

# Statement of Public Participation for the UK Marine Policy Statement

Revised March 2010

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# INTRODUCTION

The UK Government's and Devolved Administrations' vision for the marine environment – 'clean, healthy, safe, productive and biologically diverse oceans and seas' – was set out in 2002 and taken forward through the agreement of High Level Marine Objectives in April 2009.

To help deliver this vision the Marine and Coastal Access Act 2009, the Marine (Scotland) Act 2010 and proposed legislation in Northern Ireland introduce new systems of marine planning. The Marine Policy Statement will be the framework under which Marine Plans will be developed and will set the direction for new marine licensing systems. It will set out our ambition and priorities for the policies that shape the use of our marine resources and how we will achieve sustainable seas. It is therefore an important document for all of us and we want the views of as many people and organisations as possible to ensure we get it right.

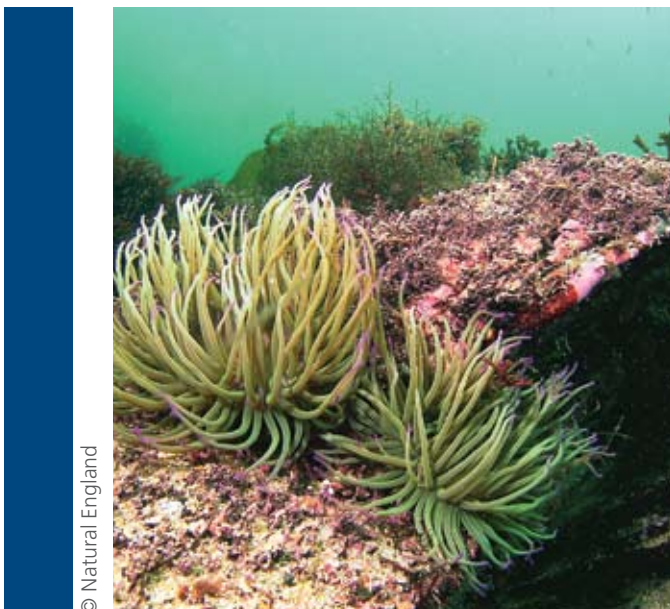
The purpose of this revised Statement of Public Participation is to update you on how you can be involved in the development of the Marine Policy Statement.

A pre-consultation discussion paper on the Marine Policy Statement, incorporating a draft Impact Assessment, was jointly published by the UK Government, Scottish Government, Welsh Assembly Government and Northern Ireland Executive on 12 March 2010. The paper is available at: [www.defra.gov.uk/environment/marine/documents/legislation/mps-discussion.pdf](http://www.defra.gov.uk/environment/marine/documents/legislation/mps-discussion.pdf)

**Please contact us with your views and comments using one of the email addresses listed in the How you can contact us section of this Statement. The deadline for comments is 7 May 2010.**

Following input from stakeholders and other interested parties, the draft Marine Policy Statement will be issued for formal public consultation in summer 2010.

Development of the Marine Policy Statement remains an ambitious and challenging task with a tight timetable. It will only be achievable with the proactive input of all those who have an interest in our seas. We will provide regular updates on progress and make sure as many people as possible are informed about events. If you wish to be involved then please email us with your contact details. We also want to hear from you if you have any suggestions on how we can do more to keep you informed.



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# THE MARINE POLICY STATEMENT

Across the UK, new systems of marine planning, aimed at more strategic management of our marine resources, are being introduced by a range of primary legislation<sup>1</sup>. The Marine Policy Statement is the first stage in these new planning systems. It will apply to the whole of the UK waters, from the inland tidal limit out to the furthest extent of the UK Continental Shelf or Renewable Energy Zone. The UK Government and Devolved Administrations are working together on the Marine Policy Statement and aim to adopt it jointly. A shared approach will ensure that the planning arrangements implemented throughout UK waters will be joined-up, but will be flexible enough to meet the needs of different Administrations, stakeholders and decision-makers. We aim to have a Marine Policy Statement in place by November 2011, within two years of the Marine and Coastal Access Act receiving Royal Assent. However, given the importance of the Marine Policy Statement we are striving to have it finalised before this.

