

## **Marine Licence with introductory note**

The Marine and Coastal Access Act (2009)

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Licence Holder: **Tarmac Marine Ltd**

Company Number **2105370**

**Tarmac Marine Ltd.  
Drayton House  
Drayton Lane  
Chichester  
West Sussex, PO20 2EW**

Extraction of marine aggregate from the seabed by means of marine aggregate dredging at Area 531 – North Bristol Deep, Severn Estuary

Licence Number:  
**MMML1948v1TC**

Licence Number: **MMML1948v1TC**

**Extraction of marine aggregate from the seabed  
by means of marine aggregate dredging at Area  
531 – North Bristol Deep, Severn Estuary  
Marine Licence number: MMML1948v1TC**

## **Introductory note**

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

The main features of the marine licence are as follows.

Extraction of marine aggregate from the seabed by means of marine aggregate dredging at Area 531 – North Bristol Deep, Severn Estuary:

- Trailer suction hopper dredging and anchor dredging;
- Total extraction of 2,250,000 tonnes over 15 years; combined maximum of 150,000 tonnes across English and Welsh areas in any calendar year; &
- Grab and core sampling as required for monitoring purposes.

The status log of the marine licence sets out the marine licence history, including any subsequent marine licence variation(s)

<b>Status log of this marine licence</b>		
<b>Description</b>	<b>Date</b>	<b>Comments</b>
Application	Duly made 29/11/2019	Application received and considered to be duly made
Date licence determined	27/04/2021	Determination date
Marine licence variation	13/05/2021	NRW led variation to accommodate minor errors

The Licence MMML1948v1TC supersedes Licence MMML1948TC in its entirety.

### **Related marine licence or application under determination**

<b>Marine Licence or Application Number</b>	<b>Date</b>	<b>Comments</b>
MM001/09/LTM/4	Expired on 07 April 2021	Licence MM001/09/LTM/4 allowed Hanson Aggregates Marine to extract aggregates from Area 470 (North Bristol Deep) wholly within Welsh waters. Area 531 extends the spatial extent of Area 470 licence into English waters, increasing the dredgeability of the area, which was limited due to the current and tidal constraints which are

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		enhanced by the small licenced area.
MMML1948HN	Determined together with MMML1948TC on 27 April 2021	Tarmac Marine and Hanson Aggregates Marine Limited have sought separate marine licences from the MMO and Natural Resource Wales (NRW) to extract up to a combined total of 4,500,000 tonnes of aggregate from Area 531 over 15 years, across the two subareas (either side of the England – Wales border) at a maximum rate of 300,000 tonnes per annum, which will be divided equally between the two companies. The Welsh/English border runs roughly through the middle of Area 531, resulting in the proposed dredge area existing in both English and Welsh waters. Area 531 covers 3.47 km <sup>2</sup> in total, with 1.98 km <sup>2</sup> located in English waters and 1.49 km <sup>2</sup> in Welsh waters.
MMML1948v1HN	13 May 2021	NRW led variation to accommodate minor errors.

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**MARINE LICENCE, NUMBER  
MMML1948v1TC**

**1 LICENCE DETAILS**

**1.1 Marine Licence**

This is a licence granted by the Licensing Authority in respect of an application numbered MMML1948TC and duly made on 29/11/2019 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 organisation set out below:

**Company name:** Tarmac Marine Limited  
**Company number:** 2105370  
**Address:** Tarmac Marine Ltd., Drayton House, Drayton Lane, Chichester, West Sussex, PO20 2EW

**1.3 Licence Validity**

<b>Licence Start Date</b>	<b>13 May 2021</b>
<b>Licence End Date</b>	<b>06 May 2038</b>
<b>Licence Issue Date</b>	<b>13 May 2021</b>
<b>All dredging operations permitted under this Licence must cease by:</b>	<b>12 May 2036</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**

Extraction of marine aggregate from the seabed by means of marine aggregate dredging at Area 531 – North Bristol Deep, Severn Estuary:

- Trailer suction hopper dredging and anchor dredging;
- Total extraction of 2,250,000 tonnes over 15 years; maximum of 150,000 tonnes per year across the total area; &
- Grab and core sampling as required for monitoring purposes.

