

## **Marine Licence with introductory note**

The Marine and Coastal Access Act (2009)

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Licence Holder: **The Port of Mostyn Ltd**

Company Number **2804520**

**The Port of Mostyn Ltd  
Coast Road  
Mostyn  
Flintshire  
CH8 9HE**

**Dredge and disposal activity at Mostyn  
Breakwater**

Licence Number:

**DML2001**

Licence Number: DML2001

## Dredge and disposal activity at Mostyn Breakwater

Marine Licence number: DML2001

### 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 activity by means of cutter suction hopper dredger at Mostyn Harbour which will be pumped through a floating pipeline directly into the Mostyn Breakwater disposal site.*

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<br>14/01/2020 | Application received and considered to be duly made |
| Date licence determined           | 01/10/2020              | Determination date                                  |

#### Related marine licences or applications under determination

| Marine Licence or Application Number | Date             | Comments  |
|--------------------------------------|------------------|---|
| DML1663v1                            | 31 March 2020    | Licence to plough and water injection dredge at the Port of Mostyn. This licence will expire when DML2001 is issued as it is a renewal of DML1663v1.  |
| DML1542v2                            | 12 December 2019 | Dredging of sand to minus 4m Chart Datum from the Mostyn Inner Channel and Harbour Area using a trailer cutter suction dredger. Dredged material will be loaded into the dredger's hopper and transported either to the Mostyn Deep deposit site or pumped ashore into a prepared site at the Port for use in other projects. |

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|           |                         |   |
|-----------|-------------------------|---|
| CML1343v3 | 16<br>December<br>2019  | Mostyn Energy Park Development within the Dee Estuary. Associated with DML1542v2 with the deposit of 188,750m3.   |
| RML2027   | 25<br>September<br>2020 | Ground investigation works in the Dee Estuary for Project Flagstaff, between the Port of Mostyn and Point of Ayr. |

End of introductory note.

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## MARINE LICENCE, NUMBER DML2001

### 1 LICENCE DETAILS

#### 1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered DML2001 and duly made on 14 January 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:** The Port of Mostyn Ltd

**Company number (if available):** 2804520

**Address:** The Port of Mostyn Ltd, Coast Road, Mostyn, Flintshire, CH8 9HE

#### 1.3 Licence Validity

|                           |                        |
|---------------------------|------------------------|
| <b>Licence Start Date</b> | <b>12 October 2020</b> |
| <b>Licence End Date</b>   | <b>31 March 2026</b>   |
| <b>Licence Issue Date</b> | <b>01 October 2020</b> |

#### 1.4 Conditions

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

**Signed:**



For and on behalf of the Licensing Authority

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## 2 LICENSED ACTIVITIES

### 2.1 Project

#### Dredge and disposal activity at Mostyn Breakwater

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 / Disposal Activities**

| <b>Activity 1 Dredging and Deposit of Mostyn Statutory Harbour</b>                                    |   |
|---|---|
| Marine Licensable Activity Type   | Dredging/ and Deposit   |
| Description   | Dredging of Mostyn Statutory Harbour using a cutter suction dredger and subsequent disposal by means of pumping through a floating pipe to Mostyn Breakwater (IS103) Disposal Site.   |
| Maximum Dredge Depth Harbour Approaches Dredge Zone 1   | -2m Below Chart Datum   |
| Maximum Dredge Depth Berthing Pockets Dredge Zone 2   | -5.5m Below Chart Datum<br><br>This may increase up to -8m Below Chart Datum subject to the submission of additional sediment sampling result and agreement in writing by the Licensing Authority in accordance with condition 3.20.4, 3.20.5 and 3.20.6. |
| Maximum Dredge volume and tonnage [for disposal only] for material to be deposited under this licence | Tonnage per year  |
|   | <b>99,900</b>   |
| Maximum Deposit   | Tonnage per year  |
|   | <b>99,900</b>   |
| Deposit Location  | Site Code: <b>IS103</b> Site Name: <b>Mostyn Breakwater</b>   |
| Material Type   | <i>Sand/Silt</i>  |

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## 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 Table 3:

**Table 2 Coordinates for dredging in Dredge Zone 1**

| Area [Harbour Approaches] Dredge Zone 1 |           |
|---|-----------|
| Longitude                               | Latitude  |
| -3.2583341                              | 53.324980 |
| -3.2583892                              | 53.327362 |
| -3.2537960                              | 53.327410 |
| -3.2537569                              | 53.325055 |

**Table 3 Coordinates for dredging in Dredge Zone 2**

| Area [Berthing Pockets] Dredge Zone 2 |           |
|---------------------------------------|-----------|
| Longitude                             | Latitude  |
| -3.2583341                            | 53.324980 |
| -3.2583372                            | 53.319982 |
| -3.2612151                            | 53.320338 |
| -3.2627529                            | 53.323100 |
| -3.2615920                            | 53.324973 |

The Licence Holder is authorised to conduct the deposit activities described in Table 1 / comprised in Activity 1 at the location bounded by the coordinates specified in Table 4.

