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MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE TO REMOVE ANY SUBSTANCE OR OBJECT FROM THE SEABED WITHIN THE
SCOTTISH MARINE AREA

Licence Number: 07254/20/0

Reference Number: 07254

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

**EDF Energy
Hunterston B Power Station
West Kilbride
Ayrshire
KA23 9QX**

to remove the substances or objects particulars of which are 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 08 June 2020 until 07 June 2023.

Signed: _____

Fiona Munro

For and on behalf of the licensing authority

Date: 08 June 2020

Part 1 - Particulars

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

As per licensee

2. Name(s) and address(es) of vessel operators, if different from Sections 1 of Part 1 of the Schedule:

Mr Ian Wightman
5 Broomfield
Largs

3. Name(s) of vessel(s) to be employed to undertake the removal operations:

Eilidh Anne

The vessels referred to above shall be so constructed and equipped as to be capable of the proper performance of the removal operations in compliance with the conditions set out in the Schedule

4. Location of works:

Hunterston B Power Station within the area bounded by joining the points:

55° 43.379' N 004° 54.313' W
55° 43.445' N 004° 54.653' W
55° 42.426' N 004° 54.692' W
55° 42.438' N 004° 54.380' W

As shown in Annex One.

5. Description of works:

Seaweed removal in the vicinity of Hunterston B Power Station

As described in application dated 21 January 2020, and correspondence submitted in support of the application.

6. Quantity of material to be removed within the period of validity of the licence:

50 tonnes of seaweed may be removed between 01 June 2020 and 07 June 2021

50 tonnes of seaweed may be removed between 01 June 2021 and 07 June 2022

50 tonnes of seaweed may be removed between 01 June 2022 and 07 June 2023

Part 2 - Conditions

1. The licensee must notify the licensing authority of the date of commencement and the date of completion of all operations relating to the licence. Separate notifications are required at the times of commencement and completion.
2. Only those substances or objects described in Part 1 of the Schedule shall be removed under authority of the licence. Any unauthorised materials associated with the substances or objects scheduled for removal, including debris such as demolition waste, wood, scrap metal, tyres and synthetic materials, must be disposed of on land at an approved location above the tidal level of MHWS.
3. The licensee must ensure that the substances named in Part 1 of the licence are disposed of at a suitably licensed or exempt waste management facility. No substances removed may be deposited back into the marine environment.
4. The licensee must undertake the work in accordance with the Monitoring and Contingency Plan dated August 2017.
5. The licensee must ensure that a copy of this 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 consent has been given and the conditions that are attached to the consent.
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. The licensee must consult with the responsible local navigation authority and the Harbour Authority/Commissioners where appropriate, who may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works during the construction.
8. The licensee must ensure the best method of practice is used to minimise re-suspension of sediment during these works.
9. No deviation from the schedule specified in the licence must be made without the further written consent of the licensing authority.
10. The licensee must ensure that no radio beacon or radar beacon operating in the marine frequency bands is installed or used on the works without the prior written approval of the licensing authority.
11. 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.

12. Any person authorised by the licensing authority must be permitted to inspect the works at any reasonable time.
13. The licensee must provide the Master(s) of the vessel(s) employed to undertake the operations with a copy of the licence.
14. 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) on board the vessel(s) employed to undertake the operations.
15. 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
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Aberdeen
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