marinescotland

Scottish Government
Riaghaltas na h-Alba
gov.scot

T: +44 (0)300 244 5046
E: ms.marinelicensing@gov.scot

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR THE ACT OF DREDGING AND SEA DISPOSAL OF DREDGED SPOIL

Licence Number: 06676/18/0 Reference Number: 06676

The Scottish Ministers (hereinafter referred to as "the licensing authority") hereby authorise:

Ayrshire Roads Alliance
Burns House
Burns Statue Square
Ayr
KA7 1UT

to deposit in the sea the substances or objects particulars of which are described in Part 1 of the attached Schedule. The licence is subject to the conditions of use set out, or referred to, in Part 2 of the said Schedule.

This licence shall be valid from 04 February 2019 until 03 February 2022.

Redacted

Signed: ....

For and on behalf of the licensing authority

Date: 04 December 2018

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

SCHEDULE TO LICENCE NUMBER: 06676/18/0 DATED: 04 December 2018

Part 1 - Particulars

1. Name and address of the producer of the substances or objects:

   The Producer of the substance or articles for deposit is also the Licence Holder.

2. Name(s) and address(es) of sea disposal contractor(s), if different from Sections 1 of Part 1 of the Schedule:

   As per Annex One.

3. Name(s) of vessel(s) to be employed to undertake the disposal operations:

   As per Annex One.

   The vessels referred to above must be so constructed and equipped as to be capable of the proper performance of the disposal operations in compliance with the conditions set out in the Schedule.

4. Place of production of the substances or objects:

   Girvan Harbour, South Ayrshire within the area bounded by joining the points:

55° 14.752' N	004° 51.924' W
55° 14.648' N	004° 51.558' W
55° 14.614' N	004° 51.480' W
55° 14.632' N	004° 51.606' W
55° 14.743' N	004° 51.935' W
55° 14.663' N	004° 51.584' W
55° 14.630' N	004° 51.491' W
55° 14.613' N	004° 51.506' W
55° 14.658' N	004° 51.608' W

   As shown in Annex Two.

5. Description of the substances or objects:

   Maintenance dredgings

   As described in application dated 28 March 2018, and correspondence submitted in support of the application.

6. Quantity of materials for sea disposal within the period of validity of the licence:

   30,000 wet tonnes of maintenance dredge materials may be deposited between 04 February 2019 and 03 February 2020.

   30,000 wet tonnes of maintenance dredge materials may be deposited between 04 February 2020 and 03 February 2021.

SCHEDULE TO LICENCE NUMBER: 06676/18/0 DATED: 04 December 2018

30,000 wet tonnes of maintenance dredge materials may be deposited between 04 February 2021 and 03 February 2022.

SCHEDULE TO LICENCE NUMBER: 06676/18/0 DATED: 04 December 2018

Part 2 - Conditions

1. The licensee must deposit the substances or objects described in Part 1 of the Schedule in the following disposal area(s):

   1.1 Deposit Area Name and/or Code: **Girvan, MA025.**

   Up to a maximum quantity of **90,000 wet tonnes** may be deposited during the period of validity of this licence, within a circle **centred at 55° 15.00' N, 004° 54.00' W with a radius of 0.25 nautical miles.**

2. "Force majeure" may apply when, due to stress of weather or any other cause, it is necessary to deposit the substances or objects at a location other than that specified above because the safety of human life, or a vessel or vehicle, is threatened. If substances or objects are deposited in an unauthorised area, full details of the circumstances must be immediately notified to the licensing authority. (See also notes appended to the Schedule).

3. Only those substances or objects described in Part 1 of the Schedule shall be deposited under authority of the licence.

   a) Any unauthorised materials associated with the substances or objects scheduled for disposal, including debris such as demolition waste, wood, scrap metal, tyres and synthetic materials, must be disposed of on land at an approved location above the tidal level of Mean High Water Springs.

   b) All tank/hopper washings must be deposited in the authorised disposal area(s).

4. The method of disposal must be:

   Bottom Dumping

5. The licensee must ensure that a log of operations is maintained on each vessel employed to undertake the disposal operations. The log(s) must be kept on board the vessel(s) throughout the disposal operations, and be available for inspection by any authorised Enforcement Officer. The log(s) must be retained for a period of six calendar months following expiry of the licence, and copies of the log(s) may be requested during that period for inspection by the licensing authority.

   The log(s) must record in English the following information:

   a) the name of the vessel;

   b) the nature and quantity of each substance or object loaded for disposal;

   c) the date and time of departure from port, and the date and time of arrival at the disposal area(s), on each occasion that the vessel proceeds to the disposal area(s);

   d) the date, time and position of commencement, and the date, time and position of completion, of each disposal operation;

   e) the course(s) and speed(s) throughout each disposal operation. (Multiple changes may

be recorded as "various");

f) the weather, including wind strength and direction, sea-state and tidal set throughout each disposal operation;

g) the rate of discharge during each disposal operation, if appropriate, and the duration of each disposal operation. (If the rate of discharge is not constant, the maximum and mean rates of discharge must be indicated);

h) comments on the disposal operations, including any explanations for delays in the disposal operations;

i) the signature of the Master at the foot of each page of the record.

