

# Norfolk Vanguard Offshore Wind Farm East Inshore and Offshore Marine Plans

Appendix 1.2 (Q1.8)  
Part 2 of 2

Applicant: Norfolk Vanguard Limited  
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*Photo: Kentish Flats Offshore Wind Farm*

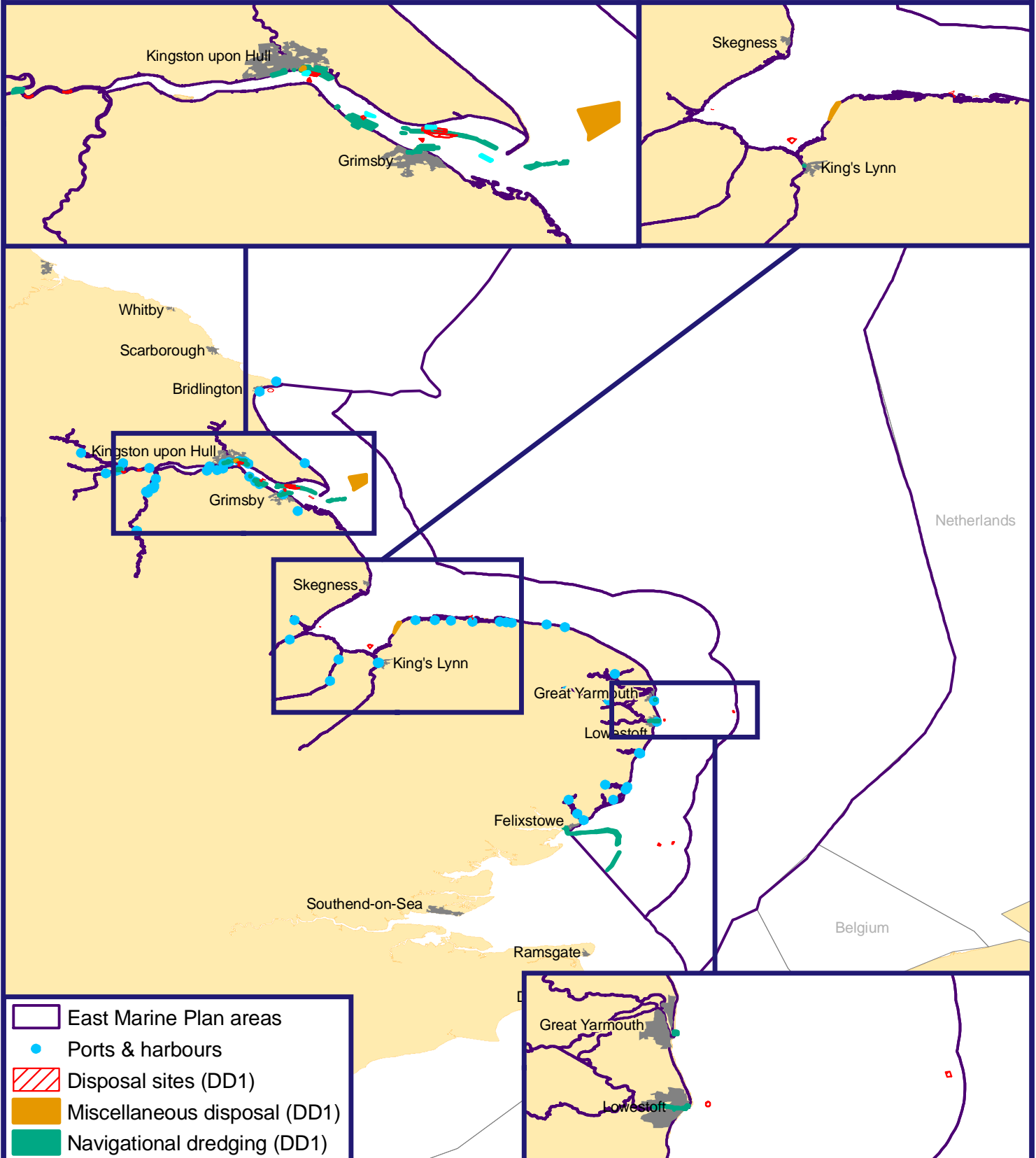




# Figure 20: Licensed dredging and disposal areas (DD1)

February 2014

**POLICY MAP-** This map highlights the area where policy DD1 applies. This area may be reviewed as necessary during the life of the Marine Plans. The reader should check for any updates via the link provided in paragraph 102.



383. Other exceptional circumstances could include where the dredging company that holds the lease allows another party to use that area either for dredging or disposal or other uses. Changes to the lease would be subject to agreement with the lease holder.
384. This policy adds clarity to existing national policy by identifying where dredging and disposal areas exist within the East Inshore and East Offshore Marine Plan Areas. A map showing licensed areas can be found at figure 20. It aims to clarify the application process for decision-makers and licence applicants, for early intervention, in dealing with issues or conflicts which may arise during the application process. Public authorities in particular will need to ensure that applicants submit supporting information, proportionate to any development proposed, that would illustrate any potential impacts (this may include consultation to identify issues at scoping stage), and suggest measures to minimise or mitigate them.

