



**Cyfoeth
Naturiol
Cymru**
**Natural
Resources
Wales**

Marine Licensing Decision

The Marine and Coastal Access Act (2009)

Applicant: Cyngor Gwynedd
Application reference no: DEML2502

Traeth Crugan, Pwllheli

Dune Nourishment

21 May 2025

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OUR DECISION

Based on all the information available, and having regard to all relevant considerations NRW has decided to grant the marine licence sought by the Application subject to the conditions set out in Annex 1.

This decision document:

- explains how the 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 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 Application.

1. APPLICATION DETAILS

1.1. The Application

Applicant Name and Address	The Applicant is the organisation set out below: Organisation name: Cyngor Gwynedd Address: Swyddfa Dwyfor, Ffordd y Cob, Pwllheli, Gwynedd, LL53 5AA
Application Reference Number	DEML2502
Date Application was duly made	30 January 2025
Proposal[s] covered by the Application	Dune nourishment operations at Traeth Crugan, Pwllheli (the Project)
Licensable marine activities	The deposit of dredged material from the mouth of Pwllheli Harbour which has been stockpiled at Carreg yr Imbyll to nourish the beach and dune system at Traeth Crugan. The material will be transported to Traeth Crugan from Carreg yr Imbyll using vehicles. (the Proposed Activities) Gwynedd Council have detailed that the dredge activity at Pwllheli is carried out under the Pwllheli Harbour Act 1983 (as amended) and therefore is exempt from the need for Marine Licence in line with Section 75 of the Marine and Coastal Access Act. Therefore the Marine Licence determination has consider the licensable activities associated with the deposit of material at Traeth Crugan only.

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	This HRA therefore considers the licensable activities associated with the deposit of material at Traeth Crugan only
Marine Plan Area	Welsh inshore region and Welsh offshore region
Application documents:	<u>Submitted 7 January 2025:</u> DEML2502 – RE12539 Pre-app consultation response from Maritime and Coastguard Agency submitted 7 January 2025 DEML2502 – RE Q24064 Pre-app communication with NRW Marine Licensing Team DEML2502 – 20240227 NRW waste team advice regarding use of sand and gravel for nourishment DEML2502 – pre-application advice from NRW Marine Area Advice DEML2502 – pre-application consultation with Trinity House DEML2502 – September 2024 Traeth Crugan Photo 1 DEML2502 – September 2024 Traeth Crugan Photo 4 DEML2502 – Plan showing extent of dredge area and stockpile DEML2502 – 12539 General Arrangement Plan 003 westside Option 3 DEML2502 – 1239 General Arrangement Plan 103 eastside Option 3 Fromveg DEML2502 – General Arrangement Plan 4937_ML_100 DEML2502 – WFD Traeth Crugan DEML2502 – Beach Nourishment and monitoring strategy R4542 25 Jun24 DEML25022 – Traeth Crugan Beach Nourishment – Method Statement 24-25 DEML2502 – Cofnod Data Search results Our Ref CO E12831 DEML2502 – WNMP Signposting 12539 DEML2502 – Traeth Crugan Beach Nourishment HRA v0.3 DEML2502 – Sediment Sampling 24022057 v01 DEML2502 – P4204 Cefas sample plan advice

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	DEML2502 – Sediment Sampling 24022057 V01
	DEML2502 – 2024_12_11 Testio Tywod Stockpile
	DEML2502 – 12539 Traeth Crugan Sediment PSD Information
	DEML2502 – SOCOTEC report 24022057 8603 Pwllheli Harbour Stockpile
	DEML2502 – sample locations stockpile
	DEML2502 – Sediment Sampling 24022057
	DEML2502 – Sediment Sampling MAR02530
	DEML2502 – 2024_02_15 Testio Tywod Stockpile
	DEML2502 – sample location Traeth Crugan
	DEML2502 – MMO Results Template MAR02530
	<u>Submitted 30 January 2025:</u>
	DEML2502 – Traeth Crugan Beach Nourishment Band 2 ML Application V2
	DEML2502 Continuation Sheet Q11_Q16_Q18
	DEML2502 Explanatory Note Q1c_Q1e_Q10
	DEML2502 – Q17c – Co-ordinates of disposal site

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2. APPLICATION PROCEDURE

2.1. The Application

The Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 30 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 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 by consultees as NRW considered relevant.

