

E: MS.MarineRenewables@gov.scot

MARINE (SCOTLAND) ACT 2010, PART 4 MARINE LICENSING

LICENCE FOR MARINE RENEWABLES CONSTRUCTION, OPERATION AND DEPOSITS OF SUBSTANCES OR OBJECTS IN THE SCOTTISH MARINE AREA

Licence Number: 06045/16/0

The Scottish Ministers (hereinafter referred to as "the Licensing Authority") hereby grant a marine licence authorising:

MeyGen Limited
90A George Street
Edinburgh
EH2 3DF
Company Number: SC347501

to:

- 1) deposit any substance or object (except for dredge spoil) in the sea or on or under the seabed within the Scottish marine area;
- 2) deposit any substance or object (except for dredge spoil) in the sea or on or under the seabed from a vessel which was loaded in Scotland or in the Scottish marine area; and
- 3) construct any works within the Scottish marine area in or over the sea, or under the seabed,

Under the Marine (Scotland) Act 2010

required in the execution (including construction, operation and maintenance) of the Works described in Part 2 of the Schedule attached to this licence. The issue of this licence is subject to conditions as set out in Part 3 of the Schedule.

This licence remains in force from 29th July 2016 to 1st January 2041 or until the date occurring 25 years after the Final Commissioning of phase 1a of the development or until the Works have been decommissioned in accordance with an approved Decommissioning Programme, whichever of these three dates is earliest.

Signed:

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Nicola Bain

For and on behalf of the Licensing Authority

Date of issue: 29 July 2016

1. PART 1 – GENERAL

1.1. Interpretation

In this licence, unless otherwise stated, terms are as defined in sections 1, 64 and 157 of the Marine (Scotland) Act 2010 and;

- a) “the 2010 Act” means the Marine (Scotland) Act 2010;
- b) “the Application” means the marine licence application form and associated documents submitted to the Licensing Authority by MeyGen Limited (“MeyGen”) on 20th June 2016
- c) “Licensable Marine Activity” means the activities listed in section 21 of the 2010 Act authorised under this licence;
- d) “Licensee” means MeyGen Limited (“MeyGen”), a company registered in Scotland having its registered number as SC347501;
- e) “the Licensing Authority” means the Scottish Ministers;
- f) “Commencement of the Works” means the date on which the first vessel arrives on the Site to begin carrying out the Licensable Marine Activity in connection with the construction of the Works, as described in Part 2 of this licence;
- g) “Completion of the Works” means the date on which the Works have been installed in full, or the Works have been deemed complete by the Licensing Authority whichever occurs first;
- h) “Decommissioning of the Works” includes removal of the Works from the seabed, demolishing the Works or dismantling the Works;
- i) “Decommissioning Programme” means the programme for decommissioning the Works, to be submitted by the Licensee to the Secretary of State under section 105(2) of the Energy Act 2004 (as amended);
- j) “PEMP” means Project Environmental Monitoring Programme and this programme must set out the measures of monitoring the environmental impacts of all stages of the Development, including the pre-construction, construction, and operational stages, as described in condition 12 of the S36 consent.
- k) “the Site” means the area outlined in the figure contained in Part 4 of this licence;
- l) “the Works” means the MeyGen Tidal Energy electricity generating station Phase 1 within the Inner Sound in the Pentland Firth as described in Part 2 of this licence;
- m) “MHWS” means mean high water spring tide
- n) “Final Commissioning of the Works” means the date on which all the Works have been used to supply electricity on a commercial basis to the National Grid, or such earlier date as the Licensing Authority deem the Works to be fully commissioned; and
- o) “Third Party Verification” means a detailed report provided by an independent accredited agency of recognised standing and reputation which certifies the integrity of the structural design of the works and its foundations for the conditions expected at the site

All geographical coordinates contained within this licence are in latitude and longitude format World Geodetic System 84 (“WGS84”).

1.2. Contacts

All correspondence or communications relating to this licence should be addressed to:

Marine Scotland
Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Email: MS.MarineRenewables@gov.scot

1.3. Other authorisations and consents

The Licensee is deemed to have satisfied themselves that there are no barriers or restrictions, legal or otherwise, to the carrying out of the Licensable Marine Activity. The issuing of this licence does not absolve the Licensee from obtaining such other authorisations and consents which may be required under statute.

