

MLA/2022/00248

Project summary

Application type

Please select the type(s) of application you are applying for.

If you wish to apply for a section 36 or 36A consent or a safety zone in addition to your marine licence application please tick the relevant box.

If you wish to also apply for consent under a local Act or Order please tick the Local Act consent box. Please explain which local Act or Order consent you are applying when giving details of the project background below. You should also upload a copy of the local Act or Order there too.

Application type

Marine licence

Please tick all additional application types that are relevant.

Additional application types

- Section 36 and Section 36A: Electricity Act 1989.
- Local Act Consent: Consent under a local Act or harbour order.

- Section 36
- Section 36A
- Local Act consent
- Safety zone

Project details

Project title

Enter the title of your project (max. 250 characters)

Surface water drainage outfall

Project background

You should explain the background to the project. This should include the aims of the project, the need for the project, whether it forms part of a larger project and any other relevant information. (max. 2000 characters)

The project works are to provide a new location for an existing surface water outfall by removing an approximately 60m section of the existing estuarine bank.

The project works form part of the Teesworks South Industrial Zone (SIZ) development (within the overall Teesworks site) and entails the creation of a new drainage system on the South Bank site. This will involve the construction of approximately 2km of open channel culminating in a new culvert headwall approximately 300m inland from the estuarine bank. An intertidal channel will connect the culvert outfall to the Tees estuary. The level of the intertidal channel will be situated between MHWS and MHWN to aid saltmarsh creation and contribute to the overall biodiversity strategy for Teesworks. The new culvert and the excavation of land between the existing estuarine bank and new outfall will be undertaken in dry conditions and are subject to the terrestrial planning process.

Once all the works are complete, an approx. 60m section of the existing estuarine bank below MHWS will be reprofiled to allow the tide to reach the new outfall creating intertidal habitat. This marine licence application is only for the reprofiling of the existing estuarine bank as all other works will be terrestrial.

The proposed reprofiling works are adjacent to the Teesworks South Industrial Zone (SIZ) development which has received outline approval for the demolition of existing structures on site and the development of up to 418,00 sqm (gross) of general industry (Use Class B2) and storage and distribution facilities (Use Class B8) with office accommodation (Use Class B1), HGV and car parking and associated infrastructure works (see section 2.1. for planning application details)

Programme of works

You should detail the proposed programme of works for the project. This should include proposed start and end dates for the overall project and individual elements of the project. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which activities could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

Works are proposed to take place between January 2023 and April 2023 (inclusive). The works that this licence covers (the reprofiling of the section of estuarine bank) will take no longer than one month. A detailed programme will be provided when upon appointment of Contractor.

Related consents and applications

Have any other applications been made to the MMO in relation to this project?

Yes No

Please give details (including application reference numbers if possible)

(max. 2000 characters)

-Phase one: MLA/2020/00506

-Phase two: MLA/2020/00507

Whilst the Quay Wall (Phase 1 and Phase two) works are geographically adjacent to the proposed estuarine bank reprofiling, the works are not interdependent and are separate projects. Please see South Bank key plan diagram for background on the quay wall phase 1 (TW-SIZ-XX-JBAU-SB-00-DR-C-0001-A1-C02-South_Bank_Key_Plan)

Has there been any other contact with the MMO in relation to this project?

Yes No

Have any applications been made to or consents issued by other authorities in relation to this project?

This could include applications for planning permission, environmental permits, development consent orders, transport and works orders, marine licences or any other type of licence, permit or consent. This could also include consents from local authorities, Government regulators, harbour authorities, devolved administrations, other European countries and any other type of authority.

Yes No

Please give details (including the authority name, dates, application reference numbers and the status of the application or consent where possible)

(max. 2000 characters)

A detailed planning application for the Land at South Tees Development Corporation East of Smiths Docks Road and West of Tees Dock Road South Bank has been submitted and approved by Redcar and Cleveland Borough Council (14/01/22). The South bank site has benefited from Outline approval (R/2020/0357/OOM) since the 3 December 2020. This application follows on from the submission of application R/2021/1096/CD, which was submitted on 23 December 2021 and approved by Redcar and Cleveland Borough Council.

Ordinary watercourse consent obtained for the Teesworks SIZ terrestrial drainage network (RC/OWC/22/020).

The Environment Agency PSO team have confirmed, during a telecon on Tuesday 12 October 2021, that a Flood Risk Environmental Permit application is not required, but a Marine Licence is required for the works below MHWS.

EA pre-application advice meeting, 23/09/21 (ENVPAC/1/NEA/00101)

The design of the South Bank arterial drainage outfall and intertidal area was the focus of the discussion with the following members of the EA providing feedback on the design:

Sustainable Places Officer

Geomorphologist

Fisheries Officer

Marine Ecologist

Tees Catchment Coordinator

Water Resources Officer

Whilst these are EA staff, we have been advised that they will be advising the MMO on matters listed above.

Do you have statutory powers to consent or undertake without consent any aspect of this project?

