

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Lubrizol

Company Number 02982784

Lubrizol Limited,
Nether Lane,
Hazelwood,
Derby,
DE56 4AN

**Diffuser Replacement and Enhancement
Project, near the Port of Mostyn**

Licence Number:

CML1958

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**Diffuser Replacement and Enhancement Project,
near the Port of Mostyn
Marine Licence number: CML1958**

Introductory note

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

The main features of the marine licence are as follows.

Diffuser Replacement and Enhancement Project, near the Port of Mostyn.

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	Duly made 20/01/2020	Application received and considered to be duly made
Date licence determined	18/05/2020	Determination date

Related marine licences or applications under determination

Not Applicable.

End of introductory note.

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MARINE LICENCE, NUMBER: CML1958

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML1958** and duly made on 20/01/2020 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 4**.

1.2 Licence Holder

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

Person/Company/Organisation name: Lubrizol

Company number (if available): 02982784

Address: Lubrizol Limited, Nether Lane, Hazelwood, Derby, DE56 4AN

1.3 Licence Validity

Licence Start Date	18/05/2020
Licence End Date	18/05/2021
Licence Issue Date	18/05/2020

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

Diffuser Replacement and Enhancement Project, near the Port of Mostyn.

Breakout of existing concrete, installation of HDPE (or similar) sleeve, installation of formwork, casting of headwall using pumped concrete, installation of diffuser manifold, diffuser and steel support.

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 - Activities authorised under this Marine Licence

<i>Installation of new bespoke diffusers onto the existing pipe</i>	
Type of Licensed Activity	Deposit/Removal/Construction,
Description	• Breakout existing concrete surround protecting existing pipe using pneumatic breaker from the shore, remove spoil away from the work area; • Install HDPE (or similar) sleeve onto existing pipe; • Install dowels and formwork into existing concrete, cast headwall 300mm thick using quickset concrete, remove formwork; • Install preconstructed diffuser manifold and diffusers into headwall via bolts and install steel support; and • Snagging and final fix checks.
Material types to be removed or deposited	• Concrete; • HDPE sleeve; • Iron / Steel; and • Formwork (temporary deposit).
Quantities / Dimensions	• ~2m³ quickset concrete; • Diffuser manifold 1m long, 2m wide; • Stainless steel 300mm diameter; • 8 no. dowels; and • 1 no. HDPE sleeve.
Removal of accidentally dropped objects pursuant to condition 3.21	
Type of Licensed Activity	Removal
Description, material types and quantities/dimensions	As approved by the Licensing Authority under condition 3.21

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of the Port of Mostyn between/bounded by the following OSGB36 coordinates in Table 2:

Table 2 – OSGB36 coordinates

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1. Eastings	2. Northings
316201.9656	380888.4377
316203.6215	380886.8128
316202.1185	380885.2810
316200.4625	380886.9059

As indicated on the plan submitted with the Approved Application (24-01-14.D04 – Proposed Area of Work Coordinates_Rev 1) and attached at Appendix 1.

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

Table 3 – Supporting Documents Information

Title/Description of Document	Date	Version No.
<u>24-01-14.D04 – Proposed Area of Work Coordinates REV1</u> <i>Plan showing Licensed Area</i>	21/01/2020	Rev1
<u>24-01-14.D02 – Proposed Outfall REV2</u> <i>Design drawing</i>	06/01/2020	Rev2
<u>Water Framework Directive Risk Assessment KE</u> <i>WFD risk assessment, incorporating detailed method statement and mitigation measures.</i>	20/01/2020	Rev1

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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 and authorised Marine Enforcement Officers 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 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 vehicles utilised to undertake the Works are submitted to the Licensing Authority and Marine Enforcement Officers 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 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 prior to commencement by contacting The National Maritime Operations Centre at nmoccontroller@hmcg.gov.uk.

3.5 Inspection of Works

The Licence Holder must allow officers of the Maritime and Coastguard Agency, Marine Enforcement Officer or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

3.6 Notification of Completion

The Licence Holder must notify the Licensing Authority and authorised Marine Enforcement Officers within **10 days** of completion of the Licensed Activities.

3.7 Force Majeure

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.

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3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this licence, and any subsequent revisions or amendments thereto is given to:

- All agents, contractors and subcontractors whose names have been provided to the Licensing Authority pursuant to condition 3.3; and
- Transport managers responsible for the vehicles employed in the pursuance of this licence whose details have been submitted to the Licensing Authority pursuant to condition 3.2.

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 vehicle or at the office of any transport manager with responsibility for vehicles from which any deposits of materials authorised by this licence are to be made.

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 this paragraph.

Plant and Equipment

3.10 Notified Contractors only to Carry out Licensed Activities

Only those agents, contractors or subcontractors 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

The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore.

Safety

3.12 Safety of Works

The Licence Holder must ensure that the Works are maintained in a safe condition that does not represent a danger to the environment, or other marine users, at all times.

3.13 Removal of Deposited Material

The Licence Holder must remove any deposited material within one month of notice being given by Licensing Authority or Marine Enforcement Officers if they consider this necessary or advisable for the safety of navigation, and not shall not replace such material until the Licensing Authority or Marine Enforcement Officers have given their written approval.

3.14 Government Assistance

If, in the opinion of the Licensing Authority or Marine Enforcement Officers, the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the Licensed Activities or to deal with any emergency arising from the drifting or wreck of the Works, the Licence Holder will be liable for any expense incurred in securing such assistance.

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 ensure bunding, storage facilities and spill kits are employed where appropriate to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment.

3.17 Coatings

The Licence Holder must ensure that any coatings/treatments used in carrying out the Licensed Activities are suitable for use in the marine environment and are used in accordance with best environmental practice.

3.18 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine area. 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 Works must cease immediately.

3.19 Biosecurity

The Licence Holder must ensure all equipment, materials, machinery and Personal Protective Equipment used as part of the Licensed Activities are in a clean condition prior to their arrival at and subsequent departure from the Licensed Area to minimise risk of introducing non-native species into the marine environment.

3.20 Dropped Objects

Should it be necessary for the Licence Holder to recover or remove from the Licensed Area any equipment, plant or machinery accidentally dropped when undertaking the Licensed Activities, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

Activity-specific Conditions

3.21 Management of 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 Use of Concrete

The Licence Holder must ensure that no waste concrete slurry or wash water from concrete or cement works 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 run-off entering a watercourse.

3.23 Adherence to mitigation measures

The Licence Holder must ensure that mitigation measures as outlined in the Water Framework Directive Risk Assessment are implemented. Any proposed changes to the measures outlined in the document must be submitted to, and agreed in writing by, NRW acting on behalf of the Licensing Authority prior to commencement of activity.

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 2.2;
- (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;

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- (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 eastings and northings measured in metres (OSGB36);
- (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

Email: marinelicensing@naturalresourceswales.gov.uk

Marine Enforcement Officers may be contacted at:

Welsh Government
Suite 3
Cedar Court
Haven's Head Business Park
Milford Haven Pembrokeshire
SA73 3LS

Tel: 03000 253500

Email: MilfordHavenFisheriesOffice@gov.wales

Appendix 1

