



**Cyfoeth
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**Natural
Resources**
Wales

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Breedon Trading Limited

Company Number: 00156531

Breedon Group
Pinnacle House
Main Street
Breedon on the Hill
Derby
DE73 8AP

Aggregate Extraction at North Middle Ground (Area
455/459) and Bedwyn Sands

Licence Number: MMML2367

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Aggregate Extraction at North Middle Ground (Area 455/459) and Bedwyn Sands

Marine Licence number: MMML2367

Introductory note

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

The main features of the marine licence are as follows.

This licence permits dredging of up to a maximum of 2,250,000 tonnes from Bedwyn Sands and 3,750,000 tonnes from North Middle Ground (NMG) (Area 455/459) over the licence term of 15 years. The maximum annual extraction rates are 250,000 tonnes in total from NMG and 150,000 tonnes from Bedwyn Sands.

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

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
MMML1516v3	20 May 2024	Previous Bedwyn Sands Aggregate Licence due to cease dredging on 31 December 2024
MMML1605v3	07 February 2024	Previous North Middle Ground Aggregate Licence due to cease dredging on 31 December 2024

End of introductory note.

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MARINE LICENCE, NUMBER MMML2367

1 LICENCE DETAILS

1.1 Marine Licence

This is a Licence granted by the Licensing Authority in respect of an application numbered **MMML2367** and duly made on **22 November 2023** and authorises the licence holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009. 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: Breedon Trading Limited

Company number: 00156531

Address: Breedon Group, Pinnacle House, Main Street, Breedon on the Hill, Derby, DE73 8AP

1.3 Licence validity

Licence Start Date	01 January 2025
Licence End Date	31 December 2041
Licence Issue Date	18 October 2024
All dredging operations permitted under this Licence must cease by:	31 December 2039

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

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2 LICENSED ACTIVITIES

2.1 Project

This licence is granted in respect of aggregate dredging in North Middle Ground (Area 455/459) and Bedwyn Sands areas located within the Severn Estuary. Bedwyn Sands is approximately 2.8km North of Avonmouth and NMG is approximately 4km North of Portishead.

This licence permits dredging of up to a maximum of 2,250,000 tonnes from Bedwyn Sands and 3,750,000 tonnes from NMG (Area 455/459) over the licence term of 15 years. The maximum annual extraction rates are 150,000 tonnes from Bedwyn Sands and 250,000 tonnes in total from NMG.

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.

The removal from the seabed of marine aggregate and the removal of material from the seabed for sampling purposes as detailed in **Table 1** or for the purpose of compliance with condition **3.17**.

Table 1 Licensed Activities

Activity 1 Aggregate Dredging Extraction at NMG (Area 455/459)	
Type of Licensed Activity	Marine aggregate extraction
Description	The aggregate will be extracted by trailer suction hopper dredger within the Welsh water subarea of NMG (Area 455/459) as defined in Table 2.1. Cargo screening is permitted
Material types to be removed and/or deposited	Deposited: N/A Removed: Sand
Quantities	Breedon Trading Limited is licensed to dredge: <ul style="list-style-type: none">• A total of 3,750,000 tonnes from NMG (Area 455/459) over the duration of this licence as detailed in Table 2.1 and 2.2• The maximum annual extraction rate is 250,000 tonnes in total from NMG.• Where this licence commences on a date other than 01 January the maximum extraction for the first year must be calculated on a pro rata basis; and• Where the licence expires on a date other than 31 December the maximum extraction quantity for the

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	final year must also be calculated on a pro rata basis
Activity 2 Aggregate Dredging Extraction at Bedwyn Sands	
Type of Licensed Activity	Marine aggregate extraction
Description	The aggregate will be extracted by trailer suction hopper dredger Bedwyn Sands as defined in Table 2.1. Cargo screening is permitted
Material types to be removed and/or deposited	Deposited: N/A Removed: Sand
Quantities	Breedon Trading Limited is licensed to dredge: <ul style="list-style-type: none"> • A total of 2,250,000 tonnes from Bedwyn Sands over the duration of this licence as detailed in Table 2.1 and 2.2 • The maximum annual extraction rate is 150,000 tonnes from Bedwyn Sands. • Where this licence commences on a date other than 01 January the maximum extraction for the first year must be calculated on a pro rata basis; and • Where the licence expires on a date other than 31 December the maximum extraction quantity for the final year must also be calculated on a pro rata basis
Activity 3 Grab and Vibrocore sampling pursuant to condition 3.17	
Type of Licensed Activity	Removal of seabed samples will be via grab sampling or vibrocores.
Description	Removal of sediment samples using a grab or vibrocore
Material types to be removed and/or deposited	Removal: Sediment for sampling purposes Deposited: N/A
Quantities	Sediment samples will be removed using grabs and vibrocores in line with agreed methodology.
Activity 4 Removal of accidentally dropped objects pursuant to conditions 3.18	
Type of licensed activity	Removal
Description, material types and quantities/dimensions	As approved by the Licensing Authority under condition 3.18