This could include statutory powers of a coast protection authority, harbour authority or lighthouse authority or any other type of statutory powers.

Yes No

Is the project located within the jurisdiction of a statutory harbour authority?

This includes the jurisdiction of municipal, private and trust ports where they are a statutory harbour authority.

Yes No

Please give details

(max. 2000 characters)

The section of the existing estuarine bank below MHWS to be removed is within the boundary of Teesport and under the jurisdiction of the PD ports Statutory Harbour Authority.

Applicant details

This is the person, company or organisation that will hold the licence.

Contact type

Select the Contact type. Individual should only be selected when the contact is not working on behalf of an Organisation.

- Individual
- Organisation

Trading title (if applicable)

Title

Mr

Forename

Joshua

Surname

Riley

Organisation name

South Tees Development Ltd.

Reg number

Position in organisation

Contact within company

Postcode

DL2 1NJ

Postal address

TEESSIDE AIRPORT
BUSINESS SUITE
TEESSIDE
INTERNATIONAL
AIRPORT
DARLINGTON

Telephone number

Please enter numbers, brackets and the international symbol (+) if needed.

07596886716

Fax number

Please enter in format +00(0)0000 000000

Email address

Please enter a valid email
address formatted as xx@xx.xx

joshua.riley@teesworks.
co.uk

Sustainable development

The MMO strongly advise that a strategic appraisal is completed. Issues that should be considered include:

1. Identification of any conflicts between the project and the relevant marine plan.
2. Identification of alignment of the project with the Marine Policy Statement and any relevant National Policy Statement.
3. Identification of the environmental, social and economic drivers for a project that have been identified through existing feasibility studies or discussions with other public bodies (e.g. Local Authorities or Local Economic Partnerships).
4. Identification of any potential issues that may arise due to UK law (e.g. Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, Marine Strategy Regulations 2010, Conservation of Habitats & Species Regulations 2017), and how these can potentially be avoided, or mitigated, at the strategic level.
5. Identification of any priority issues that may need addressing with regard to cumulative effects.
6. Options appraisal undertaken by the applicant, and the social, economic and environmental reasoning behind why the preferred option has been chosen.

Environmental impact assessment

Has an environmental statement been produced to support this project?

Environmental statements are required for projects of a type listed in the Marine Works (Environmental Impact Assessment) Regulations 2007. If you are not certain whether your project falls within this category, please contact us before proceeding with your application.

Yes No

Please give details

(max. 2000 characters)

Environmental Statement, Chapter G Water Management and Flooding (South Industrial Zone ES - Vol 2 - Chapter G (Water Management and Flooding)). The relevant chapter sections have been attached: Section 2, Section 6.0, table G 17 and Section 7.2, 7.9 & 7.10.

Habitats regulations assessment

Have the effects of the project on European sites been considered?

Yes No

Please give details

(max. 2000 characters)

The Teesmouth and Cleveland Coast Ramsar site is approximately 900m from the site. The works at the site are within the Teesmouth and Cleveland Coast SPA. The attached HRA has been completed for the reprofiling of the estuarine bank. The assessment concluded no significant effects to the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar.

A HRA has been completed for the entire Teesworks South Industrial Zone development in which the South Bank estuarine bank is located. The assessment concludes there will likely be no significant effects to the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar from the construction and operation of the entire Teesworks South Industrial Zone development (including the construction of the intertidal habitat and outfall).

Marine conservation zone assessment

Have the effects of the project on marine conservation zones been considered?

Yes No

Please give details

(max. 2000 characters)

No Marine Conservation Zones are affected and there are none with a 24km radius of the site.

Sites of special scientific interest

Have the effects of the project on sites of special scientific interest (SSSI) been considered?

Yes No

Please give details

(max. 2000 characters)

The Teesmouth and Cleveland Coast SSSI has the same boundary as the Teesmouth and Cleveland Coast SPA. The Habitats Regulations Assessment concludes there will likely be no significant effects to the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar from the construction and operation of the proposed development. Therefore, there will be no likely significant effects on the designated Annex I bird species, waterbird assemblage and saltmarsh listed within the Teesmouth and Cleveland Coast SSSI.

The proposed works occur outside of Redcar Rocks and Coatham Rocks foreshore exposures therefore, the work will have no likely significant effect to the Jurassic geology listed within the Teesmouth and Cleveland Coast SSSI citation.

The proposed works are not located on the foreshore of Redcare or Hartlepool therefore, the works will have no likely significant effect on the Quaternary geology listed within the Teesmouth and Cleveland Coast SSSI citation.

The works are not located within sand dune habitat. The works are located on land within the industrialised Teesworks South Bank site, approximately 4km away from the Seaton Dune, and Coatham Dune systems. The estuarine bank consists of deep granular made ground deposits consisting primarily of slag. Therefore, the work will have no likely significant effect to the sand dune habitat or invertebrate assemblages listed within the Teesmouth and Cleveland Coast SSSI citation.

