

Our ref: DEML2475

Date: 03 January
2024

Dear Alun Phillips

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

LICENCE FOR Alun Phillips to carry out the Ogmore River Clean

LICENCE NUMBER: DEML2475

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, duly made on 27 November 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 **DEML2475** and its conditions.

Advisory Note

Marine Licence, **DEML2475**, 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.

NRW Advisory have advised that the proposed activities avoid the Bathing water season which is between 1st May – 30th September inclusive, as the activities could negatively impact on the quality of the bathing water, and any bathing water sampling carried out during this time period.

There are records of otter at this site. Otters and their resting sites are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside & Rights of Way (CROW) Act 2000). As otters may be present, care should be taken to not disturb individuals or their resting sites, and all work should be restricted to daylight hours.

Should this work take place during bird breeding season (March to August inclusive), care should be taken to not disturb nesting birds. Breeding birds are protected under the Wildlife and Countryside Act 1981 (as amended).

Typically, NRW Advisory would recommend that works takes place during the summer to avoid migrating fish, but this will not be possible if the bathing water season is to be avoided. Therefore, they recommend the works takes place between 15th April – 1st May

and that the works only takes place during daylight hours and avoids the early morning when the fish may be migrating.

Siltation of the watercourse is inevitable with this type of works, but the river will need to be monitored, and breaks should be taken if the silt in the water downstream becomes excessive.

As required under condition 3.18 of the marine licence, measures should also be put in place to ensure that no INNS are brought to the site or are spread as a result of this work. The invasive non-native species, signal crayfish may be present within the River Ogmore corridor. All plant, machinery and equipment must be cleaned when accessing and leaving the site to prevent the spread of signal crayfish and crayfish plague.

You are urged to read the conditions of Marine Licence **DEML2475** carefully, in particular the need to advise Welsh Government Marine Enforcement Officers of the commencement of works within **5 days** prior to work starting.

Marine Licence, **DEML2475** is solely granted for the work to be undertaken at **Ogmore River**; 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

Joe Thomas
Marine Licensing Team
Natural Resources Wales