



Marine  
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Organisation

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Mr Harrison  
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TS23 1PX

Case reference:  
MLA/2015/00334/4

9th November 2018

Dear Mr Harrison,

## **Marine and Coastal Access Act 2009 Section 72**

### **Marine Licence - Notice of Variation**

**Ref: MLA/2015/00334/4**

The Marine Management Organisation (MMO), as the Licensing Authority, has now completed its consideration of your variation request dated 09 February 2018 under Part 4 of the Marine and Coastal Access Act 2009 to undertake the addition of the TERRC basin within the dredging/disposal licence.

After careful consideration of all the evidence submitted to the MMO, notice is hereby given that the MMO varies the marine licence in accordance with section 72(3)(d) of the Marine and Coastal Access Act 2009. The marine licence authorising the proposed marine activity is hereby attached with this letter.

Since this licence constitutes a statutory consent, the terms and conditions set out therein must be complied with in full and are also binding upon any agent or subcontractor who undertakes any activity to which it refers on your behalf. You are therefore advised to read the document carefully.

This variation has immediate effect from the date of this notice.

### **Terms and Conditions**

#### General

This licence is your statutory consent to carry out the activity authorised by the licence. You must comply with the terms and conditions of the licence in full, these are binding on you and any agent or subcontractor undertaking the activity on your behalf. If you



fail to comply with all the conditions in the licence we may vary, suspend or revoke your licence, and we may also take enforcement action against you.

Please read the licence carefully before you carry out the activity authorised by the licence

### Post Consent Returns

Where the conditions of the licence require you to submit returns to us, you must ensure these are submitted in accordance with the timescales set out in the licence and via the Marine Case Management System: [http://bit.ly/MMO\\_MCMS](http://bit.ly/MMO_MCMS).

You must ensure that you discharge all the conditions of the licence before the licence expires.

Where we are required to carry out post consent monitoring of the licence, including any review or approval that is required, then we may charge you a fee for that work. Where we propose to charge you such a fee we will provide you with an estimated cost before proceeding with consideration of your return.

### Fees

Where we do charge a fee, we will invoice you in respect of that fee. We expect full payment to be made for any licence charges **within 28 days** of the date of the invoice we send to you and non-payment of the invoice within the 28 days may result in us suspending or revoking the licence. Our terms and conditions relating to charging can be found here: [http://bit.ly/MMO\\_Terms\\_and\\_Conditions](http://bit.ly/MMO_Terms_and_Conditions).

### Variations

Any requests for a variation to this licence should be made **at least 3 months** before change is required or at least 3 months before the licence end date as specified in section 1.3 of the licence. Any request for a variation which does not allow sufficient time for us to fully consider and process the request before the licence expires will be rejected. We cannot vary a licence once the licence end date has passed.

### **Appealing a decision**

In accordance with regulation 3 of The Marine Licensing (Notices Appeals) Regulations 2011, you may appeal the notice of variation to the First-tier Tribunal. If you wish to appeal then in accordance with Rule 22(1)(b) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (SI 2009/1976) you



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have 28 days from the date of the sending of this Notice to send or deliver a notice of appeal to the First-tier Tribunal.

A copy of notes for the guidance of persons wishing to appeal a licensing decision is available on request.

### **Additional consents**

I would further advise you that the issue of this marine licence does not absolve you from seeking any other consents or approvals which may be required before you embark upon the works to which it refers. For example, Planning Consent is often necessary for works to be undertaken above the low water mark. In addition, agreement may be required from any land owner having proprietary rights over the seabed and foreshore - commonly the Crown Estate Commissioners. In some cases approval of the Environment Agency may also be necessary (e.g. where the works involve a discharge or have implications for flood defences).

### **Your feedback**

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

Finally, if you have any queries or require clarification of any of the terms or conditions of the licence, please do not hesitate to contact the undersigned.

Yours sincerely

Miss Sarah Errington  
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