

Marine Licensing Decision

The Marine and Coastal Access Act (2009)

Applicant: Stena Line Limited

Application reference no: CML2612

Abergwaun, Sir Benfro (Fishguard, Pembrokeshire)

**Replacement Linkspan, Abergwaun, Sir Benfro
(Fishguard, Pembrokeshire)**

03 September 2026

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OUR DECISION

Based on all the information available, and having regard to all relevant considerations Natural Resources Wales (NRW) Marine Licensing (MLT) 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: Stena Line Limited Company number: 01402237 Address: First Floor, 6 Arlington Street, London SW1A 1RE
Application Reference Number	CML2612
Date Application was duly made	14 May 2026
Proposal[s] covered by the application	Replacement of existing linkspan bridge and jack up barge with new floating linkspan pontoon to serve Stena Line Ferry at Abergwaun (Fishguard) Harbour to include plough dredging of 2,500 m ³ ; piled reinforced concrete bankseat; tubular steel guide piles; rock armour scour protection; and ancillary and temporary works. (the Project)
Licensable marine activities	<u>Deposit and installation of structures including floating pontoon, rock armour, bankseat, linkspan bridge and concrete and remedial repairs;</u> • Installation of bankseat structure constructed from precast concrete or fabricated steel, supported on 6 steel tubular piles 914 mm diameter. • Asphalt deck surface in area of existing bankseat replaced with concrete surfacing with new levels to accommodate new linkspan bridge. • Clean rock armour stone, size 1-3 t stone (nominal diameter 0.9m) or rock bags up to 12 t, with a maximum height of 1.2m, to be placed onto dredged bed in the area beneath the pontoon. • Installation of pontoon, up to a maximum size of 40 m long by 30 m wide, floated into position and attached to guide piles.

	• Installation of linkspan bridge, up to a maximum size of 50 m long by 8 m wide, delivered on floating pontoon towed by tug vessel. • Concrete repairs to be undertaken to the underside of the open piled reinforced concrete structure. i.e. the soffit of the slabs, beams and columns. • Defective areas of concrete to be broken out to expose sound steel. Defective steel to be cut out and new steel spliced in. Repair areas to be shuttered to allow cementitious repair grout to be poured to replace defective concrete. • Remedial repair works to the existing bankseat. <u>Removal of existing infrastructure</u> • Demolition and removal of existing linkspan bridge, equipment and kiosk between dolphins, partial demolition of dolphin towers, removal of jack up barge, removal of demolished materials, removal of asphalt deck surface in area of existing bankseat <u>Piling for the pontoon restraint and bankseat, involving both temporary and permanent steel piles.</u> • Pontoon restraint piling ○ 2 tubular steel guide piles 2.032 m diameter to be drilled through bed into bedrock and grouted into place. Piles to be filled with reinforced concrete. Piles installed using a combination of vibro/impact driving and rotary boring techniques, with steel piles grouted into drilled rock sockets. ○ 8 temporary steel piles 1.22 m in diameter installed adjacent to the guide pile to support the piling rig. To be installed via vibro and/or impact driving techniques. The support piles will be removed following installation of the guide piles. • Bankseat piling ○ Bankseat structure constructed from precast concrete or a steel frame supported by steel tubular piles filled with concrete. ○ 6 steel tubular piles 914 mm diameter, to support structure, installed using vibro/impact driving and rotary boring techniques. ○ 8 temporary piles 0.610 m diameter, installed to support a temporary structural steel frame to allow installation of permanent bankseat piles. Installed by vibro/impact driving, followed by installation of a steel deck. Upon completion of
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	the guide pile installation, the temporary piles will be removed. <u>Plough dredging</u> Plough dredging of silt, clay and sand within the footprint of the floating pontoon location, using a plough dredger or multi-cat, to a depth of 5.5 m below chart datum / 1.5 m below seabed level, and redistributing material to a scour hole in the berth area north of the newly installed pontoon. (the Proposed Activities)
Marine Plan Area	Welsh inshore region and Welsh offshore region
Application documents:	- CML2612 - Fishguard Replacement Linkspan eng-marine-dredge-and-disposal-licence-application, 21 April 2026, version 1 - CML2612 - Fishguard Replacement Linkspan eng-marine-works-licence-application, 21 April 2026, version 1 - CML2612 Cover Letter, 21 April 2026, version 1 - CML2612 Clarification letter, 06 May 2026, version 1 - CML2612 - 2025-01-21 - EIA Deferral Direction - HRO CAS-03457-C1Q0T7 Fishguard Port linkspan(236779518.1) - CML2612 POR00886-TT-ML-XX-DR-C-0250-A1-C02 Marine Licence Site Location Plan, 14 May 2026, version 2 - CML2612 POR00886-TT-ML-XX-DR-C-0252-A1-C02 Marine Licence Proposed Layout, 14 May 2026, version 2 - CML2612 POR00886-TT-ML-XX-DR-C-0253-A1-C02 Marine Licence Plough Dredge Location Plan, 14 May 2026, version 2 - CML2612 - POR00886-TT-ML-XX-DR-C-0251-A1-C01 Marine Licence Demolition Plan, 21 April 2026, version 1 - CML2612 - Fishguard EIA Volume 1 Main Document, 21 April 2026, version 1 - CML2612 - EIA Volume II Technical Appendices, 22 April 2026, version 1 - CML2612 - Fishguard EIA Volume III Design Drawings & Figures, 21 April 2026, version 1 - CML2612 EIA Volume IV HRA, 22 April 2026, version 1