2.3. Commercial Confidentiality

The Applicant made no claim that any information forming part of the Application was subject to commercial confidentiality and we have not received any information in relation to the Application that appears to be commercially confidential.

2.4. Publicity and advertising

As required by s. 68 of the Marine and Coastal Access Act 2009 (the 2009 Act), notice was given to Cyngor Gwynedd on 14 March 2025.

As required by s. 68 of the 2009 Act NRW has required the Applicant to publish notice of the Application.

Public notices advertising the Project was placed in Cambrian News on 19 February 2025 and on NRW website on the 14 March 2025. The application documents were made available to the public on NRW online Public Register.

The public were given a period of 28 days from the date of the Public Notices to provide comments on the Application.

No public responses were received in response to the Public Notices.

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 Application NRW has determined that it does not constitute a development requiring EIA under the Regulations.

3. CONSULTATION

3.1. Consultees

NRW considered it appropriate to consult the bodies listed in the table below on 14 March 2025, due to their particular expertise. These bodies were consulted for a period of 28 days. For those bodies which responded to the consultation an 'Y' can be found in the response received column, and those which did not respond to the consultation an 'N':

Consultee	Response received (Y/N)	Date(s) of receipt
The Crown Estate	Y	17 March 2025
NRW Advisory	Y	17 April 2025
MoD - Safeguarding Defence	Y	21 March 2025
UK Hydrographic Office	N	
Maritime & Coastguard Agency	Y	8 April 2025
Trinity House	Y	25 April 2025
Royal Yachting Association	Y	11 April 2025
Local Biodiversity Officer (Cyngor Gwynedd)	Y	18 March 2025
Local Planning Authority (Cyngor Gwynedd)	N	
Local Harbour Authority	N	
Local Port Authority	N	
Welsh Fishermen's Association	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government Marine Enforcement Officers and Fisheries Division	N	
Welsh Archaeological Trust	N	
Royal Commission on the Ancient and Historical Monuments of Wales	Y	17 March 2025
Cadw	Y	27 March 2025
Chamber of Shipping	N	

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NERL Safeguarding	Y	14 March 2025
Cefas	Y	15 April 2025

Consultees who did not provide a response were assumed to have no comment.

NRW has had regard to all consultation responses received in making its decision. Where these have impacted on NRW's decision making, this has been noted in the relevant paragraph in section 4 of this decision document.

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4. BASIS FOR OUR DECISION

In determining this application, including the terms on which it was granted, and the conditions attached to it, NRW has had regard to the factors set out in section 4 below in accordance with the 2009 Act.

Under the 2009 Act NRW is required to have regard to the following:

- the need to protect the environment (see section 4.1);
- the need to protect human health (see section 4.2);
- the need to prevent interference with legitimate uses of the sea (see section 4.3);
- in the case of an application for a licence to authorise construction, alteration or improvement of works within the UK marine licensing area, the effects of any use intended to be made of the works in question when constructed, altered or improved (considered, if relevant in sections 4.1 to 4.5 below);
- any representations which it has received from any person having an interest in the outcome of the Application (summarised in section 3 and where relevant considered in sections 4.1 to 4.5 below); and
- such other matters as it thinks relevant (see section 4.5 below).

4.1. The need to protect the environment:

The reference to the “environment” includes the local and global environment; the natural environment; and, by virtue of section 115(2) of the 2009 Act, any site of historic or archaeological interest. The natural environment may include the physical, chemical and biological state of the sea, the seabed and the seashore, and the ecosystems within it, or those that are directly or indirectly affected by an activity, whether within the marine licensing area or otherwise.

In considering the need to protect the environment we have considered the relevant environmental legislation set out below.

