

# Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

---

Licence Holder: Boatfolk Marinas Ltd

**Company Number: 02746437**

**Deacons House  
Bridge Road  
Bursledon  
Southampton  
England  
SO31 8AZ**

**Rearranging pontoons at Conwy Marina**

Licence Number:

**CML1952v1**

Licence Number: CML1952v1

## Rearranging pontoons at Conwy Marina Marine Licence number: CML1952v1

### Introductory note

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

The main features of the marine licence are as follows.

*Rearranging pontoons at Conwy Marina. This includes deposit of new pontoons and repairing of current pontoons.*

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 08/11/2019	Application received and considered to be duly made
Date licence determined	03/02/2020	Determination date
Marine licence variation	06/04/2021	Marine licence transferred to a new licence holder

The Licence **CML1952v1** supersedes Licence **CML1952** in its entirety.

#### Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
CML1952	03/02/2020	CML1952 was issued to rearrange the marine layout to provide an improved arrangement of the berths

End of introductory note.

Licence Number: CML1952v1

**MARINE LICENCE, NUMBER CML1952v1**

**1 LICENCE DETAILS**

**1.1 Marine Licence**

This is a licence granted by the Licensing Authority in respect of an application numbered **CML1952** and duly made on **8 November 2019** 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 company set out below:

**Company name:** Boatfolk Marinas Ltd

**Company number:** 02746437

**Address:** Deacons House Bridge Road, Bursledon, Southampton, England, SO31 8AZ

**1.3 Licence Validity**

<b>Licence Start Date</b>	16 April 2021
<b>Licence End Date</b>	31 January 2028
<b>Licence Issue Date</b>	06 April 2021

**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

**Rearranging pontoons at Conwy Marina. This includes deposit of new pontoons and repairing of current pontoons.**

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 Activities**

<b>Activity 1 Deposit of new pontoons</b>	
Type of Licensed Activity	Deposit
Description	The deposit of metal framed pontoons with timber decking supported on fibre-concrete cased floats. New pontoons and floats will arrive by road and be assembled within the yard area. They will then be lifted into the water by the boat hoist and towed into position using the workboat.
Material types to be removed or deposited	The pontoons are of metal framed pontoons with timber or grp grid decking supported on fibreconcrete cased floats. Tubular steel piles used to restrain the pontoons.  Deposit: Iron/Steel and Plastic/Synthetics.
<b>Activity 2 Removal of the existing pontoons</b>	
Type of Licensed Activity	Removal
Description	The pontoons will be removed using a small workboat to tow to the hoist area where there will be lifted ashore.
Material types to be removed or deposited	The pontoons are of metal framed pontoons with timber or grp grid decking supported on fibreconcrete cased floats.  Removal: Timber, Iron/Steel and Plastic/Synthetics
<b>Activity 3 Pile Driving</b>	
Type of Licensed Activity	Deposit, Construction
Description	The works will be undertaken from a small piling barge using vibro-hammer methods as standard. Pile will be lifted into position by the crane (pitched), and restrained by placing through the pontoon pile guide and its self-weight into the seabed will provide

	<p>temporary stability. The crane will then lift the vibro-hammer and engage with the top of the pile. The pile will be checked for verticality and the vibro-hammer started (driving). Piling will take 10-15 minutes. Barge may have to relocate, so process may need repeating, meaning that it is likely that there will be intervals of at least 20 minutes between each pile being driven. The soft-start duration must be a period of not less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated. Unlikely to have any more than 6 piles driven in a single day. Considered unlikely that percussion piling will be required as modern vibro-hammers can cope with most seabed types. Tubular steel piles to restrain pontoons.</p> <p>The key purpose is to ensure pile stability and the use of soft start methods is intended to allow mobile receptors to move away from the source of acoustic disturbance.</p> <p>All piles will be coated in a marine friendly paint.</p>
Material types to be removed or deposited	Deposit: Tubular steel
Quantities/Dimensions	A typical pile is 358-428mm in diameter and will take 10-15 minutes.

## 2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of Conwy Marina bounded by the the coordinates specified in Table 2:

**Table 2          Coordinates**

Longitude	Latitude
-3.8394	53.2928
-3.8370	53.2912
-3.8367	53.2908
-3.8401	53.2908
-3.8423	53.2921
-3.8406	53.2930

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

### 2.3 Approved Supporting Documents

Title/Description of Document	Date	Version No.
Application Form	19/09/2019	1
WFD Assessment	26/11/2019	1
HRA	02/01/2020	1

Licence Number: CML1952v1

### **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 Vessels and Vehicles**

The Licence Holder must ensure that the details of the vessels and 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 [nmoccontroller@hmcg.gov.uk](mailto:nmoccontroller@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.

##### **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

**Licence Number: CML1952v1**

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 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, vessels or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this licence.

### **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.

**Licence Number: CML1952v1**

### **3.12 Refuelling**

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

## **Safety**

### **3.13 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.

### **3.14 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.

### **3.15 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**

### **3.16 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**.

### **3.17 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.

### **3.18 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.

**Licence Number: CML1952v1**

### **3.19 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.

### **3.20 Biosecurity**

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.

### **3.21 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**

### **3.22 Piling times**

The Licence Holder must ensure that Licensed Activity 3 does not take place **2 hours** either side of high tide between **01 April** and **30 November** inclusive, to avoid disturbance to migratory fish, without prior written approval from the Licensing Authority.

### **3.23 Vibro-piling**

The Licence Holder must ensure that vibro-piling is used when inserting piles where operationally possible. Where this isn't possible, percussive piling may be used.

### **3.24 Percussive piling**

The Licence Holder must ensure that if percussive piling is used, soft-start procedures are used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration must be a period of not less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.

### **3.25 Noise Registry**

**3.25.1** The Licence Holder must complete an entry into the UK Marine Noise Registry detailing the proposed dates and locations and nature of any percussive piling at least **10 days** prior to the commencement of works.

**Licence Number: CML1952v1**

**3.25.2** The Licence Holder must amend the marine noise registry proposed activity form should the timing of the percussive piling alter or no longer remain part of the project.

**3.25.3** The Licence Holder must complete an entry into the marine noise registry detailing the actual dates and locations and nature of the percussive piling every **6 months** following the commencement of percussive piling until the completion of percussive piling.

**3.25.4** The Licence Holder must complete an entry into the marine noise registry detailing the actual dates and locations and nature of the percussive piling within **8 weeks** of completion of the noisy activity.

### **3.26 Disposal of objects**

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.

### **3.27 Refuelling**

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

#### 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;

**Licence Number: CML1952v1**

- (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: 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: 03000253500  
Email: [wfmccmpc@gov.wales](mailto:wfmccmpc@gov.wales)

Appendix 1

