



Marine Management Organisation



Planning for economic activities offshore

Clare Kavanagh



The Marine Management Organisation

- Established 2010, sponsored by Defra
- We license, regulate and plan marine activities in the seas around England so that they're carried out in a sustainable way.
- Responsibilities:
 - Statutory **marine planning authority** developing marine plans, and issuing **marine licences**
 - **Managing English fishing** fleet capacity and quotas
 - Create and enforce **marine conservation** byelaws
 - Responding to **marine emergencies**



Coastal Offices and HQ



**Marine
Management
Organisation**

Welsh Government

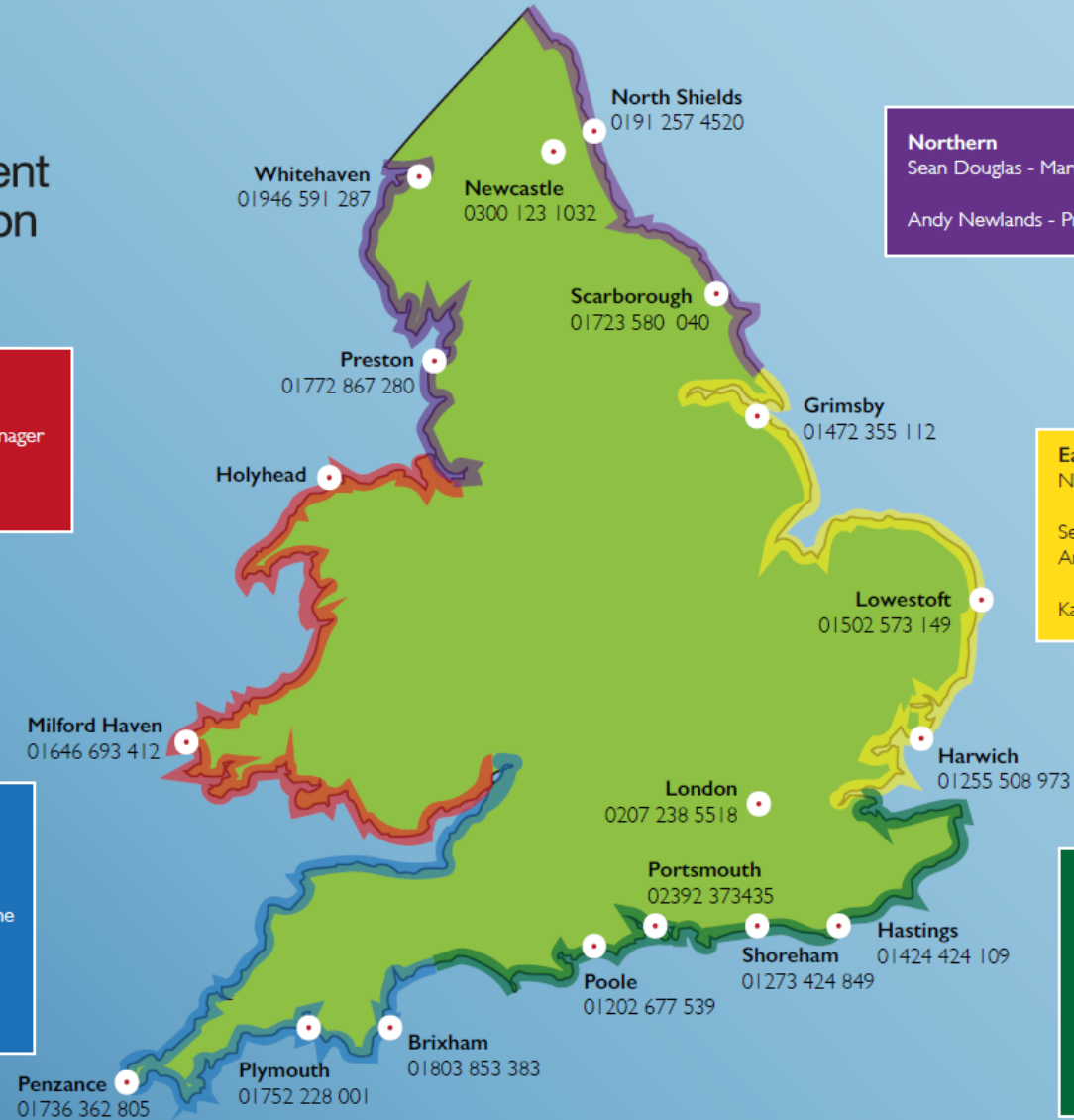
Barry John
Fisheries Enforcement Manager
Milford Haven
01646 693 412

