

Dredging and Deposit of Solid Waste in the Territorial Sea and UK Controlled Waters Adjacent to Scotland

Marine (Scotland) Act 2010

IMPORTANT: Before completing this form, please read these notes carefully

The following numbered paragraphs correspond to the questions on the application form and are intended to assist applicants in completing the form. These explanatory notes are specific to this application and so applicants are advised to read these in conjunction with the General Guidance document. If further clarification is needed please contact Marine Scotland Licensing Operations Team (MS-LOT) on 01224 295579 or email:

MS.MarineLicensing@scotland.gsi.gov.uk

Please refer to the General Guidance for information regarding payment methods.

Explanatory Notes

2. Applicant

The person, company or organisation making the application that will be named as the licensee on any licence issued.

3. Producer/Contractor

The person, company or organisation whose activities produce the material intended for deposit in the sea (e.g. the dredging or excavation contractor).

4. Holder

The person, company or organisation that will be in possession of the waste prior to its deposit in the sea. This will include those providing temporary storage facilities or transporting the material to the vessel for conveyance to the disposal site etc.

5. Agent

Any person, company or organisation acting under contract (or other agreement) on behalf of any party listed in the answer to questions 2-4 and having responsibility for the control, management or deposit anywhere below the tidal limit of mean high water springs (MHWS). (e.g. a consultancy company submitting the application or a contractor who will be carrying out the operations).

6. Details of Current/Previous Licence

Enter the appropriate details for the current sea disposal licence. If you have previously held a licence in respect of this operation, but no current licence exists, please provide the details for the most recently expired licence. If you have no knowledge of any previous licence, please enter "not applicable" (or "N/A").

7. Duration of Dredging Operation

Provide details of the proposed commencement and completion dates of the operations. The start date will not normally be backdated, except in exceptional circumstances, since to commence a project for which a licence has not been obtained may constitute an offence resulting in appropriate legal action. A licence may be issued for up to 3 calendar years. Although Marine Scotland Licensing Operations Team (MS-LOT) will aim to write to licence holders two months before the expiry date of a licence, it is the licensee's responsibility to apply for any further licences or an extension prior to the expiry of the initial licence.

8. Details of Dredging and Disposal Vessel(s)

The name, operator and type of vessel, including the type of dredging plant (e.g. cutter-suction) should be entered. If vessel details are not available at the time of application, please indicate this on the form as these details will be required prior to licence issue

9. Method Statement

Please provide a full method statement of the dredging operation. This should include details such as the rate of dredging, timing of the operation, order of the areas to be dredged and the precautions taken to protect both navigation and the environment.

10. Use of Explosives

Indicate whether explosives are to be used as part of the dredging operations. If yes, please indicate if a method statement has been provided with your application. If a method statement has been produced but is not available, please provide an explanation in the space provided.

11. Details of the Areas to be Dredged

This section requires data to be provided about the source area to be dredged and the type of material to be deposited.

Name of Area - An annotated chart/location plan (either at A3 or A4 format) of suitable scale (1:2,500 but no more than 1:10,000) should be provided, with each proposed dredge area marked and named. The chart/location plan should show the full extent of the project in relation to the surrounding area. These drawings/plans may be copied to others as part of MS-LOT consultation procedures. If they are subject to copyright, **it is the responsibility of the applicant to obtain necessary approvals to reproduce the documents and to submit suitably annotated copies with the application.**

Co-ordinates - Include a list of the National Grid References (NGR) or latitude and longitude co-ordinates of the boundary points for the proposed dredge areas.

- **NGR:** Should consist of two letters followed by 10 digits (e.g. TL6320031700) where the first 5 digits are the eastings (read from the south west corner of an Ordnance Survey map) and the last 5 digits are northings.
- **Latitude & longitude:** For positions read from charts of 1:25,000 scale or smaller, the format should be, e.g. 55°55.55'N 2°22.22'W. The decimal point specifies that decimals of minutes are used and the datum is stated explicitly. If seconds are used then the datum should be explicitly marked, e.g. 55°55'44"N 2°22'11"W. For positions read from larger scale charts, e.g. 1:10,000, three decimal places of minutes should be used, e.g. 55°55.444'N 2°22.222'W.

