



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/2021/00433/1

1.2 Licence holder

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

Name / company name	South Tees Developments Limited
Company registration number (if applicable)	11747311
Address	Cavendish House, Teesdale Business Park, Stockton on Tees, TS17 6QY
Contact within company	Mr John McNicholas
Position within company (if applicable). State if company officer or director	Engineering & Programme Director

1.3 Licence date

Version	1
Licence start date	07 February 2022
Licence end date	06 February 2032
Date of original issue	25 February 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
Email: northshields@marinemanagement.org.uk

3 Project overview

3.1 Project title

South Bank Quay - Phase 2

3.2 Project description

South Tees Developments Limited is proposing to construct a new quay at South Bank in the Tees estuary (referred to hereafter as the proposed scheme). The proposed scheme is required to support South Tees Development Limited's landside proposals for general industry and storage or distribution uses within part of the South Industrial Zone (which has been subject to a separate planning application - reference R/2020/0357/OOM). It is envisaged that the new quay would be utilised predominantly by the renewable energy industry, as well as supporting more general industrial and storage/distribution activities.

In summary, the proposed scheme comprises demolition, capital dredging, offshore disposal of dredged material, placement of rock in the berth pocket and construction and operation of a new quay (to be set back into the riverbank).

As the proposed quay is to be constructed in the riverbank (i.e. on land), construction of the new quay has not been included in this marine licence determination.

The development of the proposed scheme is to be undertaken in phases. This marine licence covers the works required for Phase 2 of the proposed scheme only. A separate marine licence application has been submitted for Phase 1 of the proposed scheme.

3.3 Related marine licences

MLA/2020/00506 - Phase 1 of the works

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 - TEES BAY C (TY150)					
Site location		Tees Bay C (TY150)			
Activity 1.1 - Disposal of dredged material from Phase 2					
Activity type		Disposal of dredged material			
Activity location		Tees Bay C, See coordinate Schedule 1.			
Description		Marine sediments to be dredged as part of Phase 2 of the scheme are to be disposed of at the Tees Bay C disposal site. A maximum amount of 1,078,000m ³ of dredged material is anticipated during Phase 2 from the channel and berth pocket.			
Quantities					
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)	Source
21/1/2022	20/12/2032	Clay (<31.25um)	308957	355300	Channel and berth pocket - capital dredge
21/1/2022	20/1/2032	Sand (62.5um-2mm)	1100733	1651100	Channel and berth pocket - capital dredge
Methodology		Dredging will be undertaken using a combination of trailing suction hopper dredger and backhoe dredging. Dredging is proposed to be undertaken 24 hours a day, seven days a week.			
Programme of works		Dredging to be undertaken 24 hours a day, seven days a week.			

Site 2 - Demolition area	
Site location	Demolition area.
Activity 2.1 - Demolition of existing infrastructure	
Activity type	Other removals
Activity location	Demolition area, see coordinate schedule 2.
Description	A programme of demolition works is required in advance of construction works commencing. All infrastructure below the level of mean high water springs would be demolished and removed. This includes most of the existing dilapidated South Bank Wharf, pipelines associated with the pumping station and a range of smaller infrastructure assets associated with former uses of the frontage.
Methodology	<p>Demolition will require the use of both land and marine based plant. The concrete deck of South Bank Wharf is to be broken up using excavators with hydraulic demolition attachments working from the shore (supported by barges and a safety boat). Alternatively, the demolition may include cutting sections of the deck and lifting them onto the land for disposal.</p> <p>The timber parts of the deck will be removed using excavators working from the shore, supported by barges and a safety boat. The timber will be transported offsite for disposal at an appropriately licensed facility.</p> <p>Piles supporting the existing wharf will be removed using land based plant and appropriate vessels with cranes, supported by the use of divers when required.</p> <p>Smaller infrastructure assets on the foreshore are envisaged to be removed using land based plant working from the shore.</p>
Programme of works	<p>Demolition works to take approximately 12 months for Phase 1 and 2 combined. Should Phase 2 be implemented separately to Phase 1, demolition for Phase 2 is anticipated to take approximately eight months. Demolition works may take place alongside phase 1 demolition.</p> <p>Works are proposed to be undertaken 24 hours a day, seven days a week.</p>

Site 3 - Channel and berth pocket - capital dredge	
Site location	Channel and Berth.