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	• CML2612 - Fishguard Replacement Linkspan NTS, 21 April 2026, version 1 • CML2612 - Document List, 21 April 2026, version 1 • CML2612 - 03-06-25-Environmental-Statement-Vol-II-Technical Appendices – 17, 24 April 2026, version 1 • CML2612 POR00886-TT-ML-EX-IE-C-1602-A1-C02 Marine Licence Dredge Coordinate, 07 August 2026, version 2 • CML2612 POR00886-TT-ML-EX-IE-C-1600-A1-C02 Excel-Marine Licence Boundary Coordinates, 11 May 2026, version 2 • CML2612 POR00886-TT-ML-EX-IE-C-1604-S2-P03 Shapefile-Marine Licence, 11 May 2026, version 2 • CML2612 Dredge Area Shapefile, 08 May 2026, version 1
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2 APPLICATION PROCEDURE

2.1. The Application

The Application was accepted by Natural Resources Wales (**NRW**) Marine Licensing Team (MLT) considered duly made on 14 May 2026. 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 MLT 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 MLT 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 was placed in the Western Telegraph on 27 May 2026, and 17 June 2026 (the Public Notices) and a notice was also published on NRW's website. The second public notice was placed 2 weeks late, therefore the public consultation ran for 2 additional weeks, to account for this, and closed on the 22 July 2026. The application documents were made available to the public at Stena Line Ltd., Fishguard Harbour, Goodwick, Pembrokeshire SA64 0BU and could also be requested from Natural Resources Wales Marine Licensing Team.

The public were given initially given a period of 42 days from the date of the first Public Notice to provide comments on the application. The second public notice was published 2 weeks late, therefore the public consultation ran for 2 additional weeks, until 22 July 2026, to ensure the consultation ran for the full 35 days from the date of the publication of the second public notice.

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

3 CONSULTATION

3.1 Consultees

NRW MLT considered it appropriate to consult the bodies listed in the table below on 29 May 2026, 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
Natural Resources Wales Advisory (NRW A)	Y	10 July 2026
Ministry of Defence (MoD)	Y	08 July 2026

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Maritime and Coastguard Agency (MCA)	Y	22 June 2026
The Crown Estate (TCE)	Y	07 July 2026
Pembrokeshire County Council Local Planning Authority (LPA)	Y	03 June 2026
Pembrokeshire Coast National Park Local Planning Authority (LPA)	Y	01 July 2026
Fishguard Pembrokeshire County Council Port Authority	N	
Fishguard Stena Line Ports Limited Harbour Authority	N	
Milford Haven Port Authority	N	
Associated British Ports	N	
Local Biodiversity Officers (LBO) for Pembrokeshire	N	
Royal Yachting Association (RYA)	Y	01 June 2026
Royal Society for the Protection of Birds (RSPB)	N	
Trinity House (TH)	Y	15 July 2026
Cadw	Y	06 July 2026
Welsh Government Fisheries Branch	N	
Marine Enforcement Officers (MEO)	N	
The Royal Commission on the Ancient and Historic Monuments of Wales (RCAHMW)	Y	12 June 2026
The Welsh Archaeological Trust	Y	05 June 2026
Chamber of Shipping,	N	
The Welsh Fisherman Association	N	
Public Health Wales	Y	13 July 2026
National Federation of Fishermen's Organisations (NFFO)	N	
National Air Traffic Services (NATS) En Route PLC	Y	02 June 2026

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Safeguarding (NERL Safeguarding)		
Department for Transport	N	
Associated British Ports Marine Environmental Research (ABPmer)	Y	10 July 2026

Pembrokeshire County Council, Coastal, Rivers and Drainage Team provided a response following the close of consultation on the 24 August 2026. The response provided information surrounding requirements for further consent that the Applicant may require from the Coastal Protection Authority, as well as recommending engagement with the Council on future management and development at the site. This advice was shared with the Applicant on 25 August 2026.

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

NRW MLT has had regard to all consultation responses received in making its decision. Where these have impacted on NRW MLT'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

The application was considered by NRW MLT to constitute an EIA development under the Regulations, and a Screening Opinion was issued on 15 May 2026. NRW MLT previously issued a Screening and Scoping Opinion (reference SC2402) however as the project had changed in scope since this opinion had been issued, further screening of the application was carried out by NRW MLT upon receipt of the application and issued on the 15 May 2026. The application was accompanied by an Environmental Statement (ES) on submission under the EIA Regulations which detailed that an Environmental Impact Assessment had been undertaken.

Pursuant to Regulation 8 of the Regulations, NRW MLT considered that the proposed works fell under Schedule A2, paragraph numbers 63 and 69 of the Regulations on the assessment of the effects of the project on the environment, specifically:

- Schedule A2, 63. Construction of harbours and port installations including fishing harbours (unless included in Schedule A1).
- Schedule A2 69. Coastal work to combat erosion and maritime works capable of altering the coast through the construction of, for example, dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

4.2 EIA

The Marine Licence application required that the Project was accompanied by an Environmental Statement (ES). NRW MLT assessed the project as an EIA development under the Regulations and issued a Written Confirmation of the EIA Consent Decision on 03 September 2026. The Written Confirmation is available on the NRW website and the Marine Licensing public register. NRW MLT 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 MLT issued a Written Confirmation of the EIA Consent Decision on 03 September 2026, containing the conclusion about Environmental Impact arising from the project and the EIA Consent Decision. In reaching the conclusion, NRW MLT 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

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- Any features of the project, or proposed measures, to avoid, prevent, reduce or offset any likely significant adverse environmental effects

NRW MLT 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 MLT has considered the potential effects of the Project on population and human health, including those arising from noise, air quality, traffic, and socio-economics.

During construction, there is the potential for temporary minor disturbance to local populations resulting from the temporary shutdown of ferry operations, noise and vibration, dust and air pollutants from construction activities and plant/vehicle emissions, changes to road traffic, change to active or public transport, access, and impacts to water quality from potential pollution.

However, the level of change from construction activities due to the Project is considered temporary, small in scale and can be appropriately mitigated by standard good practice measures that minimise disruption and disturbance through the implementation of a CEMP.

