



# Marine Management Organisation Marine Licence

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## 1 Introduction

This is a licence granted by the Marine Management Organisation on behalf of the Secretary of State to authorise the licence holder to carry on activities for which a licence is required under Part 4 of the Marine and Coastal Access Act 2009.

### 1.1 Licence number

The licence number for this licence is L/2023/00042/1

### 1.2 Licence holder

The licence holder is the person or organisation set out below:

Name / company name	Land And Water Group Limited
Company registration number (if applicable)	04437231
Address	Numeric House, 98 Station Road, Sidcup, Kent, DA15 7BY
Contact within company	James Maclean
Position within company (if applicable). State if company officer or director	Chief Executive Officer

### 1.3 Licence date

Version	1
Licence start date	14 February 2023
Licence end date	01 September 2027
Date of original issue	14 February 2023

### 1.4 Licence validity

This version of this licence is valid from the licence start date to the licence end date.

This version of this licence supersedes any earlier version of this licence. Any activity commenced under a previous version of this licence and which is also a licensed activity authorised by section 4 of this version of this licence may continue in accordance with the licence conditions in section 5 of this version of this licence.

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## 2 General

### 2.1 Interpretation

In this licence, terms are as defined in section 115 of the Marine and Coastal Access Act 2009 and the Interpretation Act 1978 unless otherwise stated.

- "licensed activity" means any activity set out in section 4 of this licence.
- "licence holder" means the person(s) or organisation(s) named in section 1 above to whom this licence is granted.
- "MMO" means the Marine Management Organisation.
- "mean high water springs" means the average of high water heights occurring at the time of spring tides.
- "sea bed" or "seabed" means the ground under the sea.
- "the 2009 Act" means the Marine and Coastal Access Act 2009.
- All times shall be taken to be the time on any given day.
- All geographical co-ordinates contained within this licence are in WGS84 format (latitude and longitude degrees and minutes to three decimal places) unless stated otherwise.

### 2.2 Contacts

Except where otherwise indicated, the main point of contact with the MMO and the address for email and postal returns and correspondence shall be:

**Marine Management Organisation**

**Lancaster House**

**Hampshire Court**

**Newcastle upon Tyne**

**NE4 7YH**

**Tel: 0300 123 1032**

**Email: [marine.consents@marinemangement.org.uk](mailto:marine.consents@marinemangement.org.uk)**

Any references to any local MMO officer shall be the relevant officer in the area(s) located at:

**Marine Management Organisation**

**Lynx House**

**1 Northern Road**

**Cosham**

**Hampshire**

**PO6 3XA**

**Tel: 0208 026 9059**

**Email: [portsmouth@marinemanagement.org.uk](mailto:portsmouth@marinemanagement.org.uk)**

## **3 Project overview**

### **3.1 Project title**

Itchenor Beneficial Use Deposit and Saltmarsh Restoration Site

### **3.2 Project description**

The project is aiming to restore 3.5 hectare (ha) of previously lost saltmarsh within Chichester Harbour.

Dredged material from Chichester Marina and Northney Marina will be deposited on to the seabed at the north of the works area at high tide by a split hopper barge. This will occur over a two month period (February-April) every year until project completion in 2027.

The site area will be marked out with marker buoys prior to works commencing.

This sediment will be pulled up onto the proposed location using a Saltmarsh Restoration Drag Box (SRDB) Technique. A spud-legged barge and floating pontoon will be deposited on the seabed adjacent to the buoyed area, these will operate the seaward pulley of the SRDB winch and a land-based excavator will hold the landward pulley. After sediment has been dragged in to the restoration area, the material will then be shaped using an amphibious excavator with Global Positioning System guidance. Up to 25,000 cubic metres (m<sup>3</sup>) of dredged material may be required to achieve the level of restoration required.

February 2023 is a trial year which will aim to restore up to 0.7ha of the total site area. This will involve up to three deliveries of dredged material per day and up to 20 deliveries throughout the two-month period. If the trial is identified that it is successful (success will be measured by sediment retention, and then vegetation and benthic colonisation) the activity will be undertaken in February-April every year over five years (2027 being the final year). The proposed amount of dredged material for this trial period is up to 4,500m<sup>3</sup>.

