



**Cyfoeth
Naturiol**
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**Natural
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Wales

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Conwy County Borough
Council

Environment Roads and Facilities
Mochdre Offices
Conway Road
LL28 5AB

Colwyn Bay Waterfront Project Phase 2b

Licence Number:
CML2149

Licence Number: CML2149

Colwyn Bay Waterfront Project Phase 2b Marine Licence number: CML2149

Introductory note

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

The main features of the marine licence are as follows.

Colwyn Bay Waterfront Project, which includes the extension of three existing outfalls, the modification of an existing rock control structure, and the importation of approximately 1 million tonnes of dredged sand.

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 15/09/2021	Application received and considered to be duly made
Date licence determined	09/03/2022	Determination date

Related marine licences or applications under determination

N/A

End of introductory note.

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MARINE LICENCE, NUMBER CML2149

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **CML2149** and duly made on **15 September 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: Conwy County Borough Council
Address: Environment Roads and Facilities, Mochdre Offices, Conway Road, LL28 5AB

1.3 Licence Validity

Licence Start Date	09 March 2022
Licence End Date	14 March 2024
Licence Issue Date	09 March 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

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2 LICENSED ACTIVITIES

2.1 Project

Colwyn Bay Waterfront Project Phase 2b, which includes the modification of existing outfalls, the modification of an existing rock control structure, and beach recharge involving the importation of approximately 1 million tonnes of dredged sand.

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 Modification of Rock Control Structure	
Type of Licensed Activity	Construction
Description	Modification of rock control groyne
Material types to be removed or deposited	Rock
Quantities/Dimensions	The modified groyne requires approximately 10,000m ³ of 1-3 tonne rock armour. This material would be obtained from removal of the three existing groynes and from the removal of existing toe protection along the base of the existing seawall.
Activity 2 Modification of Outfalls	
Type of Licensed Activity	Construction
Description	Extension of 3 outfalls and protection of remaining 3 with a gabion basket. The extended outfalls will be protected by a concrete structure around the pipe and a small rock groyne
Material types to be removed or deposited	Concrete, rock
Quantities/Dimensions	The outfalls will be extended above the new level of the beach, to a point where they will not be permanently submerged by the sea. A concrete structure of minimum 300mm thickness will be placed around the pipe.
Activity 3 Beach Recharge	
Type of Licensed Activity	Deposit
Description	Importation and placement of up to 1,000,000 tonnes of dredged sand material from the Rhôs-on-Sea terminal groyne to the west to the existing slipway adjacent to the western junction of Cayley Promenade.

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	Beach levels will be brought up to 5m AOD. Sand levels between the Horizon Shine Kiosk and the new truncated pier location will also be topped up.
Material types to be removed or deposited	Sand
Quantities/Dimensions	1,000,000 tonnes

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of Colwyn Bay bounded by the the coordinates specified in Table 2 as indicated on the plan submitted with the Approved Application and attached at Appendix 1:

Table 2 Coordinates

Rhos on Sea	
Latitude	Longitude
53.3114	-3.7383
53.3067	-3.7393
53.3018	-3.7347
53.3144	-3.7352
53.3169	-3.6925
53.3080	-3.6960
Pensarn	
Latitude	Longitude
53.2956	-3.5848
53.2989	-3.5684
53.2948	-3.5839
53.2993	-3.5686

2.3 Approved Supporting Documents

Details of approved supporting documents can be found in Appendix 2.

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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 **zone32@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.

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/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.

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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

3.18 Construction Environmental Management Plan (CEMP)

3.18.1 The Licence Holder must submit a CEMP to 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 from 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 by 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 Biosecurity Risk Assessment (BRA)

3.19.1 The Licence Holder must submit a BRA to 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 from the Licensing Authority.

3.19.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition **3.19.1** are implemented as approved in writing by 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.

3.20 Written Scheme of Investigation (WSI)

3.20.1 The Licence Holder must submit a WSI to the Licensing Authority for written approval at least **2 months** prior to commencement of any Licensed Activity. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority. The WSI must detail the archaeological assessment and mitigation works offshore and within the inter-tidal area and must provide details of:

- i. requirements for a watching brief for areas of excavation on the foreshore;
- ii. delivery of mitigation including the use of Archaeological Exclusion Zones (AEZ) during construction;
- iii. Archaeological recording of fish trap MM013.

3.20.2 The Licence Holder must ensure that any actions outlined in the document detailed in condition 3.20.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved

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in writing by the Licensing Authority prior to any changes being enacted.

3.21 Protocol for Archaeological Discoveries (PAD)

3.21.1 The Licence Holder must submit a PAD to the Licensing Authority for written approval prior to commencement of any Licensed Activity. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.21.2 The Licence Holder must ensure that any actions outlined in the document detailed in condition **3.21.1** are implemented as approved in writing by 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.

3.22 Construction Time Restrictions

The Licence Holder must ensure that no works take place between **01 October** and **31 March** inclusive, without prior written approval from the Licensing Authority.