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2.3 Licensed Area

The Licence Holder is authorised to conduct **Activity 1** described in **Table 1** the area bounded by the co-ordinates as specified in

The Licence Holder is authorised to conduct **Activity 2** described in **Table 1** the area bounded by the co-ordinates as specified in **Table 3** below:

Table below:

Table 2 Coordinates for permitted dredging at NMG

NMG (Area 455)	
51° 31.0000' N	2° 52.0000' W
51° 31.6000' N	2° 48.6000' W
51° 31.1460' N	2° 48.3282' W
51° 29.9040' N	2° 52.0000' W
NMG (Area 459)	
51° 31.0000' N	2° 52.0000' W
51° 30.0300' N	2° 52.0000' W
51° 30.0300' N	2° 54.0000' W
51° 31.0000' N	2° 54.0000' W

The Licence Holder is authorised to conduct **Activity 2** described in **Table 1** the area bounded by the co-ordinates as specified in **Table 3** below:

Table 3 Coordinates for permitted dredging at Bedwyn Sands

Latitude	Longitude
Bedwyn Sands	
51° 32.5938' N	2° 47.3922' W
51° 33.1392' N	2° 46.5366' W
51° 33.1596' N	2° 43.3524' W
51° 31.4274' N	2° 44.2500' W
51° 31.4352' N	2° 44.7084' W

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The Licence Holder is authorised to conduct **Activity 3** described in **Table 1** the area bounded by the co-ordinates as specified in **Table 3** below:

Table 2 **Coordinates for permitted sampling**

Grab and vibrocore sampling area	
Latitude	Longitude
51° 31.6008' N	2° 58.6290' W
51° 31.9476' N	2° 54.2958' W
51° 32.7369' N	2° 50.6898' W
51° 34.0488' N	2° 47.3058' W
51° 34.9536' N	2° 42.5514' W
51° 31.0620' N	2° 42.4908' W
51° 28.9008' N	2° 51.8634' W
51° 28.8486' N	2° 58.5702' W

No dredging is permitted within the coordinates detailed in **Table 3** unless **Condition 3.19** has been complied with and approved in writing by the Licensing Authority. The Licensing Authority may also provide updated coordinates for the Restricted Dredge Zone.

Table 3 **Coordinates for Restricted Dredge Zones**

Restricted dredge zones in Area Bedwyn Sands	
Latitude	Longitude
51° 32.5938' N	2° 47.3922' W
51° 33.1392' N	2° 46.5366' W
51° 33.1596' N	2° 43.3524' W
51° 32.6196' N	2° 43.6320' W
Restricted dredge zones in NMG (Area 455/459)	
Latitude	Longitude
51° 31.0000' N	2° 54.0000' W
51° 30.4200' N	2° 54.0000' W
51° 30.6000' N	2° 52.9200' W

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51° 31.0000' N	2° 52.0800' W
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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
MMML2367_Application_28Nov2023	28 November 2023
MMML2367 R3836_Final_07Nov2022	12 January 2024
MMML2367 R4241_Final_02Nov2023	17 November 2023
MMML2367 R4339_Final_02Nov2023	17 November 2023
MMML2367_Further_Clarification_Comments_Log_17Apr2024	17 April 2024

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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) and The Crown Estate 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 Commencement to be within 5 years of issue of Licence

Notification of commencement of first dredging operation under condition **3.1** must be received within **5 years** of the date of this Licence. If no notification is received within **5 years**, this licence shall be void.

3.3 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.

3.4 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.

3.5 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**.