The Act makes clear that the policies in the Marine Policy Statement should contribute to the achievement of sustainable development of the UK marine area. In developing the Marine Policy Statement we intend to build on the High Level Marine Objectives. These set out the outcomes we are seeking which will contribute towards the achievement of sustainable development in the marine area and the wider context. They were published in April 2009 in *Our seas – a shared resource: High Level Marine Objectives* (see: [www.defra.gov.uk/environment/marine/documents/ourseas-2009update.pdf](http://www.defra.gov.uk/environment/marine/documents/ourseas-2009update.pdf)).

1 The Marine and Coastal Access Act 2009; the Marine (Scotland) Act 2010, and the proposed Northern Ireland Marine Bill.

These Objectives are a stepping stone to helping us develop the policies that will go into the Marine Policy Statement.

## How does the Marine Policy Statement affect decision-making?

The Marine and Coastal Access Act 2009 gives the Marine Policy Statement a legal effect on decision making by public authorities<sup>2</sup>. This means that authorisation or enforcement decisions<sup>3</sup> that affect or might affect the UK marine area will need to be made in accordance with the Marine Policy Statement<sup>4</sup>.

In England, the Marine Management Organisation (on behalf of the Secretary of State for Environment, Food and Rural Affairs) will be developing a series of Marine Plans. These will interpret and present national policies within the Marine Policy Statement and apply area specific policy, spatially where appropriate, within marine plan areas. In Northern Ireland it is expected that one Marine Plan will cover both the inshore and offshore region. The Welsh Assembly Government will consult on the approach in Wales. In Scotland, a national Marine Plan will be developed, which will be in accordance with the Marine Policy Statement and which Scottish regional plans will comply with.

2 See sections 56 and 57 of the Marine and Coastal Access Act 2009. See also sections 59(5)(f) and 6(a) of the Act for the effect of the Marine Policy Statement in Scotland.

3 Except for decisions taken by the Infrastructure Planning Commission (IPC) granting development consent under the Planning Act 2008.

4 Where the decision is not taken in accordance with the Marine Policy Statement and Marine Plans the public authority must state its reasons. Public authorities taking decisions which are not authorisation or enforcement decisions (for example decisions about what representations they should make as a consultee or about what action they should carry out themselves) must have regard to the Marine Policy Statement.

The Marine Policy Statement and Marine Plans will guide and direct decisions in the marine environment, ensuring a strong link between national policy and individual developments. The Statement will also provide a significant contribution to integrating activities and planning between land and sea.

Authorities making decisions, other than authorisation or enforcement decisions, will also need to have regard to the Marine Policy Statement when taking any other decisions which could affect the UK marine area. In England and Wales the new Infrastructure Planning Commission will take decisions on nationally significant infrastructure projects in accordance with the National Policy Statements, which will be agreed collectively by the UK Government. There will be consistency between the National Policy Statements and the Marine Policy Statement. In Northern Ireland, the Regional Development Strategy sets out the strategic and long-term perspective on the future development of Northern Ireland up to the year 2025. The Strategy, which is broadly similar to the National Policy Statements in England and Wales, is currently under review. Part of this review process will involve developing linkages between the Regional Development Strategy and the Marine Policy Statement. Scotland's second National Planning Framework guides Scotland's development to 2030 and sets out strategic development priorities. It focuses strongly on priorities for the improvement of infrastructure to support long-term development.

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## **What has happened so far in developing the Marine Policy Statement?**

In January 2009 the UK Government prepared a paper outlining our initial thinking on the contents of the Marine Policy Statement for Peers and MPs during the passage of the Marine and Coastal Access Bill through Parliament. This paper was agreed by officials from the other policy authorities in the Devolved Administrations (see: [www.defra.gov.uk/environment/marine/documents/mps-shortpaper.pdf](http://www.defra.gov.uk/environment/marine/documents/mps-shortpaper.pdf)). From this paper the policy authorities developed a drafting framework for the Marine Policy Statement.

