

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Natural Resources Wales

Natural Resources Wales
Ty Cambria
29 Newport Road
Cardiff
CF23 0TP

Ground Investigation Window Samples to
Inform Development of a Fish Passage
Improvement Scheme at Newbridge, Port
Talbot.

Licence Number:
RML2369

Ground Investigation Window Samples

Marine Licence number: RML2369

Introductory note

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

The main features of the marine licence are as follows:

To develop a fish passage improvement scheme on the tidal section of the River Afan in Port Talbot, window samples will be taken located along the proposed fish pass alignment, located in the channel, to confirm stratigraphy.

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	22 December 2023	Application received and considered to be duly made
Date licence determined	23 January 2024	Determination date

Related Marine licences or applications under determination

Not applicable.

End of introductory note.

Licence Number: RML2369

BAND 1 MARINE LICENCE NUMBER RML2369

1 LICENCE DETAILS

1.1 Band 1 Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **RML2369** and duly made on **22 December 2023** and authorises the Licence Holder to carry out activities for which a licence is required under Part 4 of the 2009 Act and falling within Band 1 of Schedule 1 of the Marine Licensing (Fees) (Wales) Regulations 2017/280. 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: Natural Resources Wales

Address: Ty Cambria, 29 Newport Road, Cardiff, C23 0TP

1.3 Licence Validity

Licence Start Date	23 January 2024
Licence End Date	22 January 2025
Licence Issue Date	23 January 2024

1.4 Conditions

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

Signed:

A handwritten signature in black ink, appearing to read 'N. Bettman', is written on a light pink rectangular background.

For and on behalf of the Licensing Authority

Licence Number: RML2369

2 LICENSED ACTIVITIES

2.1 Project

This licence is granted in respect of: Ground Investigation window samples at Newbridge, Port Talbot, located along the proposed fish pass alignment, located in the channel, to confirm stratigraphy.

The Licensed Activities permitted by this licence, as set out in 2.2 below, comprise activities of the following general type:

- the removal of a substance or object from the seabed

2.2 Licensed Activities

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

- Sediment (grab) samples where the total sample volume across all samples is no more than 4 cubic metres. The density of grab samples should not exceed 50 samples within any one hectare

2.3 Licensed Area

The Licence Holder is authorised to conduct the activities described in paragraph 2.2 in the vicinity of Newbridge, Port Talbot bounded by the following coordinates and as indicated in the plan attached at Appendix 1:

Latitude	Longitude
51.588787	-3.7970934
51.588382	-3.7988530
51.587641	-3.7991125
51.587346	-3.7972098

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

2.4 Approved Supporting Documents

Title/Description of Document	Date Submitted
RML2369 - Application Form	27 November 2023
RML2369 – 270923 Updated GI Plan.pdf	27 November 2023
RML2369 - Confirmation of coordinated and predicted noise levels	19 December 2023

Licence Number: RML2369

RML2369 - Access routes.png	27 November 2023
RML2369 - Ground Investigation Location Plan	27 November 2023
RML2369 – TT RAMS.pdf	27 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 **5 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 **5 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 **5 days** prior to the commencement of the Licensed Activities.

3.2 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.

3.3 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@hmcg.gov.uk**.

3.4 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.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers, or any other person authorised by the Licensing Authority to inspect the Licensed activities 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 the authorised Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

Licence Number: RML2369

3.7 Accident or Emergency

3.8.2 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.

3.8.2 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 and any special conditions thereto is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority pursuant to condition 3.2; and
- The Masters of any vessels and transport managers responsible for the vehicles employed in the pursuance of this Licence whose details have been submitted to the Licensing Authority pursuant to condition 3.4.

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(s), contractor(s), sub-contractor(s) vessels

Licence Number: RML2369

or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

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 not 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 Coatings

The Licence Holder must ensure that any coatings/treatments used in carrying out the Licensed Activities are suitable for use in the marine environment and are used in accordance with best environmental practice.

3.17 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.

Licence Number: RML2369

3.18 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

3.19 Additional Notification Upon Completion

The Licence Holder must inform the Licensing Authority, of the location of all completed samples within **10 days** of completion of the work.

3.20 Sensitive Species

The Licence Holder must ensure that in the event of removal of any sensitive species designated by NRW under Schedule 7 of the Environment (Wales) Act 2016, no further removals occur at that location, or within **20 metres** of that location.

3.21 Removal Activity – Artefacts

The Licence Holder must ensure that any artefacts found during the Licensed Activities are reported through the Marine Portable Antiquities Scheme.

Licence Number: RML2369

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 Band 1 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 2.4 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 2.2;
 - (g) **"Licensed Area"** means the area within which Licensed Activities are authorised by this Licence as specified in section 2.3;
 - (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 paragraph 5;
 - (l) **"Marine Licence Application Form"** means the application form forming part of the application referred to in paragraph 1.1;
- "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;
- (m) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
 - (n) all co-ordinates shall be taken to be latitude and longitude decimal degree (WGS 84)

Licence Number: RML2369

(o) in the event of any discrepancy between the coordinates listed in paragraph 2.4 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 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: 03000 253500

Email: wfmccmpc@gov.wales

Appendix 1

