

Department of Agriculture, Environment & Rural Affairs
Marine & Fisheries Division

**LICENCE ISSUED UNDER THE MARINE AND COASTAL ACCESS ACT 2009, PART 4, MARINE
LICENSING**

MARINE DREDGING LICENCE

**Licence for marine capital dredge works at Ravenhill Quay under the Belfast Tidal Flood Alleviation
Scheme**

Licence Number: ML2023016

PART 1 – PARTICULARS

1. Licensee(s) Name & Address:

DfI Rivers HQ
49 Tullywiggan Road
Loughry
Cookstown
BT80 8SG

**2. Names, and operators, of the vessels to be employed to undertake or support the deposit,
relocation or removal operations:**

To be provided in accordance with Condition 6

**3. Description of works and nature and quantity of all material dredged below Mean High Water
Springs:**

Dredging and removal of riverbed material as detailed in section 8 of the application form dated 16 November 2023, to construct a revetment at Ravenhill Quay. The amount of material to be dredged is 22,000 tonnes to maximum depth of 3 metres.

4. Location of works:

54°35'.3N, 5°54'.5W and 54°35'.4N, 5°54'.4W for the Ravenhill Revetment

See maps at Appendix 1 and Appendix 2

5. Valid:

From: 21st February 2024
Until: 31st May 2024

6. Licence Documentation

- BTFAS Dredge Licence application rev 1 (dated 16.11.2023)
- Construction of Ravenhill Revetment ST rev 3 (dated 21.11.2023)
- BTFAS - Construction Environmental Management Plan Revision 4 (dated 14.09.2023)
- MAR02045 Sediment Analysis Template for ML2023016 (21.09.2023)
- NI2488_Belfast Tidal sHRA_Revetment F01_03.03.23 (dated 03.03.2023)
- M0833-RPS-RH-ML-DR-C-0300 P05 Marine Licence Revetment at Ravenhill Road(3) (dated 27.01.2022)
- River Lagan Revetment Hydrodynamics P01 (dated 16.01.2024)

PART 2 - CONDITIONS

The Department of Agriculture, Environment & Rural Affairs (referred to as the licensing authority) authorises **Department for Infrastructure** to dredge in the area of sea specified in Part 1 of this licence.

This licence is subject to the under mentioned condition(s):

Licence Condition(s):

NOTE: FAILURE TO COMPLY WITH THE LICENCE CONDITIONS BELOW MAY RESULT IN ENFORCEMENT ACTION BEING TAKEN

1. The Licensee(s) must commence works with **12 months** of the date of this licence.
2. All conditions of this licence bind any persons whom, 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 section 66 of the 2009 Act, whether or not the licence has been transferred to that person.
3. The Licensee(s) must receive written authorisation from the licensing authority to assign or transfer the consent. The licensing authority must confirm in writing to both the original Licensee(s) and any proposed new Licensee(s) that the licence has been transferred/assigned before any works may commence under the new Licensee(s).
4. The Licensee(s) shall not dredge any other material other than that detailed in the Marine Licence application received by the licensing authority **dated 16 November 2023**. The Licensee(s) shall contact the Department if it is proposed to vary the materials or methods to be used from those described in the documentation supplied in connection with the Marine Licence application.
5. The Licensee(s) must commence works in line with Condition 1 and complete works within the valid dates of this licence. After that date, the licence will expire in accordance with section 71(4) of the Act.
6. The Licensee(s) shall ensure that the Department is informed of any contractor appointed to carry out part or all of the works and a copy of this licence is given to each contractor. This information should be provided to the Department by email to MLCompliance&Enforcement@daera-ni.gov.uk.

7. Any person authorised by the licensing authority will be permitted to inspect the licensed activity at any reasonable time.
8. The Licensee(s) shall ensure that copies of the licence are available for inspection by any authorised Enforcement Officer at:
 - a. The premises of the Licensee(s)
 - b. The premises of the operating facility
 - c. The site of the works (including on board vessels)

Prior to the commencement of the Licensed Activity

9. A final Construction Environmental Management Plan (CEMP) and associated Method Statement should be submitted to NIEA Water Management Unit (nieapollutionprevention@daera-ni.gov.uk), at least **4 weeks prior** to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence.

Reason: To ensure effective mitigation methodologies have been planned for the protection of the water environment.