During operation, the project will improve the safety of the Fishguard berth, providing long-term safe berthing for the Stena Line ferry service linking Abergwaun (Fishguard) to Rosslare, Ireland. Improved access to and from Abergwaun (Fishguard) harbour may also result in indirect socio-economic benefits to local communities; and provide safe and effective transport for users of the ferry services, particularly those travelling for work and those with access needs.

NRW MLT concludes that, subject to the mitigation detailed within the ES and section 8 of the EIA Consent Decision, the Project will not give rise to significant adverse effects on population and human health.

4.3.2 Biodiversity

NRW MLT has considered the potential effects of the Project on biodiversity, including marine and terrestrial biodiversity and ecology, designated sites, protected species, coastal processes and ecological processes.

Potential impacts during construction include temporary habitat loss and disturbance, long-term habitat loss and disturbance, increased suspended sediment concentrations (SSCs) and associated deposition, changes in water quality, increased risk of introduction and spread of INNS, accidental pollution, disturbance from noise and vibration, disturbance from lighting, and impacts from underwater noise from piling and other noise sources, such as dredging and demolition activities. Impacts however are mostly expected to have a local spatial extent, short-term duration, to be intermittent and have high reversibility.

Operational impacts include the increased risk of introduction and spread of INNS, long term habitat loss and disturbance, and disturbance from operational noise and lighting.

The Applicant has embedded a range of mitigation measures into the project design, and has committed to mitigation, including but not limited to:

- A 20-minute soft-start period for percussive piling activities with a 12 dB reduction in source level.

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- Adoption of JNCC (2010) guidelines for minimising the risk of injury to marine mammals from piling noise, involving a 30-minute pre-piling visual watch for absence of marine mammals with a mitigation zone (minimum 500m) by a qualified Marine Mammal Observer.
- Development of and adherence to a Vessel Management Plan (VMP) and Navigation Safety Plan (NSP).
- Development of and adherence to a Construction Environmental Management Plan (CEMP), which will have environmental best practice embedded, including pollution prevention, dust minimisation, and precautionary working methods to prevent damage to habitats and injury to species.
- Development of, and adherence to a Construction Method Statement (CMS) along with a Code of Construction Practice (CoCP), both embedded within the CEMP.
- Development of and adherence to an Environmental Management Plan (EMP).
- Development of and adherence to a Marine Pollution Contingency Plan (MPCP).
- Development of and adherence to a Marine Mammal Mitigation Plan (MMMP).
- Development of and adherence to a Biosecurity Risk Assessment and Management Plan (BRAMP).

An HRA has been completed and concluded that, subject to measures detailed above, the Project will not adversely affect the integrity of any European site, either alone or in-combination.

NRW MLT is satisfied that subject to appropriate mitigation, impacts on biodiversity are not significant.

4.3.3 Land, soil, water, air and climate

NRW MLT has considered the effects of the Project on land, soil resources, geology, hydrogeology, surface water, groundwater, marine water and sediment quality, air quality and climate.

Construction activities have the potential to have impacts from dust generation, emissions from machinery, accidental pollution, construction traffic and use of construction materials. However, these effects can be managed through appropriate mitigation measures such as those outlined within the CEMP.

Once the replacement Linkspan is constructed and operational, the vessel numbers and vessel size are not expected to increase above existing levels, nor are the related number of generated vehicle movements expected to increase above existing levels. Therefore, increased impacts to land, soil water, air and climate are not expected for Operational activities.

A WFD assessment has been completed and concluded that the Project will not cause deterioration in status of any WFD water body nor prevent achievement of good status, subject to adherence to appropriate mitigation measures.

NRW MLT concludes that, subject to the implementation of appropriate mitigation the Project will not result in significant adverse effects on land, soil, water, air or climate.

4.3.4 Material assets, cultural heritage and landscape

NRW MLT has considered effects on material assets, cultural heritage and both terrestrial and seascape landscape character.

Potential impacts during construction include shutdown of the ferry service during construction, physical removal of a heritage asset or as a result of change in the setting of the asset, construction traffic and noise, as well as landscape and visual effects. There is the potential for the Project to have impacts on historic post-medieval maritime shipwrecks present within the site. These Marine archaeology impacts are mitigated through implementation of a Written Scheme of Investigation (WSI) and a Protocol for Archaeological Discoveries (PAD), which can be secured through the Marine Licence. Other impacts are considered to be temporary and reversible in nature.

The proposed linkspan is less visually obtrusive than the current infrastructure it will replace, and will represent a slight improvement to the view of the ferry port in terms of landscape and visual effects at an operational level. Impacts on material assets, cultural heritage and landscape during operation are therefore predicted to either be negligibly positive, or to be unchanged from current infrastructure.

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Impacts on material assets, including commercial fisheries and shipping, have been assessed and are mitigated through implementation of a Navigation Safety Plan (NSP), Vessel Management Plan (VMP) and issue of notice to mariners prior to commencement of activities.

NRW MLT concludes that, subject to the implementation of appropriate mitigation the Project will not result in significant adverse effects on material assets, cultural heritage or landscape.

4.3.5 Risk of major accidents and disasters relevant to the project

NRW MLT has considered the vulnerability of the Project to major accidents and disasters, including those arising from extreme weather events, pollution incidents, and accidental damage.

The ES includes an assessment of major accidents and disasters and identifies that, with appropriate design and mitigation measures in place, the likelihood of such events is low.

The Applicant has committed to a range of mitigation measures and management plans which will be secured through the Marine Licence, including:

- Marine Pollution Contingency Plan (MPCP)
- Construction Environmental Management Plan (CEMP)
- Vessel Management Plan (VMP)
- Navigation Safety Plan (NSP)
- Traffic Management Plan

The Applicant has also committed to the adherence to relevant safety and navigational requirements and a documented Accident Prevention Procedure, and Emergency Response Procedure, will be put in place prior to commencement.

NRW MLT is satisfied that the Project incorporates appropriate design, mitigation and management measures to minimise risks, and that any residual risks are not significant.