Southern Western

Nick Wright - Functional
Marine Area Manager

Colin May - Principal Marine
Officer

Rachel Irish - Principal
Marine Officer



Northern

Sean Douglas - Marine Area Manager

Andy Newlands - Principal Marine Officer

Eastern

Neil Wellum - Line manager to area

Sean Douglas - Functional Marine
Area Manager

Katie Hill - Principal Marine Officer

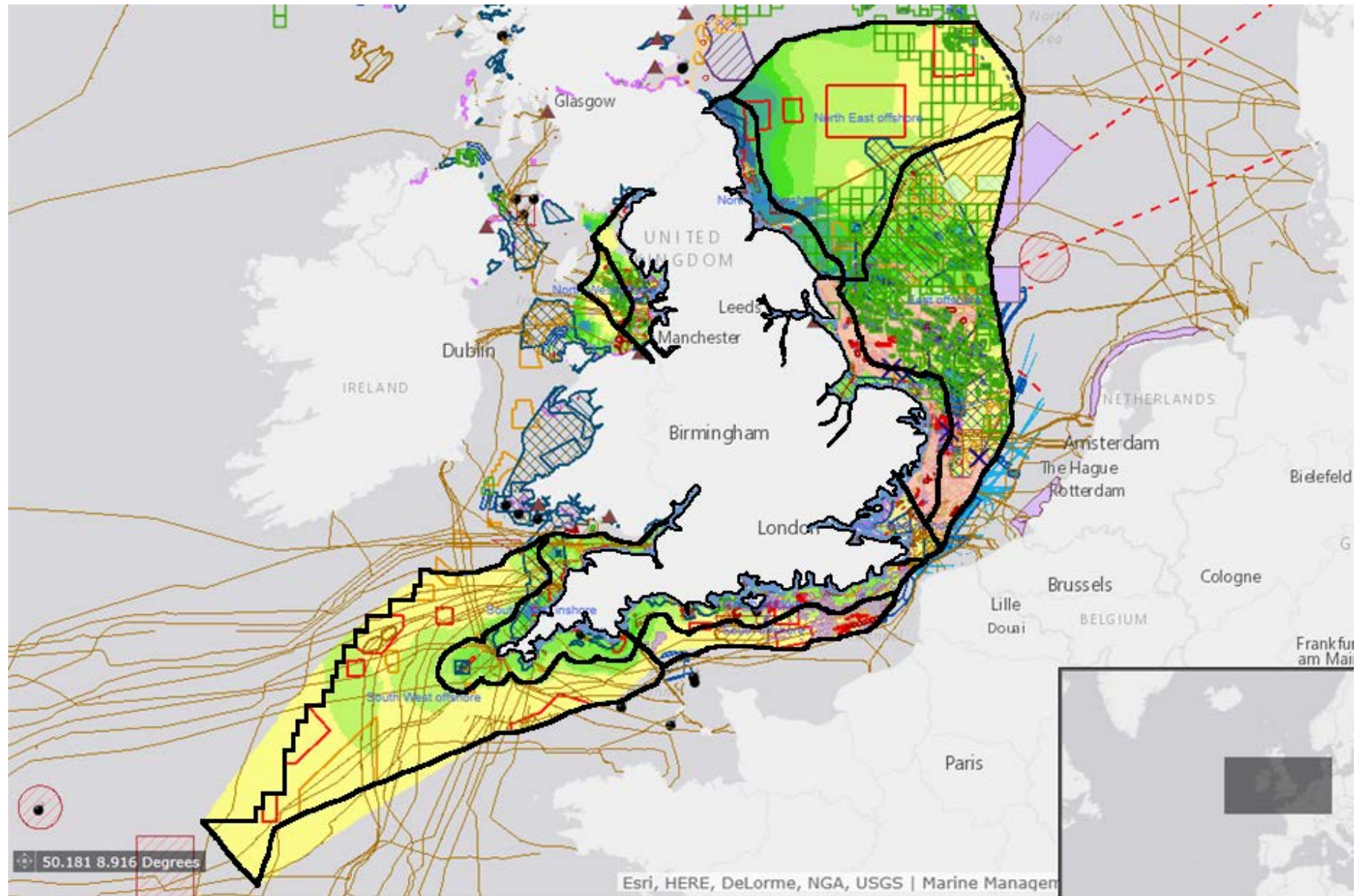
Southern Eastern

Neil Wellum - Line manager
to area

Nick Wright - Functional
Marine Area Manager

Paul Johnson - Principal
Marine Officer

Why? - Busy marine plan areas



Marine planning

- **Will** provide detailed policy and guidance for the marine plan area
- **Will** manage the increasing demand on space and resources
- **Will** enable sustainable economic growth whilst protecting the marine environment



Makes sure the **right activities** take place in the **right place** and in the **right way** placing sustainable development at the centre of all decisions.

