveniences Elevations	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-SE-2517 - Kinmel Bay West Shelter Plan Layout and Section	23 November 2022
CML2272 CH1701-AMEY-GEN-XX-DR-SE-2518 - Kinmel Bay West Shelter Elevations	23 November 2022
CML2272 CH1701-AMEY-HEL-XX-DR-EO-1401 - Proposed Lighting and Electrical Layout Sheet 1 of 2	23 November 2022

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CML2272 CH1701-AMEY-HEL-XX-DR-EO-1402 - Proposed Lighting and Electrical Layout Sheet 2 of 2	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CE-0601 - St Asaph Avenue Car Park Earthworks and Typical Sections Sheet 1 of 2	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CE-0602 - St Asaph Avenue Car Park Earthwork and Cross Sections Sheet 2 of 2	23 November 2022
CML2272 CH1701-JBA-HGN-XX-DR-CH-2511 - Towyn Revetment Rock Armour General Arrangement	23 November 2022
CML2272 CH1701-JBA-HGN-XX-DR-CH-2512 - Kimmel Bay Rock Armour General Arrangement	23 November 2022
CML2272 CH1701-AMEY-HKF-XX-DR-CH-1116 - Kerbs, Footways and Pavements St Asaph Avenue Car Park	23 November 2022
CML2272 CH1701-AMEY-HMK-XX-DR-CH-1217 - Road Markings and Traffic Signs St Asaph Avenue Car Park	23 November 2022
CML2272 CH1701-AMEY-HMK-XX-DR-CH-1218 - Road Markings and Traffic Signs Sheet 1 of 4	23 November 2022
CML2272 CH1701-AMEY-HMK-XX-DR-CH-1219 - Road Markings and Traffic Signs Sheet 2 of 4	23 November 2022
CML2272 CH1701-AMEY-HMK-XX-DR-CH-1220 - Road Markings and Traffic Signs Sheet 3 of 4	23 November 2022
CML2272 CH1701-AMEY-HMK-XX-DR-CH-1221 - Road Markings and Traffic Signs Sheet 4 of 4	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2203 - Access Point AT3 Ramp over Sea Wall Typical Proposed Layout	23 November 2022

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CML2272 CH1701-LDA-ELS-XX-DR-LS-2204 - Access Point AT4 Long Steps Down Revetment Typical Proposed Layout	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2205 - Access Point AT5 Steps Down Revetment Typical Proposed Layout	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2206 - Access Point AT6 Typical Proposed Layout	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2207 - Access Point AT7 Typical Proposed Layout	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2302 - Parklet detail plan 1 of 2 St. Asaph Avenue Hub	23 November 2022
CML2272 CH1701-LDA-ELS-XX-DR-LS-2303 - Parklet detail plan 2 of 2 Kinmel Bay West, Towyn Parklets and Rest Area	23 November 2022
CML2272 CH1701-AMEY-HDG-XX-DR-CD-0501 - Drainage Layout St Asaph Avenue Car Park	23 November 2022
CML2272 CH1701-AMEY-HDG-XX-DR-CH-0503 - Proposed Soakaway Locations Sheet 2	23 November 2022
CML2272 CH1701-AMEY-HDG-XX-DR-CH-0504 - Proposed Soakaway Locations Sheet 3	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0122 - Standard Details St Asaph Avenue Car Park Sheet 1 of 2	23 November 2022
CML2272 CH1701-AMEY-HGN-XX-DR-CH-0123 - Standard Details St Asaph Avenue Car Park Sheet 2 of 2	23 November 2022

3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1** The Licence Holder must notify the Licensing Authority no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.3** The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the Licensed Activities through local notices to mariners **10 days** prior to the commencement of the Licensed Activities.

3.2 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Licensed Activities are submitted to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of the Licensed Activities.

3.3 Notification of Agents/Contractors/Sub-contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority at least **24 hours** prior to the commencement of Licensed Activities.

3.4 Notification of HM Coastguard

The Licence Holder must ensure that HM Coastguard is made aware of the Licensed Activities at least **24 hours** prior to commencement by contacting The National Maritime Operations Centre at **zone32@hmcg.gov.uk**.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

3.6 Notification of Completion

- 3.6.1** The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.
- 3.6.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

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3.7 Accident or Emergency

3.7.1 If, by reason of force majeure any substances or articles are deposited otherwise than as permitted as part of the Licensed Activities or in the Licensed Area full details of the circumstances shall be notified to the Licensing Authority within **48 hours** of the incident occurring.

3.7.2 If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority under condition 3.3 and
- The Masters of any vessels and transport managers responsible for the vehicles employed in accordance with this Licence whose details have been submitted to the Licensing Authority under condition 3.2.