3.6 Notification of UK Hydrographic Office

The Licence Holder must notify the UK Hydrographic Office of the timetable of dredging operations, within **5 working days** of the commencement of dredging, to permit the promulgation of maritime safety information and updating of nautical charts and publications where necessary.

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3.7 Inspection of Activity

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.

3.8 Cessation of dredging operations

3.8.1 All dredging operations permitted under this licence must cease no later than **31 December 2039**.

3.8.2 The Licence Holder must cease all dredging activity when instructed by the Licensing Authority.

3.9 Notification of Completion

3.9.1 The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.

3.9.2 The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) and The Crown Estate within **10 days** of completion of the Licensed Activities.

3.10 Accident or Emergency

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.

3.11 Distribution of copies of this licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- i. All agent(s), contractor(s) and subcontractor(s) whose names have been provided to the Licensing Authority pursuant to condition **3.4**; and
- ii. The Masters of any vessels employed in the pursuance of this Licence whose details have been submitted to the Licensing Authority pursuant to condition **3.3**.

3.12 Inspection of documents

Copies of this Licence shall be made available at the following locations:

- i. at the address of the Licence Holder specified in paragraph **1.2**;
- ii. 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;
- iii. on board each vessel or vehicle carrying out Licensed Activities.

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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.

Pollution control

3.13 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**.

3.14 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.

3.15 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.

3.16 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.

Additional Permitted Activity

3.17 Permitted Sampling

The Licence Holder is permitted to undertake the following sampling within and around the Licence Area (as detailed in **Table 2**), in accordance with the agreed specification under condition **3.20**, **3.50** and **3.62**:

- i. benthic grab samples using Hamon grab or similar apparatus;
- ii. sediment samples using clamshell grab or similar apparatus; and
- iii. vibrocores using a vibrocorer.

3.18 Dropped Objects

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

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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.

Pre-operation requirements

3.19 Prior approval in relation to Restricted Dredge Zone

The Licence Holder is not permitted to undertake dredging operations within the co-ordinates detailed in **Table 3** until a pre-dredge monitoring report is submitted to and approved in writing by the Licensing Authority in line with conditions **3.20** and **3.23**.

3.20 Pre-dredge monitoring survey specifications

3.20.1 The Licence Holder must ensure that a specification for the pre-dredge monitoring surveys to meet requirements of condition **3.22** is submitted to, and approved in writing, by the Licensing Authority, **at least 8 weeks** before surveys are due to commence, unless otherwise agreed by the Licensing Authority.

3.20.2 Copies of the approved specification, and of any approved changes to it should be provided to the Licensing Authority within **10 working days** of approval having been received.

3.21 Pre-dredge monitoring report

The Licence Holder must submit a full report on the pre-dredge survey to the Licensing Authority for written approval within **9 months** of the completing of the final pre-dredge survey. All future monitoring reports should be compared to the results of the final pre-dredge survey report.

3.22 Contents of pre-dredge survey report

3.22.1 The pre-dredge survey report must include provision for the following surveys to cover the marine licence area listed in

3.22.2 The Licence Holder is authorised to conduct **Activity 2** described in **Table 1** the area bounded by the co-ordinates as specified in **Table 3** below:

3.22.3 Table and **Table 3** and reference sites/surrounding areas as specified below and in line with the pre-dredge surveys specifications as required by condition **3.20**. The specifications for such surveys must include the following detail:

- i. Bathymetry
- ii. Seabed Features
- iii. Resource Assessment
- iv. Seabed Sediment Sampling

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- v. Benthic Ecology
- vi. Sensitive Habitats and/or Species
- vii. Archaeology
- viii. Sandeel Habitat

3.22.4 The Licence Holder must ensure that the baseline survey is carried out in line with the latest version of the Regional Seabed Monitoring Plan (RSMP) Protocol for Sample Collection and Processing.

3.22.5 Survey results must be submitted to the Centre for Environment Fisheries and Aquaculture Science (Cefas) and the Licensing Authority.

3.22.6 Pre-dredge survey must be carried out **within year 1** of the start date of the Licence.

3.23 Exclusion Zone report

The Licence Holder must submit an Exclusion Zone report to the Licensing Authority for written approval at least **8 weeks** prior to commencement of any dredging activity outside of the Restricted Dredge Zone (**Table 3**). No dredging outside of the Restricted Dredge Zone may be undertaken without prior to written agreement from the Licensing Authority. The report must include details of the following:

- i. Charts or information detailing the location of known cable and pipelines present in or near the licence area;
- ii. Isopachyte charts detailing the location of areas where resource thickness is **0.5m** or less over **250m** by **250m** grid centred on **125m** nodes;
- iii. Charts detailing the location of known sensitive nature conservation features;
- iv. Charts or information detailing known features of archaeological interest;
- v. Details of Exclusion Zones relating to any of the features listed in (i) to (iv).

