

Marine Licensing Decision

The Marine and Coastal Access Act (2009)

Applicant: Liverpool Bay CCS Limited

Application reference no: CML2365

Hynet Carbon Dioxide Transportation and Storage
Project – Liverpool Bay

22 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 5;
- 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 company set out below: Company name: Liverpool Bay CCS Limited Company number: 13194018 Address: Eni House, 10 Ebury Bridge Road, London, SW1W 8PZ
Application Reference Number	CML2365
Date Application was duly made	15 March 2024
Proposal[s] covered by the application	The Proposed Development will repurpose the existing Eni offshore assets in Liverpool Bay to transport CO2 from Point of Ayr (PoA) Gas Terminal to a newly constructed Douglas Carbon Capture and Storage (CCS) platform. CO2 will then be distributed from the new Douglas platform to the Hamilton Main platform for injection into the Hamilton Main reservoir, to the Hamilton North platform for injection into the Hamilton North reservoir, and to the Lennox platform for injection into the Lennox reservoir. A series of new electrical and fibre optic cables will also be installed connecting the PoA Terminal to the offshore infrastructure. (the Project)
Licensable marine activities	• Activity 1 - Cable laying and protection: Laying two cable connections from PoA Terminal onshore to the new Douglas CCS platform (35 km); laying three cable connections from the new Douglas CCS platform to the Hamilton Main, Hamilton North, and Lennox platforms; and installation of cable protection (concrete mattresses and rock bags) • Activity 2 - Pipeline spool laying and protection: Installation of new sections of pipeline spools to connect the new Douglas CCS platform to the existing subsea natural gas pipelines, and installation of concrete mattresses and external rock protection.

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	- Activity 3 - Clearance of Unexploded Ordnance (UXO): Clearance of up to 12 UXOs of a maximum of 907 kg - Activity 3 - Installation of the New Douglass Carbon Capture and Storage Platform and connecting to/repurposing existing pipelines: installation of the new Douglas CCS platform including up to eight driven piles, and repurposing of existing subsea natural gas pipelines to CO₂ service. - Activity 4: Removal of accidentally dropped objects (the Proposed Activities)
Marine Plan Area	Welsh inshore region and Welsh offshore region
Application documents:	CML2365 - Crossing GA for Douglas to Hamilton DHNX-1 and 6-105600BSDP84915_CDFE01_01.pdf CML2365 - Crossing GA for Douglas to Lennox DLX-1 and DLX-6-105600BSDP84917_CDFE01_01.pdf CML2365 - Douglas jacket and piles-structural materials quantities-105600BOEB90120_CDFE01_15.pdf CML2365 - Douglas Jacket-foundation piles details-105600BODE90136_CDFE01_01.pdf CML2365 - Douglas jacket-mud mat details-105600BODE90139_CDFE01_01_02.pdf CML2365 - Douglas jacket-mud mat details-105600BODE90139_CDFE01_02_02.pdf CML2365 - Douglas jacket-pile sleeves details-105600BODE90137_CDFE01_01_02.pdf CML2365 - Douglas jacket-pile sleeves details-105600BODE90137_CDFE01_02_02.pdf CML2365 - Douglas jacket-riser details-105600BODE90145_CDFE01_01_04.pdf CML2365 - Douglas jacket-riser details-105600BODE90145_CDFE01_02_04.pdf CML2365 - Douglas jacket-riser details-105600BODE90145_CDFE01_03_04.pdf CML2365 - Douglas jacket-riser details-105600BODE90145_CDFE01_04_04.pdf CML2365 - Douglas platform installation method statement - 105600BNMI85023_CDFE01_62.pdf CML2365 - Douglas platform location and pipelines and cables connections-105600BSDN84020_CSFS00_01.pdf CML2365 - Douglas platform overall layout-105600BTDG62100_CDFE03_01.pdf CML2365 - Douglas to Hamilton Main Alignment Sheets-1025DSBSDG84144_CDFE02_03.pdf CML2365 - Douglas to Hamilton North Alignment Sheets-1025DSBSDG84142_CDFE02_03.pdf CML2365 - Douglas to Lennox Alignment Sheets-1025DSBSDG84143_CDFE02_07.pdf CML2365 - Douglas to Satellites Approach Drawings-1025H0BSDN84112_CDFE06_02.pdf CML2365 - LBA CCS Ltd - PA2211-marine-works-application-form-FINAL - signed.pdf CML2365 - LBA CCS Ltd-ES Details FINAL.pdf CML2365 - LBA CCS Ltd-ML Application - Attachment 12(A) NRW Correspondence-FINAL.pdf

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	CML2365 - LBA CCS Ltd-ML Application - Attachment 6(B)1 Red Line Boundary-FINAL.pdf
	CML2365 - LBA CCS Ltd-ML Application - Attachment 6(B)2 Area of Physical Works-FINAL.pdf
	CML2365 - LBA CCS Ltd-ML Application-Attachment -8(a) Materials estimate-FINAL.pdf
	CML2365 - LBA CCS Ltd-OFFSHORE-EIA-Summary of Project-FINAL.pdf
	CML2365 - New Douglas pipeline connections study-105600BSRV84156_CDFE01_18.pdf
	CML2365 - New Douglas pipeline spools approach drawings-105600BSDN84152_CDFE03_03.pdf
	CML2365 - New Douglas pipeline spools tie-in drawings-105600BSDN84154_CDFE02_03.pdf
	CML2365 - New Douglas pipelines spools preliminary crossings report-1023DSBSRV84019_CDFE02_49.pdf
	CML2365 - Offshore cables preliminary Crossing Design Report-1025DSBSCZ84173_CDFE03_41.pdf
	CML2365 - OFFSHORE POWER CABLE PROTECTION REQUIREMENT-1025H0BSRV84107_CDFE06_43.pdf
	CML2365 - PA2211 – Marine Licence application - HyNet Carbon Dioxide Transportat.msg
	CML2365 - PoA to Douglas and Satellites Offshore cable installation procedure-1023DSBNMI85016_CDFE02_91.pdf
	CML2365 - PoA to Douglas Cable protection for crossings PoAX-4 and 5 and 6-1025HTBSDG84176_CDFE03_02.pdf
	CML2365 - PoA to Douglas power and FO cable Nearshore installation procedure-1025HTBNMI85019_CDFE02_95.pdf
	CML2365 - PoA to Douglas power cable 01 Alignment Sheets-1025H0BSDG84110_CDFE03_01 to 07_Signed ALL.pdf
	CML2365 - PoA to Douglas power cable 02 Alignment Sheets-1025H0BSDG84141_CDFE02_01 to 07.pdf
	CML2365 - Power and FO cable field layout plans-1025H0BSDG84104_CDFE10_02.pdf
	CML2365 - Proposed Development and Designated Sites.pdf
	CML2365 - Proposed Development and existing O&G licence blocks.pdf
	CML2365 - Proposed Development and Protected Subtidal Sites.pdf
	CML2365 - Proposed Development Location Map.pdf
	CML2365 - Proposed Development nearshore approaches.pdf
	CML2365 - Technical 8.1.02 - 52967-MET-009 - Example Spool Installation Method Statement.pdf
	CML2365 - Technical 8.1.04 - 52967-MET-011 - Example Spool and Mat Installation Method Statement.pdf
	CML2365 Fitness Checks applicant response.msg
	CML2365 Fitness Checks outcome application accepted.msg
	CML2365 Fitness Checks outcome to applicant.msg
	CML2365 Changes to documents summary and Annex 6(c).msg

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	CML2365 LBA CCS Ltd-ML Application-Attachment -6(c) Supporting documentation.FIN.pdf CML2365 PoA to Douglas Cable protection for crossings PoAX-1-1025HTBSDG84174_CDFE03_01.pdf CML2365 PoA to Douglas Cable protection for crossings PoAX-2 and 3-1025HTBSDG84175_CDFE03_01.pdf CML2365 PoA to Douglas Cable protection for crossings PoAX-7 and 8-1025HTBSDG84177_CDFE03_01.pdf CML2365-LBA CCS Ltd_ES_Appendix A_SR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix B_SO_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix C1_AQ_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix C2-AR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix C3-SLVIA_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix D_MPC_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix E_EM&MC_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix F_CEA_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix G_TIS_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix H_PP TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix I_MBTR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix I1_MB ST_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix I2_MB IT_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix J_UWN TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix K1_OOB TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix K2_OOD TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix K3_OOI_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix K4_LT FTR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix L_NRA TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix M_CF TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix N_MA TR_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix O_GHG_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix P_RIAA_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_Appendix Q_WFD_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH10_CF_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH11_MARCH_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH12_IOSU_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH13_CC_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH14_IRE_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH6_PP_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH7_MB_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH8_OO_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_CH9_SN_NRW_FINAL.pdf CML2365-LBA CCS Ltd_ES_ToC_NRW_FINAL.pdf
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	CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix R EMP_NRW_FINAL.pdf
	CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix S MMMP_NRW_FINAL.pdf
	CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix T INNS_NRW_FINAL.pdf
	CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix U WSI_NRW_FINAL.pdf
	CML2365-LBA CCS Ltd_Offshore ES_CH1-5_INTRO_NRW-UPDATE.pdf
	CML2365-LBA CCS Ltd_OFFSHORE ES_NTS_NRW-FINAL.pdf
	CML2365 A4814 ENI Hynet CCS NRA_Rev04 Further Information
	CML2365 Consultation log to applicant-Rev_2.0.26.07.2024 Further Information
	CML2365 EHE7228B_TN_MM_Rev02 Further Information
	CML2365 MC000025_TN_Benthic_MBTN01_Rev02 Further Information
	CML2365 MC000025_TN_Fish_MBTN02_Rev02 Further Information
	CML2365 MC000025_TN_RIAA_MBTN04_Rev02 Further Information
	CML2365 EHE7228B_LB_HYNET_ES_CH09_SN_FINAL_For Submission_Rev01 Further Informat
	CML2365 HyNet Offshore consultation by PoM 14 May 2024 - Eni Response DRAFT v2.0
	CML2365 WAE02282_TN_Physical_Processes_Rev01a Further Information
	CML2365 HyNet Project-wide Environmental Effects Report Further Information
	CML2365 Further Clarification response November 2024
	CML2365 Marine Licence Re-purposed Pipelines Lengths-04.02.2025
	CML2365 MC000025_ENI_Hynet_RevisedDevelopmentArea_WelshWaters_Coordinates_250206
	CML2365 LB CCS-Cable Realignment Technical Note-07.02.2025