### **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.

The removal from the seabed of marine aggregate and the removal of material from the seabed for sampling purposes as detailed in **Table 1** or for the purpose of compliance with condition **3.2.1**.

**Table 1 Licensed Activities**

<b>Activity 1 Aggregate dredging extraction at Area 531</b>	
Type of Licensed Activity	Marine aggregate extraction
Description	The aggregate will be extracted by trailer suction hopper and anchor dredging within the Welsh water subarea of Area 531 as defined in Table 2.1. Cargo screening is permitted.
Material types to be removed or deposited	Sand
Quantities	<ul style="list-style-type: none"> <li>• Tarmac Marine is licensed to dredge: a total of 2,250,000 tonnes of marine aggregate extraction over the duration of this licence across the whole of Area 531 as detailed in Table 2.1 and 2.2</li> <li>• A combined maximum of 150,000 tonnes extraction in any calendar year across the whole area of Area 531 detailed in Table 2.1 and 2.2</li> </ul> <p>(i) Where this licence commences on a date other than <b>01 January</b> the maximum extraction for the first year must be calculated on a pro rata basis; and</p> <p>(ii) Where the licence expires on a date other than <b>31 December</b> the maximum extraction quantity for the final year must also be calculated on a pro rata basis.</p>
<b>Activity 2 Grab and Vibrocore sampling pursuant of condition 3.2.1</b>	
Type of Licensed Activity	Removal of seabed samples will be via grab sampling or vibrocores.
Description	Removal of sediment samples using grabs or vibrocores.

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Material types to be removed or deposited	Sediment for sampling purposes
Quantities/Dimensions	Sediment samples will be removed using grabs and vibrocores in line with agreed methodology.
<b>Activity 3 Removal of accidentally dropped objects pursuant to condition 3.2.2</b>	
Type of Licensed Activity	Removal
Description, material types and quantities/dimensions	As approved by the Licensing Authority under condition 3.2.2

### 2.3 Licensed Area

The Licence Holder is authorised to conduct the **Activity 1** described in **Table 1** in the Dredge Zone for Area 531 within Welsh Waters bounded by the co-ordinates as specified in **Table 2.1**

**Table 2.1 Coordinates for dredging in Dredge Zone Area 531 (Welsh Waters)**

<b>Welsh Area 531 Dredge Zone</b>	
<b>Longitude</b>	<b>Latitude</b>
2 56.4863 W	51 28.5119 N
2 56.3770 W	51 28.4240 N
2 59.2915 W	51 27.4289 N
2 59.4391 W	51 27.5822 N
2 59.4281 W	51 27.5890 N
2 59.2515 W	51 27.7889 N
2 56.4863 W	51 28.5119 N

**Table 2.2 Coordinates for dredging in Dredge Zone Area 531 (England Waters)**

<b>English Area 531 Dredge Zone</b>	
<b>Longitude</b>	<b>Latitude</b>
02 56.3770 W	51 28.4240 N
02 59.2915 W	51 27.4289 N
02 59.0641 W	51 27.1927 N
02 56.1004 W	51 28.2015 N
02 56.3770 W	51 28.4240 N

The Licence Holder is authorised to conduct the **Activity 2** described in **Table 1** in the area bounded by the co-ordinates as specified in **Table 3**

**Table 3 Coordinates for permitted sampling**

<b>Grab and vibrocore sampling area</b>	
<b>Longitude</b>	<b>Latitude</b>
2 57.2975 W	51 31.2991 N
2 53.7320 W	51 29.3272 N
2 59.5454 W	51 27.3422 N
3 0.6262 W	51 26.3999 N
3 2.7203 W	51 26.7819 N

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No dredging is allowed outside the coordinates detailed in **Table 4** (Restricted Dredge Zone) until condition **3.3.1** has been completed and approved in writing by the Licensing Authority.

**Table 4 Coordinates for Restricted Dredge Zone in Area 531**

<b>Restricted Dredge Zone in Area 531</b>	
<b>Longitude</b>	<b>Latitude</b>
02 59.4288 W	51 27.5922 N
02 58.8622 W	51 27.8089 N
02 57.4222 W	51 28.0697 N
02 58.5911 W	51 27.6728 N

In the event of any discrepancy between the coordinates set out above and the plan attached at **Appendix 1**, the coordinates shall take precedence.

