

MARINE AND COASTAL ACCESS ACT 2009: PART 4 – MARINE LICENSING

Marine Licence: RML2002

The Natural Resources Body for Wales (“NRW”) acting on behalf of the Licensing Authority hereby authorise:

Centre for Environment Fisheries and Aquaculture
Science
Cefas Lowestoft
Pakefield Road
Lowestoft
NR33 0HT
Company No: 04242938

(Hereinafter referred to as “the Licence Holder”) to remove from the seabed any substances or articles the particulars of which are set out at paragraph 1.1 of the attached Schedule. The Licence is subject to the conditions of use set out, or referred to, in the said Schedule.

This Licence shall be valid from the beginning of the day of **12 March 2020**, (hereinafter referred to as the start date of this Licence) to the end of the day of, **11 March 2021** (hereinafter referred to as the end or expiry date of this Licence).

For the purposes of this Licence and attached schedule and unless indicated otherwise:-

- (i) all times shall be taken to be Greenwich Mean Time (GMT), and,
- (ii) all co-ordinates shall be taken to be latitude and longitude degrees and minutes to two decimal places

Signed: *W. J. Dadds*

For and on behalf of the Licensing Authority

Date of issue: 12 March 2020

SCHEDULE of CONDITIONS

1. Particulars of the works

- 1.1 The type of works for which the deposit of the substances or articles as specified in paragraph 1.4 of this Schedule are:

Low risk minor removals across the Welsh coastline.

- 1.2 Eligible Activities

The following activities are considered low risk minor removals covered within this Licence:

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.

- 1.3. The Licence Holder and any Operator and Contractor acting on their behalf is permitted to conduct the activities described at paragraph 1.2 at the following locations detailed in the Licence Holder's application dated **04 February 2020**

Across the Welsh coastline.

At the points detailed in Appendix 1.

- 1.4 The Licence Holder must inform NRW acting on behalf of the Licensing Authority of the exact co-ordinates of all removals within **10 days** of being taken.
- 1.5. The works shall be carried out in accordance with the works schedule and method statement as detailed in the application form dated **04 February 2020** and as detailed in the following:

Band 1 low risk activity method statement CSEMP2020 submitted 13 February 2020.

2. Additional Persons Responsible for the Deposit of the Substances or Articles

- 2.1 The Licence Holder must ensure that details of the Operator(s) and Contractor(s) utilised to undertake the works are submitted to NRW acting on behalf of the Licensing Authority prior to the commencement of works.
- 2.2 The Licence Holder must ensure that the details of the vessels utilised to undertake the works are submitted to NRW acting on behalf of the Licensing Authority and Welsh Government Enforcement Officers prior to the commencement of the works.
- 2.3 Only those Operator(s) or Contractor(s) and vessels whose details have been notified to NRW acting on behalf of the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to and be approved by NRW acting on behalf of the Licensing Authority in writing prior to operating under this Licence.

3. Distribution of copies of this Licence

- 3.1 The Licence Holder is required to ensure that a copy of this Licence and attached Schedule, any special conditions and any subsequent revisions or amendments thereto is given to:
 - 3.1.1. All Operator(s) and Contractor(s) whose names have been provided to NRW acting on behalf of the Licensing Authority and
 - 3.1.2 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 NRW as detailed at paragraph 2.2.
- 3.2 Copies of this Licence shall also be available at the following locations:
 - 3.2.1 at the address of the Licence Holder;
 - 3.2.2 at any site office, located at or adjacent to the site of the works, used by the Licence Holder, operator(s) or contractors(s) responsible for the loading transportation or deposit of those substances or articles detailed at paragraph 1.2 of this Schedule; and,
 - 3.2.3 on board each vessel or at the office of any transport manager with responsibility for vehicles from which licensed deposits are to be made.

4. Inspection of the Operation

- 4.1 The documents referred to in paragraph 3 shall be available at all reasonable times for inspection by officers appropriately authorised by NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.
- 4.2 The Licence Holder must notify NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers at least **5 days** before the licensed operation, or an individual phase of the operation is expected to commence.
- 4.3 The Licence Holder must notify NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers within **10 days** of completion of the works.
- 4.4 The Licence Holder must allow officers of the Maritime and Coastguard Agency, Welsh Government Marine Enforcement Officer or any other person authorised by NRW acting on behalf of the Licensing Authority to inspect the works at any reasonable time.

