

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Conwy County
Borough Council

Conwy County Borough Council
Environment, Roads & Facilities
Mochdre Offices
Conway Road
Mochdre
LL28 5AB

Increased coastal protection along a
section of frontage in Old Colwyn.

Licence Number:
CML2108

Increased coastal protection along a section of the frontage in Old Colwyn.

Marine Licence number: CML2108

Introductory note

This introductory note does not form a part of the marine licence

The main features of the marine licence are as follows.

The project is to provide increased coastal protection along a section of the frontage in Old Colwyn in order to protect the critical infrastructure which lies behind the existing seawall. The existing seawall is increasingly subject to undermining and localised damage.

The licensable elements of the works consist of:

- The importation and placement of:
 - Primary rock armour (3-6t) approx. 152,700t of granite (or rock of similar physical properties and appearance).
 - Underlayer (0.3 – 1t) 70,900t of granite or limestone.
 - Core material (0.15 – 0.3t) of granite or limestone.
- Creating a rock revetment.
- Construction of 1 fishing platform.
- Construction of 3 perpendicular access steps through revetment.
- Outfall extensions and groyne enhancements.
- Construction of an access build out.
- Removal of existing corroded steel access steps and some small concrete landings associated with these steps.

The status log of the marine licence sets out the marine licence history, including any subsequent marine licence variation(s)

Status log of this marine licence		
Description	Date	Comments
Application	Duly made 12/05/2021	Application received and considered to be duly made
Date licence determined	22/10/2021	Determination date

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Related marine licences or applications under determination

Marine Licence or Application Number	Date	Comments
CML1956	31 January 2020	A section of the works has already been licensed under CML1956, including modifications to one of the 5 existing outfalls. CML2108 assesses the scheme as a whole but will only licence the area to the west of CML1956 and piling activity within the CML1956 area.

End of introductory note.

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MARINE LICENCE, NUMBER CML2108

1 LICENCE DETAILS

1.1 Marine Licence

This is a licence granted by the Licensing Authority in respect of an application numbered CML2108 and duly made on 12 May 2021 and authorises the Licence Holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009, (2009 Act). This licence should be interpreted in accordance with **Section 4**.

1.2 Licence Holder

The Licence Holder is the organisation set out below:

Organisation name: Conwy County Borough Council

Address: Conwy County Borough Council, Environment, Roads & Facilities,
Mochdre Offices, Conway Road, Mochdre, LL28 5AB

1.3 Licence Validity

Licence Start Date	01 November 2021
Licence End Date	30 June 2026
Licence Issue Date	22 October 2021

1.4 Conditions

This licence is subject to the conditions set out in **Section 3**.

Signed:



For and on behalf of the Licensing Authority

2 LICENSED ACTIVITIES

2.1 Project

Increased coastal protection along a section of the frontage in Old Colwyn.

The following Licensed Activities can be conducted within the Licence Period, within the Licensed Area and in accordance with the Approved Application and the Approved Supporting Documents:

Table 1 Licensed Activities

Activity 1 Construction of rock revetment, fishing platform and access steps	
Type of Licensed Activity	Construction, Alteration or Improvement.
Description	<p>The licensable elements of the works consist of:</p> <ol style="list-style-type: none"> 1. Importation and placement of: <ul style="list-style-type: none"> • Primary rock armour (3 – 6t) approx. 152,700t of granite (or rock of similar physical properties and appearance). • Underlayer (0.3 – 1t) 70,900t of granite or limestone. • Core material (0.15 – 0.3t) of granite or limestone. 2. Creation of a rock revetment protruding approximately 30m seawards of the existing seawall for a length of approximately 700m. This will join up to existing revetment at immediately east of Porth Eirias and revetment extending westwards from Splash Point. 3. Construction of 1 fishing platform constructed from open mesh and supported on steel tubular piles, approximate length 29m, protruding perpendicular from existing seawall, T shaped with approximately 2.5m wide access walkway and 25m x 5m end platform. 4. Construction of 3 perpendicular access steps through revetment, approximately 28m in length. Piled superstructure with a combination of precast concrete step units and cast in situ concrete landing sections. Steps will run from existing seawall through the new revetment to the beach below. 5. Modifications to four existing outfalls along the length of the revetment including extensions and protective slabs where necessary. Widening of the revetment to locally to 7.2m at two locations. Stainless steel grills fixed to the end of each of the culverts which are to be extended. 6. Construction of a new access build out comprising a 2m wide access ramp along the southern boundary of the build out, comprising 10m long ramp sections split by 2m wide landings. Stepped access to the beach comprising 4m wide concrete steps

