

# Marine Licence Applications

## Report No 66. 2 Dec 2022

This report covers applications submitted since 1 July 2022 for work in the Solent not included in previous reports. It excludes applications for burial of human remains at sea.

### 1. Applications open for consultation

**Case ref: MLA/2022/00373**

Submitted: 23 Aug 2022.

Consultation Closing: 9 Dec 2022

#### **Lymington Yacht Haven - Pile Replacement Programme**

Project background

Yacht Havens, owner and operator of the 630 berth Lymington Marina, seeks to secure a marine licence that permits the removal and direct replacement the piles that currently secure the pontoons to the seabed.

The piles are subject to ongoing checks and the approach will ensure that where damage or piles at the end of their useful life are identified an ongoing programme of maintenance work can be completed within the marina to ensure it remains safe and viable for use. The marina has approximately 170 piles across the site and the licence requests an allowance to replace a proportion of these per year on a rolling programme.

To minimise any impacts, avoid undue disturbance to marina operations and assist with funding the applicant plans to spread the work over the next 10 years, with a maximum of 20 piles per year, up to a total number of 100 in the licence period.

It is considered that the individual piles could potentially be addressed over an extended period of time via the fast track approach, however it has been decided by the applicant to seek a licence covering the maintenance activity for a 10 year period on the basis that this will provide certainty to the regulator and flexibility to the applicant to undertake the maintenance works in the most cost efficient manner.

The purpose of these works is to maintain the current pontoon conditions or improve them with refurbishing the pontoon piles currently in place. This will be accomplished using vibro-piling as opposed to driven piling.

## **2. Applications submitted but not yet open to consultation**

This month there were 8 applications listed under South Marine Area and 5 applications listed under South east area, all of which had to be checked but none of them are in the Solent.

### 3. Other Matters

For the last three months I have been corresponding with MMO about the shortcomings of their system of allocating applications to Marine Areas, which makes it so difficult for SPS to monitor application for work in the Solent but there has been no improvement. Here are copies of some of the exchanges:

From MMO,  
7 Nov 2022

Good morning,

Please find attached the MMO's response to the below. If you'd like to discuss this further, please don't hesitate to contact me.

Kind Regards,

**Jamie Short | Marine Licensing Business Support Team Manager | Marine Licensing | Marine Management Organisation**  
0208 225 6469 | [jamie.short@marinemanagement.org.uk](mailto:jamie.short@marinemanagement.org.uk) | Lancaster House, Hampshire Court, Newcastle upon Tyne. NE4 7YH

Our reference: C2100 [By email only] 07 November 2022

Dear Mr Paul King,

Thank you for your email sent to the Marine Management Organisation's (MMO) Portsmouth Office on 6 September 2022, regarding the boundaries used within the MMO's Public Register. I have provided a response to your three points below:

1. Have you changed the boundaries of your South and Southeast areas?

*No, the boundaries of the South and South East areas have not changed.*

2. Why do you not align your licence application areas to your Marine Plan areas? (Since Solent is in the South Marine Plan applicants have to consult this to check they are complying with the South Marine Plan).

*The Marine Plan areas should, in most cases, align with the areas on the Public Register however as your email states, there are occasions where this is not the case. This is because the Public Register areas contain older areas which were previously used in the processing of licence applications. Unfortunately these areas cannot be removed, due to the potential to impact historical data.*

3. Why not give applicants guidance as to how to describe the location of their work and send back applications which do not specify this or do so in an excessively local way. This is often left blank so we have to delve deep into many applications only to discover they are not in the Solent. In other cases the location is described by a local name which will not be recognised by anyone not already very familiar with the area. For example the location of application MLA/2017/00531 is given as "Tides Reach Pontoon Basin", whereas it would be better described as "Cowes" (Tides Reach is the name of a private house).

