

WORKS LICENCES

Applications to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water within harbour (harbour being as defined in Schedule 2 to the Tees and Hartlepoons Port Authority Act 1966).

Applying for a Works Licence

Under section 22 of the Tees and Hartlepoons Port Authority Act 1966, PD Teesport Limited (as the Statutory Harbour Authority for Teesport and the Port of Hartlepool), may upon such terms and conditions as they think fit grant to any person a licence (“works licence”) to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water in the harbour.

An application for a works licence should be made in writing by email to PD Teesport Limited by the proposed licensee. Applications should be submitted to the Harbour Master using the email address: Harbourmaster@pdports.co.uk.

To assist with your application for a works licence, the documents attached as Annex 1 and Annex 2 set out in further detail the information which PD Teesport Limited will require in order to process your application.

Timescale for issuing a Works Licence

PD Teesport Limited will process your application as soon as possible, however, please allow three (3) months.

Contact Details

If you have a general enquiry regarding works licences or if you would like to discuss the process further before submitting your application, please contact the Harbour Master via email: Harbourmaster@pdports.co.uk.

Annex 1

Requirements for an application for a general works licence (excluding Ground Investigation Works)

PD Teesport Limited

Requirements for an application for a general works licence (excluding Ground Investigation Works)¹

Applications to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water within harbour (harbour being as defined in Schedule 2 to the Tees and Hartlepoons Port Authority Act 1966).

Applying for a Works Licence

Under section 22 of the Tees and Hartlepoons Port Authority Act 1966, PD Teesport Limited (as the Statutory Harbour Authority for Teesport and the Port of Hartlepool), may upon such terms and conditions as they think fit grant to any person a licence (“works licence”) to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water in the harbour.

An application for a works licence should be made in writing to PD Teesport Limited (“PD Teesport”) by the proposed licensee.

An application for a works licence will need to be accompanied by plans, sections and particulars of the works to which the works licence application relates. Such plans, sections and particulars of the works must be in final form when submitted as part of the formal works licence application request. However please note that PD Teesport may require modifications to any plans, sections and particulars submitted with the works licence application.

Plans

All plans submitted with the works licence application should be in CAD format. The plan(s) that are submitted with the works licence application must contain a boundary line showing the area the licensee requires to be licensed in order to undertake the works (this will be referred to in the works licence as the “Licensed Area”). The plan(s) that are submitted must also show the location or locations of all works proposed to be undertaken within the boundary of the Licensed Area.

Sections

All sections submitted with the works licence application should be in CAD format. The section(s) that are submitted with the works licence application must detail the horizontal and vertical dimensions of all works to be constructed within the Licensed Area. The section(s) should also indicate the proposed depths of the works proposed to be carried out.

¹ In the event that the works to be performed are ground investigation works on, under or over tidal waters or tidal lands below the level of high water within harbour (harbour being as defined in Schedule 2 to the Tees and Hartlepoons Port Authority Act 1966), please see the document titled “Requirements for an application for a works licence in respect of ground investigation works” .

Particulars of works

As regards the particulars of the works to be submitted with the works licence application, we would expect these particulars to comprise a detailed method statement / specification of the works to which the application relates describing the arrangements, quality assurance procedures, and methods which the licensee proposes to adopt for carrying out the works.

In order to grant the works licence, PD Teesport will also need the following details to be submitted as part of the formal works licence application:

- (a) the full company name, registered number and registered office address of the proposed licensee. Please note that we would expect the licensee to be the freehold owner of the land being developed; and
- (b) details of the length of time required to complete the works and the expected lifespan of the works, in order to determine the licence fee and term required for the works licence.

In addition to the above information required to be submitted with a formal works licence application, please note that before any works can commence under any works licence that may be granted by PD Teesport, PD Teesport will require, as conditions of such a granted licence, the following:

- 1) Evidence of the following consents together with evidence that the Licensee has fulfilled any conditions in any of the following consents, where such conditions are required to be fulfilled before the works begin:
 - (a) a marine consent under Part 4 of the Marine and Coastal Access Act 2009;
 - (b) EIA consent under the Marine Works (Environmental Impact Assessment) Regulations 2007;
 - (c) planning permission, or conservation area consents or any other approvals from the local planning authority required under planning legislation;
 - (d) all other permissions, licences, certificates, consents and approvals required under any statute or from any local or public authority; and
 - (e) the consent of any owners and occupiers of any neighbouring premises affected by the works.
- 2) Evidence of compliance with the requirements of the CDM Regulations 2015 (the “CDM Regulations”) in so far as they apply to the works and, where Parts 2 and 3 of the CDM Regulations apply to the works, the Licensee must provide PD Teesport with a copy of:
 - (a) the appointments made under Regulation 5;
 - (b) the notice given to the Health and Safety Executive under Regulation 6; and
 - (c) the construction phase plan required under Regulation 12.