The Secretary of State for Environment, Food and Rural Affairs and the Welsh Ministers held a joint stakeholder workshop in May 2009. The Department of Environment in Northern Ireland and Scottish Ministers held separate events in June 2009. The Secretary of State also held workshops in November and December 2009 and January and February 2010. All events were well attended by a wide range of stakeholders. You can see outputs from these workshops on the following websites:

- [www.doeni.gov.uk/marine\\_policy.htm](http://www.doeni.gov.uk/marine_policy.htm)
- [www.scotland.gov.uk/Topics/Environment/16440/msfd/stakeholderseminar](http://www.scotland.gov.uk/Topics/Environment/16440/msfd/stakeholderseminar)
- [www.defra.gov.uk/environment/marine/documents/mps-workshop.pdf](http://www.defra.gov.uk/environment/marine/documents/mps-workshop.pdf)

An Appraisal of Sustainability (incorporating a Strategic Environmental Assessment, Habitats Regulation Assessment and Equality Impact Assessment) is underway. The Appraisal will provide information on the relative sustainability of proposals in the draft Marine Policy Statement,

looking at economic, social and environmental aspects. There is an iterative process between drafting of the Marine Policy Statement and the Appraisal of Sustainability work. The Appraisal will be published with the draft Marine Policy Statement when it is issued for public consultation later this year.

### **What is the timetable and how can you work with us?**

The timetable on the next page sets out the key activities in the preparation of the Marine Policy Statement and timings. The key stages are:

**1<sup>st</sup> stage:** Developing the draft Marine Policy Statement (September 2009 – July 2010). This will be published for formal public consultation in July 2010.

**2<sup>nd</sup> stage:** Representations on the draft Marine Policy Statement (July – September 2010).

**3<sup>rd</sup> stage:** Parliamentary scrutiny and agreeing the final text (September 2010 – March 2011).

**4<sup>th</sup> stage:** Adopting and publishing the final text (spring 2011).

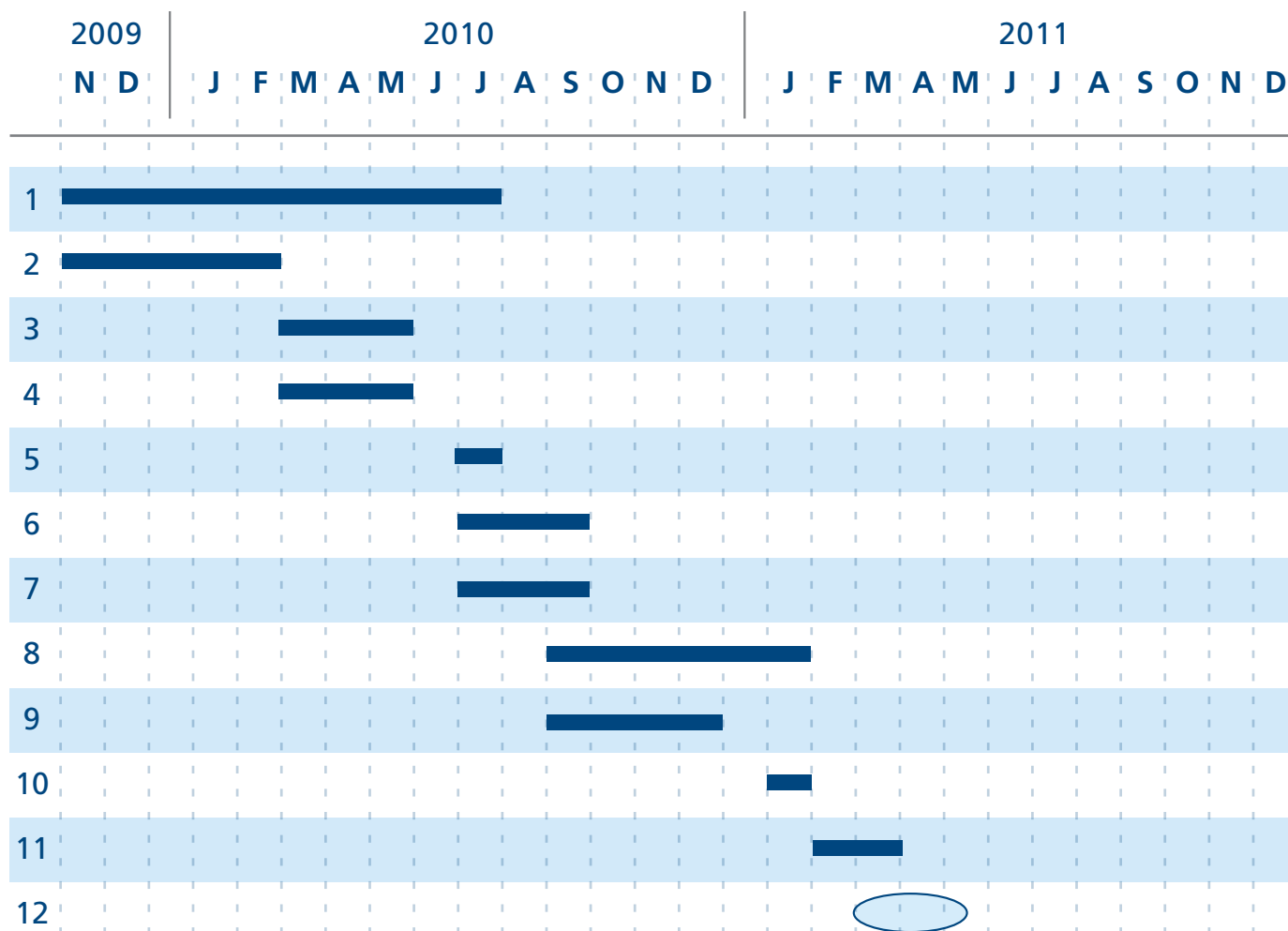
These timings remain approximate as timetables can and do change. We will continue to keep you updated on our progress.

