

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

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

MARINE CONSTRUCTION LICENCE

Licence to carry out repair works to Faughan Bridge, Derry/Londonderry

Licence Number: ML2026010

PART 1 – PARTICULARS

1. Licensee(s) Name & Address:

██████████
Translink
Milewater Service Centre
25 Duncrue Street
BT3 9AR

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

To be provided under **Condition 6**.

3. Description of works and nature and quantity of all deposits below Mean High Water Springs:

Repairs to piers 7 and 8 of the Faughan Bridge through removal of defective concrete and replacement with fast drying, sprayable concrete. Both piers will then be sprayed with a cementitious protective layer to enhance life span. Repairs will be carried out from a barge at low and high tide.

No permanent deposits below the Mean High Water Springs (MHWS) mark.

4. Location of works:

Faughan Bridge, Coleraine to Derry railway line.

Irish grid reference: C 48938 22498.

Latitude: 55.047812°N, Longitude: 7.234063° W

Nearest property address is Unit 7 Carrakeel Industrial Park, Maydown, Derry.

See Annex A.

5. Valid:

From: 23 June 2026

Until: 22 June 2027

6. Licence Documentation

- Marine Construction Licence application form – 13/01/2026
- Site location plan – 13/01/2026
- Combined services layout – 13/01/2026
- Pier 7 drawing – 13/01/2026
- Pier 8 drawing – 13/01/2026
- Concrete repair detail drawing – 13/01/2026
- Surface treatment drawing – 13/01/2026
- Habitats regulation assessment (HRA) – 26/11/2025
- ASSI consent – 17/12/2025

PART 2 - CONDITIONS

The Department of Agriculture, Environment & Rural Affairs (referred to as the licensing authority) authorises **Mr J Backus** to carry out repair works to **Faughan Bridge, Derry/Londonderry**. 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) must not carry out any licensable activity other than that detailed in the Marine Licence application documents received by the licensing authority and deemed complete on 18 March 2026. 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) must ensure that the Department is informed of any contractor appointed to carry out part or all of the works. This information should be provided to the Department by email to MLCompliance&Enforcement@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. A final Construction Environmental Management Plan (CEMP) must be submitted to NIEA Water Management Unit, 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 that all required mitigation measures are in place prior to work commencing to protect the water environment.

8. 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

9. A biosecurity plan must be submitted and agreed by the Department at least **4 weeks** before works commence. This plan should outline the procedures to be followed if an INNS is found on site or on any equipment. 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.

During the Licensed Activity

10. 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.

11. 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

12. The Licensee(s) must inform the licensing authority of the finishing date of the licensed work within **28 days** of completion.
13. The Licensee(s) must, 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 MLCompliance&Enforcement@daera-ni.gov.uk
14. At the decommissioning stage, the Licensee(s) must ensure the seabed is returned to its original profile. MLCompliance&Enforcement@daera-ni.gov.uk must be consulted 8 weeks in advance on what licensing requirements may be to complete any works.

Signed on behalf of the Department:



Dated:23/06/2026

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**.

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

INFORMATIVES:

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) must 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)

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>
- The site is within port limits and the applicant should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council. They may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary.

DAERA advice on preventing water pollution

- The Licensee(s) should comply with all the relevant NIEA Standing Advice documents and Guidance for Pollution Prevention (PPG/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 Licensee(s) should be aware that if there is any potential during the construction phase of the development for contaminants such as oil, cement, silt, soil etc. to be discharged into the surface water environment (soakaway or waterway), then adequate treatment prior to discharge will be needed and also a consent to discharge site drainage and/or dewatering effluent under the Water (Northern Ireland) Order 1999 will be required. More information can be found at <https://www.daera-ni.gov.uk/articles/regulating-water-discharges>.
- 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.

- All works should be carried out in compliance with the Control Of Pollution (Oil Storage) Regulations (Northern Ireland) 2010. A key requirement of the Regulations is that oil storage containers (including temporary storage) must have a secondary containment system (a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or a drip tray) to ensure that any leaking oil is contained and does not enter the aquatic environment.
- It is recommended that any such effluent / solid wastes be collected and contained for disposal at appropriately licenced waste premises.
- The Licensee(s) should be aware of the importance of ensuring equipment / plant is in good working order to minimise the risk of pollution from hydrocarbons and / or hydraulic fluids.
- Bunding and/or storage facilities should be installed to contain and prevent the release of fuel, oils, and chemicals associated with plant, refuelling and construction equipment, into the marine environment.

DAERA advice on minimising potential harm to sea fisheries and aquaculture interests

- Given the location of the works there is a risk of pollution being created and entering the marine environment. Pollution in the marine environment, including those resulting from construction operations, has the potential to cause adverse impacts to both commercial fisheries and aquaculture interests. The applicant must consider the potential for release of pollutants, including suspended solids, to the aquatic environment and where risks are identified adequate and appropriate mitigation measures put in place to minimise potential harm.
- The applicant is reminded of 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 marine wildlife disturbance

- The Licensee(s) should ensure that the [DAERA Marine Wildlife Disturbance Guidance](#) is adhered to during works to prevent marine mammal disturbance as required under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), The Environment Order (Northern Ireland) 2002 and the Wildlife and Natural Environment Act (Northern Ireland) 2011.

DAERA advice on disturbance of salmon

- The Licensee(s) attention is drawn to the seasonal migration of the Atlantic salmon (*Salmo salar*) which occurs between the months of June and October, during which the Faughan River is used as a migratory passageway when travelling to the sea. All efforts during this time should be made to avoid disturbance to salmon in the river. Similarly, all efforts should be made to avoid pollution of the watercourse during this time.

DAERA advice on invasive non-native species (INNS)

- The Licensee(s) are advised that a contingency plan should be put in place outlining procedures to be followed if an INNS is found on site or on any equipment. Furthermore, we advise that staff should be provided with the following marine [Invasive species identification guides](#). Staff should report any INNS to DAERA MFD/CEDaR. No INNS should be released back into the marine environment, instead, they should be disposed of in landfill or incinerated.
- The Licensee(s) should ensure that [Check Clean Dry](#) procedures are followed on site to prevent the spread of INNS.

DAERA advice on marine litter

- The Licensee(s) should 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 to prevent it from entering the marine environment and becoming marine litter, following [DAERA Marine Litter Standing Advice](#). This will prevent litter entering the marine environment and adversely impacting Marine Protected Areas, Habitats and Species, as required under The Environment Order (Northern Ireland) 2002, Draft Marine Plan for Northern Ireland 2018 and the UK Marine Policy Statement.

DAERA advice on protection of archaeological objects

- The Licensee(s) 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.

DAERA advice on recovery of wreck material

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

Annex A – Location map of works