3.23 Notifications

3.23.1 A notification must be sent to The Source Data Receipt team, UK Hydrographic Office (email: sdr@ukho.gov.uk) of commencement of the licensed activities, at least 10 days before commencement of the works. The information supplied must include the start date and end date, a description of the works, positions of the work area (WGS84), and details of any marking arrangements.

3.23.2 A notification must be sent to The Source Data Receipt team, UK Hydrographic Office, (email: sdr@ukho.gov.uk) on completion of the licensed activities, no later than 10 working days after their completion. 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.

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 latitude and longitude decimal degree (WGS 84); &
- (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

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Appendix 2

Approved supporting documents

Document Name	Document Date	Version
CML2149 100374-MMD-00-XX-RP-N-0003 Colwyn Bay Waterfront Phase 2b EIA Volume 1 Main Text P02	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0003 Colwyn Bay Waterfront Phase 2b EIA Volume 1 Main Text	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0005 Colwyn Bay Waterfront Phase 2b ES Volume 3 NTS	13/09/2021	1
CML2149 100374-CEUK-66-2010-03-02 (080721)	13/09/2021	1
CML2149 03-1311-04A	13/09/2021	1
CML2149 6a - ES Main Document Section 3.2	13/09/2021	1
CML2149 7a - ES Main Document Section 4.1 - 4.3	13/09/2021	1
CML2149 100374-CEUK-66-2010-01-02 (080721)	13/09/2021	1
CML2149 100374-CEUK-66-2010-02-02 (080721)	13/09/2021	1
CML2149 100374-CEUK-66-2010-04-02 (080721)	13/09/2021	1
CML2149 100374-CEUK-66-2010-05-02 (080721)	13/09/2021	1
CML2149 100374-CEUK-66-2010-06-02 (080721)	13/09/2021	1
CML2149 100374-MMD-00-XX-DR-N-0020 Pensarn redline	13/09/2021	1
CML2149 100374-MMD-00-XX-DR-Z-0001 Rhos redline	13/09/2021	1

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CML2149 100374-MMD-00-XX-RP-N-0023 P2b ES V2 TA1	18/01/2022	2
CML2149 100374-MMD-00-XX-RP-N-0023 Technical Appendix 1	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0024 Technical Appendix 2	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0025 Technical Appendix 3	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0026 Technical Appendix 4	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0027 Technical Appendix 7	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0028 Technical Appendix 8	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0029 Technical Appendix 9	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0030 Technical Appendix 10	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0031 Technical Appendix 11	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0032 Technical Appendix 12	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0033 Technical Appendix 13	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0034 Technical Appendix 14	13/09/2021	1
CML2149 100374-MMD-00-XX-RP-N-0035 Technical Appendix 15	13/09/2021	1

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CML2149 100374-MMD-00-XX-RP-N-0036 Technical Appendix 16	13/09/2021	1
CML2149 100374-MMD-01-XX-DR-D-0510	13/09/2021	1
CML2149 100374-MMD-01-XX-DR-D-0511	13/09/2021	1
CML2149 100374-MMD-01-XX-DR-D-0512	13/09/2021	1
CML2149 100374-MMD-01-XX-DR-D-0513	13/09/2021	1
CML2149 Appendix 17.1 CC Geotechnical Ground Investigation for Colwyn Bay Waterfront Phase 2b CCG-C-20-11994	13/09/2021	1
CML2149 Appendix 17.2 100374-MMD-00-XX-RP-G-0001 - Ground Investigation Report	13/09/2021	1
100374-MMD-00-XX-RP-N-0023 P2b ES V2 TA1	18/01/2022	2
100374-MMD-00-XX-RP-N-0024 P2b ES V2 TA2	18/01/2022	2
100374-MMD-00-XX-RP-N-0025 P2b ES V2 TA3 P02	18/01/2022	2
100374-MMD-00-XX-RP-N-0026 P2b ES V2 TA4	18/01/2022	2
100374-MMD-00-XX-RP-N-0027 P2b ES V2 TA7	18/01/2022	2
100374-MMD-00-XX-RP-N-0028 P2b ES V2 TA8 P02	18/01/2022	2
100374-MMD-00-XX-RP-N-0029 P2b ES V2 TA9	18/01/2022	2
100374-MMD-00-XX-RP-N-0030 P2b ES V2 TA10	18/01/2022	2
100374-MMD-00-XX-RP-N-0031 P2b ES V2 TA11 P02	18/01/2022	2
100374-MMD-00-XX-RP-N-0032 P2b ES V2 TA12	18/01/2022	2

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100374-MMD-00-XX-RP-N-0033 P2b ES V2 TA13	18/01/2022	2
100374-MMD-00-XX-RP-N-0034 P2b ES V2 TA14	18/01/2022	2
100374-MMD-00-XX-RP-N-0035 P2b ES V2 TA15	18/01/2022	2
100374-MMD-00-XX-RP-N-0036 P2b ES V2 TA16	18/01/2022	2
100374-MMD-00-XX-RP-N-0045 P2b ES V2 TA5	18/01/2022	2