## 4 Licensed activities

This section sets out the licensed activities. The licensed activities are authorised to be carried on only in accordance with the activity details below and with the licence conditions as set out in section 5 of this licence.

Please note that where licensed quantities are displayed with reference to their constituent materials, the relative quantities given for the constituent materials are indicative only.

Site 1 - Itchenor_DepositSite		
Site location	Itchenor Deposit Site, Chichester Harbour, West Itchenor, West Sussex, see coordinates in Schedule 1.	
Activity 1.1 - Deposit of Spud-legged barge and floating pontoon		
Activity type	Other deposits	
Activity location	Itchenor Deposit Site, Chichester Harbour, West Itchenor, West Sussex, see coordinates in Schedule 1.	
Description	Deposit of spud-legged barge and floating pontoon structure just seaward of the buoyed area to act as the seaward pulley for the winch of the Saltmarsh Restoration Drag Box (SRDB). This will include a spudded pontoon with a hiab crane and welfare cabin on board, plus an attendant tug and personnel boat.	
Quantities		
Start date	End date	Quantity (kg)
01/2/2023	31/3/2023	80000
01/2/2024	31/3/2024	80000
01/2/2025	31/3/2025	80000
01/2/2026	31/3/2026	80000
01/2/2027	31/3/2027	80000
Methodology	The barge will be brought in via sea and moored. The pontoon will be lifted in to the water by a crane from the Northshore Shipyard, and then assembled on site.  This will be moved out of the way for the split-hopper barge to enter the buoyed area to deposit sediment once delivered it will be moved back into place. These movements will occur a maximum of twice per day.	
Programme of works	Activities will be carried out at the start of the project on an annual basis in February-March.	

Activity 1.2 - Deposit of maintenance dredge arisings for beneficial reuse				
Activity type		Deposit of dredged material		
Activity location		Itchenor Deposit Site, Chichester Harbour, West Itchenor, West Sussex, see coordinates in Schedule 1.		
Description		<p>Maintenance dredge materials from Chichester Marina or Northney Marina comprising dredged silt will be deposited on the lower shore of the Itchenor Deposit Site which can then subsequently be dragged up the shore for the saltmarsh restoration. The temporary deposit zone is located over low mudflat elevations (i.e. between around -2 and 0 mOD).</p> <p>For the trial year in 2023, the silt materials dredged from nearby Chichester Marina and Northney Marina, will be used at the site, up to a maximum of 4,500 cubic metres (m³).</p> <p>Up to 25,000 m³ will be deposited over the course of the licence with a maximum of 5,000 m³ per year across five years.</p>		
Quantities				
Start date	End date	Material	Amount to be deposited (dry tonnes)	Amount to be deposited (wet tonnes)
15/2/2023	30/4/2023	Silt (31.25-62.5um)	4900	7200
01/2/2024	30/4/2024	Silt (31.25-62.5um)	5500	8500
01/2/2025	30/4/2025	Silt (31.25-62.5um)	5500	8500
01/2/2026	30/4/2026	Silt (31.25-62.5um)	5500	8500
01/2/2027	30/4/2027	Silt (31.25-62.5um)	5500	8500
Methodology		<p>Sediment delivery will be by split hopper barges with bottom opening doors; these will have a capacity of up to 300 tonnes (approx. 200 m³). Up to three sediment loads per day will be deposited on to the shore at high tide, and will be placed as high up on the shore as possible. There will be up to 20 barge loads per year during the trial year period and up to 28 barge loads per year throughout the remainder of the project. The area for sediment delivery will be marked with buoys for to allow for efficient delivery.</p> <p>Up-dragging of material will commence on the same day that sediment is deposited. The sediment will be pulled up onto the proposed location using a Saltmarsh Restoration Drag Box (SRDB) Technique. A spud-legged barge and floating pontoon will be lowered in to place using a crane</p>		

