

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Bridgend County Borough
Council

**C/O Flood & Coastal Management
Waterton Depot
Waterton Lane
Bridgend
CF31 3YP**

**Coastal defence repair works to four
areas at Sandy Bay and Trecco Bay,
Porthcawl**

Licence Number:
CML1936v2

Coastal defence repair works to four areas at Sandy Bay and Trecco Bay, Porthcawl

Marine Licence number: CML1936v2

Introductory note

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

The main features of the marine licence are as follows.

Coastal defence repair works to four areas at Sandy Bay and Trecco Bay, Porthcawl:

- Western Breakwater: repairing and reinforcing the Western Breakwater, with cut off wall and scour protection
- Eastern Promenade: crest raising and strengthening, using stone faced revetment and cintec anchors for both
- Rhych Point 1 and 2: reinforcing Rhych Point with rock armour revetment.

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 07/08/2019	Application received and considered to be duly made
Date licence determined	11/11/2021	Determination date
Marine Licence CML1936v1	09/04/2020	Variation to extend the boundary line of Rhych Point 1 and 2
Marine licence CML1936v2	18/11/2021	Licence varied to extend the licence by 12 months

The Licence CML1936v2 supersedes Licence CML1936v1 in its entirety.

Related marine licences or applications under determination

Not Applicable

End of introductory note.

MARINE LICENCE CML1936

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML1936** and duly made on **07 August 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:

Organisation name: Bridgend County Borough Council

Address: C/O Flood & Coastal Management, Waterton Depot, Waterton Lane, Bridgend, CF31 3YP

1.3 Licence Validity

Licence Start Date	18 November 2021
Licence End Date	31 December 2022
Licence Issue Date	18 November 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

Coastal defence repair works to four areas at Sandy Bay and Trecco Bay, Porthcawl.

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

Activity 1 Coastal Defence Repair Works	
Type of Licensed Activity	Construction
Description	- Western Breakwater: repairing and reinforcing the Western Breakwater, with cut off wall and scour protection - Eastern Promenade: crest raising and strengthening, using stone faced revetment and cintec anchors for both - Rhych Point 1 and 2: reinforcing Rhych Point with rock armour revetment.
Material types to be removed or deposited	Deposits: Steel, Concrete, Stone, Rock, Plastic/Synthetics, Other: Resin flush for masonry core of wall, Geotextile lining, Grouted fabric sock, SBR Modified mortar and Grout Removals: Concrete, Rubble and Debris

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of Sandy Bay and Trecco Bay, Porthcawl bounded by the the coordinates specified in Appendix 1.

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

2.3 Approved Supporting Documents

Title/Description of Document	Date	Version No.
Appendix A - Site Location Plan	31/07/2021	1
Appendix B - Environmental Constraints - Local Context	31/07/2021	1

Appendix C - Environmental Constraints 10km buffer – regional context	31/07/2021	1
Appendix D - Eastern Promenade Red Line Boundary	31/07/2021	1
Appendix D - Rhych Point Revetment Red Line Boundary P02	30/01/2020	2
Appendix D - Western Breakwater Red Line Boundary	31/07/2021	1
Appendix E - Eastern Promenade Proposed Strengthening Works Plan and Elevation Part 1	31/07/2021	1
Appendix E - Eastern Promenade Proposed Strengthening Works Plan and Elevation Part 2	31/07/2021	1
Appendix F - Eastern Promenade Proposed Strengthening Works Zone B	31/07/2021	1
Appendix F - Eastern Promenade Proposed Strengthening Works Zone D	31/07/2021	1
Appendix F - Eastern Promenade Proposed Strengthening Works Zones C and E	31/07/2021	1
Appendix G - Western Breakwater Proposed Strengthening and Repair Works Plan and Elevation	31/07/2021	1
Appendix H - Western Breakwater Proposed Strengthening and Repair Works Zone A	31/07/2021	1

