

Solent Forum Briefing Paper
Progress on Marine and Coastal Access Act
August 2010.

Background

The Marine and Coastal Access Act was enacted late 2009 and the Marine Management organisation (MMO) was vested in April 2010. In order to set up a new Marine Planning System in England Defra have consulted stakeholders on various elements of it. The main objective of marine planning is to balance sectoral interests and achieve sustainable use of marine resources in accordance with the principles of sustainable development.

At the end of July 2010, the Solent Forum attended a Defra/MMO stakeholder workshop to discuss the draft MPS in particular. The highlights of this one day workshop include:

- The coalition has confirmed that marine planning is a priority
- Key documents are now released including 1/ The draft MPS for consultation 2/ Recommended marine plan areas for English inshore and offshore marine regions 3/ Consultation on a marine planning system for England 4/ Consultation on marine licensing 5/ Charting Progress 2 – State of the UK Seas
- The consultation period for the documents still open for comment ends 13 October 2010.
- The MPS will not set the priorities for marine activities, rather this will be done at plan level
- The recommended marine plan areas have changed from consultation, to align the offshore and inshore marine regions and standardise the size of regions to follow charting progress
- The criteria for marine planning has changed to include areas that contribute to sustainable development
- The MMO have reiterated that marine planning will build on existing plans and policies
- Stakeholder engagement will be paramount to the MMO and they hope to work with existing coastal partnerships to engage stakeholders
- Marine licensing integrates the Coastal Protection Act and Food and Environmental Protection Act and will also integrate applications within ‘whole life projects’. The system introduces an extensive chargeable pre-application process, it tidies up exemptions to licensing, and makes changes to the appeals process to prevent malicious appeals. Compliance and enforcement measures will be graduated and effective. A new IT web portal is being built so that planners and developers can search permissions.

The timetable for marine planning at present allows for the first two marine plans to commence in April 2010. Prior to this the first two marine plan areas will be announced (expected October 2010) and final documents following consultation on the marine planning system and marine licensing system will be released.

The Solent Forum has summarised some of the different elements of the new system from a Solent perspective.

High Level Objectives

The High Level Objectives for a marine planning system have now been set by Government, following consultation in 2009. The objectives are driven by an overall vision for the UK environment for 'Clean, healthy, safe, productive and biologically diverse oceans and seas'. The objectives have been expressed within the context of the UK's five sustainable development principles.

- Achieving a sustainable marine economy
- Ensuring a strong, healthy and just society
- Living within environmental limits
- Promoting good governance
- Using sound science responsibly

Draft Marine Policy Statement, July 2010.

A draft UK Marine Policy Statement (MPS) has been released by HM Government for consultation. This follows the release of pre-consultation document for discussion released in March 2010 and pre-consultation workshops prior to that. The deadline for comment on the draft MPS is *13 October 2010*.

The MPS is the framework for preparing marine plans and taking decisions that affect the marine environment. It will set the direction for the new marine licensing and other authorisation systems in each administration. It applies to all UK waters. It sets out the Government's collective ambition for the policies that shape the management and use of marine resources. It sets out to create a framework for consistent and evidence based marine planning and decision making.

The consultation document sets out a vision for the UK marine area, the high level approach to marine planning, issues for consideration, policy objectives for different sectors, key characteristics of the existing UK marine environment, Treatment of alternatives, Results of topic specific appraisals and mitigation, and Monitoring. The draft MPS is supported by an Impact Assessment, an Appraisal of Sustainability and a Habitats Regulation Assessment.

Recommended Marine Plan areas for English Inshore and Offshore marine regions, July 2010.

Defra have now published the recommended marine plan areas. The Marine Plan area in which the Solent sits is the South Inshore area spanning between the River Dart in Devon to Dover to 12 nm from the coast. It is aligned to the South Offshore area which extends to the Exclusive Economic Zone boundary with French waters. The criteria for marine planning is also set-out. It is hoped that the first two marine plan areas to commence will be announced in October for planning to begin in April 2011.

Consultation on a marine planning system for England, July 2010.

Defra have released this consultation describing the new marine planning system in England for the new MMO and other interested organisations and persons. The deadline for comment on the draft MPS is *13 October 2010*.

Chapters 1 and 2 provide information on the purpose and benefits of the system, an analysis of planning systems elsewhere in the world, the policy context, the geographical scope, the recommended plan boundaries, the need for an evidence base. Chapter 3 sets out the structure and content of marine plans. The remaining document provides guidance on the marine planning process, sets out roles and responsibilities, discusses interactions between terrestrial and marine planning and details plan implementation and decision making.

Second consultation on secondary legislation under the marine and Coastal Access Act: Part 4 Marine Licensing, July 2010.

This Defra consultation document seeks views on detailed proposals for the marine licensing system. The deadline for comment on the draft MPS is *13 October 2010*.

The document describes the system and how it will be delegated to the MMO, details how to apply for a licence, details the appeals procedure, details exemptions, specifically discusses pipelines and sets out the requirement for a public register.

Charting Progress 2 The state of the UK Seas

Charting Progress is an assessment of the states of the UK seas. It is based on peer reviewed evidence collected by scientists from marine agencies, research institutes, universities environmental organisations, and industries around the UK.

The study tells the Government to what extent human uses and other pressures such as climate change are having an impact on the habitats and species in UK seas. It indicates whether environmental protection measures put in place are working and enables policy makers, planners and the public to see what progress is being made to achieve the UK vision of clean, healthy, safe, productive and biologically diverse oceans and seas.

Defra Update on Report on ICZM to the EU

The European Commission is considering possible next steps for Integrated Coastal Zone Management (ICZM) to follow on from the EU Recommendations in 2002. To inform the Commission's thinking they've requested that all Member States provide an update on the progress of implementing ICZM since the last Report in March 2006. Defra are now seeking to update the UK report that they provided in 2006 and in due course will nest the approach into the marine planning process.

In order to achieve this an Expert Group has been formed by Defra and a working group set-up to specifically consider options. In 2011 an impact assessment report, of

less than 20 pages, will be commissioned amongst the UK's devolved administrations to consider options. Defra recognise that they will need input at local level to assess the affect of the implementation of initiatives which have contributed to ICZM. This input is to be obtained from independent/neutral/pan-sectoral organisations involved in ICZM, including Coastal Partnerships, and Defra have approached the Solent Forum amongst others posing a series of advanced questions to gauge progress on ICZM and whether initiatives are fulfilling their anticipated potential. Responses are due by *6th September 2010*