1.4. Variation, suspension, revocation and transfer

Under section 30(1) of the 2010 Act, the Licensing Authority may by notice vary, suspend or revoke this licence if it appears to the Licensing Authority that there has been a breach of any of the provisions of this licence. For any such other reason that appears to be relevant to the Licensing Authority under section 30(2) or (3) of the 2010 Act these are subject to the procedures set out in section 31 of the 2010 Act.

Under section 30 of the 2010 the Licensing Authority may on an application made by the Licensee, transfer this licence from the Licensee to another person.

Under section 30 of the 2010 Act, on an application made by a licensee, the Licensing Authority may vary a licence if satisfied that the variation being applied for is not material.

1.5. Breach of requirement for, or conditions of, licence

Under section 39 of the 2010 Act it is an offence to carry out a Licensable Marine Activity without a marine licence and it is also an offence to fail to comply with any condition of a marine licence.

1.6. Defences: actions taken in an emergency

Under section 40 of the 2010 Act it is a defence for a person charged with an offence under section 39(1) of the 2010 Act, in relation to any activity to prove that the activity was carried out for the purpose of saving life or for the purpose 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 matters to the Licensing Authority which are set out in section 40(2) of the 2010 Act.

1.7. Offences relating to information

Under section 42 of the 2010 Act it is an offence for a person to make a statement which is false or misleading in a material way, either knowing the statement to be false or misleading or being reckless as to whether the statement is false or misleading, or to intentionally fail to disclose any material information for the purpose of procuring the issue, variation or transfer

of a marine licence or for the purpose of complying with, or purporting to comply with, any obligation imposed by either Part 4 of the 2010 Act or by this licence.

2. PART 2 – THE WORKS

2.1. Title of the Works

The title of the Works to which this licence relates is ‘Seabed Preparation Works for Turbine Support Structure No. 4’.

2.2. Description of the Works

The installation of concrete stabilisation pads as seabed preparation for Turbine Support Structure No. 4 (TSS#4) as described in the Application and supporting documents.

2.3. Location of the Works

Inner Sound, Pentland Firth, between the north coast of Scotland and the Island of Stoma within the area bounded by joining the following points:

58° 39.31' N	003° 06.73' W	58° 39.27' N	003° 07.92' W
59° 39.28' N	003° 08.51' W	58° 39.52' N	003° 08.52' W
58° 39.73' N	003° 08.38' W	58° 39.62' N	003° 08.11' W
58° 39.62' N	003° 07.01' W	58° 39.65' N	003° 06.55' W
58° 39.67' N	003° 06.40' W	58° 39.44' N	003° 06.51' W
58° 38.78' N	003° 05.55' W	58° 38.79' N	003° 06.08' W
58° 38.94' N	003° 06.82' W	58° 38.53' N	003° 07.34' W
58° 38.44' N	003° 07.94' W	58° 39.15' N	003° 08.51' W

2.4. Deposits

This licence authorises the deposit of the undernoted substances and objects required in connection with the Works, subject to the maximum amounts as specified below:

PERMANENT DEPOSITS

Steel/Iron – 3 Pads at 9.5 tonnes = 28.5 tonnes
 Concrete – 3 Pads ay 24 m³ = 72 m³

2.5. Persons responsible for the deposits of the substances or objects

The operators, vessels and vehicles engaging in the Licensable Marine Activity must be notified to the Licensing Authority under condition 3.1.2 prior to their engagement in the Works:

Name of vessel or vehicle registration	Operator	Type(s)
To be confirmed	To be confirmed	To be confirmed

2.6. Persons acting on behalf of the Licensee

The name and address of any agents, contractors or sub-contractors appointed to carry out any part, or all, of the Licensable Marine Activity must be notified to the Licensing Authority under condition 3.1.2 prior to their engagement in the Works:

Role	Company Name	Address	Contact Name
To be confirmed	To be confirmed	To be confirmed	To be confirmed

3. PART 3 – CONDITIONS

3.1. General conditions

3.1.1. Licence conditions binding other parties

All conditions attached to this licence bind any person who for the time being owns, occupies or enjoys any use of the Works for which this licence has been granted in relation to those licensed activities authorised under item 5 in section 21(1) of the 2010 Act whether or not this licence has been transferred to that person.

