

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

Translink Existing Coastal Defence Repairs along the Coleraine – Derry/Londonderry Rail Line

Licence Number: ML2026043

PART 1 – PARTICULARS

1. Licensee(s) Name & Address:


Translink
22 Great Victoria Street
Belfast
BT2 7LX

**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:

The proposed works comprise repairs and upgrading of existing sea defences (Sections 19C & 19D) along the Translink Coleraine–Derry/Londonderry railway line, involving installation of new rock armour protection to stabilise an embankment subject to erosion. The activities include vegetation clearance, regrading of the embankment slope, placement of geotextile, and construction of rip-rap (rock armour) revetment to protect the railway from tidal and river erosion.

The scheme is intended to reinforce and protect the railway embankment from ongoing erosion and undercutting caused by river flows and extreme water levels through construction of new coastal defence infrastructure.

4. Location of works:

The works are located adjacent to the River Foyle on its southern bank, approximately 1.5 km southwest of Foyle Bridge, within the Derry/Londonderry area. Access to the site is via the Foyle Bridge access point (AL93 01), including access through hospital grounds near Altnagelvin, with the works area extending along the railway embankment between approximately milepost MP93 and MP94.75.

See **Appendix A** for location maps for Site 19C and Site 19D.

The coordinates for the four corners of each site are follows:

Site 19C

55.008078 -7.2943902,
55.007699 -7.2940373,
55.011627 -7.2882467, 5
5.011490 -7.2878583

Site 19D

55.005081 -7.3123395,
55.005600 -7.3087982,
55.005358 -7.3087867,
55.004829 -7.3121719

5. Valid:

From: 4th August 2026
Until: 1st August 2028

Condition 9 states: The Licensee must ensure that construction activity is restricted to the period between 1st March and 31st October inclusive, to avoid works taking place during the main wintering bird period. Prior to commencement of works, the licensee must undertake checks for the presence of breeding birds.

Reason: To comply with the Wildlife (NI) Order 1985 (as amended).

6. Licence Documentation

19D Site Plan SPA – (04/06/2026)

19C Site Plan SPA and Ramsar – (04/06/2026)

19C Site Plan SAC – (04/06/2026)

HRA 19D – (04/06/2026)

Method Statement 19C & D – (04/06/2026)

General Arrangement Detailed Design (19C&19D) – (04/06/2026)

Typical Cross Section Detailed Design – (04/06/2026)

Cross Section at Culvert – (04/06/2026)

Cover letter – (04/06/2026)

Typical Cross Section Detailed Design (19D) – (04/06/2026)

Location and Access Plan Detailed Designs (19C & 19D) – (04/06/2026)

Marine Licence Application Form – (04/06/2026)

HRA 19C – (04/06/2026)

PART 2 - CONDITIONS

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 documents received by the licensing authority and deemed complete on **10th June 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 by email to MLComplianceandEnforcement@daera-ni.gov.uk **no less than 7 working days** 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) with method statement must be submitted to the Licensing Authority, MLComplianceandEnforcement@daera-ni.gov.uk, at least **8 weeks** prior to the commencement of construction setting out effective avoidance and mitigation methodologies for the protection of the water environment.

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 complete a wildlife survey for Otters (*Lutra lutra*) within the work site. All results from the survey must be sent to MLComplianceandEnforcement@daera-ni.gov.uk prior to any work beginning.

Reason: To ensure the protection of protected otter species under the Wildlife (Northern Ireland) Order 1985

9. The Licensee must ensure that construction activity is restricted to the period between 1st March and 31st October inclusive, to avoid works taking place during the main wintering bird period.

Reason: To comply with the Wildlife (NI) Order 1985 (as amended).

10. Prechecks should be carried out in breeding season (March-September) and mitigation measures as described in the Environmental controls section of the Method statement should be put in place for any active nests found. If breeding birds or nests are detected, no works must take place until further advice from the department is sought. Survey results from pre-work checks must be provided to MLCompliance&Enforcement@daera-ni.gov.uk prior to work commencing.

Reason: To comply with the Wildlife (NI) Order 1985 (as amended).

During the Licensing 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.

13. The Licensee(s) must ensure all works are completed in accordance with drawing (Proposed Remedial Works) provided on **(04/06/2026)**.

Reason: To ensure that no additional work that was not previously assessed as part of the application work is carried out to avoid damage to the environment.

