



Marine Management Organisation Marine Licence

1 Introduction

This is a licence granted by the Marine Management Organisation on behalf of the Secretary of State to authorise the licence holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009.

1.1 Licence number

The licence number for this licence is L/2017/00012/1

1.2 Licence holder

The licence holder is the person or organisation set out below:

Name / company name	Able UK Ltd
Company registration number (if applicable)	02386356
Address	Able House, Billingham Reach Industrial Estate, Haverton Hill Road, Billingham, TS23 1PX
Contact within company	Richard Cram
Position within company (if applicable). State if company officer or director	Engineering Director

1.3 Licence date

Version	1
Licence start date	02 March 2017
Licence end date	01 March 2026
Date of original issue	02 March 2017

1.4 Licence validity

This version of this licence is valid from the licence start date to the licence end date.

This version of this licence supersedes any earlier version of this licence. Any activity commenced under a previous version of this licence and which is also a licensed activity authorised by section 4 of this version of this licence may continue in accordance with the licence conditions in section 5 of this version of this licence.

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2 General

2.1 Interpretation

In this licence, terms are as defined in section 115 of the Marine and Coastal Access Act and the Interpretation Act 1978 unless otherwise stated.

- "licensed activity" means any activity set out in section 4 of this licence.
- "licence holder" means the person(s) or organisation(s) named in section 1 above to whom this licence is granted.
- "MMO" means the Marine Management Organisation.
- "mean high water springs" means the average of high water heights occurring at the time of spring tides.
- "sea bed" or "seabed" means the ground under the sea.
- "the 2009 Act" means the Marine and Coastal Access Act 2009.
- All times shall be taken to be the time on any given day.
- All geographical co-ordinates contained within this licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless stated otherwise.

2.2 Contacts

Except where otherwise indicated, the main point of contact with the MMO and the address for email and postal returns and correspondence shall be:

Marine Management Organisation

Lancaster House

Hampshire Court

Newcastle upon Tyne

NE4 7YH

Tel:0300 123 1032

Fax:0191 376 2681

Email:marine.consent@marinemanagement.org.uk

Any references to any local MMO officer shall be the relevant officer in the area(s) located at:

Marine Management Organisation

Neville House

Central Riverside

Bell Street

North Shields

NE30 1LJ

Tel: 0191 257 4520
Fax: 0191 257 1595
Email: northshields@marinemanagement.org.uk

3 Project overview

3.1 Project title

Able Seaton Port berths, Holding Basin and Channel

3.2 Project description

The project is to improve access into Able Seaton Port by undertaking a capital dredge to deepen the approach channel and undertaking maintenance dredging to retain access thereafter. The facility is an emerging business and works will be undertaken on demand in accordance with commercial developments. Disposal of the material at sea.

3.3 Related marine licences

SAM/2015/00048

4 Licensed activities

This section sets out the licensed activities. The licensed activities are authorised to be carried on only in accordance with the activity details below and with the licence conditions as set out in section 5 of this licence.

Please note that where licensed quantities are displayed with reference to their constituent materials, the relative quantities given for the constituent materials are indicative only.

Site 1 - Able Seaton Port Holding basin and Channel			
Site location	Hartlepool, see licence schedule 1		
Activity 1.1 - Deepening of Seaton Channel, Seaton Channel Holding Basin and Quays 10 and 11			
Activity type	Navigational dredging (capital)		
Activity location	Hartlepool, see licence schedule 1		
Description	<p>Due to the nature of the business, larger ships need to be able to access Able Seaton Port. Initially capital dredging will be undertaken in the Channel. Depths will be increased from -6m CD to -6.5m CD in order to receive the Shell Brent Delta module.</p> <p>As business opportunities arise, it may become necessary for even larger vessels to access the Able Seaton Port and to dock so the Channel, Holding Basin and Quays 10/11 would need to be deepened. The dredged material will consist of clay and will be to the maximum depths and volumes shown on licence schedule 5.</p>		
Quantities			
Start date	End date	Material	Quantity (m3)
02/3/2017	01/3/2026	Clay (<31.25um)	545000
02/3/2017	01/3/2026	Silt (31.25-62.5um)	150000
Methodology	A backhoe dredger will be used to remove the clay and load it into a split hopper barge to be taken to the designated disposal site and deposited. After this has finished, the dredge area will be levelled using bed levelling vessels.		
Programme of works	This will be dependant on the need to dredge to receive the larger vessels, tides and when the dredgers are available.		
Activity 1.2 - Maintenance dredging of Seaton Channel, Holding Basin, Quays 10 and 11 and Basin Entrance.			
Activity type	Navigational dredging (maintenance)		

Activity location	Hartlepool, see licence schedule 1		
Description	<p>After any of the sites (Channel, Holding Basin, Quays 10/11, the basin and the Basin Entrance) have been capital dredged the depths will need to be maintained by maintenance dredging annually.</p> <p>See licence schedule 5 for the maximum depths and amounts to be dredged for each of the sites.</p>		
Quantities			
Start date	End date	Material	Quantity (m3)
02/3/2017	01/3/2026	Silt (31.25-62.5um)	425860
02/3/2017	01/3/2026	Clay (<31.25um)	10000
Methodology	<p>The maintenance dredging will be undertaken using a trailer suction hopper dredger followed by Plough dredger to level the sea bed. Silt that is at the edge of the quay walls, which the trailer suction hopper dredger cannot reach, will be removed by a grab on a shore side crane.</p>		
Programme of works	To be undertaken on an annual basis as or if required		

