

Initial thinking of the UK Government and Devolved Administrations on the content of the Marine Policy Statement

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MARINE POLICY STATEMENT - SCOPE AND CONTENT

1. Introduction

Work on the Marine Policy Statement is at an early stage and there will need to be further policy development and wide ranging engagement across administrations and with external stakeholders in order to develop it into a comprehensive and practical document that can be referred to and used by decision makers, planners and industry to inform choices made with regard to activities in the marine environment.

This paper sets out the initial thinking of UK Government and Devolved Administration officials on the scope and content of the Marine Policy Statement. Ministers have yet to take final decisions.

The Marine Policy Statement is an essential part of the marine planning system being introduced by the Marine and Coastal Access Bill. The intention is that it should be in place within two years of Royal Assent.

We envisage that the Marine Policy Statement will address the following areas though their precise order may vary from that shown.

2. General content

Purpose

This will cover the background to and purpose of the Marine Policy Statement which is to set out policies in the UK marine area to contribute to the achievement of sustainable development and provide a consistent policy steer for decision makers and users in the UK marine area, recognising possible differences in policy geographically.

High level objectives

This section will set out the UK's vision for the marine area- clean, healthy, safe, productive and biologically diverse seas within the framework of sustainable development. It will reiterate our High level objectives for the UK marine area: achieving a sustainable marine economy, ensuring a strong, healthy and just society, living within environmental limits, promoting good governance, and using sound science responsibly. These objectives are intended to underpin the development of the Marine Policy Statement which will provide a means to achieve them. A consultation on these objectives was completed in autumn 2008 and a copy of the consultation document "*Our seas - a shared resource*" is at <http://www.defra.gov.uk/corporate/consult/highlevel-marine/index.htm>. A summary of responses and final text is expected to be available shortly. Further detail on the objectives will be included in the Marine Policy Statement.

This section will also flag up any other overarching UK Government or devolved administration objectives.

Area

This will describe the geographic coverage of the Marine Policy Statement and include a map to indicate the area of sea covered.

Authorities

This will clarify that the key decisions in the marine area will relate to licensing of developments and describe the authorities that will be responsible for this (including the Marine Management Organisation in English territorial and UK waters off England, the Infrastructure Planning Commission in relation to nationally significant infrastructure projects in England and Wales, and other authorities in relation to devolved responsibilities).

Impact assessments/consultation

This will describe the process by which the Marine Policy Statement has been developed, including a possible assessment or appraisal of sustainability of policies, an impact assessment and wide ranging consultation with all interested persons.

Marine Plans

This will explain that marine plans will be developed, setting out in more detail how the Marine Policy Statement will apply in specific parts of UK waters. It will briefly describe the process for the development of plans. It is likely that there will be different approaches taken to marine planning in different parts of the UK. (For example, some administrations may choose to prepare a national marine plan).

3. Detailed content

Legislation

We will list existing Government commitments and legislation relating to the marine area. This will distinguish between international instruments, EU legislation /instruments and targets, regional conventions, and national policies/targets indicating those that are legally binding and those that are not. Since the Marine Policy Statement should be forward looking, we will look ahead to any key changes expected in future, for example in relation to the EU Marine Strategy Framework Directive and the EU Integrated Maritime policy or areas where we are seeking changes, for example the Common Fisheries Policy.

Relationship with National Policy Statements and other regimes/documents

In England and Wales a key issue will be ensuring consistency between the Marine Policy Statement and the National Policy Statements being drawn up for key sectors

under the Planning Act. The Infrastructure Planning Commission will take decisions on nationally significant infrastructure projects in England and Wales in accordance with the National Policy Statements and when these decisions may affect the marine area (essentially for large renewable energy projects and largest ports) must also have regard to the Marine Policy Statement. Government Departments are committed to working together to ensure consistency between the National Policy Statements and the Marine Policy Statement.

In Scotland, Wales and Northern Ireland, there may be other documents/regimes with which the Marine Policy Statement will need to be consistent.

Land-sea and other interactions

This will explain that the Statement covers the marine aspects of the coast and flag up the important interactions with terrestrial planning and Town and Country planning regimes for which local authorities will continue to have responsibility and other plans such as Shoreline Management plans and River Basin Management plans. It will stress the importance of close coordination between relevant authorities where projects have coastal/onshore impacts and of working to ensure consistency between land and marine plans, thus helping to deliver Integrated coastal zone management strategies that have developed throughout the UK.

It will explain how it supports delivery of requirements of the EU Marine Strategy Framework Directive and the Water Framework Directive.