4.3.6 Cumulative impacts and in-combination impacts

NRW MLT has considered the potential for cumulative and in-combination effects arising from the Project in conjunction with existing, consented and reasonably foreseeable development.

The ES includes a comprehensive assessment of cumulative effects across all environmental topics, including marine ecology, terrestrial ecology, landscape, shipping, fisheries and socio-economics.

The Cumulative Effect Assessment (CEA) within the ES takes into account the impact associated with the Proposed Development together with other projects and plans. However, of those projects outlined within the CEA, none share a spatial proximity to Abergwaun (Fishguard) Harbour that could cause a potential cumulative effect with the Proposed Development, with the nearest identified project situated 26 km to the southwest. There were no cumulative projects identified which could result in a cumulative effect on human health and population in the study area. Additionally, there were no projects on the CEA long list screened into the CEA for any of the marine biodiversity receptor groups. The two developments being considered in the Cumulative Impact Assessment have no shoreline or terrestrial connectivity with the proposed development at Abergwaun (Fishguard) Harbour. Given both the distance of relevant external developments and the magnitude of impact, sensitivity of receptors, significance of effects can be considered to be in line with those assessed for the Proposed Development alone, as presented in the ES.

The HRA also considered in-combination effects on European sites and concluded no adverse effect on integrity of the feature of any European site.

NRW MLT is satisfied that cumulative and in-combination effects have been appropriately assessed and that no significant adverse cumulative impacts will arise.

4.4 EIA Consent Decision

NRW MLT issued a Written Confirmation of the EIA Consent Decision which provides a conclusion on the environmental impacts arising from the project. NRW MLT concluded that the environmental

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impacts of the Project have been adequately identified, described and assessed. Accordingly, NRW MLT 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 MLT on 03 September 2026, highlighted the mitigation or monitoring requirements required to be attached to the regulatory consent. These are set out below:

A condition is required in the Marine Licence stating that the Licence Holder must ensure that notification is sent to the UK Hydrographic Office prior to commencement of the works, which includes details of any marking arrangements.

Conditions are required in the Marine Licence stating that the following plans should be submitted to NRW MLT for approval prior to commencement of activities:

- Written Scheme of Investigation (WSI)
- Protocol for Archaeological Discovery (PAD)
- Construction Environmental Management Plan (CEMP)
- Environment Management Plan (EMP)
- Marine Pollution Contingency Plan (MPCP)
- Marine Mammal Mitigation Plan (MMMP)
- Biosecurity Risk Assessment and Management Plan (BRAMP)
- Vessel Management Plan (VMP)
- Navigation Safety Plan (NSP)

Conditions are required in the Marine Licence surrounding mitigating impacts from piling activities. These include the use of soft-start procedures where percussive piling is used, to ensure incremental increase in pile power over a set time period until full operational power is achieved. It should be dictated that the soft-start duration should be a period of no less than 20 minutes, and that should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.

It should also be conditioned within the licence that all precautionary recommendations outlined in the JNCC Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise August 2010 are implemented.

A Licence condition is required to ensure an entry into the UK Marine Noise Registry is completed, detailing the proposed dates and locations and nature of the piling activities prior to commencement, and every 6 months following the commencement of piling activities until the completion of piling activities, with the final entry to be completed within 8 weeks of completion of piling activities.

A Licence condition is required stating that no waste concrete slurry or wash water from the use of concrete or cement are discharged into the marine environment, and suitable concrete cure times are used.

A Licence condition is required to ensure that silt laden run off from activities is kept to a minimum.

A Licence condition is required to ensure that best practise is used to minimise re-suspension of sediment.

A Licence condition is required to ensure the implementation of suitable pollution control measures when servicing pumping vessels, with spill kits available onshore and offshore and all personnel involved in dredging operations are aware of the location of the kits and trained to use them.

NRW MLT 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 MLT has had regard to consultation responses in making the regulatory decision. Where these have impacted on NRW MLT'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

In reaching the Conclusion about Environmental Impact (Regulation 21A of the Regulations), NRW MLT must give consideration of any features of the project, or proposed measures, to avoid, prevent, reduce or offset any likely significant adverse environmental effects (regulation 21A (1)(f)).

NRW MLT 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:

- Production of and adherence to a Marine Pollution Contingency Plan (MPCP) to ensure appropriate mitigation measures are implemented to minimise impacts from potential marine pollution incidents to a number of receptors.
- Production of and adherence to an Environmental Management Plan (EMP) to include detail regarding appropriate measures and their implementation to avoid, minimise and mitigate potential environmental effects across a number of receptors during construction and operation activities.
- Production of and adherence to a Construction Environmental Management Plan (CEMP) to ensure a range of measures are implemented to reduce impacts across a number of receptors during construction activities.
- Fencing, signage, adherence to road safety guidelines, and other best practice measures will be detailed within the CEMP, and adhered to, to reduce impacts to Public Health.
- Communications will be maintained with local residents, local emergency services and businesses throughout the construction phase to notify them of any road closures, construction noise and other disruptions in advance.
- A 20-minute soft start period for percussive piling activities to reduce underwater sound impacts to marine mammals and fish.
- Adoption of JNCC (2010) guidelines for minimising the risk of injury to marine mammals from piling noise, involving a 30-minute pre-piling visual watch for absence of marine mammals with a mitigation zone (minimum 500m) by a qualified marine mammal observer, to reduce underwater noise impacts to marine mammals and fish.
- Production of and adherence to a Vessel Management Plan (VMP) to detail appropriate measures to reduce impacts to a number of receptors, including marine mammals, and shipping and navigation.
- Production of and adherence to a Navigation Safety Plan (NSP) to detail appropriate measures to reduce impacts to a number of receptors, including marine mammals, and shipping and navigation.
- Environmental best practice will be implemented such as pollution prevention, dust minimisation, precautionary working methods to prevent the potential for injury and/mortality to

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protected and/notable terrestrial species, and precautionary working methods to prevent accidental damage to habitats, as set out within the CEMP.