The proposed works are located along the estuarine banks of the River Tees, designated for Harbour seals *Phoca vitulina* which are frequently observed within the Tees catchment. However, the reprofiling works occur approximately 4km from 'Seal sands' and Greatham Creek noted as a regular haul-out and pupping area for the seals. Therefore, the works are considered to have no likely significant effect to the Harbour seal listed within the Teesmouth and Cleveland Coast SSSI citation.

Natural England will be consulted regarding the works.

Water Framework Directive compliance assessment

Have the effects of the project been considered in accordance with the Water Framework Directive?

Yes No

Please give details

(max. 2000 characters)

Water Framework Directive Assessment attached.

Consultation and advertising

Has public consultation taken place and/or has the project been advertised?

Yes No

Please give details

(max. 2000 characters)

The works will be advertised through the planning application process (R/2021/1096/CD).

Has consultation about the project with any other statutory body taken place?

Yes No

Please give details

(max. 2000 characters)

The Environment Agency PSO team has confirmed a Flood Risk Activity Environmental Permit is not required.

Discussion regarding the Teesworks South Industrial Zone development have taken place with David Pedlow (Redcar and Cleveland Borough Council) and Andrew Whitehead (Natural England).

Licence summary

Do you consider this application to be for emergency activities?

Emergency activities are those undertaken for the protection of life, property or the environment from an imminent risk.

Yes No

Do you consider this application would qualify for the accelerated licensing process for dredging?

The accelerated licensing process applies to certain types of small-scale low-risk dredging activity.

Yes No

Proposed licence start date

01-JAN-2023

Proposed licence end date

31-AUG-2023

Site summary

Please provide the location of your proposed activities. Note that the responsibility for determining whether your proposed activities are below Mean High Water Springs (MHWS) rests with the applicant. If there is any doubt as to whether a site lies below MHWS you can undertake an independent survey to determine its location.

Use the 'Add/edit site(s)' button below to add one or more more locations to your

application.

Next use the 'Add activity' button to add activities to your locations. (NB this option only appears once a location is created).

Basic examples:

Dredging at RiverA. Create one site for RiverA and add dredging as an activity.
Dredging and quay wall improvements at RiverA. Create 2 locations: one for the dredging in front of the new quay area and one for the quay wall improvements.
Dredging at RiverA and removal of large concrete block within the dredge area.
Create 1 location and add two activities: 1 activity for removal and 1 activity for dredging.

Additional functions:

Subsites, Holes and Exclusion Zones can also be used more guidance is available in the 'Help' guide.

Activities:

When an activity is added to a site it is listed in a table. Click on the activity name in the table or use the links on the left hand side of this screen to navigate to the activity screen where you can provide your method statement and other information.

If you delete a site, the activities linked to it will still be visible on this screen. You must delete these activities or move them to a valid site.

If you would like any advice on using this form or structuring your application please contact us.

Sites

Please see included locations.kml file for detailed site locations.

Reprofiling of estuarine bank

Site sensitivities

You should provide details of any protected areas (European or Ramsar sites, marine conservation zones, sites of special scientific interest, areas of outstanding natural beauty etc) and protected features (scheduled monuments, protected wrecks etc). You should also provide details of other areas and features of social, economic or environmental value. This could include shipping lanes, fishing grounds, recreational sailing areas, material assets, unprotected habitats and species and any other feature. (max. 2000 characters)

The reprofiling of the estuarine bank is within the Teesmouth and Cleveland Coast SSSI, Ramsar and SPA. See section 9.1. and HRA assessment.

List of activities at this site

| Activity | Site | Activity type | Actions |
|------------------------------|---------------------------|---------------------------|---------|
| Reprofiling of esturine bank | Reprofiling of estuari... | Construction of new works | |

Reprofiling of estuarine bank - Reprofiling of esturine bank

Site

Please see included locations.kml file for detailed site locations.

Activity details

Activity type

Please select the type of activity that would take place. If more than one activity would take place you should enter the details of one activity here and then add another activity.

Activity type

Construction, alteration or improvement of any works

Activity subtype

Construction of new works

General

Activity title

Enter the title of this activity (max. 250 characters)

Reprofiling of esturine bank

Activity description

You should include a detailed description of the activity. For construction activities, this should include the dimensions of the works and materials to be used. (max. 2000 characters)

An approx. 60m section of estuarine bank on the south bank of the River Tees will be removed allowing the Teesworks South Industrial Zone development drainage to connect with the tidal River Tees, creating an intertidal channel. The proposals aim to create approximately 1ha of intertidal habitat.

Please see the attached scope of works outlining the works construction sequencing (TW-SIZ-XX-JBAU-SB-H8-FN-Z-0001-S0-P01.01-MMO_Scope_of_Works).

As stated in section 1.1. this marine licence application is only for the reprofiling of the existing estuarine bank as all other works detailed within this design will be terrestrial.

Activity methodology

Your method statement should clearly explain how you are going to carry out the activities providing detail on any materials and plant to be used as well as proposed programme timings. (max. 2000 characters)

Schematic method and sequence of work to construct the intertidal habitat and outfall.