5. Contacts

- 5.1 Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns and correspondence shall be:-

Licence No: RML2002
Date: 12 March 2020

**Marine Licensing Team
Natural Resources Wales
Permitting Service
29 Newport Road
Cambria House
Cardiff
CF24 0TP**

Email: marinelicensing@naturalresourceswales.gov.uk

- 5.2 For the purposes of this Licence any references to Marine Enforcement Officers shall mean the relevant officers located at:-

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

Tel: 03000 253500

Email: MilfordHavenFisheriesOffice@gov.wales

6. Force Majeure

- 6.1 If, by reason of "force majeure" the substances or articles specified at sub-paragraph 1.2 of this Schedule, are deposited otherwise than in the area authorised by this Licence at paragraph 1.3, full details of the circumstances shall be notified to NRW acting on behalf of the Licensing Authority within **48 hours** of the incident occurring.

"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.

7. Changes to this Licence

- 7.1 In the event of the Licence Holder becoming aware that any of the information on which the granting of this Licence was based has changed or is likely to change, he/she shall notify NRW acting on behalf of the Licensing Authority at the earliest opportunity of the details.
- 7.2 Similarly in the event that the Licence Holder wishes any of the particulars set down in the Schedule to be altered he/she shall inform NRW acting on behalf of the Licensing Authority at the earliest opportunity before taking any further action.

8. Standard Conditions

- 8.1 The Licence Holder must notify NRW acting on behalf of the Licensing Authority if the circumstances on which the granting of this licence was based has changed to an extent that the activity no longer meets the eligibility criteria, at which time the licence is deemed to be invalid.

- 8.2 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.
- 8.3 The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the activity through local notices to mariners 5 days prior to the commencement of the works.
- 8.4 The Licence Holder must ensure that HM Coastguard is made aware of the works prior to commencement by contacting The National Maritime Operations Centre: nmoccontroller@hmcg.gov.uk.
- 8.5 If, in the opinion of NRW acting on behalf of the Licensing Authority, the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the drifting or wreck of the works, the Licence Holder responsible for the works will be liable for any expense incurred in securing such assistance.
- 8.6 The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the works are removed on completion of the works. Sediment extracted by grab sampling may be returned to the sea at or near the site of collection, providing no chemicals have been added to the sample.
- 8.7 The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to Natural Resources Wales using their hotline number **0300 065 3000**; NRW acting on behalf of the Licensing Authority must also be notified at the earliest possible date.
- 8.8 The Licence Holder must ensure bunding, storage facilities and spill kits are employed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment.
- 8.9 The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore.
- 8.10 The Licence Holder must ensure all equipment, materials, machinery and PPE used are in a clean condition prior to their arrival on site, and upon removal from site, to minimise risk of introducing non-native species into the marine environment.
- 8.11 The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of works.
- 8.12 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 20m of that location.
- 8.13 The Licence Holder must inform NRW, acting on behalf of the licensing authority, of the location of all completed grab samples within 10 days of completion of the work.

9. Location conditions – activity within sensitive areas

- 9.1 The Licence Holder must ensure that any activities conducted in an area identified by NRW as sensitive have been fully documented in the method statement approved in writing by NRW, as described in paragraph 1.4.
- 9.2 The Licence Holder must ensure that any equipment or materials used do not enter the marine environment within the interest features of a designated or proposed protected site (SPA, SAC, MCZ, SSSI or RAMSAR) or any other sensitive habitats identified by NRW as sensitive, unless specified in the approved method statement described in paragraph 1.4.

EXPLANATORY NOTES

*This page does not form part of this Licence **RML2002** or its associated schedule but the licence holder is recommended to read the following guidance notes.*

1. The granting of this licence does not absolve the Licence Holder from obtaining such other authorisations, consents and approvals which may be required under any other legislation, controls or regulations.
2. Under Section 72 of the Marine and Coastal Access Act 2009, NRW acting on behalf of the Licensing Authority may vary or revoke this Licence if it appears to the NRW that the Licence Holder is in breach of any conditions in it or for any other reason that appears to NRW to be relevant.
3. A person who contravenes Section 65 (1) of the Marine and Coastal Access Act 2009 or fails to comply with any condition of a Marine Licence, commits an offence under Part 4, Chapter 3, Section 85 of the Marine and Coastal Access Act 2009.
4. It is a defence, Under Part 4, Chapter 3, Section 86 of the Marine and Coastal Access Act 2009, for a person charged with an offence under Section 85 (1) to prove that:
 - a) the activity was carried out for the purpose of securing the safety of a vessel, aircraft or marine structure or for the purpose of securing life, and,
 - b) that he/she took steps within reasonable time following the incident to inform NRW acting on behalf of the Licensing Authority of:
 - (i) the fact that the activity was carried out,
 - (ii) the locality and circumstances in which it was carried out, and
 - (iii) any substance or objects concerned.
5. If the works authorised by this Licence are unlikely to be completed by the expiry date of this licence, the Licence Holder should apply for a replacement licence **at least 4 months** prior to the expiry date of this Licence.

