



Marine
Management
Organisation

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Yvonne Golightly
Marine Licensing Team
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Your reference: MLA/2025/00257

29 August 2025

Dear Yvonne,

In response to the application MLA/2025/00157

Thank you for consulting the Marine Conservation Team (MCT). Please note that the following consultation response constitutes advice relating to Marine Wildlife Licensing, however additional consents may be required which are beyond MCT's remit.

The application is for redevelopment of Falmouth Docks, Cornwall. If consented, this will include dredging activities, demolition, construction and reconfiguration of existing dock structures. The works are proposed to commence in Summer 2025 and are estimated to be completed within 42 months.

Wildlife Licensing

The Marine Licensing Team has identified wild birds for consideration during the determination of this application.

From 0 to 12 nautical miles (nm) all species of wild birds and their eggs are protected by sections 1 and 5 of the Wildlife and Countryside Act (WCA) 1981. Wild bird species are also protected from disturbance while nesting if they are listed in Schedule 1 of WCA. Please see MMO's webpage guidance with details of offences for birds [here](#).

MCT advise that Natural England is consulted regarding bird species, as they are the authority responsible for protected species licensing landward of mean low water mark under WCA, section 16.

We have additionally identified that seals and cetaceans are relevant to this application.

From 0 to 12 nautical miles (nm) seals are protected under the Conservation of Seals Act 1970 and regulation 45 of The Conservation of Habitats and Species Regulations 2017 (CHSR). Please see MMO's webpage guidance with details of offences for seals [here](#).

From 0 to 12 nautical miles (nm) cetaceans are protected by regulations 43 and 45 of CHSR and section 9 of the Wildlife and Countryside Act 1981 (WCA). Please see MMO's webpage guidance with details of offences for cetaceans [here](#).

The applicant considers impacts to marine mammals in Chapter 9 of their Main Environmental Statement. The application includes demolition works, dredging and piling which are expected to introduce noise into the marine environment. To install piles, vibratory piling will be used initially, however it is expected that percussive piling will be required to reach the required target pile depth. Up to four hours of percussive piling is proposed per day, and the estimated total piling works are expected to take 50 weeks to complete.

Behavioural impacts of disturbance are expected if marine mammals are present close to works. However, the applicant concludes that this is an insignificant impact due to the low likelihood of marine mammal encounter at this location, and mitigation proposed. The use of a marine mammal observer (MMOb) is proposed to ensure no marine mammals are within the vicinity of the proposed development prior to commencing these activities. An MMOb will be positioned to ensure the possible movement of any animals upstream into the Fal can be observed.

Injurious noise impacts from demolition activities and piling have been assessed by the applicant as of medium impact, and this describes a risk of causing temporary threshold shift and permanent threshold shift if marine mammals were to be present close to works. Mitigation measures have therefore been proposed to reduce the risk of injury from both demolition and piling activities. In addition to an MMOb to ensure no animals are present during works, a soft-start procedure will apply for demolition and piling, whereby the initial sound source level is increased over 20 minutes to the maximum value.

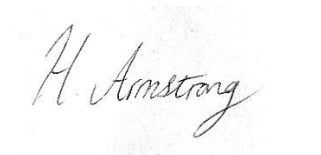
Although mitigation has been proposed to reduce the risk of disturbance and injury to marine mammals, it is unclear whether this will be sufficient to mitigate the risk completely. We advise Natural England is consulted to determine appropriate mitigation.

Providing that the proposed mitigation and conclusions of no risk of injury or disturbance to marine mammals can be agreed with Natural England, MCT are minded to consider that a wildlife licence is not likely required for this application for the identified protected species. It is the applicant's responsibility to identify which activities and species are likely to require a wildlife licence to avoid an offence.

We would advise that any SNCB and specialist advice is taken into account when considering this application and note that the applicant is reminded that they are responsible for satisfying themselves that their activities will not result in an offence. If the applicant deems their activities may cause an offence, it is their responsibility to consider the need for a wildlife licence. If any concerns regarding protected species are brought to the attention of the Marine Licensing Team from SNCBs or specialist advisers, please re-consult us.

Please do not hesitate to contact me should you require anything further.

Kind regards,



Hope Armstrong

Marine Conservation Manager

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