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2 APPLICATION PROCEDURE

2.1 The Application

The Application was accepted by Natural Resources Wales (**NRW**) considered duly made on 15 March 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 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

In compliance with s. 68 of the Marine and Coastal Access Act 2009 (the 2009 Act) and regulation 16 of the Marine Works (Environmental Impact Assessment) Regulations 2007, a public notice advertising the Project (the Public Notices) was placed in Daily Post on the 12 and 19 April 2024, and were also published on NRW's website. The application documents were made available to the public at Flint Library Church Street and they could also be requested from Natural Resources Wales Marine Licensing Team, Welsh Government Offices, Cathays Park, King Edward VII Avenue, Cardiff, CF10 3NQ

The public were given a period of 42 days from the date of the first Public Notice to provide comments on the application.

Three public responses were received.

Following the submission of Further Information on 26 July 2024, public notices were advertised in the Daily Post on 12 and 19 of August 2024 and were also published on NRW's website. The application documents were made available to the public at Flint Library Church Street and they could also be requested from Natural Resources Wales Marine Licensing Team, Welsh Government Offices, Cathays Park, King Edward VII Avenue, Cardiff, CF10 3NQ

The public were given a period of 42 days from the date of the first Public Notice to provide comments on the application.

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

A change to the cable route approach to Point of Ayr Gas Terminal was received on 05 February 2025. The amendment to the marine licence application ("Realignment") was considered additional information requiring public consultation under Regulation 16. The documents supporting the Realignment were advertised in the Daily Post on 17 and 24 February 2025 and were also published on NRW's website. The application documents were made available to the public at Flint Library Church Street and they could also be requested from Natural Resources Wales Marine Licensing Team, Welsh Government Offices, Cathays Park, King Edward VII Avenue, Cardiff, CF10 3NQ

The public were given a period of 42 days from the date of the first Public Notice to provide comments on the application.

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

All representations have been considered in coming to our decision. Details of our considerations can be found in section 5.

3 CONSULTATION**3.1 Consultees**

NRW considered it appropriate to consult the bodies listed in the table below on 03 April 2024, due to their particular expertise. These bodies were consulted for a period of 42 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 (TCE)	Y	26 April 2024
NRW Advisory (NRW A)	Y	14 May 2024
Ministry of Defence - Safeguarding Defence (MoD)	Y	23 May 2024
Maritime & Coastguard Agency (MCA)	Y	14 May 2024
Trinity House (TH)	Y	14 May 2024
Royal Yachting Association (RYA)	N	
Local Biodiversity Officer	N	
Local Planning Authority (Flintshire)	N	
Local Harbour Authority (Dee Conservancy)	Y	08 May 2024
Local Port Authority - Port of Mostyn (PoM)	Y	13 May 2024
Welsh Fisherman Association	N	
National Federation of Fishermen's Organisations (NFFO)	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government (WG) Marine and Fisheries Division/ Welsh Government (WG) Marine Enforcement Officers	Y	07 May 2024
Cadw	Y	07 May 2024
Welsh Archaeological Trusts (The Clwyd-Powys Archaeological Trust, CPAT)	Y	09 April 2024
Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW)	Y	10 May 2024
Public Health Service Wales (PHW)	Y	08 May 2024
Environment Agency (EA)	N	
Chamber of Shipping	N	
NERL Safeguarding	Y	22 April 2024

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North Western Inshore Fisheries Conservation Authority (NWIFCA)	Y	14 May 2024
JNCC	Y	13 May 2024
Natural England (NE)	N	
Cockle Fisheries Dee Estuary NRW	N	

NRW considered it appropriate to consult the bodies listed in the table below upon the Applicant's submission of further information on 12 August 2024, due to their particular expertise. These bodies were consulted for a period of 42 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 (TCE)	N	
NRW Advisory (NRW A)	Y	23 September 2024
Ministry of Defence - Safeguarding Defence (MoD)	Y	03 September 2024
Maritime & Coastguard Agency (MCA)	Y	26 September 2024
Trinity House (TH)	Y	25 September 2024
Royal Yachting Association (RYA)	N	
Local Biodiversity Officer	N	
Local Planning Authority (Flintshire)	N	
Local Harbour Authority (Dee Conservancy)	Y	13 September 2024
Local Port Authority - Port of Mostyn (PoM)	Y	09 September 2024
Welsh Fisherman Association	N	
National Federation of Fishermen's Organisations (NFFO)	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government (WG) Marine and Fisheries Division/ Welsh Government (WG) Marine Enforcement Officers	Y	16 August 2024
Cadw	Y	10 September 2024
Welsh Archaeological Trusts (The Clwyd-Powys Archaeological Trust, CPAT)	Y	13 August 2024
Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW)	Y	14 August 2024
Public Health Service Wales (PHW)	Y	20 August 2024

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Environment Agency (EA)	N	
Chamber of Shipping	Y	23 September 2024
NERL Safeguarding	N	
North Western Inshore Fisheries Conservation Authority North West (NWIFCA)	Y	14 August 2024
JNCC	Y	23 September 2024
Natural England (NE)	Y	23 September 2024
Cockle fisheries Dee Estuary NRW	Y	16 September 2024

Following a change to the cable route approach to Point of Ayr Gas Terminal NRW considered it appropriate to consult the bodies listed in the table below on 11 February 2025, due to their particular expertise. These bodies were consulted for a period of 42 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 (TCE)	Y	06 March 2025
NRW Advisory (NRW A)	Y	17 March 2025
Ministry of Defence - Safeguarding Defence (MoD)	Y	24 March 2025
Maritime & Coastguard Agency (MCA)	Y	24 March 2025
Trinity House (TH)	Y	27 March 2025
Royal Yachting Association (RYA)	Y	21 March 2025
Local Biodiversity Officer	N	
Local Planning Authority (Flintshire)	N	
Local Harbour Authority (Dee Conservancy)	N	
Local Port Authority - Port of Mostyn (PoM)	Y	14 February 2025
Welsh Fisherman Association	N	
National Federation of Fishermen's Organisations (NFFO)	N	
Royal Society for the Protection of Birds (RSPB)	N	
Welsh Government (WG) Marine and Fisheries Division/ Welsh Government (WG) Marine Enforcement Officers	Y	25 March 2025
Cadw	Y	19 March 2024
Welsh Archaeological Trusts (The Clwyd-Powys Archaeological Trust, CPAT)	Y	12 February 2025

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Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW)	Y	14 February 2025
Public Health Service Wales (PHW)	Y	14 February 2025
Environment Agency (EA)	N	
Chamber of Shipping	N	
NERL Safeguarding	Y	12 February 2025
North Western Inshore Fisheries Conservation Authority North West (NWIFCA)	Y	21 February 2025
JNCC	Y	24 March 2025
Natural England (NE)	Y	20 February 2025
Cockle fisheries Dee Estuary NRW	N	

'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 5 of this decision document.

4 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 ("the EIA Directive") 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 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.

4.1 Screening

Pursuant to Regulation 5 of the Regulations, it was agreed between NRW and Liverpool Bay CCS Ltd. that the proposed works constitute an EIA development under the Regulations. A screening opinion (Ref SC2501) was issued on 10 March 2025.

4.2 EIA

The marine licence application required for the Project was accompanied by an Environmental Statement (ES). NRW assessed the project as an EIA development under the Regulations and issued a Written Confirmation of the EIA Consent Decision. The Written Confirmation is available on the NRW website and the marine licensing public register. NRW is satisfied that the information incorporated in the EIA Consent Decision is up to date at the time of this decision.

