

**Northern Ireland Environment Agency
Department of the Environment**

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

MARINE CONSTRUCTION LICENCE

This licence granted by the Northern Ireland Environment Agency (NIEA), an Agency within the Department of the Environment, (referred to as the licensing authority) under Part 4 of the Marine and Coastal Access Act 2009, authorises the licensee to deposit in the area of sea specified below all substances and articles (except for dredged material) used in the execution of works of construction by the licensee in that area, subject to the undermentioned conditions:

1. Reference Number of Licence:

ML 199/11

2. Name of Licensee:

Minesto (UK) Ltd
Adelaide Business Centre
Apollo Road
Belfast
BT12 6HP

3. Area of Deposit:

Ballyhenry Bay Strangford Lough (Lat: 54: 23.2940 N; Long: 05: 33.9672 W) as detailed in Marine Licence application dated 22 December 2010 and in report number 325.00/12/10 produced by Marengo/Queens University Belfast dated December 2010.

4. Period of validity of licence:

18 October 2011 – 17 October 2012

Conditions:

1. **The licensee shall inform the Department of the starting date of the construction work at least 1 week prior to commencement of the works, and finishing date of the work 1 week before its termination.**
2. The licensee 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.
3. The licensee shall not deposit any other material than that detailed in the Marine Licence application form received by the Department, dated 22 December 2010.
4. The licensee 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. In the event of the licensee becoming aware that any of the information on which the licence was based has changed, the Department shall be immediately notified in writing of the alterations. It should be noted that alterations may invalidate a licence, and that an application for a new licence may be necessary.
6. The licensee shall ensure that copies of the licence are available for inspection by any Enforcement Officer authorised under the Marine and Coastal Access Act 2009:
 - the premises of the licensee
 - the premises of and on board any vessel or chartered agent acting on behalf of the licensee; and
 - the site of the works.

NOTES

- (A) NIEA Water Management Unit would advise that this licence does not negate the licensee's responsibility to gain any other environmental or access permissions that may be required to progress the works.
- (B) 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.

- (C) Under Part 4, Chapter 3, paragraph 85 of the Marine and Coastal Access Act 2009 it is an offence to fail to comply with any condition of a marine licence. In some circumstances there may be a defence to non compliance under paragraph 85. These defence conditions are given under paragraph 86 "Action taken in an Emergency", paragraph 87 "Electronic communications, emergency works" and paragraph 88 "Activity licensed by another State".
- (D) 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.
- (E) 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.

All correspondence or communications relating to the licence should be addressed to:

**Northern Ireland Environment Agency
Water Management Unit
17 Antrim Road
Lisburn
BT28 3AL**

**Tel: 028 92 633440
FAX: 028 92676054**

SIGNED: Issued by Angus McRoberts

FOR AND ON BEHALF OF THE LICENSING AUTHORITY

DATE: 18th October 2011