

Our ref: CML2403

Date: 03 May 2024

Dear Steffan Williams

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

LICENCE FOR Kaymac Marine & Civil Engineering Ltd to perform Morfa Culvert Remediation Works

LICENCE NUMBER: CML2403

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, dated **03 January 2024** 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 **CML2403** and its conditions.

Advisory Note

As communicated to you by email on 29 February 2024, Cadw raised concerns regarding the possible requirement for a Schedule Monument Consent and I encouraged you to engage with Cadw by contacting ScheduledMonuments@gov.wales.

Following consultation with the Local Planning Authority, a number of comments were raised regarding the works outside of the marine licensable area (landward of Mean High Water Springs). Please see below:

- It is advised that the works are supervised by an ecological clerk of works (ECoW), who should also undertake a site walkover survey prior to any works affecting vegetation or habitats on site, and should assess for impacts on nesting birds, reptiles and otter.
- INNS present on site include Japanese knotweed and Himalayan balsam. A site biosecurity plan is required to prevent the spread of INNS e.g. to include cleaning all vehicles and equipment when leaving site.

- No clearance of trees, shrubs, scrub (including gorse and bramble) should be undertaken during the bird nesting season, March to September inclusive.
- Light spillage into the adjacent river corridor should be avoided.
- The proposed works may impact upon access to the national cycle network route NCN 43. The 'Method Statement & Risk Assessment' (1.30) states that pedestrian diversions will be set up, but it is not clear what these will be. Cycle and pedestrian traffic must be safely managed through the construction period.

I'd like to draw your attention to condition 3.18 which requires a Written Scheme of Investigation to be approved prior to commencement of works. We strongly advise you engage with the Royal Commission on the Ancient and Historical Monuments of Wales prior to submission: julian.whitewright@rcahmw.gov.uk

Marine Licence, **CML2403**, 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 **CML2403** 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, **CML2403** is solely granted for the work to be undertaken at **Morfa**; 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, Welsh Government Offices, Cathays Park, King Edward VII Avenue, Cardiff, CF10 3NQ

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

Siân Hughes
Marine Licensing Team
Natural Resources Wales