

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Cardiff Harbour Authority

Queen Alexandra House
Cargo Road
Cardiff
CF10 4LY

Disposal of dredged material from Cardiff
Bay to Cardiff Grounds Disposal Site
(LU110)

Licence Number: DML2352

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Disposal of dredged material from Cardiff Bay to Cardiff Grounds Disposal Site LU110

Marine Licence number: DML2352

Introductory note

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

The main features of the marine licence are as follows.

Disposal of up to 234,000 tonnes of dredged material per annum from Cardiff Bay approach channel and locks to Cardiff Grounds Disposal Site (LU110).

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	15 September 2023	Application received and considered to be duly made
Date licence determined	20 December 2023	Determination date

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
DML1930	20 September 2019	Previous licence issued for the ongoing disposal of dredge material to Cardiff Grounds disposal site (LU110)

End of introductory note.

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MARINE LICENCE, NUMBER DML2352

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **DML2352** and duly made on **15 September 2023** and authorises the Licence Holder to carry out 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: Cardiff Harbour Authority

Address: Queen Alexandra House, Cargo Road, Cardiff, CF10 4LY

1.3 Licence Validity

Licence Start Date	05 January 2024
Licence End Date	31 December 2033
Licence Issue Date	20 December 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

Disposal of dredged material from Cardiff Bay to Cardiff Grounds Disposal Site (LU110).

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 Disposal Activities

Activity 1 Deposit of dredged material at Cardiff Grounds Disposal Site (LU110)		
Marine Licensable Activity Type	Deposit	
Description	Disposal of dredged material from Cardiff Bay to Cardiff Grounds Disposal Site (LU110)	
Maximum Dredge Depth Dredge Zone 1 [Approach Channel]	-7.5m Ordnance Datum Newly	
Maximum Dredge Depth Dredge Zone 2 [Outer Harbour]	-8.0m Ordnance Datum Newly	
Maximum Dredge Depth Dredge Zone 3 [Outer Slope]	-8.0m Ordnance Datum Newly	
Maximum Dredge Depth Dredge Zone 4 [Lock 1]	-4.0m Ordnance Datum Newly	
Maximum Dredge Depth Dredge Zone 5 [Lock 2]	-7.0m Ordnance Datum Newly	
Maximum Dredge Depth Dredge Zone 6 [Lock 3]	-7.0m Ordnance Datum Newly	
Maximum Deposit	m ³ per year	Tonnage per year
	180,000	234,000
Deposit Location	Site Code: LU110	Site Name: Cardiff Grounds
Material Type	Silt	

2.2 Licensed Area

The Licence Holder is only authorised to deposit material dredged from the area bounded by the coordinates specified in Table 2.

Table 2 Coordinates for dredge areas

Dredge Zone 1 [Approach Channel]	
Latitude	Longitude
51°26.71	3°09.86
51°26.71	3°09.84
51°26.69	3°09.83
51°26.65	3°09.80
51°26.63	3°09.78
51°26.59	3°09.66
51°26.55	3°09.64
51°26.61	3°09.81
51°26.64	3°09.84
51°26.67	3°09.87
51°26.70	3°09.86
Dredge Zone 2 [Outer Harbour]	
Latitude	Longitude
51°26.74	3°09.95
51°26.78	3°09.91
51°26.71	3°09.84
51°26.71	3°09.86
51°26.71	3°09.87
Dredge Zone 3 [Harbour Slope]	
Latitude	Longitude
51°26.70	3°09.99
51°26.74	3°09.95
51°26.71	3°09.87
51°26.67	3°09.92
Dredge Zone 4 [Lock 1]	
Latitude	Longitude
51°26.80	3°09.98
51°26.80	3°09.98
51°26.77	3°09.92
51°26.78	3°09.91
Dredge Zone 5 [Lock 2]	
Latitude	Longitude
51°26.79	3°09.99
51°26.79	3°10.00
51°26.76	3°09.93
51°26.76	3°09.93
Dredge Zone 6 [Lock 3]	
Latitude	Longitude
51°26.78	3°10.00
51°26.77	3°10.01
51°26.75	3°09.94
51°26.75	3°09.94

The Licence Holder is authorised to conduct the deposit activities described in Table 1 bounded by the coordinates specified in Table 3.