The aim is to dig the intertidal habitat outfall area in the dry and then connect it to the tidal channel. The outfall and associated intertidal area is due to be excavated terrestrially on dry land prior to breaching the existing riverbank allowing the mean high water line to migrate effectively in-land. This will lead to greater control over material movement and a significantly reduced risk of water borne and water related silt pollution. There is to be no channel excavation in the current marine environment below current mean high water springs line when viewed in plan and the levels of the associated drainage has been designed to reflect this.

Please see the attached outline methodology for further information. The detailed working methodology will be provided on award of a contractor.

| Activity start date | Activity end date |
|----------------------------|--------------------------|
| 01-JAN-2023 | 30-APR-2023 |

Activity programme

You should detail the proposed programme of works for the activity. This should include proposed start and end dates for the activity. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which the activity could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

The estuarine reprofiling works to construct the intertidal habitat and outfall will be undertaken over a 4 week period between January 2023 and April 2023 (inclusive).

Potential impacts

You should detail the potential impacts this activity may have. This should include social, economic and environmental impacts. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

The following outlines the main environmental risks which may occur from the works. Further details regarding environmental risks are included in the attached Environmental Risk Assessment (ERA).

- Silt mobilisation during the breakout of approximately 60m of the estuarine bank.
- Protected site and species disturbance or damage when working adjacent to the Teesmouth and Cleveland Coast SPA/SSSI and approximately 900m north-west of the Teesmouth and Cleveland Coast Ramsar.
- Contaminated ground disturbance during the reprofiling of estuarine bank.
- Reprofiling of the estuarine bank aims to create approximately 1ha of intertidal habitat and support the delivery of the South Tees Regeneration Programme.

Proposed mitigation

You should detail the mitigation you propose in response to the potential impacts. This should include a detailed explanation of the mitigation measure and evidence to demonstrate that the mitigation is likely to be successful. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

The following outlines the main environmental mitigation measures which will be implemented as part of the works. Further details are included in the attached Environmental Risk Assessment and Environmental Statement Chapter G Water Management and Flooding – section 6.0, table G 17.

- Silt mobilisation: Excavation of the 60m section is undertaken at low tide to limit the suspension of silt into the tidal River Tees. All excavated material will be disposed at the Teesworks licensed waste facility, following WAC testing. During construction, the site team will remain vigilant of unidentified contamination during groundworks. A contaminated ground risk assessment will be followed. Contaminated liquids or sediments produced as a result of construction, i.e. through disturbance of known contaminated land, will be directed away from the River Tees.
- Protected site and species disturbance or damage: Any contamination that might be generated during construction (e.g. dust or disturbance of contaminated spoil) will be temporary. Site manager will be issued with a Designers Risk Register (DRR) which outlines the main areas of site where additional care must be taken. The risks from the DRR are presented visually on drawings with hazard symbols. Site teams will be given Toolbox talks and a site induction to further re-enforce the sensitivities of the site. Along with the site manager taking ownership of the Environmental Action Plan which states all required actions. See chapter G section 6.2 highlighted text.
- Contaminated Ground: Prior to the excavation of the estuarine bank, all works are to be conducted terrestrially restricting potential contaminate mobilisation to the River Tees. The excavated channel will be lined and the upstream network effectively sealed with a clay or geosynthetic liner, as such there is no long-term contamination risk from the new channel.

All excavated material will be disposed offsite at the Teesworks licensed waste facility, following WAC

Residual risks

You should detail the residual risks from the activity following the mitigation. This should include an assessment of the significance of the risks and evidence to show why these risks cannot be avoided or further mitigated. (max. 2000 characters)

The reprofiling works are adjacent to the Teesworks South Industrial Zone (SIZ) major development and River Tees dredging activities. There may be residual risk of sediment mobilisation following the reprofiling works and mitigation measures. However, the reprofiling works are within a tidal river channel where the water is always relatively turbid due to the movement and velocity of the water. Suspended silt is not anticipated to be significantly above the normal levels. Therefore, due to the existing turbidity and ongoing dredging activities within the Tees River, the residual risks from the reprofiling works are not anticipated to be significant.

Please see the attached Environmental Risk Assessment, Scope of Works under MMO jurisdiction section 4 and 5 and Environmental Statement Chapter G Water Management and Flooding – section 7.2, 7.9 & 7.10.

Additional supporting information

You should use this section to provide any further information about this activity that you wish to have taken into account in the processing and determination of this application. (max. 2000 characters)

Construction of new works

Use intended to be made of the works

You should detail the use that will be made of the works. For example, if you are proposing to build a quay to use for unloading cargo then you should detail the type of cargo, quantity to be unloaded, frequency of unloading, methodology of unloading and any other relevant information. (max. 2000 characters)

Provision of drainage for proposed developments on the South Bank and Dorman Point sites within the Teesworks South Industrial Zone (SIZ). The works will entail establishing a new location for surface water outfall for flows from the site from two watercourses, as well as approximately 1ha of intertidal habitat between the outfall and the Tees main river.

