

Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Bridgend County Borough Council

Variation application reference no: CML1936v3

Sandy Bay and Trecco Bay, Porthcawl

Coastal defence repair works to four areas at Sandy Bay and Trecco Bay, Porthcawl

07 October 2022

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Our decision

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The Marine and Coastal Access Act 2009

- 4.1 The need to protect the environment
 - 4.1.1 Water Framework Directive, Groundwater Directive and Water Environment Regulations 2017
 - 4.1.2 Biodiversity and resilience of ecosystems duty
 - 4.1.3 European Protected Sites and Ramsar Sites
 - 4.1.4 European Protected Sites and Species
 - 4.1.5 Marine Conservation Zones
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- 4.2 The need to protect human health
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- 4.4 Marine Policy Documents
- 4.5 Other matters NRW thinks relevant
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5. Conclusions and Recommendations

ANNEX 1: Conditions and Reasons

ANNEX 2: Existing Marine Licence

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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 (see Annex 2) 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: Bridgend County Borough Council Address: C/O Flood & Coastal Management, Waterton Depot, Waterton Lane, Bridgend, CF31 3YP
Variation Application reference number	CML1936v3
Existing Marine Licence reference number	CML1936v2
Date Variation Application was duly made	13 September 2022
Description of variation	Routine variation to extend the licence from 31 December 2022 to 01 September 2023.
Proposal[s] covered by the Variation Application	Coastal defence repair works to four areas at Sandy Bay and Trecco Bay, Porthcawl. (the Project)
Licensable marine activities	Coastal Defence Repair Works (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region
Variation Application documents:	Application Form 01 September 2022

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2 VARIATION APPLICATION PROCEDURE

2.1 The Variation Application

The Variation Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 13 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 CML1936, 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 including consultation responses, 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.

Conditions have been attached to the Marine Licence as set out in Annex 1. The reason for the inclusion of each condition is set out with the conditions.

AUTHORISATION

Report by: Jodie Pullen Position: Permitting Officer	Date: 30 September 2022	Signed: 
Authorised by: Emmer Litt Position: Permitting Team Leader	Date: 07 October 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 31 December 2022 detailed in CML1936v2 to 01 September 2023 in CML1936v3.

No other changes have been made.