



Sent by e mail

17 August 2023

Dear Mark Morgan

## **MARINE AND COASTAL ACCESS ACT 2009: PART 4 – MARINE LICENSING**

### **LICENCE FOR DEGANWY MARINA MAINTENANCE DREDGE AND DISPOSAL**

#### **LICENCE NUMBER: DML2322**

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, assessed as being duly made complete on 25 April 2023, for a Marine Licence under Part 4 of the Marine and Coastal Access Act 2009, and hereby grant a Marine Licence for you to undertake the above stated works.

Accordingly, please find attached for your review and retention a copy of Marine Licence **DML2322** and its conditions.

#### **Advisory Note**

Marine Licence, **DML2322**, constitutes a statutory consent; therefore the conditions set out herein must be complied with in full and will be binding upon any agent or contractor who undertakes any activity on the project on your behalf.

You are urged to read the conditions of Marine Licence **DML2322** carefully, in particular the need to advise Welsh Government Marine Enforcement Officers of the commencement of works within **10 days** prior to work starting.

Marine Licence, **DML2322** is solely granted for the work to be undertaken at **Deganwy Marina**; however, it does not absolve you from applying for further consents or licences as necessary to enable the full completion of your project.

If the works authorised by this Licence are unlikely to be completed by the expiry date, the Licence Holder should apply for a replacement marine licence **at least 4 months** prior to the expiry date of this Licence.

Condition 3.17.4 addresses the potential in-combination effect of two dredge licences operating at the same time, that could cause the deterioration of reef feature within the Menai Strait and Conwy Bay SAC. The condition enables regulation of dredging activity to

ensure Deganwy Marina and Conwy Marina do not simultaneously dredge. We encourage you to liaise with Conwy Marina on a schedule of works that avoids simultaneous dredging, prior to gaining approval from NRW.

Condition 3.18.1 refers to archaeological finds; these can vary from stone implements such as prehistoric flint tools, material that may relate to wrecks, items jettisoned overboard from vessel and items which may have come from downed aircraft. The location of the sample and where the find came from on the seabed should be recorded and the finds must be reported to The Crown Estate's Marine Antiquities Scheme, to ensure that the sampling contractor complies with the requirements of the Merchant Shipping Act 1995 (<https://www.gov.uk/guidance/wreck-and-salvage-law#the-law-relating-to-wreck>). Guidance notes relating to different marine find types can be found at (<https://marinefinds.org.uk/guides>).

Should you require clarification as to the reasons for the inclusion of any of the conditions attached to the Licence then you must request written notice within 28 days of the receipt of this letter.

The Crown Estate have advised that they are in part affected by the the proposed disposal activity and landowner's consent is required. It is therefore requested that you liaise with the Managing Agent for the area regarding landowners consent for the proposed activity who can be contacted via Jones Peckover on 01745 812127, [cdb@jonespeckover.com](mailto:cdb@jonespeckover.com).

During the consultation Conwy County Council have also advised that (although unlikely given the boat-based nature of the works) should parking for staff / plant (associated with works) be required, these should be identified on a submitted plan for the Highway Authority's review. Additionally, should any temporary traffic management arrangements be required in connection with the works, these must be in accordance with Chapter 8 of the Traffic Signs Manual and New Roads and Streetworks Act 1991, requires approval by the Highway Authority. For further information please contact the Streetworks Manager via [streetworks@conwy.gov.uk](mailto:streetworks@conwy.gov.uk) They have also advised that no debris, mud or surface water is to be discharge onto the public highway; as this is an offence under the Highway Act 1980, and it is also advised that any required signage is bi-lingual in accordance with Conwy's Welsh language policy.

The Marine and Coastal Agency have also advised that the local harbour authority is informed prior to the start of works and also at the end of works and that any change data including engineering drawings, hydrographic surveys, details of new or changed age to navigation must be sent to the harbour authority who will review the information and determine what action is appropriate (Including informing the UKHO).

## **Rights of appeal**

You have the right of appeal to the Welsh Ministers against this decision. The Appeal must be made in accordance with the Marine Licensing (Appeals Against Licensing Decisions) (Wales) Regulations 2011.

A notice of appeal must be received by the Welsh Ministers within six months beginning with the date of the decision to which the appeal relates.

You must send written notice of appeal including the documents listed below to the Welsh Ministers at the following address:

Welsh Ministers c/o Marine Licensing Branch, Welsh Government, Cathays Park, Cardiff. CF10 3NQ.

At the same time you must send a copy of the notice of appeal to the Natural Resources Body for Wales at the following address:

Permitting Service Manager, Permitting Service(Cardiff), Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff, CF24 0TP

The notice of appeal must include:

- a) the name, address (including any email address) and telephone number of the appellant and any agent acting for the appellant;
- b) a statement of the grounds of appeal;
- c) a statement as to whether the appellant wishes to have the appeal dealt with by way of written representations, a hearing or an inquiry;
- d) a copy of the decision to which the appeal relates;
- e) a copy of all documents upon which the appellant wishes to rely; and
- f) a list of all the documents, including dates (where any document is dated), specified in bullet points d and e above. :

You may withdraw an appeal by notifying the Welsh Ministers in writing and sending a copy of that notification to the NRW at the address specified above.

**Please be aware that the Welsh Government has changed the Marine Licensing fees and charges in Wales. You will be charged for any post licensing work associated with your licence.** If you have any queries regarding the fee changes, please email the Marine Licensing Team via [marinelicensing@naturalresourceswales.gov.uk](mailto:marinelicensing@naturalresourceswales.gov.uk)

Following the UK's departure from the EU on 31 January 2020 and the end of the transition period on 31 December 2020, the legal obligations relating to compliance with environmental permits and legislation will continue to apply. NRW will continue to issue and regulate all permits and licenses in line with our current practice. If you have any questions about your permits or licenses and/or site management, please contact our Customer Care Centre on 03000 653 000.

Yours sincerely

Seran Davies  
**Marine Licensing Team**  
**Natural Resources Wales**