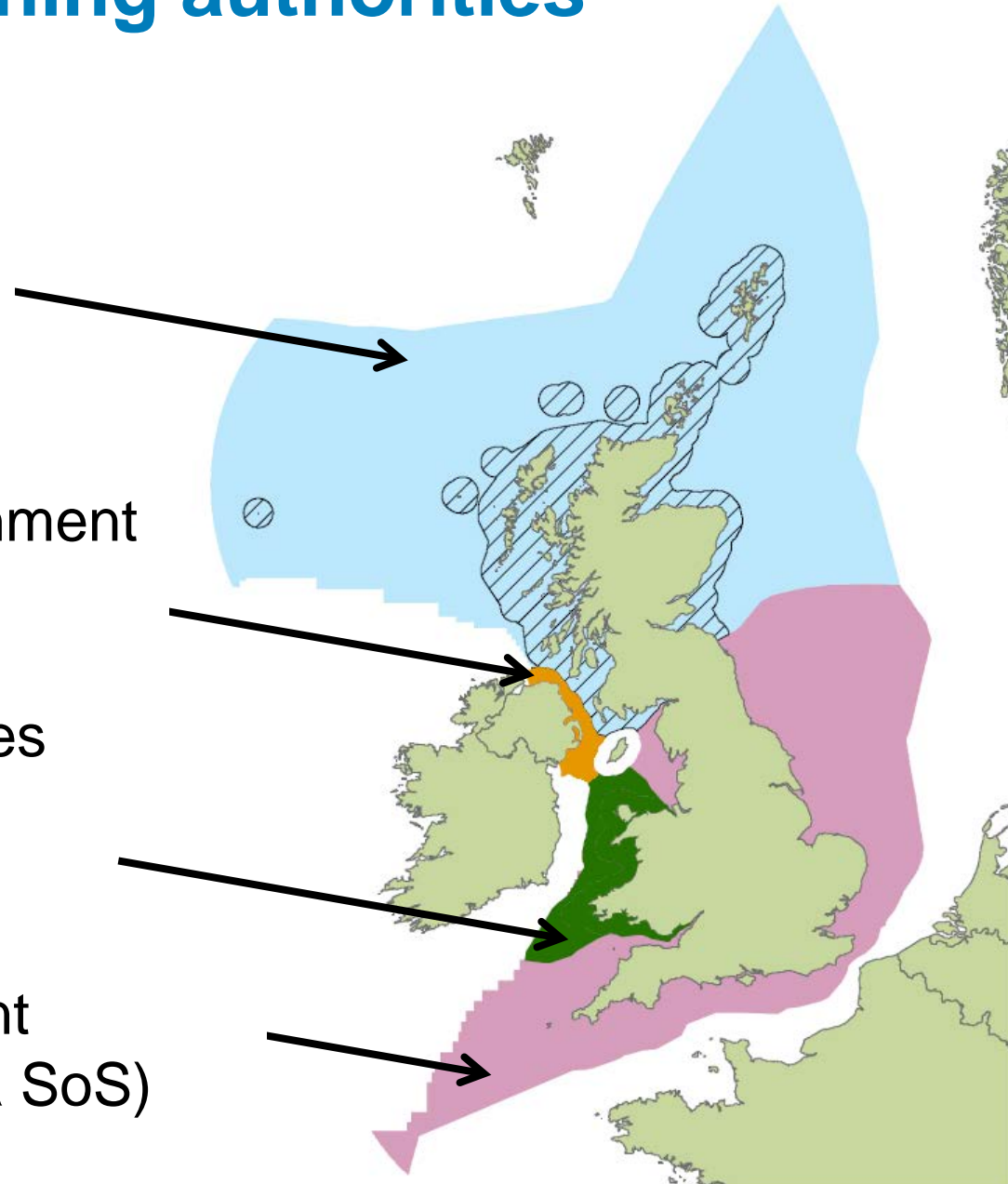
UK marine planning authorities

Marine Scotland

Department of
Agriculture, Environment
and Rural Affairs

Marine and Fisheries
Department, Welsh
Government

Marine Management
Organisation (Defra SoS)



