

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: **Swansea Council**

**Civic Centre
Oystermouth Road
Swansea
SA1 3SN**

**Maintenance Dredging at Swansea Yacht
and Sub Aqua Club (SYSAC) Marina**

Licence Number:

DML2448

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Maintenance Dredging at Swansea Yacht and Sub Aqua Club (SYSAC) Marina

Marine Licence number: DML2448

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 Dredging at Swansea Yacht and Sub Aqua Club (SYSAC) Marina by injection dredging between the Tawe Barrage and the Sail Bridge walkway.

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	07 August 2024	Application received and considered to be duly made
Date licence determined	25 November 2024	Determination date

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
DML2042v2	07 December 2024	Water injection dredging of the SYSAC Marina to maintain navigable depth. Expired 31 March 2024
DML1639v1	08 January 2019	Variation to Marine Licence DML1639 Licence condition 8.8 amended to allow dredging for a maximum of five hours between 1 hour before HW and 1 hour before LW. Expired 03 November 2019
DML1639	04 January 2016	Water injection dredging of the SYSAC Marina to maintain navigable depth. Superseded by DML1639v1 on 08 January 2019
12/24/ML/1	12 November 2012	Water injection dredging of the SYSAC Marina to maintain navigable depth. Expired 28 February 2015

End of introductory note.

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MARINE LICENCE, NUMBER DML2448

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **DML2448** and duly made on **07 August 2024** 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, (2009 Act). This licence should be interpreted in accordance with **Section** Error! Reference source not found..

1.2 Licence Holder

The Licence Holder is the person or organisation set out below:

Organisation name: Swansea Council

Address: Civic Centre, Oystermouth Road, Swansea, SA1 3SN

1.3 Licence Validity

Licence Start Date	25 November 2024
Licence End Date	24 November 2027
Licence Issue Date	25 November 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

Maintenance Dredging at Swansea Yacht and Sub Aqua Club (SYSAC) Marina

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 Dredge Activities

Activity 1 Dredging to restore the required navigational depths within Swansea SYSAC Marina zones on the River Tawe.			
Marine Licensable Activity Type	Dredging		
Description	Maintenance dredging of the Swansea Yacht and Sub Aqua Club (SYSAC) Marina zones using water injection dredging method. The average physical depth of material to be removed is 0.5m. Target depths to Primary Wear Crest level (PWC) and conversions to Ordnance Datum Newlyn (ODN) and Chart Datum (CD) as provided by the Licence Holder are presented below. On spring tides, dredging may start up to 1 hour before high water and end at low water, for a maximum duration of 5 hours. During neap tides, dredging can occur for up to 12 hours a day.		
Maximum Dredge Depth	The dredge depth is defined to: - an average depth of material removed of 0.5m (range between 0.1m and 0.9m); - an average CD of +4.51m (range between +3.51m to +5.51m); - an average PWC of -3.5m (range between -2.5m and -4.5m); and - an average ODN of -0.49m (range between +0.51m to -1.49m).		
Maximum Dredge volume and tonnage	Sampled Specific Gravity: 1.3 t/m ³	m ³ per campaign: 17,000m ³ every two years	Tonnage: 22,100 Tonnes every two years
Material Type	Silt / clay		

Activity 2 Removal of accidentally dropped objects pursuant to condition 3.13	
Type of Licensed Activity	Removal
Description, material types and quantities/dimensions	As approved by the Licensing Authority under condition 3.13

2.2 Licensed Area

The Licence Holder is authorised to conduct the dredging activities described in Table 1 bounded by the coordinates specified in Table 2 and as indicated in the plan attached at Appendix 1:

Table 2 Coordinates for dredging in Swansea Yacht and Sub Aqua Club (SYSAC) Marina

Latitude	Longitude
51 37.021	-003 55.752
51 36.988	-003 55.824
51 36.981	-003 55.842
51 36.971	-003 55.864
51 36.999	-003 55.926
51 37.012	-003 55.913
51 37.015	-003 55.923
51 37.014	-003 55.932
51 37.005	-003 56.000
51 37.014	-003 56.004
51 37.025	-003 55.935
51 37.028	-003 55.931
51 37.072	-003 56.005
51 37.079	-003 56.030
51 37.086	-003 56.021
51 37.113	-003 56.048
51 37.118	-003 56.041
51 37.144	-003 56.040
51 37.151	-003 55.981
51 37.166	-003 55.924
51 37.124	-003 55.876
51 37.115	-003 55.882
51 37.101	-003 55.866
51 37.102	-003 55.850

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
DML2448 - Swansea SYSAC Marine License Application Form	19 August 2024
DML2448 - Copy of 2024 Swansea SYSAC Marine Surface Sediment Sample Analysis - MAR02295v2	19 August 2024
DML2448 - Copy of Swansea SYSAC WNMP Signposting Document 2024	19 August 2024
DML2448 - Section 12 - Areas to be Dredged Additional Page	19 August 2024
DML2448 - Section 16 - Alternative Means of Disposal Additional Page	19 August 2024
DML2448 2024 Swansea Water Framework Assessment version 2	23 October 2024
DML2448 eng-marine-inns-biosecurity-ra-and-management-plan	20 October 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.
- 3.1.4 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 zone27@hmcg.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

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

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

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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

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 Implementation of Biosecurity Risk Assessment

The Licence Holder must implement the Biosecurity Risk Assessment dated 20 October 2024, which must be available for inspection at all reasonable times at the locations detailed in section 1.2 by the Licensing Authority and/or Marine Enforcement Officers.

3.19 Dredging Timing Restrictions

3.19.1 The Licence Holder must ensure that no Licensed Activities take place between **01 March** and **30 November** inclusive, without prior written approval from the Licensing Authority.

3.19.2 The Licence Holder must ensure that on spring tides, Licensed Activities are only undertaken for a maximum duration of five hours and between 1 hour before high water and low water. During neap tide periods there are no tidal state restrictions on the Licensed Activities.

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
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: MarineLicencingEnforcement@gov.wales

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Appendix 1

