



Marine  
Management  
Organisation

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Captain Cox  
CHICHESTER HARBOUR CONSERVANCY.  
HARBOUR OFFICE  
THE STREET  
ITCHENOR  
CHICHESTER  
PO20 7AW

Case reference: MLA/2023/00025

15th April 2024

Dear Captain Joanna Cox

## **Marine and Coastal Access Act 2009 Application for a marine licence (Ref: MLA/2023/00025)**

The Marine Management Organisation (MMO), is the Licensing Authority for the purpose of Part 4 of the Marine and Coastal Access Act 2009. You applied to us on 20 January 2023 for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 to develop the existing jetty by adding a further 100 metre (m) arm, seven metres further into the channel.

We have considered all the information that has been provided to us as well as any representations made to us by interested parties. We have granted a licence to you, the licence is enclosed with this letter. Our decision has been taken in accordance with the South Marine Plan.

The licence we have granted contains a number of conditions, including conditions requiring mitigation or monitoring measures which can be found in section 5 of the marine licence.

### **Terms and Conditions**

#### General

This licence is your statutory consent to carry out the activity authorised by the licence. You must comply with the terms and conditions of the licence in full, these are binding on you and any agent or subcontractor undertaking the activity on your behalf. If you fail to comply with all the conditions in the licence we may vary, suspend or revoke your licence, and we may also take enforcement action against you.

Please read the licence carefully before you carry out the activity authorised by the licence





## Post Consent Returns

Where the conditions of the licence require you to submit returns to us, you must ensure these are submitted in accordance with the timescales set out in the licence and via the Marine Case Management System: [http://bit.ly/MMO\\_MCMS](http://bit.ly/MMO_MCMS).

You must ensure that you discharge all the conditions of the licence before the licence expires.

Where we are required to carry out post consent monitoring of the licence, including any review or approval that is required, then we may charge you a fee for that work. Where we propose to charge you such a fee we will provide you with an estimated cost before proceeding with consideration of your return.

## Fees

Where we do charge a fee, we will invoice you in respect of that fee. We expect full payment to be made for any licence charges **within 28 days** of the date of the invoice we send to you and non-payment of the invoice within the 28 days may result in us suspending or revoking the licence. Our terms and conditions relating to charging can be found here: [http://bit.ly/MMO\\_Terms\\_and\\_Conditions](http://bit.ly/MMO_Terms_and_Conditions).

## Variations

Any requests for a variation to this licence should be made **at least three months** before change is required or at least 3 months before the licence end date as specified in section 1.3 of the licence. Any request for a variation which does not allow sufficient time for us to fully consider and process the request before the licence expires will be rejected. We cannot vary a licence once the licence end date has passed.

## **Additional consents**

You may require permissions and consents from other organisations or persons before you can carry on the activity authorised by this licence and a marine licence issued by us does not absolve you from the need to hold these other consents or approvals before you carry out the licensed activities. For example, planning consent is often necessary for works to be undertaken above the low water mark and consent from the landowner may also be required. In some cases, approval from the Environment Agency may be necessary (e.g. where the activities involve a discharge or have implications for flood defences) or consent might be required from Natural England where your activities have the potential to affect a Site of Specific Scientific Interest [http://bit.ly/MMO\\_SSSI](http://bit.ly/MMO_SSSI). These examples are not intended to be an exhaustive list of other permissions that





may be required, you will need to make your own enquiries as to what, if any, other authorisations and permissions are required.

## Other Matters

1. The MMO encourages you to continue liaising with Itchenor Sailing Club to mitigate any potential impacts, including supporting with additional safety cover when required.
2. The MMO notes you have adopted the Port Marine Safety Code (PMSC), which sets out a national standard for every aspect of port marine safety. The MMO advise adherence to this. The Code is not mandatory, however it is endorsed by the UK Government, devolved administrations, and representatives from across the marine industry sector. It is applicable to both Statutory Harbour Authorities (SHA) and non-SHAs including marinas, terminals, marine berths, and jetties. The Department for Transport also publishes the PMSC Guide to Good Practice, which provides useful information and detailed guidance on the safe management of these facilities and is intended to supplement the Code. This can be found here: <https://www.gov.uk/government/publications/a-guide-to-good-practice-on-port-marine-operations>
3. Please note the onus is on you to ensure that you are legally compliant with the legislation regarding protected species throughout the duration of the licence. Further details of the species protected through this legislation can be found here: <https://www.gov.uk/government/publications/protected-marine-species>
4. The MMO would like to highlight that the Crown Estate is affected by the proposed works and landowner's consent is required. You are requested to liaise with the managing agent for the area: Rachel Wylde of Carter Jonas on 01489 667841, [Rachel.Wylde@carterjonas.co.uk](mailto:Rachel.Wylde@carterjonas.co.uk) regarding landowner's consent for the proposed activity.

## Appealing a decision

You may appeal our decision to grant the licence subject to conditions, any provision within the licence and or the period of time over which the licence is granted. You have **six months** from the date of our decision to make your appeal. Your notice of Appeal should be sent to the Planning Inspectorate (PINS) who will manage and decide any appeal against our licensing decision.

Further guidance is available here: <https://www.gov.uk/guidance/make-a-marine-licence-application#after-a-decision-is-made>

## Your feedback





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We are committed to providing excellent customer service and continually improving our service and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey: [http://bit.ly/MMO\\_Survey](http://bit.ly/MMO_Survey).

Finally, if you have any queries or require clarification of any of the terms or conditions of the licence, please do not hesitate to contact me using the contact details below.

Yours Sincerely,

Luke Harto  
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[luke.harto@marinemanagement.org.uk](mailto:luke.harto@marinemanagement.org.uk)

