

Sent by e mail

Date 06 May 2020

Dear Rod Lewis

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

LICENCE FOR SWANSEA MAINTENANCE DREDGE

LICENCE NUMBER: DML1947

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 16 May 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 **DML1947** and its conditions.

Advisory Note

Marine Licence, **DML1947**, 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 **DML1947** 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, **DML1947** is solely granted for the work to be undertaken at **Swansea**; 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.

It has been raised with us from Trinity House that any vessel used must exhibit signals which comply with the collision regulations, which can be found here:

<http://www.collisionregs.com/MSN1781.pdf>

If, in the opinion of NRW acting on behalf of the Licensing Authority, the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the drifting or wreck of the works, the Licence Holder responsible for the works will be liable for any expense incurred in securing such assistance.

Condition **3.23** Refers to archaeological finds, these can vary from stone implements such as prehistoric flint tools, material that may relate to wrecks, items jettisoned overboard from vessel and items which may have come from downed aircraft. The location of the sample and where the find came from on the seabed should be recorded and the finds must be reported to The Crown Estate's Marine Antiquities Scheme, to ensure that the sampling contractor complies with the requirements of the Merchant Shipping Act 1995 (<https://www.gov.uk/guidance/wreck-and-salvage-law#the-law-relating-to-wreck>).

Guidance notes relating to different marine find types can be found at (<https://marinefinds.org.uk/guides>).

To aid you with your assessment, when you carry out OSPAR sediment testing, I would advise you conduct Particle Sample Analysis (PSA) of the sediments to allow interpretation of whether any build up or change in sediment composition is due to silts capping the movement of sand which is what we are trying to ascertain, whether there is a potential impact to Kenfig SAC. The monitoring of both the bathymetry and PSA will gradually help build up confidence in a longer-term license.

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

The UK left the EU on 31 January 2020 and has entered a transition period until the 31 December 2020. The legal obligations relating to compliance with environmental permits and legislation continue to apply. NRW will continue to issue and regulate all permits and licenses in line with our current practice. If you have any questions about your permits or licenses and/or site management, please contact our Customer Care Centre on 03000 653 000.

Yours sincerely

Joe Thomas
Marine Licensing Team
Natural Resources Wales