

SCHEDULES

SCHEDULE 12

DEEMED MARINE LICENCE

PART 4

CONDITIONS APPLYING TO ALL LICENSABLE ACTIVITIES INCLUDING CONSTRUCTION ACTIVITIES AND MAINTENANCE DREDGING ACTIVITIES

Notification of commencement and completion of construction activities only

- 7.—(1) The licence holder must—
- (a) inform the MMO local office in writing at least 5 days prior to the commencement of the first construction activity and within 5 days of completion of the final licensed construction activity;
 - (b) send copies of the notifications required under paragraph (a) to the MMO Marine Licensing Team within 5 days of the date of these notifications;
 - (c) send a notification of the commencement of works to the UK Hydrographic Office at least two weeks prior to the commencement of the works together with a request for confirmation as to whether an update of published nautical charts and marine safety information is required;
 - (d) send copies of the notifications required under paragraph (c) to the MMO Marine Licensing Team within 24 hours of issue;
 - (e) send a notification of the final completion of licensed activities to the Source Data Receipt team, UK Hydrographic Office, Taunton, Somerset, TA1 2DN (Email: sdr@ukho.gov.uk; Tel: 01823 337900) within two weeks of the date of final completion of the licensed activities;
 - (f) send a copy of the notification required under paragraph (e) to the MMO Licensing Team within one week of the notification being first issued;
 - (g) issue a notice to mariners at least 5 days prior to the commencement of the first construction activity and within 5 days of completion of the final construction activity, or, if the MMO agrees in writing, request that the harbour master issues the notice of mariners on its behalf; and
 - (h) send copies of the notifications required under paragraph (g) to the MMO Marine Licensing Team within 5 days of the date of these notifications.
- (2) Where impact piling is required as part of a construction method statement approved by the MMO under condition 4 the licence holder must—
- (a) prior to the commencement of a licensed activity in Lake Lothing which involves impact piling—

Changes to legislation: There are currently no known outstanding effects for the The Lake Lothing (Lowestoft) Third Crossing Order 2020, PART 4. (See end of Document for details)

- (i) submit details of the expected location, start and end dates of impact pile driving to the Marine Noise Registry in order to satisfy the ‘Forward Look’ requirements of the Registry; and
 - (ii) send copies of the notifications required under sub-paragraph (i) to the MMO Marine Licensing Team within 5 days of the date of these notifications; and
- (b) within 12 weeks of completion of a licensed activity in Lake Lothing which involves impact piling—
- (i) submit details of the expected location, start and end dates of impact pile driving to the Marine Noise Registry in order to satisfy the ‘Close Out’ requirements of the Registry; and
 - (ii) send copies of the notifications required under sub-paragraph (i) to the MMO Marine Licensing Team within 5 days of the date of these notifications.

Commencement Information

11 Sch. 12 para. 7 in force at 21.5.2020, see [art. 1](#)

Marine pollution contingency plan

8.—(1) The licence holder must submit a marine pollution contingency plan, for approval by the MMO, at least 13 weeks prior to the commencement of any construction activity.

(2) The marine pollution contingency plan must set out the licence holder's assessment of the likely risks which could arise as a result of a spill or collision during construction and maintenance of the authorised development and the methods and procedures the licence holder intends to put in place to address those risks.

(3) The licence holder must consult the Environment Agency and the harbour authority on the marine pollution contingency plan before submitting it to the MMO and must submit a report of the consultation undertaken at the same time as submitting the marine pollution contingency plan under sub-paragraph (1).

(4) The licence holder must not commence the construction activities until the MMO has approved in writing the submitted marine pollution contingency plan.

(5) The construction activities must be carried out in accordance with the approved marine pollution contingency plan, unless otherwise agreed in writing by the MMO.

Commencement Information

12 Sch. 12 para. 8 in force at 21.5.2020, see [art. 1](#)

Vessels

9.—(1) The licence holder must notify the MMO Licensing Team in writing of any vessel being used to carry on any licensed activities on behalf of the licence holder.

(2) A notification under sub-paragraph (1) must—

- (a) be received by the MMO no less than 24 hours before the commencement of the relevant construction activity; and
- (b) include the name of the master of the vessel, the vessel type, the vessel IMO number and details of the vessel owner or operating company.

(3) The licence holder must ensure that a copy of this licence and any subsequent revisions or amendments have been read and understood by the master of any vessel being used to carry out any construction activities, and that a copy of this licence is held on board any such vessel.

Commencement Information

I3 Sch. 12 para. 9 in force at 21.5.2020, see [art. 1](#)

Concrete and cement

10.—(1) The licence holder must ensure that waste concrete, slurry or wash water from concrete or cement activities are not discharged, intentionally or unintentionally, into the marine environment.

