

# 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/2017/00012/8

### 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	8
Licence start date	09 September 2022
Licence end date	01 March 2026
Date of original issue	02 March 2017
Date of variation issue	09 September 2022

### 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 2009 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.consents@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**

Dredging of Able Seaton Port by undertaking a capital dredge to deepen the approach channel and undertaking maintenance dredging to retain access thereafter. Disposal of the material at sea. Placement of erosion matting at the north east side of Quay 11.

## 3.3 Related marine licences

None.

# 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	Site location Hartlepool, see licence schedule 3.				
Activity 1.1 - Quays 10 ar		of Seaton Channel, seaton Channel Holdir	ng Basin and		
Activity type		Navigational dredging (capital)			
Activity loca	tion	Hartlepool, in accordance with coordinates in licence schedule 3.			
Description	Description Capital dredging for Seaton Channel, Seaton Holdin Basin and Quay 10 and 11. See licence schedule 6 for the maximum depths and amounts to be dredged for each the sites.				
		Quantities			
Start date	End date	Material	Quantity (m3)		
01/1/2017	31/12/2026	Clay (<31.25um)	670000		
01/1/2017	31/12/2026	Silt (31.25-62.5um)	200000		
Methodolog	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. An over dredge allowance of 0.5 m is also allowed for each dredging activity.				
Programme	of works	This will be dependant on the need to dred larger vessels, tides and when the dredge	0		
Activity 1.2 - Maintenance dredging of Seaton Channel, Holding Basin and Quays 10 and 11					
Activity type	Activity type Navigational dredging (maintenance)				
Activity loca	Activity location Hartlepool, in accordance with coordinates in lice schedule 3.				
Description Maintenance Dredging for Seaton Channel, Seato Channel Holding Basin and Quays 10 and 11. See licence					

Schedule 6 for the maximum depths and amounts to b dredged for each of the sites.					
	Quantities				
Start date	End date	Material	Quantity (m3)		
01/1/2017	31/12/2026	Clay (<31.25um)	425860		
01/1/2017	31/12/2026	Silt (31.25-62.5um)	10000		
Methodology		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. An over dredge allowance of 0.5 m is also allowed for each dredging activity.			
Programme	of works	To be undertaken on an annual basis as	or if required		
Activity 1.3 -	Placement of	of erosion matting			
Activity type		Maintenance of existing works			
Activity locat	tion	Hartlepool, at the north east side of Quay 11, within the coordinates in licence schedule 3			
Description		Erosion matting will, if required, be place east side of Quay 11. The erosion matting interlocking mat is put in place, have a total square metres, with a length of 67.2 metres and a width of 17.12 metres (quay end) the slope) and 11.41 metres (river side) a from machine compressed cellular concre- the design allowing for gaps in between the	y will, when each al area of 999.72 es from the quay, ) (18 metres on and will be made rete blocks, with		
Methodology	/	The erosion matting will only be put in place if required. If required, the mats will be prefabricated offsite and moved			
		into position using a crane located on the quay. The crane will lift the mats into position, placing them on the north east side of Quay 11, and once in place they will be interlocked together. Once in position the mats will remain in place.			
Programme	of works	The placement of matting, if required, will be completed before the end date of this marine licence. The matting is			
		expected to take between one and two days to put in place, but may take up to one week to put in place from start to			
		finish, allowing for contingency.			