- Pre-start checks will be carried out for bird nests and otter resting places in the quay wall suspended concrete approach structure, and harbourside working area, prior to commencement of construction activities, to reduce impacts to these species.
- Sensitive construction lighting will be used in the northern temporary compound to avoid light spill onto coastal heath beyond the western boundary, to reduce disturbance impacts to light-sensitive species.
- There will be avoidance of the need for any additional temporary lighting where the southern temporary compound adjoins broadleaved woodland. Where lighting is required, it will comply with the guidance published by the Institute of Lighting Professionals (ILP, 2023) to ensure there is no light spill onto the off-site trees within the adjacent woodland. This will help minimise impacts to light-sensitive species, and other receptors.
- Standard noise mitigation will be applied, including the use of noise reduced equipment and ensuring that plant is not left idling when not in active use, to reduce noise impacts to a range of receptors. This is also applicable for reduction in air quality impacts for a range of receptors, in addition to avoiding the use of diesel- or petrol-powered generators and use of mains electricity or battery powered equipment where practicable.
- The Applicant has proposed to install a number of bat boxes and bird nest boxes, which include boxes for black guillemot within the landholding. These measures will help to provide biodiversity improvement and ecosystem resilience.
- A surface water drainage management plan will be implemented, setting out the methods for managing surface water runoff and groundwater, to protect the local environment and sensitive receptors, as part of the CEMP.
- A documented Accident Prevention Procedure and Emergency Response Procedure will be put in place prior to commencement to outline measures in place in the event of major accidents, to limit impacts to a range of receptors.
- A protocol for regular communication between the appointed contractor, the engineer's representatives, statutory agencies, such as Natural Resources Wales and Fishguard & Goodwick Town Council, and other third parties shall be established to mitigate for impacts to water quality during construction.
- A contingency plan for the construction works shall be prepared by the appointed contractor, in accordance with GPP 21 Pollution Incident Response Planning (Netregs, 2021) to be included in the CEMP, to ensure appropriate measures are in place to minimise impacts to water quality.
- Management and auditing procedures, including toolbox talks to personnel, shall be put in place to ensure that any works which have the potential to impact on the aquatic environment are being conducted in accordance with required licences, certificates and planning permissions, to ensure appropriate measures are in place to minimise impacts to water quality, included within the CEMP.
- Pollution prevention measures, including appropriate fuel, oil and chemical storage, adherence to appropriate guidance, adherence to the Port Authority Oil Spill Contingency Plan, safe operation of refuelling activities, appropriate emergency spill kit and oil spill containment

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equipment storage and use, will be adhered to and detailed within the CEMP, to mitigate impacts to water quality.

- Mitigation and control measures, such as adherence to appropriate guidance, to address the impact of concrete and cement will be adhered to and detailed within the CEMP, to mitigate impacts on water quality.
- Development and implementation of a Dust Management Plan (DMP) to reduce impacts to a range of receptors, such as air quality, as part of the CEMP.
- Adherence to the mitigation listed in the 2024 Institute of Air Quality Management (IAQM) dust guidance to mitigate impacts to air quality.
- Implementation of a Traffic Management Plan if required for specific busy periods, in order to mitigate impacts to a range of receptors.
- To limit impacts to Shipping and Navigation, advance warning to mariners will be issued by the Harbour Master to keep clear of the area during construction.
- An Ecological Clerk of Works (ECoW) will be employed to provide advice both pre-construction and during construction in relation to relevant legislation relating to proposed works to provide advice on the timing of works and the implementation of mitigation and enhancement measures; to monitor identified works; and to produce site inspection reports. This will mitigate for impacts to a range of receptors. This is to be included within the CEMP.
- A Code of Construction Practise (CoCP) will be implemented as part of the CEMP, to mitigate against impacts to a range of receptors during construction.
- A Site Waste Management Plan (SWMP) will be implemented as part of the CEMP, outlining procedures for the management of waste and related pollution control measures.

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

- GB621009580000 – Cardigan Bay South
- GB521006110500 – Gwaun Estuary

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 project has no potential to cause deterioration of any water body or prevent a water body or WFD Protected Area from meeting its objectives, taking into account any conditions or restrictions as applicable, either alone or in combination with other activities.

Based on this assessment it is considered 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 include:

- Production and adherence to an Environmental Management Plan (EMP) (condition 3.21, Annex 1).
- Production and adherence to a Marine Pollution Contingency Plan (MPCP) (condition 3.22, Annex 1).
- Production and adherence to a Biosecurity Risk Assessment and Management Plan (BRAMP) (condition 3.24, Annex 1).
- Production and adherence to a Construction Environmental Management Plan (CEMP) (condition 3.20, Annex 1).
- Production and adherence to a Construction Method Statement (CMS) contained within the CEMP.
- Production and adherence to a Construction Surface Water Drainage Management Plan (CSWDMP), contained within the CEMP.

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- Production and adherence to a Code of Construction Practise (CoCP), contained within the CEMP.
- Production and adherence to a Marine Mammal Mitigation Plan (MMMP) (condition 3.23, Annex 1).

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

NRW MLT is satisfied that in this case, 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 MLT undertakes a Habitats Regulations Assessment (HRA) to establish whether an appropriate assessment is required.