## **2.4 Approved Supporting Documents**

<b>Title/Description of Document</b>	<b>Date</b>	<b>Version No.</b>
<i>Full environmental Statement (MMML1948 Area531ES_ABPmer R3078_Final_14Oct2019)</i>	12/11/2019	1
<i>Coastal Impact Study (MMML1948 CS0524B_Area531_2018)</i>	12/11/2019	1
<i>Area 470 bathymetric change charts and supporting email (MMML1948 Area 470 Bathymetric Change 2001-2019 and MMML1948 Tarmac supporting evidence email)</i>	10/03/2020	1
<i>Environmental Statement Addendum (MMML1948 200514 ES Addendum for TM and HAM_Final_ABPmer14May2020 (6))</i>	05/06/2020	1
<i>WFD Assessment for MMML1948</i>	03/03/2020	1
<i>Supplementary RIAA sandeel assessment (MML1948 Area 531 Supplementary RIAA Sandeel v2.0 complete)</i>	15/02/2021	1
<i>SNCBs comments on HRA log (MMML1948 HRA SNCB comment log Area 531)</i>	11/02/2021	1

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<i>Habitats Regulation Assessment (MMML1948 NRW Area 531 HRA v3)</i>	17/03/2021	3
<i>NRW TE Form 2 (MMML1948 OGN 200 FORM 2 Area 531 MMML1948)</i>	18/02/2021	1

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### **3 CONDITIONS**

#### **3.1 Notification and Inspection**

##### **3.1.1 Notification of Commencement**

The Licence Holder must notify the Licensing Authority, The Crown Estate and authorised 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.

##### **3.1.2 Notification of commencement of dredging operations**

The Licence Holder must notify Welsh Government Marine Enforcement Officers, The Crown Estate and the Licensing Authority no less than **10 days** before the commencement of the Licensed dredging operations (Activity 1 **Table 1**) is expected to commence.

##### **3.1.3 Commencement to be within 5 years of issue of Licence**

Notification of commencement of first dredging operation under condition **3.1.2** must be received within **5 years** of the date of this Licence. If no notification is received within 5 years, this licence shall be void.

##### **3.1.4 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.

##### **3.1.5 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.

##### **3.1.6 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.

##### **3.1.7 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).

##### **3.1.8 Notification of UK Hydrographic Office**

The Licence Holder must notify the UK Hydrographic Office of the timetable of dredging operations, within **5 working days** of the commencement of dredging, to permit the promulgation of maritime safety information and updating of nautical charts and publications where necessary.

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### **3.1.9 Notification of local mariners**

The Licence Holder must notify local mariners and fishermen's organisations a minimum of **5 working days** in advance of commencement of the first instance of dredging. This notification must include the local port/harbour authority/ies and Vessel Traffic Service(s) and any other relevant body as considered appropriate by the Licence Holder.

### **3.1.10 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.

### **3.1.11 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 **3.1.4**; and
- The Masters of any vessels employed in the pursuance of this Licence whose details have been submitted to the Licensing Authority pursuant to condition **3.1.5**

### **3.1.12 Inspection of documents**

Copies of this Licence shall be made available at the following locations:

- at the address of the Licence Holder specified in **paragraph 1.2**;
- on board each vessel from which any removal 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 **1.2** and **3.1.11**

### **3.1.13 Completion of dredging operations**

All dredging operations permitted under this licence must cease no later than **12 May 2036**.

### **3.1.14 Cessation of dredging**

The Licence Holder must cease all dredging activity when instructed by the Licensing Authority.

### **3.1.15 Notification of cessation of dredging**

The Licence Holder must notify Marine Enforcement Officers, the Licensing Authority, and The Crown Estate in writing of the date on which dredging operations cease within **7 days** of the operations ceasing.