Site 2 - TERRC Basin, Quays 7, 8 & 9				
Site location	I	TERRC basin, in accordance with coordinates in licence schedule 4.		
Activity 2.1 -	TERRC Bas	sin		
Activity type	!	Navigational dredging (maintenance)		
Activity loca	tion	TERRC basin, within coordinates in lice and drawing in licence schedule 6.	ence schedule 4	
Description		Maintenance dredge is required to remov silt.	e the build up of	
		Quantities		
Start date	End date	Material	Quantity (m3)	
09/11/2018	01/3/2019	Silt (31.25-62.5um)	60000	
02/3/2019	01/3/2020	Silt (31.25-62.5um)	9750	
02/3/2020	01/3/2021	Silt (31.25-62.5um)	9750	
02/3/2021	01/3/2022	Silt (31.25-62.5um)	9750	
02/3/2022	01/3/2023	Silt (31.25-62.5um)	9750	
02/3/2023	01/3/2024	Silt (31.25-62.5um)	9750	
02/3/2024	01/3/2025	Silt (31.25-62.5um)	9750	
02/3/2025	01/3/2026	Silt (31.25-62.5um)	9750	
Methodology The maintenance dredge will involve the removal of initial 60,000 m3 of silt material to -6.65 m CD. Follow this there will be an annual dredge volume of 9,750 to maintain this level. An additional 30,000 tonnes of o to be removed from the holding basin. An over dred allowance of 0.5 m is also allowed for each dredge activity. The maintenance dredging of the TERRC Basin may carried out by a variety of dredging plant. The choice plant will be governed by the location and depth of material to be removed year on year. The choice of dredging p will also be affected by the ongoing Port operations in		m CD. Following me of 9,750 m3 00 tonnes of clay An over dredge each dredging C Basin may be t. The choice of depth of material of dredging plant		
			restrictions. Mechanical or itable for the Basin. Where sed the material cription, and the	

	Where hydrodynamic methods are used the material w be displaced from the TERRC Basin into the deeper wate in the Holding Basin, where it will be removed by Hydraul methods at a later date and deposited at the offshor disposal site - Tees Bay A (TY160).					
Programme	of works	The frequency of the removal of the relocated material will depend on the rate of accumulation in the Holding Basin and the operational depth requirements of the Holding Basin at the time.				
Activity 2.2 -	Grounding I	bed				
Activity type		Navigational dredging (maintenance)				
Activity loca	tion	Grounding bed (within the TERRC coordinates in licence schedule 4 and dr schedule 6.	,			
Description		Maintenance dredge is required to remove silt over the grounding bed.	e the build up of			
		Quantities				
Start date	End date	Material	Quantity (m3)			
09/11/2018	01/3/2019	Silt (31.25-62.5um)	15000			
02/3/2019	01/3/2020	Silt (31.25-62.5um)	2400			
02/3/2020	01/3/2021	Silt (31.25-62.5um)	2400			
02/3/2021	01/3/2022	Silt (31.25-62.5um)	2400			
02/3/2022	01/3/2023	Silt (31.25-62.5um)	2400			
02/3/2023	01/3/2024	Silt (31.25-62.5um)	2400			
02/3/2024	01/3/2025	Silt (31.25-62.5um)	2400			
02/3/2025	01/3/2026	Silt (31.25-62.5um)	2400			
Methodology		The maintenance dredge will involve the initial 15,000 m3 of silt material to -6.07 methods there will be an annual dredge volum maintain this level. An over dredge allow also allowed for each dredging activity.	m CD. Following e of 2,400 m3 to			
		Material may be removed by mechanical methods with the material either being loaded into hopper barges for disposal at the offshore disposal site, or relocated underwater into deeper water created around the grounding bed, but within the TERRC Basin, to receive material removed from above the grounding bed, such as by ploughing. The Grounding Bed could also be dredged by				
		hydrodynamic methods, either in part or in	• •			