	<p>and assembled in the water. These will be moored in the shallow subtidal just to seaward of the deposition area to operate the pulley of the SRDB winch. An excavator will be brought onto the site via the approved access route in Schedule 2 to sit on the foreshore. This will hold the winch mechanism for the landward end of the drag box cable. Up to 10m<sup>3</sup> of sediment will be dragged from the lower shore to the upper shore in each cycle.</p> <p>An amphibious excavator with Global Positioning System will be programmed with the location of material to be in line with the Digital Terrain Model shown in Schedule 3. The excavator will shape and move the delivered sediment during periods of low tide. For years 2024-2027 the spreading will be in line with Condition 5.2.2.</p>
Programme of works	<p>Activities will be undertaken each year until 2027 during the months of February and March.</p> <p>Bottom discharge of sediment at the site will take up to 15 minutes per barge. There will be up to three deliveries per day and up to 20 loads over the course of a 2023 and up to 28 loads per year throughout the remainder of the project.</p> <p>Sediment will be dragged up the shore on the same day of deposit and will take up to 12 hours.</p>
<b>Activity 1.3 - Removal of Spud-legged Barge and Floating Pontoon</b>	
Activity type	Decommissioning of works
Activity location	Itchenor Deposit Site, Chichester Harbour, West Itchenor, West Sussex, see coordinates in Schedule 1.
Description	Removal of spud-legged barge and floating pontoon structure seaward of the buoyed area at the end of each activity year.
Methodology	The pontoon will be disassembled on site and lifted out of the water by a crane from the Northshore Shipyard. The barge will then exit the works area via sea.
Programme of works	Activities will be carried out at the end of the Activity 1.2 on an annual basis in March/April.



## 5 Licence conditions

### 5.1 General conditions

#### 5.1.1 Notification of commencement

The MMO, including the local office in Section 2.2, must be notified prior to the commencement of the first instance of any licensed activity. This notice must be received by the MMO **no less than three days before the commencement of that licensed activity**.

#### 5.1.2 Licence conditions binding other parties

Where provisions under section 71(5) of the 2009 Act apply, all conditions attached to this licence apply to any person who for the time being owns, occupies or enjoys any use of the licensed activities for which this licence has been granted.

#### 5.1.3 Agents / contractors / sub-contractors

The MMO must be notified in writing of any agents, contractors or sub-contractors that will carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder. Such notification must be received by the MMO **no less than 24 hours before the commencement of the licensed activity**.

A copy of this licence and any subsequent revisions or amendments must be provided to, read and understood by any agents, contractors or sub-contractors that will carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder.

#### 5.1.4 Vessels

The MMO must be notified in writing of any vessel being used to carry on any licensed activity listed in section 4 of this licence on behalf of the licence holder. Such notification must be received by the MMO **no less than 24 hours before the commencement of the licensed activity**. Notification must include the master's name, vessel type, vessel IMO number and vessel owner or operating company.

A copy of this licence and any subsequent revisions or amendments must be read and understood by the masters of any vessel being used to carry on any licensed activity listed in section 4 of this licence, and that a copy of this licence must be held on board any such vessel.

#### 5.1.5 Changes to this licence

Should any of the information on which the granting of this licence was based changed or is likely to change, the MMO must be notified at the earliest opportunity. Failure to do so may render this licence invalid and may lead to enforcement action.

#### 5.1.6 Licence quantities

Where a licensed activity comprises dredging or the disposal of dredged material, the total quantity of material authorised to be dredged or disposed of in any given time period shall be as set out for that licensed activity in section 4 of this licence.

For each time period, the actual quantity dredged or disposed of shall be calculated by adding the quantity of material dredged or disposed of during that time period under this version of this licence to that dredged or disposed of under any previous version of this licence that was valid during that time period.

## 5.2 Project specific conditions

This section sets out project specific conditions relating to the licensed activities as set out in section 4 of this licence.