3.1.2. Vessels, vehicles, agents, contractors and sub-contractors

The Licensee must provide, as soon as reasonably practicable in advance of their engagement in any Licensable Marine Activity, the name and function of any vessel, vehicle, agent, contractor or sub-contractor appointed to engage in the Works. Where applicable the notification must include the vessel type, vessel IMO number and vessel owner or operating company.

Any changes to the supplied details must be notified to the Licensing Authority, in writing, prior to any vessel, vehicle, agent, contractor or sub-contractor engaging in the Licensable Marine Activity.

The Licensee must ensure that only those vessels, vehicles, agents, contractors or sub-contractors notified to the Licensing Authority are permitted to carry out any part of the Works.

The Licensee must satisfy themselves that any masters of vessels or vehicle operators, agents, contractors or sub-contractors are aware of the extent of the Works for which this licence has been granted, the activity which is licensed and the terms of the conditions attached to this licence. All masters of vessels or vehicle operators, agents, contractors and sub-contractors permitted to engage in the Works must abide by the conditions set out in this licence.

The Licensee must give a copy of this licence, and any subsequent variations made to this licence in accordance with section 30 of the 2010, ensuring it is read and understood, to the masters of any vessels, vehicle operators, agents, contractors or sub-contractors permitted to engage in the Works.

3.1.3. Force Majeure

Should the Licensee or any of their agents, contractors or sub-contractors, by any reason of *force majeure* deposit anywhere in the marine environment any substance or object, then the Licensee must notify the Licensing Authority of the full details of the circumstances of the deposit within 48 hours of the incident occurring (failing which as soon as reasonably practicable after that period of 48 hours has elapsed). *Force majeure* may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel or vehicle operator determines that it is necessary to deposit the substance or object other than at the Site because the safety of human life or, as the case may be, the vessel, vehicle or marine structure is threatened. 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.

3.1.4. Material alterations to the licence application

The Licensee must ensure that no deviation from the schedule specified in this licence is made without the further written approval of the Licensing Authority.

The Licensee must, where any information upon which the granting of this licence was based has after the granting of the licence altered in any material respect, notify the Licensing Authority of this fact, in writing, as soon as is practicable.

3.1.5. Submission of plans and specification of studies and surveys to the Licensing Authority

The Licensee must submit plans and the details and specifications of all studies and surveys that are required to be undertaken under this licence in relation to the Works, in writing, to the Licensing Authority for their written approval. Commencement of the studies or surveys and implementation of plans must not occur until the Licensing Authority has given its written approval to the Licensee.

Plans or the specification of studies and surveys prepared pursuant to another consent or licence relating to the Works by the Licensee or by a third party may also be used to satisfy the requirements of this licence.

3.1.6. Submission of reports to the Licensing Authority

The Licensee must submit all reports to the Licensing Authority, in writing, as are required under this licence within the time periods specified in this licence. Where it would appear to the Licensee that there may be a delay in the submission of the reports to the Licensing Authority, then the Licensee must advise the Licensing Authority of this fact as soon as is practicable and no later than the time by which those reports ought to have been submitted to the Licensing Authority under the terms of this licence.

The reports must include executive summaries, assessments and conclusions and any data must, subject to any rules permitting non-disclosure, be made publically available by the Licensing Authority or by any such party appointed at their discretion.

Reports prepared pursuant to another consent or licence relating to the Works by the Licensee or by a third party may also be used to satisfy the requirements of this licence.

3.1.7. Chemical usage

The Licensee must ensure that all chemicals which are to be utilised in the Works have been approved in writing by the Licensing Authority prior to use. All chemicals utilised in the Works must be selected from the List of Notified Chemicals assessed for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002 (as amended 2011), unless approved in writing by the Licensing Authority. The Licensee must submit a report of all chemicals used (e.g. oils and fluorinated gases) during the commissioning and operation of the works to the Licensing Authority one month before the commencement of the works. Any changes to the types of chemicals utilised must be consulted on with the Licensing Authority before the commissioning of the works.