In addition NRW MLT must exercise its functions under the Marine and Coastal Access 2009 Act so as to secure compliance with the requirements of the relevant European Directives. NRW MLT 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 Sites of Special Scientific Interest (SSSIs) or SPAs, considered below), however Ramsar status is considered by NRW MLT as matter of policy in its decision making.

b) Factors relevant to our determination

The Project may affect the following European Protected Sites:

- West Wales Marine/Gorllewin Cymru Forol SAC [UK0030397]
- Bristol Channel Approaches/Dynesfeydd Môr Hafren SAC [UK0030396]
- North Anglesey Marine/Gogledd Môn Forol SAC [UK0030398]
- Cardigan Bay/Bae Ceredigion SAC [UK0012712]
- Pembrokeshire Marine/Sir Benfro Forol SAC UK0013116]

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- Lleyn Peninsula and the Sarnau/Pen Llŷn a'r Sarnau SAC [UK0013117]
- River Teifi/Afon Teifi SAC [UK0012670]

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

In light of the conclusions of an appropriate assessment it has been established that the plan or project will not adversely affect the integrity of any European sites, taking into account any conditions or restrictions as applicable, either alone or in-combination with other plans or projects.

NRW MLT 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 Site(s) when undertaken in accordance with appropriate conditions, including:

- Production and adherence to an Environmental Management Plan (EMP), (condition 3.21, Annex 1)
- Production and adherence to a Marine Pollution Contingency Plan (MPCP) (condition 3.22, Annex 1)
- Production and adherence to a Biosecurity Risk Assessment and Management Plan (BRAMP) (condition 3.24, Annex 1)
- Production and adherence to a Construction Environmental Management Plan (CEMP) (condition 3.20, Annex 1)
- Production and adherence to a Construction Method Statement (CMS) contained within the CEMP
- Production and adherence to a Code of Construction Practise (CoCP), contained within the CEMP
- Production and adherence to a Marine Mammal Mitigation Plan (MMMP) (condition 3.23, Annex 1)
- Implementation of precautionary measures outlined within JNCC guidelines for minimising the risk of injury to marine mammals from piling (JNCC, 2010) (condition 3.35, Annex 1)
- Use of soft-start procedures for percussive piling (condition 3.33, Annex 1)

Further details are described within the Habitats Regulations Assessment.

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 MLT considers that the following protected species may be impacted by the Project:

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- European Otter
- Noctule Bat
- Brown Long-Eared Bat
- Common Pipistrelle Bat
- Soprano Pipistrelle Bat
- Whiskered Bat
- Natterer's Bat
- Greater Horseshoe Bat
- Harbour Porpoise
- Bottlenose Dolphin
- Common Dolphin

NRW MLT has taken into account the requirements for issuing an EPS licence in making this decision and for the reasons set out below 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 MLT 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 MLT is satisfied that there is no significant risk of the Proposed Activities on the MCZ, due to distance from the Project and the localised nature of the works.

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 MLT 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 MLT is satisfied that there is no impact pathway to any SSSI, due to the SSSI's within the vicinity of the works being geological in nature.

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 MLT is satisfied that the Proposed Activities meet the requirements of The Waste (England and Wales) Regulations 2011 when undertaken in accordance with appropriate conditions.

The Project proposes to carry out plough dredging in the area of scour protection to a maximum of 5.5 m below chart datum (1.5 m below current seabed level), to remove a layer of soft material before the scour protection is installed. Material is to be distributed to an existing scour pocket.

During consultation ABPmer advised that the material proposed to be dredged as part of the Stena Line Linkspan Replacement in Abergwaun (Fishguard) is suitable for plough dredging on the basis of the analysis provided. ABPmer recommended that material from the proposed dredge area is re-analysed at least every 3 years (if either dredging has not taken place within 3 years of sediment sampling, or maintenance dredging is required).

Since the Licence duration will not exceed 3 years from the date samples were collected (18 March 2025), NRW MLT consider no licence conditions or further action is required in relation to sediment sampling.

Following the submission of sediment sampling analysis results in support of the application, and subsequent consultation with ABPmer, NRW MLT is content that the Licensed Activities are in line with the relevant OSPAR guidelines for the management of dredged material.

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

NRW MLT 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

RCAHMW and Cadw requested that the Applicant produce a Protocol of Archaeological Discovery (PAD) and Written Scheme of Investigation (WSI) for approval prior to commencement of licensed activities. These will be included as licence conditions as detailed in Annex 1 conditions 3.18 and 3.19.

Marine Biodiversity

NRW A agreed with the Applicant's commitments to mitigate underwater noise impacts from piling activities, which included the adoption of the JNCC Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise (August 2010), and the production of a Marine Mammal Mitigation Plan (MMMP) to be submitted to NRW MLT for approval prior to commencement of activities. These measures will be included as licence conditions as detailed in Annex 1 conditions 3.35 and 3.23. NRW MLT also considers it appropriate to include conditions

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surrounding reducing underwater noise impacts of piling operations, such as use of vibro-piling over percussive piling where possible (condition 3.32), use of piling soft-start procedures (condition 3.33) and piling time restrictions (condition 3.34), as detailed in Annex 1.

NRW A also welcomed the Applicant's commitment to produce and adhere to a Construction Environmental Management Plan (CEMP) and Marine Pollution Contingency Plan (MPCP) to avoid impacts to water quality from construction activities and accidental pollution. These measures will be included in licence conditions as detailed in Annex 1 conditions 3.20 and 3.22.

The Applicant has also committed to submit the following documents for approval, which have been secured through appropriate conditions:

- CEMP (condition 3.20, Annex 1)
- Environment Management Plan (EMP) (condition 3.21, Annex 1)
- Biosecurity Risk Assessment and Management Plan (BRAMP) (condition 3.24, Annex 1)
- MPCP (condition 3.22, Annex 1)
- Marine Mammal Mitigation Plan (MMMP) (condition 3.23, Annex 1)
- Vessel Management Plan (VMP) (condition 3.25, Annex 1)

NRW MLT considers it appropriate to include pollution control licence conditions and conditions to ensure best practice is followed to minimise impacts on the marine environment. This includes conditions to ensure the appropriate use of render and concrete (condition 3.28), use of appropriate concrete cure times (condition 3.29), management of silt run-off (condition 3.30), limiting re-suspension of sediment (condition 3.31), and employment of pollution control measures when servicing pumping vessels (condition 3.36). These conditions are detailed in Annex 1.