		displaced material will be directed to flow out of the TERRC Basin into the Holding Basin where it will be removed by Hydraulic methods at a later date and deposited at the offshore disposal site - Tees Bay A (TY160). The dredging of the Grounding bed could also be carried out by Hydraulic methods with the material being pumped to hopper barges for disposal at the offshore disposal site		
Programme	of works	- Tees Bay A (TY160). The frequency of the removal of the relocated material will		
		depend on the rate of accumulation in the Holding Basin and the operational depth requirements of the Holding Basin at the time.		
Activity 2.3 -	Quays 7, 8	and 9		
Activity type		Navigational dredging (capital)		
Activity loca	tion	Quays 7, 8 and 9 (within the TERRC basin) within coordinates in licence schedule 4 and drawing in licence schedule 6.		
Description		Capital dredging required to deepen the Quays followed by annual maintenance dredge to maintain the depth.		
		Quantities		
Start date	End date	Material	Quantity (m3)	
09/11/2018	01/3/2019	Clay (<31.25um)	75000	
02/3/2019	01/3/2020	Silt (31.25-62.5um)	3750	
02/3/2020	01/3/2021	Silt (31.25-62.5um)	3750	
02/3/2021	01/3/2022	Silt (31.25-62.5um)	3750	
02/3/2022	01/3/2023	Silt (31.25-62.5um)	3750	
02/3/2023	01/3/2024	Silt (31.25-62.5um)	3750	
02/3/2024	01/3/2025	Silt (31.25-62.5um)	3750	
02/3/2025	01/3/2026	Silt (31.25-62.5um)	3750	
75,000 m3 of material to deepen the CD to -9.5 m CD. Following this there maintenance dredge volume of 3,750 r depth. An over dredge allowance of 0.5 for each dredging activity.		The capital dredge will involve the reme 75,000 m3 of material to deepen the ard CD to -9.5 m CD. Following this there w maintenance dredge volume of 3,750 m3 depth. An over dredge allowance of 0.5 m for each dredging activity. Mechanical dredging methods are expected	ea from -6.65 m /ill be an annual 8 to maintain this n is also allowed	
		for the removal of the bulk of the ma it is possible that the dredging operation supported by Hydraulic dredging methods	terial. However, on may also be	

	material will be loaded into hoppers and transported to the offshore disposal site - Tees Bay A (TY160).
Programme of works	The rate of dredging and disposal will be dependent on the size of the dredging plant employed to carry out the deepening.

Site 3 - TEE	Site 3 - TEES BAY C					
Site location Tees bay C (TY150) - see licence schedule 2.					2.	
Activity 3.1 -	Disposal of	Clay to TEES	S BAY C			
Activity type		Disposal of dredged material				
Activity loca	tion	In accordan	ce with coordinat	tes in licence sch	nedule 2.	
Description	Description Disposal of dredged material to Tees Bay C. The or removed by backhoe dredger will be loaded onto a shopper barge and taken to the designated disposal Tees Bay C and deposited.			l onto a split		
		G	Juantities			
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)	Source	
01/1/2017	01/3/2026	Clay (<31.25um)	958750	1212000	Able Seaton Port Holding basin and Channel	
Methodology The capital dredging will be undertaken using traile suction hopper dredger with the material on board taker to the disposal site and deposited.					-	
Programme of works The capital dredging will take place on an a basis in order to create the depths necessary f			for the larger			
vessels to access Able Seaton Port and dock.						

Site 4 - TEES BAY A					
Site location	e location Tees Bay A (TY160) see licence schedule 1.				
Activity 4.1 - Disposal of Silts and soft material to TEES BAY A					
Activity type	Disposal of dredged material				
Activity location	In accordance with the coordinates in licence schedule 1.				
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.
Quantitian

	Quantities					
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)	Source	
01/1/2017	01/3/2026	Silt (31.25-62.5	287930 µm)	748613	Able Seaton Port Holding basin and Channel	
09/11/2018	31/12/2026	Clay (<31.25um)	131250	165000	TERRC Basin, Quays 7, 8 & 9	
09/11/2018	31/12/2026	Silt (31.25-62.5)	93150 µm)	242190	TERRC Basin, Quays 7, 8 & 9	
Methodology		undertaken dredged ma	maintenance c using a trailer s aterial will then e Tees Bay A (Ir	suction hopper be taken to the	dredger, the designated	
		Final levelling of the sea bed will be undertaken using bed levelling vessels.				
Where silt is at the edge of the quay walls and can be reached and therefore dredged by the trailer suc hopper dredger, will be removed by grab by an on sh side crane. The dredged material will not be dispose at sea.			ailer suction an on shore			
Programme of works		take place c	nance dredging, on an 'as and wh eached by the ca	en' basis in orde		

# 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 subcontractors 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