3.1.8. Fluorinated greenhouse gases

Operators of equipment that contains fluorinated greenhouse gases (hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride and other greenhouse gases that contain fluorine,

listed in Annex I of Regulation (EU) 517/2014 and The Fluorinated Greenhouse Gases Regulations 2015 (the Regulations), or mixtures containing any of those substances) shall take precautions to prevent the unintentional release ('leakage') of those gases. They shall take all measures which are technically and economically feasible to minimise leakage of fluorinated greenhouse gases.

Where a leakage of fluorinated greenhouse gases is detected, the operators shall ensure that the equipment is repaired without undue delay.

Operators of equipment that contains fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more and not contained in foams shall ensure that the equipment is checked for leaks in accordance with Annex 4 of the Regulations. Records of leak checks shall be kept in accordance with Annex 6 of the Regulations. These records shall be submitted to Scottish Ministers annually, and immediately in the event of discovery of any leak.

Where the equipment is subject to leak checks under Article 4(1) of the Regulations, and a leak in the equipment has been repaired, the operators shall ensure that the equipment is checked by a certified natural person within one month after the repair to verify that the repair has been effective. In such event, Scottish Ministers should be informed of the date of discovery, date of repair and date of inspection.

3.1.9. Environmental protection

The Licensee must ensure that all reasonable, appropriate and practicable steps are taken at all times to minimise damage to the Scottish marine area caused by the Licensable Marine Activity authorised under this licence.

The Licensee must ensure appropriate steps are taken to minimise damage to the beach and foreshore by the Licensable Marine Activity.

The Licensee must ensure that all personnel adhere to the Scottish Marine Wildlife Watching Code where appropriate.

The Licensee must ensure that any debris or waste arising during the course of the Works are removed from the Site of the Works, as soon as is reasonably practicable, for disposal at a location above the MHWS approved by the Scottish Environment Protection Agency ("SEPA").

The Licensee must ensure that all substances and objects deposited during the execution of the Works are inert (or appropriately coated or protected so as to be rendered inert) and do not contain toxic elements which may be harmful to the marine environment, the living resources which it supports or human health.

The Licensee must ensure that the risk of transferring marine non-native species to and from the Site is kept to a minimum by ensuring appropriate bio-fouling management practices are implemented during the Works.

The Licensee must ensure that if oil based drilling muds are utilised they must be contained within a zero discharge system. Any drill cuttings associated with the use of water-based drilling muds situated within Site of the Works need not be removed from the seabed.

3.1.10. Availability of the licence for inspection

The Licensee must ensure that copies of this licence and any subsequent amendments or variations, are available for inspection, at any reasonable time, by any authorised marine enforcement officer at:

- a) the premises of the Licensee;
- b) the premises of any agent, contractor or sub-contractor acting on behalf of the Licensee;
- c) any onshore premises directly associated with the Works; and
- d) aboard any vessel permitted to engage in the Works.

3.1.11. Inspection of the Works

The Licensee must ensure that any persons authorised by the Licensing Authority, are permitted to inspect the Works at any reasonable time. The Licensee must, as far as reasonably practicable, on being given reasonable notice by the Licensing Authority (of at least 72 hours), provide transportation to and from the Site for any persons authorised by the Licensing Authority to inspect the Site.

3.1.12. Emergencies

If the assistance of a Government Department (to include departments of Devolved Administrations) is required to deal with any emergency arising from:

- a) the failure to mark and light the Works as required by this licence;
- b) the maintenance of the Works; or
- c) the drifting or wreck of the Works,

to include the broadcast of navigational warnings, then the Licensee is liable for any expenses incurred in securing such assistance.

3.2. Conditions specific to the Works

3.2.1. Conditions applicable to all phases of the Works

3.2.1.1. Health and safety incident

If any serious health and safety incident occurs on the Site requiring the Licensee to report it to the Health and Safety Executive, then the Licensee must also notify the Licensing Authority of the incident within 24 hours of the incident occurring.

3.2.1.2. Bunding and storage facilities

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.