Site 2 - TEES BAY C	
Site location	See licence schedule 2
Activity 2.1 - Disposal of dredged material	
Activity type	Disposal of dredged material
Activity location	See licence schedule 2
Description	<p>Due to the nature of the business, larger ships need to be able to access Able Seaton Port. Initially capital dredging will be undertaken in the Channel. Depths will be increased from -6m CD to -6.5m CD in order to receive the Shell Brent Delta module.</p> <p>As further business opportunities arise, it may become necessary for even larger vessels to access the Able Seaton Port and dock so the Channel, Holding Basin and Quays 10/11 would need to be deepened. The dredged material will consist of clay and will be to the maximum depths and volumes shown on licence schedule 5.</p> <p>The clay removed by backhoe dredger will be loaded onto a split hopper barge and taken to the designated disposal site Tees Bay C and deposited.</p>

Quantities					
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)	Source
02/3/2017	01/3/2026	Clay (<31.25um)	666000	832500	Able Seaton Port Holding basin and Channel
Methodology		The capital dredging will be undertaken using trailer suction hopper dredger with the material on board taken to the disposal site and deposited.			
Programme of works		The capital dredging will take place on an as and when basis in order to create the depths necessary for the larger vessels to access Able Seaton Port and dock.			

Site 3 - TEES BAY A					
Site location		See licence schedule 3			
Activity 3.1 - Disposal of dredged silts and soft material					
Activity type		Disposal of dredged material			
Activity location		See licence schedule 3			
Description		The maintenance dredging has been undertaken, the dredged material will need to be disposed of. The material dredged by trailer suction hopper dredger will be taken to the designated disposal site and deposited. The sea bed will be levelled using a bed levelling vessel. Any silt that is close to the quay walls cannot be reached by the trailing suction hopper dredger so an onshore side crane will be used and the material will not be disposed of at sea.			
Quantities					
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)	Source
02/3/2017	01/3/2026	Silt (31.25-62.5um)	4491717	748618	Able Seaton Port Holding basin and Channel

Methodology	<p>When the maintenance dredge of the silt will be undertaken using a trailer suction hopper dredger, the dredged material will then be taken to the designated disposal site Tees Bay A (Inner) TY160, where it will be deposited.</p> <p>Final levelling of the sea bed will be undertaken using bed levelling vessels.</p> <p>Where silt is at the edge of the quay walls and cannot be reached and therefore dredged by the trailer suction hopper dredger, will be removed by grab by an on shore side crane. The dredged material will not be disposed of at sea.</p>
Programme of works	<p>The maintenance dredging, and associated disposal, will take place on an 'as and when' basis in order to maintain the depths reached by the capital dredging.</p>

5 Licence conditions

5.1 General conditions

5.1.1 Notification of commencement

The licence holder must notify the MMO prior to the commencement of the first instance of any licensed activity. This notice must be received by the MMO no less than five working days before the commencement of that licensed activity.

5.1.2 Licence conditions binding other parties

Where provisions under section 71(5) of the 2009 Act apply, all conditions attached to this licence apply to any person who for the time being owns, occupies or enjoys any use of the licensed activities for which this licence has been granted.

5.1.3 Agents / contractors / sub-contractors

The licence holder must notify the MMO in writing of any agents, contractors or sub-contractors that will carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity.

The licence holder must ensure that a copy of this licence and any subsequent revisions or amendments has been provided to, read and understood by any agents, contractors or sub-contractors that will carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder.

5.1.4 Vessels

The licence holder must notify the MMO in writing of any vessel being used to carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder. Such notification must be received by the MMO no less than 24 hours before the commencement of the licensed activity. Notification must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.

The licence holder must ensure that a copy of this licence and any subsequent revisions or amendments has been read and understood by the masters of any vessel being used to carry on any licensed activity listed in section 4 of this licence, and that a copy of this licence is held on board any such vessel.

5.1.5 Changes to this licence

Should the licence holder become aware that any of the information on which the granting of this licence was based has changed or is likely to change, they must notify the MMO at the earliest opportunity. Failure to do so may render this licence invalid and may lead to enforcement action.

5.1.6 Licence quantities

Where a licensed activity comprises dredging or the disposal of dredged material, the total quantity of material authorised to be dredged or disposed of in any given time period shall be as set out for that licensed activity in section 4 of this licence.

For each time period, the actual quantity dredged or disposed of shall be calculated by adding the quantity of material dredged or disposed of during that time period under this version of this licence to that dredged or disposed of under any previous version of this licence that was valid during that time period.

5.2 Project specific conditions

This section sets out project specific conditions relating to the licensed activities as set out in section 4 of this licence.