Marine plan policies

Access

NE-ACC-1

Provide an explanation on how you have considered this policy

The proposed works are on the boundary of the marine area. Works will not directly or indirectly adversely impact on public access to and within the marine area. It is therefore considered that NE-ACC-1 is not applicable in this circumstance.

Aggregates

NE-AGG-3

Provide an explanation on how you have considered this policy

The proposed works do not fall within an area where high potential aggregate resource occurs. The proposed works do not involve aggregate extractions and will not directly or indirectly adversely impact on future aggregate extraction. NE-AGG-3 is therefore not considered to be applicable.

Air quality

NE-AIR-1

Provide an explanation on how you have considered this policy

Works will not directly or indirectly adversely impact local air quality or increase emissions of greenhouse gases.

The site is not located within an Air Quality Management Area ('AQMA'). Mitigation measures will be implemented to reduce the number of heavy goods vehicle movements associated with the construction phase of development and reduce dust emissions. The works will therefore be in accordance with NE-AIR-1.

Aquaculture

NE-AQ-2

Provide an explanation on how you have considered this policy

The proposed works are not located within existing aquaculture production areas and will not prevent aquaculture opportunities in the future. NE-AQ-2 is therefore not considered to be applicable.

Biodiversity

NE-BIO-1

Provide an explanation on how you have considered this policy

The proposed works will not have significant effects on natural habitats or species. The works will create approximately 1ha of priority saltmarsh intertidal habitat which will increase the distribution of priority habitats and species it supports, including local native populations of birds, small mammals, invertebrates and vegetation. The proposed works are therefore in accordance with NE-BIO-1.

NE-BIO-2

Provide an explanation on how you have considered this policy

The proposed works will be in accordance with the policy NE-BIO-2 objectives by creating approximately 1ha of priority saltmarsh habitat which will support native species of birds, small mammals, invertebrates and vegetation.

Works are on the boundary of the marine area. The scheme will not cause a significant adverse impact to native species of habitat. Please see HRA and ERA for further information.

NE-BIO-3

Provide an explanation on how you have considered this policy

The proposed works will be in accordance with the NE-BIO-3 policy objectives by enhancing coastal habitats through the creation of approximately 1ha of priority intertidal habitat which will increase the distribution of species it supports, including local native populations of birds, small mammals, invertebrates and vegetation.

Cables

NE-CAB-1

Provide an explanation on how you have considered this policy

The proposed scheme do not involve the installation of cables. NE-CAB-1 is therefore considered to not be applicable to the scheme.

NE-CAB-2

Provide an explanation on how you have considered this policy

Works are on the edge of the marine environment on the bank of the River Tees. Works will not directly or indirectly impact existing landfall sites or future landfall opportunities. It is therefore considered that NE-CAB-2 is not applicable.

NE-CAB-3

Provide an explanation on how you have considered this policy

Works are on the edge of the marine environment. Works will not directly or indirectly impact subsea cables. Analysis of a subsea cable map identified that there are no cables within the proposed developments vicinity. It is therefore considered that NE-CAB-3 is not applicable.

Carbon capture, usage and storage

NE-CCUS-1

Provide an explanation on how you have considered this policy

The proposed works do not involve the decommissioning of oil or gas facilities. Analysis of an oil and gas refinery map for the UK identified that there are no oil and gas refineries within the vicinity of the proposed works. Therefore the proposed scheme will not directly or indirectly adversely impact on oil and gas facilities. It is therefore considered that NE-CCUS-1 is not applicable.

NE-CCUS-3

Provide an explanation on how you have considered this policy

The proposed works do not involve the deployment of low carbon infrastructure for industrial clusters. Therefore the proposed works will not directly or indirectly adversely impact on industrial clusters and NE-CCUS-3 is not considered to be applicable.

Climate change

NE-CC-1

Provide an explanation on how you have considered this policy

The proposed works will enhance the drainage system for the Teesworks South Industrial zone development, creating approximately 1ha of intertidal habitat connected to the River Tees. Culverts upstream from the embankment reprofiling have been designed to have significant capacity well in excess of the 1:100year +cc event even when sea level rises of around 1m are in considered. The proposed works are therefore considered to support NE-CC-1.

NE-CC-2

Provide an explanation on how you have considered this policy

Culverts upstream from the embankment reprofiling have been designed to have significant capacity well in excess of the 1:100year +cc event even when sea level rises of around 1m are in considered. The proposed works are considered to be in accordance with NE-CC-2.

NE-CC-3

Provide an explanation on how you have considered this policy

The proposed works are on the boundary of the marine area. The scheme will not cause a significant adverse impact on coastal change or climate change adaptation. Culverts upstream from the embankment reprofiling have been designed to have significant capacity well in excess of the 1:100year +cc event even when sea level rises of around 1m are in considered. Proposed works are considered to be in accordance with NE-CC-3.