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Table 3 Permitted Deposit Locations

Deposit Area LU110	
Latitude	Longitude
51°25.60N	3°06.40W
51°25.60N	3°06.70W
51°25.50N	3°07.10W
51°27.40N	3°05.90W

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
DML2352 - CHA Application 2023	05 September 2023
DML2352 - C.21.002-001 - Dredging Areas	05 September 2023
DML2352 - 4a - Method Statement 1 - Availability and Suitability of Resources and Vessels	05 September 2023
DML2352 - Biosecurity Plan DML1930v5	05 September 2023
DML2352 - Cardiff Bay Fish Pass Final Report 2022 1	05 September 2023
DML2352 - Water Framework Directive Assessment	05 September 2023
DML2352 copy-of-wnmp-signposting-doc-1	14 September 2023
DML2352 NRW-ps-analysis-results-template CHA	14 September 2023
DML2352 Site Monitoring plan	08 November 2023

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 zone27@hmco.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 Sediment Sampling

- 3.18.1** The Licence Holder must request a Sediment Sampling Plan (SSP) from the Licensing Authority on or before **29 May 2025**. The SSP must include details of sampling grid, analysis suites and proposed format of a report determining the suitability of material for disposal.
- 3.18.2** The Licence Holder must submit the results of the SSP carried out pursuant to Condition 3.18.1 above, to the Licensing Authority on or before **29 September 2025**. The SSP results must include an outline of an assessment of alternative uses for the sediment that is to be disposed for the following 3-year period.
- 3.18.3** The Licence Holder must not carry out any disposal activity after **29 November 2025** without prior written approval from the Licensing Authority. Such written approval should be requested no later than **29 September 2025**.
- 3.18.4** The Licence Holder must request a SSP from the Licensing Authority on or before **29 May 2028**. The SSP must outline the sampling and analysis required during the licence period and must include details of sampling grid, analysis suites and proposed format of a report determining the suitability of the material for disposal.
- 3.18.5** The Licence Holder must submit the written results of the SSP carried out pursuant to Condition 3.18.4 above to the Licensing Authority on or before **29 September 2028**. The SSP results must include an outline of alternative uses for the sediment that is to be disposed for the following 3-year period.
- 3.18.6** The Licence Holder must not carry out any disposal activity after **19 November 2028** without prior written approval from the Licensing Authority. Such written approval should be requested no later than **29 September 2028**.
- 3.18.7** The Licence Holder must request a SSP from the Licensing Authority on or before **29 May 2031**. The SSP must outline the sampling and analysis required during the licence period and must include details of sampling grid, analysis suites and proposed format of a report determining the suitability of the material for disposal.
- 3.18.8** The Licence Holder must submit the written results of the SSP carried out pursuant to Condition 3.18.7 above to the Licensing Authority on or before **29 September 2031**. The SSP results must include an outline of alternative uses for the sediment that is to be disposed for the following 3-year period.
- 3.18.9** The Licence Holder must not carry out any disposal activity after **29 November 2031** without prior written approval from the Licensing

Authority. Such written approval should be requested no later than **29 September 2031**.

3.19 Monitoring and Analysis

- 3.19.1** The Licence Holder must implement a program of monitoring, analysis and reporting between **01 June and 31 August 2025, 01 June and 31 August 2029** and **01 June and 31 August 2032** to ensure the dispersive manner of Cardiff Grounds Disposal Site (LU110) to the Severn Estuary SAC/SPA in line with the 2020 bathymetric monitoring survey as detailed within 'DML2352 Site Monitoring Plan', dated 08 November 2023.
- 3.19.2** The Licence Holder must submit the monitoring report(s) to the Licensing Authority for written approval within **3 months** of completion of the survey detailed in Condition 3.19.1.
- 3.19.3** The Licence Holder must not carry out any disposal activity after **30 October 2025, 30 October 2029** and **30 October 2032** without prior written approval from the Licensing Authority. Such written approval should be requested no later than **3 months** from completion of the survey detailed in Condition 3.19.1.
- 3.19.4** The monitoring report(s) submitted to the Licensing Authority as detailed in Condition 3.19.2 must include sediment volume analysis. If sediment accretion is identified in the survey area, the Licence Holder must propose mitigation measures to prevent any adverse effect to Severn Estuary SAC/SPA from sediment accretion.
- 3.19.5** The Licence Holder must ensure that proposed mitigation measures to prevent any adverse effect arising from the licensed activities (detailed in section 2) to Severn Estuary SAC/SPA are approved in writing by the Licensing Authority, to be implemented by the Licence Holder, before any further disposal activity can go ahead.
- 3.19.6** Any proposed changes to the plan outlined within 'DML2352 Site Monitoring Plan' Conditioned in 3.19.1, must be submitted to, and agreed in writing by the Licensing Authority prior to any changes being enacted.

3.20 Evenly Deposit Material

The Licence Holder must ensure that during the course of disposal, material is distributed evenly over Cardiff Grounds Disposal Site (LU110).

3.21 Disposal Returns

- 3.21.1** Certified returns of quantities of substances or articles deposited under this Licence are required to be submitted by **31 June** and **31 January** each year. The returns must specify the full Licence number and amount deposited (tonnage) each calendar month at each authorised Deposit

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Area. Where no deposit is made in a given period a NIL return is required.