10. The Licensee(s) must notify The Source Data Receipt team, UK Hydrographic Office, Taunton. Somerset, TA1 2DN (Email: sdr@ukho.gov.uk; Tel: 01823 337900) **at least 4 weeks before** commencement of the works, to allow for any necessary amendments to nautical charts. The UK Hydrographic Office must also be notified upon completion of the works. MLCompliance&Enforcement@daera-ni.gov.uk must be copied into all notifications.

Reason: To adhere to Maritime Safety Legislation and to protect human health and marine users

11. The licensee must ensure invasive species biosecurity measures are in place for all stages of the works and for all equipment used. A copy of the biosecurity plan should be submitted to Marine.Wildlife@daera-ni.gov.uk **4 weeks prior** to works commencing. MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence.

Reason: To prevent the introduction and minimise the spread of marine invasive Non-Native Species.

12. No dredging works shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing **at least 4 weeks** by DfC Historic Environment Division (excavationsandreports@communities-ni.gov.uk) in consultation with DAERA Marine & Fisheries Division (Marine Conservation Branch). MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence. All dredging works must be in accordance with the approved programme of archaeological work.

Reason: To ensure that historic monuments and archaeological objects are protected.

During the Licensed Activity

13. The in-river works must only be carried out in accordance with the agreed final CEMP (Condition 9). In-river works must only be carried out during daylight working hours and dependent on tidal conditions for in water-based activities. The piling works will be limited to 0700 to 1900 hours on weekdays, 0700 to 1300 on Saturdays, with no work on Sundays.

Reason: To prevent disturbance to sensitive receptors.

14. The silt curtain listed in the Method Statement (Condition 9) must be implemented during the dredging operations to contain any sediments mobilized to the water column during works.

Reason: To prevent water pollution.

15. As per the Method statement in Condition 9, refueling will occur in the Ravenhill Compound using an OSR approved bunded bowser, 100m away from the River Lagan. During the refueling a drip tray and spill kit will be present.

Reason: To prevent the release of fuel, oils, and chemicals associated with plant, refueling and construction equipment, into the marine environment.

16. In the event of a discovery of an archaeological object and/or remains during the works the Licensee(s) must: (1) record the position and details of the site; (2) not disturb the site further and (3) report your discovery to and contact MLCompliance&Enforcement@daera-ni.gov.uk immediately so further advice may be sought.

Reason: To ensure that historic monuments and archaeological objects are protected.

17. In the event of a discovery of wreck material during the works, the Licensee must report it to the 'Receiver of Wreck' (Maritime and Coastguard Agency) **within 28 days**.

Reason: To ensure that recovered wreck material is declared and dealt with appropriately.

Upon Completion of the Licensed Activity

18. The Licensee(s) shall inform the licensing authority at MLCompliance&Enforcement@daera-ni.gov.uk of the finishing date of the licensed work **within 28 days** of completion.

19. The Licensee(s) shall, **within eight weeks** after the completion of the licensed works, make a written report to the licensing authority stating the quantity, description and location of all materials dredged under the authority of this licence. This report is to be submitted to MLCompliance&Enforcement@daera-ni.gov.uk.

20. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive must be undertaken in accordance with the programme of archaeological work approved under the above condition 12. MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence.

21. A final archaeological report shall be submitted to DfC Historic Environment Division (excavationsandreports@communities-ni.gov.uk) **within 6 months** of the completion of archaeological site works. MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence.

22. All data including engineering drawings, hydrographic surveys, details of new or changed aids to navigation must be sent to The Source Data Receipt team, UK Hydrographic Office, (email: sdr@ukho.gov.uk) as per guidance in 'Harbour Master's Guide to Hydrographic and Maritime Information Exchange' published on the [UK Hydrographic Office \(ADMIRALTY\) website](http://www.admiralty.gov.uk) **within eight weeks** of completion of the licensed work. MLCompliance&Enforcement@daera-ni.gov.uk must be copied in on the correspondence.

Signed on behalf of the Department:



Dated: 21st February 2024

NOTE:

(1) The licensing authority would advise that this licence does not negate the licensees' responsibility to gain any other environmental or access permissions that may be required to progress the works.

(2) Under Part 4, Chapter 1, paragraph 72 of the **Marine and Coastal Access Act 2009**, the licensing authority may revoke, vary or suspend this licence if it appears to the authority that the holder is in breach of a condition included in it, or if it appears to the authority that the licence ought to be varied, suspended or revoked because of a change of circumstances relating to the marine environment or human health, including a change in scientific knowledge. A revocation, variation or suspension may also be enforced in the interests of safety of navigation.