Activity 3.1 - Capital dredging - channel and berth pocket			
Activity type	Navigational dredging (capital)		
Activity location	Channel and Berth, see coordinate schedule 3.		
Description	Capital dredging within parts of the existing navigation channel, and within areas not currently subject to maintenance dredging to create a berth pocket. The total dredge volume for marine sediments in Phase 2 will be dredged to a maximum amount of 1,078,000m ³ . The berth pocket will be dredged to 15.6m bCD, whilst all other areas are to be dredged to 11m bCD.		
Quantities			
Start date	End date	Material	Quantity (m ³)
21/1/2022	20/1/2032	Sand (62.5um-2mm)	242000
21/1/2022	20/1/2032	Sand (62.5um-2mm)	627000
21/1/2022	20/1/2032	Clay (<31.25um)	209000
Methodology	Dredging will be undertaken using a combination of a Trailing Suction Hopper Dredger (TSHD) and a backhoe dredger. Up to three barges will be required to support with the transport of sediment dredged using the backhoe dredger to the offshore disposal site.		
Programme of works	Dredge and disposal activity will take approximately five months. Dredging to be undertaken 24 hours a day, seven days a week.		

Site 4 - Berth pocket - rock placement			
Site location	Berth Pocket		
Activity 4.1 - Placement of rock with the berth pocket			
Activity type	Other deposits		
Activity location	Berth Pocket, see coordinate schedule 4.		
Description	There is a requirement to install a rock blanket within the footprint of the proposed berth pocket to avoid the risk of a jack-up barge 'punching' into the underlying sediments when berthed at the quay during the operation phase. The berth pocket will need to be dredged to a greater depth initially (15.6m bCD) to allow placement of up to 2m thick rock blanket.		
Quantities			
Start date	End date	Quantity (kg)	
01/1/2021	31/12/2030	225000000	

Methodology	A split hopper barge will be used to supply and deposit rock within the berth pocket. A placement of 2m thick rock blanket to be placed within the footprint of the proposed berth pocket. A maximum amount of 200,000m ³ of rock is proposed to form the rock blanket, with a weight of 400,000 tonnes.
Programme of works	The rock blanket would be installed following completion of the berth pocket dredge. It is anticipated that installation of the rock blanket would take approximately four months to complete. The specific months when rock placement is to take place is unknown at this stage and therefore we have assessed on a worst case basis whereby it could happen during any month of the year.

5 Licence conditions

5.1 General conditions

5.1.1 Notification of commencement

The MMO must be notified 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 MMO must be notified 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.

A copy of this licence and any subsequent revisions or amendments must be 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 MMO must be notified 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.

A copy of this licence and any subsequent revisions or amendments must be 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 must be held on board any such vessel.

5.1.5 Changes to this licence

Should any of the information on which the granting of this licence was based changed or is likely to change, the MMO must be notified 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.

Pre works	
5.2.1	<p>HM Coastguard (mailto:zone7@hmcg.gov.uk) must be notified prior to commencement of activities. The MMO must be sent a copy within 7 days of the issue of this notification.</p> <p>Reason: <i>To ensure HM Coastguard is aware of the activities.</i></p>
5.2.2	<p>A notification of works must be sent to the UK Hydrographic Office at least two weeks prior to the commencement of the works.</p> <p>The MMO must be sent a copy of the notification within 24 hours of issue.</p> <p>Reason: <i>So that the UKHO can decide whether Maritime Safety Information and/or the update of nautical charts/publications is required, to ensure other vessels in the vicinity can safely plan and conduct their passage.</i></p>
During works	
5.2.3	<p>Bundling 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.</p> <p>Reason: <i>To minimise the risk of marine pollution incidents.</i></p>
5.2.4	<p>Any jack up barges / vessels utilised during the licensed activities, when jacked up, must exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations. See upload schedule.</p>

