

Marine Licensing Variation Decision

The Marine and Coastal Access Act (2009)

Applicant: Tarmac Marine Ltd

Variation application reference no: MMML1948v2TC

Area 531 – North Bristol Deep, Severn Estuary

Extraction of marine aggregate from the seabed by means of marine aggregate dredging.

22 April 2025

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: MMML1948v2TC

OUR DECISION

Based on all the information available, and having regard to all relevant considerations NRW has decided to grant the variation to the Existing Marine Licence 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	<p>The Applicant is the company set out below:</p> <p>Company name: Tarmac Marine Ltd</p> <p>Company number: 2105370</p> <p>Address: Drayton House, Drayton Lane, Chichester, West Sussex, PO20 2EW</p>
Variation Application reference number	MMML1948v2TC
Existing Marine Licence reference number	MMML1948v1TC
Date Variation Application was duly made	03 January 2025
Description of variation	Variation to extend the reporting windows as outlined in conditions 3.5.8 and 3.6.2 to the calendar year following the calendar year of the surveys and the survey reporting respectively to enable the operators to align the Substantive Review, monitoring surveys and reporting timings.
Proposal[s] covered by the Variation Application	<p>Tarmac Marine and Hanson Aggregates Marine Limited ("the Applicants") submitted applications to dredge marine aggregate from Area 531, a replacement and extension of the Area 470 (North Bristol Deep). The Welsh/English border runs roughly through the middle of Area 531, resulting in the proposed dredge area existing in both English and Welsh waters. Area 531 covers 3.47 km² in total, with 1.98 km² located in English waters and 1.49 km² in Welsh waters. Area 470 (located wholly within Welsh Waters) has been dredged by Tarmac and Hanson since 2010. Area 531 extends the spatial extent of the current Area 470 licence into English waters, increasing the dredgeability of the area, which is currently limited due to the current and tidal constraints which are enhanced by the small licenced area. Tarmac Marine and Hanson Aggregates Marine Limited have sought separate marine licences from the MMO and Natural Resource Wales (NRW) to extract up to a combined total of</p>

Application Number: MMML1948v2TC

	<p>4,500,000 tonnes of aggregate from Area 531 over 15 years, across the two subareas (either side of the England – Wales border) at a maximum rate of 300,000 tonnes per annum, which will be divided equally between the two companies.</p> <p>(the Project)</p>
Licensable marine activities	<p>Extractive industry - Marine Mineral extraction – Marine dredging for aggregates</p> <p>(the Proposed Activities)</p>
Marine Plan area	<p>Welsh inshore region and Welsh offshore region</p>
Variation Application documents:	<p>MMML1948v2TC - Application Form 28.11.24 - Submitted 28 November 2024</p> <p>Area 526 and 531 Current & Proposed Operational Monitoring Schedule 2024 Onwards - Submitted 28 November 2024</p>

Application Number: MMML1948v2TC

2 VARIATION APPLICATION PROCEDURE

2.1 The Variation Application

The Variation Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 03 January 2025. 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

Due to the minor change to the licence which is to align the Substantive Review, monitoring surveys and reporting timings in relation to conditions 3.5.8 and 3.6.2, 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

As the change related to the timings of submission of monitoring reports NRW considered it appropriate to consult with bodies listed below due to their particular expertise and the responses received from them during the original consultation.

Consultee	Response received (Y/N)	Date(s) of receipt
NRW Advisory (NRW A)	Y	24 January 2025 to 21 March 2025
Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW)	Y	09 January 2025

Application Number: MMML1948v2TC

Both NRW A and RCAHMMW were content with the proposal to extend the window for submission of monitoring reports and substantive reviews to the calendar year following the calendar year of the surveys and the survey reporting respectively.

The HRA remained unchanged due to the minor nature of the variation to which NRW A agreed.


Application Number: MMML1948v2TC

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. MMML1948v2TC is a minor change to the reporting window in relation to conditions 3.5.8 and 3.6.2 and as such we refer to section 4 of the decision document for MMML1948v1TC 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](#) by searching for MMML1948v1.

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

AUTHORISATION

Report by: Stephen Treby Position: Marine Licencing Officer	Date: 09 April 2024	Signed: S. Treby
Authorised by: Emmer Litt Position: Marine Licensing Team Leader	Date: 22 April 2025	Signed: 

ANNEX 1 - Variation to the Marine Licence

The reporting windows as outlined in conditions 3.5.8 and 3.6.2 have been extended to the calendar year following the calendar year of the surveys and the survey reporting respectively to enable to operators to align the Substantive Review, monitoring surveys and reporting timings. The wording of the conditions have been changed from:

3.5.8 Timescale for submission

*The Licence Holder must ensure that all monitoring reports are submitted to the Licensing Authority for written approval within **9 months** of the completion of the monitoring surveys.*

3.6.2 Substantive review of operations

*The Licence Holder must submit a substantive review of the dredging operations that have taken place under the Marine Licence to the Licensing Authority within **9 months** of the start of **year 5 and year 10**, following the commencement of dredging within the Licensed Area, unless previously agreed otherwise with the Licensing Authority. The report must summarise the results of the monitoring undertaken to date and detail:*

- (i) The impact of dredging operations on the marine environment;*
- (ii) The effectiveness of the conditions imposed on the dredging operations and recommending any variations to the dredging operations as may be necessary to protect the environment; and*
- (iii) Any recommendations of variations to the monitoring programme as may be necessary to ensure that effective environmental monitoring of the dredging is maintained.*

To:

3.5.8 Timescale for submission

*The Licence Holder must ensure that all monitoring reports are submitted to the Licensing Authority for written approval **within the calendar year following the calendar year** of the monitoring surveys.*

3.6.2 Substantive review of operations

*The Licence Holder must submit a substantive review of the dredging operations that have taken place under the Marine Licence to the Licensing Authority **within the calendar year following the calendar year** of the monitoring survey reporting (condition **3.5.8**), unless previously agreed otherwise with the Licensing Authority. The report must summarise the results of the monitoring undertaken to date and detail:*

- (i) The impact of dredging operations on the marine environment;*
- (ii) The effectiveness of the conditions imposed on the dredging operations and recommending any variations to the dredging operations as may be necessary to protect the environment; and*
- (iii) Any recommendations of variations to the monitoring programme as may be necessary to ensure that effective environmental monitoring of the dredging is maintained.*

The contact details for Welsh Government Marine Enforcement Officers in section 5 have been updated from wfmccmpc@gov.wales to MarineLicencingEnforcement@gov.wales