

Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Cardiff Harbour Authority
Variation application reference no: DML1930v3

Cardiff Bay

**Disposal of dredged material from Cardiff Bay outer
harbour and approaches to Cardiff Grounds (LU110)**

27 September 2022

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OUR DECISION

Based on all the information available, and having regard to all relevant considerations NRW has decided to grant the variation to the Existing Marine Licence sought by the Variation Application.

This decision document:

- explains how the Variation Application has been determined, having regard to the relevant legal framework outlined in section 4;
- explains how relevant considerations have been taken into account and how each of the legal requirements have been considered in determining the Variation Application;
- provides a record of the decision-making process; and
- sets out the reasons for any conditions imposed in connection with any marine licence granted pursuant to the Variation Application.

1 APPLICATION DETAILS

1.1 The Variation Application

Applicant name and address	The Applicant is the organisation set out below: Organisation name: Cardiff Harbour Authority Address: Queen Alexandra House, Cargo Road, Cardiff CF10 4LY
Variation Application reference number	DML1930v3
Existing Marine Licence reference number	DML1930v2
Date Variation Application was duly made	22 September 2022
Description of variation	Routine variation to extend licence end date by from 30 September 2022 to 01 January 2023
Proposal[s] covered by the Variation Application	Disposal of dredged material from Cardiff Bay outer harbour and approaches to Cardiff Grounds (LU110). (the Project)
Licensable marine activities	The deposit of dredged material using a trailer suction hopper from Cardiff Bay Outer Harbour, Locks and Approach Channel to Cardiff Grounds LU110 (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region
Variation Application documents:	• DML1930v3 Application Form

2 VARIATION APPLICATION PROCEDURE

2.1 The Variation Application

The Variation Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 22 September 2022. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we needed to complete that determination, and the documents considered may therefore include documents provided after the Variation Application was first made.

2.2 Documents considered

In reaching its decision, NRW has considered the documents listed in section 1 of this decision document along with such other information provided by the Applicant or received during any consultation, that NRW considered relevant.

2.3 Commercial Confidentiality

The Applicant made no claim that any information forming part of the Variation Application was subject to commercial confidentiality and we have not received any information in relation to the Variation Application that appears to be commercially confidential.

2.4 Publicity and advertising

Due to the minor change to the licence which extends the ongoing activity for a short period of time, no notice was given to Local Authorities and no Public Notice was advertised for this Marine Licence variation.

2.5 Environmental impact Assessment

Council Directive 2011/92/EU (as amended) on the assessment of the effects of certain public and private projects on the environment aims to protect the environment and the quality of life by ensuring that projects which are likely to have significant environmental effects by virtue of their nature, size or location are subject to an environmental impact assessment (EIA) before permission is granted.

The Marine Works (Environmental Impact Assessment) Regulations 2007 ("the Regulations") transpose the EIA Directive in Wales and England for marine licence applications.

The Variation Application was not considered by NRW to constitute a development requiring EIA under the Regulations.

3 CONSULTATION

3.1 Consultees

Due to the minor nature of the change to the licence and that no additional impacts are expected above that which were considering during the determination of DML1930, NRW did not consider it appropriate to reconsult on this occasion.

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4 Conclusions and Recommendations

Based on all the information available, and having regard to all relevant considerations, NRW's decision is to grant the variation to the Existing Marine Licence sought by the Variation Application. We have reached this decision having had regard to the relevant legal framework outlined in section 4 and have also explained in section 4 how each of the legal requirements have been considered. NRW has determined that a Marine Licence for the Proposed Activities should be granted.

The short extension has been requested to allow the Marine Licence to align with the Harbour Authorities Schedule 3 approval that is required under the Cardiff Bay Act which expires on the 30th September, following this a new marine licence application will be submitted prior to the subsequent dredge and disposal campaign.

Due to the short extension to an ongoing maintenance operation coupled with the work taking place using the same method and under the same conditions detailed in marine licence DML1930v2 it is considered that the HRA and WFD assessment carried out during the original determination of DML1930 remain applicable for this variation request.

AUTHORISATION

Report by: Joe Thomas Position: Permitting Officer	Date: 27/09/2022	Signed: 
Authorised by: Emmer Litt Position: Permitting Team Leader	Date: 28/09/2022	Signed: 

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ANNEX 1 – Variation to the Marine Licence

Licence end date has been changed in section 1.3 of the Marine Licence from 30/09/2022 detailed in DML1930v2 to 01/01/2023 in DML1930v3.

No other changes have been made.