

Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Conwy County Borough Council
Application reference no: CML2272

Kinmel Bay, Conwy

Kinmel Bay Coastal Defence Improvements Scheme

12 June 2024

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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, 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 organisation set out below: Organisation name: Conwy County Borough Council. Address: Environment Roads & Facilities, Mochdre Offices, Conway Road, Mochdre, Conwy, LL28 5AB
Variation Application reference number	CML2272v1
Existing Marine Licence reference number	CML2272
Date Variation Application was duly made	06 June 2024
Description of variation	Licence term extension from 31 December 2024 to 31 December 2026
Proposal[s] covered by the Variation Application	Kinmel Bay Coastal Defence Improvements Scheme (the Project)
Licensable marine activities	The new rock armour will be a height of 7.2mOD, the current 1 in 4 slope angles of the rock armour will be retained, with the height and width of the crest increasing. The new design will reuse and repurpose the current rock armour material where possible. The existing seawall will be raised by 0.75m, up to 8mOD and improvements will take place at the two beach access points. The deposit of construction vehicle tracking and movements.

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	Minor movement of material for the placement of rock armour. (the Proposed Activities)
Marine Plan area	Welsh inshore region and Welsh offshore region
Variation Application documents:	CML2272v1 - Application Form 17.04.24 17 April 2024

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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 06 June 2024. 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.

The Variation Application received was for a routing date extension by 24 month from 31 December 2024 to 31 December 2026 to allow for the works to be completed.

2.2 Documents considered

In reaching its decision, NRW has considered the documents listed in section 1 of this decision document along with the previous consent decision document ([CML2272 Decision Document](#)) and such other information 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

Due to the minor change to the licence which includes a 24 month extension, 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

Due to the minor nature of the change to the licence and that no additional impacts are expected above that which were considering during the determination of CML2328, NRW did not consider it appropriate to reconsult on this occasion.

3.2 Conclusions and Recommendations

Based on all the information available, and having regard to all relevant considerations including consultation responses, NRW's decision is to grant the variation to the Existing Marine Licence sought by the Variation Application. We have reached this decision having had regard to the relevant legal framework outlined in section 4 and have also explained in section 4 how each of the legal requirements

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

Conditions have been attached to the Marine Licence as set out in Annex 1. The reason for the inclusion of each condition is set out with the conditions.

AUTHORISATION

Report by: Maria Alvarwez Position: Lead Specialist Marine Licencing Officer	Date: 11 June 2024	Signed: 
Authorised by: Emmer Litt Position: Marine Licensing Team Leader	Date: 12 June 2024	Signed: 

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ANNEX 1

Additional conditions imposed and reasons for those conditions

No additional condition imposed to the licence