Under the Marine and Coastal Access Act 2009 there is no fixed review cycle for the Marine Policy Statement once it is finalised, but we will review it whenever appropriate.

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# TIMETABLE OF KEY ACTIVITIES



**Key:** ■ = other necessary activities in the preparation of the Marine Policy Statement

○ = publication period

*See below the chart for a description of these numbered activities.*

## 1st stage

### Developing the draft Marine Policy Statement for consultation

**1** Development of the Appraisal of Sustainability (including Strategic Environmental Assessment) – iterative process with the drafting of the Marine Policy Statement (September 2009 – July 2010).

**2** Workshops held across the UK to discuss priorities for the content of the Marine Policy Statement (November 2009 – February 2010).

**3** Publish a discussion document on the draft Marine Policy Statement and supporting initial Impact Assessment for 8 weeks pre-consultation (March – May 2010). Comments received during the pre-consultation will inform the next version of the draft Marine Policy Statement.

- 4 Workshops held across the UK (March – May 2010).
- 5 Draft Marine Policy Statement, Impact Assessment and Final Appraisal of Sustainability reports published (July 2010).

## 2nd stage

### Representations on the draft Marine Policy Statement

- 6 Formal 12 week public consultation on the draft Marine Policy Statement and Appraisal of Sustainability (July – September 2010).
- 7 Continued engagement with events and updates to proactively seek views on the content of the draft Marine Policy Statement (July – September 2010).

## 3rd stage

### Parliamentary scrutiny and agreeing the final text

- 8 Draft Marine Policy Statement subject to further Parliamentary scrutiny (six sitting weeks followed by up to a further six sitting weeks) in all the UK legislatures (September 2010 – January 2010). If either House of Parliament or any of the legislatures then make recommendations about the draft Marine Policy Statement, the appropriate policy authority will be under a duty to respond to those recommendations.
- 9 Analysis of comments from consultation exercise (September 2010 – December 2010).
- 10 Draft Marine Policy Statement amended in light of comments following scrutiny and consultation (January 2011).
- 11 Amended draft circulated for agreement by the Secretary of State (all UK Government Departments), Welsh Ministers, Scottish Ministers and the Northern Ireland Executive (February 2011 – March 2011).