Appendix 1 – Grab sample co-ordinates

Station Name	Longitude	Latitude	Priority
1461_CSEMP605_mudpatch_spatial	-6.19402	51.4758	9
1462_CSEMP605_mudpatch_spatial	-6.31596	51.0597	1
1463_CSEMP605_mudpatch_spatial	-6.10676	51.4325	19
1464_CSEMP605_mudpatch_spatial	-6.133	51.2704	2
1465_CSEMP605_mudpatch_spatial	-6.18724	51.3063	5
1466_CSEMP605_mudpatch_spatial	-6.08697	51.1465	16
1467_CSEMP605_mudpatch_spatial	-6.20749	51.2904	12
1468_CSEMP605_mudpatch_spatial	-6.48421	51.251	14
1469_CSEMP605_mudpatch_spatial	-6.32524	51.1493	20
1470_CSEMP605_mudpatch_spatial	-6.1235	51.2904	15
1471_CSEMP605_mudpatch_spatial	-6.41776	51.3147	4
1472_CSEMP605_mudpatch_spatial	-6.1414	51.4168	10
1473_CSEMP605_mudpatch_spatial	-6.19617	51.1288	6
1474_CSEMP605_mudpatch_spatial	-6.13364	51.2343	8
1475_CSEMP605_mudpatch_spatial	-6.17964	51.3	11
1476_CSEMP605_mudpatch_spatial	-6.30376	51.1259	3
1477_CSEMP605_mudpatch_spatial	-6.407	51.3928	17
1478_CSEMP605_mudpatch_spatial	-6.23138	51.0728	18
1479_CSEMP605_mudpatch_spatial	-6.0561	51.4819	7
1480_CSEMP605_mudpatch_spatial	-6.35609	51.4427	13
20p_982_CSEMP655_North	-4.22413	52.8969	48
20p_983_CSEMP655_North	-4.18992	52.8443	36
20p_984_CSEMP655_North	-4.29629	52.8961	8
20p_985_CSEMP655_North	-4.20666	52.8929	20
20p_986_CSEMP655_North	-4.30277	52.8658	9
20p_987_CSEMP655_North	-4.18675	52.8565	33
20p_988_CSEMP655_North	-4.25126	52.8703	50
20p_989_CSEMP655_North	-4.23559	52.888	21
20p_990_CSEMP655_North	-4.16649	52.8457	29
20p_991_CSEMP655_North	-4.32172	52.8602	18
20p_992_CSEMP655_North	-4.2288	52.8862	7
20p_994_CSEMP655_North	-4.23277	52.8972	14
20p_996_CSEMP655_North	-4.31907	52.8886	41
20p_997_CSEMP655_North	-4.20987	52.9057	38
20p_999_CSEMP655_North	-4.20893	52.8338	1
5p_130_CSEMP655_Southmudpatch	-4.84176	52.11035	15
5p_121_CSEMP655_Southmudpatch	-5.04293	52.02655	19
5p_122_CSEMP655_Southmudpatch	-4.68815	52.32408	3
5p_124_CSEMP655_Southmudpatch	-5.08524	52.15598	44
5p_125_CSEMP655_Southmudpatch	-4.71649	52.16302	40
5p_126_CSEMP655_Southmudpatch	-5.04296	52.077	32
5p_127_CSEMP655_Southmudpatch	-4.60583	52.2433	31
5p_129_CSEMP655_Southmudpatch	-4.88264	52.11808	11
5p_131_CSEMP655_Southmudpatch	-4.43319	52.19496	4