3.24 Biosecurity Plan Implementation

The Licence Holder must conduct all activities in line with the BMAPA 2018 Regional Biosecurity Plan Bristol Channel (and Celtic Sea) Region and condition **3.33** and **3.34**.

3.25 Archaeological mitigation Plan

The Licence Holder must review the geophysical data in the pre-dredge monitoring report (condition **3.21**) and submit an updated archaeological baseline to the Licensing Authority for written approval at least **8 weeks** prior to the commencement of dredging outside of the Exclusion Zone (**Table 3**).

3.26 Prohibition on dredging until pre-approval conditions discharged

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The Licence Holder must ensure that no dredging activity takes place until conditions **3.21**, **3.23** and **3.25** have been discharged in writing by the Licensing Authority.

3.27 Implementation and variation of approved Plans

The Licence Holder must ensure that any actions outlined in the documents detailed in conditions **3.23**, **3.24** and **3.25** are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to and agreed in writing by the Licensing Authority prior to any changes being enacted.

3.28 Prohibition on dredging until navigational marking information obtained

The Licence Holder must ensure that no dredging shall take place until the Licence Holder has obtained information from Trinity House or the relevant Lighthouse Authority on navigational marks in the area. Damage must not be caused to such marks, nor shall they be removed. The Licence Holder will be liable for any expense arising from damage to or movement of such marks.

Benthic Grab Sampling

3.29 Benthic Grab Samples - additional notification upon completion

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

3.30 Benthic Grab Samples - sensitive species/habitats

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

Operational Requirements

3.31 Notified contractors and vehicles only to carry out Licensed Activities

Only those agents, contractors, subcontractors and vessels whose details have been notified to the Licensing Authority (as stated in condition **3.3** and **3.4**) may operate under the terms of this Licence.

3.32 Dredging methods

All dredging in the Licenced Area must be carried out by trailer suction hopper dredging. On-board screening is permitted under this licence.

3.33 Hopper washing

The Licence Holder is permitted to undertake 'hopper washing', where necessary, to remove small amounts of residual material (less than 50m³) that remain in the hopper prior to vessel maintenance or extraction of a different grade of cargo, where the hopper washing activity

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meets the requirements of the biosecurity plan referenced in condition **3.24**. This material may be deposited within the Licensed Area, subject to condition **3.34**.

3.34 Restriction on locations of hopper washing

Hopper washing must not take place within any Exclusion Zones implemented to protect archaeological or nature conservation features identified in condition **3.23** and **3.44**. The release of any material and/or residues is only permitted within an aggregate extraction area for which the Licence Holder holds a valid marine licence.

3.35 EMS requirements

The Licence Holder must ensure that all dredgers operating in the licence area are fitted with a functional and operational Electronic Monitoring System (EMS) approved by the Crown Estate and the Licensing Authority.

3.36 Retention of aggregate substrate

The Licence Holder must ensure that no dredging occur in areas of resource **0.5m** or less measured over a **250m** by **250m** grid centred on **125m** nodes.

Archaeology

3.37 Recording of archaeological finds

The Licence Holder must ensure that any items of archaeological and/or military interest identified and retrieved from dredged material as it is processed ashore must be recorded and reported according to the procedures set out in the 'Protocol for Reporting Finds of Archaeological Interest' (BMAPA and English Heritage 2005). Cadw and the relevant Welsh Archaeological Trust must also be notified of these finds.

3.38 Reporting of wrecks

The Licence Holder must ensure that any previously unreported wrecks (vessel or aircraft) or other sites of archaeological interest identified within the marine licence area, have an Exclusion Zone implemented around them in accordance with the procedures set out in the 'Protocol for Reporting Finds of Archaeological Interest' (BMAPA and English Heritage 2005). This location must also be reported to the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW).

Navigation

3.39 Navigation Charts

The Licence Holder must ensure that all dredging vessels carry up to date editions of the relevant Admiralty Charts (or approved electronic equivalent).

