

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Industrie Cartarie Tronchetti
UK Limited

Company Number: 11539626

C/O Wright Hassall
Olympus Avenue
Leamington Spa
CV34 6BF

New outfall construction associated with the
new Paper Mill Facility on the River Dee

Licence Number: CML2279

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Construction of a new outfall on the River Dee

Marine Licence number: CML2279

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 construction of a new outfall associated with the new Paper Mill Facility on the River Dee.

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	19 December 2022	Application received and considered to be duly made
Date licence determined	13 April 2023	Determination date

Related marine licences or applications under determination

Not applicable

End of introductory note.

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MARINE LICENCE, NUMBER CML2279

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2279** and duly made on **19 December 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 company set out below:

Organisation name: Industrie Cartarie Tronchetti UK Limited

Company number: 11539626

Address: C/O Wright Hassall, Olympus Avenue, Leamington Spa, CV34 6BF

1.3 Licence Validity

Licence Start Date	13 April 2023
Licence End Date	12 April 2024
Licence Issue Date	13 April 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

Construction of a new outfall on the River Dee

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 Construction of New Outfall	
Type of Licensed Activity	Deposit/Removal/Construction, Alteration or Improvement.
Description	<p>Subbase will be laid in layers and compacted in accordance with the temporary works design up to the required depth. The slope off the ramp is not to exceed 45 degrees.</p> <p>A 50T long reach excavator with a Movax attachment will be used to install the sheet piles. Sheet pile installation works will be carried out at low tide to mitigate the risk of noise and vibration into the water. The excavator will work on the crane mat alongside the embankment when working out of the footprint of the cofferdam, and on the riverbank in the footprint of the cofferdam. The existing sheet piled wall and tie beam will remain in place. The works will but up to the existing sheet piled wall. Access to the sheet pile position for operatives will be via a cherry picker. For the first few piles the existing embankment will be used for access at low tide. The corner sheet piles will be butted against the existing sheet piled wall. No existing sheets will be removed and the cofferdam being installed is structurally independent of the existing sheet piled wall.</p> <p>Excavation will be carried out within the cofferdam and the frame installed. The cofferdam will be excavated using a 21T excavator and spoil loaded into Articulated Dump Trucks or muck away wagons. The excavator will sit upon a crane mat to protect the berm and embankment. Pumps will be set up in the corners of the cofferdam to control groundwater. The ground water will be pumped through settlement tanks and discharged to the swales within the site boundaries. The sheet pile clutches will be sealed.</p> <p>Once the excavation works have been completed, internal pipework will be set up on pipe bedding and concreted into position. Pipework will be lifted into and positioned using a 21T excavator. Precast headwalls are to be used for both the lower and upper headwalls. They are to be lifted over the protruding pipework and concreted into position. A 300mm diameter pipe will cross the line of the existing sheet piles. A hole will be cut in the sheets though which the pipe can pass. Any void in sheet around the pipe will be filled with concrete.</p>

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	The excavation will be backfilled as the works progress. Fill material will be placed with the excavator. Once the pipework is complete, headwalls installed, stairs cast and backfilled to frame level, the sheets will be removed. This is to be done using the excavator in a reverse of the installation process.
Material types to be removed or deposited	Stone/Rock and Concrete

2.2 Licensed Area

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

Table 2 Coordinates

Northings	Eastings
369063.760	331712.877
369066.321	331708.583
369059.933	331704.774
369057.373	331709.069

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
CML2279 - marine-works-application-form-updated_ArcadisNov2022_P1	01 December 2022
CML2279 - WNMP Nov 2022	01 December 2022
CML2279 - 063721 Effluent Discharge - C1405-207 P1	01 December 2022
CML2279 - 063721 Location Plan - 12500-AEW-SI-XX-DR-A-0501_P3	01 December 2022
CML2279 68252-100 T3	19 January 2023

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CML2279 C1405-217 P3 Effluent Discharge Headwall to D Morgan Survey-Layout1	19 January 2023
CML2279 - CEMP Headwall Final	01 December 2022
CML2279 - ICT WFD March 2022	01 December 2022
CML2279 - Marine Discharge Assessment (September 2021)	01 December 2022
CML2279 - WFD Scoping_Construction Discharge	01 December 2022
CML2279 - WFD Scoping_Operational Discharge	01 December 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.

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Activity-specific Conditions

3.18 Timing Restrictions

3.18.1 The Licence Holder must ensure that no Licensed Activities take place within two hours either side of high tide between **September 01** and **March 31** inclusive, without prior written approval from the Licensing Authority.

3.18.2 The Licence Holder must ensure that no Piling Activities take place during **night time hours**, without prior written approval from the Licensing Authority.

3.18.3 The Licence Holder must ensure that no Piling Activities take place between **01 June** and **31 October** inclusive, without prior written approval from the Licensing Authority.

3.19 Nesting Bird Survey and Management Plan

3.19.1 If any Licensed Activities take place between **01 March** and **30 September** inclusive, the Licence Holder must submit a Nesting Bird Survey 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.

3.19.2 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 Use of Render and Concrete

3.20.1 The Licence Holder must ensure that no waste concrete slurry or wash water from the use of concrete or cement are discharged into the marine environment. Concrete and cement mixing and washing areas should be contained and sited at least **10 metres** from any watercourse or surface water drain to minimise the risk of runoff entering a watercourse.

3.20.2 The Licence Holder must ensure that if concrete is to be sprayed in the vicinity of the marine environment (e.g. bridges, retaining walls, etc.), suitable pollution prevention measures are taken to prevent rebounded or windblown concrete from entering the water environment.

3.21 Concrete Cure Time

The Licence Holder must ensure materials used are suitable for use in the marine environment and works should be timed to ensure maximum concrete cure time.

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3.22 Notification of UKHO

The Licence Holder must ensure that notification is sent to The Source Data Receipt team, UK Hydrographic Office (email: sdr@ukho.gov.uk) at least **10 days** prior to commencement of the works. The information supplied must include the start date and end date, a description of the works, positions of the work area (WGS84), and details of any marking arrangements.

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 eastings and northings;
- (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