Co-existence

NE-CO-1

Provide an explanation on how you have considered this policy

Works are within an existing industrial manufacturing and storage area. Work is part of the Teesworks South Industrial zone development drainage scheme which looks to extend the infrastructure that supports the surface water management of the existing South Bank Site.

South Bank is the western most point of Teesworks, the drainage scheme looks to support the implementation of a dedicated quay that will service the offshore sector, offering a 125 acre hard standing for manufacturing, storage and mobilisation as part of the South Tees regeneration Programme.

The bank reprofiling will create a 1ha of priority saltmarsh habitat which will increase the distribution of priority habitats and the species it supports, including local native populations of birds and crabs. The proposed works will be in accordance with NE-CO-1.

Cross-border co-operation

NE-CBC-1

Provide an explanation on how you have considered this policy

Works have been considered as part of the wider Teesworks South Industrial zone development drainage scheme Environmental statement. Please see Environmental Statement, Chapter G Water Management and Flooding Section G2.0 Policy Context. It is

not considered that the proposed works will have an impact on cross-border impacts, and therefore are in accordance with NE-CBC-1.

Cumulative effects

NE-CE-1

Provide an explanation on how you have considered this policy

Works are on the boundary of the marine area. Works will not have any cumulative or in-combination effects. No known reasonably foreseeable proposals are planned in the vicinity of the works. The proposed works are therefore in accordance with NE-CE-1.

Disturbance

NE-DIST-1

Provide an explanation on how you have considered this policy

The proposed works will not cause a significant adverse impact to mobile species through disturbance. Please see HRA and ERA for further information. The proposed development will create a 1ha of priority saltmarsh habitat which will increase the distribution of priority habitats and the species it supports, including local native populations of birds and crabs. The proposed works are therefore in accordance with NE-DIST-1.

Dredging & disposal

NE-DD-3

Provide an explanation on how you have considered this policy

Policy is not relevant to the scheme: Works do not involve the disposal of dredged material.

Employment

NE-EMP-1

Provide an explanation on how you have considered this policy

The proposed works will employ and support the local construction workforce where possible and will therefore be in accordance with NE-EMP-1.

Fisheries

NE-FISH-1

Provide an explanation on how you have considered this policy

The proposed works will not involve any proposal for sustainable fishing industry or diversification. The proposed works will not directly or indirectly adversely impact the sustainable fishing industry. NE-FISH-1 is therefore not considered to be applicable to the proposal.

NE-FISH-2

Provide an explanation on how you have considered this policy

The proposed works do not involve any proposal to improve access for fishing activity as they will be carried out on private land. Works will not directly or indirectly adversely impact access for fishing activities. NE-FISH-2 is therefore not considered to be applicable to the proposal.

NE-FISH-3

Provide an explanation on how you have considered this policy

The proposed works will not directly or indirectly adversely impact essential fish habitat. Works may indirectly benefit fish habitat by enhancing coastal habitats through the creation of approximately 1ha of priority intertidal habitat. NE-FISH-3 is therefore not considered to be applicable to the proposal.

Heritage assets

NE-HER-1

Provide an explanation on how you have considered this policy

The proposed works will not directly or indirectly adversely impact heritage assets. Works are located on made ground and therefore has been disturbed previously so there is no archaeological risk. Please see ERA for further information. Proposed works considered to be in accordance with NE-HER-1.

Infrastructure

NE-INF-1

Provide an explanation on how you have considered this policy

The proposed works will not involve development of or change to land-based infrastructure that facilitates marine activity (or vice versa) and as such, NE-INF-1 is not considered to be applicable to the proposed works.

Invasive non-native species

NE-INNS-1

Provide an explanation on how you have considered this policy

Japanese rose and Japanese Knotweed is known to be present within the wider Teesworks site. An invasive species walkover by an ecologist is required prior to works commencing, to identify if there are an INNS within the works footprint. If there is an Invasive Species management plan will be required. Control measures would include: All site operatives and visitors should be inducted in good biosecurity practices. This should include adoption of the check-clean-dry campaign that will be displayed in the site office: <http://www.nonnativespecies.org/downloadDocument.cfm?id=608> This protocol is as follows: Check your equipment and clothing for live organisms, mud and plant material and remove these on site in a designated wash down area. Clean all equipment, footwear, and clothes thoroughly. Use hot water where possible. Ideally, boots, work clothes and tools etc. should be left on site throughout the works, where

practicable, to minimise the need to clean. Dry all equipment and clothing for as long as possible to ensure any seeds have dropped off clothing and equipment.

All site operatives and visitors should be made aware of INNS locations and the possibility that they may have spread to other areas within the site. They should be made aware that everyone on site is responsible for preventing the spread of INNS. A record should be maintained of all equipment cleaning, making note of any contamination.

The proposed works will therefore be in accordance with NE-INNS-1.

