

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Zoological Society of
London (ZSL)

Registered Charity Number: 208728

ZSL
Regent's Park
London
NW1 4RY

The Wild Oysters Project - Native Oyster
(*Ostrea edulis*) Habitat Restoration, Conwy
Bay

Licence Number: DEML2284

The Wild Oysters Project - Native Oyster Habitat Restoration, Conwy Bay

Marine Licence number: DEML2284

Introductory note

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

The main features of the marine licence are as follows:

Restoration of native oyster (*Ostrea edulis*) habitat in three areas offshore of Conwy, through the deployment of cultch onto the seabed and the deployment of native oysters. The three district areas are named Abbey, Bwrling and West Bwrling.

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	4 th January 2023	Application received and considered to be duly made
Date licence determined	06 April 2023	Determination date

End of introductory note.

Licence Number: DEML2284

MARINE LICENCE, NUMBER DEML2284

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **DEML2284** and duly made on **04 January 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: Zoological Society of London

Registered Charity Number: 208728

Address: Regent's Park, London, England NW1 4RY

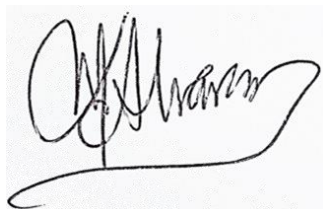
1.3 Licence Validity

Licence Start Date	06 April 2023
Licence End Date	05 December 2029
Licence Issue Date	06 April 2023

1.4 Conditions

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

Signed:



For and on behalf of the Licensing Authority

2 LICENSED ACTIVITIES

2.1 Project

The Wild Oysters Project - Native Oyster Habitat Restoration, Conwy Bay

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 Deposit of cultch	
Type of Licensed Activity	Deposit
Description	Laying of cultch (shells and stones) onto the seabed
Material types to be removed or deposited	Cultch material will consist of shells and local gravels. The shell material will contain molluscan shell including, but not limited to, cockle, blue mussel or scallop shell. The gravels will be of fluvial origin (land-based source).
Quantities/Dimensions	Up to 5,000m ³ of cultch
Activity 2 Post Deployment Monitoring – Grab Sampling	
Type of Licensed Activity	Removal
Description	Monitoring of the area will be undertaken following deployment. Grab samples will be used to ground truth multibeam surveys as well as track changes in particle size over the course of the project.
Material types to be removed or deposited	Seabed sediment within licenced areas
Quantities/Dimensions	The total sample volume across all samples is not to be more than 4 cubic metres and the density of grab samples should not exceed 100 samples within any one hectare.
Activity 3 Post Deployment Monitoring – Spat Collector Deployment	
Type of Licensed Activity	Deposit
Description	Spat collectors may be deployed, if deemed necessary, during the spring to monitor oyster recruitment. The spat collectors will remain in situ for at least 6 months before monitoring and with the option to overwinter in order to monitor overwinter growth and survival of spat.

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Material types to be removed or deposited	Spat collector
Quantities/Dimensions	Maximum of 2

2.2 Licensed Area

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

Table 2 Coordinates

Latitude	Longitude
Abbey	
53.3265318°N	-3.8798208°W
53.3255450°N	-3.8807460°W
53.3231957°N	-3.8745802°W
53.3242051°N	-3.8735596°W
Bwrling	
53.3089449°N	-3.8854331°W
53.3102238°N	-3.8860089°W
53.3111781°N	-3.8802965°W
53.3098956°N	-3.8796802°W
West Bwrling	
53.3148517°N	-3.8734793°W
53.3154556°N	-3.8756607°W
53.3111689°N	-3.8787716°W
53.3105959°N	-3.8765791°W

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

Table 3 Permitted Deposit Locations

Latitude	Longitude
Abbey	
53.3265318°N	-3.8798208°W
53.3255450°N	-3.8807460°W
53.3231957°N	-3.8745802°W
53.3242051°N	-3.8735596°W

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Bwrling	
53.3089449°N	-3.8854331°W
53.3102238°N	-3.8860089°W
53.3111781°N	-3.8802965°W
53.3098956°N	-3.8796802°W
West Bwrling	
53.3148517°N	-3.8734793°W
53.3154556°N	-3.8756607°W
53.3111689°N	-3.8787716°W
53.3105959°N	-3.8765791°W

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
DEML2284 Conwy Blue Wild Oyster Marine Licence Application Form v2 CLEAN	14 th December 2022
DEML2284 Appendix A Conwy Habitat Regulation Assessment V2.0 CLEAN	14th December 2022
DEML2284 ZSL_BLUE Wild Oysters Conwy Supporting Information Document v3.0 CLEAN	14th December 2022
DEML2284 Wild Oysters Project Biosecurity Plan	3 rd January 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.
- 3.1.4** 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.

3.2 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 **Zone31@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

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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.

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

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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, contractor, subcontractors 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 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

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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 Grab Samples – Sensitive Species

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

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 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 – DEML2284 Location

