

SCHEDULES

SCHEDULE 11

DEEMED MARINE LICENCE UNDER THE 2009 ACT: PROJECT B

PART 1

LICENSED ACTIVITIES

1.—(1) In this licence—

“the 2004 Act” means the Energy Act 2004;

“the 2008 Act” means the Planning Act 2008;

“the 2009 Act” means the Marine and Coastal Access Act 2009;

“authorised development” means the development and associated development described in Schedule 1 of the Order;

“CEMP” means a construction environmental management plan for the licensed activities or any part of those works;

“commence” means the first carrying out of any licensed activities authorised by this marine licence and “commenced” and “commencement” shall be construed accordingly;

“condition” means a condition under Part 2 of this licence;

“disposal” means the deposit of dredge arisings at a disposal site carrying reference TY160 – “Tees Bay A” or TY150 – “Tees Bay C”;

“dredge arisings” means inert material of natural origin, produced during dredging;

“enforcement officer” means a person authorised to carry out enforcement duties under Chapter 3 of Part 4 (marine licensing) of the 2009 Act;

“environmental statement” means the document certified as the environmental statement by the Secretary of State for the purposes of this Order;

“framework construction environmental management plan” means the document certified as the framework construction environmental management plan by the Secretary of State for the purposes of this Order;

“licensed activities” means the activities specified in Part 1 of this licence;

“maintain” includes inspect, upkeep, repair, adjust, alter, improve, preserve and further includes remove, reconstruct and replace provided such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement and “maintenance” must be construed accordingly;

“MCMS” means the MMO’s online system for submission of marine licence applications and management of consented marine licences, including the submission of condition returns;

“Kingfisher Fortnightly Bulletin” means the bulletin published by the Humber Seafood Institute or such other alternative publication approved in writing by the MMO;

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“Marine Management Organisation” means the body created under the 2009 Act which is responsible for the monitoring and enforcement of this licence or any successor of that function and “MMO” shall be construed accordingly;

“MCA” means the Maritime and Coastguard Agency;

“mean high water springs” or “MHWS” means the highest level which spring tides reach on average over a period of time;

“office hours” means the period from 09:00 until 17:00 on any working day;

“Order” means the Net Zero Teesside Order 2024;

“Order limits” has the same meaning as in article 2(1) (interpretation) of the Order;

“relevant undertaker” means Net Zero North Sea Storage Limited (company number 12473084) or the person who has the benefit of this deemed marine licence by virtue of article 7 (benefit of this Order) and article 8 (consent to transfer benefit of this Order) and any agent, contractor or sub-contractor acting on its behalf;

“sediment sampling plan” means a plan that provides an adequate characterisation of material proposed for dredging as part of the licenced activities;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

“UXO” means unexploded ordnance;

“vessel” means every description of vessel, however propelled or moved, and includes a non-displacement craft, a personal watercraft, a seaplane on the surface of the water, a hydrofoil vessel, a hovercraft and any other craft capable of travelling on, in or under water, whether or not self-propelled;

“working day” means a day other than a Saturday or a Sunday, which is not Christmas Day, Good Friday or a bank holiday under section 1 (bank holidays) of the Banking and Financial Dealings Act 1971;

“Work No. 5B” means Work No. 5B as described in Schedule 1 to the Order; and

“Work No. 8” means Work No. 8 as described in Schedule 1 to the Order.

(2) A reference to any statute, order, regulation or similar instrument is to be construed as reference to a statute, order, regulation or similar instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment.

(3) Unless otherwise indicated—

- (a) all times are taken to be Greenwich Mean Time (GMT); and
- (b) all co-ordinates are taken to be latitude and longitude degrees minutes and seconds to three decimal places.

(4) Except where otherwise notified in writing by the relevant organisation, the primary point of contact with the organisations listed below and the address for returns and correspondence are—

- (a) Centre for Environment, Fisheries and Aquaculture Science, Pakefield Road, Lowestoft, Suffolk, NR33 0HT; Tel. 01502 562 244;
- (b) Historic England, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA; Tel.020 7973 370;
- (c) Kingfisher Information Service of Seafish, Email – kingfisher@seafish.co.uk
- (d) Marine Management Organisation, Local Enforcement Office, Neville House Bell Street, North Shields, NE30 1LJ; Tel. 0191 257 4520, Email – northshields@marinemangement.org.uk;

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- (e) Marine Management Organisation, Marine Licensing Team, Lancaster House, Hampshire Court, Newcastle Business Park, Newcastle Upon Tyne, NE4 7YH; Tel. 0300 123 1032, Email – marine.consents@marinemangement.org.uk;
 - (f) Maritime and Coastguard Agency, Navigation Safety Branch, Bay 2/20, Spring Place, 105 Commercial Road, Southampton, SO15 1EG; Tel. 020 3817 2433;
 - (g) Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX; Tel. 0300 060 3900;
 - (h) The United Kingdom Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN; Tel. 01823 337 900;
 - (i) Trinity House, Tower Hill, London, EC3N 4DH; Tel. 020 7481 6900.
- (5) Unless otherwise advised in writing by the MMO, MCMS must be used for all licence returns or applications to vary this licence.

Details of licensed activities

2.—(1) Subject to the licence conditions in Part 2, this licence authorises the relevant undertaker to carry out any licensable marine activities under section 66(1) (licensable marine activities) of the 2009 Act which—

- (a) form part of, or are related to, the authorised development; and
- (b) are not exempt from requiring a marine licence by virtue of any provision made under section 74 of the 2009 Act.

