

SCHEDULES

SCHEDULE 15

DEEMED MARINE LICENCE

PART 2

CONDITIONS APPLYING TO CONSTRUCTION ACTIVITIES

NOTIFICATIONS AND INSPECTIONS

Notice of Transfer of Benefit

4. The licence holder shall serve notice in writing of any transfer made pursuant to Article 9 (*transfer of benefit of order*) upon the MMO together with a copy of the instrument of deed effecting such transfer within 10 business days of any such transfer.

Notification of person responsible for the carrying out of licensed activity

5. The licence holder shall serve a copy of its application to discharge PW4 upon the MMO within 10 business days of the submission of such application.

In this condition “PW4” means the requirement described in the fourth entry of the table within paragraph 2 of Schedule 3 (*requirements*) to the Order.

6. The licence holder shall inform the MMO in writing of the intended start date and the likely duration of licensed activities on a site at least 10 business days prior to the commencement of the first licensed activity on that site.

Prior Approval of Licensed Activities

7.—(1) Prior to the commencement of a licensed activity, the licence holder shall submit details of the licensed activity to the MMO for approval in accordance with the procedure in Part 3, in consultation with the Environment Agency and Port of London Authority.

(2) Unless otherwise agreed by the MMO in writing, the details in subparagraph (1) shall include—

- (a) the details of the person responsible for the carrying on of the licensed activity;
- (b) the location of the licensed activity;
- (c) the duration of the licensed activity;
- (d) plans and sections;
- (e) details of where the licensed activity was assessed in the Environmental Statement;
- (f) details of materials to be placed in or removed from the marine area;
- (g) timings of activities;
- (h) environmental mitigation measures;

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- (i) where a licensed activity involves dredging, a characterisation of the dredge material (including sample analysis as may be directed from time to time by the MMO), dredging volumes and waste disposal locations and quantities; and
 - (j) an outline decommissioning plan regarding the removal of any equipment, temporary structures, waste or debris associated with any part of the licensed activity.
- (3) The licensed activity shall be carried out in accordance with the approval of the MMO.

Scour and Accretion Monitoring and Mitigation

8.—(1) The licence holder must submit to the MMO for approval a scour and accretion monitoring and mitigation strategy. The MMO will issue their decision in respect of the scour and accretion monitoring and mitigation strategy:

- (a) by 30th September 2014; or
- (b) within 5 days of the grant of the DCO; or
- (c) by the expiry of 20 business days from receipt of the scour and accretion monitoring and mitigation strategy submission to the MMO,
- (d) whichever is the latest.

(2) Prior to the commencement of any part of a licensed activity, a scour and accretion monitoring and mitigation plan for that licensed activity shall be prepared by the licence holder in accordance with the agreed scour and accretion monitoring and mitigation strategy in consultation with the MMO, and submitted to the MMO for approval, in accordance with the procedure in Part 3.

(3) The carrying out of any licensed activity shall proceed only in accordance with the agreed scour and accretion monitoring and mitigation plan approved under condition 8(2).

Construction Environment Management Plan

9.—(1) Prior to the commencement of licensed activities on a site the licence holder shall submit to the MMO, for approval in accordance with the procedure in Part 3, those parts of a Construction Environment Management Plan for that site (prepared pursuant to the COCP Part A as modified by the COCP Part B for that site) which relate to construction in the marine environment for that site.

(2) The relevant parts of the Construction Environment Management Plan which relate to construction in the River environment shall include details (inter alia) of the following—

- (a) how the lighting and marking of the licensed activities at that site will mitigate impact on the marine environment;
- (b) measures to protect the River environment from pollutant effects of materials used for or associated with the licensed activities at that site, including methods to mitigate the effects of re-suspension of sediment;
- (c) measures to protect the River environment from the impact of piling associated with the licensed activities at that site;
- (d) mitigation methods to protect the foreshore from damage associated with the licensed activities at that site;
- (e) a pollution incident response plan to include details of how impacts on the River environment will be mitigated in the event of accidental spillage or other pollution event; and
- (f) measures for the clearance of the site of equipment, temporary structures (other than those which will remain to mitigate environmental and navigation impacts), waste and debris associated with the licensed activities on the completion of licensed activities at that site.

Concrete and Cement

10. The licence holder shall ensure that no waste concrete slurry or wash water from concrete or cement is discharged into the marine area. Concrete and cement mixing and washing areas must be sited at least 10 metres from any watercourse or surface water drain to minimise the risk of run off entering a watercourse.

Coatings and Treatments

11. The licence holder shall ensure that any coatings and any treatments are suitable for use in the marine area and are used in accordance with either guidelines approved by the Health and Safety Executive or the Environment Agency Pollution Prevention Control Guidelines.

Spills etc.

12. The licence holder shall—

- (a) store, handle, transport and use fuels, lubricants, chemicals and other substances so as to prevent releases into the marine environment, including bunding of 110% of the total volume of all reservoirs and containers;
- (b) report any spill of oil, fuel or chemicals into the marine area to the MMO Marine Pollution Response Team within 24 hours of the spill occurring; and
- (c) ensure that all waste is stored in designated areas that are isolated from surface water drains and open water and are bunded.

Percussive Piling

13. Where a licensed activity involves percussive piling the licence holder shall ensure that all soft-start procedures are used for at least 20 minutes to ensure an incremental increase in pile power over a set period of time until full operational power is achieved. Should piling cease for at least 10 minutes the soft-start procedures must be repeated.

Agents, Contractors and Sub-Contractors

14.—(1) The licence holder shall—

- (a) notify the MMO in writing of any agents, contractors or sub-contractors that will carry out licensed activities on behalf of the licence holder. Such notification must be received by the MMO at least 24 hours before the commencement of the licensed activities; and
- (b) ensure that a copy of this licence and any subsequent amendments are provided to, read and understood by those agents, contractors or sub-contractors.

(2) Only those agents, contractors or sub-contractors notified to the MMO in accordance with condition 14(1)(a) are permitted to carry out the licensed activities.

Vessels

15.—(1) The licence holder shall—

- (a) notify the MMO in writing of any vessel to be used to carry on licensed activities. Such notification must be received by the MMO at least 24 hours before the commencement of the licensed activities. Notification must include the master's name, vessel type, vessel IMO number and the name of the vessel's owner or operating company; and

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- (b) ensure that a copy of this licence and any subsequent amendments are provided to, read and understood by the masters of a vessel notified under condition 15(1)(a), and that a copy of this licence and any subsequent amendments is held on board any such vessel.
- (2) Only those vessels notified to the MMO under condition 15(1)(a) are permitted to carry out the licensed activities.

Notice of Completion of Licensed Activity

16. The licence holder shall inform the MMO, in writing no more than 10 business days following the completion of the last licensed activity.

Changes to this Licence

17. The licence holder shall notify the MMO at the earliest opportunity of any change to the information upon which the granting of the deemed marine licence was based.