**Table 4 Permitted Deposit Locations**

| Deposit Area IS103 |           |
|--------------------|-----------|
| Longitude          | Latitude  |
| -3.2614761         | 53.326134 |
| -3.2609846         | 53.326777 |
| -3.2597326         | 53.326583 |
| -3.2601154         | 53.325815 |
| -3.2609346         | 53.325591 |

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

| <b>Title/Description of Document</b>                            | <b>Date</b> | <b>Version No.</b> |
|---|-------------|--------------------|
| <u>Application Form</u>   | 13/01/2020  | 2                  |
| <u>Appendix 1 – Map of Docks</u>                                | 10/01/2020  | 1                  |
| <u>PoM Dredging Location Map and Coordinates</u>                | 12/08/2020  | 2                  |
| <u>Appendix 3 – Advice to Inform Marine Licence</u>             | 10/01/2020  | 1                  |
| <u>Appendix 4 – Certificate of analysis</u>                     | 10/01/2020  | 1                  |
| <u>Appendix 5 – Sample Locations</u>                            | 10/01/2020  | 1                  |
| <u>Appendix 6 - Correspondence</u>                              | 10/01/2020  | 1                  |
| <u>Appendix 7 – Overview of Maintenance Dredge and Disposal</u> | 10/01/2020  | 1                  |
| <u>Biosecurity Plan</u>   | 10/01/2020  | 1                  |
| <u>WFD Assessment</u>   | 10/01/2020  | 1                  |

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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 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.
- 3.1.3 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 notify the UK Hydrographic Office of the works, to permit the promulgation of Maritime Safety Information and the updating of nautical charts and publications.

##### 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 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 [nmcccontroller@hmcg.gov.uk](mailto:nmcccontroller@hmcg.gov.uk).

##### 3.5 Inspection of Licensed Activities

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 Licensed Activities 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.

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### **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.

### **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
- The Masters of any vessels and transport managers responsible for the vehicles and/or vessels 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 vessel, 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 times when the Licensed Activities are being undertaken for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in this paragraph.

## **Vessels, Plant and Equipment**

### **3.10 Notified Contractors, Vessels only to Carry out Licensed Activities**

Only those agents, contractors, subcontractors vessels 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.

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### **3.11 Standard of Vessels**

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

## **Safety**

### **3.12 Safety of Licensed Activities**

The Licence Holder must ensure that the Licensed Activities 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 Licensed Activities, 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** and the Welsh Government Marine Enforcement Officers.

### **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 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 man-made debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

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### 3.18 Biosecurity

- 3.18.1** The Licence Holder must implement the Biosecurity Risk Assessment dated **10 January 2020** and approved by the Licensing Authority. Any proposed changes to the actions outlined in the Biosecurity Risk Assessment must be submitted to and agreed in writing by the Licensing Authority prior to any changes being enacted.
- 3.18.2** The Licence Holder must submit an updated Biosecurity Risk Assessment to the Licensing Authority for written approval by the **31 January each year**, starting January 2021.
- 3.18.3** Tank/hopper washings may only be discharged in the area(s) specified by the coordinates in Table 4.

### 3.19 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

#### 3.20 Sediment Sampling

- 3.20.1** The Licence Holder must request a Sediment Sampling Plan (the SSP) from the Licensing Authority on or before **21 July 2024**. The SSP must include details of sampling grid, analysis suites and proposed format of a report determining the suitability of material for disposal.
- 3.20.2** The Licence Holder must submit the results of the SSP (the SSP results) carried out pursuant to Condition 3.20.1 above, to the Licensing Authority on or before **21 November 2024**. The SSP results must include an outline of an assessment of alternative uses for the sediment that is to be disposed for the following 1-year period.
- 3.20.3** The Licence Holder must not carry out any dredging activity after **21 January 2025** without prior written approval from the Licensing Authority. Such written approval should be requested no later than **21 November 2024**.
- 3.20.4** The Licence Holder must not remove or dispose at sea any material from a depth beyond -5.5m below Chart Datum within dredge zone 2 prior to written approval from the licensing authority.
- 3.20.5** The Licence Holder must request a Sediment Sample Plan from the Licensing Authority **6 months** prior to dredging to a depth beyond -5.5m below Chart Datum in Dredge Zone 2.
- 3.20.6** The Licence Holder must submit the results of the SSP (the SSP results) carried out pursuant to Condition 3.20.5 above, to NRW acting