NE-INNS-2

Provide an explanation on how you have considered this policy

Japanese rose and Japanese Knotweed is known to be present within the wider Teesworks site. An invasive species walkover by an ecologist is required prior to works commencing, to identify if there are an INNS within the works footprint. If there is an Invasive Species management plan will be required. Control measures would include: All site operatives and visitors should be inducted in good biosecurity practices. This should include adoption of the check-clean-dry campaign that will be displayed in the site office: <http://www.nonnativespecies.org/downloadDocument.cfm?id=608> This protocol is as follows: Check your equipment and clothing for live organisms, mud and plant material and remove these on site in a designated wash down area. Clean all equipment, footwear, and clothes thoroughly. Use hot water where possible. Ideally, boots, work clothes and tools etc. should be left on site throughout the works, where practicable, to minimise the need to clean. Dry all equipment and clothing for as long as possible to ensure any seeds have dropped off clothing and equipment.

All site operatives and visitors should be made aware of INNS locations and the possibility that they may have spread to other areas within the site. They should be made aware that everyone on site is responsible for preventing the spread of INNS. A record should be maintained of all equipment cleaning, making note of any contamination.

The proposed works will therefore be in accordance with NE-INNS-2.

Knowledge, understanding, appreciation & enjoyment

NE-SOC-1

Provide an explanation on how you have considered this policy

The proposed works are located within an area of existing privately owned brownfield industrial land. Therefore policy NE-SOC-1 is not considered to be applicable to the proposed scheme.

Marine litter

NE-ML-1

Provide an explanation on how you have considered this policy

A site waste management plan will be developed and followed for the proposed works setting out the need to segregate waste streams. The facilities required will be provided as a minimum, this will be separate signed and labelled skips and/or dedicated containers depending on the waste streams generated.

A concrete washout skip will be used to washout the concrete mixer, pump, hose and

connectors will be washed at the end of each shift. This skip will be located in the satellite site compound on hardstanding, lined and covered so that the washout can solidify. Once solidified the hardened washout will be disposed of as the appropriate waste stream.

A concrete risk assessment method statement will be followed.

Please see ERA.

The proposed works are therefore considered to be in accordance with NE-ML-1.

NE-ML-2

Provide an explanation on how you have considered this policy

The proposed works will not introduce litter to the area as part of the construction activities. A site waste management plan will be developed and followed for the works setting out the need to segregate waste streams. The facilities required will be provided as a minimum, this will be separately signed and labelled skips and/or dedicated containers depending on the waste streams generated.

Please see ERA.

The proposal is therefore considered to be in accordance with NE-ML-2.

Marine protected areas

NE-MPA-1

Provide an explanation on how you have considered this policy

The proposed works will not have an adverse impact upon the Teesmouth and Cleveland Coast SPA and Ramsar either alone or in-combination with any other plans or projects, providing the mitigation measures detailed within the HRA are adhered to.

Please see HRA for further information.

The proposed works are therefore in accordance with NE-MPA-1.

NE-MPA-2

Provide an explanation on how you have considered this policy

the proposed works will not directly or indirectly adversely effect the MPAs ability to adapt to climate change. The proposed works are therefore considered to be in accordance with NE-MPA-2.

NE-MPA-3

Provide an explanation on how you have considered this policy

The proposed works will not have an adverse impact upon the Teesmouth and Cleveland Coast SPA and Ramsar either alone or in-combination with any other plans or projects, providing the mitigation measures detailed within the HRA are adhered to. The status of the sites are favourable and there is no evidence to indicate features are moving or changing due to climate change.

Please see HRA for further information.

NE-MPA-3 is therefore not considered to be applicable to the proposal.

Oil & gas

NE-OG-2

Provide an explanation on how you have considered this policy

The proposed works are not located in an area where a licence for oil and gas has been granted or formally applied for.

NE-OG-2 is therefore not considered to be applicable to the proposed works.

Ports, harbours & shipping

NE-PS-1

Provide an explanation on how you have considered this policy

Works will not directly or indirectly adversely impact on ports, harbours and shipping and therefore will be in accordance with NE-PS-1.

NE-PS-4

Provide an explanation on how you have considered this policy

The proposed works will not directly or indirectly adversely impact sustainable coastal and/or short sea shipping. The proposed works are therefore in accordance with NE-PS-4.

Renewables

NE-REN-1

Provide an explanation on how you have considered this policy

The proposed works do not support or hinder the development of supply chains associated with renewable energy. NE-REN-1 is therefore not considered to be applicable to the proposal.

Seascape & landscape

NE-SCP-1

Provide an explanation on how you have considered this policy

The proposed works are within an existing brownfield industrial land. It has previously been occupied by iron and steel industries and it has also been used for the storage of materials and freight rail infrastructure.

South Bank Area: this is in occasional active use by Tarmac as an asphalt manufacturing plant. It contains mounds of material, mobile and permanent plant, an internal vehicle network and various built structures, including five disused oil tanks.

Works will not have a significant adverse impact on the character or visual resources of the seascape and landscape of the area.

By providing approximately 1ha of new saltmarsh area to support the native populations of wild birds and crabs the seascape appearance is expected to improve. The proposed works are therefore in accordance with NE-SCP-1.