4.1.1. Water Framework Directive, Groundwater Directive and Water Environment Regulations

a) The legal framework

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (**Water Environment Regulations**) implement the requirements of the Water Framework Directive (**WFD**) (Directive 2000/60/EC) which requires consideration as to whether that proposals for development may cause deterioration or prevent a water body from achieving ‘good status’. Proposals likely to cause deterioration or prevent a waterbody from achieving good status should be rejected, unless derogation procedures have been applied.

Under the Water Environment Regulations, NRW must exercise its relevant functions to ensure compliance with the requirements of the WFD, the Environmental Quality Standards Directive (Directive 2008/105/EC) and the Groundwater Directive (Directive 2006/118/EEC).

b) Factors relevant to our determination

NRW has considered the potential effect of the Proposed Activities on the following WFD waterbodies:

- Tremadog Bay Coastal Waterbody (GB651009350000)

A Water Framework Directive Compliance Assessment has been undertaken for the Proposed Activities and taken into account in this decision. This assessment concludes that the Proposed Activities when considered alone and in-combination, will not pose a risk to deterioration in the status of any of the above listed waterbodies or jeopardise their attainment of good surface water status when undertaken in accordance with appropriate conditions, namely the production of, and adherence to a Construction Environment Management Plan (CEMP) and adherence to pollution prevention best practices in order to mitigate the impact on water quality.

Further details are described within the Water Framework Directive Compliance Assessment.

4.1.2. Biodiversity and resilience of ecosystems duty

a) The legal framework

Section 6 of the Environment Wales Act 2016 requires that we seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, in a manner that is consistent with the proper exercise of our functions.

b) Factors relevant to our determination

Coastal sand dunes are a section 7 habitat. The proposal will use sands and gravels from the same coastal cell to renourish the dune system at Traeth Crugan. No hard engineering is proposed.

NRW is satisfied, we have taken into account and had due regard to this duty in so far as it is consistent with the function of determining an application for a Marine Licence under the Marine and Coastal Access Act 2009.

4.1.3. European Protected Sites and Ramsar Sites

a) The legal framework

European sites are those designated under the Conservation of Habitats and Species Regulations 2017 (**Habitats Regulations 2017**) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (**Offshore Habitats Regulations 2017**) as Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

The Habitats Regulations 2017 and the Offshore Habitats Regulations 2017 require that any project that is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) must be subject to an appropriate assessment. NRW undertakes a Habitats Regulation Assessment (HRA) to establish whether an appropriate assessment is required.

In addition NRW must exercise its functions under the 2009 Act so as to secure compliance with the requirements of the relevant European Directives. NRW also has a duty under the Habitats Regulations 2017 to support wild birds by protecting habitats and avoiding pollution.

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A Ramsar site is a wetland which has been designated under the Ramsar Convention. The Ramsar Convention does not place specific legal requirements on its parties (though Ramsar sites are often SSSIs or SPAs, considered below), however Ramsar status is considered by NRW as matter of policy in its decision making.

b) Factors relevant to our determination

The Project is located within a European Protected Site. The effects of the proposal on the following European Sites, their features and conservation objectives have been considered by NRW during the licence determination;

- Pen Llyn a'r Sarnau SAC
- North Cardigan Bay SPA

A Habitats Regulations Assessment of the Proposed Activities has been undertaken, and NRW Advisory (as Statutory Nature Conservation Body) have been consulted on the HRA.

The HRA concluded that the project either alone or in combination with other plans or projects would not adversely affect the integrity of an European Site(s) when undertaken in accordance with appropriate conditions. This includes adherence to a CEMP that will incorporate pollution prevention measures as proposed by the applicant within *Habitat Regulations Assessment dated 3 November 2024*.

Further details are described within the Habitats Regulations Assessment.

