

# SCHEDULES

## SCHEDULE 13

### DEEMED MARINE LICENCE

#### **PART 1**

#### GENERAL

##### **Interpretation**

**1.—(1)** In this licence—

“the 2008 Act” means the Planning Act 2008;

“the 2009 Act” means the Marine and Coastal Access Act 2009;

“the authorised development” notwithstanding article 2(1) of the Order, has the meaning given in paragraph 117(2);

“business day” means a day other than a Saturday or Sunday or bank holiday in England;

“commence” means beginning to carry out any part of a licensed activity and “commenced” and “commencement” are to be construed accordingly;

“condition” means a condition in Part 2 of this licence;

“construction activity” means any licensed activity to be undertaken during the construction of the authorised development;

“the environmental statement” means the documents of that description referenced in Schedule 15 (documents to be certified) to the Order certified by the Secretary of State as the environmental statement for the purposes of the Order;

“harbour authority” means the Great Yarmouth Port Authority;

“the licence holder” means the undertaker and any transferee or lessee under article 8 (consent to transfer benefit of the Order) of the Order;

“licensed activity” means any of the licensable marine activities specified in Part 1 of this licence at paragraph 117(1);

“limits of deviation” has the meaning given in article 2(1) of the Order;

“the MMO” means the Marine Management Organisation;

“the MMO local office” means the MMO office whose contact details are given at paragraph 116(1)(b) or such other MMO office identified by replacement contact details provided by the MMO under paragraph 116(1)(b);

“MMO Marine Licensing Team” means the MMO team whose contact details are given at paragraph 116(1)(a) or such other team of persons identified by replacement contact details provided by the MMO under paragraph 116(1)(a);

“the Order” means the Great Yarmouth Third River Crossing Development Consent Order 2020;

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“the River” means the area defined at paragraph 117(3); and

“the works plans” means the plans of that description referenced in Schedule 15 (documents to be certified) to the Order certified as the works plans by the Secretary of State for the purposes of the Order.

(2) All points, directions, lengths, areas and other measurements specified in this licence are to be construed as if the words “or thereabouts” were inserted after each such point, direction, length, area or other measurement.

(3) Reference points specified in this licence are to be construed as references to Ordnance Survey National Grid reference points.

**Commencement Information**

**II** Sch. 13 para. 1 in force at 15.10.2020, see [art. 1](#)

2.—(1) The main points of contact with the MMO and the addresses for email and postal returns and correspondence are as follows—

(a) Marine Management Organisation

Marine Licensing Team

Lancaster House

Hampshire Court

Newcastle upon Tyne

NE4 7YH

Tel—0300 123 1032

Fax—0191 376 2681

Email—[marine.consents@marinemanagement.org.uk](mailto:marine.consents@marinemanagement.org.uk) or such replacement contact details as are notified to the licence holder in writing by the MMO.

(b) Marine Management Organisation

MMO Lowestoft

Pakefield Road

Lowestoft

Suffolk

NR33 0HT

Tel—01502 573 149 or 01502 572 769

Email—[lowestoft@marinemanagement.org.uk](mailto:lowestoft@marinemanagement.org.uk) or such replacement contact details as are notified to the licence holder in writing by the MMO.

(2) The contact details for the MMO Marine Pollution Response Team are— Tel (during office hours)—0300 200 2024 Tel (outside office hours)—07770 977 825 or 0345 051 8486 Email—[dispersants@marinemanagement.org.uk](mailto:dispersants@marinemanagement.org.uk) or such replacement contact details as are notified to the licence holder in writing by the MMO.

(3) Notwithstanding article 65 (service of notices) of the Order, unless otherwise notified to the licence holder in writing by the MMO, all notices required by this licence to be sent by the undertaker to the MMO must be sent using the MMO's marine case management system web portal.

