

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

Dredge and disposal at Aberystwyth
Harbour

Licence Number:
DML2160

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Introductory note

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

The main features of the marine licence are as follows.

Dredge and disposal activities using a land-based mechanical excavator at low tide, at Aberystwyth Harbour, Ceredigion.

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 24/11/2021	Application received and considered to be duly made
Date licence determined	23/02/2022	Determination date

Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
DML1421	19 September 2014	Previous licence for dredge and disposal activities in Aberystwyth Harbour, valid 19 September 2014 to 20 June 2017.

End of introductory note.

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MARINE LICENCE, NUMBER DML2160

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **DML2160** and duly made on **24 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 organisation set out below:

Organisation name: Ceredigion County Council

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

1.3 Licence Validity

Licence Start Date	01/03/2022
Licence End Date	28/02/2025
Licence Issue Date	23/02/2022

1.4 Conditions

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

Signed:



Dr. Emmer Litt

For and on behalf of the Licensing Authority

2 LICENSED ACTIVITIES

2.1 Project

Dredge and disposal at Aberystwyth Harbour

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 Dredging and/ Deposit of Aberystwyth Harbour		
Marine Licensable Activity Type	Dredging and Deposit	
Description	Dredging of Aberystwyth Harbour using a combination of water injection dredging and use of a land-based mechanical excavator at low tide	
Maximum Dredge Depth	0.5 metres Below Chart Datum	
Maximum Dredge volume and tonnage [for disposal only] for material to deposited under this licence	Sampled Specific Gravity	m ³ per year
	1900 (wet)	2000m³
Maximum Deposit to Deposit Location	Sampled Specific Gravity	m ³ per year
	1900 (wet)	2000m³
Deposit Location	Site Code: IS013	Site Name: South Beach
Material Type	Gravel with some Sand and Silt/Clay	

2.2 Licensed Area

The Licence Holder is authorised to conduct the dredging activities described in Table 1 bounded by the coordinates specified in Table 2

Table 2 Coordinates for dredging in Dredge Zone Area 1

Dredge Zone Area 1	
Longitude	Latitude
-4.0877412	52.411144
-4.0881688	52.410857
-4.0875407	52.410635
-4.0869771	52.410843

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The Licence Holder is authorised to conduct the deposit activities described in Table 1 bounded by the coordinates specified in Table 3.

Table 3 Permitted Deposit Locations

Deposit Area IS013	
Longitude	Latitude
-4.0894850	52.409153
-4.0899555	52.408218
-4.0897019	52.408142
-4.0891602	52.409123

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.
DML2160 02_ED3390_MAP_Aberystwyth Harbour	19/11/21	1
DML2160 05_ED3390 Aberystwyth Harbour Dredging_Biosecurity Plan	19/11/21	1
DML2160 04_ED3390 WFD&TLSE_Aberystwyth Harbour	19/11/21	1
DML2160 03_NRW PS Analysis Results Template_Aber_SP2108	19/11/21	1
DML2160 01_ED3390_Aberystwyth Harbour_applicationformdredgeanddisposal	19/11/21	1

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 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 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@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.

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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;
- 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 Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), 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.

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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

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3.18 Restriction on Dredging

The Licence Holder must ensure that no dredging takes place between **01 April** and **31 December** inclusive, without prior written approval from the Licensing Authority.

3.19 Returns

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.

3.20 Inspection of Dredge 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 dredge vessel to facilitate any inspection that the Licensing Authority, or Marine Enforcement Officers consider may be necessary.

3.21 Record of Quantity of Deposited Material

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

3.22 Annual Quantity of Disposal

The Licence Holder must ensure that the annual disposal of material to South Beach, IS013 does not exceed 2000m³.

3.23 Distribution of Material

The Licence Holder must ensure that during the course of disposal, material is distributed evenly over South Beach, IS013.

3.24 Biosecurity

3.24.1 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.

3.24.2 The Licence Holder must implement the Biosecurity Risk Assessment dated **05 November 2020** and approved by NRW acting on behalf of the Licensing Authority. Any proposed changes to the actions outlined in the Biosecurity Risk Assessment must be submitted to and agreed in

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writing by NRW acting on behalf of the Licensing Authority prior to any changes being enacted

3.24.3 The Licence Holder must submit an updated Biosecurity Risk Assessment to NRW acting on behalf of the Licensing Authority for written approval by the **31 January** each year, starting **January 2023**.

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;

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- (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 longitude and latitude in decimal degrees;
- (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