4.1.4. European Protected Species

a) The legal framework

The Habitats Regulations 2017 and the Offshore Habitats Regulations 2017 also confer protection on certain designated species (European Protected Species). A licence (EPS licence) must be obtained in order, whether deliberately or accidentally, to capture, kill, disturb or injure such a species, damage or destroy their breeding or resting places or obstruct access to their resting or sheltering places.

b) Factors relevant to our determination

NRW considers that no protected species are likely to be impacted by the Project.

Any determination made as part of this decision are without prejudice to the consideration NRW is required to give an EPS licence application as the body with a statutory responsibility for its determination and do not constrain or bind NRW in exercising this function. Should an application for an EPS licence in relation to the Project be made it will be determined by NRW based on all the relevant information available to NRW at that time.

4.1.5. Marine Conservation Zones

a) The legal framework

Marine Conservation Zones (MCZ) were established under the 2009 Act to protect nationally important, rare or threatened habitats and species. The only currently designated MCZ in Wales is Skomer.

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Under the 2009 Act, NRW must exercise its functions in the manner which it considers best furthers the conservation objectives stated for any MCZ or, where that is not possible, in the manner which it considers least hinders the achievement of those objectives.

b) Factors relevant to our determination

NRW is satisfied that there is no significant risk of the Proposed Activities on the Skomer MCZ due to the nature of the activity and distance from the MCZ.

4.1.6. Sites of Special Scientific Interest (SSSIs)**a) The legal framework**

Sites of Special Scientific Interest are designated under the Wildlife and Countryside Act 1981 (**1981 Act**) and protected by law to conserve their wildlife or geology. NRW must take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which an SSSI is of special scientific interest.

b) Factors relevant to our determination

NRW has considered the impact of the Project on the following sites:

- Mynydd Tir y Cwmwd a'r Glannau at Garreg yr Imbill

NRW is satisfied the method statement and mitigation measures proposed including adherence to a CEMP will prevent any likely damage to the above SSSI arising from the Proposed Activity.

4.1.7. The Waste (England and Wales) Regulations 2011**a) The legal framework**

The Waste (England and Wales) Regulations 2011 (as amended) establish a legal framework for treating waste. This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use. Waste generated by a project or activity must in general terms be dealt with in an environmentally friendly way. To achieve this the Regulations describe a waste hierarchy which gives an order of preference for how waste is dealt with (prevention, re-use, recovery for other purposes such as energy, and finally disposal).

b) Factors relevant to our determination

Sediment sampling was undertaken and provided in support of the application. Cefas confirmed in representation made that the results of sample analysis demonstrated that the material was considered low risk for the release of contaminants and is considered acceptable for disposal to sea. Cefas also confirmed that the material sampled at the proposed disposal sites demonstrated that the proposed material to be deposited was sufficiently similar to that at the disposal locations. Cefas advised that sampling should be undertaken at 5 year intervals to ensure that material remains suitable for disposal at sea. NRW consider it appropriate to include licence conditions to ensure sampling is undertaken within 5 years.

The disposal location have been designated for this beneficial use and assigned the codes (IS023 'Traeth Crugan 1' beach nourishment site and IS024 'Traeth Crugan 2' beach nourishment site) this

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allows the accurate provision of data for the UK annual dredge and disposal returns, under OSPAR and London Convention/London Protocol.

NRW is content that the proposals are in line with the relevant OSPAR guidelines for the management of dredged material.

NRW is satisfied that the Proposed Activities meet the requirements of The Waste (England and Wales) Regulations 2011.

4.1.8. Other matters considered relevant to the need to protect the environment

Within CEMP *Habitat Regulations Assessment* dated 3 November 2024 submitted in support of the application the applicant proposed to produce and implement a CEMP that will incorporate a number of pollution prevention measures. In addition within *Habitat Regulations Assessment* dated 3 November 2024 designated lanes will be used to transport the material along the beach, and these lanes will be restricted to the upper 20m beach, ensuring no encroachment on sensitive marine habitats. NRW consider that the above mitigation can be appropriately secured through the Marine Licence which will include the production and adherence to a CEMP which will require approval prior to commencement of works.

