

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Ceredigion County Council

Canolfan Rheidol
Rhodfa Padarn
Llanbadarn Fawr
Aberystwyth
Ceredigion
SA46 0PA

New Quay Harbour Maintenance Dredge
Disposal

Licence Number:
DML2162

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New Quay Harbour Maintenance Dredge Disposal Marine Licence number: DML2162

Introductory note

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

The main features of the marine licence are as follows.

Localised dredging within New Quay Harbour and associated disposal in the form of beach nourishment by means of a land-based mechanical excavator at low tide.

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 22/11/2021	Application received and considered to be duly made
Date licence determined	31/01/2022	Determination date

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
DML1702	20/03/2017	Previous maintenance dredge licence, this licence is a renewal of DML1702 so will expire when DML2162 is issued.

End of introductory note.

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MARINE LICENCE, NUMBER DML2162

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered DML2162 and duly made on 22 November 2021 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: Ceredigion County Council

Address: Canolfan Rheidol, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion, SA46 0PA

1.3 Licence Validity

Licence Start Date	20 March 2022
Licence End Date	19 March 2027
Licence Issue Date	31 January 2022

1.4 Conditions

This licence is subject to the conditions set out in **Section 3**.

Signed:

A handwritten signature in black ink, appearing to be 'A. Williams', written over a light grey rectangular background.

For and on behalf of the Licensing Authority

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2 LICENSED ACTIVITIES

2.1 Project

New Quay Harbour Maintenance Dredge Disposal

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 Dredge / Disposal Activities

Activity 1 Disposal of dredge sediment at New Quay Harbour in the form of beach nourishment		
Marine Licensable Activity Type	Deposit	
Description	Deposit of material mechanically excavated from New Quay Harbour. The material will be deposited locally on the beach on the seaward (north) side of the harbour breakwater at Traeth y Dolau (IS014). Tides will then disperse the material on the beach.	
Maximum Dredge Depth	0.5m Below Chart Datum	
Maximum Dredge volume and tonnage [for disposal only] for material to deposited under this licence	5000 m ³ per year	
Maximum Deposit to Deposit Location	5000 m ³ per year	
Deposit Location	Site Code: IS014	Site Name: Dalou Beach
Material Type	Sand with shell fragments	

2.2 Licensed Area

The Licence Holder is authorised to conduct the deposit activities described in Table 1 / comprised in Activity 1 bounded by the coordinates specified in Table 2.

Table 2 Coordinates for dredging in Deposit Area

Deposit Area	
Longitude	Latitude
-4.3597203	52.216480
-4.3600032	52.216295
-4.3598475	52.216118
-4.3592434	52.215770
-4.3586537	52.215692
-4.3579225	52.215707
-4.3580830	52.215973
-4.3589652	52.216046

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

2.3 Approved Supporting Documents

Title/Description of Document	Date	Version No.
<i><u>02 ED3394 Map New Quay Harbour</u></i>	10/11/2021	1
<i><u>04 ED3394 New Quay Harbour WFD & TLSE</u></i>	10/11/2021	1
<i><u>05 ED3394 New Quay Harbour Dredging Biosecurity Plan</u></i>	10/11/2021	1
<i><u>New Quay Harbour Application Form</u></i>	10/11/2021	1
<i><u>NRW PS Analysis Results Template</u></i>	10/11/2021	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 **5 days** prior to the commencement of the Licensed Activities.
- 3.1.4 The Licence Holder must notify the Source Data Receipt Team, UK Hydrographic Office on sdr@ukho.gov.uk no less than **10 days** before commencement of the Licensed Activities. The information supplied must include the start date, end date, a description of the works, positions of the work area (WGS84) and details of any marking arrangements.

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 zone29@hmcg.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.

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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.
- 3.6.3** The Licence Holder must notify the Source Data Receipt Team, UK Hydrographic Office on sdr@ukho.gov.uk within **10 days** of completion of the Licensed Activities. The information provided must include: latitude and longitude coordinates in WGS84 (ETRS89) datum of the installed works on and/or above the seabed, any changes to engineering drawings, post dredge surveys, details of new or changed aids to navigation where applicable.

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)

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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 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

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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 Sediment Sampling Plan

The Licence Holder must request a sediment sampling plan from the Licensing Authority by **16 July 2024**.

3.19 Implementation of Sediment Plan

The Licence Holder must ensure that the sampling is undertaken in accordance with the sampling plan described in condition 3.18 and is analysed at an NRW approved laboratory.

3.20 Submission of Results of Sediment Sampling

The Licence Holder must submit the written results of the sediment sampling undertaken pursuant to condition 3.19 for written approval by the Licensing Authority within two months of sampling taking place. This must include an outline of an assessment of alternative uses for the sediment that is to be disposed.

3.21 Approval for Continued Dredging Activity

The Licence Holder must ensure no dredging is carried out after the following dates without written approval from the Licensing Authority: **16 October 2024**

3.22 Pollution Control for Pumping Vessels

The Licence Holder must employ suitable pollution control measures when servicing pumping vessels. Spill kits must be available onshore and offshore and all personnel involved in dredging operations must be aware of the location of the kits and trained to use them.

3.23 Returns

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Certified returns of quantities of substances or articles deposited under this Licence are required to be submitted by **31 January** and **31 July** each year. The returns must specify the full Licence number and amount deposited (tonnage) each calendar month at each authorised Deposit Area. Where no deposit is made in a given period a NIL return is required.

If this Licence expires during the course of the calendar year and is not superseded by a further Licence relating to the Licenced Activities, a certified return of quantities of substances or articles deposited under this Licence shall be submitted not later than 28 working days after the Licence End Date.

3.24 Inspection of Disposal Vessel

Subject to meeting any mandatory health and safety obligations, the Licence Holder must provide, at reasonable notice, access and, if necessary, appropriate transportation to the disposal vessel to facilitate any inspection that the Licensing Authority, or Marine Enforcement Officers consider may be necessary.

3.25 Record of Quantity of Deposited Material

The Licence Holder must keep a log detailing the time, date, location and quantity of material deposited at sea. This log must be available for inspection by appropriately authorised officers of the Licensing Authority and Marine Enforcement Officers.

3.26 Annual Quantity of Disposal

The Licence Holder must ensure that the annual disposal of material to Deposit site IS014 does not exceed 5000m³.

3.27 Distribution of Material

The Licence Holder must ensure that during the course of disposal, material is distributed evenly over Deposit site IS014.

3.28 Log of Operations

The Licence Holder must ensure that the Master or the Officer of the Watch of each vessel, as referred to condition 3.10 of this Licence, undertaking the deposit of any substances or articles specified in Table 1 of this Schedule, shall maintain a written log of operations recording the following information:

- the name of the vessel;
- the quantity and type of each substance or article loaded for deposit;
- the date and time of departure from the port or site at which the substances or articles are loaded for deposit in the sea and time of arrival (and date if different) at the Deposit Area on each occasion that it proceeds to and from such area;

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- latitude and longitude position (in degrees and minutes and decimal of a minute to at least one decimal place) of the deposit within the Deposit Area.

Activity-specific Conditions

3.29 Reporting of Artefacts

The Licence Holder must ensure that any artefacts accidentally recovered are retained and reported through the Marine Portable Antiquities Scheme.

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;

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- (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 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

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

