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MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR MARINE CABLE INSTALLATION WORKS

Licence Number: 05442/15/0

Reference Number: FKB/Z319

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

**EON Climate & Renewables  
Westwood Way  
Westwood Business Park  
Coventry  
CV4 8LG**

to deposit in the sea the substances or objects (except for dredge spoil) used in the execution of works 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 06 November 2015 until 05 November 2020.

Signed: \_\_\_\_\_

Roger May

For and on behalf of the licensing authority

Date: 06 November 2015



Part 1 - Particulars

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

As per licensee

## 2. Location of works:

Robin Rigg Cables, within the area bounded by joining the points

54° 46.29'N 003° 42.05'W    54° 46.20'N 003° 41.62'W  
54° 45.76'N 003° 41.04'W    54° 44.20'N 003° 42.11'W  
54° 44.12'N 003° 43.05'W    54° 44.30'N 003° 43.84'W  
54° 45.30'N 003° 44.58'W    54° 45.77'N 003° 44.20'W  
54° 46.29'N 003° 42.05'W

Robin Rigg Sub Station on a line located by joining the points

54° 44.79'N 003° 41.57'W    54° 44.81'N 003° 41.53'W

## 3. Description of works:

Potential export/inter-array cable replacement works, Robin Rigg, Solway Firth

As described in application dated 21 January 2015, and correspondence submitted in support of the application.

## 4. Nature and quantity of all deposits below Mean High Water Springs:

**PERMANENT DEPOSITS**

Concrete, 350 m<sup>3</sup>

Rock, (size range 256mm) 500 m<sup>3</sup>

Concrete/rubber bags/mattresses, 5m x 15m, 500 m<sup>3</sup>

33kV 3 x copper cores with XLPE insulation, steel wire armoured with MDPE outer sheet, 1200 m

32kV 3 x copper cores with XLPE insulation, steel wired armoured, lead sheathed, polypropylene yarn with bitumen, 500 m

Tyres - rubber/steel, 250 m<sup>3</sup>

Part 2 - Conditions

1. The licensee shall 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. The licensee shall ensure that only the deposits listed in Part 1 of the licence are deposited during the execution of the works and that all substances or objects deposited during the execution of the works 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 shall ensure that any debris or waste materials arising during the course of the works are removed from the site of the works for disposal at an approved location above the tidal level of Mean High Water Springs.
4. The licensee shall, within 28 days of completion of the works or within 28 days of the date of expiry of the licence, whichever is the sooner, submit a written report to the licensing authority stating the nature and quantity of all substances and objects deposited below Mean High Water Springs under authority of the licence. Where appropriate, nil returns shall be provided.
5. The licensee shall notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: [sdr@ukho.gov.uk](mailto:sdr@ukho.gov.uk); tel.: 01823 337900) 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.
6. Should there be any change to the as-laid cable position, the licensee shall, following installation, notify the licensing authority, Maritime and Coastguard Agency (MCA), UK Hydrographic Office (UKHO), Northern Lighthouse Board (NLB), the Kingfisher Information Service Offshore Renewables and Cable Awareness (KIS-ORCA) and the UK International Cable Protection Committees of the cable corridor and a 500m zone either side of it as a hazardous area for anchoring, to help communicate the 'as laid' position of facilities to the maritime community.
7. The licensee shall 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.
8. The licensee shall ensure that local mariners, fishermen's organisations and the fishing community are informed through Notice(s) to Mariners, Radio Navigation Warning(s) and publication in appropriate bulletins, stating the nature and timescale of any works carried out in the marine environment relating to the cable repair operations.
9. The licensee shall ensure appropriate steps are taken to minimise damage to the seabed by the works.
10. The licensee shall ensure the best method of practice is used to minimise re-suspension of sediment during these works.
11. The licensee shall 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. The licensee shall consult with the local navigation authority and the Harbour 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. Additionally, they may need to review their Port Marine Safety Code risk assessments.
13. Any jack up barges/vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
14. The appointed dredger and any other floating plant in attendance during these operations shall exhibit the required lights/shapes at all times, in accordance with the International Regulations for the Prevention of Collisions at Sea
15. The works, and any associated temporary works, shall be marked and/or lighted as required by the Northern Lighthouse Board and the marking to be continued unless and until the licensing authority rescind this direction.
16. If it is desired to display any marks or lights not required by this licence then details shall be submitted to the Northern Lighthouse Board and their ruling complied with. The display of unauthorised marks or lights is prohibited.
17. The licensee shall ensure that the cable installation works do not encroach on any recognised anchorages within the proposed consent area, as illustrated on Admiralty Charts.
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 maintenance of the works.
  - b) The drifting or wreck of the works.

The licensee shall be liable for any expenses incurred in securing such assistance.
19. The works should be removed 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 consent by the licensing authority. The licensee shall be liable for any expense incurred.
20. In the event of the licensed operations being discontinued, the works shall be removed and the site cleared to the satisfaction of the licensing authority.
21. Any person authorised by the licensing authority shall be permitted to inspect the works at any reasonable time.
22. The licensee shall ensure that copies of the licence are available for inspection by any authorised Enforcement Officer.

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 shall be immediately notified of the details.
24. In the event of the licensee becoming aware of information indicating that any part of the licensed works has become a danger to navigation, the licensee shall immediately inform the Licensing Authority, Maritime and Coastguard Agency (MCA), UK Hydrographic Office (UKHO), Northern Lighthouse Board (NLB), the Kingfisher Information Service Offshore Renewables and Cable Awareness (KIS-ORCA) and the UK International Cable Protection Committees to communicate the hazard to the maritime community. The licensee shall be liable for all costs.
25. The licensee shall, within four weeks of becoming aware of any danger to navigation arising from any part of the licensed works, submit a mitigation plan to the licensing authority for approval. The licensee shall be liable for all costs.
26. The licensee shall, two years prior to the end of life of the licensed works, submit a decommissioning plan to the licensing authority for approval. The plan shall be based on best practice at that time. The licensee shall be liable for all costs.
27. Should the installation or use of the licensed works be halted before the proposed project end of life, the licensee shall notify the licensing authority and, within a timescale agreed by the licensing authority, submit a decommissioning plan to the licensing authority for approval. The plan shall be based on best practice at that time. The licensee shall be liable for all costs.
28. The Licensee shall report to MS LOT prior to the start of any work, and on completion provide a report on the duration and actual activity associated with any works.
29. Any consented cable/pipeline protection works must ensure existing and future safe navigation is not compromised. The licensing authority would accept a maximum of 5% reduction in surrounding depth referenced to Chart Datum but under no circumstances should depth reductions compromise safe navigation.
30. The licensee shall ensure notifications of any movements regarding the mobilisation and de-mobilisation of any vessels etc in respect to these operations are forwarded to the Northern Lighthouse Board. These can be sent via e-mail to [navigation@nlb.org.uk](mailto:navigation@nlb.org.uk) or via fax to 0131-220-0235 marked for the attention of the Navigation Department.

## 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 shall 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  
375 Victoria Road  
Aberdeen  
AB11 9DB

Tel: (01224) 295579

Fax: (01224) 295524