Prior to the Activities	
5.2.1	<p>A notice to mariners must be issued <b>at least three days prior to works commencing</b> and a copy must be sent to the MMO within five working days of issue.</p> <p>Reason: <i>To ensure other vessels in the vicinity can plan and safely conduct their passage.</i></p>
5.2.2	<p>From year 2024 onwards a Digital Terrain Model must be submitted to the MMO <b>at least 10 weeks prior to the commencement of works.</b></p> <p>Reason: <i>Reason: To provide the detail of the location of the spreading.</i></p>
During Activities	
5.2.3	<p>Activities in Section 4 must not be carried out <b>between 1 June and 31 July</b> inclusive.</p> <p>Reason: <i>To minimise disturbance to breeding seals using adjacent haul out sites during the specified period.</i></p>
5.2.4	<p>If temperatures of zero degrees Celsius (or lower) occur on the site, for more than six hours within a <b>24 hour period, for seven consecutive days</b> leading up to or during any instance of the licenced activities, (as recorded by the nearest meteorological station to the site), then activities must be suspended. Once temperatures have been above zero degrees Celsius for <b>three consecutive days</b> then activities can recommence.</p> <p>Reason: <i>To prevent disturbance to overwintering birds.</i></p>

5.2.5	<p>Bottom placement of materials must only take place for <b>two hours either side of high tide</b>.</p> <p>Reason: <i>To minimise sediment dispersal by tidal currents and help maximise its retention.</i></p>
5.2.6	<p>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. Secondary containment must be used with a capacity of <b>no less than 110%</b> of the container's storage capacity.</p> <p>Reason: <i>To minimise the risk of marine pollution incidents.</i></p>
5.2.7	<p>Any oil, fuel or chemical spill within the marine environment must be reported to the MMO Marine Pollution Response Team <b>within 12 hours</b>.</p> <p>Within office hours: 0300 200 2024. Outside office hours: 07770 977 825. At all times if other numbers are unavailable: 0345 051 8486. dispersants@marinemanagement.org.uk</p> <p>Reason: <i>To ensure that any spills are appropriately recorded and managed to minimise the risk to sensitive receptors and the marine environment.</i></p>
5.2.8	<p>During licensed activities all wastes must be stored in designated areas that are isolated from surface water drains, open water and bunded to contain any spillage.</p> <p>Reason: <i>To minimise the risk of waste entering the marine environment.</i></p>
5.2.9	<p>Only coatings and treatments can be used that are suitable for use in the marine environment.</p>

	<p>Reason:</p> <p><i>To ensure hazardous chemicals that may be toxic, persistent or bioaccumulative are not released into the marine environment.</i></p>
5.2.10	<p>Only the 1 Excavator, 1 Amphibious excavator, 1 Drag Box and the Wire Rope can be stored on the foreshore area. No other equipment can be stored on the foreshore area unless otherwise agreed in writing by the MMO.</p> <p>Reason:</p> <p><i>To reduce impacts on marine habitats.</i></p>
5.2.11	<p>In 2023, material used for Activity 1.2 must only be from Chichester Marina or Northney Marina. A maximum of 4500m<sup>3</sup> can be deposited.</p> <p>For the remaining years material used for Activity 1.2 must only be from Chichester Marina or Northney Marina. A maximum of 5000m<sup>3</sup> can be used per year.</p> <p>A total of 25000m<sup>3</sup> can be disposed during the licence period.</p> <p>Reason:</p> <p><i>To ensure the material is fit for use and inline with the maximum figures.</i></p>
5.2.12	<p>Any access to the site must only be accessed within the defined and marked out access route under Schedule 2 of this licence.</p> <p>Reason:</p> <p><i>To minimise damage and disturbance to sensitive habitats or species from construction plant and personnel.</i></p>
5.2.13	<p>The Monitoring Programme in Schedule 4 of this licence must be adhered to throughout the lifetime of the licence, unless otherwise agreed in writing by the MMO.</p> <p>Any amendments to the Monitoring Programme must be submitted to the MMO <b>10 weeks prior to the changes being implemented</b>. All amendments need written approval from the MMO.</p> <p>Reason:</p>