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 MLT 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

Public Health Wales concluded that the works could potentially have minor effects on human health, including potential for dust and emissions from machinery and traffic impacting local air quality, temporary increases in noise, especially during piling and demolition, risk of sediment-bound contaminants being released into the environment and access disruption around the site. However, they stated that these impacts can be minimised by adhering to best available techniques for construction methods, including pollution prevention measures, adherence to Marine Pollution Contingency Plans, appropriate sediment sampling and analysis, dust suppression, use of low-emission machinery and consideration of the location of the nearest sensitive receptors (none within 100m of the site). These measures relating to the Licensable Activities are captured within plans to be implemented and adhered to which will be captured within Marine Licence conditions set out in Annex 1, including a MPCP (condition 3.22), CEMP (condition 3.20) and EMP (condition 3.21). Analysis of Sediment proposed to be dredged has been assessed by ABPmer and is considered suitable for plough dredging activity, within the dredge limitations specified in the submitted documentation.

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 MLT 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.

Trinity House stated that the UKHO is to be informed when the Aids to Navigation are established. These requirements have been included in licence conditions as detailed in Annex 1, condition 3.1.4 and 3.6.3.

The MCA advised that the site is outside of their jurisdiction, however have provided the advice that the Applicant should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council. The MCA also advised that the Applicant may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works, as deemed necessary. NRW MLT note that Stena Line are the relevant Harbour Authority for the area. NRW MLT consider it appropriate to include conditions requiring relevant notices to mariners are issued prior to commencement of works. This has been captured in licence condition 3.1.3, Annex 1. Trinity House requested to be copied in on Notice to Mariners, this request has been shared with the Applicant.

The Applicant also considered it appropriate to commit to the production of and adherence to a Vessel Management Plan (VMP) and Navigation Safety Plan (NSP). These requirements have been included in licence conditions 3.25 and 3.26, Annex 1.

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 MLT 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 MLT 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)

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.

Shoreline Management Plan (SMP)

Shoreline Management Plan (SMP) SMPs are non-statutory policy documents with the purpose of providing a large-scale assessment to support coastal support management planning.

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.

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Welsh National Marine Plan

This decision has been taken in accordance with marine policy as set out in the Welsh National Marine Plan.

The Applicant demonstrated compliance with the WNMP, ECON_01 Sustainable economic growth and SOC_02 Well-being of coastal communities through the submission of document 'CML2612 - EIA Volume II Technical Appendices' which includes 'Appendix 6.A Fishguard Replacement Linkspan Pontoon WNMP Signposting Document', submitted 22 April 2026 identifying where the proposal has considered the WNMP.

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.

An Habitats Regulations Assessment (HRA) was carried out in order to consider the impact of the works on European Protected Site. As is detailed in section 4.1.3, it was considered that adverse effect could be ruled out subject to mitigation. NRW MLT therefore consider the proposal is in line with Policy ENV_02 Marine Protected Sites.

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).

Policy P&S_02 Port and Shipping of the WNMP details that proposals that provide for the maintenance, repair and development and diversification of a port and harbour facilities will be supported where they contribute to the objectives of the plan and should comply with the relevant general policies. NRW MLT consider that the Proposed works is supported by policy P&S_02 as it seeks to repair existing infrastructure which is integral to the ongoing use and function of the Port at Fishguard.

Shoreline Management Plan (SMP)

The proposed works lie within the West of Wales Shoreline Management Plan 2 (SMP2) 21 St Ann's Head to Great Ormes Head, policy unit 4.2. The policy for this unit is Hold the Line for Epochs 1,2 and 3 therefore, the Project at Fishguard Replacement Linkspan is in line with the SMP policy.

5.5 Other matters NRW MLT thinks relevant

5.5.1 Well-being of Future Generations (Wales) Act 2015

a) The legal framework

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

b) Our determination

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

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

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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) Our determination

NRW MLT 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 MLT'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 MLT 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: Emma Lowe Position: Permitting Officer	Date: 03 September 2026	Signed: 
Authorised by: Emmer Litt Position: Marine Licensing Team Leader	Date: 03 September 2026	Signed: 

ANNEX 1

Conditions imposed and reasons for those conditions.

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

CONDITIONS

Notification and Inspection

3.1. Notification of Commencement

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

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

- 3.1.2** The Licence Holder must notify Welsh Government Fisheries Division (Control & Enforcement) 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 Fisheries Division (Control & Enforcement) at least **24 hours** prior to the commencement of the Licensed Activities.

Reason: To ensure that the Licensing Authority are made aware, in a timely manner, of the vessels and/or vehicles operating under this licence to enable the Licensing Authority to

comply with the reporting obligations in the Marine Licensing (Register of Licensing Information (Wales) Regulations 2011 as amended.

3.3. Notification of Agents/Contractors/Sub-contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority and Welsh Government Fisheries Division (Control & Enforcement) 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

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 zone28@hmcg.gov.uk.

Reason: To ensure the safety of navigation.

3.5. Inspection of Licensed Activities

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

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

3.6. Notification of Completion

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

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

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

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 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.

3.8. Distribution of Copies of this Licence

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

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

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

3.9. Inspection of Documents

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

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

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

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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.

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

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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.

Activity-specific Conditions

3.18 Written Scheme of Investigation (WSI)

3.18.1 The Licence Holder must submit a WSI to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.18.2 The Licence Holder must ensure that any actions outlined in the documents detailed in condition **3.18.1** 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 risk of damage to archaeological and historical artefacts.

3.19 Protocol for Archaeological Discovery (PAD)

3.19.1 The Licence Holder must submit a PAD, to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.19.2 The Licence Holder must ensure that any actions outlined in the documents 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 minimise risk of damage to archaeological and historical artefacts.