### Commencement Information

**I2** Sch. 13 para. 2 in force at 15.10.2020, see [art. 1](#)

### Details of licensed marine activities

**3.—(1)** Subject to the licence conditions in Part 2, this licence authorises the licence holder (and any agent, contractor or subcontractor acting on its behalf) to carry out any activities which constitute licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act and which—

- (a) form part of, or are related to, the authorised development; and
- (b) are not exempt from requiring a marine licence by virtue of any provision made under section 74 (exemptions specified by order) of the 2009 Act.

(2) In this paragraph “the authorised development” means the construction, maintenance and operation of those parts of each of the following numbered works within the limits of deviation to the extent that such works constitute licensable marine activities, as shown on the works plans—

- (a) Work No. 6A – Bollard Quay and west bank of the river Yare—
  - (i) the provision of public realm facilities;
  - (ii) the provision of vessel waiting facilities adjacent to the west bank of the river Yare;
  - (iii) the construction of part of a flood defence wall, to be incorporated within a flood defence scheme proposed to be undertaken by the Environment Agency;
  - (iv) the construction of vessel impact protection systems within the watercourse; and
  - (v) works within the watercourse to support the vessel impact protection systems, including—
    - (aa) the construction of piles and pile caps; and
    - (bb) the provision and capping of backfill material.
- (b) Work No. 6B – East bank of the river Yare—
  - (i) the construction of vessel impact protection systems within the watercourse; and
  - (ii) works within the watercourse to support the vessel impact protection systems, including—
    - (aa) the construction of piles and pile caps; and
    - (bb) the provision and capping of backfill material.
- (c) Work No. 7A – West bank of the river Yare—
  - (i) the construction of a control tower, including all necessary access, apparatus and connecting services.
- (d) Work No. 7B – East bank of the river Yare—
  - (i) the construction of a plant room, including all necessary access, apparatus and connecting services.
- (e) Work No. 8A – river Yare bridge western approach—
  - (i) the construction of a new highway to connect the new roundabout comprising part of Work No. 2 as described in Schedule 1 to the Order and the new river Yare bridge comprising part of Work No. 8B described in Schedule 1 to the Order;
  - (ii) the construction of pile-supported concrete slabs and embankments supporting the new highway;

- (iii) the construction of retaining walls supporting the new highway;
  - (iv) the construction of a bridge deck over Southtown Road, over which the new highway passes;
  - (v) the construction of abutments supporting the new bridge deck described in sub-paragraph (iv);
  - (vi) the construction of piles and pile caps supporting the abutments described in sub-paragraph (v);
  - (vii) the provision of a traffic signal-controlled crossing for pedestrians and cyclists;
  - (viii) the provision of footways and cycle tracks; and
  - (ix) the provision of landscaping.
- (f) Work No. 8B – river Yare bridge—
- (i) the construction over the watercourse and adjacent land, of a bridge deck carrying the new carriageway, footways and cycle track;
  - (ii) the construction of an opening section of bridge deck and associated barriers and signage;
  - (iii) the construction, within and adjacent to the watercourse, of bascule abutments and other structures and facilities to support the bridge deck and enable the operation of the opening section described in sub-paragraph (ii) above;
  - (iv) the construction of vessel impact protection systems within the watercourse;
  - (v) works within and adjacent to the watercourse to support the works described in sub-paragraphs (iii) and (iv) including—
    - (aa) the construction of piles and pile caps; and
    - (bb) the provision and capping of backfill material;
  - (vi) apparatus for the mechanical, electrical, instrumentation control and automation systems of the bridge; and
  - (vii) the construction of access stairs.
- (g) Work No. 8C – river Yare bridge eastern approach—
- (i) the construction of a new highway to connect the new junction comprising part of Work No. 9 as described in Schedule 1 to the Order with the river Yare bridge comprised in Work No. 8B as described in Schedule 1 to the Order;
  - (ii) the construction of pile-supported concrete slabs and embankments supporting the new highway;
  - (iii) the construction of retaining walls supporting the new highway;
  - (iv) the construction of a bridge deck to enable the new highway to pass over a new private means of access;
  - (v) the construction of abutments supporting the bridge deck described in sub-paragraph (iv) above;
  - (vi) the construction of piles and pile caps supporting the abutments described in sub-paragraph (v) above;
  - (vii) the provision of a traffic signal-controlled crossing for pedestrians and cyclists;
  - (viii) the provision of footways and cycle tracks; and
  - (ix) the provision of landscaping.
- (h) the powers conferred by article 49(1) (subsidiary works and operations in the river Yare);