*Thank you for this useful suggestion – this will be discussed internally as we strive to ensure the applications we assess contain as much relevant information as possible, in order for members of the public to comment on applications which may be relevant to them. You may be aware, but Explore Marine Plans is a tool which can be accessed by anyone and can be used to identify existing marine licences and licence applications. You can use the map to navigate to a specific area, and use the 'Marine licensing data' layer to find relevant activities in the area.*

Sincerely, Jamie Short Marine Licensing Business Support Team Manager D +44 (0)208 225 6469

## 4. Background correspondence

**From:** Paul King <[pk@paulfking.f9.co.uk](mailto:pk@paulfking.f9.co.uk)>  
**Sent:** 02 November 2022 11:58  
**To:** SM-MMO-SH - MMO Info (MMO) <[SH.Info@marinemanagement.org.uk](mailto:SH.Info@marinemanagement.org.uk)>  
**Cc:** 'Bob Comlay' <[robert@comlay.net](mailto:robert@comlay.net)>  
**Subject:** FW: searching marine licence applications

Dear Sirs,

I am acting on behalf of Solent Protection Society.

I sent this letter to your Portsmouth office on 6 September but received no reply. I telephoned your Portsmouth office but there was no answer. I repeated the letter on 30 Sep to marine consents but again there has been no reply. Neither email was sent back as undeliverable so I presume they were delivered. What is going on at MMO? – if anything?

Please respond to this email.

Yours sincerely  
Paul King  
Solent Protection Society

**From:** Paul King [<mailto:pk@paulfking.f9.co.uk>]  
**Sent:** 06 September 2022 17:35  
**To:** 'portsmouth@marinemanagement.org.uk' <[portsmouth@marinemanagement.org.uk](mailto:portsmouth@marinemanagement.org.uk)>  
**Subject:** searching marine licence applications



**SOLENT PROTECTION SOCIETY**  
*Protecting the Solent and its environment for future generations*

Dear Sirs,

The Solent Protection Society is a charity formed in 1956 with the purpose of seeking to ensure that the Solent retains its unique and historic natural resources for the enjoyment of our own and future generations.

We take a close interest in Marine Licence applications and search your public register every month to discover applications relating to the Solent. We have commented on many over the years. When we started monitoring Marine Licence Applications about 6 years ago we asked where applications relating to the Solent were to be found and were told that the whole of the Solent was in the south east area, whose western end was west of the Needles, Isle of Wight. Over the years we have found an increasing number of Applications for work in the Solent were listed in your South area which extends from west of Needles to Dartmouth. This month ALL THREE of the Solent applications were listed under South. This prompts several questions:-

1 Have you changed the boundaries of your South and Southeast areas?

2 Why do you not align your licence application areas to your Marine Plan areas? (Since Solent is in the South Marine Plan applicants have to consult this to check they are complying with the South Marine Plan).

3 Why not give applicants guidance as to how to describe the location of their work and send back applications which do not specify this or do so in an excessively local way. This is often left blank so we have to delve deep into many applications only to discover they are not in the Solent. In other cases the location is described by a local name which will not be recognised by anyone not already very familiar with the area. For example the location of application MLA/2017/00531 is given as "Tides Reach Pontoon Basin", whereas it would be better described as "Cowes" (Tides Reach is the name of a private house).

We look forward to your response to these questions/ suggestions.

Yours sincerely  
Paul King,  
Solent Protection Society

Dear Mr Short,

Thank you for your reply to the three numbered point in my message of 6 September. I note that the boundaries of the south and south east areas have not changed. In other words the division between the two areas lies immediately to the west of the needles, leaving the whole of the Solent in the southeast area. However, on a sample of all those applications for work in the Solent but found in your South area, you seem to have a 100% failure.

Although it was not a numbered point I was expecting you to comment on this failing. Make this my 4<sup>th</sup> question – What are you going to do about it? Why retain the MLA areas when you cannot make them work?

I have not looked at MLAs listed in other areas. How many have I missed because you listed Solent applications under northeast for example? I have a suggestion. Why not start a new Public Register, using the Marine Plan area boundaries, sitting alongside the Old Public Register. Of course this would not answer my question 4 related to sorting the applications into the correct geographical areas

Yours sincerely  
Paul King  
On behalf of Solent Protection Society