In accordance with Regulation 24 of the Regulations, the following information is included in subsequent sections of this document:

- Conclusion of the EIA assessment
- Any conditions, mitigating and monitoring measures described in the regulatory decision
- Description of features/measures to avoid, prevent, reduce and offset likely significant adverse effects on the environment
- The main reasons and considerations on which this regulatory decision is based
- A summary of the results of consultations undertaken and how these have been incorporated into this regulatory decision

4.3 Conclusion of the EIA

NRW issued a Written Confirmation of the EIA Consent Decision, containing the conclusion about Environmental Impact arising from the project and the EIA Consent Decision. In reaching the conclusion, NRW considered the following information:

- The application for a marine licence
- The Environmental Statement submitted
- Any further information provided
- The responses to public consultation
- The responses to the technical consultation
- Any comments received from another EEA state
- Any features of the project, or proposed measures, to avoid, prevent, reduce or offset any likely significant adverse environmental effects

NRW considered the likely significant effects of the project, and reached a conclusion on the likely significant effects of the project with regard to the following:

- Population and human health
- Biodiversity
- Land, soil, water, air and climate
- Material assets, cultural heritage and landscape
- Risk of major accidents and disasters relevant to the project
- Cumulative impacts and in-combination impacts

A summary of the conclusion on the likely significant effects of the project is incorporated below. Full details of the conclusion on the likely significant effects of the project can be found in the Written Confirmation of the EIA Consent Decision.

4.3.1 Population and human health

NRW is satisfied that by its nature the Proposed Development will provide beneficial outputs for population and human health. The risks to human health associated with the proposed works are considered to be low and, with the proposed controls and mitigations such as the Construction Environmental Management Plan (CEMP), the risk is negligible. Possible impacts on commercial mussel and cockle beds in the vicinity of the Proposed Development have been fully assessed and no significant effect is expected. Impacts on fishing activity and community will be mitigated by issuing appropriate notifications. Furthermore, the majority of the Proposed Development occurs within the existing 500m fishing exclusion zones of the Eni Operational infrastructure.

NRW are satisfied that there will be no significant impact on population or human health as a result of the Project

4.3.2 Biodiversity

The works are within and near to a number of protected sites. As such a Habitat Regulation Assessment has been conducted which concluded that no adverse effects on the integrity of the protected sites was expected after mitigation is applied.

The ES considered potential impacts on biodiversity including birds, fish, benthic, marine mammals and physical processes, and considered that additional mitigation was required. NRW consider that although there is potential impact on these features, any significant impact can be avoided through the implementation of appropriate mitigation as detailed in section 8. These include: CEMP, and Invasive Non Native Species Management Plan (INNSMP), a Marine Mammal Management Plan (MMMP), and a Vessel Management Plan (VMP).

NRW conclude that considering mitigation proposed within the ES and the licence conditions, no significant impact on biodiversity is predicted.

4.3.3 Land, soil, water, air and climate

The construction, operation, maintenance of the Proposed Development will not give rise to the production of hazardous waste. However, there is an impact pathway to water quality through an accidental pollution event. The ES has assessed impacts to land, soil, water, and air and proposed mitigation measures and adherence to best working practice to reduce the impacts. Mitigation measures include management of risks of accidental pollution events through Marine Pollution

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Contingency Plan (MPCP) and implementation of a CEMP. NRW consider that the works have been appropriately assessed and subject to the mitigation identified no significant impact on water quality or land is predicted.

With regards to Climate Change, it is considered that whilst there will be some moderate to minor adverse effect from greenhouse gasses emissions from the manufacturing, transportation and installation of infrastructure, and from energy use during the operation of the Proposed Development, an important beneficial effect is expected from CO₂ transportation and long term storage by the Proposed Development.

4.3.4 Material assets, cultural heritage and landscape

The ES considered a number of impacts including direct impacts during construction activities and indirect impacts due to altered sediment or hydrological processes on cultural heritage assets. NRW consider that the works have been appropriately assessed and that considering mitigation proposed within the ES and the licence conditions will ensure no significant impact on cultural heritage and landscape. Mitigation include, production and adherence to a Written Scheme of Investigation which would include but not be limited to a PAD and establishment of an AEZ.

4.3.5 Risk of major accidents and disasters relevant to the project

Due to the heavily trafficked area, there is an increased vessel to vessel collision or vessel to platform collision risk. The risks are mitigated through conditions for notifications and the VMP.

Due to the nature and scale of the operation, the risk of a major accident or disaster is low. In addition, sufficient pollution prevention measures have been proposed to reduce the risk of a major accident or pollution event.

4.3.6 Cumulative impacts and in-combination impacts

NRW concluded that the potential impacts due to the project have been adequately addressed in the ES. NRW carried out a Habitat Regulation Assessment and Water Framework Directive compliance assessment and concluded that, subject to appropriate mitigation, the works would not cause a significant impact alone or in combination on any designated sites, alone or in combination with other Plans or Projects. NRW are satisfied that cumulative impacts have been adequately addressed in the ES and that no significant cumulative and in-combination assessment effects are predicted.

4.4 EIA Consent Decision

NRW issued a Written Confirmation of the EIA Consent Decision which provides a conclusion on the environmental impacts arising from the project. NRW concluded that the environmental impacts of the Project have been adequately identified, described and assessed. Accordingly, NRW concluded a favourable determination and that EIA consent for the project should be given.

4.5 Mitigation and monitoring requirements

The Written Confirmation of the EIA Consent Decision issued by NRW, highlighted the mitigation or monitoring requirements required to be attached to the regulatory consent. These are summarised below:

1. Development and adherence to a Cable Specification and Installation Plan (CSIP) to set out appropriate cable burial depth in accordance with industry best practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects including through measures to reduce EMF emissions and impact on navigation systems caused by compass deviation. The CSIP will include a detailed CBRA to enable informed judgements regarding burial depth to maximise the chance of cables remaining buried whilst limiting the amount of sediment disturbance to that which is necessary. This has been secured through condition 3.19 of the marine licence.
2. Development and adherence to a Pipeline Specification and Installation Plan (PSIP) to set out appropriate pipeline burial depth and installation methods in accordance with industry best practice, minimising the risk of exposure. The PSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects. This has been secured through condition 3.20 of the marine licence.
3. Development of and adherence to an Construction Environmental Management Plan (CEMP) that will confirm the timing, and duration of the construction of the Proposed Development,

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provide details on aspects of the methodology not known at the application stage and confirm that the methodology falls within the parameters assessed in the ES. The CEMP will provide the means of controlling specific environmental, health and safety risks that have been identified. The CEMP will include appendices including a Marine Pollution Contingency Plan (MPCP) that will include avoidance measures to reduce the potential risk for the release of pollutants, planning for accidental spills, address all potential contaminant releases and include key emergency contact details. This has been secured through condition 3.25 of the marine licence.

4. Production and adherence to a Invasive Non-Native Species (INNS) and a Biosecurity Plan (the INNSMP), to ensure that potential impact as a result of spread of INNS is minimised or avoided. This has been secured through condition 3.25 of the marine licence.
5. Timing restrictions for the mitigation of impacts to features of the Liverpool Bay SPA restricting cable/pipeline laying and protection activities, and UXO clearance which could result in the highest disturbance to avoid the most sensitive months. In addition, the implementation of a Vessel Management Plan (VMP) to control vessel movements during the most sensitive period (1st November – 31st March inclusive). This has been secured through condition 3.18 and 3.27 of the marine licence.
6. Production and adherence to a Marine Mammal Mitigation Protocol (MMMP) which will include measure to avoid and minimise impact of underwater noise during piling and UXO clearance activities. Mitigation will include implementation of piling initiation, soft-start, and ramp-up measures and to work in line with the Marine environment: unexploded ordnance clearance Joint Position Statement (21 January 2025) that will prioritise low order detonations as the first approach for UXO clearance activities. This has been secured through condition 3.26 of the marine licence.
7. A Lighting and Marking Plan to ensure marking and lighting in accordance with relevant industry guidance of Offshore Platforms (OPs). The Applicant will also ensure the project is adequately marked on nautical charts. This has been secured through condition 3.30 of the marine licence.
8. Promulgation of information advising on the nature, timing and location of activities, Safety Zones and advisory safe passing distances, including through Notices to Mariners. This has been secured through conditions 3.1 and 3.6 of the marine licence.
9. A Vessel Management Plan (VMP) will be developed which will determine vessel routing to and from construction areas and ports and to minimise disturbance to marine birds and mammals. This has been secured through condition 3.27 of the marine licence
10. The development of and adherence to a Navigational Safety Plan (NSP). The NSP will describe measures put in place by the Project related to navigational safety, including information on Safety Zones, charting, construction buoyage, temporary lighting and marking, and means of notification of Project activity to other sea users (e.g., via Notice to Mariners). This has been secured through condition 3.29 of the marine licence
11. A Dropped Objects Plan will be developed for reporting and recovery of dropped objects where they pose a potential hazard to other marine users. This has been secured through condition 3.7.3 of the marine licence
12. A Written Scheme of Investigations (WSI) will be developed which will include, but not limited to, a Protocol for Archaeological Discoveries and establishment of Archaeological Exclusion Zones (AEZ). Also to provide operational awareness of the location of archaeological anomalies identified as having a low potential. The WSI will implement the protocol for recording finds of archaeological interest through an agreed protocol (PAD). This has been secured through condition 3.24 of the marine licence
13. An Installed Cable Report and Post-Construction as-built Report will be required to be submitted indicating the final locations and technical specifications of cables and infrastructure identifying the potential dangers to navigation and measures proposed to ensure the safety. This has been secured through condition 3.32 of the marine licence
14. Where the Proposed Development cables/ pipelines will be required to cross an active cable, it is required that a crossing agreement is entered into with the cable operator. Where a cable is inactive, the Applicant will consult with the cable operator to ascertain if such a crossing agreement is required. This has been secured through condition 3.31 of the marine licence
15. Production of SIMOPS in consultation with oil and gas operators and other energy infrastructure operators to promote and maximise cooperation between parties and minimise both spatial and