(3) A person who deposits material in contravention of the terms of a licence is guilty of an offence under Section 85 of the Act. It is a defence under paragraph 86 (1) for a person charged with such an offence to prove 'force majeure'. However they are also required to prove that they took steps within a reasonable time to inform the licensing authority of all details pertaining to the incident contained in paragraph 86 (2). The licensing authority shall be obliged to report force majeure cases immediately to the OSPAR Commission.

(4) Attention is drawn to the necessity of complying where appropriate with the **Radioactive Substances Act 1960**, the **Prevention of Oil Pollution Act 1971** and to the **Merchant Shipping (Dangerous Goods) (Amendment) Rules 1968**.

(5) If within 28 days of the issue of a licence the person to whom it was issued requests the licensing authority to give him notice in writing of the reasons for the inclusion of any provision in it, the Authority shall comply with his request within 28 days of receiving it.

(6) Anyone who fails to comply with a condition on a Marine Licence commits an offence under Section 85 of the **Marine and Coastal Access Act 2009**, and may be subject to enforcement action. Possible enforcement actions are compliance notices, remediation notices, fixed monetary penalties and variable monetary penalties. In the worst cases, a person found guilty of an offence on summary conviction may be subject to a fine not exceeding £50,000. In addition, a person found guilty of an offence on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both. Further details can be found at our guidance note:

<https://www.daera-ni.gov.uk/sites/default/files/publications/doe/marine-licensing-guidance-enforcement-under-part-4-marine-and-coastal-access-act%2C-2009-may-2016.pdf>

INFORMATIVES:

Maritime & Coastguard Agency advice on Navigational Safety

- The Licensee(s) should consider adopting the Port Marine Safety Code (PMSC), which sets out a national standard for every aspect of port marine safety. The Code is not mandatory; however it is endorsed by the UK Government, devolved administrations and representatives from across the marine industry sector. It is applicable to both Statutory Harbour Authorities (SHA) and non-SHAs including marinas, terminals, marine berths and jetties. The Department for Transport also publishes the PMSC Guide to Good Practice which provides useful information and detailed guidance on the safe management of these facilities and is intended to supplement the Code. This can be found here: <https://www.gov.uk/government/publications/a-guide-to-good-practice-on-port-marine-operations>

DAERA advice on preventing water pollution

- The Licensee(s) should comply with all the relevant NIEA Standing Advice documents and Guidance for Pollution Prevention (GPPs) available at:

<https://www.daera-ni.gov.uk/publications/standing-advice-development-may-have-effect-water-environment-including-groundwater-and-fisheries>

- The Licensee(s) shall ensure that measures are in place to prevent pollution of surface or ground water as a result of the activities on site, both during construction and thereafter. Guidance for Pollution Prevention (GPPs) documents can be obtained at:
<https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/>
- The contractor / person carrying out the works is responsible for ensuring that any and all required mitigation measures are in place and ultimately under the Water (Northern Ireland) Order 1999 is liable for any discharge or deposit, whether knowingly or otherwise, of any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata.
- The Licensee(s) should be aware that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three years imprisonment.
- Section 47 of the Fisheries Act (NI) 1966, which covers the applicant's responsibilities relating to Penalties for Pollution and the consequences of causing or permitting the release of any Deleterious material into any waters.