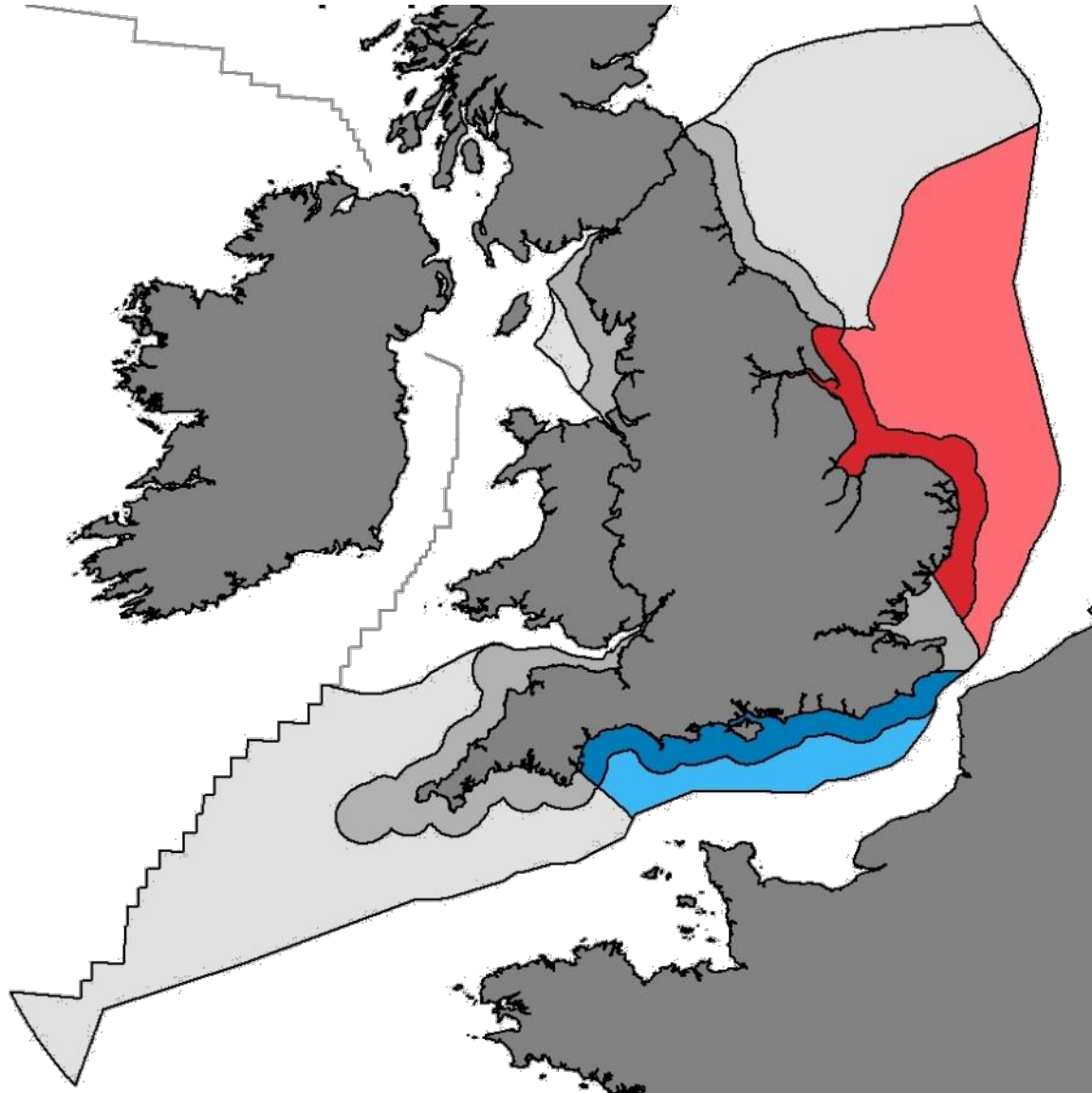
Marine Plan Areas



- 11 plan areas
- Covered in 6 marine plans
- Inshore (MHWS or tidal limit – 12nm)
- Offshore (12nm – 200nm or territorial limit)
- 20 year horizon