Appendix H - Western Breakwater Proposed Strengthening and Repair Works Zone B	31/07/2021	1
Appendix H - Western Breakwater Proposed Strengthening and Repair Works Zone C	31/07/2021	1
Appendix H - Western Breakwater Proposed Strengthening and Repair Works Zone D Part 1	31/07/2021	1
Appendix H - Western Breakwater Proposed Strengthening and Repair Works Zone D Part 2	31/07/2021	1
Appendix I - Rhych Point Revetment Plan and Section	31/07/2021	1
Appendix J - Habitat Regulations Assessment	31/07/2021	1
Appendix K - Water Framework Directive (submitted 11 October 2019)	31/07/2021	1
Appendix L - Indicative Construction Method	31/07/2021	1
Appendix M - Question 6a continued	31/07/2021	1
Appendix O - Heritage Impact Assessment	31/07/2021	1
Appendix P - Environment Report	31/07/2021	1
CML1936 Porthcawl Sandy Bay - ABPmer Conceptual Understanding	26/09/2019	1

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CML1936 New Coordinates for Eastern Promenade	02/08/2019	1
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3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1** The Licence Holder must notify the Licensing Authority no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) 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/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 Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** 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 at least **24 hours** 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 at least **24 hours** prior to commencement by contacting The National Maritime Operations Centre at **zone27@mcga.gov.uk**.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

3.6 Notification of Completion

- 3.6.1** The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.
- 3.6.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

3.7 Accident or Emergency

3.7.1 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.

3.7.2 If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority under condition 3.3 and
- The Masters of any vessels and transport managers responsible for the vehicles employed in accordance of this Licence whose details have been submitted to the Licensing Authority under 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; and
- on board each vessel or vehicle carrying out Licensed Activities.

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Vessels, Plant and Equipment

3.10 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or 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.

3.11 Refuelling of Plant and Equipment

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

3.12 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

3.13 Removal of Deposited Material

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit 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.

Pollution control

3.14 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**.

3.15 Spillage of Pollutants

The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. Secondary containment must be used with a capacity of **no less than 110%** of the container's storage capacity

3.16 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 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.

3.17 Cleanliness of Equipment

The Licence Holder must ensure that equipment, machinery and PPE are washed with freshwater and/or thoroughly airdried before deployment and before moving between locations.

Activity-specific Conditions

3.18 Approval of Schemes

3.18.1 The Licence Holder must submit a 'Written Scheme of Investigation' to NRW on behalf of the Licensing Authority for written approval at least **6 weeks** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval the Licensing Authority.

3.18.2 The Licence Holder must ensure that any actions outlined in the documents detailed in Condition 3.18.1 are implemented as approved in writing the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to and approved in writing by the Licensing Authority prior to any changes being enacted.

3.19 Biodiversity

The Licence Holder must ensure that a site walk over survey takes place to identify the extent of *Sabellaria alveolata*. If *Sabellaria alveolata* is identified and cannot be avoided, no Licensed Activities that may impact upon the *Sabellaria alveolata* may be undertaken prior to written agreement from NRW on behalf of the Licensing Authority.

3.20 Use of Concrete

3.20.1 The Licence Holder must ensure materials used are suitable for use in the marine environment and works should be timed to ensure maximum concrete cure time before the next high tide.

3.20.2 The Licence Holder must ensure that no waste concrete slurry or wash water from concrete or cement works are discharged into the marine environment. Concrete and cement mixing and washing areas should be contained and sited at least **10 metres** from any watercourse or surface water drain to minimise the risk of runoff entering a watercourse.

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;

- (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 Ordnance Survey National Grid Reference OS (NGR)
- (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

