



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

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

MARINE LICENCE

Licence for: Replacement of existing storm water outfall valve at Donegal Quay

Licence Number: ML2025060

Part 1 - Particulars

1. Licensee(s) Name & Address:

██████████
NI Water,
Westland House
40 Old Westland Road
Belfast
BT14 6TE

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

To be provided as per Condition 6.

3. Description of works and nature and quantity of all materials to be deposited below Mean High Water Springs.

The proposed works involve the replacement of an existing NI Water storm water outfall valve at its discharge location to the River Lagan adjacent to Donegal Quay, Belfast, BT1 1AA.

4. Location of works:

The proposed works will be carried out within the following co-ordinates:

Lat: 54.602864°N
Long: -5.921078° W

Please refer to Appendix A for site location



5. Valid:

From: 09/03/2026

Until: 08/03/2027

6. Licence Documentation

- APPLICATION FORM – 06/11/2025
- HRA – 06/11/2025
- SITE LAYOUT DRAWING – 06/11/2025
- LOCATION DRAWING – 06/11/2025
- METHOD STATEMENT & RISK ASSESSMENT – 06/11/2025

PART 2: CONDITIONS

The Department of Agriculture, Environment and Rural Affairs (referred to as the licensing authority) authorises the Licensee(s) to deposit in the sea, the substances or articles (except for dredged material) used in the execution of works described 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 carry out any licensable activity other than that detailed in the Marine Licence application form received by the licensing authority, dated 06/11/2025. 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 as per Part 1 (5) 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 by email to MLComplianceandEnforcement@daera-ni.gov.uk **no less than 24 hours before** the commencement of the licensed activity. The licence holder must ensure that a copy of this licence and any subsequent revisions or amendments has been provided to, read and understood by any agents, contractors or sub-contractors that will carry on any licensed activity authorised by this licence on behalf of the licence holder.



Prior to the commencement of the Licensed Activity

7. 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 **10 days** before commencement of the works, to allow for any necessary amendments to nautical charts. The information supplied must include the start date and end date, a description of the works, positions of the work area (WGS84), and details of any marking arrangements. A copy of the notification must be sent to DAERA within 5 working days to MLComplianceandEnforcement@daera-ni.gov.uk.

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

8. The Licensee(s) must notify local mariners and fishermen's organisations of the activity through a local notification. This must be issued at least **5 days** before the commencement of the works. A copy of the notification must be sent to MLComplianceandEnforcement@daera-ni.gov.uk within 24 hours of issue.

Reason: To ensure all relevant marine users are appropriately informed of the proposed works, thereby safeguarding navigational safety and supporting effective regulatory oversight by the Department.

9. The Licensee(s) must notify the Maritime and Coastguard Agency at Zone34@hmcg.gov.uk prior to the commencement of the licensed activities. A copy of this notification must be sent to MLComplianceandEnforcement@daera-ni.gov.uk within **5 working days** of issue.

Reason: To ensure the Maritime and Coastguard Agency is fully informed of the proposed works, thereby supporting navigational safety and enabling effective regulatory oversight by the Department.

10. The Licensee(s) shall ensure that marine invasive non-native species biosecurity measures are in place for all stages of the project and for all equipment used ([Northern Ireland Biosecurity guidelines](#)) and that [DAERA Marine Invasive Non-Native Species Guidance](#) and the [Check Clean Dry](#) guidance are followed. A copy of the biosecurity plan should be submitted to the Licensing Authority MLComplianceandEnforcement@daera-ni.gov.uk at least **4 weeks prior** to the commencement of the works to be approved by Marine.Wildlife@daera.gov.uk.

Reason: To prevent the introduction and spread of invasive non-native species as required under the Wildlife (Northern Ireland) Order 1985 (as amended).

During the Licensed Activity

11. 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) cease work and (3) report your discovery to and contact MLComplianceandEnforcement@daera-ni.gov.uk immediately so further advice may be sought.

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

12. 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. The licensee(s) must: (1) record the position and details of the site; (2) cease work and (3) report your discovery to and contact MLComplianceandEnforcement@daera-ni.gov.uk immediately so further advice may be sought.