As detailed within *Habitat Regulations Assessment* dated 3 November 2024 submitted by the applicant there is a general foreshore drift from east to west with accumulation taking place at the mouth of Pwllheli harbour (which is the source of the stockpile/nourishment material). As the nourishment is using material from the areas of accretion to the east and taking it back into the system it is not considered to be affecting any wider areas of the coastline. In addition the works are maintaining the existing profile, as detailed within *Beach Nourishment and Monitoring Strategy* (June 2024) beach nourishment at Traeth Crugan and has been undertaken since 2002. The deposit is proposed to take place at the same location as previous deposits. Therefore the works are unlikely to result in a significant change in physical processes to existing conditions. Therefore it is not anticipated that the proposed activity will impact on physical processes.

NRW A agree that the nourishment of the areas either side of the revetment with dredged material from the harbour is an appropriate short-term measure to protect the shoreline.

The *Beach Nourishment and Monitoring Strategy* (June 2024) submitted in support of the application details a number of monitoring recommendations for ongoing works to ensure that the nourishment protocol provides adequate protection and to inform long-term planning. NRW A agreed with the proposed monitoring recommendations of the report and advised that the result of monitoring is shared with NRW A for review. The applicant confirmed in email dated 30 April 2025 the intention to carry out monitoring in line with the recommendations of the report. As the monitoring is proposed to monitor the effectiveness of the protection and to inform long term planning rather than the impact of the deposit operations on specific environmental features, NRW do not consider it appropriate to include licence conditions in this instance. However, we would strongly encourage the Applicant to engage with NRW A surrounding any monitoring carried out at the site.

The Local Authority Biodiversity Officer in representation dated 18 March 2025 initially raised queries surrounding the lack of information surrounding the proposal, however following response from the applicant to the queries including signposting relevant submitted documentation, the Local Authority Biodiversity Officer confirmed on the 30 April 2025 that following the response from the Applicant that they no longer had concerns surrounding the proposed nourishment activity.

The RCAHMW confirmed they had no concerns surrounding the impact of the works on the Historic Environment. The RCAHMW confirmed there are no known historic assets within the dredge disposal area, and any unknown historic assets are likely to receive an enhanced level of burial and therefore protection as a result of the beach replenishment.

4.1.9. Conclusion of our considerations under the need to protect the Environment

In summary, having considered the need to protect the environment, NRW does not consider that any impacts of the Project on the environment (either alone or in combination with other plans or projects) are sufficient on their own to justify refusal of the Application provided that the Proposed Activities are implemented in accordance with the conditions set out in Annex 1.

4.2. The need to protect human health

Representation from Public Health Wales confirmed that the activity would be of low risk to public health if management measures identified by the applicant are implemented.

In addition Sediment sampling was undertaken and provided in support of the application. Cefas confirmed in representation made that the results of sample analysis demonstrated that the material proposed to be deposited for dune nourishment was considered low risk for the release of contaminants and is considered acceptable for disposal to sea.

4.2.1. Conclusion of our considerations under the need to protect human health

In summary, having considered the need to protect human health, NRW does not consider that any impacts of the Project (either alone or in combination with other plans or projects) are sufficient on their own to justify refusal of the Application provided that the Proposed Activities are implemented in accordance with the conditions set out in Annex 1.

4.3. The need to prevent interference with legitimate uses of the sea

Legitimate uses of the sea include (but are not limited to): navigation (including taking any steps for the purpose of navigational safety); fishing; mineral extraction; and amenity use.

Trinity House, Royal Yacht Association and Maritime and Coastguard Agency raised no concerns surrounding the proposal. However, the MCA considered that the project should ensure that suitable notification are provided to make mariners and fishermen's organisations ahead of commencement of works and that the coast guard is also notified prior to commencement.

NRW Marine Licensing considers it appropriate to include licence conditions to ensure the safety of navigation which includes ensuring all relevant parties are notified prior to the commencement of Licensed Activities. These conditions are detailed in Annex 1.