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on behalf of the Licensing Authority **2 months** prior to dredging to a depth beyond -5.5m below Chart Datum in Dredge Zone 2.

### 3.21 Monitoring and Analysis

- 3.21.1** The Licence Holder must implement a program of monitoring and analysis of **Mostyn Breakwater IS103 disposal site** in line with the '**ABPmer Mostyn Disposal Plan**', dated **24 August 2020**. 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.
- 3.21.2** The Licence Holder must submit each of the results from each bathymetric survey to NRW acting on behalf of the Licensing Authority within **2 months** of completion of the survey detailed in condition 3.21.1.
- 3.21.3** The Licence Holder must submit an annual monitoring report by **31 December** each year in line with the '**ABPmer Mostyn Disposal Plan**' dated **24 August 2020**.
- 3.21.4** If the survey detailed in condition 3.21.1 identifies sediment accretion within the survey area the Licence Holder must provide recommendations within the monitoring report detailed in condition 3.21.3 to prevent adverse effect to the **Dee Estuary SAC/SPA/RAMSAR**.
- 3.21.5** The Licence Holder must ensure that any proposed mitigation to prevent adverse effect to the **Dee Estuary SAC/SPA/RAMSAR** outlined in the monitoring report detailed in condition 3.21.3 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.
- 3.21.6** The Licence Holder must not carry out any dredging activity after **30 April each year** without prior written approval from NRW. Such written approval should be requested no later than **2 months** of completion of the report detailed in condition 3.21.3.

### 3.22 Disposal Returns

- 3.22.1** Certified returns of quantities of substances or articles deposited under this Licence are required to be submitted on the attached disposal return form by **31 January** and **31 July** each year. The returns must specify the full Licence number and amount deposited each calendar month at each authorised Deposit Area. Where no deposit is made in a given period a NIL return is required.
- 3.22.2** If this Licence expires during the course of the calendar year and is not renewed or superseded by a further Licence relating to the Licenced Activities specified in paragraph 2.1, a certified return of quantities of substances or articles deposited under this Licence, shall be submitted not later than 28 working days after the expiry date of this Licence.

### 3.23 Written Record of Disposal Activities

**3.23.1** Any person in charge of the loading of a vessel or any intermediate storage of the substances or articles prior to their deposit in the sea shall maintain a written record on the premises relating to individual cargoes or loads (received or dispatched). This written record and shall include the following details:

**3.23.1.1** date and time each load was received or dispatched and the quantity;

**3.23.1.2** general description of the substances or articles and the name of the producer(s) or holder(s);

**3.23.1.3** registration numbers of vehicles delivering loads;

**3.23.1.4** consignment note numbers (if any);

**3.23.1.5** the reference number of the Licence issued under, Part 4 of the Marine and Coastal Access Act 2009, which permits the substances or articles being loaded or stored to be deposited in the sea;

**3.23.1.6** name(s) of vessel or identification code and type of container into which substances or articles are loaded;

**3.23.1.7** signature(s) and status of the person or persons authorising loading of substances or articles to the vessel or container;

**3.23.1.8** the results of any checks carried out on the substances or articles prior to authorisation of loading.

**3.23.2** The Licence Holder and any Operator or Contractor responsible for loading, transportation or storage must ensure that only authorised personnel have access to the substances or articles for deposit.

