

## Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

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Licence Holder: Conwy County Borough  
Council

Conwy County Borough Council  
ERF  
Colwyn Bay  
Conwy  
LL28 7AZ

Station Road Tidal Flap Valve Replacement,  
Deganwy

Licence Number:  
CML2370

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## **Station Road Tidal Flap Valve Replacement, Deganwy**

**Marine Licence number: CML2370**

### **Introductory note**

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

The main features of the marine licence are as follows:

Maintenance works to change the existing flap valves to reduce flooding to the highway at Station Road, Deganwy. The existing flap valves are to be replaced with a Duck Bill valve system.

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

| <b>Status log of this marine licence</b> |                  |                                                     |
|------------------------------------------|------------------|-----------------------------------------------------|
| <b>Description</b>                       | <b>Date</b>      | <b>Comments</b>                                     |
| Application                              | 23 January 2024  | Application received and considered to be duly made |
| Date licence determined                  | 14 February 2024 | Determination date                                  |

Related Marine licences or applications under determination

**End of introductory note.**

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## BAND 1 MARINE LICENCE NUMBER CML2370

### 1 LICENCE DETAILS

#### 1.1 Band 1 Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2370** and duly made on **23 January 2024** 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 company set out below:

**Company name:** Conwy County Borough Council

**Address:** ERF, Colwyn Bay, Conwy, LL28 7AZ

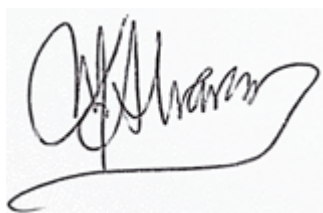
#### 1.3 Licence Validity

|                    |                  |
|--------------------|------------------|
| Licence Start Date | 15 February 2024 |
| Licence End Date   | 14 February 2025 |
| Licence Issue Date | 15 February 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 'Maria Alvarez', with a stylized flourish at the end.

**Maria Alvarez – Lead Specialist Officer (acting Marine Licensing Team Leader)**

For and on behalf of the Licensing Authority

## 2 LICENSED ACTIVITIES

### 2.1 Project

This licence is granted in respect of: Station Road Tidal Flap Valve Replacement, Deganwy. Maintenance works to change the existing flap valves to reduce flooding to the highway at Station Road, Deganwy. The existing flap valves are to be replaced with a Duck Bill valve system.

**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 sea bed
- Construction, alteration or improvement of works in or over the sea or on or under the sea bed

### 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:

#### Construction alteration or improvement activities

- Minor maintenance including, repairing, replacing or reasonably improving within the original design envelope, bolts, flaps, valves, cathodic protection, access covers, grills, joints, decking on a pier or pontoon, health and safety equipment or other ancillary equipment attached to existing structures

#### Beach Management

- Clearance/removal of beach material in and around outfalls

### 2.3 Licensed Area

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

| Latitude | Longitude |
|----------|-----------|
| 53.2938  | -3.8308   |
| 53.2935  | -3.8313   |
| 53.2946  | -3.8353   |
| 53.2949  | -3.8349   |
| 53.2940  | -3.8313   |

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

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| <b>Title/Description of Document</b>                        | <b>Date Submitted</b> |
|-------------------------------------------------------------|-----------------------|
| CML2370 - Application Form.pdf                              | 28 November 2023      |
| CML2370 - DOC 1 ERCF2310N T100 Station Road Location.pdf    | 28 November 2023      |
| CML2370 - DOC 2 ERCF2310N T500 Station Road Valve.pdf       | 28 November 2023      |
| CML2370 - MWT Flap Valve replacement - Method statement.pdf | 28 November 2023      |
| CML2370 - DOC 3 MCGA Correspondence.pdf                     | 28 November 2023      |
| CML2370 - DOC 4 TH Correspondence.pdf                       | 28 November 2023      |
| CML2370 - DOC 5 WAT Correspondence.pdf                      | 28 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 [zone31@hmcg.gov.uk](mailto:zone31@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.

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### **3.7 Notification of UK Hydrographic Office**

Where the Licensed Activities involve deposit or construction activities, the Licence Holder must notify the UK Hydrographic Office of the Licensed Area and the Licensed Activities within **5 days** of the completion of the Licensed Activities.

### **3.8 Accident or Emergency**

**3.8.1** 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.

**3.8.2** 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.

### **3.9 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.

### **3.10 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**

#### **3.11 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities**

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

**3.12 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.

**3.13 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****3.14 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****3.15 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**.

**3.16 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.

**3.17 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.

**3.18 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

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manmade debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

### **3.19 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**

#### **3.20 Removal Activity – Artefacts**

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

#### **3.21 Construction, Alteration or Improvement – Returning to Original Profile**

Except where the Licensed Activities authorise the profiling of any part of the Licensed Area, the Licence Holder must ensure the Licensed Area is returned to the original profile, or as close to the original profile as reasonably practicable, following the completion of the Licensed Activities.

### **Sensitive Area Conditions**

#### **3.22 Vehicular Access**

The Licence Holder must ensure that vehicular access across coastal habitats that form part of the interest features of a Sensitive Area, is not used unless specified in the Sensitive Area Method Statement.

#### **3.23 Equipment and Materials**

The Licence Holder must ensure that any equipment or materials used do not enter the marine environment within the interest features of a Sensitive Area, unless specified in the Sensitive Area Method Statement.

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#### **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;
- (m) **"MCZ"** means Marine Conservation Zone;
- (n) **"Ramsar site"** means a wetland site designated of international importance under the Ramsar Convention;
- (o) **"SAC"** means Special Area of Conservation;
- (p) **"Sensitive Area"** means any designated or proposed protected area (SPA, SAC, MCZ, SSSI or Ramsar site), or any other habitat identified by Natural Resources Wales as sensitive as at the date of this Licence;

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(q) “**Sensitive Area Method Statement**” means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;

(r) “**SPA**” means Special Protection Area;

(s) “**SSSI**” means Site of Special Scientific Interest;

(t) “**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;

(u) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;

(v) all co-ordinates shall be taken to be latitude and longitude decimal degree (WGS 84)

(w) 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](mailto: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](mailto:wfmccmpc@gov.wales)

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## Appendix 1