(2) Unless otherwise agreed in writing by the MMO in approving a construction method statement under condition 4, the licence holder must contain and site concrete and cement mixing and washing areas away at least 10 metres away from Lake Lothing or any surface water drain to minimise the risk of run off entering Lake Lothing or any surface water drain.

(3) If concrete is to be sprayed, suitable protective sheeting must be provided to prevent rebounded or windblown concrete from entering the marine environment.

(4) Rebounded concrete material must be cleared away before protective sheeting is removed.

Commencement Information

I4 Sch. 12 para. 10 in force at 21.5.2020, see [art. 1](#)

Coatings and treatments

11. The licence holder must ensure that all coatings and treatments are suitable for use in the marine environment and are used in accordance with guidelines approved either by the Health and Safety Executive or by the Environment Agency.

Commencement Information

I5 Sch. 12 para. 11 in force at 21.5.2020, see [art. 1](#)

Spills, etc.

12. The licence holder must—

- (a) install bunding and/storage facilities to contain and prevent the release of, fuels, oils, and chemicals associated with plant, refuelling and construction equipment, into the marine environment;
- (b) use secondary containment with a capacity of no less than 110% of the container's storage capacity;
- (c) report any spill of oil, fuel or chemicals into the marine area to the MMO Marine Pollution Response Team, the harbour master and the Maritime and Coastguard Agency no later than 12 hours after the spill occurs; and
- (d) store all waste in designated areas that are isolated from surface water drains and open water and are bunded to contain any spillage.

Commencement Information

I6 Sch. 12 para. 12 in force at 21.5.2020, see [art. 1](#)

Scheme-wide written scheme of investigation

13. All licensed activities must be carried out in accordance with the scheme-wide written scheme of investigation.

Commencement Information

I7 Sch. 12 para. 13 in force at 21.5.2020, see [art. 1](#)

Dropped objects

14. All dropped objects must be reported to the MMO using the Dropped Object Procedure Form as soon as reasonably practicable and in any event within twenty four hours of the licence holder becoming aware of an incident. On receipt of the Dropped Object Procedure Form, the MMO may require relevant surveys to be carried out by the licence holder (such as side scan sonar), and the MMO may require obstructions to be removed from the seabed at the licence holder's expense, if it is reasonable to do so.

Commencement Information

I8 Sch. 12 para. 14 in force at 21.5.2020, see [art. 1](#)

Disposal at sea

15.—(1) Where dredged materials arising from a capital dredging activity or a maintenance dredging activity are intended to be disposed of at sea by the licence holder, the licence holder must submit to the MMO for its approval a sediment sampling plan request prior to the commencement of the capital dredging activity or maintenance dredging activity.

(2) A request for a sample plan under sub-paragraph (1) must include—

- (i) a detailed dredging methodology;
- (ii) dredge locations;
- (iii) dredge amounts (total and annual, if applicable);
- (iv) dredge depths;
- (v) duration of dredging activities;
- (vi) whether the dredge is a capital dredging activity or a maintenance dredging activity; and
- (vii) specific gravity of the material or material type.

(3) Where dredged materials arising from a maintenance dredging activity are intended to be disposed of by the licence holder, a sediment sampling plan is not required where valid analyses (carried out in accordance with an MMO-approved sample plan and undertaken by a laboratory validated by the MMO) is obtainable via the MMO's Public register.

(4) Any sediment sampling analyses undertaken by a laboratory validated by the MMO and approved by the MMO under sub-paragraph (1) is valid for a period of 3 years from the date when those analyses were undertaken.

Commencement Information

I9 Sch. 12 para. 15 in force at 21.5.2020, see [art. 1](#)

16. The licence holder must not dispose of any dredged materials at sea until written approval is provided by the MMO, such approval to be given at the same time as any approval of a method statement under condition 4 or condition 6.

Commencement Information

I10 Sch. 12 para. 16 in force at 21.5.2020, see [art. 1](#)

17. The licence holder must inform the MMO of the location and quantities of material disposed of each month under this licence. This information must be submitted to the MMO by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive.

Commencement Information

I11 Sch. 12 para. 17 in force at 21.5.2020, see [art. 1](#)

18. The material to be disposed of within the disposal site referred to in condition 3(4) must be placed within the boundaries of that site.

Commencement Information

I12 Sch. 12 para. 18 in force at 21.5.2020, see [art. 1](#)

19. During the course of disposal at sea, material must be distributed evenly over the disposal site.

Commencement Information

I13 Sch. 12 para. 19 in force at 21.5.2020, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Lake Lothing (Lowestoft) Third Crossing Order 2020, PART 4.