(2) The licensed activities are authorised in relation to the construction, maintenance and operation of—

- (a) Work No. 5B—
 - (i) construction of a micro-bored tunnel;
 - (ii) dredging campaign(s) facilitating the removal of material from the seabed required for the construction of works and backfill / side cast as required;
 - (iii) the disposal of up to 500m³ of dredge arisings at each of the disposal sites carrying reference TY160 – “Tees Bay A” and TY150 – “Tees Bay C”;
 - (iv) the installation of a pipeline;
 - (v) the establishment of a connection point for a discharge head including but not limited to the creation of a punchhole;
 - (vi) the emplacement of a discharge head;
 - (vii) the deposit of rock armour protection;
 - (viii) construction works; and
 - (ix) UXO inspection, removal or detonation; and
- (b) Work No. 8—
 - (i) horizontal direction drilling and works to facilitate such drilling;
 - (ii) grouting, sealing and jointing activities required to install a safe and functional pipeline;
 - (iii) the construction of a pipeline end-piece in order to effectively provide temporary prevention from ingress;
 - (iv) installation of fibre-optic control cables and power cables; and
 - (v) UXO inspection, removal or detonation,

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in connection with Work No. 5B or Work No. 8 and to the extent that they do not otherwise form part of any such work, further associated development within the meaning of section 115(2) (development for which development consent may be granted) of the 2008 Act comprising such other works as may be necessary or expedient for the purposes of or in connection with the relevant part of the authorised development and which fall within the scope of the work assessed by the environmental statement and the provisions of this licence.

3. The relevant undertaker may engage in the licensed activities related to Work No. 5B and Work No. 8 in the area bounded by the coordinates set out in Table 11 in this paragraph.

Table 11

<i>Work No.</i>	<i>Description</i>	<i>Longitude</i>	<i>Latitude</i>
Work No. 5B	Replacement discharge pipeline to the Tees Bay	-1.089946	54.63327
		-1.082979	54.630381
		-1.08312	54.630343
		-1.083903	54.630131
		-1.099769	54.625843
		-1.099968	54.625789
		-1.103141	54.624931
		-1.103864	54.624736
		-1.104309	54.624862
		-1.105244	54.625169
		-1.107138	54.625736
		-1.107962	54.625997
		-1.108859	54.626305
		-1.108101	54.626585
		-1.107614	54.626764
		-1.106721	54.627093
		-1.10572	54.627462
-1.105639	54.627492		
-1.090325	54.633131		
-1.090027	54.633241		

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<i>Work No.</i>	<i>Description</i>	<i>Longitude</i>	<i>Latitude</i>
Work No. 8	Underground high pressure carbon dioxide export pipeline	-1.105639	54.627492
		-1.105445	54.6274
		-1.105243	54.627298
		-1.105031	54.627203
		-1.104828	54.627127
		-1.104626	54.627055
		-1.10423	54.626919
		-1.103942	54.62684
		-1.103788	54.626803
		-1.103773	54.6268
		-1.103684	54.626783
		-1.103594	54.626769
		-1.103413	54.626743
		-1.103263	54.626724
		-1.103171	54.626713
		-1.103121	54.626707
		-1.103036	54.626694
		-1.102839	54.626665
		-1.102667	54.62663
		-1.102396	54.626569
-1.102034	54.626496		
-1.101672	54.626409		
-1.101342	54.626325		
-1.100985	54.626223		
-1.100717	54.626145		
-1.100333	54.626036		

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<i>Work No.</i>	<i>Description</i>	<i>Longitude</i>	<i>Latitude</i>
		-1.10005	54.625942
		-1.099769	54.625843
		-1.099968	54.625789
		-1.103141	54.624931
		-1.103864	54.624736
		-1.104309	54.624862
		-1.105244	54.625169
		-1.107138	54.625736
		-1.107962	54.625997
		-1.108859	54.626305
		-1.108101	54.626585
		-1.107614	54.626764
		-1.106721	54.627093
		-1.10572	54.627462

4. The coordinates for the disposal sites notified to the MMO for use in this licence are specified in Table 12 in this paragraph.

Table 12

<i>Disposal Site Ref</i>	<i>Description</i>	<i>Easting</i>	<i>Northing</i>
TY150	Tees Bay A disposal site	-0.956699	54.698301
		-0.9783	54.690001
		-0.998299	54.705
		-0.9767	54.710001
		-0.956699	54.698301
TY160	Tees Bay B disposal site	-1.004999	54.683302
		-1.025	54.67
		-1.0583	54.680002
		-1.036699	54.691702

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<i>Disposal Site Ref</i>	<i>Description</i>	<i>Easting</i>	<i>Northing</i>
		-1.004999	54.683302

5. The coordinates in Table 11 and Table 12 are defined in accordance with reference system WGS84 - World Geodetic System 1984.

6. This licence remains in force until the authorised development has been decommissioned in accordance with a programme approved by the Secretary of State under section 106 (approval of decommissioning programmes) of the 2004 Act, including any modification to the programme under section 108 (reviews and revisions of decommissioning programmes) of the 2004 Act, and the completion of such programme has been confirmed by the Secretary of State in writing.

7. The provisions of section 72 (variation, suspension, revocation and transfer) of the 2009 Act apply to this licence except that the provisions of section 72(7) and (8) relating to the transfer of the licence only apply to a transfer not falling within article 8 (consent to transfer the benefit of this Order).

8. With respect to any condition which requires the licensed activities be carried out in accordance with the plans, protocols or statements approved under this Schedule, the approved details, plan or scheme are taken to include any amendments that may subsequently be approved in writing by the MMO.