

Licence Number: RML2028



**Cyfoeth
Naturiol**
Cymru
**Natural
Resources**
Wales

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Offshore Wind Consultants Limited

Company Number: 07861245

1st Floor Chilworth Point
1 Chilworth Road
Southampton
Hampshire
SO16 7JQ

Sediment grab samples from the additional proposed cable route off the coast of Pembrokeshire.

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Sediment grab samples from the additional proposed cable route off the coast of Pembrokeshire.

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Introductory note

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

The main features of the marine licence are as follows:

A maximum of 56 sediment grab samples for macrofaunal and physico-chemical analysis from the additional proposed cable route of Project Erebus off the coast of Pembrokeshire.

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 25/06/2020	Application received and considered to be duly made
Date licence determined	31/07/2020	Determination date

Related Marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
RML2024	10 June 2020	Marine licence for collecting a maximum of 308 sediment grab samples in the proposed footprint of Project Erebus at Sawdern Point, West Angle Bay, Freshwater West A and B, and off the coast of Pembrokeshire. RML2024 superceded Licence RML2015 in its entirety.
RML2015	29 April 2020	Marine licence for collecting a maximum of 308 sediment grab samples in the proposed footprint of Project Erebus at West Angle Bay, Angle Bay and Freshwater West A and B.

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End of introductory note.

BAND 1 MARINE LICENCE NUMBER RML2028

1 LICENCE DETAILS

1.1 Band 1 Licence

This is a licence granted by the Licensing Authority in respect of an application numbered RML2028 and duly made on 25 June 2020 and authorises the Licence Holder to carry on activities for which a licence is required under Part 4 of the 2009 Act and falling within Band 1 of Schedule 1 of the Marine Licensing (Fees) (Wales) Regulations 2017/280. 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: Offshore Wind Consultants Limited

Company number: 07861245

Address: 1st Floor, Chilworth Point, 1 Chilworth Road, Southampton, Hampshire, S016 7JQ

1.3 Licence Validity

Licence Start Date	31 July 2020
Licence End Date	14 October 2020
Licence Issue Date	31 July 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

This licence is granted in respect of:

A maximum of 56 sediment grab samples for macrofaunal and physico-chemical analysis from the additional proposed cable route of Project Erebus off the coast of Pembrokeshire.

The Licensed Activities permitted by this licence, as set out in 2.2 below, comprise activities of the following general type:

- The removal of a substance or object from the sea bed.

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:

- A maximum of 56 sediment grab samples where the total sample volume across all samples, including those taken under Marine Licence RML2024, is no more than 4 cubic metres. The density of grab samples should not exceed 50 samples within any one hectare.

2.3 Licensed Area

The Licence Holder is authorised to conduct the activities described in paragraph 2.2 bounded by the following coordinates:

Marine Licencing Applications - Additional Areas v04 route options					
Polygon	Straight Section Vertices		Inflexion Point		
	WGS84		WGS84		Radius
	Longitude	Latitude	Longitude	Latitude	
1	-5.34014	51.52064			
1	-5.21015	51.60389			
1			-5.20981	51.60412	515
1	-5.20942	51.60431			
1	-5.18052	51.61899			
1	-5.18255	51.60363			

2	-5.15823	51.64214			
2			-5.15715	51.64179	869
2	-5.15601	51.64152			
2	-5.16223	51.63759			
2			-5.16257	51.63738	494
2	-5.16293	51.63719			

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2	-5.20153	51.6176			
2	-5.19676	51.64872			
2	-5.19241	51.65163			
2			-5.19071	51.65276	225
2	-5.18851	51.65204			

3	-5.17907	51.65708			
3	-5.17612	51.65708			
3			-5.17189	51.65709	1399
3	-5.16802	51.65816			
3	-5.1528	51.66234			
3			-5.14772	51.66374	1399
3	-5.1445	51.66655			
3	-5.1411	51.66951			
3	-5.08531	51.66341			
3	-5.1181	51.65764			
3			-5.12052	51.65721	1360
3	-5.1227	51.65643			
3	-5.14448	51.64861			
3			-5.14862	51.64712	601
3	-5.15286	51.64851			