3.21.2 If this Licence expires during the course of the calendar year and is not superseded by a further Licence relating to the Licenced Activities, a certified return of quantities of substances or articles deposited under this Licence shall be submitted not later than **28 working days** after the Licence End Date.

3.22 Inspection of Disposal Vessel

Subject to meeting any mandatory health and safety obligations, the Licence Holder must provide, at reasonable notice, access and, if necessary, appropriate transportation to the disposal vessel to facilitate any inspection that the Licensing Authority, or Marine Enforcement Officers consider may be necessary.

3.23 Record of Quantity of Deposited Material

The Licence Holder must keep a log detailing the time, date, location and quantity of material deposited at sea. This log must be available for inspection by appropriately authorised officers of the Licensing Authority and Marine Enforcement Officers.

3.24 Log of Operations

The Licence Holder must ensure that the Master or the Officer of the Watch of each vessel, as referred to condition 3.10 of this Licence, undertaking the deposit of any substances or articles specified in Table 1 of this Schedule, shall maintain a written log of operations recording the following information:

- the name of the vessel;
- the quantity and type of each substance or article loaded for deposit;
- the date and time of departure from the port or site at which the substances or articles are loaded for deposit in the sea and time of arrival (and date if different) at the Deposit Area on each occasion that it proceeds to and from such area;
- latitude and longitude position (in degrees and minutes and decimal of a minute to at least one decimal place) of the deposit within the Deposit Area.

3.25 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.

3.26 Biosecurity

- 3.26.1** The Licence Holder must implement the Biosecurity Risk Assessment submitted **05 September 2023** and approved by the Licensing Authority. Any proposed changes to the actions outlined in the Biosecurity Risk Assessment must be submitted to and agreed in writing by the Licensing Authority prior to any changes being enacted.
- 3.26.2** The Licence Holder must submit an updated Biosecurity Risk Assessment to NRW acting on behalf of the Licensing Authority for written approval by the **31 January** each year, starting **January 2025**.

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;

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- (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 degrees minutes seconds (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

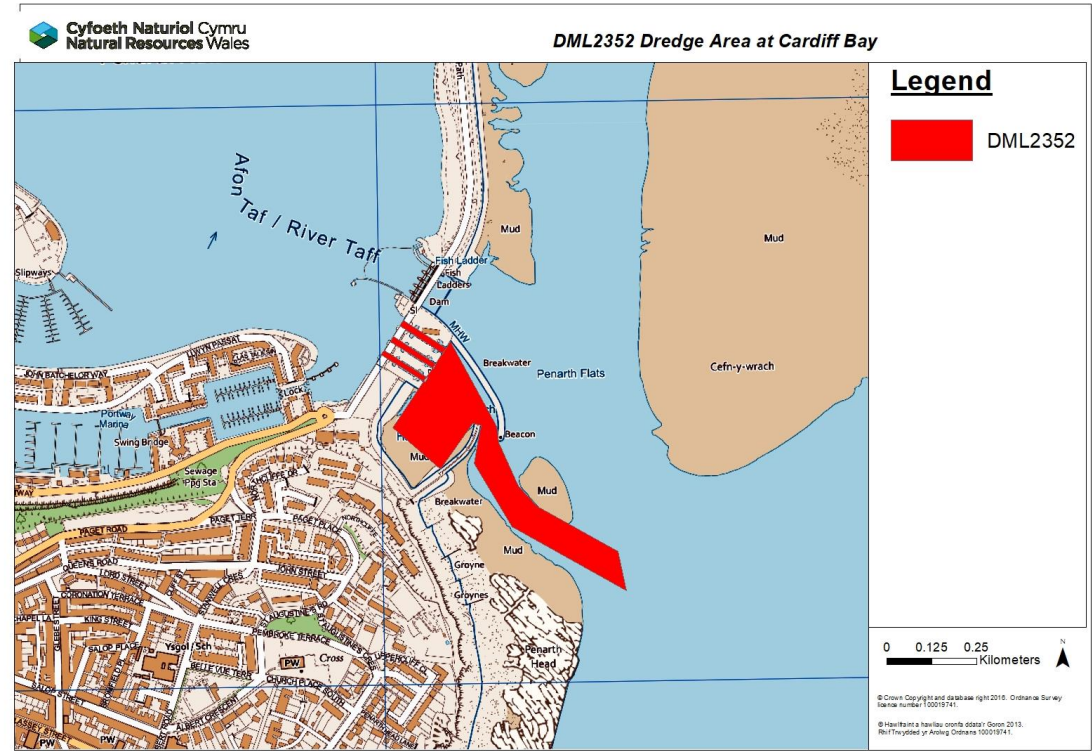
Tel: 03000253500

Email: wfmccmpc@gov.wales

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Appendix 1

Dredged areas



Cardiff Grounds Disposal Site (LU110)