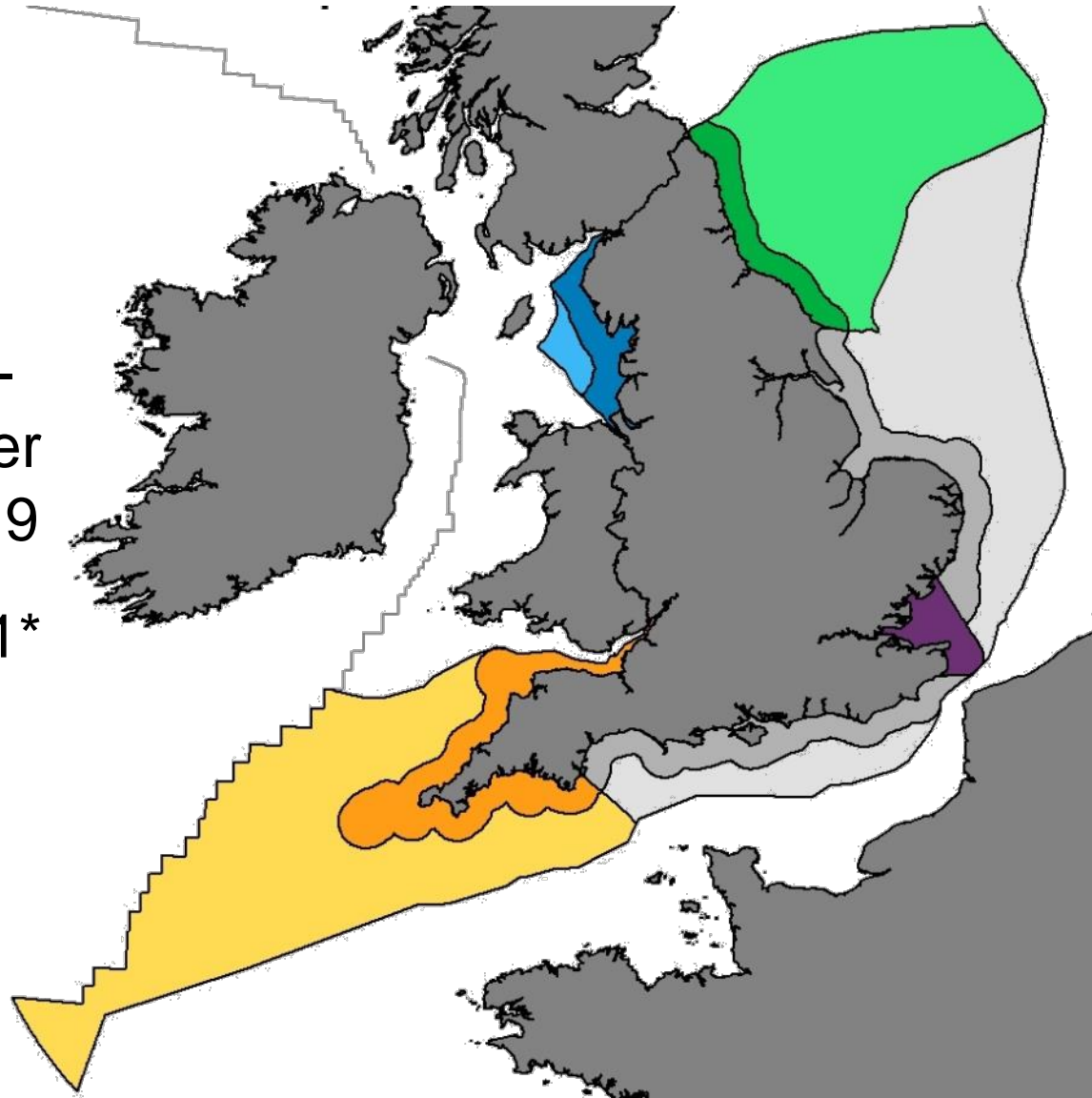
Progress to date

- East Inshore and Offshore adopted April 2014
- South Inshore and Offshore adopted July 2018