### **3.2 Additional Permitted Activity**

#### **3.2.1 Permitted Sampling**

- (a) Should sampling be necessary to comply with any of the conditions of this licence (including sampling that is required outside the licensed area), the Licence Holder is permitted to undertake such sampling if the survey specification has been approved by the Licensing Authority and The Crown Estate has been notified.
- (b) The Licence Holder is permitted to undertake the following sampling within the area bounded by the co-ordinates in **Table 3** in accordance with the agreed specification under condition **3.3.2, 3.5.1 & 3.7.1**):
- benthic grab samples using Hamon grab or similar apparatus;
  - sediment samples using clamshell grab or similar apparatus; and
  - vibrocores using a vibrocorer.

#### **3.2.2 Dropped objects**

- (a) The licence holder must ensure that the position of any dropped object relating to the licensed activity left on the seabed is reported to the UK Hydrographic Office within **30 days** and disseminated via the Kingfisher bulletin service at the earliest opportunity.
- (b) 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.

### **3.3 Pre-operation requirements**

#### **3.3.1 Prior approval in relation to Restricted Dredge Zones**

The Licence Holder is not permitted to undertake any dredging operations outside the area bounded by the co-ordinates detailed in **Table 4** until a pre-dredge monitoring report is submitted to, and approved in writing by the Licensing Authority in line with conditions **3.3.2 to 3.3.5**

#### **3.3.2 Pre-dredge monitoring surveys specifications**

- (a) The Licence Holder must ensure that a specification for the pre-dredge monitoring surveys is submitted to, and approved in writing, by the Licensing Authority, **at least 8 weeks** before surveys are due to commence, unless otherwise agreed by the Licensing Authority. The survey specification must meet the requirements of condition 3.3.4 and include the following:
- (i) The methodology to determine the presence and extent of biogenic reef (including *Sabellaria reef*);
  - (ii) The survey specification must also detail the sandeel habitat suitability assessment methodology from the Regional Seabed Monitoring Plan (condition 3.3.4) samples; and
- (b) Copies of the approved specification, and of any approved changes to it should be provided to the Licensing Authority within **10 working days** of approval having been received.

### **3.3.3 Pre-dredge monitoring report**

The Licence Holder must submit a full report on the pre-dredge survey to the Licensing Authority for written approval **within 9 months** of the completing of the survey, unless otherwise agreed by the Licensing Authority.

### **3.3.4 Contents of pre-dredge survey report**

- (a) The pre-dredge survey report must include provision for the following surveys to cover the marine licence areas listed in **Table 2.1**, **Table 2.2** and **Table 3** and reference sites/surrounding areas as specified below and in line with the pre-dredge surveys specifications (condition **3.3.2**). The specifications for such surveys must include the following detail:
- (i) Bathymetry
  - (ii) Seabed Features
  - (iii) Sandeel habitat suitability assessment
  - (iv) Resource Assessment
  - (v) Seabed Sediment Sampling
  - (vi) Benthic Ecology
  - (vii) Sensitive Habitats and/or Species
  - (viii) Archaeology
- (b) The Licence Holder must ensure that the baseline survey is carried out in line with the latest version of the Regional Seabed Monitoring Plan (RSMP) Protocol for Sample Collection and Processing.
- (c) Survey results must be submitted to the Centre for Environment Fisheries and Aquaculture Science (Cefas) and NRW, acting on behalf of the Licensing Authority.
- (d) Pre-dredge survey be carried out **in year 1** of the Licence term and no later than **12 May 2022**.

### **3.3.5 Exclusion Zone report**

The Licence Holder must submit an Exclusion Zone (EZ) report to the Licensing Authority for written approval at least **8 weeks** prior to commencement of any dredging activity outside of the Restricted Dredge Zone (**Table 4**). No dredging outside of the Restricted Dredge Zone may be undertaken prior to written agreement from the Licensing Authority. The report must include details of the following:

- (i) Charts or information detailing the location of known cable and pipelines present in or near the licence area
- (ii) Isopachyte charts detailing the location of areas where resource thickness is **0.5m** or less over **250m** by **250m** grid centred on **125m** nodes
- (iii) Charts detailing the location of known sensitive nature conservation features
- (iv) Charts or information detailing known features of archaeological interest
- (v) Details of Exclusion Zones relating to any of the features listed in (i) to (iv).

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### **3.3.6 Biosecurity Plan**

The Licence Holder must conduct all activities in line with the BMAPA 2018 Regional Biosecurity Plan Bristol Channel (and Celtic Sea) Region and condition **3.4.7** and **3.4.8**.