3.9 Inspection of Documents

Copies of this Licence shall be made available at the following locations:

- at the address of the Licence Holder specified in section 1.2;
- at any site office, located at or adjacent to the Licensed Area, used by the Licence Holder or its agent(s), contractor(s) or sub-contractor(s) responsible for the loading transportation or deposit of any substances or articles permitted as part of the Licensed Activities;
- on board each vessel or vehicle carrying out Licensed Activities.

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Vessels, Plant and Equipment

3.10 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or vehicles whose details have been notified to the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to and be approved by the Licensing Authority in writing prior to any such agent, contractor, subcontractors or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

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3.11 Refuelling of Plant and Equipment

The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore or in the sea.

3.12 Equipment, Structures and Access

The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the Licensed Activities are removed on completion of the Licensed activities.

Safety

3.13 Removal of Deposited Material

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit specified by the Licensing Authority or Marine Enforcement Officers within one month of notice being given by the Licensing Authority, and shall not replace such material until the Licensing Authority has given its written approval.

Pollution control

3.14 Pollution Prevention

The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number **0300 065 3000**.

3.15 Spillage of Pollutants

The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. Secondary containment must be used with a capacity of **no less than 110%** of the container's storage capacity

3.16 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine environment. Such material must be removed immediately and be disposed of appropriately. If it is not possible to prevent manmade debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

3.17 Cleanliness of Equipment

The Licence Holder must ensure that equipment, machinery and PPE are washed with freshwater and/or thoroughly airdried before deployment and before moving between locations.

Activity-specific Conditions

3.18 Biosecurity Risk Assessment and Management Plan

3.18.1 The Licence Holder must submit a Biosecurity Risk Assessment and Management Plan to the Licensing Authority for written approval at least **6 weeks** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.18.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.18.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.19 Construction Environment Management Plan (CEMP)

3.19.1 The Licence Holder must submit a CEMP to the Licensing Authority for written approval at least **6 weeks** prior to commencement of the Licensed Activities. The CEMP must incorporate the mitigation detailed within '*Appendix F Habitat Regulation Assessment*'. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.19.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.19.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.20 Misplaced Rock

The Licence Holder must ensure that any rock misplaced below Mean High Water Springs that cannot be recovered is located, and its position notified to the Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) and the Licensing Authority within **48 hours**.

4 INTERPRETATION

In this Licence terms are as defined in section 115 of the Marine and Coastal Access Act unless otherwise stated.

- (a) **"2009 Act"** means the Marine and Coastal Access Act 2009;
- (b) **"Approved Application"** means the Marine Licence Application Form together with the Approved Supporting Documents;
- (c) **"Approved Supporting Documents"** means the documents supporting, or supplementary to, the Approved Application, submitted prior to the Licence Issue Date, listed in the Table at paragraph 2.3 above;
- (d) **"Commencement"** means the first undertaking of any Licensed Activities;
- (e) **"Force majeure"** may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the substances or articles because the safety of human life and/or of the vessel is threatened;
- (f) **"Licensed Activities"** means the activities authorised by this licence as specified in 2.1;
- (g) **"Licensed Area"** means the area within which Licensed Activities are authorised by this licence as specified in section 2.2;
- (h) **"Licence Holder"** means the person(s) or organisation(s) named in section 1.2 to whom this licence is granted;
- (i) **"Licence Period"** means the period beginning with the Licence Start Date and ending on the Licence End Date;
- (j) **"Licensing Authority"** means Natural Resources Wales acting on behalf of the Welsh Ministers;
- (k) **"Marine Enforcement Officers"** means the relevant officers appointed by Welsh Ministers under section 235 of the 2009 Act, contact details for whom are provided in section 5;
- (l) **"Marine Licence Application Form"** means the application form forming part of the application referred to in paragraph 1.1;
- (m) **"Method Statement"** means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;

- (n) **“Works”** means any construction activities comprised in the Licensed Activities and, where the context permits, includes any plant, equipment or materials used to carry out those activities or operations but excludes monitoring, minor routine maintenance or other ongoing operational activities following completion of any construction activities;
- (o) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- (p) all co-ordinates shall be taken to be latitude and longitude decimal degree (WGS 84)
- (q) in the event of any discrepancy between the coordinates listed in paragraph 2.2 and the plan attached at Appendix 1, the coordinates shall take precedence.

5 CONTACTS

Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns, correspondence and requests for variations of the licence is:

Marine Licensing Team
Natural Resources Wales
Permitting Service
29 Newport Road
Cambria House
Cardiff
CF24 0TP

Tel: 0300 065 3000
Email: marinelicensing@naturalresourceswales.gov.uk

Welsh Government Marine Enforcement Officers may be contacted at:

Welsh Government
Suite 3
Cedar Court
Haven's Head Business Park
Milford Haven Pembrokeshire
SA73 3LS

Tel: 03000253500
Email: wfmccmpc@gov.wales

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Appendix 1

