

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

Mr Keith Young  
Aberdeen Harbour Board  
Harbour Office  
16 Regent Quay  
Aberdeen  
AB11 5SS

Our Ref: Aberdeen Harbour Board - Maintenance dredging approval - Aberdeen Harbour

Date: 31 January 2023

Dear Mr Young,

**THE MARINE LICENSING (EXEMPTED ACTIVITIES) (SCOTTISH INSHORE REGION)  
ORDER 2011 - ARTICLE 26 HARBOUR DREDGING**

I write to you on behalf of the Marine Scotland - Licensing Operations Team ("MS-LOT"). MS-LOT is responsible, on behalf of the Scottish Ministers, for licensing deposits in, removals from and dredging in, the seas adjacent to Scotland under the Marine (Scotland) Act 2010.

You submitted a request for approval of harbour dredging under the above exemption dated 02 August 2022.

I am pleased to inform you that MS-LOT has no objections to the exemption from the requirement to obtain a marine licence for the harbour dredging at Aberdeen Harbour within the area bounded by joining the points:

Dredge Area A:     57° 08.992' N 002° 03.399' W  
                          57° 08.736' N 002° 03.273' W  
                          57° 08.362' N 002° 04.403' W  
                          57° 08.440' N 002° 04.540' W  
                          57° 08.514' N 002° 04.358' W  
                          57° 08.509' N 002° 04.348' W

Dredge Area B:     57° 08.449' N 002° 04.556' W  
                          57° 08.362' N 002° 04.403' W  
                          57° 08.362' N 002° 05.352' W  
                          57° 08.449' N 002° 05.397' W

Dredge Area C: 57° 08.536' N 002° 04.323' W  
57° 08.514' N 002° 04.358' W  
57° 08.440' N 002° 04.540' W  
57° 08.449' N 002° 04.556' W  
57° 08.471' N 002° 04.546' W  
57° 08.486' N 002° 04.873' W  
57° 08.538' N 002° 05.486' W  
57° 08.614' N 002° 05.506' W  
57° 08.623' N 002° 05.379' W  
57° 08.555' N 002° 04.776' W  
57° 08.575' N 002° 04.767' W  
57° 08.608' N 002° 04.953' W  
57° 08.621' N 002° 04.945' W  
57° 08.711' N 002° 05.426' W  
57° 08.654' N 002° 05.641' W  
57° 08.726' N 002° 05.729' W  
57° 08.762' N 002° 05.634' W  
57° 08.792' N 002° 05.242' W  
57° 08.774' N 002° 05.237' W  
57° 08.699' N 002° 04.871' W  
57° 08.661' N 002° 04.898' W  
57° 08.646' N 002° 04.825' W  
57° 08.714' N 002° 04.756' W  
57° 08.675' N 002° 04.593' W  
57° 08.703' N 002° 04.534' W  
57° 08.670' N 002° 04.482' W  
57° 08.650' N 002° 04.526' W

Dredge Area D: 57° 08.142' N 002° 03.438' W  
57° 08.183' N 002° 02.925' W  
57° 08.172' N 002° 02.326' W  
57° 07.985' N 002° 02.375' W  
57° 07.784' N 002° 02.711' W  
57° 07.713' N 002° 02.883' W

This exemption shall be valid from 01 February 2023 until 31 January 2026 and is subject to the following conditions:

1. Aberdeen Harbour Board must ensure the activity involves the dredged material being contained within a secure structure and transported for deposit other than at the place of dredging, or the activity involves the use of plough dredging as part of a dredging operation in respect of which any other dredging involves the dredged material being contained within a secure structure and transported for deposit other than at the place of dredging.
2. The activity is authorised by or under and carried out in accordance with any local Act or any order under section 14 or 16 of the Harbours Act 1964.
3. Aberdeen Harbour Board must inform MS-LOT of the intended dates of the dredging and deposit programme as early as possible prior to commencement of the dredging campaign.

4. Plough dredging must only be carried out during daylight hours. If plough dredging is required outwith daylight hours, it must not take place without further written approval of MS-LOT.
5. Aberdeen Harbour Board must ensure that dredging must not take place in Area A (the navigation channel) or Area B (the River Dee) between 12 April and 24 May (inclusive) each year, without prior approval from the Licensing Authority.
6. Aberdeen Harbour Board should make best efforts to avoid dredging within 150 metres of Area A (the navigation channel) when undertaking dredging operations in Area C (north harbour berths and docks) between 12 April and 24 May each year.
7. Aberdeen Harbour Board must provide the Master(s) of the vessel(s) employed to undertake the trailer suction hopper dredging operations with a copy of the approval letter. Aberdeen Harbour Board must also ensure that copies of the approval letter and all other relevant documents are available for inspection by any authorised Enforcement Officer at:
  - a) the premises of the Aberdeen Harbour Board;
  - b) the premises of any contractor responsible for the dredging operation; and
  - c) on board the vessel(s) employed to undertake the dredging operations.
8. Aberdeen Harbour Board must ensure, if they wish to dredge during the bathing season, any request for approval includes, but is not limited to
  - a) An explanation of why the proposed dredging must take place during bathing season.
  - b) A plan detailing how MS-LOT and SEPA will be notified of the start and completion of the proposed dredging activity
  - c) A method statement indicating the location, type and amount of material to be dredged, dredging technique to be used and any proposed mitigation measures.
9. Aberdeen Harbour Board must ensure that all dredging is undertaken in strict accordance with the 'Aberdeen Harbour Board: Deposit of Maintenance Dredged Material Marine Licence Application: Method Statement V2 (submitted 02 August 2022), unless otherwise agreed in writing with the licensing authority.

This letter constitutes Scottish Ministers approval under article 26 of the Order.

Please note that it is your responsibility to ensure that all required authorisations are in place prior to the commencement of dredging.

### **Further information or guidance**

The rules covering marine licensing can be found in Part 4 of the Marine (Scotland) Act 2010. A copy of the Marine (Scotland) Act 2010 can be obtained at:

<http://www.legislation.gov.uk/asp/2010/5/contents>

Further information on marine licensing can be obtained from our website at:

<http://www.scotland.gov.uk/Topics/marine/Licensing/marine>

It is important that you are fully conversant with all of the rules that apply to your activity and your attention is drawn to the advice given above. If you have further questions, please do not hesitate to contact us by e-mailing [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)

Yours sincerely

Neil MacLeod  
Marine Scotland - Licensing Operations Team