DAERA advice on waste disposal

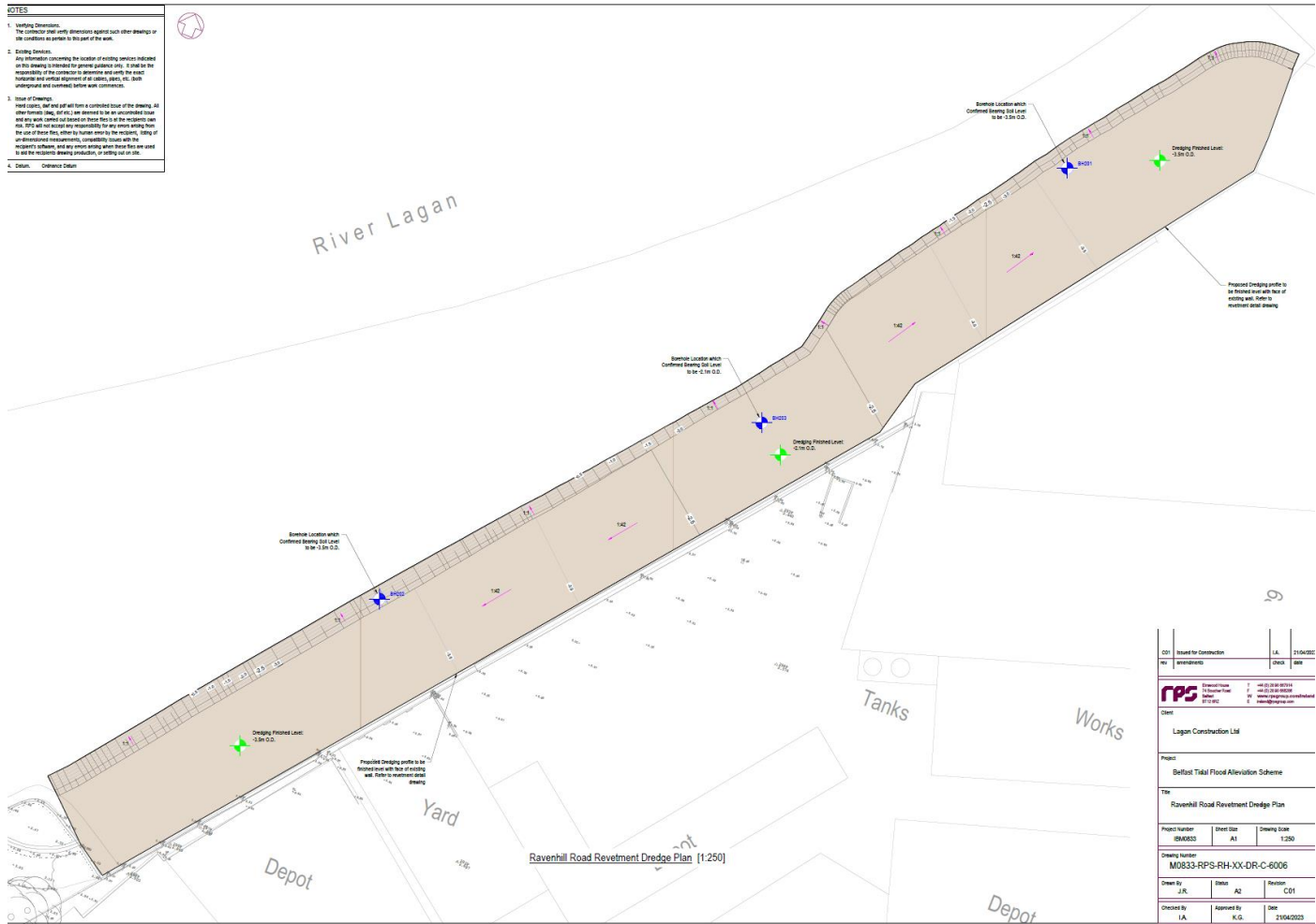
- See <https://www.daera-ni.gov.uk/articles/waste-management-licensing> for disposal of dredge material requirements

Appendix 1 Map of Ravenhill Quay



Appendix 2 Dredge area at Ravenhill Quay

- NOTES**
- 1. Verifying Dimensions.**
The contractor shall verify dimensions against such other drawings or the conditions as pertain to this part of the work.
 - 2. Existing Structures.**
Any information concerning the location of existing structures indicated on this drawing is intended for general guidance only. It shall be the responsibility of the contractor to determine accurately the exact horizontal and vertical alignment of all cables, pipes, etc. both underground and overhead before work commences.
 - 3. Issue of Drawings.**
This contract shall not be null and void until a confirmed issue of the drawings, all other forms, bills, etc. is issued to be an amended issue and the work carried out in accordance with the contract. RPS will not accept any responsibility for any errors arising from the issue of these drawings, which by their nature are intended for unauthorised reproduction, compatibility issues with the recipient software, and any errors arising when these files are used to generate drawings, production, or printing out on site.
 - 4. Datum.** Ordnance Datum



CDI	Issued for Construction	LA	21/04/2023
Rev	Amendments	Drawn	Issue
		7 Hill Street, Belfast, BT1 1JF Tel: 01232 523333 Email: info@rpsgroup.com	
Client			
Logan Construction Ltd			
Project			
Belfast Tidal Flood Alleviation Scheme			
Title			
Ravenhill Road Revetment Dredge Plan			
Project Number	Sheet Size	Drawing Scale	
M0833-RPS-RH-XX-DR-C-6006	A1	1:250	
Drawing Number			
M0833-RPS-RH-XX-DR-C-6006			
Drawn By	Issue	Revision	
J.R.	A2	001	
Checked By	Approved By	Scale	
LA	K.G.	2/04/2023	