6. The licensee must submit written reports, to the licensing authority stating the nature and total quantity, in wet tonnes, of all substances or objects disposed of under authority of the licence. The written reports must be submitted to the licensing authority annually and on the forms provided by the licensing authority.

7. The licensee must provide the Master(s) of the vessel(s) employed to undertake the disposal operations with a copy of the licence. The licensee must also ensure that copies of the licence and all other relevant documents are available for inspection by any authorised Enforcement Officer at:

   a) the premises of the licensee;

   b) the premises of the producer of the substances or objects for disposal, and the premises of any contractor responsible for the storage, transport or disposal of the substances or objects; and

   c) on board the vessel(s) employed to undertake the disposal operations.

8. The licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: sdr@ukho.gov.uk; tel.: 01823 337900) of both progress and on completion of the works supply a copy of the licence, and wherever possible, 'as built plans', in order that all necessary amendments to nautical publications are made.

9. The licensee must issue a Notice to Mariners in advance of the proposed start date, clearly stating the nature and duration of these operations.

10. If it is desired to display any marks or lights not required by this licence then details must be submitted to the Northern Lighthouse Board and their ruling complied with. The display of unauthorised marks or lights is prohibited.

11. The licensee must ensure that the works are maintained at all times in good repair.

12. The licensee must ensure that no deviation from the schedule specified in the licence is made without the further written consent of the licensing authority.

13. If in the opinion of the licensing authority the assistance of a Government Department, including the broadcast of navigational warnings, is required to deal with any emergency arising from:

    a) The failure to mark and light the works as required by licence.

    b) The maintenance of the works.

    c) The drifting or wreck of the works.

    The owner of the works shall be liable for any expenses incurred in securing such assistance.

14. In the event of the licensed operations being discontinued, the works must be removed and the site cleared to the satisfaction of the licensing authority.

15. Any person authorised by the licensing authority must be permitted to inspect the works at any reasonable time.

16. The licensee must ensure that no dredging takes place in the Bathing Water Season (from 1 June to 15 September) or the pre-bathing water sampling period in each calendar year, without prior written approval of the licensing authority.

17. In the event of the licensee becoming aware that any of the information on which the issue of the licence was based has changed, the licensing authority must be immediately notified of the details.

18. The licensee must notify the licensing authority in writing of any vessel not already listed in Part 1 of this licence being used to carry out any licensed activity listed in Part 1 of this licence on behalf of the licensee. Such notification must be received by the licensing authority no less than 24 hours before the commencement of the licensed activity. Notification must include the vessel name, type, IMO number and country of registration as well as the name and address of any vessel operator or contractor.

19. The licensee must notify the licensing authority in writing of the name and address of any contractor not already listed in Part 1 of this licence being used to carry out any licensed activity listed in Part 1 of this licence. Such notification must be received by the licensing authority no less than 24 hours before the commencement of the licensed activity.

20. The licensee must provide the licensing authority with contractor details, including name and address, and vessel details of any vessels to be used during the works, including vessel name, IMO number and flag country, prior to commencement of the works. An Annex One will then be issued.

NOTES

1. You are deemed to have satisfied yourself that there are no barriers, legal or otherwise, to the carrying out of the licensed operations. The issue of the licence does not absolve the licensee from obtaining such authorisations, consents etc which may be required under any other legislation.

2. In the event that the licensee wishes any of the particulars set down in the Schedule to be altered, the licensing authority must be immediately notified of the alterations. It should be noted that changes can invalidate a licence, and that an application for a new licence may be necessary.

3. Under Section 30 of the Marine (Scotland) Act 2010, the licensing authority may vary, suspend or revoke the licence, if it appears to the authority that there has been a breach of any of the provisions of the licence or for any other reason that appears to be relevant to the authority.

4. Under Section 39 of the Marine (Scotland) Act 2010, it is an offence to carry on a licensable marine activity or cause or permit any other person to carry on such an activity without a marine licence or fails to comply with any condition of a marine licence. It is a defence for a person charged with an offence under Section 40 in relation to any activity to prove that the activity was carried out for the purpose of saving life, or for the purposes of securing the safety of a vessel, aircraft or marine structure ('*force majeure*'), and that the person took steps within a reasonable time to provide full details of the incident to the licensing authority. (Under Annex II, Article 7 of the Convention for the Protection of the Marine Environment of the North-east Atlantic, the licensing authority is obliged to immediately report '*force majeure*' incidents to the Convention Commission).

5. <u>All correspondence or communications relating to the licence should be addressed to</u>:

Licensing Operations Team
Marine Scotland
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Tel: +44 (0)300 244 5046
Email: ms.marinelicensing@gov.scot

ANNEX ONE

Vessels and contractors authorised to be used for dredge and disposal at licensed **Ayrshire Roads Alliance** locations.

