

Sent by e mail

Date 27 August 2019

Dear NRW

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

LICENCE FOR OPENING THE AFON DYSYNNI CHANNEL FOR INTERNAL DRAIN DITCHES AND FLOOD RISK

LICENCE NUMBER: RML1922

I am writing to advise you that the Marine Licensing Team, on behalf of the Welsh Ministers, as Licensing Authority, has considered your application, dated 12/06/2019 for a Marine Licence under Part 4 of the Marine and Coastal Access Act 2009, and hereby grant a Marine Licence for you to undertake the above stated works.

Accordingly, please find attached for your review and retention a copy of Marine Licence **RML1922** and its conditions.

Advisory Note

Marine Licence, **RML1922**, constitutes a statutory consent; therefore the conditions set out herein must be complied with in full and will be binding upon any agent or contractor who undertakes any activity on the project on your behalf.

You are urged to read the conditions of Marine Licence **RML1922** carefully, in particular the need to advise our Marine Enforcement Officers of the commencement of works within **10 days** prior to work starting.

Marine Licence, **RML1922** is solely granted for the work to be undertaken at **Afon Dysynni Channel**, however, it does not absolve you from applying for further consents or licences as necessary to enable the full completion of your project.

If the works authorised by this Licence are unlikely to be completed by the expiry date, the Licence Holder should apply for a replacement marine licence **at least 4 months** prior to the expiry date of this Licence.

Should you require clarification as to the reasons for the inclusion of any of the conditions attached to the Licence then you must request written notice within 28 days of the receipt of this letter.

You are advised that if you recover wreck material, it must also be reported to the Receiver of Wreck within 28 days under the provisions of the Merchant Shipping Act 1995 (<https://www.gov.uk/guidance/wreck-and-salvage-law>).

Due to the proximity of the wartime anti-aircraft firing range and airfield, you should also be aware of the slight potential to recover munitions and parts of wartime aircraft. Aircraft remains should be reported to the Receiver of Wreck in the first instance. Subsequent contact with the Joint Casualty and Compassionate Centre may be instigated by the Receiver of Wreck to comply with provisions under the Protection of Military Remains Act 1986 (<https://www.gov.uk/guidance/aviation-archaeology>).

Although there are no concerns from a flood risk point of view as this proposal is there to alleviate the risk we suggest that the appointed contractor signs up to receive NRW flood warnings while the work is being undertaken ([Sign up to receive Flood Warnings](#)). We would also suggest it worthwhile making an Emergency Evacuation Plan to ensure safe access and egress.

Rights of appeal

You have the right of appeal to the Welsh Ministers against this decision. The Appeal must be made in accordance with the Marine Licensing (Appeals Against Licensing Decisions) (Wales) Regulations 2011.

A notice of appeal must be received by the Welsh Ministers within six months beginning with the date of the decision to which the appeal relates.

You must send written notice of appeal including the documents listed below to the Welsh Ministers at the following address:

Welsh Ministers c/o Marine Licensing Branch, Welsh Government, Cathays Park, Cardiff. CF10 3NQ.

At the same time you must send a copy of the notice of appeal to the Natural Resources Body for Wales at the following address:

Permitting Service Manager, Permitting Service(Cardiff), Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff, CF24 0TP

The notice of appeal must include:

- a) the name, address (including any email address) and telephone number of the appellant and any agent acting for the appellant;
- b) a statement of the grounds of appeal;

- c) a statement as to whether the appellant wishes to have the appeal dealt with by way of written representations, a hearing or an inquiry;
- d) a copy of the decision to which the appeal relates;
- e) a copy of all documents upon which the appellant wishes to rely; and
- f) a list of all the documents, including dates (where any document is dated), specified in bullet points d and e above. :

You may withdraw an appeal by notifying the Welsh Ministers in writing and sending a copy of that notification to the NRW at the address specified above.

Please be aware that the Welsh Government has changed the Marine Licensing fees and charges in Wales. You will be charged for any post licensing work associated with your licence. If you have any queries regarding the fee changes, please email the Marine Licensing Team via marinelicensing@naturalresourceswales.gov.uk

If the UK leaves the EU - either with or without a deal - the legal obligations relating to compliance with environmental permits and legislation will continue to apply. NRW on behalf of Welsh Ministers will continue to issue licenses in line with our current practice. If you have any questions about your permits or licenses please contact our Customer Care Centre on 03000 653 000.

Yours sincerely

Joe Thomas
Marine Licensing Team
Natural Resources Wales