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temporal interactions between conflicting activities. This has been secured through condition 3.31 of the marine licence

16. Conditions which requires limit cable laying and protection, pipeline laying and protection, and UXO clearance. This has been secured through condition 3.19, 3.20, and 3.23 of the marine licence

NRW has considered these requirements in making this regulatory decision. The conditions attached to the marine licence are set out in Annex 1, including reasons for the inclusion of each condition.

4.6 Consideration of consultations undertaken

The consultation process described in section 2.4 and section 3 of this document was undertaken to ensure comment was received from appropriate parties.

A Transboundary Screening Assessment did not identify potential for effects to any other EEA State.

NRW has had regard to consultation responses in making the regulatory decision. Where these have impacted on NRW's decision making, this has been noted in the relevant paragraph in section 5 of this decision document.

4.7 Description of features/measures to avoid, prevent, reduce and offset likely significant adverse effects on the environment

NRW considers that the following features of the project, or measures included within the project proposal, as described in the application form, Environmental Statement and other supporting information, would avoid, prevent, reduce or offset any likely significant adverse environmental effects:

- Scour protection (e.g. rock berms) will only be used at third-party cable crossings to reduce the potential for scouring of seabed sediments to occur.
- Suitable implementation and monitoring of Cable Protection informed by a Cable Burial Risk Assessment (CBRA). Cables will be buried to a target depth of 2-3m and only be protected using external protection (e.g. rock berms) at third party crossings.
- Cable protection to have a profiled cross section and height limited to < 1 m to minimise changes to physical processes, particularly if located in shallow water.
- No external cable protection in the intertidal area to minimise potential impacts on intertidal habitats within the Dee Estuary SAC and SPA.
- Trenchless techniques (e.g. Horizontal Directional Drilling (HDD)) will be used for cable installation at landfall which will reduce any direct habitat disturbance or scour to intertidal habitats.
- The HDD exit pit will be 3 m below seafloor to ensure no materials are placed on the seafloor of the intertidal zone.
- Following further survey and detailed engineering of cable route, if areas are identified where external protection is required and a reduction of more than 5% in water depth is expected, a location specific review of impacts to shipping and consultation with the MCA will be carried out and additional mitigations agreed as required as per MCA MGN 654. This ensures the final array layout is suitable for Search and Rescue (SAR) operations and that reductions in under keel clearance are acceptable.
- Appropriate Lighting and marking of project vessels and broadcast of their status on AIS at all times, to indicate the nature of the work in progress, and highlight their restricted manoeuvrability. This is to maximise the awareness of the Proposed Development allowing vessels to passage plan in advance.
- Where required, based on the navigation risk assessment, guard vessels and/or temporary Aids to Navigation may be deployed to guide vessels around any areas of construction activity. Where cable exposures exist that would result in significant risk (e.g. if cable burial is carried out post cable lay), guard vessels will be used where appropriate until the risk has been mitigated by burial and/or other protection methods. This is to maximise awareness of temporary hazards.

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- Liaison with local ports and harbours, particularly the Port of Mostyn, during the construction phase. To minimise the risk introduced due to the presence of project vessels.
- Ongoing liaison with fishing fleets will be maintained via an appointed Fisheries Liaison Officer (FLO) and Fishing Industry Representative (FIR). Prior to construction, a Fisheries Liaison and Coexistence Plan (FLCP) will be developed, setting out in detail the planned approach to fisheries liaison and means of delivering any other relevant mitigation measures.
- To avoid direct impacts on sites of identified archaeological significance, the final cable routing, well drilling and platform construction will avoid any known archaeological constraints identified in pre-construction site investigation surveys through micro siting.
- In line with industry practice, a Pipeline Specification and Installation Plan will be developed and adhered to, which will include pipeline burial where possible and pipeline protection as necessary. This is to ensure that the pipeline remains secure, is not a hazard to other sea users.
- To reduce greenhouse gases emission, the following measures will be put in place: fugitive emissions will be monitored through a Leak Detection and Repair programme as part of the preventative maintenance activities; vessel fuel consumption will be minimised by optimising vessel scheduling, with consideration given to the co-ordination of activities and material delivery, controlling vessel speed, vessel age (not > 20 years old), and using only low-sulphur fuel; and the implementation of energy efficiency opportunities.
- Where operationally practical, nearshore works will be undertaken outside of the Bathing Season (15th May to 30th September) to reduce risks to bathers associated with contaminant releases.
- Require a Waste Management Plan by all Contractors and Subcontractors setting out details of all waste management procedures for their activities, details of expected waste arisings and procedures for waste management.

4.8 Main reasons for this regulatory decision

The main reasons for the regulatory decision made are described in section 5 of this decision document.

The conclusion of this regulatory decision is stated in section 6 of this decision document.

5 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 5 below in accordance with the **Marine and Coastal Access Act 2009** (the **2009 Act**).

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

- the need to protect the environment (see section 5.1)
- the need to protect human health (see section 5.2)
- the need to prevent interference with legitimate uses of the sea (see section 5.3)
- 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 5.1 to 5.5 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 5.1 to 5.5 below)
- such other matters as it thinks relevant (see section 5.5 below)

5.1 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 sea-bed and the sea-shore, 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.

5.1.1 Water Framework Directive, Groundwater Directive and Water Environment Regulations 2017

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:

- North Wales - GB641011650000
- Dee (N. Wales) - GB531106708200

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 which can be secured through the marine licence including:

- The submission and approval of a CEMP which will include appendices detailing actions to minimise the spread of INNS; vessels to operate in accordance with a Biosecurity Plan (BP) and ensuring cleanness of equipment and production of a Invasive Non-Native Species Management Plan(Conditions 3.25 and 3.17 of the marine licence).
- The approval of a CEMP which will include a Marine Pollution Contingency Plan (MPCP), and adherence to pollution prevention best practice in order to mitigate impact on water quality (Conditions 3.11, 3.14, 3.15, and 3.25 of the marine licence)
- The approval of an CSIP and PSIP post consent which will include cable/pipeline burial where possible and cable/pipeline protection, as necessary. (Condition 3.19 and 3.20 of the marine licence)
- The impact of cable trenching machinery in the intertidal will be minimised by measures included in the CEMP such as using lowered tyre pressure for construction vehicles and matting. (Condition 3.25 of the marine licence)

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

5.1.2 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

A number of section 7 species and habitats have been considered within the project HRA where they are also features of a European/Ramsar site. Please see section 5.1.3.

NRW A raised concerns of impacts of underwater noise on spawning grounds for Atlantic herring and cod. The Atlantic herring spawning habitat assessment was re-evaluated as part of the Further Information (CML2365 MC000025_TN_Fish_MBTN02_Rev02 Further Information) indicating that over 93% of the Proposed Development area was unsuitable spawning habitat for the species. NRW A agreed with the conclusion of minor adverse impact as a result of underwater noise on Atlantic herring due to the short piling duration and limited amount of suitable spawning habitat. The Applicant, acknowledged that cod has higher sensitivity to underwater noise during courting and spawning (key months being February and March); however, the Applicant considers that the worst case prediction is of minor adverse effects as spawning ground's boundaries are uncertain and their overlap with the Project Development area is small (limited (in time and space) overlap). NRW A requested that consideration is given to the timing of piling to try and avoid the cod key sensitive months (February to March). The Applicant confirmed in their Further Clarification (CML2365 Further Clarification response November 2024) that the planned timing of works (i.e., piling) is planned for the summer months (July 2026) outside the sensitive period for cod. NRW considers that as the footprint overlap with the Project Development, the Applicant should avoid the sensitive period where operationally possible and timing of works should be included as part of the CEMP.

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.

5.1.3 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.

