



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

## **Marine Licence with introductory note**

The Marine and Coastal Access Act (2009)

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Licence Holder: Conwy County Borough  
Council

Environment, Roads & Facilities  
Mochdre Offices  
Conway Road,  
Mochdre,  
Colwyn Bay  
LL28 5AB

Beach Reprofiling at Sandy Cove, Kinmel  
Bay

Licence Number:  
CML2044

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## **Beach Reprofiling at Sandy Cove, Kinmel Bay**

### **Marine Licence number: CML2044**

### **Introductory note**

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

The main features of the marine licence are as follows:

Reprofiling of the existing beach material to reinstate the topography of the beach back to its original design profile. The beach material currently comprises of shingle which was introduced as a coastal protection measure.

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**

<b>Description</b>	<b>Date</b>	<b>Comments</b>
Application	09/12/2020	Application received and considered to be duly made
Date licence determined	07/01/2021	Determination date

Related Marine licences or applications under determination

N/A

End of introductory note.

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**BAND 1 MARINE LICENCE NUMBER CML2044**

**1 LICENCE DETAILS**

**1.1 Band 1 Licence**

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2044** and duly made on **09 December 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**

**1.3** The Licence Holder is the organisation set out below:

**Organisation name:** Conwy County Borough Council  
**Address:** Environment, Roads & Facilities, Mochdre Offices, Conway Road, Mochdre, Colwyn Bay LL28 5AB

**1.4 Licence Validity**

<b>Licence Start Date</b>	<b>12 February 2021</b>
<b>Licence End Date</b>	<b>11 November 2021</b>
<b>Licence Issue Date</b>	<b>07 January 2021</b>

**1.5 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:

#### **Beach Reprofilng at Sandy Cove, Kinmel Bay**

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

- Beach Management

### **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:

#### Beach Management

The following activities can be conducted under this licence with the aim of restoring pre-existing beach profiles:

- beach re-profiling - the movement of beach material cross-shore up or down the beach
- beach recycling – the movement of beach material along the beach from areas of accretion to areas of erosion within the beach or associated sediment system
- replacing or returning wind-blown sand to the beach
- Clearance/removal of beach material in and around outfalls

Note: Beach replenishment is not permitted under this licence. Beach replenishment is defined as the addition of beach material from sources not connected with the sediment system of the beach to replace material permanently lost from the system

### **2.3 Licensed Area**

The Licence Holder is authorised to conduct the activities described in paragraph 2.2 in the vicinity of Sandy Cove, Kinmel Bay bounded by the following coordinates:

<b>Eastings</b>	<b>Northings</b>
298206	380397
297960	380338
297983	380283
298175	380447

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as indicated on the plan submitted with the Approved Application and attached at Appendix 1.

#### 2.4 Approved Supporting Documents

Title / Description of Document	Date	Version No.
ERCF2002N Band 1 application form	25/09/2020	1
ERCF2002N Band 1 Method Statement	07/12/2020	1
Statement agreed with MCA: CCBC - ERCF2002N - Beach Replenishment Work at Sandy Cove, Kinmel Bay	23/11/2020	1
ERCF2002N_102_Access Route	07/12/2020	1
ERCF2002N_100_Location Plan_B	07/12/2020	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 **5 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 **5 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 **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 [nmcccontroller@hmcg.gov.uk](mailto:nmcccontroller@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 Licensed Activities are submitted to the Licensing Authority and Marine Enforcement Officers prior to the commencement of the Licensed Activities.

##### **3.5 Inspection of Licensed Activities**

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 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 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 0; 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 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 that paragraph.

## **Vessels, Plant and Equipment**

### **3.11 Notified Contractors and Vehicles 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.

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### **3.12 Refuelling**

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

### **3.13 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 Licensed activities.

## **Safety**

### **3.14 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.

### **3.15 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.

### **3.16 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**

### **3.17 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**.

### **3.18 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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### **3.19 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.

### **3.20 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 Licensed Activities must cease immediately.

### **3.21 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.

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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) “**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;
- (n) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- (o) all co-ordinates shall be taken to be eastings and northings measured in metres

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(p) 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 065 3000

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: 03000 253500

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

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Appendix 1

