

Ty Cambria, Caerdydd, CF24 0TP
Cambria House, 29 Newport Road, CF24 0TP

Our Ref: ORDML145

richard.ambrose@tidallagoonpower.com

1 July 2021

Dear Richard Ambrose,

Application reference: Marine Licence ORDML145

Applicant: Tidal Lagoon (Swansea Bay) PLC (TLSB)

Notification of deemed withdrawal

Regulation 14(3) – Marine Works (Environmental Impact Assessment Regulations) 2007

Deemed Withdrawal:

This letter is to inform you that your marine licence application ORDML145: Swansea Bay Tidal Lagoon is deemed withdrawn. The reason for this is because you have failed to provide further information requested by NRW under Regulation 14(1) of the Marine Works (Environmental Impact Assessment) Regulations 2007 (MWR) within a specified period.

Information requests:

On 10 March 2021, NRW requested the following further information from you under Regulation 14 MWR, with a deadline of 31 March 2021:

- **Task 1:** Fish impact model output tables using the parameters as instructed by NRW. The output should be presented in a table format with the following headings: Species, Mean, Median, and impact values at 95th and 99th percentiles (if required).
- **Task 2:** A report to include the fish impact model results and the interpretation of the potential impacts to fish, not only the numerical impact value but the interpretation of this impact. This has to be conducted using the 95/99th percentile level predicted by the fish impact modelling. It should also recognise and consider the implications of these results and need (or not) of updates of the assessments undertaken as part of the application to date: i.e. Environmental Statement, Report to Inform the Appropriate Assessment (a shadow Habitats Regulations Assessment), Water Framework Directive assessment, and Adaptive Environmental Management Plan (Environmental Statement / RIAA/ WFD and AEMP).

This information is directly relevant to reaching a conclusion about the significant effects of the project described in the environment statement.

The information that you submitted on 31 March 2021 comprising a 'final report on the predicted impact on fish from the development (*Fish Impact Values Interpretive Report*)' has been reviewed by NRW'S Regulatory and Advisory functions. It is evident that the further

information did not include an assessment of the implications of the modelled fish impact results in relation the relevant chapters of your Environmental Statement and your further supporting assessments, RIAA / WFD and AEMP.

NRW has therefore concluded that the submission does not fulfil our request for further information and is unable to proceed with the determination of the licence.

In accordance with Regulation 14 (3) of the MWR, Swansea Bay Tidal Lagoon application (ORDML145) is deemed withdrawn.

Rights of appeal

There is no right of appeal against this decision. Should you be unclear as to the implications of this notification, you should seek independent legal advice.

Yours sincerely,



John Wheadon
Permitting Service Manager

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English