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 in or may affect the following European Protected Sites:

- Dee Estuary/Aber Dyfrdwy SAC (hereinafter referred to as Dee Estuary SAC) [UK0030131];
- River Dee and Bala Lake/Afon Dyfrdwy a Llyn Tegid SAC (hereinafter referred to as River Dee and Bala Lake SAC) [UK0030252];
- Afon Gwyrfa a Llyn Cwellyn SAC [UK0030046];
- Afon Eden - Cors Goch Trawsfynydd SAC [UK0030075];
- River Teifi/Afon Teifi SAC (hereinafter referred to as River Teifi SAC) [UK0012670];
- North Anglesey Marine/Gogledd Môn Forol SAC (hereinafter referred to as North Anglesey Marine SAC) [UK0030398];
- North Channel SAC [UK0030399];
- Llyn Peninsula and the Sarnau SAC [UK0013117];

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- West Wales Marine SAC [UK0030397];
- Strangford Lough SAC [UK0016618];
- Murlough SAC [UK0016612];
- Cardigan Bay/Bae Ceredigion SAC (hereinafter referred to as Cardigan Bay SAC) [UK0012712];
- The Maidens SAC [UK0030384];
- Pembrokeshire Marine/Sir Benfro Forol SAC (hereinafter referred to as Pembrokeshire Marine SAC) [UK0013116];
- Bristol Channel Approaches/Dynesfeydd Môr Hafren SAC (hereinafter referred to as Bristol Channel Approaches SAC) [UK0030396];
- Lundy SAC [UK0013114];
- Rockabill to Dalkey Island SAC [IE0003000];
- Saltee Islands SAC [IE000707];
- Roaringwater Bay and Islands SAC [IE000101];
- Liverpool Bay/Bae Lerpwl SPA (hereinafter referred to as Liverpool Bay SPA) [UK9020294];
- Dee Estuary SPA [UK9013011];
- Ribble and Alt Estuaries SPA [UK9005103];
- Anglesey Terns/Morwenoliaid Ynys Môn SPA (hereinafter referred to as Anglesey Terns SPA) [UK9013061];
- Morecambe Bay and Duddon Estuary SPA [UK9020326];
- Aberdaron Coast and Bardsey Island/Glannau Aberdaron ac Ynys Enlli SPA (hereinafter referred to as Aberdaron Coast and Bardsey Island SPA) [UK9013121];
- Ailsa Craig SPA [UK9003091];
- Skomer, Skokholm and the Seas off Pembrokeshire/Sgomer, Sgogwm a Moroedd Penfro SPA (hereinafter referred to as Skomer, Skokholm and the Seas off Pembrokeshire SPA) [UK9014051];
- Grassholm SPA [UK9014041], and
- Saltee Islands SPA [IE0004002].

A Habitats Regulations Assessment of the Proposed Activities has been undertaken, and NRW, A, JNCC and Natural England were consulted on the HRA as the Statutory Nature Conservation Bodies.

This HRA considered the licensable activities associated with the marine licence in Welsh Waters. In line with Regulation 67(2) of The Conservation of Habitats and Species Regulations 2017, the HRA did not consider the works falling outside the marine licence application, as these will be assessed as part of the HRA conducted by another Competent Authority (e.g., the Offshore Petroleum Regulator for Environment and Decommissioning, OPRED). Neither is there a detailed consideration of decommissioning activities as part of this HRA as this is an assessment that will be conducted at the time consent for the decommissioning activity is sought.

The appropriate assessment of the HRA concludes that the project will not adversely affect the integrity of any European Designated Site, taking into account the conditions or restrictions applicable. The following summarises conclusions of the HRA considered by NRW in making this decision where mitigation has been considered necessary:

- Temporary habitat loss and/or disturbance (along cable connection only) during construction, and operation and maintenance to the Dee Estuary SAC on habitat features will not result in adverse effect. Mitigation is required for mudflats and sandflats not covered by seawater at low tide; through measures included in the CEMP such as using lowered tyre pressure and matting. (Condition 3.25 of the marine licence)

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- Increased risk of introduction and spread of INNS on features of the Dee Estuary SAC will be controlled by the requirement of submission and approval of a CEMP which will include appendices detailing actions to minimise INNS; vessels to operate in accordance with a Biosecurity Plan (BP) and ensuring cleanness of equipment (Conditions 3.25 and 3.17 of the marine licence).
- Accidental pollution to the features of Dee Estuary SAC, Liverpool Bay SPA and Dee Estuary SPA will be mitigated by the approval of, and adherence to a Marine Pollution Contingency Plan as part of the CEMP and adherence to pollution prevention best practice (Conditions 3.11, 3.14, 3.15, and 3.25 of the marine licence)
- There is the potential for injury and disturbance from underwater noise to marine mammals which are a feature of a number of European Designated sites listed above as well as to Sea lamprey, River lamprey, and Atlantic salmon. This will be mitigated by the development of and adherence to a Marine Mammal Mitigation Protocol (MMMP) which will include mitigation measures such as Acoustic Deterrent Devices (ADD) and soft starts procedures to reduce the risk of injury, and commitment to follow the *Marine environment: unexploded ordnance clearance Joint Position Statement* which includes the prioritisation of low order detonations as the first approach for UXO clearance activities. (Condition 3.25 and 3.26 of the marine licence)
- Indirect impacts to Little tern which are features of Liverpool Bay SPA, Dee Estuary SPA from changes in prey availability during construction, and operation and maintenance, and through disturbance and displacement from airborne sound and presence of vessels and infrastructure. These will be mitigated during construction through measures included in the CEMP such as timing construction activities to avoid egg laying and chick rearing period (Condition 3.25 of the marine licence)
- Disturbance and displacement impacts to Red throated diver and Common scoter (features of the Liverpool Bay SPA) from airborne sound and presence of vessels and infrastructure during construction will be mitigated through ensuring that cable laying and protection, pipeline spool laying and protection, and clearance of UXO activities do not take place between 01 November and 31 March in addition vessels will be required to adhere to a Vessel Management Plan (VMP). (Conditions 3.18 and 3.27 of the marine licence)

Further details are described within the Habitats Regulations Assessment.

NRW is therefore satisfied that the Proposed Activities, either alone or in combination with other plans or projects, will not adversely affect the integrity of European and/or Ramsar Sites when undertaken in accordance with appropriate conditions (see Annex 1)

5.1.4 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 the following protected species are likely to or could be impacted by the Project:

- Bottlenose dolphin
- Common dolphin
- Grey seal
- Harbour porpoise
- Harbour seal

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- Risso's dolphin

NRW has taken into account the requirements for issuing an EPS licence in making this decision and is satisfied on the basis of the information it has considered that it is not unlikely that an EPS licence would be granted for 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.

5.1.5 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.

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 MCZ due to the nature of the activities and distance from the MCZ.

5.1.6 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:

- Gronant Dunes and Talacre Warren SSSI
- Ribble Estuary SSSI
- Dee Estuary SSSI
- North Wirral Foreshore SSSI
- Sefton Coast SSSI

NRW is satisfied that the Proposed Activities do not have the potential to impact on the sites above when undertaken in accordance with appropriate conditions. Appropriate consultation has been undertaken within NRW A and NE, as set out in section 3. NE confirmed that the activity is not likely to damage the interest features for which the sites has been notified within the English jurisdiction.

NRW A raised their concerns regarding the intended removal of West Hoyle Sandbank and the implications to coastal protection and secondary impacts to the Dee Estuary SAC/SPA/SSSI and associated cockle beds. This comment was also raised in relation to water quality and benthic ecology assessments. The Applicant clarified in their Further Information (*CML2365 Consultation log to*

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applicant-Rev_2.0.26.07.2024 Further Information) that the reference to West Hoyle Sandbank was in error and it should have referred to West Hoyle Spit. The Applicant also confirmed that the worst-case route option, across the West Hoyle Spit, will no longer be pursued. The alternative option to the east will be taken forward which avoids the excavation of the trench across the Spit resulting in a reduced worst-case scenario. Suspended sediment concentrations and sedimentation associated with the trench excavation is therefore not predicted to reach the Dee Estuary SAC/SPA/SSSI and associated cockle beds. No further comments were received from ANCBs. NRW is satisfied with the response and considers the matter resolved.

NRW A indicates that further commitment was needed to avoid impacting the near shore Little Tern main foraging area (associated to Gronant Dunes and Talacre Warren SSSI). The Applicant agreed with NRW A that the timing of the works should avoid the nearshore waters during the breeding period and committed to work with NRW A to define a seasonal period. The Applicant also stressed that the worst-case route option considered within the ES will not be pursued as only one passage of the laying cable and no dredging across the West Hoyle Spit will be needed, reducing the project footprint and duration within the Little Tern foraging area. The Applicant also confirmed the commitment to the management of environmental impacts during construction by submitting a CEMP. Furthermore, a change to the cable route approach to Point of Ayr was submitted on 05 February 2025 which moved the cable route approximately 250m to the west, to areas of lower density of foraging Little Tern. NRW A welcomed the change but as data from the Little Tern colony reports suggest there is still significant breeding activity during July and the activity will still cross the very limited foraging range of the species. NRW A therefore requested the works to be carried out outside the breeding season (mid April to mid July) and as far into August as possible and to be consulted on the method and timing of the works before commencement. NRW considers appropriate timing restriction should be incorporated into the CEMP which can be secured through conditions of the marine licence (see Condition 3.25).