### **3.3.7 Archaeological mitigation Plan**

The Licence Holder must review the geophysical data in the pre-dredge monitoring report (condition **3.3.3**) and submit an updated archaeological baseline to the Licensing Authority for written approval at least **8 weeks** prior to the commencement of dredging outside of the Restricted Dredge Zone (**Table 4**).

### **3.3.8 Prohibition on dredging until pre-approval conditions discharged**

The Licence Holder must ensure that no dredging activity outside the Restricted Dredge Zone (table 4) takes place until conditions **3.3.3**, **3.3.5** and **3.3.7** have been discharged in writing by the Licensing Authority.

### **3.3.9 Implementation and variation of approved Plans**

Any proposed changes to the actions outlined in the documents detailed in conditions **3.3.5** to **3.3.7** must be submitted to and agreed in writing by the Licensing Authority prior to any changes being enacted.

### **3.3.10 Prohibition on dredging until navigational marking information obtained**

The Licence Holder must ensure that no dredging shall take place outside the Restricted Dredge Zone (**Table 4**) until the Licence Holder has obtained information from Trinity House or the relevant Lighthouse Authority on navigational marks in the area. Damage must not be caused to such marks nor shall they be removed. The Licence Holder will be liable for any expense arising from damage to or movement of such marks.

## **3.4 Operational requirements**

### **3.4.1 Notified contractors and vehicles only to carry out Licensed Activities**

Only those agents, contractors, subcontractors and vessels whose details have been notified to the Licensing Authority ( as stated in condition **3.1.4**) 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 such an agent, contractor, subcontractors or vessels carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

### **3.4.2 Government assistance**

If, in the opinion of the Licensing Authority, 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 the Licensed Activities, the Licence Holder will be liable for any expense incurred in securing such assistance.

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### **3.4.3 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**.

## **Benthic Grab Sampling**

### **3.4.4 Grab Samples - additional notification upon completion**

The Licence Holder must inform the Licensing Authority, of the location of all completed grab samples within **10 days** of completion of the work.

### **3.4.5 Grab Samples – sensitive species**

The Licence Holder must ensure that in the event of removal of biogenic reef habitat designated by Natural Resources Wales under Schedule 7 of the Environment (Wales) Act 2016, no further removals occur at that location, or within **20m** of that location.

## **Dredging Operations**

### **3.4.6 Dredging methods**

All dredging in the Licenced Area must be carried out by trailer suction dredging or anchor dredging only. On-board screening is permitted under this licence.

### **3.4.7 Hopper washing**

The Licence Holder is permitted to undertake hopper washing, where necessary, to remove small amounts of residual material (less than **50m<sup>3</sup>**) that remain in the hopper prior to vessel maintenance or extraction of a different grade of cargo, where the hopper washing activity meets the requirements of the biosecurity plan referenced in condition **3.3.6**. This material may be deposited within the Licensed Area, subject to condition **3.4.8**.

### **3.4.8 Restriction on locations of hopper washing**

Hopper washing must not take place within any EZs implemented to protect archaeological or nature conservation features identified in condition **3.3.5**, **3.4.13** and **3.4.22**. The release of any material and/or residues is only permitted within an aggregate extraction area for which the Licence Holder holds a valid marine licence.

### **3.4.9 EMS requirements**

The Licence Holder must ensure that all dredgers operating in the licence area be fitted with a functional and operational Electronic Monitoring System (EMS) approved by the Crown Estate and the Licensing Authority.

### **3.4.10 Retention of aggregate substrate**

The Licence Holder must ensure that no dredging occur in areas of resource 0.5m or less measured over a **250m** by **250m** grid centred on **125m** nodes.

## **Archaeology**

### **3.4.11 Archaeology Guidance**

The Licence Holder must ensure that in complying with conditions **3.4.12** and **3.4.13** the Licence Holder must observe the Guidance Note, Marine Aggregate Dredging and the Historic Environment, issued by British Marine Aggregate Producers Association (BMAPA) and English Heritage in April 2003, the related Protocol for reporting Finds of Archaeological Interest, issued in August 2005, and any subsequent updates of those documents.