3.40 Navigational Safety during Dredging Operations

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The Licence Holder must ensure that the common measures procedures set out in the “Guide to Good Practice for Ensuring Navigational Safety during Dredging Operations” (BMAPA, the Maritime and Coastguard Agency and Trinity House 2012) are abided by.

3.41 Debris left on the seabed

The Licence Holder must ensure that the position of any item of debris relating to the licensed activity left on the seabed is reported to the UK Hydrographic Office within **30 days**. The Licence Holder must ensure that the position and nature of the debris is disseminated via the Kingfisher bulletin service at the earliest opportunity. The Licence Holder may remove such debris as described in condition **3.18**.

Exclusion zones

3.42 Notification of exclusion zones

The coordinates of any Exclusion Zones must be provided in writing to the Licensing Authority and The Crown Estate within **5 working days** of its implementation.

3.43 No dredging within Exclusion Zones

The Licence Holder must ensure that no dredging takes place within any Exclusion Zones without prior written approval from the Licensing Authority.

3.44 Modifications to exclusion zones

Variations to any Exclusion Zones must be approved by in writing by the Licensing Authority before being implemented. Approved changes must be notified to The Crown Estate within **5 days** of its approval.

Reporting of Extraction Rate

3.45 Reporting of annual extraction for Bedwyn Sands

The Licence Holder must on an annual basis, from the commencement of dredging and for the duration of the Licence:

- i. Provide annual returns to the Licensing Authority, no later than **31 January**, in writing of the amount of material landed from Bedwyn Sands, in both tonnes and m³ (wet weight / as dredged) for the preceding calendar year, including the total extracted amount over the lifetime of the licence;
- ii. Provide the conversion factor applied.

3.46 Reporting of annual extraction for NMG (Area 455/459)

The Licence Holder must on an annual basis, from the commencement of dredging and for the duration of the Licence:

- i. Provide annual returns to the Licensing Authority, no later than **31 January**, in writing of the amount of material landed from NMG (Area 455/459), in both

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tonnes and m³ (wet weight / as dredged) for the preceding calendar year, including the total extracted amount over the lifetime of the licence;

- ii. Provide the conversion factor applied.

3.47 Reporting of errors in returns

The Licence Holder must notify and submit a correction to the Licensing Authority if it becomes apparent that the submitted return specified in condition **3.45** and **3.46** contains an error, within **5 days** of the error being identified.

Operational Stage Monitoring Programme

3.48 Site specific monitoring plan

The Licence Holder must submit a site-specific monitoring plan, in line with the latest version of the Regional Seabed Monitoring Plan (RSMP) Protocol for Sample Collection and Processing for written approval by the Licensing Authority within **4 months** of the commencement of **Licensed Activity 1 and 2**, unless otherwise agreed by the Licensing Authority

3.49 Monitoring schedule

The monitoring plan referenced in condition **3.48** must include a timetable for the individual monitoring surveys, which are to be undertaken during the first **5 years** from the commencement of dredging.

3.50 Subsequent monitoring plans

The Licence Holder must submit subsequent monitoring plans to the Licensing Authority following the completion of the substantive reviews as required by condition **3.58**, within **6 months** of the discharge of condition **3.58**, unless previously agreed with the licensing authority.

3.51 Implementation of monitoring plan

The Licence Holder must ensure that the monitoring programme is implemented in accordance with the approved specification as required by condition **3.48**. The programme must be maintained throughout the period in which dredging is carried out.

3.52 Changes to monitoring plan

Any changes to the approved monitoring scheme must be:

- i. When instigated by the Licence Holder, submitted to the Licensing Authority, for approval no later than **8 weeks** before the revised monitoring programme is due to start.
- ii. Implemented as approved.

3.53 Comparability with pre-dredge survey

The Licence Holder must ensure that all monitoring surveys are of a comparable specification to the pre-dredge survey, in line with the latest version of the RSMP Protocol for Sample Collection and Processing and as agreed in the site-specific monitoring plan as required by condition **3.48**, unless previously agreed with the Licensing Authority.

3.54 Comparison to pre-dredge report

The Licence Holder must ensure that all survey reports shall provide a comparison with the final report of the pre-dredge survey results described in condition **3.22**.