Nature of Dredge Area - please provide a description of the type of area to be dredged (e.g. river bed, sea, harbour, approach channel, estuary)

Date Area Last Dredged - please indicate the date (month and year) when the area was last dredged (if known). This information will be taken into account by MS-LOT in deciding whether the material for deposit is 'capital' or 'maintenance'. If any of the areas have been dredged within the preceding 12 months, the applicant should provide supplementary information to show how the level to which it is now proposed to dredge compares to the level to which the area was previously dredged.

12. Details of the Material to be Dredged

Information is required for each of the areas listed in the answer to question 10. The applicant should indicate the following:

Type of Material - Whether the material to be dredged is considered to be 'capital' or 'maintenance'.

- **Maintenance dredge:** an area which is dredged annually or on a regular basis.
- **Capital dredge:** an area/depth being dredged either for the first time, or which has not been dredged within the past 7 years.

For capital dredging operations, a pre-dredge survey and sediment chemical analysis report will be required by MS-LOT prior to the issue of a sea disposal licence. Please contact MS-LOT for details in relation to specific projects. In addition to those samples analysed by the applicant, sediment sub-sample(s) must be submitted to MS-LOT as check monitoring may be required.

Physical Composition of Material - Please indicate the approximate proportions (by volume) of the different types of dredgings which are expected to be removed from each area.

For the purposes of this application the following descriptions should be used:

Average particle size (Based on the Wentworth Table)		
Description	Lower range	Upper range
Boulders	256 mm+	
Cobbles	64 mm	256 mm
Pebbles	4mm	64 mm
Granules	2 mm	4mm
Sand	62 microns	2mm
Silt and clay		62 microns

Depth of Material to be Removed - Please indicate the maximum depth (in metres) below the current seabed level, to which it is expected dredging is to be carried out.

Estimated Specific Gravity - Please indicate the Specific Gravity of the material to be disposed.

Quantity to be dredged per year - The amount of material to be dredged (per year) from each area. Please indicate unit of measure, either in-situ cubic metres or metric tonnes.

13. Dredged Material: Additional Information

Contamination - Information should be given regarding contamination in any of the areas to be dredged e.g. waste discharges, man-made rubbish or industrial activity in close proximity.

Type of dredger - Please indicate the type of dredging plant to be used within each area.

Beneficial uses – Include any intended beneficial use of material (details to be provided at question 15) e.g. beach recharge, beach nourishment, disposal on land.

14. Dredged Material Quality

Please indicate whether the material from any of the areas to be dredged has been chemically analysed within the past 3 years. If yes, please provide details (locations, dates, results) on a separate sheet. For capital projects, the applicant is required to have representative sediment samples analysed at a laboratory of choice. This is liable to extend the time required to consider your application **as no licence will be issued without provision of this chemistry data.**

As part of the application consideration process, an assessment will be made of the chemical and physical characteristics of the material to be deposited at sea and its potential effects upon the marine environment.

As part of the licence conditions, you are likely to be required to take representative samples of the dredged material during the dredging/sea disposal operations for analysis by MS-LOT. In such cases, samples should be taken at specified locations and depths and placed in containers which will be provided. The samples should then be returned to MS-LOT at the Marine Laboratory Aberdeen. This process enables the UK to fulfil its obligations under international conventions.

15. Construction/Land Reclamation Projects

Indicate whether the deposit of dredged material is associated with any other marine projects involving the placement of material in the sea (e.g. beach nourishment, marine/harbour construction operations etc). If this is the case, indicate whether a separate Marine Project application (form ML-001) has already been submitted to MS-LOT.

16. Best Practicable Environmental Option (BPEO) Assessment

Under Part 4, Section 27(2) of the Marine (Scotland) Act 2010 (there is no equivalent provision under the Marine and Coastal Access Act 2009), the Licensing Authority has an obligation to consider the availability of practical alternatives when considering applications involving disposal of material at sea. In order for Marine Scotland to thoroughly assess the available alternative options and reach a properly considered decision, all sea disposal licence applications must be supported by a detailed assessment of the alternative options- a Best Practicable Environmental Option (BPEO) assessment. This should include a statement setting out the reasons which have led to the conclusion that deposit of the materials at sea is the BPEO. **Sea disposal applications will not be considered unless they are accompanied by a BPEO assessment.** All options in the BPEO should be explored fully (as per the guidance documents), otherwise your form and BPEO are liable to be returned to you thereby delaying processing of the application.