NRW is therefore satisfied that the Proposed Activities, either alone or in combination with other plans or projects, are not likely to damage any SSSI when undertaken in accordance with appropriate conditions (see Annex 1).

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

The Waste (England and Wales) Regulations 2011 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

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

5.1.8 Other matters considered relevant to the need to protect the environment

Issues not already discussed within this Decision Document but are considered relevant to the marine works are included here. NRW have had regard for the issues raised by consultees. These are presented within Section 7 of the EIA Consent Decision and are summarised below with reference to specific mitigation required to be secured through the marine licence.

Historic Environment

Cadw and the RCAHWW raised concerns regarding the Designated Wreck of the Resurgam which under the Protection of Wrecks Act 1973 has a statutory protection area of 300m surrounding it. The

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Applicant noted in their Further Information (*CML2365 Consultation log to applicant-Rev_2.0.26.07.2024 Further Information*) response that the cable route was designed to avoid the Resurgam wreck and leave enough space for cable installation and maintenance to occur outside the statutory protected area.

Concerns were also raised by CPAT regarding the protection of other wrecks and archaeological sites, known or identified during the works. The Applicant proposed mitigation through production and adherence to a Written Scheme of Investigation (WSI) that would include but not be limited to a Protocol for Archaeological Discoveries (PAD) and establishment of Archaeological Exclusion Zones (AEZ) . RCAHMMW agreed with the proposed methodology for the selection of AEZs.

NRW is satisfied that subject to production and adherence to a WSI and PAD that no significant effect on the historic environment is predicted as a result of the Project (see Condition 3.24 in Annex 1).

Underwater Noise

NRW considers necessary for the Licence Holder to complete an entry into the UK Marine Noise Registry detailing the dates and locations and nature of UXO clearance and pilling. This is to ensure compliance with the UK commitment to the Marine Strategy Framework Directive (see Condition 3.22 in Annex 1).

Coastal Processes

NRW A requested clarification as to whether the Applicant commitment not to reduce water depth more than 5% will be achievable when cable protection is placed in shallower waters. NRW A stressed that low profile cable protection will help reduce changes to wave, tide and sediment transport and requested clarification on the approach to cable (and pipeline) protection particularly in shallow waters. The Applicant provided further clarity within the Further Information (*CML2365 Consultation log to applicant-Rev_2.0.26.07.2024 Further Information*) indicating their commitment to produce a Cable Specification and Installation Plan (CSIP) and Pipeline Specification and Installation Plan (PISP) post consent to detail the cable/pipeline burial and protection specifications and to ensure that crossings will be appropriately designed to mitigate environmental effects. NRW A were satisfied with the information and approach provided, and concluded there were no significant concerns with regards to the potential impacts to seabed morphology or sediment transport processes. NRW is satisfied that subject to production and adherence to a CSIP and PISP (see Conditions 3.19 and 3.20 in Annex 1) that significant impact on physical processes are not predicted.

5.1.9 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.

5.2 The need to protect human health

PHW recommended that as part of the air quality assessment, emissions particulate matter (PM) and nitrogen dioxide (NO₂) are non-threshold pollutants are also considered. Also, as part of greenhouse gasses assessment, PHW recommend that there is a consideration of leaks, water quality and dedicated bathing locations, impacts of noise to human receptors, and impacts on shellfish safety. Finally, PHW also highlighted the risk of dredging West Hoyle Bank to coastal flooding. As explained above (Section 5.1.6), the Applicant confirmed that the route across the West Hoyle Sandbank/Slip will not be pursued eliminating this risk. The Applicant also provided an assessment of air quality impacts as part of the application (CML2365-LBA CCS Ltd_ES_Appendix C1_AQ_NRW_FINAL) which indicated that air quality effects during construction, operation, maintenance and decommissioning of the Proposed Development were not considered significant. PHW confirmed their concerns have been

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addressed. NRW is satisfied that all these topics have been fully assessed as part of the ES and that the dredging of the West Hoyle Sandbank will not be pursued as an option. NRW therefore considers the issues resolved.

5.2.1 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.

5.3 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.

NRW received three representations as part of the public consultation process. Rhyl Flats Wind Farm Ltd., Gwynt y Môr Ltd., and North Hoyle Wind Farm Ltd.. All three companies requested that Simultaneous Operations (SIMOPS) Protocols are agreed prior to commencement of any works to ensure that the Proposed Development does not adversely affect the routine and emergency operational movements to/from their respective wind farms from the Port of Mostyn. The Applicant indicated that SIMOPS cannot be agreed until contractors are appointed. On the 16 December 2024 the operators of the wind farms confirmed they were satisfied following engagement with the Applicant that the SIMOPS will be achievable. NRW therefore considers that SIOMPS can be secured through marine licence conditions (see Condition 3.31 in Annex 1).

Gwynt y Môr Ltd. and North Hoyle Wind Farm requested that a Cable Crossing Agreement (CCA) is required with respect to crossings with the offshore windfarms cables before the licence is issued. The Applicant, on the 26 March 2025, indicated that a draft CCAs have been submitted to both windfarms' operators. The operators of the wind farms confirmed on the 27 March 2025 that North Hoyle CCA was under negotiation whilst Gwynt y Môr CCA was under review. NRW considers it appropriate to include conditions to the marine licence for the submission of Cable crossing before commencement of the licensed activities (see Condition 3.31 in Annex 1).

Following consultation on the application, the MCA notes that the cables are anticipated to be buried to a target depth of between 2-3m and external cable protection to be used where burial is not possible. The MCA notes that depending on the vessel traffic in the area, an anchor penetration study may be necessary as part of the Cable Burial Risk Assessment (CBRA). The MCA requests that a compass deviation desk-based study is submitted to confirm that there will be no impact on navigation systems or cause compass deviation. The desk-based study will determine whether the compass deviation limits set by the MCA can be met and whether a post-construction compass deviation survey of the 'as laid' cables will be required. NRW considers that the compass deviation desk-based study can form part of the CSIP and will determine whether a post-construction compass deviation survey of the 'as laid' cables will be required (see Condition 3.19 in Annex 1).

Port of Mostyn (PoM) indicated that any obstruction to the Welsh Channel navigation will have consequences for the Port's business and requested confirmation that the cable will be buried to the depth of the existing pipeline (-9CD), as to not impact potential future dredging campaigns carried out by the Port. Clarity was also requested on areas of cable protection across the Welsh Channel. The Applicant updated the Navigation Risk Assessment as part of the Further Information (*CML2365 A4814 ENI Hynet CCS NRA_Rev04 Further Information*) confirming the cable will be buried to the existing pipeline depth and that there will be no rock protection within the Welsh Channel. The MCA also request that a detailed draught assessment will be needed post consent to determine if there are any safety risk to navigation on any areas of cable/pipeline which require protection that results in more than 5% loss of water depth. The MCA indicates that the locations must be risk assessed in line with MGN 654, and

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approval sought. The Applicant confirms that in areas of more than 5% loss of water depth a detailed draught assessment will be carried out post-consent to determine any safety risk to navigation, which will be agreed with the MCA, PoM and TH as part of the VMP, CSIP and PSIP. NRW therefore has included a conditions for the production and adherence to a CSIP, PSIP and VMP that consider the impact on navigation and its mitigation (see Conditions 3.19, 3.20, 3.22 and 3.27 in Annex 1).

PoM, as Statutory Harbour Authority in the Welsh Channel, requested full engagement with contractors for cable laying operations to minimise impact to PoM activities. PoM also stressed that the daily vessel count used in the assessment did not take PoM data, nor did it consider all types of vessels and their drafts transiting the Welsh Channel. They also indicated that the future scenario presented should consider their Mostyn Energy Park Expansion (MEPE) which is expected to start 2025/2026 and will result in an increase in PoM shipping activities. The Applicant produced an updated NRA and impact assessment as part of the Further Information submission (*CML2365 A4814 ENI Hynet CCS NRA_Rev04 Further Information, CML2365 EHE7228B_LB_HYNET_ES_CH09_SN_FINAL_For Submission_Rev01 Further Information*) which incorporated the details of the vessel types and movements at PoM. PoM was satisfied with the updated NRA, shipping and navigation impact assessment, and the Applicant's commitment of undertaking a draft assessment as part of the VMP. (see Condition 3.27 in Annex 1).

PoM requested clarity on the cable route across the Welsh Channel, particularly with regards to the programme for the trenching, cable laying, burial operations and installation of any cable protection measures. The Applicant clarified the preferred timetable as part of the Further Information (*CML2365 Consultation log to applicant-Rev_2.0.26.07.2024 Further Information*) but PoM further raised concerns surrounding the operation programme/timings as it considered these could result in the closure of the Welsh Shipping Channel. The Applicant provided further details of the methods and timing of works within the Channel as part of the Further Clarification (*CML2365 Further Clarification response November 2024*). However, PoM remained opposed to the Proposed Development as described, as they had concerns that the works as proposed had the potential to take longer and may even not be feasible. The Applicant engaged with the PoM and submitted a change to the cable route approach to Point of Ayr on 05 February 2025 which moved the cable route approximately 250m to the West and minimised the impact to the Channel. Moreover, the Applicant also indicated the development of a draft Memorandum of Understanding (MoU) with PoM to define working approach to minimise disruption to the port and ensure cable burial depth. PoM confirmed the signing of the MoU and withdrew their objection to the project on 14 February 2025. NRW therefore considers the matter resolved..

