



Marine Management Organisation Marine Licence

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/2023/00130/1

1.2 Licence holder

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

Name / company name	Foulkes & Sons Ltd
Company registration number (if applicable)	05086969
Address	Riverside Boatyard, Blundell Lane, Bursledon, Southampton, SO31 1AA
Contact within company	Antony Foulkes
Position within company (if applicable). State if company officer or director	Director

1.3 Licence date

Version	1
Licence start date	11 September 2023
Licence end date	10 September 2025
Date of original issue	11 September 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.

Digitally signed by Abby-Louise Fraser
DN: cn=Abby-Louise Fraser, o=Marine Management
Country=GB



Abby-Louise Fraser

+44 (0)2030 250 460

abby.fraser@marinemanagement.org.uk

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

Fax: 0191 376 2681

Email: 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

Portsmouth

PO6 3XB

Tel: 02392 373435

Email: portsmouth@marinemanagement.org.uk

3 Project overview

3.1 Project title

Riverside Boatyard Quay Wall Refurbishment

3.2 Project description

The proposed works are to carry out new construction of a concrete panel wall which will sit in front of the existing quay wall, extending the pontoon further by 8 metre (m) x 11m to allow easier access to the pontoon. There will also be an extension of a pontoon by 8.5m located 140m further upstream. The pontoon area, Riverside Boatyard, is located on the River Hamble.

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 - Riverside Boatyard Quay Wall	
Site location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoons.
Activity 1.1 - Riverside Boatyard Quay Wall Refurbishment	
Activity type	Construction of new works
Activity location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoons.
Description	New construction of a concrete panel wall - consisting of steel 'I' sections - which will sit in front of the existing quay wall.
Methodology	Debris will be removed at low water, by hand (manually loading into an excavator bucket, the excavator not being used to excavate the debris). A steel 'I beam' will be pushed into the bed vertically adjacent to the existing wall. The installation will be undertaken using a small land-based excavator pushing the beam into the bed. A second steel beam will then be installed 4.6m along the wall from the first beam. The two beams will form the vertical guides for the precast concrete panels. After the beam has been installed, the beam will have a bracket welded to form a base location for the concrete panels (so they remain horizontal in elevation).

	A precast concrete panel will then be slotted into position (using the same land-based plant) between the two vertical steel beams. The next steel beam will then be installed, followed by the next concrete panel. This process will continue along the wall, installing a single row of concrete panels along the length of the wall. This will allow an opportunity to address any level issues. Once the first row of panels is completed then the next row will be installed.
Programme of works	The works will be undertaken over low waters, and it is anticipated that the works will take two weeks, dependant on the tides. Works will be carried out between the hours of 08:00 - 18:00 Monday to Friday.

Site 2 - Riverside Boatyard Pontoon

Site location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoon.
Activity 2.1 - Riverside Boatyard Pontoon	
Activity type	Construction of new works
Activity location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoons.
Description	The works involve the extension of an existing floating pontoon and an intertidal pontoon installed on the existing slipway.
Methodology	The pontoons will arrive by road and will be launched down the existing slipway. The extension pontoon will be placed into position and bolted to the end of the existing walkway. The slipway pontoon will be positioned at high water and bolted to the pontoon extension.

	The shore end will be attached to a bracket on the quay wall. No marine plant is required.
Programme of works	Works will be carried out between the hours of 08:00 - 18:00 Monday to Friday.

Site 3 - Riverside Boatyard Upstream Pontoon

Site location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoons.
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Activity 3.1 - Riverside Boatyard Upstream Pontoon

Activity type	Construction of new works
Activity location	Riverside Boatyard on the west bank of the River Hamble in Bursledon, South Hampshire. Refer to Licence Schedule 1 for location co-ordinates and Schedule 2 & 3 for plan showing location of wall and pontoons.
Description	The works involve the extension of an existing floating pontoon by 8.5m.
Methodology	The pontoons will arrive by road and launched down the existing slipway. The extension pontoons will be placed into position and bolted to the end of the existing walkway. The slipway pontoon will be positioned at high water and bolted to the pontoon extension. The shore end will be attached to a bracket on the quay wall. No marine plant is required.
Programme of works	Works will be carried out between the hours of 08:00 - 18:00 Monday to Friday.

5 Licence conditions

5.1 General conditions

5.1.1 Notification of commencement

The MMO local office, as detailed in Section 2.2 of this licence, 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 five working 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.

5.2 Project specific conditions

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

Pre Licensed Activities	
5.2.1	Local mariners and fishermen's organisations must be made fully aware of the activity through a local Notice to Mariners. This must be issued at least five days before the commencement of the works. The MMO must be sent a copy of the notification within 24 hours of issue. Reason: <i>To ensure other vessels in the vicinity can safely plan and conduct their passage.</i>
During Licensed Activities	
5.2.2	Only coatings and treatments can be used that are suitable for use in the marine environment. Reason: <i>To ensure hazardous chemicals that may be toxic, persistent or bioaccumulative are not released into the marine environment.</i>
5.2.3	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 no less than 110% of the container's storage capacity. Reason: <i>To minimise the risk of marine pollution incidents.</i>
5.2.4	Any oil, fuel or chemical spill within the marine environment must be reported to the MMO Marine Pollution Response Team within 12 hours. 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 Reason: <i>To ensure that any spills are appropriately recorded and managed to minimise the risk to sensitive receptors and the marine environment.</i>
5.2.5	Waste concrete, slurry or wash water from concrete or cement activities must not be discharged, intentionally or unintentionally, into the marine environment. Concrete and cement mixing and washing areas must be contained and sited at least 10 metres from any water body or surface water drain. Reason: <i>To avoid damage to the marine environment by concrete wash water contamination which is highly alkaline and contains high levels of suspended sediment.</i>
5.2.6	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. Reason: <i>To minimise the risk of waste entering the marine environment.</i>

Post Licensed Activities

5.2.7	The local MMO office must be notified of the completion of the licensed activities by the licence holder, no later than 10 working days after their completion. Reason: <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>
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5.2.8	All equipment, temporary structures, waste and/or debris associated with the licensed activities must be removed within 24 hours of the completion of licensed activities. Reason: <i>To minimise impacts to the marine environment and other users of the sea/seabed.</i>
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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>).