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2.4 Approved Supporting Documents

Title / Description of Document	Date	Version No.
RML2028 – Project Erebus Surveys Band 1 Application Form	16/06/2020	V0.1
Chart MLA - Marine Licensing Application (with routes) - additional only.png	16/06/2020	-
Marine Licencing Appl Additional Areas v04 route options - Coordinates and Inflexion Points 200612.xlsx	16/06/2020	V04
Project Erebus Surveys band-1-low-risk-activity-method-statement-v0.1_Signed.docx	16/06/2020	V0.1
Route 3 Additions Shapefiles	16/06/2020	-
Copy of RML2024 Marine Licence	16/06/2020	-

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3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- (a) The Licence Holder must notify the Licensing Authority and authorised Marine Enforcement Officers no less than **5 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- (b) 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 **5 days** prior to the commencement of the Licensed Activities.

3.2 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.

3.3 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**.

3.4 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Works are submitted to the Licensing Authority and Marine Enforcement Officers prior to the commencement of the Licensed Activities.

3.5 Inspection of Works

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

3.6 Notification of Vompletion

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

3.7 Notification of UK Hydrographic Office

The Licence Holder must notify the UK Hydrographic Office of the Licensed Area and the Licensed Activities within **5 days** of the completion of the Licensed Activities, to permit the promulgation of Maritime Safety Information and the updating of nautical charts and publications.

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3.8 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.

3.9 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence, any special conditions 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 3.2; and
- The Masters of any vessels 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 3.4.

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 of this licence;
- 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 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 that paragraph.

Vessels, Plant and Equipment

3.11 Notified Contractors, Vessels only to Carry out Licensed Activities

Only those agents, contractors, subcontractors, vessels and 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 Standard of Vessels

Any vessels employed to perform any operations permitted by this licence shall be so constructed and equipped as to be capable of the proper performance of these operations.

3.13 Refuelling

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

3.14 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 Works.

Safety**3.15 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.

3.16 Removal of Deposited Material

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposited material 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.

3.17 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**3.18 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**.

3.19 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.

3.20 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.

3.21 Disposal of Man-made Debris

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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 Works must cease immediately.

3.22 Cleanliness of Equipment

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.

Activity-specific conditions**3.23 Grab Samples - Sensitive Species**

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

3.24 Removal Activity – Artefacts

The Licence Holder must ensure that any artefacts found during the works are reported through the Marine Portable Antiquities Scheme.

Sensitive Area Conditions**3.25 Vehicular Access**

The Licence Holder must ensure that vehicular access across coastal habitats that form part of the interest features of a Sensitive Area, is not used unless specified in the Sensitive Area Method Statement.

3.26 Equipment and Materials

The Licence Holder must ensure that any equipment or materials used do not enter the marine environment within the interest features of a Sensitive Area, unless specified in the Sensitive Area Method Statement.

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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 Band 1 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 2.4 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 2.3;
- (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 paragraph 5;
- (l) “**Marine Licence Application Form**” means the application form forming part of the application referred to in paragraph 1.1;
- (m) “**MCZ**” means Marine Conservation Zone;
- (n) “**Ramsar site**” means a wetland site designated of international importance under the Ramsar Convention;
- (o) “**SAC**” means Special Area of Conservation;
- (p) “**Sensitive Area**” means any designated or proposed protected area (SPA, SAC, MCZ, SSSI or Ramsar site), or any other habitat identified by Natural Resources Wales as sensitive as at the date of this Licence;

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(q) “**Sensitive Area Method Statement**” means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;

(r) “**SPA**” means Special Protection Area;

(s) “**SSSI**” means Site of Special Scientific Interest;

(t) “**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;

(u) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;

(v) all co-ordinates shall be taken to be latitude and longitude degrees and minutes to two decimal places.

(w) in the event of any discrepancy between the coordinates listed in paragraph 2.4 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 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: wfmccmpc@gov.wales