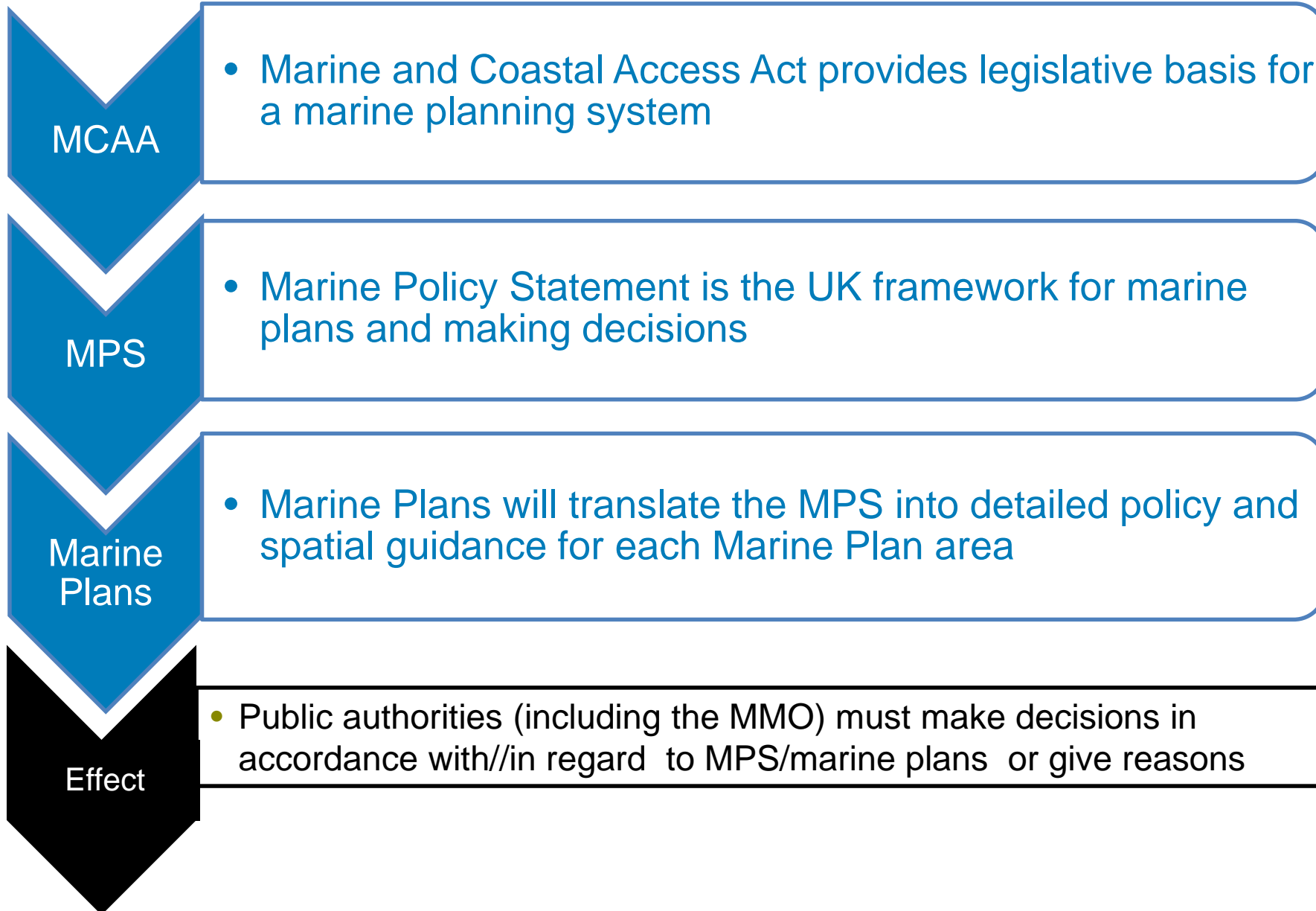
Developing new plan areas

- NE, SE, SW, NW developed concurrently
- Iterative approach- Iteration 3, Summer 2018 – Spring 2019
- Publish all by 2021*



* Adoption by 2021. Aim for June 2020 for contingency, or any Independent Investigation if required

Marine Planning Legislation



Decisions made in accordance with a marine plan - S.58(1)

- These vary widely and include:
 - Local Planning Authorities determining planning permissions
 - MMO marine licences
 - The Crown Estate leasing the seabed for renewable energy
 - Environment Agency permitting of flood and coastal defence works and water discharges
 - Inshore Fisheries and Conservation Authorities permits

Decisions made having regard to a marine plan - S.58(3)

- Broadly, decisions having regard to a marine plan can be considered in two types:
 - (a) Nationally Significant Infrastructure Projects (NSIPs) which are determined by a Secretary of State
 - (b) decisions that may indirectly affect the UK marine area e.g. the adoption of a plan that goes on to inform a relevant authorisation or enforcement decision