5.3.1 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.

5.4 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:

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)

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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.

Welsh National Marine Plan

This decision has been taken in accordance with marine policy as set out in the Welsh National Marine Plan (WNMP). The Project looks at reusing the depleted natural gas reserves in the Liverpool Bay Area fields to sequester carbon emissions from industrial sources in North Wales and the North West of England. The Applicant submitted a WNMP compliance assessment (CML2365-LBA CCS Ltd_ES_Appendix D_MPC_NRW_FINAL). These include:

- **ECON_02 Coexistence:** The new marine infrastructure will be installed close to the Applicant's existing assets, and using similar construction techniques. The routing and location of the new infrastructure has also accounted for the existing and future users of Liverpool Bay. The Applicant has worked with other sectors (including ports and offshore wind operators) to reach working agreements and has modified the Proposed Development to ensure there is coexistence. NRW therefore considers that the Proposed Development will be able to coexist with other compatible sectors in order to optimise the value and use of the marine area.
- **SOC_10 Minimising climate change:** In line with the policy, a series of actions will be taken to avoid, minimise and mitigate emissions of greenhouse gases. During the construction and operational phase emissions resultant from fuel consumption by vessels will be minimised by ensuring the use of lower sulphur content fuel, providing an efficient and optimised vessel schedule to reduce the number of journeys, and avoiding the use of older vessels. The implementation of energy efficiency opportunities on the offshore platforms results in the reduced consumption of energy during the operation of the Proposed Development, thereby reducing emissions of greenhouse gases. Controls will be put in place to avoid or minimise fugitive CO₂ emissions from their geological storage. The Proposed Development will favour the recycling of materials to prevent materials from being sent to landfills, and reduce the need for the extraction of primary materials and emissions associated with such processes. The Proposed Development is to transport up to 4.5 million tonnes per annum of CO₂ from a number of industrial emitters in the North West of England and Wales for permanent geological storage in depleted offshore oil and gas reservoirs providing an action to address the climate change emergency and the urgent need for decarbonisation.
- **SOC_11 Resilience to climate change:** The Proposed Development has considered the impacts of climate change and incorporated appropriate adaptation measures, taking account Climate Risk Change Assessments for Wales. Studies conducted from Liverpool Bay have shown that extreme wind and wave climates are not expected to change significantly from those that are currently exhibited in present day. Additionally, long-term analyses have illustrated that although there was a slight increase in the severity of most extreme events, there was little change in the extreme wave climate predicted for Liverpool Bay. Moreover, the Proposed Development will be re-using and refurbishing existing offshore infrastructure, and introducing a new offshore platform that have been designed for resilience to storms in Liverpool Bay and have been proven operationally. The design of refurbishment works to the sea-surface infrastructure will be to appropriate engineering and safety standards taking into account metocean data for this location. The pipeline and gas injection well are all undersea (and indeed under the seabed in the case of the sequestration volume) with minimal vulnerability to storm events.
- 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).
- The proposal is considered to comply with the relevant cross cutting general policies and has appropriately considered impact of the works including on marine ecosystems (Policy ENV_01), water quality (Policy ENV_06), underwater noise (ENV_05), Invasive non-native species (ENV_03) and Historic Assets (Policy SOC_05) which topics are discussed above.

5.5 Other matters NRW thinks relevant

5.5.1 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 agrees with the Applicant in that the Proposed Development complies with Planning Policy Wales and WNMP and contributes to the Wellbeing goals within the Future Generations Act. The Proposed Development is to transport up to 4.5 million tonnes per annum of CO₂ from a number of industrial emitters in the North West of England and Wales for permanent geological storage in depleted offshore oil and gas reservoirs. It provides an action to address the climate change emergency and the urgent need for decarbonisation. This directly contributes to the goals in the Act of a resilient, healthier and globally responsive Wales.

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.

5.5.2 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) (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.

6 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 marine licence sought by the Application. We have reached this decision having had regard to the relevant legal framework outlined in section 5. We have also explained in section 5 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.

7 AUTHORISATION

Report by: Maria Alvarez Position: Lead Specialist Permitting Officer	Date: 22 May 2025	Signed: 
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Authorised by: Emmer Litt Position: Permitting Team Leader	Date: 22 May 2025	Signed: 

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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.

3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1** 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.

- 3.1.4** The Licence Holder must ensure that notification is sent to The Source Data Receipt team, UK Hydrographic Office (email: sdr@ukho.gov.uk) at least **10 days** prior to commencement of the works. The information supplied must include the start date and end date, a description of the works, positions of the work area (WGS84), and details of any marking arrangements.

Reason: To ensure that navigation warnings can be issued to marine users and for the update of nautical charts.

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.

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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 and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of Licensed Activities.

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

3.4.1 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 **zone32@hmcg.gov.uk**. This must include detail of vehicle, vessels, agents and contractors utilised to undertake the licensed activities.

3.4.2 The Licence Holder must ensure that HM Coastguard is notified at least **7 days** prior to the commencement of Licensed Activity 3 (Clearance of Unexploded Ordnance (UXO)), by contacting The National Maritime Operations Centre at **zone32@hmcg.gov.uk**. The Licence Holder must provide the emergency contact information for the vessel and the expected timescale of Licensed Activity 3.

3.4.3 The Licence Holder must establish communication with HM Coastguard at the start of Licensed Activity 3 (Clearance of Unexploded Ordnance (UXO)), using the appropriate radio channels/frequencies or dialling **0344 382 0570**.

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.

3.6.3 The Licence Holder must notify the UK Hydrographic Office (email: sdr@ukho.gov.uk) of the Licensed Area and the Licensed Activities within **10 days** of the completion of

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the Licensed Activities. The information provided must include positions of the installed works on and/or above the seabed in WGS84 (ETRS89) datum, any changes to engineering drawings, and details of any marking arrangements.

Reason: To permit the promulgation of Maritime Safety Information and the updating of nautical charts and publications to ensure other vessels in the vicinity can safely plan and conduct their passage.

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, Trinity House and the Maritime and Coastguard Agency 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 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.

- 3.7.3** The Licence Holder must submit a Dropped Object Plan (DOP) to the Licensing Authority for written approval at least **4 months** prior to commencement of Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

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

- 3.7.4** The Licence Holder must ensure that any actions outlined in the DOP detailed in condition 3.7.3 are implemented as approved in writing by the Licensing Authority. Any proposed changes to the action outlined in the document must be submitted to, and approved in writing, by the Licensing Authority prior to any changes being enacted.

Reason: To allow for changes in methodology of 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 agent(s), contractor(s) and sub-contractor(s) 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.

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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 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.

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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 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 and to minimise the risk of marine pollution incidents..

Activity-specific Conditions

3.18 Time Restrictions

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- 3.18.1** The Licence Holder must ensure that Licenced Activity 1 (cable laying and protection), Licenced Activity 2 (pipeline spool laying and protection), and Licenced Activity 3 (clearance of UXO)) do not take place between **01 November** and **31 March inclusive**, without prior written approval from the Licensing Authority.

Reason: To minimise the impact to features of the Liverpool Bay SPA.

3.19 Cable Specification and Installation Plan (CSIP)

- 3.19.1** The Licence Holder must submit a CSIP to the Licensing Authority for written approval at least **4 months** prior to commencement of Licensed Activity 1 (cable installation and protection). No Licensed Activities relating to Licensed Activity 1 may be undertaken prior to written agreement from the Licensing Authority. The CSIP must include the following information unless otherwise approved by the Licensing Authority (parameter envelopes should be provided if necessary):

- (i) Technical specifications;
- (ii) Location, including outlines of cable crossings, burial, and surface laid sections;
- (iii) Timings, including duration of works;
- (iv) Burial risk assessment to ascertain burial depths and cable laying techniques including cable protection. The assessment should identify any cable protection that exceeds 5% of navigable depth referenced to chart datum. In the event that any area of cable protection exceeding 5% of navigable depth is identified, the details of any steps to be taken to ensure existing and future safe navigation is not compromised, should be presented;
- (v) Proposed locations, types, and quantities of cable protection to be deposited;
- (vi) Installation and cable laying techniques;
- (vii) Cable crossing armouring methodology;
- (viii) Installation machinery failure contingency plan;
- (ix) Transport management plan;
- (x) Location, type, and quantity of any wet-stored cabling and/or cable protection and the proposed duration of the wet storage, and
- (xi) Proposals for monitoring offshore cables including cable protection during the operational lifetime of the authorised scheme which includes a risk based approach to the management of unburied or shallow buried cables.

- 3.19.2** The Licence Holder must ensure that any actions outlined in the CSIP detailed in condition 3.19.1 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 ensure the proposed works follow best practice, have been assessed within the Environmental Statement and appropriate mitigation is in place to reduce environmental and navigational risk.

