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: 07081/20/0 Reference Number: 07081

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

BEAR Scotland Ltd
Bear House
Inveralmond Road
Inveralmond Industrial Estate
Perth
PH1 3TW

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 31 January 2020 until 29 February 2020.

[Redacted]

Signed: .....

Fiona Munro

For and on behalf of the licensing authority

Date: 31 January 2020

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

SCHEDULE TO LICENCE NUMBER: 07081 DATED: 31 January 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"):

   A83 Corran Bridge, within the area bounded by joining the points:

   56° 02.25' N 005° 26.44' W
   56° 02.25' N 005° 26.43' W
   56° 02.25' N 005° 26.30' W
   56° 02.25' N 005° 26.44' W

   As shown in Annex One.

3. Description of the works:

   Bridge Repairs – A83 Corran Bridge, Lochgilphead

   As described in application dated 18 July 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:

   Permanent Materials Used In Construction

   Masonry (2.8 m^3)
   NHL5 Mortar (1 m^3)

   Temporary Materials Used In Construction

   6 Scaffold Boards (66 kg)
   Plastic Sheeting on Scaffold (10 m^3)
   Debris Netting (10 m^3)
   Scaffold Tubes (200 kg)

Less any materials already deposited and/or removed under Licence Number 07081/19/0.

SCHEDULE TO LICENCE NUMBER: 07081 DATED: 31 January 2020

Part 2 - Conditions

1. The licensee must notify the licensing authority of the date of commencement and the date of completion of all construction, alteration or improvement of works relating to the licence. Separate notifications are required at the times of commencement and completion.

2. 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.

3. The licensee must remove all temporary materials listed in Part 1 of the licence before the expiry date of the licence. **The licence shall not continue in force after the expiry date of 29 February 2020.**

4. 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.

5. 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 2020.

6. 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.

7. The licensee must ensure appropriate steps are taken to minimise damage to the river bank by the works.

8. The licensee must ensure the riverbank is returned to the original profile, or as close as reasonably practicable, following the completion of the works.

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

10. 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.

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

12. 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.

13. 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.

14. 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.

15. 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.

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

17. 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.

18. 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