

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

[Redacted]

Montrose Port Authority
Harbour Office
South Quay
Ferryden
Montrose
DD10 9SL

Our Ref: 06819

Date: 07 December 2018

Dear [Redacted]

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

Montrose Port Authority – Maintenance Dredging and Sea Disposal Of Dredged Spoil – Montrose Harbour

I refer to your application for approval and a licence in respect of the above proposal(s).

I can confirm that the harbour dredging works are exempt from the requirement to obtain a licence under Part 4 of the above Act. The exemption is applied under Article 26 of The Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011 ("the Order"). Please note that approval is required from Marine Scotland, acting on behalf of the Scottish Ministers, before harbour dredging activity is carried on. I am pleased to inform you that the proposed harbour dredging at Montrose Harbour has been approved by Marine Scotland. This exemption is subject to the following conditions:

1. Montrose Port Authority must ensure that no dredging takes place within 2km of the designated Montrose bathing waters during the Bathing Water Season (1 June to 15 September) without prior approval of the licensing authority.
2. Montrose Port Authority must ensure that, if they wish to dredge during the Bathing Water Season, any request for approval includes, but is not limited to;
 - a) An explanation of why the proposed dredging must take place during the Bathing Water Season;
 - b) A plan detailing how MS-LOT and SEPA will be notified of the start and completion of the proposed dredging activity; and
 - c) A method statement indicating the location, type and amount of material to be dredged, dredging technique to be used and any mitigation measures.

This letter constitutes Scottish Ministers approval under article 26 of the Order for harbour dredging by Montrose Port Authority between **07 December 2018** and **06 December 2019 only**.

With regard to the proposed sea disposal of dredged spoil at Lunan Bay FO010 spoil grounds, as outlined in your application dated 18 October 2018, I am pleased to inform you that the licensing authority has no objections to the issue of the requested licence, and I therefore enclose licence number 06819/18/0 for the act of sea disposal of dredged spoil. You are advised to carefully check the licence and schedule documents. If there are any errors, please inform the licensing authority immediately.

You should note that the licence includes conditions requiring that each disposal vessel should maintain a log of disposal operations, and that a written report, or reports, summarising all disposal operations undertaken under authority of the licence should be submitted to the licensing authority.

I would also draw your attention to the licence conditions relating to amendment of the licence or schedule documents. If circumstances arise which necessitate changes to your licence you should advise the licensing authority as soon as possible. It should also be noted that any changes to vessel details as listed on the licence should be notified to the licensing authority as a 28 day consultation period will be required on these changes. After a licence has expired, it cannot be amended in any way, and a new licence application (accompanied by the relevant fee) is required. Processing the new application may take up to fourteen weeks from the date of receipt of the application fee. Please note that under normal circumstances dredging licences are not permitted to be extended.

Montrose Port Authority is minded that the appointed dredger and any other floating plant in attendance during these operations must exhibit the required lights/shapes at all times, in accordance with the International Regulations for the Prevention of Collisions at Sea.

Under the Marine Licensing Appeals (Scotland) Regulations 2011 (S.S.I. 2011/203), you are entitled to appeal if you are dissatisfied with any condition in the licence. An appeal may be lodged in any sheriff court in Scotland and must be lodged no later than 21 days after the date of this letter.

I remind you that the approval and marine licence are valid from 07 December 2018 to 06 December 2019. In this time you must further address the matters raised in our letter of 6 September 2018 and accompanying report, prior to submitting any further applications for a marine licence for sea disposal. I would also like to point out that any application for beneficial use and sea disposal will require detailed consideration and consultation and I would recommend you submit any such application as early as possible.

All correspondence or communications relating to this letter or the licence document should be sent to the address below.

Yours sincerely
[Redacted]

[Redacted]

Marine Licensing Group Leader
Licensing Operations Team
Marine Scotland