



Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Gwynedd Council
Variation application reference no: CML2273v1

Hirael Flood Protection Scheme, Bangor

01 December 2023

Application Number: CML2273v1

Contents

- Our decision
- 1. Variation Application Details
- 2. Variation Application Procedure
 - 2.1 The Variation Application
 - 2.2 Documents considered
 - 2.3 Commercial Confidentiality
 - 2.4 Publicity and advertising
 - 2.5 Environmental Impact Assessment
- 3. Consultation
 - 3.1 Consultees
- 4. Conclusions and Recommendations
- ANNEX 1: Variation to the Marine Licence

Application Number: CML2273v1

OUR DECISION

Based on all the information available, and having regard to all relevant considerations NRW has decided 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,
- 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: Company/Person/Organisation name: Gwynedd Council Address: Swyddfa Penrallt, Ffordd Pafiliwn, Caernarfon, Gwynedd, LL55 1BN
Variation Application reference number	CML2273v1
Existing Marine Licence reference number	CML2273
Date Variation Application was duly made	16 November 2023
Description of variation	Extend the marine licence expiry date from 01 March 2024 to 01 September 2024.
Proposal[s] covered by the Variation Application	Enhancement of existing sea wall at Hiracl as part of the Hiracl Coast Protection Scheme. Consisting of the construction of a sheet piled retaining wall to replace the existing gabion wall at the promenade and addition of rock armour (adjacent to new sheet pile wall) shown to extend approximately 4m out into the bay (the Project).
Licensable marine activities	Construction of a retaining wall to replace the existing gabion wall. The new defence will be constructed through a sheet piling method. To allow the installation of the sheet pile wall as close to the existing wall as possible lower level gabion baskets and large stones will be removed. The space between the new sheet piled wall and the existing gabions will be backfilled by concrete (100-200mm). Sheet piles will be installed as close to the existing gabions as practicably possible. A concrete pile-cap and handrail will be installed on the new wall to provide edge protection.

Application Number: CML2273v1

	Rock armour (adjacent to new sheet pile wall) shown to extend approximately 4m out into the bay (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region
Variation Application documents:	CML2273v1 – Application Form - 16 November 2023

2 VARIATION APPLICATION PROCEDURE**2.1 The Variation Application**

The Variation Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 16 November 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

2.5 The application sought to extend the licence end date to allow addition time for the licenced activity 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.**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.

Application Number: CML2273v1

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 CML2273v1, 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. **CML2273v1** is a routine change to extend the expiry date of the licence by 6 months from 01 March 2024 to 01 September 2024 and as such we refer to section 4 of the decision document for **CML2273** 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 **CML2273**.

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

AUTHORISATION

Report by: Jack Thompson Position: Marine Licensing Officer	Date: 27 November 2023	Signed: 
Authorised by: Emmer Litt Position: Marine Licensing Team Leader	Date: 01 December 2023	Signed: 

Application Number: CML2273v1

ANNEX 1 – Variation to the Marine Licence

The licence end date has been changed in Section 1.3 of the Marine Licence from 01 March 2024 in **CML2273** to 01 September 2024 in **CML2273v1**.