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 TO CONSTRUCT, ALTER OR IMPROVE ANY WORKS WITHIN THE SCOTTISH MARINE AREA

Licence Number: 07100/20/0 Reference Number: 07100

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

Scottish Water
The Bridge
Buchanan Gate Business Park
Stepps
Glasgow
G33 6FB

to construct, alter or improve works as 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.

The licence shall be valid from 16 March 2020 until 27 March 2020.

[Redacted]

Signed: .....

Rebecca Bamlett

For and on behalf of the licensing authority

Date: 13 March 2020

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

SCHEDULE TO LICENCE NUMBER: 07100/20/0 DATED: 13 March 2020

Part 1 - Particulars

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

   As per licensee

2. Location of the works (hereinafter referred to as "the site"):

   Strachur, Cairndow on a line located by joining the points:

   56° 09.840' N 005° 05.356' W
   56° 09.850' N 005° 05.204' W

   As shown in Annex One.

3. Description of the works:

   Installation of a concrete block revetment system to secure existing septic tank outfall pipe to the seabed, as described in application dated 05 September 2019, and correspondence submitted in support of the application.

4. Nature and indicative quantity of materials used below Mean High Water Springs level in the construction, alteration or improvement of the works described in Part 1.3 of the licence:

   Materials to be used in construction

   3 No. sections of concrete block revetment matting

   Materials to be removed during construction

   4 No. concrete blocks

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Part 2 - Conditions

1. The licensee must ensure that only the materials listed in Part 1 of the licence are used in the construction, alteration or improvement of works and that materials used 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 for disposal at an approved location above the tidal level of Mean High Water Springs.

3. The licensee must submit a written report regarding the materials used during the works to the licensing authority. The written report must be submitted on completion of the works and on the forms provided by the licensing authority no later than 31 October 2021.

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 gain the approval/agreement of the responsible Harbour Authority who may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.

6. The licensee must ensure that HM Coastguard, in this case nmoccontroller@hmcg.gov.uk, The National Maritime Operations Centre is made aware of the works prior to commencement.

7. The licensee must ensure that a copy of the licence is given to each contractor appointed to carry out part or all of the works in order that they are clear about the extent of 'the works' for which the licence has been granted and the conditions that are attached to the licence.

8. The licensee must ensure appropriate steps are taken to minimise damage to the foreshore and seabed by the works.

9. The licensee must ensure the foreshore and seabed are returned to the original profile, or as close as reasonably practicable, following the completion of the works.

10. The licensee must ensure the best method of practice is used to minimise re-suspension of sediment during the works.

11. The licensee must ensure suitable bunding and storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.

12. If it is desired to display any marks or lights not required by the 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.

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

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

15. The licensee must ensure that the materials listed in Part 1 of this licence, are hosed down to ensure that biofouling does not enter the marine environment or are air dried before being transported.

16. The licensee must ensure that any equipment used for the works is cleaned on site, or air dried after use to reduce the risk of spreading invasive non-native species.

17. The licensee must ensure that any vessels used in the works are free from biofouling.

18. 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.

19. In the event of the licensed activities being discontinued the works must be removed and the site cleared to the satisfaction of the licensing authority.

20. The licensee must remove the works from below the level of Mean High Water Springs, or such alterations made, within one month of notice being given by the licensing authority at any time it is considered necessary or advisable for the safety of navigation, and not replaced without further approval of the licensing authority. The licensee shall be liable for any expense incurred.

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

22. 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;
    b) the premises of any agent acting on behalf of the licensee; and
    c) the site of the works.

23. 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 activity. 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 licensing 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 licensing 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