### **3.4.12 Recording of archaeological finds**

The Licence Holder must ensure that any items of archaeological and/or military interest identified and retrieved from dredged material as it is processed ashore must be recorded and reported according to the procedures set out in the Protocol for Reporting Finds of Archaeological Interest (BMAPA and English Heritage 2005). Cadw and the relevant Welsh Archaeological Trust must be notified of these finds.

### **3.4.13 Reporting of wrecks**

The Licence Holder must ensure that should any previously unreported wrecks (vessel or aircraft) or other sites of archaeological interest are identified within the marine licence area, during either dredging operations or monitoring, Exclusion Zones must be implemented around them in accordance with the procedures set out in the Protocol for Reporting Finds of Archaeological Interest (BMAPA and English Heritage 2005). Unless informed in writing by the Licensing Authority, the Licence Holder must not dredge within these zones for the remainder of the licence period. The co-ordinates and date of implementation of Exclusions Zones must be provided in writing to the Licensing Authority and The Crown Estate within **5 working** days of EZ being implemented.

## **Navigation**

### **3.4.14 Navigation Charts**

The Licence Holder must ensure that all dredging vessels carry up to date editions of the relevant Admiralty Charts (or approved electronic equivalent).

### **3.4.15 Notifications to mariners**

The Licence Holder must ensure that the fishing industry and other mariners, as necessary, are notified of their intention to commence dredge no later than **5 days** before the commencement of dredging within the area.

### **3.4.16 Navigational Safety during Dredging Operations**

The Licence Holder must ensure that the common measures procedures set out in the Guide to Good Practice for Ensuring Navigational Safety during Dredging Operations (BMAPA, the Maritime and Coastguard Agency and Trinity House 2012) are abided by.

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#### **3.4.17 Debris left on the seabed**

The Licence Holder must ensure that the position of any item of debris relating to the licensed activity left on the seabed is reported to the UK Hydrographic Office within **30 days**. The Licence Holder must ensure that the position and nature of the debris is disseminated via the Kingfisher bulletin service at the earliest opportunity. The Licence Holder may remove such debris as described in condition **3.2.2**.

### **Exclusion zones**

#### **3.4.18 No dredging within exclusion zones**

The Licence Holder must ensure that no dredging activity takes place in the Exclusion Zones (EZs) identified in condition **3.3.5**, **3.4.13** and **3.4.22**, without prior written consent from the Licensing Authority.

#### **3.4.19 Veneer thickness**

The Licence Holder must ensure that any additional areas of veneer thickness of less than **0.5m** or less over **250m** by **250m** grid centred on **125m** nodes, as defined in condition **3.3.5 (ii)**, identified during either dredging operations or monitoring are excluded from future extraction upon identification.

#### **3.4.20 Sensitive nature conservation features**

The Licence Holder must ensure that any additional areas of sensitive nature conservation features, as defined in condition **3.3.5 (iii)**, identified during either dredging operations or monitoring (**paragraph 3.5**) are excluded from future extraction upon identification.

#### **3.4.21 Notification of Exclusion Zones**

The co-ordinates and the date of implementation of EZ under condition **3.3.5**, **3.4.13** and **3.4.22** must be provided in writing to the Licensing Authority and The Crown Estate within **5 working days** of the EZ being implemented. Unless informed in writing by the Licensing Authority, the Licence Holder must not dredge within these zones for the remainder of the licence period.

#### **3.4.22 Modifications to Exclusion Zones**

All modifications to established EZs, whether temporary or permanent, must be approved in writing by the Licensing Authority before being implemented and changes notified to The Crown Estate within **5 days** of its approval.

### **Reporting of Extraction Rate**

#### **3.4.23 Reporting of annual extraction for Area 531**

The Licence Holder must, on an annual basis, from the commencement of dredging and for the duration of the Licence:

- (i) Provide annual returns to the Licensing Authority no later than **31 January**, in writing of the amount of material landed from Area 531 in both tonnes and m<sup>3</sup> (wet weight / as dredged) for the preceding calendar year, including the total extracted amount over the lifetime of the licence; and

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- (ii) Provide the conversion factor applied.