3.20 Construction Environmental Management Plan (CEMP)

3.20.1 The Licence Holder must submit a CEMP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. The CEMP must be in accordance with the outline CEMP, *Vol II Technical Appendices: Appendix 2.A oCEMP*. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.20.2 The Licence Holder must ensure that any actions outlined in the documents 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 construction procedures are in line with best working practices and have considered environmental mitigation.

3.21 Environmental Management Plan (EMP)

3.21.1 The Licence Holder must submit an EMP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

3.21.2 The Licence Holder must ensure that any actions outlined in the document detailed in condition **3.21.1** 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 of pollution incidents occurring by adopting best practice techniques.

3.22 Marine Pollution Contingency Plan (MPCP)

3.22.1 The Licence Holder must submit a MPCP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.

- 3.22.2** The Licence Holder must ensure that any actions outlined in the document detailed in condition **3.22.1** 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 of pollution incidents occurring by adopting best practice techniques.

3.23 Marine Mammal Mitigation Plan (MMMP)

- 3.23.1** The Licence Holder must submit a MMMP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities 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 document 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 minimise the risk to Marine Mammals.

3.24 Biosecurity Risk Assessment and Management Plan (BRAMP)

- 3.24.1** The Licence Holder must submit a BRAMP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. The BRAMP must be in accordance with the outline BRAMP, *Vol II Technical Appendices: Appendix 8.B INNSMP Biosecurity Risk Assessment*. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.24.2** The Licence Holder must ensure that any actions outlined in the documents detailed in condition **3.24.1** 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 of INNS incidents occurring by adopting best practice techniques.

3.25 Vessel Management Plan (VMP)

- 3.25.1** The Licence Holder must submit a VMP to the Licensing Authority for written approval at least **2 months** prior to commencement of the Licensed Activities. No Licensed Activities may be undertaken prior to written approval from the Licensing Authority.
- 3.25.2** The Licence Holder must ensure that any actions outlined in the document 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 safety of navigation and minimise environmental the impacts.

3.26 Navigation Safety Plan (NSP)

3.26.1 The Licence Holder must submit a NSP to the Licensing Authority for written approval at least **2 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 document 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 ensure the safety of navigation and minimise environmental the impacts.

3.27 UK Marine Noise Registry

3.27.1 The Licence Holder must complete an entry into the UK Marine Noise Registry detailing the proposed dates and locations and nature of the piling activities at least **10 days** prior to its commencement.

3.27.2 The Licence Holder must amend the marine noise registry proposed activity form should the timing of the piling activities alter or no longer remain part of the project.

3.27.3 The Licence Holder must complete an entry into the Marine Noise Registry detailing the actual dates, location(s) and nature of the piling activities every **6 months** following the commencement of piling activities until the completion of piling activities with the final entry to be completed within **8 weeks** of completion of the noisy activity.

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

3.28 Use of Render and Concrete

3.28.1 The Licence Holder must ensure that no waste concrete slurry or wash water from the use of concrete or cement are discharged into the marine environment. Concrete and cement mixing and washing areas should be contained and sited at least **10 metres** from any **watercourse** or surface water drain to minimise the risk of runoff entering a watercourse.

3.28.2 The Licence Holder must ensure that if concrete is to be sprayed in the vicinity of the marine environment (e.g. bridges, retaining walls, etc.), suitable pollution prevention measures are taken to prevent rebounded or windblown concrete from entering the water environment.

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Reason: To minimise risk of damage to the marine environment by wet concrete contamination.

3.29 Concrete Cure Time

The Licence Holder must ensure materials used are suitable for use in the marine environment and works should be timed to ensure maximum concrete cure time.

Reason: To minimise the risk of marine pollution incidents.

3.30 Silt Run Off

The Licence Holder must ensure that silt laden run off from construction, excavation, material storage areas (including excavated material storage), haul roads or any other associated activities is kept to a minimum.

Reason: To minimise the risk of damage to water quality and sensitive receptors.

3.31 Resuspension of sediment

The Licence Holder must ensure that best practice is used to minimise re-suspension of sediment.

Reason: To minimise the risk of damage to sensitive receptors and deterioration of water quality.

3.32 Vibro-piling

The Licence Holder must ensure that vibro-piling is used when inserting piles where operationally possible. Where this isn't possible, percussive piling may be used.

Reason: To minimise the amount of impulsive noise in the marine environment.

3.33 Percussive Piling Soft-start Procedures

The Licence Holder must ensure that if percussive piling is used, soft-start procedures are used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration should be a period of no less than **20 minutes**. Should piling cease for a period greater than **10 minutes**, then the soft start procedure must be repeated.

Reason: To allow mobile sensitive receptors to move away from the source of acoustic disturbance in order to reduce the impact on sensitive receptors.

3.34 Piling Time Restrictions

The Licence Holder must ensure there is a **12 consecutive hour** break in piling activities in any **24-hour period**.

Reason: To allow movement of migratory species.

3.35 Piling Precautionary Measures

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The Licence Holder must ensure all precautionary recommendations outlined in the JNCC Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise August 2010 are implemented. Any proposed changes to the actions outlined in this document must be submitted to and approved in writing by the Licensing Authority prior to any changes being enacted.

Reason: To minimise the impact on marine mammals from piling noise.

3.36 Pollution Control for Pumping Vessel

The Licence Holder must employ suitable pollution control measures when servicing pumping vessels. Spill kits must be available onshore and offshore and all personnel involved in dredging operations must be aware of the location of the kits and trained to use them.

Reason: To minimise the risk of pollution to the marine environment.

3.37 Inspection of Dredge Vessel

Subject to meeting any mandatory health and safety obligations, the Licence Holder must provide, at reasonable notice, access and, if necessary, appropriate transportation to the dredge vessel to facilitate any inspection that the Licensing Authority, or Marine Enforcement Officers consider may be necessary.

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

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ANNEX 2 – Map of Licensed Areas