- 3) A programme for the works.
- 4) Evidence of insurance cover for the works. The insurance cover required will be stipulated in the works licence. A "To Whom it may concern" letter from insurers/insurance broker will suffice in this instance.

Please note that a licence fee will be payable under the terms of any works licence that may be granted by PD Teesport. We will be able to provide you with details of the fee once we have been provided with the information required to be submitted with the formal works licence application.

Annex 2

Requirements for an application for a works licence in respect of ground investigation works

PD Teesport Limited

Requirements for an application for a works licence in respect of ground investigation works¹

Applications to carry out ground investigation works on, under or over tidal waters or tidal lands below the level of high water within harbour (harbour being as defined in Schedule 2 to the Tees and Hartlepoons Port Authority Act 1966).

Applying for a Works Licence

Under section 22 of the Tees and Hartlepoons Port Authority Act 1966, PD Teesport Limited (as the Statutory Harbour Authority for Teesport and the Port of Hartlepool), may upon such terms and conditions as they think fit grant to any person a licence (“works licence”) to construct, alter, renew, extend or maintain any works on, under or over tidal waters or tidal lands below the level of high water in the harbour.

An application for a works licence should be made in writing to PD Teesport Limited (“PD Teesport”) by the proposed licensee.

An application for a works licence will need to be accompanied by plans, sections and particulars of the works to which the works licence application relates. Such plans, sections and particulars of the works must be in final form when submitted as part of the formal works licence application request. However please note that PD Teesport may require modifications to any plans, sections and particulars submitted with the works licence application.

Plans

All plans submitted with the works licence application should be in CAD format. The plan(s) that are submitted with the works licence application must contain a boundary line showing the area the licensee requires to be licensed in order to undertake the works (this will be referred to in the works licence as the “Licensed Area”). The plan(s) that are submitted must also show the location or locations of all ground investigation works proposed to be undertaken within the boundary of the Licensed Area.

Sections

All sections submitted with the works licence application should be in CAD format. The section(s) that are submitted with the works licence application must detail the horizontal and vertical dimensions of all works to be constructed within the Licensed Area for the purposes of carrying out the proposed ground investigations. The section(s) should also indicate the proposed depths of the ground

¹ In the event that the works to be performed are not ground investigation works on, under or over tidal waters or tidal lands below the level of high water within harbour (harbour being as defined in Schedule 2 to the Tees and Hartlepoons Port Authority Act 1966) but are other works on, under or over tidal waters or tidal lands below the level of high water within harbour, please see the document titled “Requirements for an application for a general works licence”.

investigations proposed to be carried out.

Particulars of works

As regards the particulars of the works to be submitted with the works licence application, we would expect these particulars to comprise a detailed method statement / specification of the works to which the application relates describing the arrangements, quality assurance procedures, and methods which the licensee proposes to adopt for carrying out the works.

In order to grant the works licence, PD Teesport will also need the following details to be submitted as part of the formal works licence application:

- (a) the full company name, registered number and registered office address of the proposed licensee. Please note that we would expect the licensee to be the freehold owner of the land being developed; and
- (b) details of the length of time required to complete the ground investigation works, in order to determine the term required for the works licence.

In addition to the above information required to be submitted with a formal works licence application, please note that before any works can commence under any works licence that may be granted by PD Teesport, PD Teesport will require, as conditions of such a granted licence, the following:

- 1) Evidence of the following consents together with evidence that the Licensee has fulfilled any conditions in any of the following consents, where such conditions are required to be fulfilled before the works begin:
 - (a) a marine consent under Part 4 of the Marine and Coastal Access Act 2009;
 - (b) EIA consent under the Marine Works (Environmental Impact Assessment) Regulations 2007;
 - (c) planning permission, or conservation area consents or any other approvals from the local planning authority required under planning legislation;
 - (d) all other permissions, licences, certificates, consents and approvals required under any statute or from any local or public authority;
 - (e) the consent of any owners and occupiers of any neighbouring premises affected by the works; and
 - (f) the consent of the Crown Estate to the extent that such consent is required for the works.
- 2) Evidence of compliance with the requirements of the CDM Regulations 2015 (the "CDM Regulations") in so far as they apply to the works and, where Parts 2 and 3 of the CDM Regulations apply to the works, the Licensee must provide PD Teesport with a copy of:
 - (a) the appointments made under Regulation 5;

- (b) the notice given to the Health and Safety Executive under Regulation 6; and
 - (c) the construction phase plan required under Regulation 12.
- 3) A programme for the works.
 - 4) Evidence of insurance cover for the works. The insurance cover required will be stipulated in the works licence. A "To Whom it may concern" letter from insurers/insurance broker will suffice in this instance.

Please note that a licence fee will be payable under the terms of any works licence that may be granted by PD Teesport. We will be able to provide you with details of the fee once we have been provided with the information required to be submitted with the formal works licence application.