	<p>along the northern section of the build out. Landscape areas with pre-cast concrete seating steps set at varying levels with landscaping boulders fixed to the concrete slab.</p> <p>7. Removal and disposal offsite of the existing corroded steel access steps and small concrete landings associated with these steps. This will be done as and when the revetment is to be constructed through these locations.</p>
Material types to be removed or deposited	<p>Deposited: Stone/Rock, Iron/Steel & Concrete</p> <p>Section 12.7.11 of ES Vol1: Main Text gives full list of materials anticipated to be used.</p> <p>Removed: Iron/Steel & Concrete</p> <p>A number of existing iron/steel beach access steps will be removed, along with some concrete footings/landings which support these structures.</p>

2.2 Licensed Area

The Licence Holder is authorised to conduct the activities described in Table 1 in the vicinity of Colwyn Bay bounded by the the coordinates specified in Table 2 and 3:

Table 2 Coordinates Area 1

Eastings	Northings
285904	378899
285898	378881
286294	378813
286288	378785
286756	378752
286756	378723

Table 3 Coordinates Area 2

Eastings	Northings
286957	378751
286957	378712
287021	378751
287004	378711

as indicated on the plan submitted with the Approved Application and attached at Appendix 1.

In the event of any discrepancy between the coordinates set out above and the plan attached at Appendix 1, the coordinates shall take precedence.

2.3 Approved Supporting Documents

Title/Description of Document	Date	Version No.
CML2108 NOWCIPP Marine Licence Application for HoS approval v2 (OT revision)	27 September 2021	3
CML2108 Continuation Sheet Scheme Summary	12 March 2021	1
CML2108 Continuation Sheet Section 6a	12 March 2021	1
CML2108 Continuation Sheet Section 7a	12 March 2021	1
CML2108 WNMP signposting doc	07 May 2021	1
CML2108 Piling Locations	07 May 2021	1
CML2108 Scheme Coordinates	12 May 2021	1
CML2108 - 410895-MMD-N-R-00-XX-1700 - Wintering Bird Report	11 February 2020	1
CML2108 - 410895-MMD-N-R-00-XX-1701 - PEAR	July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1703_DesignatedSites_A3_Landscape	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1704_HeritageAndLandscape_A3_Landscape	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1705_WaterAndFlooding	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1706_SensitiveReceptors_A3_Landscape	23 July 2020	1

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CML2108 - 415437-MMD-00-XX-DR-N-1707_RedlineBoundary_A3_Landscape	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1708_AreaOfPermChange_A3_Landscape	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1709_DesignatedSites_A3_Landscape_Sites_Outside_2k	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1711_AnticipatedPrincipalWorkingAreaandConstraints_A3_Landscape	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1712_SedimentTransportAndWavedirection	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1713_Phase_1_Habitat_Survey	23 July 2020	1
CML2108 - 415437-MMD-00-XX-DR-N-1714_International_Designations_Within_2.0km	23 July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1720 - FCA	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1721 - WFD Assessment	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1722 - Bio-Sec RA	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1723 - D4RE Record	August 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1724 - Carbon Mgt Plan	July 2020	1

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CML2108 - 415437-MMD-00-XX-RP-N-1725 - Transport Statement	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1726 - HRA	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1727 - Bat Report	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1728 - OEMP	July 2020	1
CML2108 - 415437-MMD-00-XX-RP-N-1729 - Outline SWMP	July 2020	1
CML2108 - 415437-MMD-C-R-00-XX-3000 P02 - Overtopping Assessment	15 June 2020	2
CML2108 - ENQ 29321 Response	12 March 2020	1
CML2108 - MMD-00-XX-RP-N-1703 ES V2 TA1 - Introduction	July 2020	1
CML2108 - MMD-00-XX-RP-N-1704 ES V2 TA2 - Alternatives	July 2020	1
CML2108 - MMD-00-XX-RP-N-1705 ES V2 TA3 - Scheme Description	July 2020	1
CML2108 - MMD-00-XX-RP-N-1706 ES V2 TA4 - Scheme Construction	July 2020	1
CML2108 - MMD-00-XX-RP-N-1707 ES V2 TA5 - Consultation	July 2020	1
CML2108 - MMD-00-XX-RP-N-1709 ES V2 TA8 - Biodiversity	July 2020	1