Upon Completion of the Licensed Activity

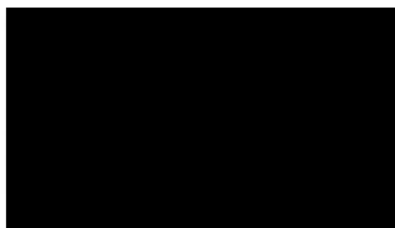
14. The Licensee(s) must inform the licensing authority at MLComplianceandEnforcement@daera-ni.gov.uk of the finishing date of the licensed work within **28 days** of completion.
15. The Licensee(s) must, within eight weeks after the completion of the licensed works, make a written report to the licensing 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 MLComplianceandEnforcement@daera-ni.gov.uk. This report will be held by the Licensing Authority

and details considered 'Commercial in confidence' should be marked on the report by the Licensee(s).

16. 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) of completion of the works. MLComplianceandEnforcement@daera-ni.gov.uk must be copied in on the notification.

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

Signed on behalf of the Department:



Dated: 04/08/2026

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>

INFORMATIVES:

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/>
- All materials imported for use as part of the works must be strictly inert.
- All areas where oil is stored (or any other potentially contaminating liquids) must be constructed from an impermeable material, and the drainage of the area must be engineered in such a way that all potentially contaminated site drainage is contained and prevented from entering the aquatic environment without adequate treatment.
- All works will be required to comply 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.
- Cement, concrete and grouts are highly alkaline and corrosive and can cause serious and significant pollution to the ground and the water environment. Water wildlife, such as invertebrates and fish, are very sensitive to changes in pH (acid / alkaline) levels.
- Suitable arrangements to deal with concrete-contaminated washings and waste must always be in place to prevent pollution. Treated or untreated washings or wastes from concrete and cement activities must never enter into any drain or surface water.
- NIEA discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges of potentially contaminated water to the aquatic environment and may be required during the construction phase of the development.
- Where dewatering works may be carried out, in accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended) it is a mandatory requirement that upon the abstraction and / or diversion and / or impoundment of water from the natural river channel / lake, coastal or groundwater sources, an abstraction / impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities, a list of which can be found at: <https://www.daera-ni.gov.uk/publications/water-abstraction-and-impoundment-licensing-regulations-northern-ireland-2006-permitted>
- All waste materials / effluent generated by this proposal must be taken away for disposal at appropriately licenced waste facilities.

DAERA advice on marine litter

- Any marine litter collected during the proposed works must be appropriately disposed of, to prevent litter entering the marine environment and adversely impacting Marine Protected Areas.

DAERA Marine Conservation

- Adhere in full to all mitigation outlined in the CEMP/HRA/ Method statement and this response throughout the duration of the works.
- Appropriate in-water sediment control measures suitable for a tidal environment must be implemented, including silt curtains and/or turbidity barriers (not limited to oil booms).
- Works must cease immediately in the event of a pollution incident or where excessive turbidity is observed and not recommence until effective corrective measures are in place.
- Ensure [DAERA Pollution Standing Advice](#) is adhered to.
- No fuel/oil should be stored close to the water. Any fuelling required will only occur at a non-hydrologically linked location using a buffer of at least 10m.
- Implement biosecurity measures throughout all project stages in line with DAERA INNS guidance ([Northern Ireland Biosecurity guidelines](#) and [DAERA Marine Invasive Non-Native Species Guidance](#)) and [Check Clean Dry](#), including a contingency plan, staff training, reporting to DAERA MFD/CEDaR, and appropriate disposal of any INNS.
- All imported rock armour should be sourced, handled, and, where relevant, inspected to minimise risk of marine INNS introduction.
- All solid waste and litter encountered or generated during the works must be 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](#).

DAERA Coastal Processes

- Recommend that the applicant looks more strategically at this site in the future to limit the potential impact that climate change and sea level rise may have upon the rail line along this section.

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.

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.

NIEA Freshwater

- The River Foyle is an important salmonid site with construction having potential impacts on these species. It is advised to consider the time of year construction will be occurring, as a year-round license has been granted. *It would be advisable to minimise disruption during October to January to avoid disruption to Atlantic Salmon migration.*

Marine 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.
- 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.