17. Consultation with Conservation Bodies

Consenting Authorities have a duty to ensure marine projects will not have a significant adverse environmental impact, particularly upon designated conservation areas (e.g. SSSI, SAC, SPA, Ramsar sites etc). All details of consultations with conservation bodies (e.g. SNH) should be given, particularly where the applicant has statutory powers for consenting aspects of the project.

Any dredging/sea disposal operations should be cross checked as to whether the proposed site is a designated bathing water and if so, ideally all physical operations should be done outwith the Bathing Water Season (1st June to 15th September). Further guidance on the Bathing waters Directive (2006/7/EC) can be obtained from www.sepa.org.uk/data/bathingwaters.

In addition, guidance can be obtained from www.foodstandards.gov.uk/ with regards to the Shellfish Waters Directive (2006/113/EC) which has parameters set to protect the water quality in which edible shellfish are grown.

18. Designated Conservation Areas

Indicate whether the proposed operations are located within or close to the boundaries of a conservation area such as a SSSI, SAC, SPA or Ramsar site (details of designated conservation areas can be found at <http://gateway.snh.gov.uk>).

19. Statutory Consenting Powers

Please describe in the answer to this question what (if any) statutory responsibilities you (or your client) have to consent any aspect of the dredging operations, including the deposit of material arising. This is particularly likely to apply to harbour or local authorities.

20. Environmental Assessment

Under the Marine Works (EIA) Regulations 2007, there may be a requirement for certain projects to undergo an Environmental Impact Assessment (EIA) and produce an Environmental Statement (ES). If an EIA/ES is deemed necessary, MS-LOT cannot issue a marine Licence until the outcome of the EIA/ES has been determined. Please indicate whether any environmental assessment has been carried out in respect of the proposed dredging/disposal operations, either under your own powers or as required by another authority. If such an assessment has been undertaken, please indicate if a copy has been provided with your application. If the statement/assessment has been completed but is not available, please provide an explanation in the space provided. Additionally, please also give detail regarding if and where a copy has been/ is being made available for public inspection.

21. Disposal site

Provide details of the proposed disposal site for the dredged material and, if necessary, any alternative disposal site(s) considered. In determining whether to issue a licence, MS-LOT will take into account any site nominated by the applicant. However, should this site be unsuitable, the nearest suitable disposal site for the

dredged material will be identified. Should you wish to establish a new site, please provide details in a covering letter with your application and MS-LOT will contact you to discuss your proposal before your application is determined. The cost of any site investigations to identify any new disposal site will normally be the responsibility of the applicant.

Other Considerations

Applicants should also be aware of the need to pay due regard to coastal and marine archaeological matters and attention is drawn to Historic Scotland's Operational Policy Paper HP6, "Conserving the Underwater Heritage".

Please ensure that you have:

- completed **all** applicable sections of the application form;
- signed and dated the declaration;
- provided the correct relevant documents, charts, and continuation sheets (where necessary); and
- enclosed the correct payment (together with the remittance slip) or paid by means of BACS (if appropriate).

Otherwise your application may be delayed or returned to you.

Application for Dredging and Deposit of Solid Waste in the Territorial Sea and UK Controlled Waters Adjacent to Scotland

(ML-002)

Marine (Scotland) Act 2010

It is the responsibility of the applicant to obtain any other consents or authorisations that may be required.

Under Part 4, Section 54 of the Marine (Scotland) Act 2010 and Section 101 of the Marine and Coastal Access Act 2009 all information contained within or provided in support of this application will be placed on the Public Register. There is no national security grounds for application information not going on the Register under the 2010 Act. Under the 2009 Act, application information goes on the Register unless the Secretary of State determines that it's disclosure in the Register would be contrary to the interests of national security.

Public Register

Is there any information contained within or provided in support of this application that you consider should not be included on the Public Register on the grounds that its disclosure

(a) would be contrary to the interests of national security; or YES NO

(b) would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate commercial interest? YES NO

If **YES**, to either (a) or (b), please provide full justification as to why all or part of the information you have provided should be withheld.

7. Duration of Dredging Operation

When is it proposed to begin the dredging operation?

When are dredging and disposal operations expected to be completed?