- (i) for the purposes of, or in connection with, the construction, operation or maintenance of any of the works and other development mentioned above, ancillary or related development which does not give rise to any materially new or materially different effects than those assessed in the environmental statement, consisting of—
  - (i) activities within the river Yare and within the Order limits to—
    - (aa) alter, clean, modify, dismantle, refurbish, reconstruct, remove, relocate or replace any work or structure (including river walls);
    - (bb) carry out excavations and clearance, deepening, scouring, cleansing, dumping and pumping operations;
    - (cc) use, appropriate, sell, deposit or otherwise dispose of any materials (including liquids but excluding any wreck within the meaning of the Merchant Shipping Act 1995 <sup>M1</sup>) obtained in carrying out any such operations;
    - (dd) remove temporarily, alter strengthen, interfere with, occupy and use the banks, bed, foreshore, waters and walls of the river Yare;
    - (ee) construct, place and maintain works and structures including fenders, protection piles and cofferdams; and
    - (ff) provide lighting, signage and aids to navigation;
  - (ii) other works and development—
    - (aa) to place, alter, divert, relocate, protect, remove or maintain services, plant and other apparatus and equipment belonging to statutory undertakers, utility companies and others in, under or above land, including mains, sewers, drains, pipes, cables, lights, cofferdams, fencing and other boundary treatments including bollards;
    - (bb) to provide or alter embankments, aprons, abutments, shafts, foundations, retaining walls, drainage works, outfalls, pollution control devices, pumping stations, culverts, wing walls, fire suppression system water tanks and associated plant and equipment, highway lighting, signals, signage and fencing;
    - (cc) to alter the course of, or otherwise interfere with, navigable and non-navigable watercourses; and
    - (dd) to provide works associated with the provision of ecological mitigation and other works to mitigate any adverse effects of the construction, operation or maintenance of the authorised development; and
    - (ee) for the benefit or protection of the authorised development;
  - (iii) such other works as may be necessary or convenient for the purposes of, or in connection with or in consequence of, the construction, maintenance, operation or use of the authorised development, including—
    - (aa) works to divert, remove or replace apparatus, including mains, sewers, drains, pipes, cables, electrical sub-stations and electrical lines; and
    - (bb) landscaping and other works associated with the provision of ecological mitigation, or to mitigate any adverse effect of the construction, maintenance and operation of the authorised development or to benefit or protect any person or premises affected by the construction, maintenance and operation of the authorised development; and

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- (iv) activities to carry out works and development of whatever nature, as may be necessary or expedient for the purposes of, or for purposes associated with or ancillary to, the operation and maintenance of the authorised development; and
  - (j) any other development within the meaning of section 32 (meaning of “development”) of the 2008 Act that is authorised by the Order.
- (3) The coordinates for the area within which the licence holder may carry out licensed activities are specified below and more particularly shown on the works plans—

<i>Point reference</i>	<i>Northing</i>	<i>Easting</i>	<i>Heading</i>
1	52.595	1.7269	Due W
2	52.595	1.7257	Following River Wall
3	52.5908	1.7264	ENE
4	52.5912	1.7276	Following River Wall
1	52.5955	1.7269	

(4) This licence does not permit the disposal of dredged material at sea or in other waters.

<b>Commencement Information</b>	
<b>I3</b>	Sch. 13 para. 3 in force at 15.10.2020, see <a href="#">art. 1</a>
<b>Marginal Citations</b>	
<b>M1</b>	1995 c. 21.

**Changes to legislation:**

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