Licence Number:	Expiry Date:
06676/18/0	21 November 2021

Contractors:

To be confirmed

Vessel Name	IMO/MMSI	Flag Country
To be confirmed		

The agent or licensee must notify the licensing authority immediately if a vessel not listed on the annex one is to be used for dredge and disposal. The information required by the licensing authority regarding the additional vessel(s) will be the same as the information already provided for the vessels on the annex one. **Discharge operations using any additional vessel(s) may only commence if a revised annex one, including details of the additional vessel(s), is issued by the licensing authority.**

Signed: .....

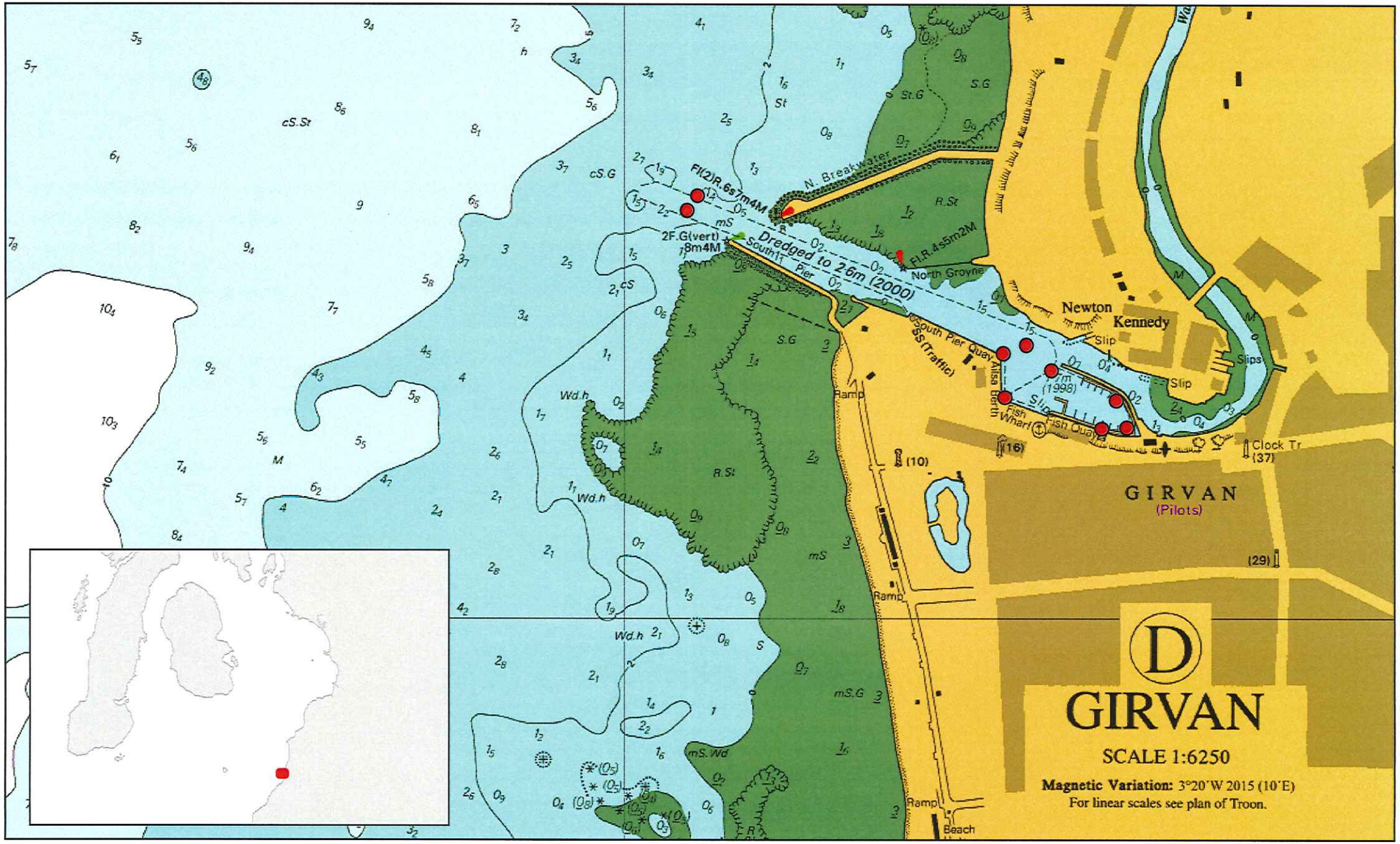
Louise Msika

For and on behalf of the licensing authority

Date: 04 December 2018

ANNEX TWO to Licence Number 06676

Chart showing the location of the licensed activity.



NOT FOR NAVIGATION. Created by Scottish Government (Marine Scotland) 2017. © Crown Copyright, All rights reserved. OceanWise Licence No. EK001-201404001. Ordnance Survey Licence No. 100024655. OpenStreetMap data © OpenStreetMap contributors