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5.2.1	There must be no dredging during the months of February and March. This does not apply to dredging in TERRC Basin in accordance with coordinates in licence schedule 4.
	Reason: In order to preserve fish spawning grounds during this critical period.
5.2.2	There must be no dredging in the period 2 hours either side of low tide between 15 June to 31 August inclusive. This does not apply to dredging in TERRC Basin in accordance with coordinates in licence schedule 4.
	Reason: To avoid disturbing the seals.
5.2.3	If dredging is to be continuous over 24 hours, there must be a window of non-dredging activity of 3 hours on each flooding tide between April and November inclusive.
	Reason: To allow fish migration.
5.2.4	There must be no dredging in the period 2 hours either side of low tide between November to January inclusive. This does not apply to dredging in TERRC Basin in accordance with coordinates in licence schedule 4.
	Reason:
	To avoid disturbing the protected feeding Special Protection Area (SPA) birds.
5.2.5	If slope failure is identified, the Channel dredging slope failure contingency plan (licence schedule 5) must be followed.
	Reason:

	To combat the increased scouring along the edge of Seaton channel.
5.2.6	Material dredged from the TERRC basin, Grounding Bed and Quays 7, 8 and 9 must be disposed of with the disposal site Tees Bay A (TY160).
	Reason:
	To ensure material is deposited within the appropriate disposal area.
5.2.7	Only coatings and treatments can be used that are suitable for use in the marine environment.
	Reason:
	To ensure hazardous chemicals that may be toxic, persistent or bioaccumulative are not released into the marine
	environment.
5.2.8	The North Shields Marine Office must be notified of the timetable of works/operations at least 10 days prior to any
	activities commencing.
	Reason:
	To ensure that the MMO officer is aware of the operations at sea occurring within its jurisdiction.
5.2.9	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:
	To minimise the risk of marine pollution incidents.
5.2.10	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: 0345 051 8486.
	dispersants@marinemanagement.org.uk
	Reason: To ensure that any spills are appropriately recorded and managed to minimise the risk to sensitive receptors and the marine environment.
5.2.11	Any man-made material must be separated from the dredged material and disposed of to land.
	Reason: To exclude the disposal at sea of man-made material such as shopping trolleys, masonry, paint cans etc.
5.2.12	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:
	To ensure material is deposited evenly within the appropriate disposal area to avoid potential shoaling effects etc.
5.2.13	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. 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.
	The licensed activities must not recommence until written approval is provided by the MMO.
	Reason: To ensure only suitable material is dredged and disposed of at sea.
5.2.14	The relevant sampling during years 3 and 6 of the licence must include sampling for Brominated Diethyl Ethers (BDEs).
	Reason: Due to the local historic industrial source of these contaminants in the Tees Estuary.

5.2.15	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.
	No disposal of material after 1 March each year may be undertaken until this statement is approved in writing by the MMO.
	Reason: To provide evidence of the continued consideration of options for dredged material under the waste hierarchy and in
	accordance with the Marine Policy Statement.
5.2.16	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.
	Reason: 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.
5.2.17	A notification must be sent to The Source Data Receipt team, UK Hydrographic Office, Taunton, Somerset, TA1 2DN (Email: sdr@ukho.gov.uk; Tel: 01823 337900) of completion of the licensed activities, <b>no later than 3 weeks after their completion.</b>
	A copy of the notification must be sent to the MMO within one week of the notification being sent.
	Reason: To ensure all necessary amendments to nautical charts and publications are made.
5.2.18	The District Marine Office must be notified within 10 days of completion of each of the dredging campaigns.
	Reason:
	To keep the local office informed of licensed activities taking place in their area.

5.2.19	All equipment, temporary structures, waste and/or debris associated with the licensed activities must be removed within 2 weeks of completion of the licensed activities.
	Reason:
	To minimise impacts to the marine environment and other users of the sea/seabed.
5.2.20	The erosion matting must not be placed on any area of intertidal mud.
	Reason:
	To ensure that the placement of erosion matting does not result in any loss of intertidal mud habitat within Teesmouth and Cleveland Coast Special Protection Area.
5.2.21	No existing aid to navigation may be altered without the prior written approval of Trinity House.
	Reason:
	To maintain safety of navigation.

# 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).