#### **3.4.24 Reporting of errors in returns**

The Licence Holder must notify and submit a correction to the Licensing Authority if it becomes apparent that the submitted return specified in condition **3.4.23** contains an error, within **5 days** of the error being identified.

### **3.5 Operational Stage Monitoring Programme**

#### **3.5.1 Site specific monitoring plan**

The Licence Holder must submit a site-specific monitoring plan, in line with the latest version of the Regional Seabed Monitoring Plan (RSMP) Protocol for Sample Collection and Processing, for written approval by the Licensing Authority **within year 1** of the Licence term and no later than **12 May 2022**, unless otherwise agreed by the Licensing Authority.

#### **3.5.2 Monitoring schedule**

The monitoring plan referenced in condition **3.5.1** must include a timetable for the individual monitoring surveys, which are to be undertaken during the first **5 years** from the commencement of dredging.

#### **3.5.3 Subsequent monitoring plans**

The Licence Holder must submit subsequent monitoring plans following the completion of the substantive reviews as required by condition **3.6.2**, within **6 months** of submission of the substantive review, unless previously agreed with the licensing authority.

#### **3.5.4 Implementation of monitoring plan**

The Licence Holder must ensure that the monitoring programme is implemented in accordance with the approved specification (condition **3.5.1**). The programme must be maintained throughout the period in which dredging is carried out.

#### **3.5.5 Changes to monitoring plan**

Any changes to the approved monitoring scheme must be:

- (i) When instigated by the Licence Holder, submitted to the Licensing Authority, for approval no later than **8 weeks** before the revised monitoring programme is due to start.
- (ii) Implemented as approved.

#### **3.5.6 Compatibility with pre-dredge survey**

The Licence Holder must ensure that all monitoring surveys are of a comparable specification to the pre-dredge survey, in line with the latest version of the RSMP Protocol for Sample Collection and Processing and as agreed in the site-specific monitoring plan (condition **3.5.1**) unless previously agreed with the Licensing Authority.

#### **3.5.7 Comparison to pre-dredge report**

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The Licence Holder must ensure that all survey reports shall provide a comparison with the final report of the pre-dredge survey results described in condition **3.3.4**.

### **3.5.8 Timescale for submission**

The Licence Holder must ensure that all monitoring reports are submitted to the Licensing Authority for written approval within **9 months** of the completion of the monitoring surveys.

### **3.5.9 Inclusion of maps in monitoring reports**

The Licence Holder must ensure that all monitoring reports include a map of the licenced areas indicating clearly the dredge intensity (EMS plots) along with a figure for the total area dredged during the preceding 12 months.

## **3.6 Reviews of the Dredging Operations**

### **3.6.1 Annual Compliance Report**

The Licence Holder must produce a report on compliance with the conditions to which this Marine Licence is subject, including a summary of the monitoring undertaken. The Licence Holder must submit copies of the report to the Licensing Authority, within **3 months** of the end of each 12-month period following the date of commencement of dredging.

### **3.6.2 Substantive review of operations**

The Licence Holder must submit a substantive review of the dredging operations that have taken place under the Marine Licence to the Licensing Authority within **9 months** of the start of **year 5 and year 10**, following the commencement of dredging within the Licensed Area, unless previously agreed otherwise with the Licensing Authority. The report must summarise the results of the monitoring undertaken to date and detail:

- (i) The impact of dredging operations on the marine environment;
- (ii) The effectiveness of the conditions imposed on the dredging operations and recommending any variations to the dredging operations as may be necessary to protect the environment; and
- (iii) Any recommendations of variations to the monitoring programme as may be necessary to ensure that effective environmental monitoring of the dredging is maintained.

### **3.6.3 Recommendations arising from monitoring reports**

The Licence Holder must ensure that any recommendations on amendments to licensed operations arising from monitoring survey reports that have been approved by the Licensing Authority are adhered to.

## **3.7 Post-Dredge Monitoring Programme**

### **3.7.1 Post-dredge monitoring specification**

The Licence Holder must ensure that a specification for post dredge monitoring is submitted to the Licensing Authority for written approval at least **8 weeks** prior to the cessation of dredging.

### **3.7.2 Implementation of post dredge monitoring**

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The Licence Holder must ensure that the post-dredge monitoring programme is implemented in accordance with the approved specification within **12 months** from the cessation of the dredging.