Marine Licensing informative

- 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)

Further Information

- Refer to [DAERA Marine Map Viewer](#) for details on protected areas, habitats, species, marine mammals, INNS and Regional Seascape Character Areas.
- Check the [DAERA Protected Areas site](#) for details on MPAs.
- Refer to [DAERA Protected Areas Monitoring Results](#) for details on MPA feature condition status.
- Check the [Marine Life Information Network](#) for habitat sensitivities.
- [Invasive species identification guides Northern Ireland](#)
- [Cetacean Sightings and Strandings around NI coastline](#)

Standing Advice and Guidance

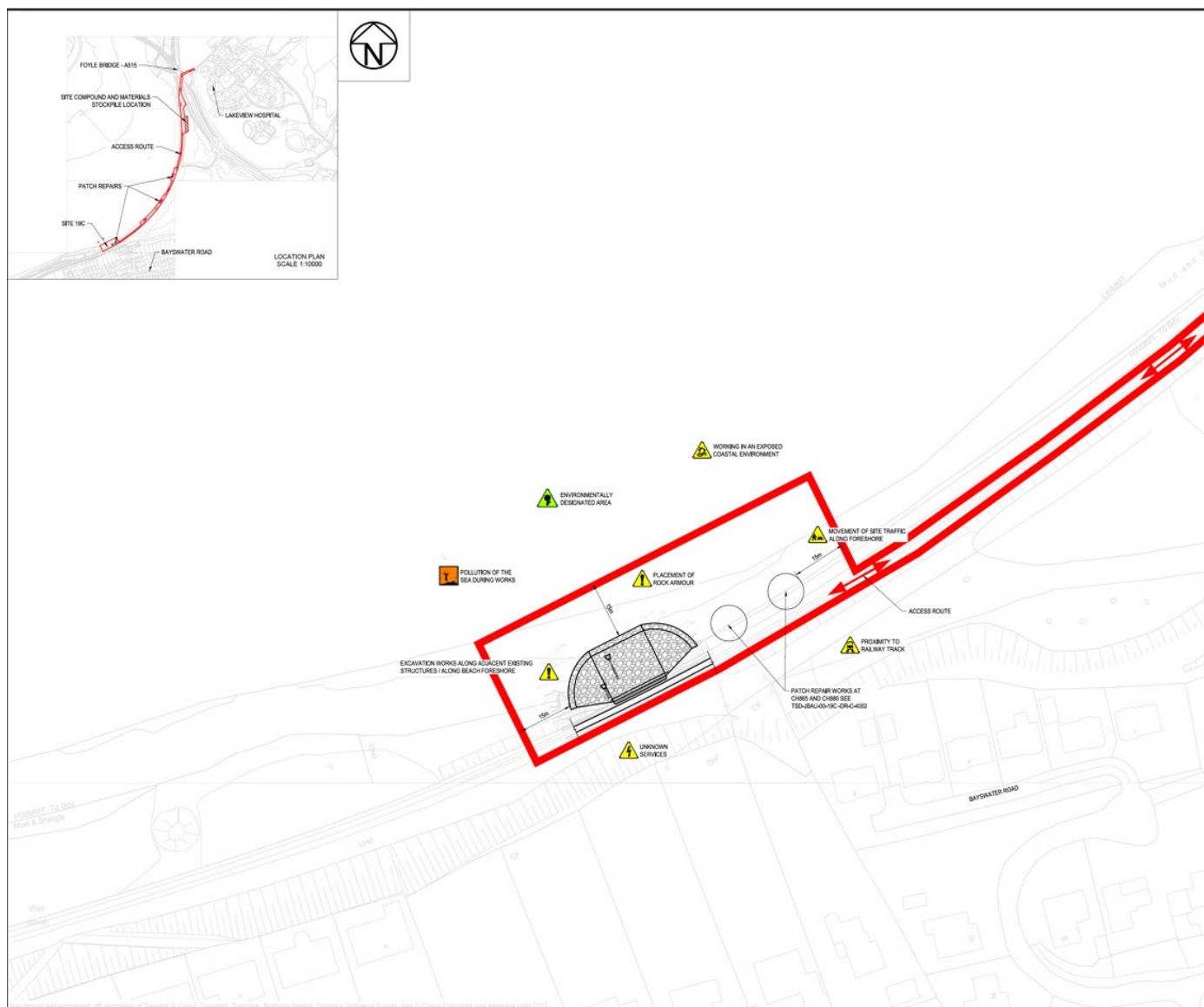
The applicant's attention is drawn to the following links which provide standing advice and guidance to be considered:

- [DAERA Pollution Standing Advice](#)
- [DAERA Discharges to the water environment Standing Advice](#)
- [DAERA Marine Litter Standing Advice](#)

- [DAERA Marine Invasive Non-native Species Guidance](#)
- [DAERA Marine Wildlife Disturbance Guidance](#)
- [Check Clean Dry](#)
- [DAERA Discharges to the water environment Standing Advice](#)

Appendix A – Location of works

Section 19C



Section 19D:

