

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: MPH Construction Limited

Company Number: 01141925

Bromfield House, Bromfield Industrial
Estate, Queens Lane, Mold, CH7 1XB

Sheet Pile Repairs to sea defence at Afon
Wen, Gwynedd

Licence Number:

CML2359

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Sheet pile repairs to sea defence at Afon Wen

Marine Licence number: CML2359

Introductory note

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

The main features of the marine licence are as follows.

Filling of void spaces with pumped concrete and reinstatement of approximately eight sheet piles using a piling hammer. Rock armour will then be installed in front of the piles to protect them from wave exposure.

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	27 November 2023	Application received and considered to be duly made
Date licence determined	18 April 2024	Determination date

Related marine licences or applications under determination

Not applicable.

End of introductory note.

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MARINE LICENCE, NUMBER CML2359

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2359** and duly made on 27 November 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 company set out below:

Company name: MPH Construction Limited

Company number: 01141925

Address: Bromfield House, Bromfield Industrial Estate, Queens Lane, Mold, CH7 1XB

1.3 Licence Validity

Licence Start Date	18 April 2024
Licence End Date	17 April 2025
Licence Issue Date	18 April 2024

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

Sheet pile repairs to sea defence at Afon Wen.

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

Sheet Pile Repairs	
Type of Licensed Activity	Deposit/Removal/Construction
Description	Repair to sea defence at Afon Wen, consisting of filling void spaces with pumped concrete and reinstatement of approximately eight sheet piles using a piling hammer. Rock armour will be installed in front of the piles.
Material types to be removed or deposited	Steel, concrete and rock
Quantities/Dimensions	Approximately 8 sheet piles will be installed. The rock armour will be 13m in length and extend 2.75m seaward of the emplaced sheet pile therefore, the total area of the rock armour will be 35.75m ² .

2.2 Licensed Area

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

Table 2 Coordinates

Latitude	Longitude
52.909624	-4.3093840
52.909665	-4.3091185
52.909571	-4.3093515
52.909603	-4.3090855

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

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2.3 Approved Supporting Documents

Title/Description of Document	Date Submitted
CML2359 - 1054_WAL_MPH - Band 2 Marine License_Application Form	18/10/2023
CML2359 - 273503-1250-1054_WAL_MPH - Map	18/10/2023
CML2359 - 23162B-FOG-001-A01 - Certificate of Approval in Principle and Design	18/10/2023
CML2359 - Afon Wen Seawall Defence Works_HRA	18/10/2023
CML2359 - afonwenseadefencewall12012023 - Monitoring Photos	18/10/2023
CML2359 - Coastal Asset Condition Survey Report_compressed (1)	18/10/2023
CML2359 - RE PA2302 Afon Wen - railway works - repairs	18/10/2023
CML2359 - 1054_WAL_MPH - WNMP Signposting Document_Completed	16/11/2023
CML2359 Confirmation that Coastal Squeeze Assessment not required	27/11/2023
CML2359 - JBA WFD Assessment_Afon Wen	15/03/2024
CML2359 - 23162B-001-B03 – Detailed Drawing	15/03/2024
CML2359 - 23162B-002-B03 – Detailed Drawing	15/03/2024
CML2359 - 2023s0781 Afon Wen Seawall Defence PEA	15/03/2024
CML2359 - Afon Wen Sheet Pile Methodology	03/04/2024

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 zone30@hmcg.gov.uk.

3.5 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.

3.6 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.

3.7 Notification of Completion

- 3.7.1** The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.
- 3.7.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.
- 3.7.3** A notification must be sent to The Source Data Receipt team, UK Hydrographic Office, (email: sdr@ukho.gov.uk) on completion of the licensed activities no later than 10 working days after their completion. The information provided must include: latitude and longitude coordinates in WGS84 (ETRS89) datum of the installed works on and/or above the seabed, any changes to engineering drawings, post dredge surveys, details of new or changed aids to navigation where applicable.

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 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.

3.10 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;

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- 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

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.

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 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 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.

3.18 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 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.

3.20 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.

3.20.3 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.

3.21 Silt Run Off

The Licence Holder must ensure that silt laden run off from construction, excavation, material storage areas (including excavated material storage), haul roads or any other associated activities is kept to a minimum.

3.22 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**.

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3.23 Re-suspension of Sediment

The Licence Holder must ensure that best practice is used to minimise re-suspension of sediment.

3.24 Rock Armour Footprint

The Licence Holder must ensure that the footprint of the rock armour does not extend in a seaward direction beyond 2.75m of the sheet piles.

3.25 Percussive Piling Soft-start Procedures

The Licence Holder must ensure that if percussive piling is used, soft-start procedures are used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration should be a period of no less than **20 minutes**. Should piling cease for a period greater than **10 minutes**, then the soft start procedure must be repeated.

3.26 Reporting of Artefacts

The Licence Holder must ensure that any artefacts accidentally recovered are retained and reported through the Marine Portable Antiquities Scheme.

3.27 Construction, Alteration or Improvement – Returning to Original Profile

The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of works.

3.28 Implement Actions Within a Document

The Licence Holder must implement any actions outlined in the Afon Wen Sheet Pile Methodology, submitted **03 April 2024** and detailed in section 2.3 as approved by the Licensing Authority. Any proposed changes to the actions outlined in the Afon Wen Sheet Pile Methodology must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

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 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

