



Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Dyer & Butler Ltd

Application reference no: CML2280v1

Pwll Sea Wall Maintenance

Lougher Estuary

25 August 2023

Application Number: CML2280v1

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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 1) 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 company set out below: Company name: Dyer & Butler Ltd Company number: 01450372 Address: Abel Smith House, Gunnels Wood Road, Stevenage, Hertfordshire, England, SG1 2ST
Variation Application reference number	CML2280v1
Existing Marine Licence reference number	CML2280
Date Variation Application was duly made	22 August 2023
Description of variation	9 month extension of the licence from 15 September 2023 to 15 June 2024.
Proposal[s] covered by the Variation Application	Pwll Sea Wall Maintenance (the Project)
Licensable marine activities	The maintenance works will consist of: • Masonry Repairs • Vegetation Clearance • Repairs of a minor nature (e.g., reseating loose concrete embankment material) (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region

2 VARIATION APPLICATION PROCEDURE

2.1 The Variation Application

The Variation Application was accepted by Natural Resources Wales (**NRW**) considered duly made on **22 August 2023**. 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

The application sought to extend the licence end date to allow additional time for the licenced activities to take place. The licenced activities remain the same as within the existing consent therefore 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.

Having considered the Variation Application NRW has determined that it does not constitute a development requiring EIA under the Regulations.

3 CONSULTATION

3.1 Consultees

As there were no changes to the licensable activities no additional impacts are expected above that which were considered during the determination of **CML2280**, NRW did not consider it appropriate to reconsult on this occasion.

4 Conclusions and Recommendations

Based on all the information available, NRW's decision is to grant the variation to the Existing Marine Licence sought by the Variation Application. **CML2280v1** is a routine change to extend the licence

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duration by 9 months from 15 September 2023 to 15 June 2024 and as such, we refer to section 4 of the decision document for **CML2280** regarding the relevant legal framework and how each of the legal requirements have been considered. The decision document can be found here [Public register - Customer Portal \(naturalresources.wales\)](#) by searching for **CML2280**.

NRW has determined that a Marine Licence for the Proposed Activities should be granted.

AUTHORISATION

Report by: Jack Thompson	Date: 23 August 2023	Signed: 
Position: Marine Licensing Officer		
Authorised by: Peter Morrison	Date: 25 August 2023	Signed: 
Position: Lead Specialist Officer on behalf of Marine Licensing Team Leader		

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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 15 September 2023 to 15 June 2024.