

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
Southampton
Hampshire
SO16 7JQ

Sediment grab samples from the proposed
cable routes of Project Erebus, off the coast
of Pembrokeshire

Licence Number:
RML2040

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Sediment grab samples from the proposed cable routes of Project Erebus, off the coast of Pembrokeshire

Marine Licence number: RML2040

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 364 sediment grab samples for macrofaunal and physico-chemical analysis from Sawdern Point, West Angle Bay, Freshwater West A and B, and an additional proposed cable route for 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 11/09/2020	Application received and considered to be duly made
Date licence determined	02/10/2020	Determination date

The Licence RML2040 supersedes Licence RML2024 and RML2028 in its entirety.

Related Marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
RML2015	29 April 2020	Marine licence for collecting sediment grab samples in the proposed footprint of Project Erebus, which had been amended to include additional cable route options since issue.
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

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		superceded Licence RML2015 in its entirety.
RML2028	31 July 2020	Marine licence for collecting a maximum of 56 sediment grab samples from an additional proposed cable route for Project Erebus off the coast of Pembrokeshire.

End of introductory note.

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BAND 1 MARINE LICENCE NUMBER RML2040

1 LICENCE DETAILS

1.1 Band 1 Licence

This is a licence granted by the Licensing Authority in respect of an application numbered RML2040 and duly made on 11 September 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 (if available): 07861245

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

1.3 Licence Validity

Licence Start Date	15 October 2020
Licence End Date	14 October 2021
Licence Issue Date	02 October 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.

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2 LICENSED ACTIVITIES

2.1 Project

This licence is granted in respect of:

A maximum of 364 sediment grab samples for macrofaunal and physico-chemical analysis from Sawdern Point, West Angle Bay, Freshwater West A and B, and an additional proposed cable route for 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 364 sediment grab samples, where the total sample volume across all samples 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 and attached at Appendix 1:

Longitude	Latitude	Longitude	Latitude
-5.06068952	51.65130188	-5.09010149	51.65509145
-5.08802092	51.65482364	-5.11598663	51.65053581
-5.09214626	51.65473182	-5.13802448	51.64262334
-5.11494496	51.65071927	-5.15477681	51.63205027
-5.11692413	51.65019935	-5.34142876	51.51996454
-5.13700600	51.64298917	-5.36377943	51.47704695
-5.13885038	51.64210225	-5.43558817	51.45879888
-5.15400354	51.63253848	-5.43805213	51.46593665
-5.15562801	51.63161864	-5.37307758	51.48244967
-5.18051644	51.61899145	-5.35167788	51.52355610
-5.18254644	51.60363397	-5.24727526	51.59047165
-5.34014109	51.52064473	-5.24671639	51.62586342
-5.34216608	51.51855005	-5.16841163	51.67819966
-5.36088396	51.48261146	-5.15745679	51.68847540
-5.37245941	51.47484428	-5.12223460	51.69886322
-5.43230244	51.45963512	-5.11162747	51.69905239
-5.43913330	51.45871501	-5.08239610	51.69865030
-5.55829610	51.45583340	-5.08426370	51.69146899
-5.55299169	51.44765949	-5.13556400	51.67434351

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-5.55168925	51.42430396	-5.23520795	51.62300660
-5.59925682	51.42595636	-5.21959659	51.60816398
-5.64379780	51.42495961	-5.21037346	51.63961942
-5.64769538	51.49232609	-5.15103178	51.67868863
-5.58294323	51.49377090	-5.15529656	51.66951553
-5.56275800	51.46270648	-5.14110369	51.66950973
-5.43957749	51.46590055	-5.08530974	51.66340718
-5.43663854	51.46629642	-5.07837540	51.66462595
-5.37680290	51.48150418	-5.23561030	51.59793039
-5.37183514	51.48483832	-5.23524151	51.62091496
-5.35312522	51.52077830	-5.23291938	51.62453824
-5.34841560	51.52565136	-5.22139306	51.63225008
-5.24969916	51.58892132	-5.21977110	51.61050496
-5.24724109	51.59263542	-5.22222372	51.60648557
-5.24679333	51.62099121	-5.20847402	51.61407432
-5.24138298	51.62943352	-5.21020477	51.63735211
-5.16890312	51.67787169	-5.20788882	51.64128054
-5.16801356	51.67857315	-5.19675627	51.64872121
-5.16056309	51.68556223	-5.20152822	51.61760264
-5.15237740	51.68997437	-5.17283506	51.66469774
-5.12643019	51.69762665	-5.15972310	51.67344822
-5.11759134	51.69883910	-5.15199623	51.67810721
-5.11459784	51.69882345	-5.14983000	51.67906200
-5.10870422	51.69879242	-5.14040248	51.68199033
-5.08548113	51.69866727	-5.14474296	51.67872700
-5.07945964	51.69806250	-5.15391204	51.67072423
-5.05178802	51.69251900	-5.15747879	51.66891615
-5.05436906	51.68550032	-5.12596095	51.68156142
-5.08299950	51.69121592	-5.13536245	51.67449503
-5.08559102	51.69147629	-5.13574738	51.67418352
-5.10223135	51.69156646		

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2.4 Approved Supporting Documents

Title / Description of Document	Date	Version No.
Project Erebus Surveys Band 1 Application form August v0.3_Signed off	04 September 2020	1
Project Erebus Surveys Band 1 Low Risk Activity Method Statement August v0.3_Signed off	07 September 2020	1
Chart MLA – Marine Licensing Application (with routes) revision 0.1	27 August 2020	1
Marine Licensing Application Combined – Coordinates and Inflexion Points 200827	07 September 2020	1
ERE_Marine Licence App Combined OWC v05 Route3All	07 September 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.

3.2 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

The Licence Holder must ensure that the details of the vessels 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 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 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.

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 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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3.12 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

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.

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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

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 Grab Samples – 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

Tel: 0300 0653000

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: 03000 253500

Email: wfmccmpc@gov.wales

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Appendix 1 – Location plan