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CML2108 - MMD-00-XX-RP-N-1710 ES V2 TA9 - Climate	July 2020	1
CML2108 - MMD-00-XX-RP-N-1711 ES V2 TA10 - Coastal	July 2020	1
CML2108 - MMD-00-XX-RP-N-1712 ES V2 TA11 - Landscape	July 2020	1
CML2108 - MMD-00-XX-RP-N-1715 ES V2 TA14 - Pop and HH	July 2020	1
CML2108 - MMD-00-XX-RP-N-1716 ES V2 TA15 - Other	July 2020	1
CML2108 - MMD-00-XX-RP-N-1717 ES V3 NTS	July 2020	1
CML2108 - MMD-00-XX-RP-N-1719 ES V1 - Main text	July 2020	1

3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1 The Licence Holder must notify the Licensing Authority no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.2 The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.3 The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the Licensed Activities through local notices to mariners **10 days** prior to the commencement of the Licensed Activities.

3.2 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Licensed Activities are submitted to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of the Licensed Activities.

3.3 Notification of Agents/Contractors/Sub-contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority at least **24 hours** prior to the commencement of Licensed Activities.

3.4 Notification of HM Coastguard

The Licence Holder must ensure that HM Coastguard is made aware of the Licensed Activities at least **24 hours** prior to commencement by contacting The National Maritime Operations Centre at nmoccontroller@hmco.gov.uk.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

3.6 Notification of Completion

- 3.6.1 The Licence Holder must notify the Licensing Authority and within **10 days** of completion of the Licensed Activities.
- 3.6.2 The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

3.7 Accident or Emergency

- 3.7.1** If, by reason of force majeure any substances or articles are deposited otherwise than as permitted as part of the Licensed Activities or in the Licensed Area, full details of the circumstances shall be notified to the Licensing Authority within **48 hours** of the incident occurring.
- 3.7.2** If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority under condition 3.3 and
- The Masters of any vessels and transport managers responsible for the vehicles employed in accordance of this Licence whose details have been submitted to the Licensing Authority under condition 3.2.

3.9 Inspection of Documents

Copies of this Licence shall be made available at the following locations:

- at the address of the Licence Holder specified in section 1.2;
- at any site office, located at or adjacent to the Licensed Area, used by the Licence Holder or its agent(s), contractor(s) or sub-contractor(s) responsible for the loading transportation or deposit of any substances or articles permitted as part of the Licensed Activities;
- on board each vessel or vehicle carrying out Licensed Activities.

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Vessels, Plant and Equipment

3.10 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or vehicles whose details have been notified to the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to and be approved by the Licensing Authority in writing prior to any such agent, contractor, subcontractors or vehicles

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carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

3.11 Refuelling of Plant and Equipment

The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore or in the sea.

3.12 Equipment, Structures and Access

The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the Licensed Activities are removed on completion of the Licensed activities.

Safety

3.13 Removal of Deposited Material

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit specified by the Licensing Authority or Marine Enforcement Officers within one month of notice being given by the Licensing Authority, and shall not replace such material until the Licensing Authority has given its written approval.

Pollution control

3.14 Pollution Prevention

The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number **0300 065 3000**.

3.15 Spillage of Pollutants

The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the 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.

3.16 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine environment. Such material must be removed immediately and be disposed of appropriately. If it is not possible to prevent manmade debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

3.17 Cleanliness of Equipment

The Licence Holder must ensure that equipment, machinery and PPE are washed with freshwater and/or thoroughly air dried before deployment and before moving between locations.

Activity-specific Conditions

3.18 Construction Environmental Management Plan (CEMP)

3.18.1 The Licence Holder must submit a CEMP to the Licensing Authority for written approval at least **8 weeks** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior written approval from the Licensing Authority.