5p_132_CSEMP655_Southmudpatch	-4.89329	52.04876	46
5p_133_CSEMP655_Southmudpatch	-4.66129	52.29418	35
5p_134_CSEMP655_Southmudpatch	-4.62308	52.15062	39
5p_135_CSEMP655_Southmudpatch	-4.61133	52.29819	45
5p_136_CSEMP655_Southmudpatch	-4.45463	52.24582	42
5p_137_CSEMP655_Southmudpatch	-5.0333	52.05954	28
5p_138_CSEMP655_Southmudpatch	-4.72487	52.2515	43
5p_139_CSEMP655_Southmudpatch	-4.98075	52.06134	13
5p_140_CSEMP655_Southmudpatch	-4.95339	52.07336	24
5p_101_CSEMP655_Northmudpatch	-4.6411	52.79411	47
5p_102_CSEMP655_Northmudpatch	-4.36046	52.87227	10
5p_104_CSEMP655_Northmudpatch	-4.38405	52.87649	25
5p_106_CSEMP655_Northmudpatch	-4.2719	52.83711	26
5p_107_CSEMP655_Northmudpatch	-4.23708	52.84166	22
5p_108_CSEMP655_Northmudpatch	-4.64383	52.75403	30
5p_109_CSEMP655_Northmudpatch	-4.4861	52.70975	17
5p_110_CSEMP655_Northmudpatch	-4.6096	52.75834	27
5p_113_CSEMP655_Northmudpatch	-4.48456	52.68919	16
5p_114_CSEMP655_Northmudpatch	-4.46821	52.68406	12
5p_116_CSEMP655_Northmudpatch	-4.4704	52.74145	34
5p_118_CSEMP655_Northmudpatch	-4.46528	52.71517	2
5p_119_CSEMP655_Northmudpatch	-4.38067	52.85724	6
5p_220_CSEMP715_northmudpatch	-3.67692	53.58661	24
5p_221_CSEMP715_northmudpatch	-3.70509	53.61731	34
5p_222_CSEMP715_northmudpatch	-3.68651	53.60002	7
5p_223_CSEMP715_northmudpatch	-3.63737	53.59153	16
5p_224_CSEMP715_northmudpatch	-3.66962	53.5908	20
5p_225_CSEMP715_northmudpatch	-3.68385	53.6155	29
5p_226_CSEMP715_northmudpatch	-3.67416	53.61506	8
5p_227_CSEMP715_northmudpatch	-3.66408	53.59675	12
5p_228_CSEMP715_northmudpatch	-3.69568	53.60326	22
5p_229_CSEMP715_northmudpatch	-3.70367	53.61878	14
5p_230_CSEMP715_northmudpatch	-3.67824	53.6268	13
5p_231_CSEMP715_northmudpatch	-3.7108	53.60327	31
5p_232_CSEMP715_northmudpatch	-3.70574	53.62356	36
5p_233_CSEMP715_northmudpatch	-3.68068	53.607	1
5p_234_CSEMP715_northmudpatch	-3.64351	53.58369	6
5p_235_CSEMP715_northmudpatch	-3.69026	53.60695	21
5p_236_CSEMP715_northmudpatch	-3.64664	53.59769	35
5p_237_CSEMP715_northmudpatch	-3.69362	53.58565	38
5p_238_CSEMP715_northmudpatch	-3.64301	53.60688	11
5p_239_CSEMP715_northmudpatch	-3.66222	53.57922	23
5p_240_CSEMP715_northwestmudpatch	-3.97078	53.62299	9
5p_241_CSEMP715_northwestmudpatch	-3.95482	53.61389	17
5p_242_CSEMP715_northwestmudpatch	-3.95866	53.5966	2
5p_243_CSEMP715_northwestmudpatch	-4.00441	53.63252	10
5p_244_CSEMP715_northwestmudpatch	-4.01034	53.61594	37

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5p_245_CSEMP715_northwestmudpatch	-4.02873	53.60057	5
5p_246_CSEMP715_northwestmudpatch	-4.00835	53.6211	26
5p_247_CSEMP715_northwestmudpatch	-3.97687	53.60896	25
5p_248_CSEMP715_northwestmudpatch	-3.96597	53.63507	32
5p_249_CSEMP715_northwestmudpatch	-4.00886	53.62882	19
5p_250_CSEMP715_northwestmudpatch	-3.97817	53.59452	28
5p_251_CSEMP715_northwestmudpatch	-3.97566	53.61827	15
5p_252_CSEMP715_northwestmudpatch	-3.99238	53.59489	4
5p_253_CSEMP715_northwestmudpatch	-4.01124	53.61358	30
5p_254_CSEMP715_northwestmudpatch	-3.9299	53.6134	18
5p_255_CSEMP715_northwestmudpatch	-4.0112	53.62997	33
5p_256_CSEMP715_northwestmudpatch	-3.95978	53.61088	27
5p_257_CSEMP715_northwestmudpatch	-3.94896	53.6356	39
5p_258_CSEMP715_northwestmudpatch	-4.0057	53.63072	40
5p_259_CSEMP715_northwestmudpatch	-3.95627	53.65081	3