



Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Bombora Wavepower Europe Ltd

Application reference no: ORML1924v2

Deployment, testing and subsequent removal of a full scale wave energy prototype (mWave) which is to be deployed on the seabed

East Pickard Bay, Pembrokeshire

28 September 2023

Application Number: ORML1924v2

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Our decision

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ANNEX 1: Variation to the 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 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: Bombora WavePower Europe Ltd Company number: 10733443 Address: Cleddau Reach, The Offices, Pembroke Dock, SA72 6UJ
Variation Application reference number	ORML1924v2
Existing Marine Licence reference number	ORML1924v1
Date Variation Application was duly made	18 September 2023
Description of variation	12 month extension of the licence from 22 October 2023 to 22 October 2024.
Proposal[s] covered by the Variation Application	The installation, operation, maintenance and decommissioning of a full-scale wave energy device. (the Project)
Licensable marine activities	The temporary deployment and testing of a full scale wave energy prototype device (75m, by 15m at the base, (17m across the membranes), by 7m high), an acoustic doppler current profiler and subsea termination unit, aids to navigation and a 1,450 m subsea / subtidal communication cable on the seabed off East Pickard Bay on the south side of Angle Peninsula (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region
Variation Application documents:	ORML1924v2 Application Form – 11 September 2023 ORML1924v2 Marine Licence extension letter – 18 September 2023

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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 **18 September 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 **ORML1924** and therefore, 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. **ORML1924v2** is a routine change to extend the licence duration by 12 months from 22 October 2023 to 22 October 2024 and as such, we refer to the EIA consent decision for **ORML1924** 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 **ORML1924**.

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

AUTHORISATION

Report by: Jack Thompson Position: Marine Licensing Officer	Date: 22 September 2023	Signed: 
Authorised by: Emmer Litt Position: Marine Licensing Team Leader	Date: 27 September 2023	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 22 October 2023 to 22 October 2024.