

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR MARINE CONSTRUCTION WORKS

Licence Number: 05622/15/1

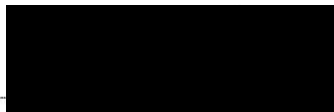
Scottish Ministers (hereinafter referred to as "the licensing authority") hereby authorise:

**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 **04th December 2015 until 31st August 2016.**

Signed:



Joao Queiros

For and on behalf of the licensing authority

Date: 07th December 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, Solway Firth, within the area bounded by joining the points:

54° 46.30'N 003° 42.03'W 54° 46.20'N 003° 41.59'W
54° 46.04'N 003° 43.15'W 54° 45.93'N 003° 42.71'W

3. Description of works:

Removal of two offshore wind turbines at Robin Rigg Offshore Windfarm, Solway Firth

As described in application dated 30 June 2015, and correspondence submitted in support of the application.

4. Nature and quantity of all deposits to be removed below Mean High Water Springs:

Cable, up to 1285m
Steel/Iron 540 tonnes

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 remove all deposits listed in Part 1 of the licence before the expiry date of this licence. ***This licence shall not continue in force after the expiry date of 31st August 2016.***
4. 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.
5. 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 or removed below Mean High Water Springs under authority of the licence. Where appropriate, nil returns shall be provided.
6. The licensee shall notify Source Data Receipt, The Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN (e-mail: hdr@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.
7. The licensee shall issue a Notice to Mariners and Radio Navigation Warnings in advance of the proposed start date, clearly stating the nature and duration of these operations. and Radio Navigation Warnings. The licensee shall also ensure that the fishing community are informed through the relevant publications.
8. 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.
9. The licensee shall ensure that the relevant Noise registry "Close Out" form is completed upon completion of the works. The form can be obtained via the following web link: <http://www.scotland.gov.uk/Topics/marine/Licensing/marine/guidance/noise-registry>. Once completed please rename the file with your application reference number, or the first 5 digits of your licence number (e.g. 05168) and the date (e.g. "05168_220814") and return the form to the email addresses below, including your name and application number in the body of the email:

MS Licensing: MS.MarineLicensing@gov.scot
JNCC: noise.monitoring@jncc.gov.uk

10. The licensee shall 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.
11. The licensee shall ensure appropriate steps are taken to minimise damage to the seabed by the works.
12. The licensee shall ensure the seabed is returned to the original profile before decommissioning works as shown on the June 2015 bathymetric survey, or as close as reasonably practicable, following the completion of the works.
13. The licensee shall ensure the best method of practice is used to minimise re-suspension of sediment during these works.
14. 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.
15. The licensee shall ensure that the works are 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. Any jack up barges and vessels utilised during the works when jacked up, shall exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations / shall exhibit the standard lights and shapes as per the International Regulations for the Prevention of Collisions at Sea.
18. The licensee shall ensure that the works are maintained at all times in good repair.
19. The licensee shall ensure that no deviation from the schedule specified in the licence is made without the further written consent of the licensing authority.
20. The licensee shall 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.
21. 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.
22. 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.

23. The licensee shall 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 consent by the licensing authority. The licensee shall be liable for any expense incurred.
24. Any person authorised by the licensing authority shall be permitted to inspect the works at any reasonable time.
25. The licensee shall 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.
26. 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.
27. The Licensee shall provide a works report to the licensing authority, within 28 days of completion of the decommissioning works, to be shared with Scottish Natural Heritage and the Crown Estate. The report shall detail the start and completion dates of activities, the heights to which the monopiles have been removed, if any issues arose that were not anticipated within the decommissioning plan and an assessment of the potential risks of leaving equipment in situ in the longer term.
28. The licensee shall ensure that the Aids to Navigation shall be removed from turbine A1 and relocated to turbine A2 and that the Statutory Sanction of the Northern Lighthouse Board must be obtained prior to the establishing and exhibiting of the Navigation Lights from turbine A2.
29. 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. The licensee should be aware that if they wish to have safety zones in place during the decommissioning phase the appropriate application should be made to the Department of Energy and Climate Change (DECC) which will be supported by the Maritime and Coastguard Agency (MCA).

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