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# The Marine Licensing (Appeals Against Licensing Decisions) (Wales) Regulations 2011

## MARINE LICENSING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 0303 444 5940.

**WARNING:** Your appeal must reach The Planning Inspectorate within the statutory time limits for making an appeal as set-out in the above mentioned regulations, that being 6 months from the date of NRW's decision.

**PLEASE PRINT CLEARLY IN CAPITAL USING BLACK INK**

**A. APPELLANT** - The name of the person(s) making the appeal **must** appear as an applicant on the application form. **If this is not the case the appeal cannot be registered.**

Name	
Organisation Name (if applicable)	

**B. AGENT (if any) FOR THE APPEAL**

Name	
Organisation Name (if applicable)	
Reference	

**C. NATURAL RESOURCES WALES (NRW) DETAILS**

NRW's reference number	
Application form dated	
Date of NRW's Decision Notice	

## D. APPEAL AREA ADDRESS

Please give the name and location of the site	
Grid References	
Total area of site (in Hectares)	

	YES*	NO
Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? <i>*If yes, please explain in your grounds of appeal (section F)</i>		

## E. DESCRIPTION OF PROJECT

Please enter details of the proposed project for which you require a licence. This should normally be taken from the application form, but if the application was revised while it was with NRW for consideration, you may enter a description of the revised scheme. Please enclose a copy of NRW's agreement to the change(s).

	YES*	NO
Does the area form part of a Marine Conservation Zone designated under the Marine and Coastal Access Act 2009?		
Are any parts of the works located within or likely to affect a designated conservation site (SAC, SPA, SSSI or Ramsar)?		

**\* If you tick yes for any of the above please provide further details in your grounds of appeal.**

## F. REASONS FOR THE APPEAL

**This appeal is against:**

Please tick

1. Refusal to grant a Marine Licence

2. Conditions attached to a Marine Licence

## G. DETAILS OF LICENCE / PROJECT APPLIED FOR

**Please indicate the type of licence this appeal relates to:**

Please tick

1. An application for Marine Licence – Band 1 low risk activity

2. An application for Marine Licence – Marine Works

3. An application for Marine Licence - Dredge and Disposal

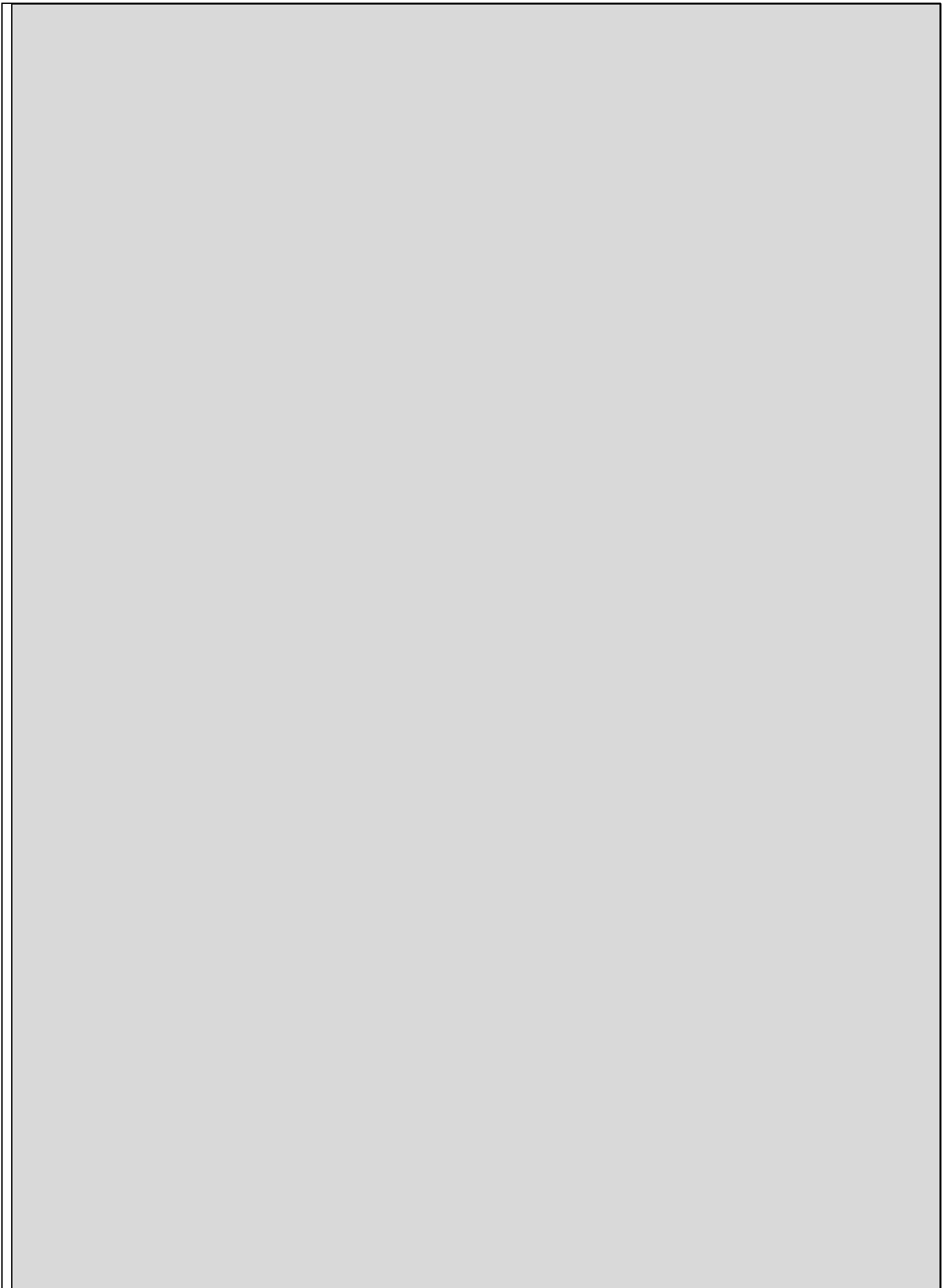
4. An application for Marine Licence – Marine Energy Works