Project specific conditions	
5.2.1	<p>There must be no dredging during the months of February and March.</p> <p>Reason: <i>In order to preserve fish spawning grounds during this critical period.</i></p>
5.2.2	<p>There must be no dredging in the period 2 hours either side of low tide between 15 June to 31 August.</p> <p>Reason: <i>To avoid disturbing the seals.</i></p>
5.2.3	<p>If dredging is to be continuous over 24 hours, there must be window of non-dredging activity of 3 hours on each flooding tide between April and November inclusive.</p> <p>Reason: <i>To allow fish migration.</i></p>
5.2.4	<p>There must be no dredging in the period 2 hours either side of low tide between November to January inclusive.</p> <p>Reason: <i>To avoid disturbing the protected feeding Special Protection Area (SPA) birds.</i></p>
5.2.5	<p>If slope failure is identified, the Channel dredging slope failure contingency plan (licence schedule 4) must be followed.</p> <p>Reason: <i>To combat the increased scouring along the edge of Seaton channel.</i></p>
5.2.6	<p>The North Shields Marine Office must be notified of the timetable of works/operations at least 10 days prior to any activities commencing.</p>

	Reason: <i>To ensure that the MMO officer is aware of the operations at sea occurring within its jurisdiction.</i>
5.2.7	Bunding and/or storage facilities must be installed to contain and prevent the release of fuel, oils, and chemicals associated with 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. Reason: <i>To minimise the risk of marine pollution incidents.</i>
5.2.8	Any oil, fuel or chemical spill within the marine environment must be reported to the MMO Marine Pollution Response Team within 12 hours. Within office hours: 0300 200 2024. Outside office hours: 07770 977 825. At all times if other numbers are unavailable: 0845 051 8486. dispersants@marinemanagement.org.uk Reason: <i>To ensure that any spills are appropriately recorded and managed to minimise the risk to sensitive receptors and the marine environment.</i>
5.2.9	Any man-made material must be separated from the dredged material and disposed of to land. Reason: <i>To exclude the disposal at sea of man-made material such as shopping trolleys, masonry, paint cans etc.</i>
5.2.10	During the course of each disposal, the relevant material must be distributed as evenly as possible over the disposal sites TY160 and TY150 respectively. Reason:

	<i>To ensure material is deposited evenly within the appropriate disposal area to avoid potential shoaling effects etc.</i>
5.2.11	<p>A relevant sediment sampling plan request must be submitted at least 6 months prior to the end of years 3 and 6 from the date of issue.</p> <p>The relevant sediment sampling and analysis must be completed by a laboratory validated by the MMO at least 6 weeks prior to the end of years 3 and 6 from the date of issue.</p> <p>The licensed activities must not recommence until written approval is provided by the MMO.</p> <p>Reason: <i>To ensure only suitable material is dredged and disposed of at sea.</i></p>
5.2.12	<p>The relevant sampling during years 3 and 6 of the licence must include sampling for Brominated Diethyl Ethers (BDEs).</p> <p>Reason: <i>Due to the local historic industrial source of these contaminants in the Tees Estuary.</i></p>
5.2.13	<p>The MMO must be supplied with a written statement setting out the continued consideration of alternative options for the use of the dredged material yet to be disposed of no later than 1 February each year.</p> <p>No disposal of material after 1 March each year may be undertaken until this statement is approved in writing by the MMO.</p> <p>Reason: <i>To provide evidence of the continued consideration of options for dredged material under the waste hierarchy and in accordance with the Marine Policy Statement.</i></p>
5.2.14	<p>The MMO must be informed of the location and quantities of material disposed of each month under this licence. This information must be submitted to the MMO by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive using the MMO's online system.</p> <p>Reason:</p>

	<i>To allow compliance reporting under the OSPAR Convention agreement as required by Article 4 (3) of Annex II and Article 4(1) of Annex II.</i>
5.2.15	<p>The Source Data Receipt team, UK Hydrographic Office, Taunton, Somerset, TA1 2DN (Email: hdcfiles@ukho.gov.uk; Tel: 01823 337900) must be notified of completion of the licensed activities, no later than 3 weeks after their completion. A copy of the notification must be sent to the MMO within one week of the notification being sent.</p> <p>Reason: <i>To ensure necessary amendments to charts can be made.</i></p>
5.2.16	<p>The District Marine Office must be notified within 10 days of completion of each of the dredging campaigns.</p> <p>Reason: <i>To keep the local office informed of licensed activities taking place in their area.</i></p>

6 Compliance and enforcement

This licence and its terms and conditions are issued under the Marine and Coastal Access Act 2009.

Any breach of the licence terms and conditions may lead to enforcement action being taken. This can include variation, revocation or suspension of the licence, the issuing of an enforcement notice, or criminal proceedings, which may carry a maximum penalty of an unlimited fine and / or a term of imprisonment of up to two years.

Your attention is drawn to Part 4 of the Marine and Coastal Access Act 2009, in particular sections 65, 85 and 89 which set out offences, and also to sections 86, 87 and 109 which concern defences. The MMO's Compliance and Enforcement Strategy can be found on our website (<https://www.gov.uk/government/publications/compliance-and-enforcement-strategy>).