Policy on regional/international interfaces

It is possible that special considerations and guidance will be needed in cases where there is a border between different regional areas of sea. There may also be issues relating to international boundaries that we will need to address, for example to deal with the regional needs to achieve good environmental status under the EU Marine Strategy Framework Directive and meet requirements of the Strategic Environment Assessment Directive or to achieve objectives of marine conventions such as OSPAR (Convention for the Protection of the Marine Environment of the North-East). It will be important to ensure an integrated approach across borders.

Identifying pressures on sea from various uses/activities/resources

This section will identify the wide range of current and potential uses of the sea. A non exhaustive list of uses/activities/resources is attached at Annex A.

For each of these uses/activities/resources we will provide some information about size and value and trends in use/ growth, any resulting pressures and likely changes /conflicts in use looking ahead. We will consider if it is possible, and necessary, to identify existing uses of the sea for example through mapping. As context for this, we will also provide a summary description of the nature of the UK seas drawing out the distinctiveness of various parts for example coastline, shallow waters, oceanic

waters and changes expected. (We may add reference to other published documents where more detail can be found.)

Dealing with interactions in uses and the environment/achieving integration

This is an innovative area that will require detailed consideration. Many of the activities/uses that take place do not cause difficulties or conflicts for other activities/uses or the environment. We will identify mechanisms which would support decision makers in deciding on uses which can coexist with each other/the environment, including temporally and spatially. However there will be other uses/activities which may not be compatible with each other or the environment and in these cases there will need to be clear guidance including where a clear steer can be given as to how to decide which use has priority and likely risks to licensing/planning applications. The Marine Policy Statement will include mechanisms which can be used to resolve conflicting priorities.

We are considering how this should be handled and the level of detail required. We will be working closely with the devolved administrations and seeking views of stakeholders on this over the next few months. We expect that there will be differences between regions of the UK seas as to which uses have priority, as happens at present. It may be helpful to include some example case studies of how to resolve conflicts in uses.

An example of where the Marine Policy Statement would be helpful is in relation to marine aggregates. In South East England, these play a key role in construction including regeneration of the Thames Gateway. Marine dredged sand and gravel is also used in large scale coast defence and beach replenishment projects- which help to counter threats of sea level rise and strengthening storms. We envisage that the Marine Policy Statement would include guidance as to how to deal where there was an application for a project to lay cable across a valuable aggregate area.

Another example is on renewable energy where there are specific targets and commitments. The wave and tidal industry is less advanced than wind but some areas of the sea are more suitable for these projects than others. Again the Marine Policy Statement could provide guidance on other activities if any that should be allowed in those areas.

Guidance to decision makers and applicants

This section will emphasise clearly the key points of policy at UK level that decisions makers will need to take account of and applicants will need to be aware of, drawing from the sections above. It will look forward to marine plans which will be drawn up incrementally over time and which decision makers will also have to take account of, where available. It will also provide a broad overview of the licensing process by which the policies will be applied in relation to individual projects using the marine

licensing regimes provided for in the Bill and in Scottish and Northern Irish legislation.

4. Monitoring/assessment/review

Monitoring/assessment

There will be a number of aspects which will need to be monitored and assessed, for example how we assess that the management of the marine environment is in line with the High level marine objectives, and how we monitor the effect of the Marine Policy Statement on marine decision making and the marine environment. Wherever possible, our intention is to use existing monitoring and assessment arrangements and processes such as those being undertaken through the UK Marine Monitoring and Assessment Strategy (UKMMAS) to deliver regular marine assessments.

Review

This will set out the process for review of the Marine Policy Statement, including indicating what sort of policy changes might trigger a review.

SCRUTINY PROCEDURE

The Bill sets out a clear procedure for developing, consulting on and agreeing the final statement including provision for the draft Marine Policy Statement to be laid before both Houses of Parliament and the devolved legislatures of the administrations which choose to participate in preparing it. If Parliament or any of the legislatures then make recommendations about the draft Marine Policy Statement, we will be under a duty to respond to those recommendations.

Defra

January 2009

ANNEX A

Activities/uses/resources

Fisheries

Oil and Gas

Offshore renewable energy (windfarms/tidal/wave)

Ports and harbours

Shipping

Mariculture

Dredging

Marine aggregates

Tourism

Military/naval activities

Pipelines/cables

Carbon capture and storage

Recreation

Cultural heritage

Coastal defence/engineering

Seascapes

Marine species (including those with specific importance or protection)

Marine habitats (including those with specific importance or protection)

Marine protected areas for conservation/biodiversity (eg Sites of Special Scientific Interest (SSSIs), Marine Conservation Zones (MCZs))

Other types of marine protected areas e.g. for fisheries management

Fish spawning and nursery areas