3.2.1.3. Restoration of the Site to its original condition

The Licensee must take all reasonable, appropriate and practicable steps to restore the Site to its original condition before any Licensable Marine Activity was undertaken, or to as close to its original condition as is reasonably practicable, in accordance with the Project Environmental Monitoring Programme ("PEMP") and the Decommissioning Programme ("DP") to the satisfaction of the Licensing Authority. Should the Licensed Marine Activity be

discontinued prior to Completion of the Works, the Licensee must inform the Licencing Authority in writing of the discontinuation of the Works.

3.2.2. Prior to the Commencement of the Works

3.2.2.1. Commencement date of the Works

The Licensee must, prior to and no less than 1 month before the Commencement of the Works, notify the Licensing Authority, in writing, of the date of Commencement of the Works authorised under this Licence.

3.2.2.2. Decommissioning Programme (“DP”)

Where the Secretary of State has, following consultation with the Licensing Authority, given notice requiring the Licensee to submit to the Secretary of State a DP which includes the removal of the concrete stabilisation pads, pursuant to section 105(2) and (5) of the Energy Act 2004, then construction may not begin on the Site of the Works until after the Licensee has submitted to the Secretary of State a DP in compliance with that notice.

3.2.2.3. Navigation and Charting

The Licensee must, as soon as reasonably practicable prior to Commencement of the Works, notify the UK Hydrographic Office (“UKHO”) of the proposed works to facilitate the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

The Licensee must, as soon as reasonably practicable prior to the Commencement of the Works, ensure that local mariners, fishermen's organisations and HM Coastguard, in this case the National Maritime Operations Centre, is made fully aware of the Licensable Marine Activity through local Notice to Mariners or any other appropriate means.

The Licensee must ensure that details of the Works are promulgated in the Kingfisher Fortnightly Bulletin, as soon as reasonably practicable prior to the Commencement of the Works, to inform the Sea Fish Industry of the vessel routes, the timings and the location of the Works and of the relevant operations.

The Licensee must, prior to Commencement of the Works, complete an “Application for Statutory Sanction to Alter / Exhibit” form and submit this to the NLB for the necessary sanction to be granted.

The Licensee must, prior to the Commencement of the Works, provide the proposed location and anticipated minimum clearance depths below chart datum to the blade tips of each TTG, to the UKHO for nautical charting purposes.

3.2.2.4. Third Party Certification or Verification (“TPC” or “TPV”)

The Licensee must, no later than 1 month prior to the Commencement of the Works, provide the Licensing Authority (unless otherwise agreed, in writing, with the Licensing Authority) with TPC or TPV (or suitable alternative as agreed, in writing, with the Licensing Authority) of the basis of the viability of the stabilisation pads in combinations with the TTG.

3.2.3. During the construction of the Works

3.2.3.1. Transportation audit sheet

The Licensee must create, complete and submit to the Licensing Authority a detailed transportation audit sheet for the period when Construction of the Works is undertaken, for the Construction of the Works. The transportation audit sheet must include information on the loading facility, vessels, equipment, shipment routes, schedules and all materials to be deposited (as described in Part 2 of this licence) in that month. Where, following the submission of a transportation audit sheet to the Licensing Authority, any alteration is made to the component parts of the transportation audit sheet, the Licensee must notify the Licensing Authority of the alteration in the following month's transportation audit sheet.

If the Licensee becomes aware of any substances or objects on the transportation audit sheet that are missing, or an accidental deposit occurs, the Licensee must contact the Licensing Authority as soon as practicable after becoming aware, for advice on the appropriate remedial action. Should the Licensing Authority deem it necessary, the Licensee must undertake a side scan sonar survey in grid lines (within operational and safety constraints) across the area of the Works, to include cable routes and vessel access routes from local service port(s) to the Site to locate the substances or objects. If the Licensing Authority is of the view that any accidental deposits associated with the Construction of the Works are present, then the deposits must be removed by the Licensee as soon as is practicable and at the Licensee's expense.

3.2.3.2. Nature and quantity of deposited substances and objects

The Licensee must, in addition to the transportation audit sheet required to be submitted to the Licensing Authority under condition 3.2.3.1., following the Commencement of the Works, submit an audit report, in writing, to the Licensing Authority, stating the nature and quantity of all substances and objects deposited below MHWS under the authority of this licence. The audit report must be submitted in writing to the Licensing Authority, by the Licensee, within 4 weeks of the completion of the works.