3.18.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.18.1 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

3.19 Delivery of Materials and Use of Vessels

3.19.1 The Licence Holder must ensure all delivery of materials is made via the land. No barge deliveries of material may be undertaken via the sea without prior written approval from the Licensing Authority.

3.19.2 The Licence Holder must ensure that no vessels are used between **01 October** and **31 March** inclusive, without prior written approval from the Licensing Authority.

3.19.3 The Licence Holder must ensure that no vessel drops anchor in the intertidal area and instead barges would be guided and positioned by tugs or small support vessels.

3.20 Notification of UK Hydrographic Office

3.20.1 The Licence Holder must notify the UK Hydrographic Office no less than **5 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.

3.20.2 The Licence Holder must notify the UK Hydrographic Office within **5 days** of completion of the Licensed Activities.

3.21 Construction, Alteration or Improvement – Returning to Original Profile

The Licence Holder must ensure the area is returned to the original profile, or as close as reasonably practicable, following the completion of Licensed Activities.

3.22 Use of Render and Concrete

3.22.1 The Licence Holder must ensure that no waste concrete slurry or wash water from the use of concrete or cement are discharged into the marine environment. Concrete and cement mixing and washing areas should be contained and sited at least **10 metres** from any watercourse or surface water drain to minimise the risk of runoff entering a watercourse.

- 3.22.2** The Licence Holder must ensure that if concrete is to be sprayed in the vicinity of the marine environment (e.g. bridges, retaining walls, etc.), suitable pollution prevention measures are taken to prevent rebounded or windblown concrete from entering the water environment.

4 INTERPRETATION

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

- (a) **"2009 Act"** means the Marine and Coastal Access Act 2009;
- (b) **"Approved Application"** means the Marine Licence Application Form together with the Approved Supporting Documents;
- (c) **"Approved Supporting Documents"** means the documents supporting, or supplementary to, the Approved Application, submitted prior to the Licence Issue Date, listed in the Table at paragraph 2.3 above;
- (d) **"Commencement"** means the first undertaking of any Licensed Activities;
- (e) **"Force majeure"** may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the substances or articles because the safety of human life and/or of the vessel is threatened;
- (f) **"Licensed Activities"** means the activities authorised by this licence as specified in 2.1;
- (g) **"Licensed Area"** means the area within which Licensed Activities are authorised by this licence as specified in section 2.2;
- (h) **"Licence Holder"** means the person(s) or organisation(s) named in section 1.2 to whom this licence is granted;
- (i) **"Licence Period"** means the period beginning with the Licence Start Date and ending on the Licence End Date;
- (j) **"Licensing Authority"** means Natural Resources Wales acting on behalf of the Welsh Ministers;
- (k) **"Marine Enforcement Officers"** means the relevant officers appointed by Welsh Ministers under section 235 of the 2009 Act, contact details for whom are provided in section 5;
- (l) **"Marine Licence Application Form"** means the application form forming part of the application referred to in paragraph 1.1;

- (m) **“Method Statement”** means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;
- (n) **“Works”** means any construction activities comprised in the Licensed Activities and, where the context permits, includes any plant, equipment or materials used to carry out those activities or operations but excludes monitoring, minor routine maintenance or other ongoing operational activities following completion of any construction activities;
- (o) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- (p) all co-ordinates shall be taken to be eastings and northings measured in metres.
- (q) in the event of any discrepancy between the coordinates listed in paragraph 2.2 and the plan attached at Appendix 1, the coordinates shall take precedence.

5 CONTACTS

Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns, correspondence and requests for variations of the licence is:

Marine Licensing Team
Natural Resources Wales
Permitting Service
29 Newport Road
Cambria House
Cardiff
CF24 0TP

Tel: 0300 065 3000
Email: marinelicensing@naturalresourceswales.gov.uk

Welsh Government Marine Enforcement Officers may be contacted at:

Welsh Government
Suite 3
Cedar Court
Haven's Head Business Park
Milford Haven Pembrokeshire
SA73 3LS

Tel: 03000253500
Email: wfmccmpc@gov.wales

Appendix 1