### **3.7.3 Changes to monitoring scheme**

The Licence Holder must ensure that any changes to the approved monitoring scheme must be submitted to the Licensing Authority for approval no later than **8 weeks** before the revised monitoring programme is due to start. Any changes must be implemented as approved.

### **3.7.4 Post-dredge monitoring report**

The Licence Holder must submit a post-dredge monitoring report to the Licensing Authority, within **18 months** of cessation of dredging. The post-dredge monitoring report must include:

- (i) A report describing the condition of the seabed within the Licence Area following the cessation of dredging. The report must ensure that an assessment is made of the need for further post-dredge monitoring of the Licence Area.
- (ii) Appropriate evidence demonstrating that there have been no adverse impacts on the relevant environmental indicators, as identified in the pre-dredge survey report.
- (iii) If this evidence cannot be provided then the report will detail recommendations of actions, which must be undertaken to ensure the remediation of any adverse impacts on the seabed sediment environment.

### **3.7.5 Compatibility with pre-dredge survey**

The Licence Holder must ensure that all monitoring surveys are of a comparable to the pre-dredge survey, in line with the latest version of the RSMP Protocol for Sample Collection and Processing and as agreed in the post-dredging monitoring specifications (condition **3.7.1**) unless previously agreed with the Licensing Authority.

### **3.7.6 Seabed sediment condition after cessation of dredging**

The Licence Holder must ensure that upon cessation of dredging the sediment substrate must be of a similar grading to the conditions that existed before dredging commenced with due allowance being made for natural sediment movements.

### **3.7.7 Scheme for remedial work**

In the event that the Licensing Authority determines that remedial work is required, the Licence Holder must ensure a scheme for remedial works is prepared and submitted to the Licensing Authority for written approval within **3 months** from the date of submission of the Post-dredge monitoring reporting (condition **3.7.4**).

### **3.7.8 Implementation of scheme for remedial work**

Where required by the Licensing Authority, the Licence Holder must ensure that the scheme referenced in condition **3.7.7** is implemented as approved.

### **3.7.9 Bathymetric survey reports**

The Licence Holder must ensure that copies of the approved depth data and associated reports from the bathymetric surveys are provided to the UK Hydrographic Office in digital form within **30 days** of approval.

#### **4 INTERPRETATION**

- (a) In this Licence terms are as defined in section 115 of the Marine and Coastal Access Act unless otherwise stated.
- (b) "**2009 Act**" means the Marine and Coastal Access Act 2009;
- (c) "**Approved Application**" means the Marine Licence Application Form together with the Approved Supporting Documents;
- (d) "**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;
- (e) "**Commencement**" means the first undertaking of any Licensed Activities;
- (f) "**Exclusion Zones**" means an area around a defined seabed feature within which dredging is not permitted in order to prevent disturbance or any further reduction in depth.
- (g) "**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;
- (h) "**Licensed Activities**" means the activities authorised by this licence as specified in 2.1;
- (i) "**Licensed Area**" means the area within which Licensed Activities are authorised by this licence as specified in section 2.2;
- (j) "**Licence Holder**" means the person(s) or organisation(s) named in section 1.2 to whom this licence is granted;
- (k) "**Licence Period**" means the period beginning with the Licence Start Date and ending on the Licence End Date;
- (l) "**Licensing Authority**" means Natural Resources Wales acting on behalf of the Welsh Ministers;
- (m) "**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;
- (n) "**Marine Licence Application Form**" means the application form forming part of the application referred to in paragraph 1.1;
- (o) "**Method Statement**" means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;
- (p) "**Primary Impact Zone**" means the zone within which impacts resulting from the passage of the draghead over the seabed surface occur.
- (q) "**Secondary Impact Zone**" means the zone, within and extending beyond the boundaries of a direct impact zone within a licence area, within which impacts resulting from the settlement of fine sediment generated by dredging occur
- (r) "**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;
- (s) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- (t) all co-ordinates shall be taken to be latitude and longitude degrees and minutes to two decimal places
- (u) 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.

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## **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)

**6 Appendix 1**

**6.1 Map of licence area 531, Marine Licence MMML1948**