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

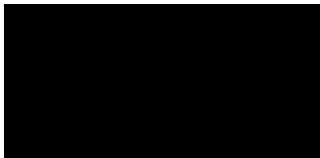
Upon Completion of the Licensed Activity

13. The Licensee(s) shall inform the licensing authority of the finishing date of the licensed work within 28 days of completion at MLComplianceandEnforcement@daera-ni.gov.uk.



14. 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 and description of all articles and substances deposited under the authority of this licence. This report is to be submitted to MLComplianceandEnforcement@daera-ni.gov.uk.
15. The licensee(s) shall within eight weeks after the completion of the licensed works, send a report of the details of the final build to the UK Hydrographic Office to enable Admiralty Navigational products to be updated. This report should be submitted to MLComplianceandEnforcement@daera-ni.gov.uk and SDR@UKHO.gov.uk.

Signed on behalf of the Department:



Dated: 09/03/2026

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>



Further information from consultation:

Maritime and Coastguard Agency

Bunding and/or storage facilities must be installed to contain and prevent the release of fuel, oils, and chemicals associated with plant, refuelling and construction equipment, into the marine environment.

Northern Ireland Environment Agency – Water Management Unit

The applicant is advised to refer to DAERA's Standing Advice on Pollution Prevention Guidance and Discharges to the Water Environment. This guidance outlines measures necessary to protect water quality during construction works.

Further guidance is available at:

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

Belfast Harbour Commissioners

The applicant is advised that, for safety purposes, Belfast Harbour Port Operations must be informed when personnel are working on the pontoon and when they have returned ashore. The applicant should also ensure that an appropriate Notice to Mariners is issued by the Department to alert River and Port users to the works and to any associated safety controls that may be required.

DAERA - Sea Fisheries

Sea Fisheries direct the applicant toward DAERA standing advice and the Guidance for Pollution Prevention (GPPs), particularly works and maintenance in or near water (GPP5).

Further guidance is available at:

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

DAERA - Inland Fisheries

The applicant's attention is drawn to Northern Ireland's obligations under the Convention for the Conservation of Salmon in the North Atlantic, which requires signatory states to implement programmes for the conservation, sustainable management, and improvement of Atlantic salmon populations and their habitats. Compliance with these obligations is overseen by the North Atlantic Salmon Conservation Organisation (NASCO).

The applicant's attention is also drawn to Section 47 of the Fisheries Act (Northern Ireland) 1966, which outlines the responsibilities relating to penalties for pollution, including the consequences of causing or permitting the release of deleterious materials into any waters.

DAERA – Marine Archaeology

The applicants attention is drawn to Article 42 of the Historic Monuments and Archaeological Objects (NI) Order 1995 that requires finders of archaeological objects to report within 14 days to a relevant authority.



The applicant must report any recovered wreck material to the Receiver of Wreck (Maritime and Coastguard Agency) in accordance with the Merchant Shipping Act 1995.

The DAERA document Guidance Note: For the Discovery of Unanticipated Underwater Archaeological Heritage (<https://www.daera-ni.gov.uk/publications/guidance-note-discovery-unanticipated-underwater-archaeological-heritage>) sets out best practice and legal responsibilities in the reporting of unanticipated finds of archaeological interest made during the course of marine construction and/or dredging projects.

DAERA – Water Catchment Unit

The applicant is advised to adhere to DAERA's Standing Advice on Pollution Prevention Guidance and Discharges to the Water Environment, available at:

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

The applicant should ensure that all machinery, equipment and plant are well maintained and in good working order to minimise the risk of hydrocarbons, hydraulic fluids or other pollutants entering the water environment.

DAERA – Marine & Fisheries Division - Conservation and Reporting

- The licensee(s) shall ensure that all mitigation measures included in the application and Habitats Regulations Assessment (HRA), are implemented for the duration of the licensed activities.
- The licensee(s) shall ensure that all works are carried out in accordance with DAERA Pollution Standing Advice for the duration of the licensed activities.
- The licensee(s) shall ensure that no fuel or oil is stored close to the water and that any refuelling required is undertaken only at a non-hydrologically linked location using a buffer of at least 10 meters, for the duration of the licensed activities.
- The licensee(s) shall ensure that all works are carried out in accordance with DAERA Marine Wildlife Disturbance Guidance, for the duration of the licenced activities.
- The licensee(s) shall ensure that all solid waste and litter encountered or generated during the works is collected and appropriately disposed of at the end of each working day in accordance with DAERA Marine Litter Standing Advice, for the duration of the licensed activities.