**3.23.3** The Master or the Officer of the Watch of each vessel, as referred to condition 3.10 of this Schedule, undertaking the deposit of any substances or articles specified in **Error! Reference source not found.** of this Schedule, shall maintain a written log of operations recording, in the English Language, the following information:

**3.23.3.1** the name of the vessel;

**3.23.3.2** the quantity and type of each substance or article loaded for deposit;

**3.23.3.3** the date and time of departure from the port or site at which the substances or articles are loaded for deposit in the sea and time of arrival (and date if different) at the Deposit Area on each occasion that it proceeds to and from such area;

**3.23.3.4** latitude and longitude position (in degrees and minutes and decimal of a minute to at least one decimal place)

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of the vessel at intervals of not more than 20 minutes throughout the deposit operation which for the purpose of this Licence shall be the commencement of loading (including the dredging) each consignment of material for deposit in the sea through to the completion of the placement or deposit of the material in the Deposit Area;

- 3.23.3.5** the time taken to complete the deposit operation and a statement of the reasons for any delays;
  - 3.23.3.6** courses and speeds together with any alterations throughout each deposit operation (multiple changes may be recorded as "various");
  - 3.23.3.7** the rate of discharge or deposit, together with any variations, throughout deposit operations;
  - 3.23.3.8** weather, sea-state, wind and tidal set, and rate throughout deposit operations; and
  - 3.23.3.9** the signature of the Master at the foot of each log sheet or page of the record.
- 3.23.4** All deposit vessels are required to carry an Admiralty Chart of appropriate scale to be used in navigation on which the co-ordinates of the licensed Deposit Area(s), as specified in Table , should be marked.

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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 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;

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- (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 and minutes to two decimal places
- (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: 03000653000

Email: [marinelicensing@naturalresourceswales.gov.uk](mailto: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

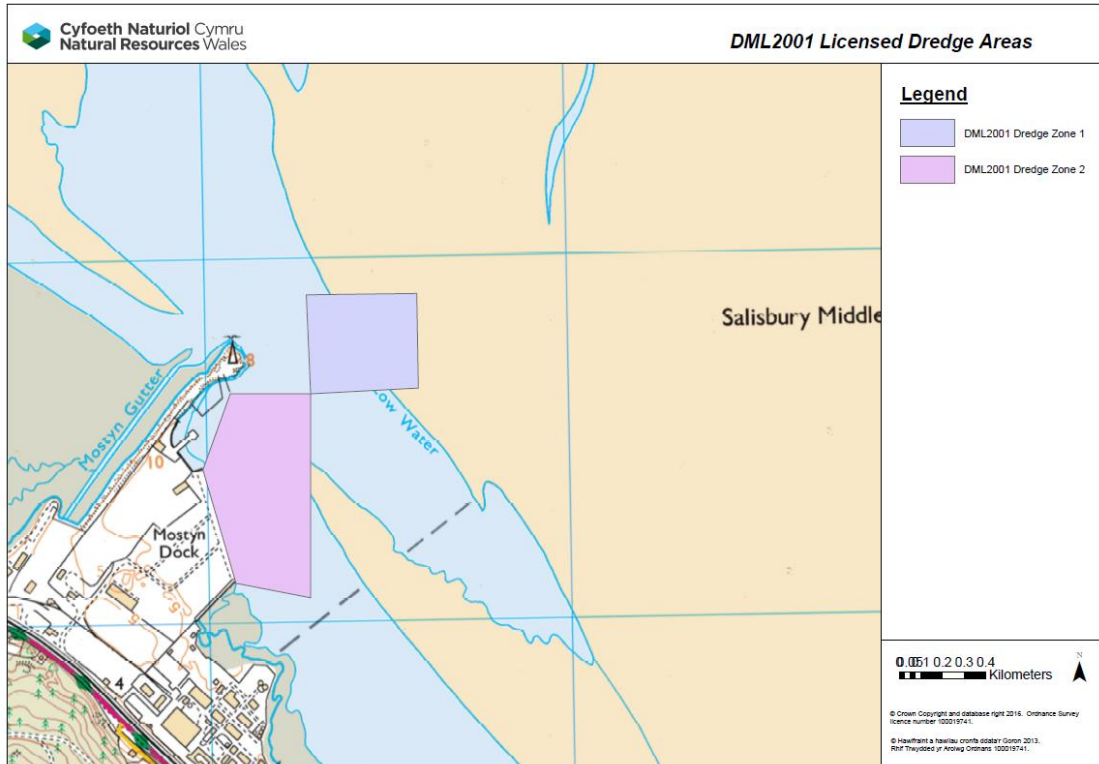
Tel: 03000253500

Email: [wfmccmpc@gov.wales](mailto:wfmccmpc@gov.wales)

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## Appendix 1 – Maps

### DML2001 Dredge Area



### IS103 Mostyn Breakwater Disposal Site

