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**Eyemouth Harbour Trust  
Harbour Office  
Gunsgreen Basin  
Eyemouth  
Berwickshire  
TD14 5DH**

Our Ref: 06746

Date: 09 April 2019

Dear **Redacted** ,

**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, and removals from, the seas adjacent to Scotland under the Marine (Scotland) Act 2010 (The Act).

You submitted an application for a marine licence to deposit dredged material at sea dated 31 May 2018. In addition to obtaining a marine licence for the deposit of the dredged material you require Scottish Ministers approval for the above exemption.

I am pleased to inform you that the licensing authority has no objections to the exemption from the requirement to obtain a marine licence for the harbour dredging at Eyemouth within the area bounded by joining the points:

**Dredge Area A – Inner Entrance**

55° 52.400' N	002° 05.237' W
55° 52.405' N	002° 05.204' W
55° 52.373' N	002° 05.184' W
55° 52.373' N	002° 05.209' W

**Dredge Area B – Gunsgreen Basin**

55° 52.445' N	002° 05.226' W
55° 52.453' N	002° 05.178' W
55° 52.406' N	002° 05.146' W
55° 52.365' N	002° 05.160' W
55° 52.365' N	002° 05.171' W
55° 52.373' N	002° 05.184' W

**Dredge Area C – Outer Entrance**

55° 52.510' N	002° 05.324' W
55° 52.520' N	002° 05.285' W

55° 52.405' N 002° 05.204' W  
55° 52.407' N 002° 05.214' W  
55° 52.400' N 002° 05.237' W

This exemption shall be valid from 08 April 2019 until 07 April 2022 and is subject to the following conditions:

1. Eyemouth Harbour Trust 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. Material dredged from Area A – Inner Entrance must not be disposed of at sea.
4. Eyemouth Harbour Trust must provide the Master(s) of the vessel(s) employed to undertake the back-hoe dredging operations with a copy of the approval letter. Eyemouth Harbour Trust 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 Eyemouth Harbour Trust;
  - b. the premises of any contractor responsible for the dredging operation; and
  - c. on board the vessel(s) employed to undertake the dredging operations.

If you require any clarification on the conditions above, contact the licensing authority immediately at [ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot). Under Part 4, section 32(3) of The Act approval for an exempt activity may be subject to such conditions as Scottish Ministers consider appropriate. If the conditions are not adhered to, the dredging activity would no longer be considered exempt and a marine licence would be required for any dredging. Under Part 4, section 39 (1) of The Act a person who carries on a licensable activity without a marine licence commits an offence. Please note the target duration for the processing of a new marine licence application is fourteen weeks from the date of receipt of the application fee.

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

### **Further information or guidance**

The rules covering marine licensing can be found at 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 get in contact using the details below or by e-mailing  
[ms.marinelicensing@gov.scot](mailto:ms.marinelicensing@gov.scot)

Yours sincerely,

Redacted

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Marine Licensing Casework Manager  
Marine Scotland - Marine Planning & Policy