	<i>To monitor progress of the project and indicate whether it has been successful or not.</i>
<b>5.2.14</b>	<p>All Monitoring Reports from the surveys set out in Schedule 4 (or any agreed amendment) must be submitted to the MMO for review <b>no more than four months after the monitoring has taken place</b> each year that the activities are undertaken.</p> <p>Reason: <i>To monitor progress of the project and indicate whether it has been successful or not.</i></p>
<b>5.2.15</b>	<p>The Written Scheme of Investigation (WSI) in Schedule 5 of this licence must be adhered to throughout the duration of the project, unless otherwise agreed in writing by the MMO.</p> <p>Any amendments to the WSI must be submitted to the MMO <b>10 weeks prior to the changes being implemented</b>. All amendments need written approval from the MMO.</p> <p>Reason: <i>To deal with unexpected discoveries of possible historic or archaeological interest</i></p>
<b>5.2.16</b>	<p>Following 2023, archaeological walkover surveys must be undertaken prior to the activities commencing for each succeeding works area.</p> <p>Each survey must have a written report and must be submitted to the MMO <b>within 10 working days</b> of the survey being collected and <b>no less than six weeks before the commencement of works each year</b>.</p> <p>Reason: <i>To deal with unexpected discoveries of possible historic or archaeological interest</i></p>
<b>5.2.17</b>	<p>A 10 metre exclusion zone around the timber structure identified within the Archaeological Survey in Schedule 6 of this licence must be adhered to throughout the duration of works.</p> <p>Grid reference for centre point is: SU 79450 01524 (X (Easting), Y (Northing): 479450, 101524; Latitude/Longitude (decimal): 50.807832 , -0.87378063)</p>

	<p>The MMO must be notified <b>no less than 10 weeks before the commencement of works each year</b> if any changes are required to this exclusion zone throughout the duration of the project. No works can commence until written approval has been provided by the MMO.</p> <p>Reason: <i>To ensure material is deposited within the appropriate disposal area.</i></p>
<b>5.2.18</b>	<p>The Environmental Management Plan in Schedule 7 of this licence must be adhered to throughout the lifetime of the licence, unless otherwise agreed in writing by the MMO.</p> <p>Any amendments to the Environmental Management Plan must be submitted to the MMO <b>10 weeks prior to the changes being implemented</b>. All amendments need written approval from the MMO.</p> <p>Reason: <i>To minimise damage and disturbance to sensitive habitats or species from construction plant and personnel.</i></p>
<b>5.2.19</b>	<p>The MMO must be informed of the location and quantities of material disposed of each month under this licence. This information must be submitted to the MMO by <b>15 February</b> each year for the months August to January inclusive, and by <b>15 August</b> each year for the months February to July inclusive.</p> <p>Reason: <i>To allow compliance reporting under the OSPAR Convention agreement as required by Article 4 (3) of Annex II and Article 4(1) of Annex II.</i></p>

### After the Activities

<b>5.2.20</b>	<p>The local MMO office must be notified as detailed in section 2.2 of the completion of the licensed activities by the licence holder, <b>no later than 10 working days after their completion</b> each year.</p> <p>Reason:</p>
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	<i>To ensure the local MMO officer is aware of the licensed activities at sea occurring within its jurisdiction in order to notify other sea users and to arrange any enforcement visits where appropriate.</i>
<b>5.2.21</b>	<p>All equipment, temporary structures, waste and/or debris associated with the licensed activities must be removed within five days of completion of licensed activities each year.</p> <p>Reason: <i>To minimise impacts to the marine environment and other users of the sea/seabed.</i></p>



## 6 Compliance and enforcement

This licence and its terms and conditions are issued under the Marine and Coastal Access Act 2009.

Any breach of the licence terms and conditions may lead to enforcement action being taken. This can include variation, revocation or suspension of the licence, the issuing of an enforcement notice, or criminal proceedings, which may carry a maximum penalty of an unlimited fine and / or a term of imprisonment of up to two years.

Your attention is drawn to Part 4 of the Marine and Coastal Access Act 2009, in particular sections 65, 85 and 89 which set out offences, and also to sections 86, 87 and 109 which concern defences. The MMO's Compliance and Enforcement Strategy can be found on our website (<https://www.gov.uk/government/publications/compliance-and-enforcement-strategy>).