5. An application for Marine Licence – Marine Minerals

## H. GROUNDS OF APPEAL

**Please enter your grounds of appeal below.** This is your opportunity to make your case in connection with the reason for the appeal as indicated in section F. To do this, you need to go through the reasons for the decision, and explain why you disagree. Only the reasons within NRW's decision and the reasons put forward by you at application stage should be included on your appeal form. You should not introduce any new reasons for the appeal. If you are appealing against conditions attached to a licence, please make it clear which conditions you disagree with and why. If you are appealing against the length of the licence please explain why you disagree with the decision and what you consider to be an appropriate length of time for the licence.

***Please continue on a separate sheet if necessary***



## I. CHOICE OF PROCEDURE

Please note that we must also take NRW's preference into account when we decide how the appeal will proceed. Please read our Appeal Guidance for further information on our procedures.

Please tick **ONE** box only ✓

### 1. Written Representations W

This procedure involves an exchange of the parties' written statements, followed by a visit to the appeal site by the Inspector who is responsible for determining the appeal. This is usually the quickest, simplest and most cost effective way of deciding an appeal.

You and a representative for the Regulator will be given an opportunity to accompany the Inspector during the site visit.

### 2. Hearing H

A hearing is a discussion, held under the direction of the Inspector. It lets parties exchange their views in a less formal atmosphere than at a public inquiry.

### 3. Inquiry I

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence.

**If you want us to hold a hearing or an inquiry, please set out your reasons below:**

## J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1 – 6 below **MUST** be sent with your appeal form. If we do not receive all your appeal documents within the statutory appeal period, we may not be able to accept it.

**Please tick the boxes to show which documents you are enclosing.**

<b>1</b>	A copy of the <b>application form</b> which was sent to NRW	<input type="checkbox"/>
<b>2</b>	A copy of the <b>decision</b> issued by NRW	<input type="checkbox"/>
<b>3</b>	Any relevant correspondence with NRW	<input type="checkbox"/>
<b>4</b>	A list (stating drawing numbers) and copies of all <b>plans, drawings and documents</b> sent to NRW as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to NRW	<input type="checkbox"/>
<b>5</b>	Additional plans, drawings or documents relating to the application but not previously seen by NRW. Please number them clearly and provide a list	<input type="checkbox"/>
<b>6</b>	A copy of the Environmental Impact Assessment and consent decision, if applicable. Please provide a hard and electronic copy.	<input type="checkbox"/>

## Personal Details

Personal Details on this page will not be publicly available

### 1. APPELLANT PERSONAL DETAILS

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
<b>Language Preference</b>		

	E-mail	Post
<b>I prefer to be contacted by</b>		

### 2. AGENT PERSONAL DETAILS (if any)

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
<b>Language Preference</b>		

	E-mail	Post
<b>I prefer to be contacted by</b>		



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our website under "Privacy Policy" ([http://planninginspectorate.wales.gov.uk/privacy\\_policy](http://planninginspectorate.wales.gov.uk/privacy_policy))

## PLEASE SIGN BELOW

I confirm that I have sent a copy of this appeal form and all relevant documents to the Regulator (if you do not your Appeal will not normally be accepted).

I confirm that all sections have been fully completed to the best of my knowledge.

I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 (as amended) and details including my name, the project location and my statement of case will appear in the public domain. By submitting this form I am agreeing to the use of the information I provide in this way.

Signature:

Name (in capitals)

Date

On behalf of (if applicable)

## SEND

### **1 COPY to us at:**

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

E-mail: [wales@pins.gsi.gov.uk](mailto:wales@pins.gsi.gov.uk)

### **1 COPY to the Licensing Authority (NRW)**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from NRW). There is no need to send them all the supporting documents again, send them any supporting documents not previously sent as part of the application.

### **1 COPY for you to keep**

## WHEN WE RECEIVE YOUR APPEAL

When we receive your appeal form, we will:

1. Tell you if it is valid and who is dealing with it.
2. If everything is in order, we will give you an appeal **start date** and **timetable**.
3. Inform NRW of the start date of the appeal (if applicable).

**If you submit information or representations late we may be unable to consider them, the Inspector may not see them and that may be returned to you.**

At the end of the appeal process, you will receive the Inspector's decision in writing, which will include details of the Inspector's reasoning.