3.20 Pipeline Specification and Installation Plan (PSIP)

- 3.20.1** The Licence Holder must submit a PSIP to the Licensing Authority for written approval at least **4 months** prior to commencement of Licensed Activity 2 (pipeline spool installation and protection). No Licensed Activities relating to Licensed Activity 2 may be undertaken prior to written agreement from the Licensing Authority. The PSIP must include the following information unless otherwise approved by the Licensing Authority (parameter envelopes should be provided if necessary):

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- (xii) Technical specifications;
- (xiii) Location, including outlines of pipeline crossings, burial, and surface laid sections;
- (xiv) Timings, including duration of works;
- (xv) Burial risk assessment to ascertain burial depths and pipeline laying techniques including pipeline protection. The assessment should identify any pipeline protection that exceeds 5% of navigable depth referenced to chart datum. In the event that any area of pipeline protection exceeding 5% of navigable depth is identified, the details of any steps to be taken to ensure existing and future safe navigation is not compromised, should be presented;
- (xvi) Proposed locations, types, and quantities of pipeline protection to be deposited;
- (xvii) Installation and pipeline laying techniques;
- (xviii) pipeline crossing armouring methodology;
- (xix) Installation machinery failure contingency plan;
- (xx) Transport management plan;
- (xxi) Location, type, and quantity of any wet-stored pipeline and/or protection and the proposed duration of the wet storage, and
- (xxii) Proposals for monitoring offshore pipelines including pipeline protection during the operational lifetime of the authorised scheme which includes a risk based approach to the management of unburied or shallow buried pipelines.

3.20.2 The Licence Holder must ensure that any actions outlined in the CSIP, and PSIP detailed in condition 3.20.1 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 ensure the proposed works follow best practice, have been assessed within the Environmental Statement and appropriate mitigation is in place to reduce environmental and navigational risk.

3.21 Depth Reductions

The Licence Holder must ensure that any depth reductions resulting from the Licensed Activities do not compromise safe navigation and that there is no more than 5% reduction in surrounding depth referenced to Chart Datum at any location within the Licensed Area without prior written approval from the Licensing Authority.

Reason: To ensure the safety of navigation.

3.22 Noisy Activities

3.22.1 The Licence Holder must complete an entry into the UK Marine Noise Registry detailing the proposed dates and locations and nature of UXO clearance and pilling activities at least **10 days** prior to the commencement of the Licensed Activities.

3.22.2 The Licence Holder must amend the UK Marine Noise Registry proposed activity form should the timing of Licensed Activities 3 and 4 alter or no longer remain part of the project.

3.22.3 The Licence Holder must complete an entry into the UK Marine Noise Registry detailing the actual dates and locations and nature of UXO clearance and pilling activities within **8 weeks** of completion of the noisy activity.

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Reason: To ensure noisy activities are recorded as part of the UK commitment to the Marine Strategy Framework Directive (MSFD).

3.23 Unexploded Ordnance (UXO) Method Statement

- 3.23.1** The Licence Holder must submit an UXO Method Statement to the Licensing Authority for written approval at least **4 months** prior to commencement of Licensed Activity 3. No Licensed Activities relating to Licensed Activity 3 may be undertaken prior to written approval from the Licensing Authority.
- 3.23.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.23.1 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 ensure the proposed works follow best practice, have been assessed within the Environmental Statement and appropriate mitigation is in place to reduce environmental and navigational risk.

3.24 Marine Archaeology

- 3.24.1** The Licence Holder must submit a Written Scheme of Investigation (WSI) which shall be in accordance with the outline WSI (*CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix U WSI_NRW_FINAL*) to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.24.2** The Licence Holder must submit a Protocol for Archaeological Discoveries (PAD) to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.24.3** The Licence Holder must ensure that any actions outlined in the documents detailed in conditions 3.24.1 and 3.24.2 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 impact to the Historic Environment and ensure the integrity of archaeologically important items are not compromised.

3.25 Construction Environmental Management Plan (CEMP)

- 3.25.1** The Licence Holder must submit a CEMP to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority. The CEMP must:
- (i) be in accordance with the Outline Environmental Management Plan (*CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix R EMP_NRW_FINAL*);
 - (ii) be in accordance with the Outline Invasive Non-Native Species Management Plan (INNSMP) (*CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix T INNS_NRW_FINAL*);

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- (iii) include a Marine Pollution Contingency Plan containing planning for accidental spills, address all potential contaminant releases and include key emergency contact details;
- (iv) include measures to reduce vehicle disturbance to benthic habitats while working in the intertidal area, and
- (v) include measures to minimise disturbance to birds while working in or near the intertidal area

- 3.25.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.25.1 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 ensure the proposed works follow best practice, have been assessed within the Environmental Statement and appropriate mitigation is in place to reduce environmental and navigational risk.

3.26 Marine Mammal Management Plan (MMMP)

- 3.26.1** The Licence Holder must submit a MMMP which shall be in accordance with Outline MMMP (CML2365-LBA CCS Ltd_OFFSHORE ES_Appendix S MMMP_NRW_FINAL) to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

- 3.26.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.26.1 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 to marine mammals and fish from the Proposed Development activities.

3.27 Vessel Management Plan (VMP)

- 3.27.1** The Licence Holder must submit a VMP to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

- 3.27.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.27.1 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 ensure appropriate measures are adopted to minimise potential disturbance impact on marine features from vessel activities, and to set measures to minimise risk from vessels collision.

3.28 Compass Deviation Survey

- 3.28.1** If requested by the License Authority, the Licence Holder must undertake a Compass Deviation Survey and submit a monitoring report to the Licensing Authority for written approval within **4 months** of the request being made.

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- 3.28.2** If the results of the survey detailed in condition 3.28.1 identifies compass deviation, the Licence Holder must provide recommendations within the monitoring report detailed in condition 3.28.1 to prevent compass deviation.
- 3.28.3** The Licence Holder must ensure that any proposed mitigation to prevent compass deviation outlined in the monitoring report detailed in condition 3.28.1 are implemented as approved in writing by the Licensing Authority.

Reason: To ensure the safety of navigation.

3.29 Navigation and Safety Plan (NSP)

- 3.29.1** The Licence Holder must submit a NSP to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.29.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.29.1 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 ensure the safety of navigation.

3.30 Lighting and Marking Plan (LMP)

- 3.30.1** The Licence Holder must submit a LMP to the Licensing Authority for written approval at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.30.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.30.1 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 ensure infrastructure and working vessels are properly lit and ensure the safety of navigation.

3.31 Cable crossing and working agreements

- 3.31.1** The Licence Holder must submit Cable Crossing Agreements (CCA) with Gwynt y Môr Offshore Wind Farm Ltd. and North Hoyle Offshore Windfarm Ltd. to the Licensing Authority at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.31.2** The Licence Holder must submit Simultaneous Operations (SIMOPS) Protocols with Gwynt y Môr Offshore Wind Farm Ltd., Rhyl Flats Wind Farm Ltd., and North Hoyle Offshore Windfarm Ltd. to the Licensing Authority at least **4 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.31.3** The Licence Holder must ensure that any actions outlined in the documents detailed in condition 3.31.1 and 3.31.2 are implemented as approved in writing by the Licensing

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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 impact to other legitimate users of the sea.

3.32 Installed Cable and Pipeline Report

3.32.1 The Licence Holder must provide to the Licensing Authority the following information within **4 months** of completion of the Licensed Activities for written approval:

- (i) The final locations (in WGS84) and technical specifications of the cables and pipelines;
- (ii) The final locations (in WGS84) of buried and surface-laid sections of the cables and pipelines;
- (iii) The final locations (in WGS84), types, and quantities of cable and pipeline protection used, deposited, or installed, and
- (iv) Identification of potential dangers to navigation.

3.32.2 In the event that any potential danger to navigation is identified following the completion of the Licensed Activities, the Licence Holder must propose measures to ensure the safety of navigation in writing to the Licensing Authority for written approval. The measures must be implemented as approved by the Licensing Authority.

Reason: To ensure the Licensing Authority is aware of the as laid position of the cable and rock protection and to ensure the protection of navigational safety. To allow adaptive management of potential navigation risk based on the final as laid design.

3.33 Post Construction As-Built Report

3.33.1 The Licence Holder must provide to the Licensing Authority the following information within **4 months** of completion of the Licensed activity for written approval:

- (i) Confirmation of construction completion date;
- (ii) As built plans, and
- (iii) Latitude and longitude coordinates of the New Douglas Carbon Capture and Storage (CCS) Platform provided as Geographical Information System data referenced to WGS84 datum.

3.33.2 In the event that any potential danger to navigation is identified following the completion of the Licensed Activities, the Licence Holder must propose measures to ensure the safety of navigation in writing to the Licensing Authority for written approval. The measures must be implemented as approved by the Licensing Authority.

Reason: To ensure the Licensing Authority is aware of all project infrastructure and to ensure the protection of navigational safety. To allow adaptive management of potential navigation risk based on the final as constructed design