

Our ref: CML2350

Date: 25 April 2024

Dear Alistair Billington,

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

LICENCE FOR Liverpool Bay CCS Limited to perform HyNet Newbuild Carbon Dioxide Pipeline – Trenchless crossing of the River Dee

LICENCE NUMBER: CML2350

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, considered complete 15 September 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 **CML2350** and its conditions.

Advisory Note

The following advisory notes have also been provided to us from the MCA and should be considered when carrying out the Licensed Activities:

- Please note that the Dee Conservancy, as the Harbour Authority and Local Lighthouse Authority for the Dee has requested a reminder to be issued of the need to contact the Dee Conservancy for a formal easement to be put in place to ensure no impediment to their statutory duties. The marine licence does not absolve you from the requirements of other permissions and we have included commencement and completion notifications to the Dee Conservancy so that the authority is fully sighted of the timings of works for the area under their control.
- NRW Flood Risk Team have indicated that the mud ponds must be suitably decommissioned so that they do not pose any risks during the pipeline operational phases.
- NRW Flood Risk Team have indicated that as long as the entry and exit pits are located at least 16m away from tidal watercourses and any defences on a tidal watercourse, including the River Dee, a Flood Risk Activity Permit (FRAP) is not needed for the works. Please ensure you communicate with the Flood Risk Team if this is not the case.

- NRW Protected Species Team advise that the in the OCEMP Section D-BD-015, to protect the wildlife and the ecological interests of the site including protected species, provisions of the scheme shall accord with the provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/23: Bats and Artificial Lighting at Night
- NRW Air Quality specialist advise that within the OCEMP the words 'sensitive receptor' must refer to both human health and biodiversity receptors. It does not objectively say this in the plan. Provided ecological as well as human health sensitive receptors are identified in the DMP the works should not cause negative impacts.
- The MCA also reminds the applicant that it should gain the approval/agreement of the responsible local navigation authority (i.e., the Dee Conservancy).

Marine Licence, **CML2350**, 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 **CML2350** 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, **CML2350** is solely granted for the work to be undertaken at Sandycroft (Flintshire); 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.

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.

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 you will be charged for any post licensing work associated with your licence. If you have any queries regarding the fees, please email the Marine Licensing Team via marinelicensing@naturalresourceswales.gov.uk

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

Maria Alvarez

**Marine Licensing Team
Natural Resources Wales**