3.55 Timescale for submission

The Licence Holder must ensure that all monitoring reports are submitted to the Licensing Authority for written approval within **9 months** of the completion of the monitoring surveys.

3.56 Inclusion of maps in monitoring reports

The Licence Holder must ensure that all monitoring reports include a map of the licenced areas clearly indicating the dredge intensity (EMS plots) along with figure for the total area dredged during the preceding **12 months**.

Reviews of the Dredging Operations

3.57 Annual Compliance Report

The Licence Holder must produce a report on compliance with the conditions to which this Marine Licence is subject, including a summary of the monitoring undertaken. The Licence Holder must submit copies of the report to the Licensing Authority, within **3 months** of the end of each 12-month period following the date of commencement of dredging.

3.58 Substantive review of operations

The Licence Holder must submit a substantive review of the dredging operations that have taken place under the Marine Licence to the Licensing Authority within **9 months** of the start of **year 5 and year 10**, following the commencement of dredging within the Licensed Area, unless previously agreed otherwise with the Licensing Authority. The report must summarise the results of all monitoring undertaken as required by condition **3.51** and detail:

- i. The impact of dredging operations on the marine environment;
- ii. The effectiveness of the conditions imposed on the dredging operations and recommending any variations to the dredging operations as may be necessary to protect the environment; and
- iii. Any recommendations of variations to the monitoring programme as may be necessary to ensure that effective environmental monitoring of the dredging is maintained.

3.59 Recommendations arising from monitoring reports

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The Licence Holder must ensure that any recommendations on amendments to licensed operations arising from monitoring survey reports that have been approved by the Licensing Authority are adhered to.

Post-Dredge Monitoring Programme

3.60 Post-dredge monitoring specification

The Licence Holder must ensure that a specification for post-dredge monitoring is submitted to the Licensing Authority for written approval at least **8 weeks** prior to the cessation of dredging.

3.61 Implementation of post dredge monitoring

The Licence Holder must ensure that the post-dredge monitoring programme is implemented in accordance with the approved specification within **12 months** from the cessation of the dredging.

3.62 Changes to monitoring scheme

The Licence Holder must ensure that any changes to the approved monitoring scheme must be submitted to the Licensing Authority for approval no later than **8 weeks** before the revised monitoring programme is due to start. Any changes must be implemented as approved.

3.63 Post-dredge monitoring report

The Licence Holder must submit a post-dredge monitoring report to the Licensing Authority, within **18 months** of cessation of dredging. The post-dredge monitoring report must include:

- i. A report describing the condition of the seabed within the Licence Area following the cessation of dredging. The report must ensure that an assessment is made of the need for further post-dredge monitoring of the Licence Area.
- ii. Appropriate evidence demonstrating that there have been no adverse impacts on the relevant environmental indicators, as identified in the pre-dredge survey report.
- iii. If this evidence cannot be provided then the report will detail recommendations of actions, which must be undertaken to ensure the remediation of any adverse impacts on the seabed sediment environment.

3.64 Compatibility with pre-dredge survey

The Licence Holder must ensure that all monitoring surveys are comparable to the pre-dredge survey, in line with the latest version of the RSMP Protocol for Sample Collection and Processing and as agreed in the post-dredging monitoring specifications as required by condition **3.63** unless previously agreed with the Licensing Authority.

3.65 Seabed sediment condition after cessation of dredging

The Licence Holder must ensure that upon cessation of dredging the sediment substrate must be of a similar grading to the conditions that existed before dredging commenced with due allowance being made for natural sediment movements.

3.66 Scheme for remedial work

In the event that the Licensing Authority determines that remedial work is required, the Licence Holder must ensure a scheme for remedial works is prepared and submitted to the Licensing Authority for written approval within **3 months** from the date of submission of the Post-dredge monitoring reporting as required by condition **3.63**.

3.67 Implementation of scheme for remedial work

Where required by the Licensing Authority, the Licence Holder must ensure that the scheme referenced in condition **3.67** is implemented as approved.

3.68 Bathymetric survey reports

The Licence Holder must ensure that copies of the approved depth data and associated reports from the bathymetric surveys are provided to the UK Hydrographic Office in digital form within **30 days** of approval.

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

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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
Welsh Government Offices
Cathays Park
King Edward VII Avenue
Cardiff
CF10 3NQ
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: MarineLicensingEnforcement@gov.wales

Appendix 1