	<p>Reason: <i>To ensure safety of navigation.</i></p>
5.2.5	<p>The dredging activities approved by this licence may not commence until such a time as a scheme of monitoring has been submitted to, and approved in writing by, the Marine Management Organisation. This must be submitted at least 10 weeks prior to the commencement of activities.</p> <p>The scheme shall include:</p> <p>Baseline assessment prior to commencement.</p> <p>Programme to monitor dissolved oxygen levels and turbidity (where appropriate)</p> <p>Programme of post-implementation monitoring. The scheme must be fully implemented and subsequently adhered to, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may be subsequently agreed, in writing by, the MMO.</p> <p>If it is deemed that any parts of this scheme are no longer required, written representation must be submitted to MMO for written confirmation prior to dredging works commencing.</p> <p>Reason: <i>To monitor impacts to water quality during dredging.</i></p>
5.2.6	<p>No dredging not covered under statutory harbour authority powers can be conducted during the period from 1st July to 31st August (inclusive) without written permission from the MMO. Permission will only be granted if agreement has been reached that only 1 dredge campaign is taking place at this time. No other dredging will take place on the River Tees during this period.</p> <p>Reason: <i>To avoid impacts during peak migration times for species as Atlantic Salmon and European Eel.</i></p>
5.2.7	<p>If permission is granted by the MMO to undertake dredging operation during 1st July to 31st August (inclusive), dissolved oxygen levels must be monitored prior to the dredging activity, as a minimum, monitored every hour during the dredging activity. If a drop of 1mg/l of dissolved oxygen is observed, than the dredging activity must temporarily pause</p>

	<p>for a period of 6 hours (a tidal cycle) or until the reading returns to the previously observed level. Recorded data must be shared with the and Environment Agency annually after 31st August, this should be within 10 working days after this date. The MMO must be sent a copy within 7 days of the data being issued.</p> <p>Reason: <i>To maintain, improve and develop all salmon, trout, lamprey, smelt and freshwater fisheries, under the Salmon and Freshwater Fisheries Act. 1975 (SSFA) as modified by the Marine and Coastal Access Act, 2009.</i></p>
5.2.8	<p>Dredging must be limited to working on one side of the estuary channel at a time.</p> <p>Reason: <i>To restrict suspended sediment plumes to one side of the estuary at a time, in order to reduce loss of tern foraging habitat.</i></p>
5.2.9	<p>Pre and post bathymetric dredge surveys must be submitted, together with an interpretation of the difference between the survey results and a volume calculation within 4 weeks of completion of each dredge campaign.</p> <p>Reason: <i>To evidence the location and volume of material removed.</i></p>
5.2.10	<p>The agreed biosecurity plan and ballast water management plan must be adhered to throughout the project.</p> <p>Reason: <i>To minimise the spread of existing and new invasive Non-Native species.</i></p>
5.2.11	<p>The applicant will liaise with Northern Gateway Container Terminal (NGCT) no later than 6 months in advance of the proposed start date of capital dredging and disposal for South Bank Quay and, subject to the outcome of that discussion, will provide either of the following to the MMO no later than 3 months in advance of the proposed start date of capital dredging and disposal:</p> <ul style="list-style-type: none"> • Written confirmation that disposal of dredged material from the South Bank Quay project will not temporally coincide with that arising from the NGCT project (meaning that no single phase of the capital dredging and disposal for the two projects would occur at the same time); or,

• Written confirmation that the total (aggregated) quantity of dredged material to be disposed would not exceed 1.34 million m³ per month (the peak monthly volume assessed within the EIA), should it be apparent that the dredging and disposal from South Bank Quay could temporally coincide (meaning that any phase of the capital dredging and disposal for the two projects could occur at the same time); or,

Further environmental assessment information (the scope of which would be agreed with the MMO) to analyse the potential nature of the cumulative environmental impact associated with offshore disposal should it be apparent that the dredging and disposal programmes for NGCT and the South Bank Quay project could (i) temporally coincide and (ii) the total (aggregated) quantity of dredged material to be disposed could exceed 1.34 million m³ per month, with a detailed programme of environmental monitoring to verify the predicted cumulative environmental impacts of disposal of dredged material.

Reason:

To ensure the volumes of material disposed of can be assessed and maintained.

Post works

5.2.12 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, **no later than 7 days after their completion.**

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

5.2.13 A local notification must be sent to the Harbour Authority on completion of the work. Any change data including engineering drawings, hydrographic surveys, details of new or changed aids to navigation must then be sent to the Harbour Authority with the instruction to pass onto the UKHO as per guidance in 'Harbour Master's Guide to Hydrographic and Maritime Information Exchange' published on the UKHO website.

Reason:

To ensure all necessary amendments to nautical charts and publications are made.

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>).