Marine licensing

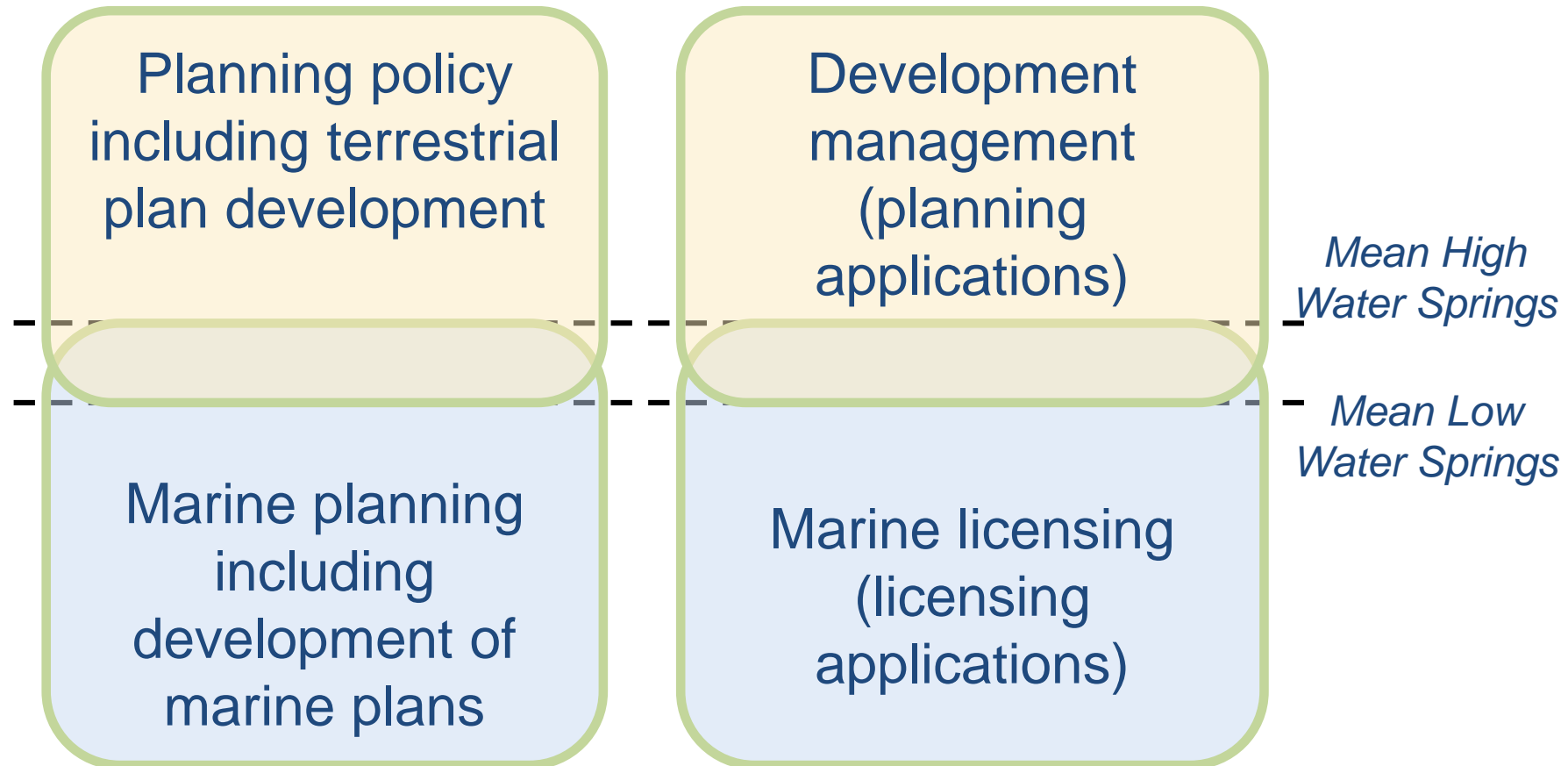
- Marine licensing is a plan led system
- New applications in the South and East marine plan areas undergo a marine plan policy assessment to ensure all licence applications are in accordance with the marine plan
- Licence requests that have not considered the marine plan are sent back to the applicant for further information
 - This wastes the time and money of both the applicant and the MMO



What may require an MMO marine licence?

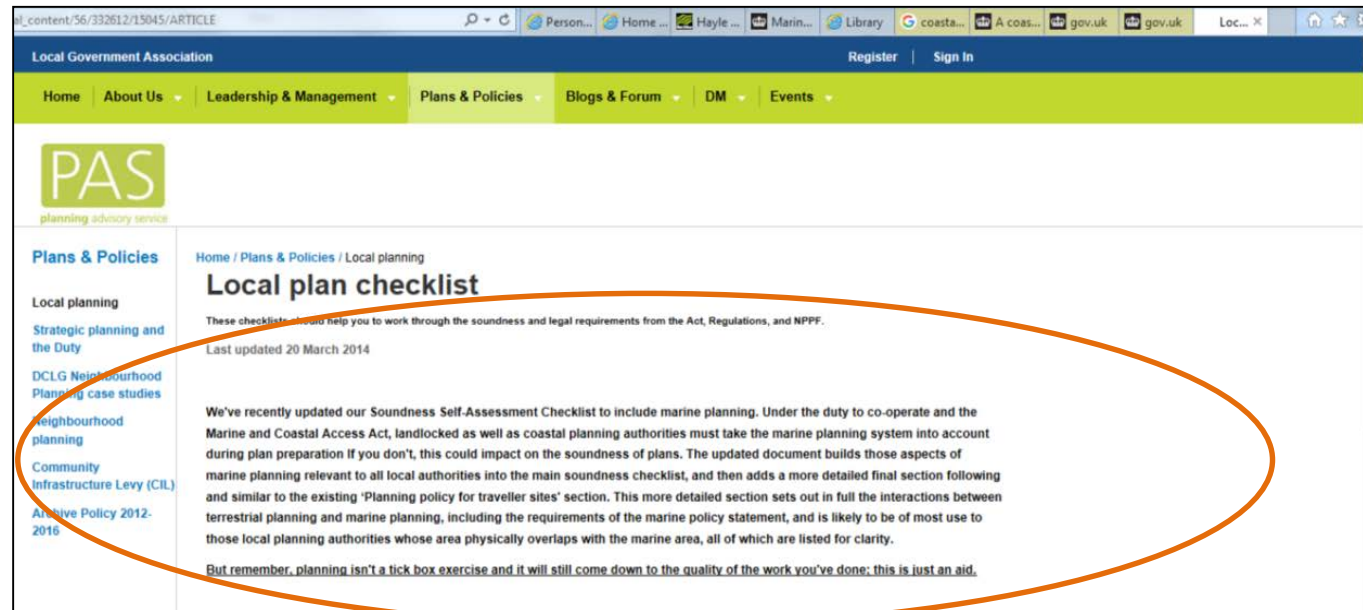
- Section 66 of Marine and Coastal Access Act 2009 details licensable activities below MHWS and include:
 - **Construct** alter or improve any works in or over the sea, or on or under the sea bed.
 - Any form of **dredging** (whether or not involving the removal of material from the sea or sea bed).
 - **Deposits** in the sea, on or under the seabed from a vehicle, vessel, aircraft, marine structure, floating container or a structure on land which has the purpose of depositing solids in the sea.
 - **Incineration** of any substance or object
 - **Removals** of any substance or object from the sea bed. Using a vehicle, vessel, aircraft, marine structure or floating container to remove any substance or object from the sea bed.
 - **Scuttling** of any vessel or floating container