## 4th stage

### Adopting and publishing the final text

- 12 Marine Policy Statement published (spring 2011).

## How we would like to work with stakeholders

### During the pre-consultation

#### *England*

Workshops are being held in March to inform the next phase of development of the Marine Policy Statement and supporting Impact Assessment. For more information, see: [www.defra.gov.uk/environment/marine/legislation/planning.htm](http://www.defra.gov.uk/environment/marine/legislation/planning.htm)

#### *Wales*

The draft Marine Policy Statement was discussed at a marine planning workshop in Cardiff in March. For further information visit: [www.walescoastalpartnership.org.uk](http://www.walescoastalpartnership.org.uk)

#### *Northern Ireland*

The Department of the Environment will be holding seminars on the draft Marine Policy Statement in April and May this year. Please email [marineteam@doeni.gov.uk](mailto:marineteam@doeni.gov.uk) for further information and to register your interest in taking part in a seminar.

We will also keep you up-to-date on progress via e-newsletters, printed newsletters, and coastal forum groups. Interested persons can also contact us directly (see How you can contact us section).

### During the formal consultation

We will issue a consultation document via email (and post where email is not possible) to all interested persons listed at: [www.defra.gov.uk/environment/marine/documents/legislation/spp-interestedparties.pdf](http://www.defra.gov.uk/environment/marine/documents/legislation/spp-interestedparties.pdf). We will put it on our websites and publicise it. We will be inviting comments on this document over a 12 week

period. It will contain the second draft of the Marine Policy Statement along with other supporting documents. You will be able to reply to the consultation by email or post to Defra (on behalf of the Secretary of State). During the 12 week consultation period, we will hold events, place updates on websites (our own and others' e.g. local authority websites), and work with local coastal partnerships around the UK via the Coastal Partnerships Working Group, the Scottish Coastal Forum, the Northern Ireland Coastal and Marine Forum and the Wales Coastal and Maritime Partnership. We will also participate in conferences and seminars to raise awareness of the Marine Policy Statement to encourage anyone interested to respond to the consultation.

### **Will this Statement of Public Participation be revised again in future?**

While we are not consulting formally on this revised Statement of Public Participation, we welcome your comments on it. We will keep it under review and will publish another version if we think this is necessary or helpful. For example, if there are wholesale revisions to the timetable or proposed arrangements arising from internal or external changes or changes to Parliamentary, other Legislature and Ministerial timetables, we will amend this Statement. Plans can and do change, but we will endeavour to keep you updated on progress and new events.



### **How you can contact us**

If you have any comments on this Statement of Public Participation please contact us as below:

#### **England:**

Events will be publicised via the Defra website: [www.defra.gov.uk/environment/marine/legislation/planning.htm](http://www.defra.gov.uk/environment/marine/legislation/planning.htm) You can also email: [mps@defra.gsi.gov.uk](mailto:mps@defra.gsi.gov.uk)

#### **Wales:**

Events will be publicised via the Welsh Assembly Government website: [www.wales.gov.uk/topics/environmentcountryside/consmanagement/?lang=en](http://www.wales.gov.uk/topics/environmentcountryside/consmanagement/?lang=en) and the Wales Coastal and Maritime Partnership website: <http://walescoastalpartnership.org.uk> You can also email: [marine@wales.gsi.gov.uk](mailto:marine@wales.gsi.gov.uk)

#### **Scotland:**

Events will be publicised via the Scottish Government website: [www.scotland.gov.uk/marinescotland](http://www.scotland.gov.uk/marinescotland) You can also email: [anna.donald@scotland.gsi.gov.uk](mailto:anna.donald@scotland.gsi.gov.uk)

#### **Northern Ireland:**

Events will be publicised via the DOE website: [www.doeni.gov.uk](http://www.doeni.gov.uk) You can also email: [marineteam@doeni.gov.uk](mailto:marineteam@doeni.gov.uk)

Department for Environment, Food and Rural Affairs

Nobel House  
17 Smith Square  
London SW1P 3JR  
Telephone: 020 7238 6000  
Website: [www.defra.gov.uk](http://www.defra.gov.uk)

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