4.3.1. Conclusion of our considerations regarding the need to prevent interference with legitimate uses of the sea

In summary, having considered the need to protect interference with legitimate uses of the sea, NRW does not consider that any impacts of the Project (either alone or in combination with other plans or projects) are sufficient on their own to justify refusal of the Application provided that the Proposed Activities are implemented in accordance with the conditions set out in Annex 1.

4.4. Marine Policy Documents

a) The Legal framework

NRW is required to take its decision in accordance with the appropriate marine policy documents unless relevant considerations indicate otherwise.

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UK Marine Policy Statement 2011 (MPS)

The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment.

Welsh National Marine Plan (WNMP)

The WMNP is the Marine Plan for the Welsh inshore region and the Welsh offshore region and sets out the Welsh Government's policies for and in connection with the sustainable development of this area.

b) Our determination

UK Marine Policy Statement 2011

This decision has been taken in accordance with marine policy as set out in the UK Marine Policy Statement 2011.

Shoreline Management Plan

The works lie within Policy Unit 13.7 of the West of Wales SMP2. The policy is hold the line up until 2025 with managed realignment thereafter.

As detailed on page 5 the Habitat Regulations Assessment dated 3 November 2024 submitted by the applicant, the proposed beach nourishment works either side of the revetment is intended as a short term option while the long term strategy remains for Managed Realignment by 2055.

The works propose to replenish the dune system at Traeth Crugan. No hard engineering structures (walls/revetments) are being proposed.

Considering the above, the nature of the works in replenishing beach material to the dune system and the lifetime of the proposed activity (i.e. application for a marine licence to carry out nourishment for 10 years) NRW are satisfied that the works do not conflict with the Shoreline Management Plan and will not preclude managed realignment in the future.

Welsh National Marine Plan

The applicant produced WNMP signposting document submitted 7 January 2025 identifying where the proposal has considered the WNMP.

NRW consider that this decision has been taken in accordance with marine policy as set out in the Welsh National Marine Plan.

The proposal is considered to comply with the general policies and has appropriately considered impact of the works including on marine ecosystems (Policy ENV_01) and Marine Protected Areas (Policy ENV_02) and has proposed sufficient mitigation measures including adherence to a Construction Environment Management Plan.

Due to the location and scale of the works the proposal is not considered to have the potential to have an adverse impact on any Tidal Stream Energy Strategic Resource Area (Policy SAF_02).

4.5. Other matters NRW thinks relevant

4.5.1. Well-being of Future Generations (Wales) Act 2015

a) The legal framework

In making its decision, NRW is required to take all reasonable steps to meet its published well-being objectives, which are designed to maximise NRW's contribution to achieving each of the well-being goals set out in the Well-being of Future Generations (Wales) Act 2015. NRW must also act in accordance with the principles of sustainable development.

b) Our determination

NRW has taken into account its well-being objectives and is satisfied that its decision is consistent with meeting those objectives.

NRW is also satisfied that its decision is consistent with the sustainable development principle i.e. seeking to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.5.2. Sustainable management of natural resources

a) The legal framework

NRW's general purpose is to pursue the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources as set out in section 4 of the Environment (Wales) Act 2016 so far as consistent with the proper exercise of its functions.

b) Our determination

NRW is satisfied that this decision, when implemented in accordance with the attached conditions, is consistent with its general purpose of pursuing the sustainable management of natural resources in relation to Wales, and applying the principles of sustainable management of natural resources.

5. Conclusions and Recommendations

Based on all the information available, and having regard to all relevant considerations including the consultation responses, NRW's decision is to grant the Marine Licence sought by the 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 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.

6. AUTHORISATION

Report by: Peter Morrison	Date:	Signed: Peter Morrison
Position: Lead Specialist Officer	20 May 2025	
Authorised by: Emmer Litt	Date:	Signed:

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Position: Marine Licensing Team Leader	21 May 2025	
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ANNEX 1

Conditions imposed and reasons for those conditions.

Note: Condition numbers used below reflect the condition numbers used in the licence.

CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.2** The Licence Holder must notify the Licensing Authority no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.

Reason: To ensure the Licensing Authority are aware of the commencement of Licensed Activities.

- 3.1.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) no less than **10 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.

Reason: To ensure the Marine Enforcement Officers are aware of the commencement of Licensed Activities.

- 3.1.3** The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the Licensed Activities through local notices to mariners **10 days** prior to the commencement of the Licensed Activities.

Reason: To minimise interference with other sea users and ensure other vessels in the vicinity can safely plan and conduct their passage.

3.2 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Licensed Activities are submitted to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of the Licensed Activities.

Reason: To ensure that the Licensing Authority are made aware, in a timely manner, of the vessels and/or vehicles operating under this licence to enable the Licensing Authority to comply with the reporting obligations in the Marine Licensing (Register of Licensing Information (Wales) Regulations 2011 as amended.

3.3 Notification of Agents/Contractors/Sub-contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority at least **24 hours** prior to the commencement of Licensed Activities.

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Reason: To ensure that the Licensing Authority are made aware, in a timely manner, of the agent(s), contractor(s) or sub-contractor(s) operating under this licence and in order to enable the Licensing Authority to comply with the reporting obligations in the Marine Licensing (Register of Licensing Information (Wales) Regulations 2011 as amended.

3.4 Notification of HM Coastguard

The Licence Holder must ensure that HM Coastguard is made aware of the Licensed Activities at least **24 hours** prior to commencement by contacting The National Maritime Operations Centre at **zone30@hmcg.gov.uk**.

Reason: To ensure the safety of navigation.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Works at any reasonable time.

Reason: To allow for inspection of the Licensed Activities to check compliance with the Licence.

3.6 Notification of Completion

- 3.6.1** The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.

Reason: To ensure the Licensing Authority are aware of the completion of Licensed Activities.

- 3.6.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

Reason: To ensure the Marine Enforcement Officers are aware of the completion of Licensed Activities.

3.7 Accident or Emergency

- 3.7.1** If, by reason of force majeure any substances or articles are deposited otherwise than as permitted as part of the Licensed Activities or in the Licensed Area full details of the circumstances shall be notified to the Licensing Authority within **48 hours** of the incident occurring.

Reason: To allow the Licensing Authority to take appropriate action to ensure the appropriate removal of the unlicensed deposit.

- 3.7.2** If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that

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the methodology for such recovery or removal has been approved by the Licensing Authority.

Reason: To allow for the recovery of objects that have been accidentally dropped when carrying out the Licensed Activities.

3.8 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence is given to:

- **All agents, contractors and subcontractors whose names have been provided to the Licensing Authority under condition 3.3 and**
- **The Masters of any vessels and transport managers responsible for the vehicles employed in accordance with this Licence whose details have been submitted to the Licensing Authority under condition 3.2.**

Reason: To ensure that all agent(s), contractor(s), sub-contractor(s) and vessel Masters are aware of their obligations under the conditions established within this Licence to ensure compliance with the conditions.

3.9 Inspection of Documents

Copies of this Licence shall be made available at the following locations:

- **at the address of the Licence Holder specified in section 1.2;**
- **at any site office, located at or adjacent to the Licensed Area, used by the Licence Holder or its agent(s), contractor(s) or sub-contractor(s) responsible for the loading transportation or deposit of any substances or articles permitted as part of the Licensed Activities;**
- **on board each vessel or vehicle carrying out Licensed Activities.**

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Reason: To ensure that all agent(s), contractor(s), sub-contractor(s) and vessel Masters may access the details of this Licence at all times and to ensure that the details of this Licence are available for inspection when required.

Vessels, Plant and Equipment

3.10 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or vehicles whose details have been notified to the Licensing Authority may operate under the terms of this Licence. Any changes must be

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notified to and be approved by the Licensing Authority in writing prior to any such agent, contractor, subcontractors or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

Reason: To ensure that the Licensing Authority are made aware, in a timely manner, of the agent(s), contractor(s), sub-contractor(s) operating under this Licence to enable the Licensing Authority to comply with the reporting obligations in the Marine Licensing (Register of Licensing Information (Wales) Regulations 2011 as amended.