Marine planning and licensing in context



The overlap, and the Duty to Co-operate

- The overlap ensures that marine and land planning will address the whole of the marine and terrestrial environments respectively
- Localism Act 2011; Section 110 parts 1-3
- Reinforced through the Defra 25yr Environment Plan
- Planning Advisory Service checklist



The screenshot shows a web browser window displaying the Planning Advisory Service (PAS) website. The browser's address bar shows the URL `content/56/332612/13045/ARTICLE`. The website header includes the PAS logo and navigation links for Home, About Us, Leadership & Management, Plans & Policies, Blogs & Forum, DM, and Events. The main content area is titled "Local plan checklist" and is circled in orange. The text on the page reads:

Home / Plans & Policies / Local planning

Local plan checklist

These checklists should help you to work through the soundness and legal requirements from the Act, Regulations, and NPPF.

Last updated 20 March 2014

We've recently updated our Soundness Self-Assessment Checklist to include marine planning. Under the duty to co-operate and the Marine and Coastal Access Act, landlocked as well as coastal planning authorities must take the marine planning system into account during plan preparation. If you don't, this could impact on the soundness of plans. The updated document builds those aspects of marine planning relevant to all local authorities into the main soundness checklist, and then adds a more detailed final section following and similar to the existing 'Planning policy for traveller sites' section. This more detailed section sets out in full the interactions between terrestrial planning and marine planning, including the requirements of the marine policy statement, and is likely to be of most use to those local planning authorities whose area physically overlaps with the marine area, all of which are listed for clarity.

But remember, planning isn't a tick box exercise and it will still come down to the quality of the work you've done; this is just an aid.

Coastal Concordat

- Sets out how regulatory bodies can co-ordinate the separate processes for coastal development consents in England

Department for Environment, Food and Rural Affairs

A Coastal Concordat for England

11 November 2013

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Statement of Common Ground

- Encourages joined-up approach between marine and terrestrial planning
- Accords with National Planning Policy Framework
- Particularly important in areas of dynamic coastal processes
- Gives a clear definition of engagement for the local authority in relation to marine plans under Marine & Coastal Access Act



Why use the marine plan?

1. Legal requirement - **adopted** and **draft** marine plans (as a material consideration) must to be considered in all decisions that affect England's marine area, now and into the future
2. Decisions that take account of marine plans:
 - reduced risk of legal challenge
 - informed by the best available evidence
 - considered against wider context, both on land and at sea
 - ensure sustainable management of England's marine area
 - save time and money



Pop Quiz

1. Name the UK marine planning authorities? (4)
 2. What are the 3 statutory marine planning documents? (3)
 3. What initiative was launched in 2013 to coordinate regulators? (1)
 4. What legislation relates to an enforcement or authorisation decision? Provide example. (4)
 5. Give an example of an activity that may require a marine licence. (1)
1. Marine Scotland, Dept of Agriculture, Envt & Rural Affairs, Marine and Fisheries Dept Welsh Gov, MMO
 2. Marine & Coastal Access Act, Marine Policy Statement, Marine Plans
 3. Coastal Concordat
 4. MCAA S58(1) – approval(1), confirmation(1), consent(1), licence(1) or permission(1) which affects or might affect the marine environment
 5. Construction, dredging, deposition, incineration, removal, scuttling

TOTAL POINTS = 13



Questions?