8. Details of Dredging and Disposal Vessel(s)

	Name of Vessel and Operator	Type of Vessel
(a)		
(b)		
(c)		
(d)		

If necessary please continue on a separate sheet and tick this box

9. Method Statement for Dredging Operation

10. Use of Explosives

Will any part of the dredging operation involve the use of explosives?

YES NO

If YES,

Has a method statement regarding the use of explosives been submitted with this application?

YES NO

If a method statement is not being submitted, please provide an explanation as to why.

11. Details of Areas to be Dredged

Dredge Areas	Name of Area to be Dredged	Co-ordinates	Nature of Dredge Area	Date Area Last Dredged (if known)
A				
B				
C				
D				
E				

If necessary please continue on a separate sheet and tick this box

12. Details of Material to be Dredged

For each of the areas at rows A –E above (plus any listed separately), provide the following information:

Dredge Areas	Type of Material (Maintenance or Capital)	Estimated Specific Gravity	Physical Composition of Material	Depth of Material to be Removed (metres)	Quantity to be Dredged per Year (either in-situ m³ or metric tonnes)
A					
B					
C					
D					
E					

If necessary please continue on a separate sheet and tick this box

13. Dredged Material: Additional Information

For each of the areas at rows A – E above (plus any listed separately), provide the following information

Dredge Areas	Type of Contamination	Type of Dredger	Beneficial Uses
A			
B			
C			
D			
E			

If necessary please continue on a separate sheet and tick this box

14. Details of Material Quality

Has the dredged material been chemically analysed in the last 3 years? YES NO

Can the samples be made available if required? YES NO

If **NO**, when will they be available?

15. Construction/Land Reclamation projects

Is the dredging operation related to a construction or land reclamation project? YES NO

If YES, have you applied for a Marine Construction Project licence under the Marine (Scotland) Act 2010? YES NO

If you have not yet applied for a Marine Works licence please provide an explanation.

16. Best Practicable Environmental Option (BPEO) Assessment

Has an up to date BPEO assessment been included with your application? YES NO

17. Conservation Bodies

Please provide details of any consultation with Conservations Bodies, and, if appropriate, include copies of any correspondence with your application.

18. Designated Conservation Areas

Are any parts of the proposed dredging and/or deposit operations located within the boundaries of a designated conservation area?

If **YES**, please indicate approximate distance of the operations from the boundary of the nearest conservation area(s)

19. Statutory Consenting Powers

Do you, or (if appropriate) your client, have statutory powers to consent any aspect of the project?

20. Environmental Assessment

Has an Environmental Impact Assessment (EIA)/Environmental Statement (ES) been undertaken to support any application in respect of the operations, your own statutory powers (if applicable) or any other reason? YES NO

If **YES**, is a copy of the EIA/ES included with this application? YES NO

If the EIA/ES has been undertaken but has not been included with this application, please provide an explanation below.

Is the EIA/ES available for public inspection? YES NO

If **YES**, at what locations:

21. Disposal Site Details

Name of Disposal Site (or Oslo Code)	Co-ordinates of Disposal Site



Declaration

I declare to the best of my knowledge and belief that the information given in this form and related papers is true.

WARNING

It is an offence under the Act under which this application is made to fail to disclose information or to provide false or misleading information.

Signature

Date

Name in BLOCK LETTERS

Position within company
(if appropriate)

**Please check carefully the information you have given and that all the enclosures
(including copies) have been included**

Application Check List

1. Electronic Application

- Completed application form **x 1**
- Best Practicable Environmental Option document **x 1**
- Analytical chemistry data (capital projects only) **x 1**
- Method Statement **x 1**
- Maps/charts – General map of dredge area & disposal site **x 1**
- Transportation plan (dredger route to and from disposal site - if required) **x 1**
- Additional environmental information, e.g. Photographs, Environmental Impact Assessment etc (if required) **x 1**
- Payment (signed cheque or BACS details)

2. Non-electronic Application

- Completed, signed application form **x 7**
- Best Practicable Environmental Option document **x 7**
- Analytical chemistry data (capital projects only) **x 1**
- Method Statement **x 7**
- Maps/charts – General map of dredge area & disposal site **x 7**
- Transportation plan (dredger route to and from disposal site - if required) **x 7**
- Additional environmental information, e.g. Photographs, Environmental Impact Assessment etc (if required) **x 7 (dependent on size and relevance to consultees)**
- Payment (signed cheque or BACS details)

Alternative means of disposa