3.2.3.3. Navigational safety

The Licensee must notify the UKHO of the progress of the Works to facilitate the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

The Licensee must notify local mariners, fishermen's organisations and HM Coastguard, in this case the National Maritime Operations Centre, of the progress of Construction of the Works through local Notice to Mariners or any other appropriate means.

The Licensee must ensure that the progress of Construction of Works is promulgated in the Kingfisher Fortnightly Bulletin to inform the Sea Fish Industry of the vessel routes, the timings and the location of the Works and of the relevant operations.

The Licensee must notify the Licensing Authority, in writing, as soon as reasonably practicable, of any case of damage to or destruction or decay of the Works. The Licensing Authority will advise, in writing, of any remedial action to be taken and any requirement to display aids to navigation, following consultation with the Maritime Coastguard Agency ("MCA"), the National Lighthouse Board ("NLB") or any such advisers as required.

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 Office of Communications (“OfCom”).

The Licensee must ensure that navigational safety is not compromised by the Works. The navigable depth must not be altered by more than 5% of stated Chart Datum unless otherwise agreed, in writing, with the Licensing Authority in consultation with the MCA and NLB.

3.2.3.4. Markings, lighting and signals of the works

The licensee must ensure that the works are marked and lit in accordance with the requirements of the NLB and at all times and such marking and/or lighting must be continued unless and until such time as the licensing authority, by notice, relevantly varies this licence under section 30 of the 2010 Act.

The licensee must ensure that no marks or lights, other than those required by virtue of this licence, may be displayed unless they have been approved, in writing, by the NLB and the licensing authority.

3.2.3.5. Emergencies

If the assistance of a Government Department (to include departments of Devolved Administrations) is required to deal with any emergency arising from:

- a) the failure to mark and light the works as required by the licence;
- b) the maintenance of the works; or
- c) the drifting or wreck of the works,

to include the broadcast of navigational warnings, then the licensee is liable for any expenses incurred in securing such assistance.

3.2.4. Conditions upon Completion of the Works

3.2.4.1. Date of Completion of the Works

The Licensee must, no more than 1 month following the Completion of the Works, notify the Licensing Authority, in writing, of the date of Completion of the Works.

3.2.4.2. Nature and quantity of deposited substances and objects

The Licensee must, no later than 1 month following the Completion of the Works, submit a final audit report, in writing, to the Licensing Authority stating the nature and quantity of all substances and objects deposited below MHWs within the Scottish marine area under the authority of this licence. Where appropriate, nil returns must be provided.

3.2.4.3. Final Commissioning of the Works

The Licensee must, no more than 1 month following the Final Commissioning of the Works, notify the Licensing Authority, in writing, of the date of the Final Commissioning of the Works.

3.2.4.4. Navigational safety

The Licensee must notify the UKHO of the Completion of the Works to facilitate the promulgation of maritime safety information and updating of nautical charts and publications through the national Notice to Mariners system.

The Licensee must, within 1 month of Completion of the Works, provide the "as-built" positions and minimum clearance depths below chart datum to the blade tips of each TTG, and, and inter-array cable positions and changes to navigable depths, to the UKHO for nautical charting purposes.

The Licensee must ensure that local mariners, fishermen's organisations and HM Coastguard, in this case the National Maritime Operations Centre, are made fully aware of the Completion of the Works.

The Licensee must ensure that the Completion of the Works is promulgated in the Kingfisher Fortnightly Bulletin to inform the Sea Fish Industry.

The Licensee must notify the Licensing Authority, in writing, as soon as reasonably practicable, of any case of damage to or destruction or decay of the Works. The Licensing Authority will advise, in writing, of any remedial action to be taken and any requirement to display aids to navigation, following consultation with the MCA, the NLB or any such advisers as required.

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 OfCom.

3.2.4.5. Environmental protection

The Licensee shall ensure the beach and foreshore is returned to the original profile, or as close as reasonably practicable, following Completion of the Works.

3.2.4.6. Decommissioning

This licence does not permit the Decommissioning of the Works, for which a separate marine licence is required.

4. PART 4 – PROJECT LOCATION