European and National Marine Protected Areas

The proposed works are hydrologically connected to Marine Protected Areas. Activities must not harm these sites. Any actions within designated areas but outside the red line boundary or consented scope require approval under [The Conservation \(Natural Habitats, etc.\) \(Amendment\) \(NI\) EU Exit Regulations 2019](#) and [Environment Order \(Northern Ireland\) 2002](#).

Relevant MPAs that may require consideration include:

- Inner Belfast Lough ASSI (2km)
- Belfast Lough Open Water SPA (3.6km)
- Belfast Lough RAMSAR site (2.5km)

These sites are designated for the protection of Harbour porpoise (*Phocoena phocoena*), Ocean quahog (*Arctica islandica*), Subtidal sand, Intertidal rock, Intertidal mudflats and sandflats.

Harbour seal (*Phoca vitulina*) and grey seal (*Halichoerus grypus*) both of which are protected under the Wildlife (Northern Ireland) Order 1985, are regularly observed in the area. These marine mammals are key indicators of coastal ecosystem health and are known to haul out on nearby shores and islands for resting, breeding, and molting.



Under Article 10 of [The Wildlife \(Northern Ireland\) Order 1985](#), it is an offence to intentionally or recklessly disturb, injure, or capture Harbour or Grey seals, or interfere with their shelters. Possession of these animals or their parts is also prohibited. A [licence](#) may be required if impacts cannot be avoided, consult [DAERA Marine Wildlife Team](#).

Guidance for MPA assessments in the NI inshore region (including MCZs):
<https://www.daera-ni.gov.uk/topics/marine/marine-protected-areas>

Invasive Species

The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to release or allow escape of non-native species or those listed in Schedule 9.

Article 15 of the Wildlife (Northern Ireland) Order 1985
<https://www.legislation.gov.uk/nisi/1985/171/article/15>

Marine Nationally Protected Species

Section 3(3) of the [Wildlife and Natural Environment Act \(NI\) 2011](#) places a duty on public bodies to take reasonable steps to further the conservation of Northern Ireland Priority Species and Habitats.

Potential Environmental Impacts

The applicant should be advised that additional potential impacts beyond those in the CEMP/HRA include:

- Pollution: runoff, sedimentation, silt mobilisation, cementitious materials, hydrocarbons, COSHH substances.
- Marine Litter: waste generated during construction, risk of debris entering the marine environment.
- Noise/Visual Disturbance: particularly during barge or low-tide works, possible seal/cetacean behavioural disturbance
- Non-Native Species Spread: transfer via equipment, footwear, or vessels

Marine Pollution – Standing Advice & Good Practice

Given the proposal's proximity to the marine environment, there is a risk of pollutants (e.g. sediment, fuel) entering adjacent waterways and dispersing into the marine ecosystem. The applicant is therefore advised that [DAERA Pollution Standing Advice](#) is strictly followed to minimise the risk of significant adverse impacts.

Marine Litter

The applicant should ensure that all litter generated during works is collected and disposed of appropriately. Waste facilities (bins, skips, etc.) should be provided, and litter prevention considered throughout the project lifecycle.

Reference: [DAERA Marine Litter Standing Advice](#).

Standing Advice & Guidance

The applicant's attention is drawn to the following links which provide standing advice and guidance to be considered:

- [DAERA Pollution Standing Advice](#)
- [DAERA Marine Litter Standing Advice](#)
- [DAERA Marine Invasive Non-native Species Guidance](#)
- [DAERA Marine Wildlife Disturbance Guidance](#)
- [Check Clean Dry](#)
- [DAERA Standing advice for development that may have an effect on the water environment \(including groundwater and fisheries\)](#)



- [DAERA Culverting Standing Advice](#)
- [DAERA Discharges to the water environment Standing Advice](#)
- [DAERA Sustainable Drainage Systems Standing Advice](#)

Further advice can be sought from the Marine Conservation Advice Team, DAERA Marine and Fisheries Division, Ground Floor, Clare House, 303 Airport Road West Belfast, BT3 9ED. Tel: 028 90 569 757 or email: Marine.Wildlife@daera-ni.gov.uk

DAERA - Marine Licensing advice

- Any person authorised by the licensing authority will be permitted to inspect the licensed activity at any reasonable time.
- 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)



APPENDIX A

SITE LOCATION