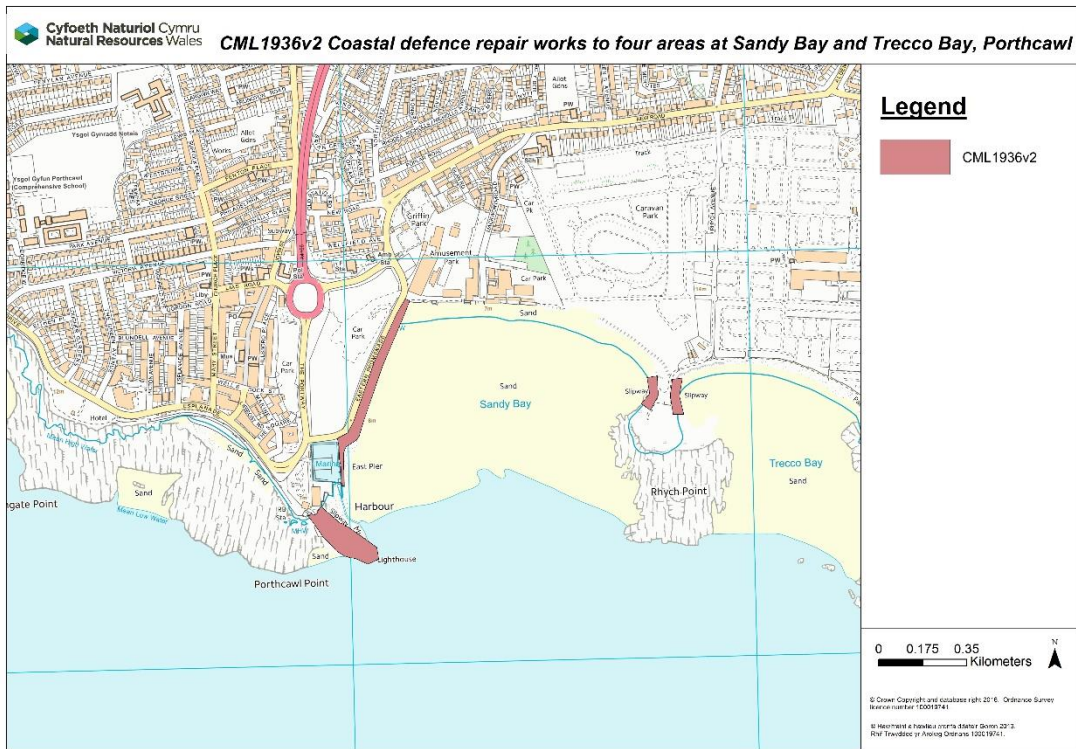
Tel: 0300 065 3000
Email: marinelicensing@naturalresourceswales.gov.uk

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

Appendix 1 Location and Coordinates of Works



Rhych Point 1 within the area bounded by joining the following points	Rhych Point 2 within the area bounded by joining the following points	Eastern Promenade within the area bounded by joining the following points	Western Breakwater within the area bounded by joining the following points
SS8274376692	SS8280776687	SS8214876901	SS 82041 76298
SS8274776655	SS8280176646	SS8212576864	SS 82009 76326
SS8272776629	SS8280376603	SS8211376840	SS 81991 76342
SS8274876614	SS8282676604	SS8210076813	SS 81986 76344
SS8276876647	SS8282576644	SS8208576783	SS 81981 76349
SS8276676694	SS8283176685	SS8207076752	SS 81973 76352
		SS8205976726	SS 81966 76357
		SS8204076676	SS 81927 76393
		SS8202176623	SS 81921 76385
		SS8200776585	SS 81920 76383
		SS8199876574	SS 81917 76379
		SS8197276561	SS 81918 76378
		SS8197476551	SS 81910 76372
		SS8197576542	SS 81903 76378
		SS8197676492	SS 81902 76377
		SS8197876492	SS 81902 76373
		SS8198076478	SS 81894 76371
		SS8197676477	SS 81900 76364
		SS8197776476	SS 81918 76342
		SS8198076476	SS 81920 76338

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		SS8198276457	SS 81923 76329
		SS8198076452	SS 81927 76323
		SS8197676452	SS 81932 76317
		SS8197676450	SS 81939 76309
		SS8198076450	SS 81951 76296
		SS8198176442	SS 81964 76281
		SS8198676442	SS 81981 76270
		SS8198676489	SS 81996 76265
		SS8198676499	SS 82009 76262
		SS8198576523	SS 82027 76253
		SS8199276538	SS 82039 76249
		SS8199576541	SS 82067 76259
		SS8200276546	SS 82063 76289
		SS8201476553	SS 82059 76292
		SS8201976556	
		SS8202676564	
		SS8202776567	
		SS8202976573	
		SS8203276581	
		SS8203776599	
		SS8204676623	
		SS8205476648	
		SS8206376672	
		SS8207276697	
		SS8209076739	
		SS8215776890	
		SS8215576896	
		SS8215976896	
		SS8215976899	
		SS8215076898	