

Sent by e mail

Date 09/12/2021

Dear Mr Cosgrove,

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

LICENCE FOR CONSTRUCTION OF HEADWALL AND OUTFALL PIPE INTO THE RIVER TAFF, CARDIFF

LICENCE NUMBER: CML2161

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 **19 November 2021** 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 **CML2161** and its conditions. CML2161 is identical to CML2102 which was issued to M & J Cosgrove Construction Ltd. on 05 July 2021 and expired on 10 September 2021. CML2161 will cover the same works as previously licenced by CML2102. This is due to the previous works licenced by CML2102 not being conducted before the licence expiry.

Advisory Note

Marine Licence, **CML2161**, 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.

Following consultation, NRW Technical Experts (NRW TE) advised that you should ensure that no bankside vegetation within 7m of the watercourse is to be removed unless strictly necessary. In such cases, trees/shrubs should be limbed or coppiced, and the root base to be left intact.

It is also advised that should removal of vegetation take place between March and August, an appropriate survey for nesting birds should be undertaken. Breeding birds are protected under the Wildlife and Countryside Act 1981 (as amended - <https://www.legislation.gov.uk/ukpga/1981/69/part/I/crossheading/protection-of-birds>).

Following consultation, the MCA have stated that the site is within port limits and you should gain the approval/agreement of the responsible local navigation authority or the Harbour Authority/Commissioners/Council.

You are urged to read the conditions of Marine Licence **CML2161** carefully, in particular the need to advise Welsh Government Marine Enforcement Officers of the commencement of works within **10 days** prior to work starting.

You are also urged to read condition **3.24** which specifies that no Licenced Activities may take place during **nighttime** hours, which is defined as the hours before sunrise and after sunset.

Marine Licence, **CML2161** is solely granted for the work to be undertaken at **St Cuthberts, Cardiff**; 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.

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

Following the UK's departure from the EU on 31 January 2020 and the end of the transition period on 31 December 2020, the legal obligations relating to compliance with environmental permits and legislation will 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



**Marine Licensing Team
Natural Resources Wales**