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MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR MARINE SCIENTIFIC SURVEY

Licence Number: 06681/18/0

Reference Number: 06681

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

**National Oceanography Centre
University of Southampton
Waterfront Campus
European Way
Southampton
SO14 3ZH**

to deposit in the sea the substances or objects (except for dredge spoil) used in the execution of works 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 01 May 2019 until 30 June 2019.

Signed: _____ Redacted _____

For and on behalf of the licensing authority

Date: 10 January 2019



Part 1 - Particulars

1. Name and address of agent acting on behalf of licensee (if appropriate):

As per licensee

2. Names, and operators, of the vessels to be employed to undertake or support the deposit, relocation or removal operations not involving decommissioning:

As shown in Annex One

3. Location of works:

Goldeneye Reservoir, North Sea at a point located by the coordinates:

57° 59.696' N 000° 22.413' W

As shown in Annex Two

4. Description of works:

Scientific Instrument Deployment - Goldeneye Reservoir, North Sea

As described in application dated 21 March 2018, and correspondence submitted in support of the application.

5. Nature and indicative quantity of all deposits below Mean High Water Springs:

4 to 6m length of 2.5cm diameter pipe

Part 2 - Conditions

1. The licensee must ensure that only the deposits listed in Part 1 of the licence are deposited during the execution of the works and that all substances or objects deposited during the execution of the works are inert and do not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.
2. The licensee must ensure that any debris or waste materials arising during the course of the works are removed from the site of the works for disposal at an approved location above the tidal level of Mean High Water Springs.
3. The licensee must, within 28 days of completion of the works or within 28 days of the date of expiry of the licence, whichever is the sooner, submit a written report to the licensing authority stating the nature and quantity of all substances and objects deposited below Mean High Water Springs under authority of the licence. Where appropriate, nil returns must be provided.
4. The licensee must notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: sdr@ukho.gov.uk; tel.: 01823 484444) 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.
5. The licensee must issue local notification to marine users – including fisherman's organisations, neighbouring port authorities and other local stakeholders – to ensure that that they are made fully aware of the activity.
6. The licensee must ensure that HM Coastguard, in this case nmcccontroller@hmcg.gov.uk, The National Maritime Operations Centre is made aware of the works prior to commencement.
7. 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.
8. The licensee must ensure that no more than three tonnes of carbon dioxide is released during the works.
9. The licensee must ensure that the release of carbon dioxide is not carried out for more than a total of 14 days within the licence validity dates.
10. The licensee must take all reasonable steps to ensure that all deposits listed in Part 1 of the licence are removed from the seabed following the trial and prior to the expiry of this licence.
11. The licensee must ensure that the works are maintained at all times in good repair.
12. The licensee must ensure the best method of practice is used to minimise re-suspension of sediment during these works.

13. The licensee must ensure that no deviation from the schedule specified in the consent is made without the further written consent of the licensing authority.
14. 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 licensee shall be liable for any expenses incurred in securing such assistance.

15. 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.
16. Any person authorised by the licensing authority, shall be permitted to inspect the works at any reasonable time.
17. The licensee must ensure that copies of the licence are available for inspection by any authorised Enforcement Officer at:
 - a) the premises of the licensee; and
 - b) the premises of any agent acting on behalf of the licensee.
18. 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.

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. All correspondence or communications relating to the licence should be addressed to:

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 authorised to be used for licensed works by **National Oceanography Centre**.

Licence Number:

06681/18/0

Expiry Date:

30 June 2019

Vessel Name

IMO

Flag

RRS James Cook
Poseidon

9338242
7427518

United Kingdom
Germany

The agent or licensee must notify the licensing authority immediately if a vessel not listed on the annex one is to be used for the licensed works. 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. **Carrying on of licensed works 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.**

Redacted

Signed: _____

For and on behalf of the licensing authority

Date: 10 January 2019