Tourism & recreation

NE-TR-1

Provide an explanation on how you have considered this policy

The proposed works are within an existing brownfield industrial land. It has previously been occupied by iron and steel industries and it has also been used for the storage of materials and freight rail infrastructure.

The proposed works will not directly or indirectly adversely impact tourism and recreation activities and therefore NE-TR-1 is not considered to be applicable to the proposed works.

Underwater noise

NE-UWN-1

Provide an explanation on how you have considered this policy

No high impact/impulsive activities such as percussive piling are required for the proposed works. The proposed works are therefore considered to be in accordance with NE-UWN-1.

NE-UWN-2

Provide an explanation on how you have considered this policy

No high impact/impulsive activities such as percussive piling are required for the proposed works. The proposed works are therefore considered to be in accordance with NE-UWN-2.

Water quality

NE-WQ-1

Provide an explanation on how you have considered this policy

The current conditions of the South Bank site comprise of a number of constraints including utilities, hazardous leachate and contaminated ground conditions as well as culverted water bodies. The current proposed works are part of the Teesworks South Industrial zone development drainage scheme which outlines for water management and drainage at the site aim to provide the best practical way forward for the site design in working within these constraints whilst also providing betterment to the current water bodies.

Please refer to WFD assessment and Environmental Statement, Chapter G Water Management and Flooding Section 6 mitigation for further information.

The proposed works are therefore considered to be in accordance with NE-WQ-1.

Additional plan and policy information

Provide any further information about your consideration of the Marine Policy Statement (MPS), marine plans and policy objectives you would like the MMO to take into account when determining your application

Works are on the boundary of the marine area, no additional plan or policy information is relevant to the works

Do you have any relevant documents that support your consideration or assessment of the MPS or marine plan policies?

- Yes
 No

Have you considered or assessed this project with regard to other policy statements and spatial plans?

This includes national, regional and local policies and spatial plans

- Yes
 No

Provide an explanation of which other spatial plans and policy statements you have considered or assessed and how they have been considered or assessed

Please see Environmental Statement, Chapter G Water Management and Flooding Section G2.0 Policy Context.

Do you have any documents to upload that support your consideration or assessments of other spatial plans and policy statements?

- Yes
 No

Licence conditions

Are there any conditions you consider should be added to the marine licence?

Any suggested conditions will be considered as part of the application and may be applied to the consent. However, proposed conditions may also be edited or removed and other conditions may be applied in addition to or in place of any conditions you propose.

- Yes No

Add conditions below. If the condition is relevant to a specific site or activity, please select it from the dropdowns. If the condition is relevant to the entire application, please select 'All Sites'.

If so, please give details:

| Linked to | Condition | Condition reason | Actions |
|--|---|--|---------|
| <p>Site Reprofiling of estuari...</p> <p>Activity Reprofiling of ...</p> | <p>The breaching and reprofiling of the existing estuarine bank must only be undertaken once the intertidal channel terrestrial works have been complete. The breaching and reprofiling of the existing estuarine bank must only be undertaken once the tidal level has receded from the working area.</p> | <p>Limit impact to statutory environmental designations as per environmental risk assessment</p> | |
| <p>Site Reprofiling of estuari...</p> <p>Activity Reprofiling of ...</p> | <p>The client has yet to appoint a contractor for these works, and until that time we will be unable to provide a detailed working method including environmental controls and machinery. We would like to request that the license is processed and granted on the basis that a pre-commencement Condition is placed in the licence, which will require the main works contractor to provide this four weeks in advance of the</p> | <p>Provide MMO with contractors method statement for the proposed works</p> | |

works for
approval by
yourselves.

Other details

Fees and charges

Cost of project seaward of mean high water springs (£)

Specify pounds only or pounds and pence, e.g. 1000 or 1000.10

25000.00

Public register

Permission to add your data to the MMO evidence base:

The Marine Management Organisation (MMO) has gathered information from a number of existing sources to support marine planning, marine licensing and associated functions of the MMO. The MMO is continuously adding to the evidence base to support future decision making, with the aim to ensure a sustainable future for our coastal and offshore waters.

A new marine plan led system of marine management will set the direction for decision making on marine use and will:

- guide marine users to the most suitable locations for different activities;
- manage the use of marine resources to ensure sustainable levels; and
- consider all the benefits and impacts of current and future activities that occur in the marine environment.

1.The MMO would like your permission to use any of the data you submit in a digital format that can be entered into a geographical information system. This data may be used to inform MMO functions.

Can we use your data to inform MMO functions?

Yes No

2.Under section 101 of the Marine and Coastal Access Act 2009 the MMO must maintain a register of activities where it is the appropriate licensing authority. Information contained within or provided in support of this application will be placed on the MMO's Public Register unless:

- The Secretary of State determines that its disclosure would be contrary to the interests of national security; or
- The MMO determines that its disclosure would adversely affect confidentiality of

commercial or industrial information where such confidentiality is provided by law to protect legitimate commercial interest.

Is there any information in your application (including any supporting documents) that you believe should be withheld from the Public Register?

Yes No