3.11 Refuelling of Plant and Equipment

The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore or in the sea.

Reason: To minimise the risk of fuels/other contaminants entering the marine environment.

3.12 Equipment, Structures and Access

The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the Licensed Activities are removed on completion of the Licensed activities.

Reason: To minimise impacts on the marine environment and other users of the sea/seabed.

Safety**3.13 Removal of Deposited Material**

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit specified by the Licensing Authority or Marine Enforcement Officers within one month of notice being given by the Licensing Authority, and shall not replace such material until the Licensing Authority has given its written approval.

Reason: To ensure that any material which may pose a hazard to safe navigation has been removed.

Pollution control**3.14 Pollution Prevention**

The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number **0300 065 3000**.

Reason: To minimise the risk of pollution incidents and to ensure the timely report of such incidents to enable the Licensing Authority to take action as appropriate.

3.15 Spillage of Pollutants

The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into

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the marine environment. Secondary containment must be used with a capacity of **no less than 110%** of the container's storage capacity

Reason: To minimise the risk of fuels/other contaminants entering the marine environment.

3.16 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine environment. Such material must be removed immediately and be disposed of appropriately. If it is not possible to prevent manmade debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

Reason: To minimise the amount of man-made materials disposed of at sea.

3.17 Cleanliness of Equipment

The Licence Holder must ensure that equipment, machinery and PPE are washed with freshwater and/or thoroughly airdried before deployment and before moving between locations.

Reason: To minimise the risk of spread of invasive non-native species.

Activity-specific Conditions

3.18 Construction Environment Management Plan (CEMP)

3.18.1 The Licence Holder must submit a CEMP to the Licensing Authority for written approval at least 6 weeks prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.18.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.18 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the actions outlined in the documents must be submitted to, and approved in writing by the Licensing Authority prior to any changes being enacted.

Reason: : To minimise the risk of pollution incidents occurring by adopting best practice techniques. To ensure appropriate environmental mitigation are adhered too.

3.19 Sediment Sampling

3.19.1 The Licence Holder must request a sediment sampling plan from the Licensing Authority by 30 May 2029 and 30 May 2034.

3.19.2 The Licence Holder must ensure that the sampling is undertaken in accordance with the sampling plan described in condition 3.19.1 and is analysed at an NRW approved laboratory.

3.19.3 The Licence Holder must submit the written results of the sediment sampling undertaken pursuant to condition 3.19.2 for written approval by the Licensing Authority

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within 2 months of sampling taking place. This must include an outline of an assessment of alternative uses for the sediment that is to be disposed.

- 3.19.4** The Licence Holder must ensure no dredging is carried out after the following dates without written approval from the Licensing Authority: 30 November 2029 and 30 November 2034.

Reason: To determine the appropriate way to utilise or dispose of dredged material, and to ensure that material remains acceptable for disposal at sea.

3.20 Record of Quantity of Deposited Material

The Licence Holder must keep a log detailing the time, date, location and quantity of material deposited at sea. This log must be available for inspection by appropriately authorised officers of the Licensing Authority and Marine Enforcement Officers

Reason: To allow the Licensing Authority to check compliance with the Licence.

3.21 Returns

- 3.21.1** Certified returns of quantities of substances or articles deposited under this Licence are required to be submitted by 31 June and 31 January each year. The returns must specify the full Licence number and amount deposited (tonnage) each calendar month at each authorised Deposit Area. Where no deposit is made in a given period a NIL return is required.

- 3.21.2** If this Licence expires during the course of the calendar year and is not superseded by a further Licence relating to the Licenced Activities, a certified return of quantities of substances or articles deposited under this Licence shall be submitted not later than 28 working days after the Licence End Date.

Reason: To allow Cefas to compile UK disposal records to OSPAR Commission to comply with the requirements of the OSPAR convention.