### 3.14 Aggregates

#### Context

385. Marine aggregates play an important role in supply of aggregates nationally. Demand is predominantly for use in construction projects, with associated benefits such as investment and jobs, and the contribution to the economy both in the United Kingdom and in Europe. The [Evidence and Issues report](#) (chapter 4.5) considers the wide ranging economic benefits and future projections for the industry in detail as well as the type of projects that marine aggregates support.
386. The East marine plan areas typically account for over half of the total extraction of marine aggregates (by weight) at a national level. Almost half of the national commercial extraction licences are also located in the East marine plan areas. Marine plan area sourced aggregates accrue economic benefits at a national level, although these are particularly pronounced in London and the south east. There has also been local demand for sand for beach recharge between Mablethorpe and Skegness and Happisburgh and Winterton within the East Inshore Marine Plan Area. There are a substantial number of existing licensed areas for aggregate extraction in the marine plan areas, many of which are due for renewal by 2017, with 14 licence areas requiring renewal by the end of 2014. There are also a number of 'exploration' areas.
387. A joint initiative between The Crown Estate and members of the British Marine Aggregate Producers Association aims to minimise the area of seabed licensed and area of seabed dredged. This reduces the spatial impact of the activity, and the potential for conflict with others as a result. This has been supported by the introduction of active dredge area zones and Regional Active Dredge Area charts<sup>219</sup> that are produced bi-annually. In all cases, compliance is ensured through electronic monitoring systems that are required to be in operation on all marine aggregate dredgers.

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<sup>219</sup> [http://www.bmapa.org/issues/other\\_sea\\_users.php](http://www.bmapa.org/issues/other_sea_users.php)

388. The requirements of other marine users are considered throughout licensed operations, for example a Code of Practice has been established by the industry in conjunction with Marine Management Organisation and The Crown Estate to facilitate liaison and communication with fisheries interests while dredging operations are taking place.<sup>220</sup>
389. Marine aggregate extraction can only occur where commercially viable deposits of sand and gravel occur. In turn, the distribution of these deposits is dependent on the spatially discrete areas where they were formed by geological processes. British Geological Survey identified areas of high resource potential<sup>221</sup> for future marine aggregate supply within the East marine plan areas beyond existing licensed and exploration areas. This provides an indication of the likely optimum location for aggregate extraction over the life of the marine plans (see figure 21).

### Signposting to existing policy and measures

390. The [Marine Policy Statement](#) (3.5.5) states: ‘marine plan authorities should as a minimum make provision<sup>222</sup> within marine plans for a level of supply of marine sand and gravel that ensures that marine aggregates (along with other sources of aggregates, including recyclates) contribute to the overarching government objective of securing an adequate and continuing supply to the United Kingdom market, taking into consideration the potential long-term requirement for marine-won sand and gravel.’ Public authorities should ensure that marine extracted aggregate supplies continue to contribute to the overall level of minerals supply within England, given the contribution that aggregates make to the national economy, as emphasised in the [National Planning Policy Framework](#) and existing national guidelines<sup>223</sup> on expected demand for aggregate minerals.<sup>224</sup>
391. Both renewal of existing licences and applications for new licences are likely to be subject to regulatory and non-regulatory requirements. This includes carrying out an [Environmental Impact Assessment](#) and, where relevant, Coastal Impact Studies are undertaken to support aggregate dredging applications. Where aggregate extraction proposals occur within 1 nautical mile from the coast, a [Water Framework Directive](#) compliance assessment will be required.

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<sup>220</sup> See [http://www.bmapa.org/documents/marine\\_aggregate\\_fisheries\\_liaison\\_310712.pdf](http://www.bmapa.org/documents/marine_aggregate_fisheries_liaison_310712.pdf)

<sup>221</sup> Study to be released by British Geological Survey in due course.

<http://www.thecrownestate.co.uk/media/340963/BGS%20east%20coast%20report.pdf>

<sup>222</sup> Department for Communities and local Government (2012), National and Regional Guidelines for aggregate provision in England 2005 – 2020, Annex A

<sup>223</sup> Department for Communities and Local Government (2012), Guidance on the Managed Aggregate Supply System

<sup>224</sup> The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)  
<http://www.legislation.gov.uk/ukxi/2007/1518/made>

## Plan policies

392. The plan policies below apply the intent set out in national policy taking account of the regional and national importance of the East Inshore and Offshore Marine Plan Areas for marine aggregate supply, and of the spatially discrete areas in which commercially viable deposits of sand and gravel are found. The policies start with the most well established areas of interest and move on to less well established future activity with an associated decrease in the level of protection afforded. The nature of the evidence base and management of the marine resource mean that it is difficult to derive a policy that is the same as the 'allocation' given in mineral policies in some terrestrial development plans. AGG1 does provide a strong level of protection that is as analogous to such terrestrial plan policies as can be justified.

### Policy AGG1

Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.

**Plan policy applies to the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

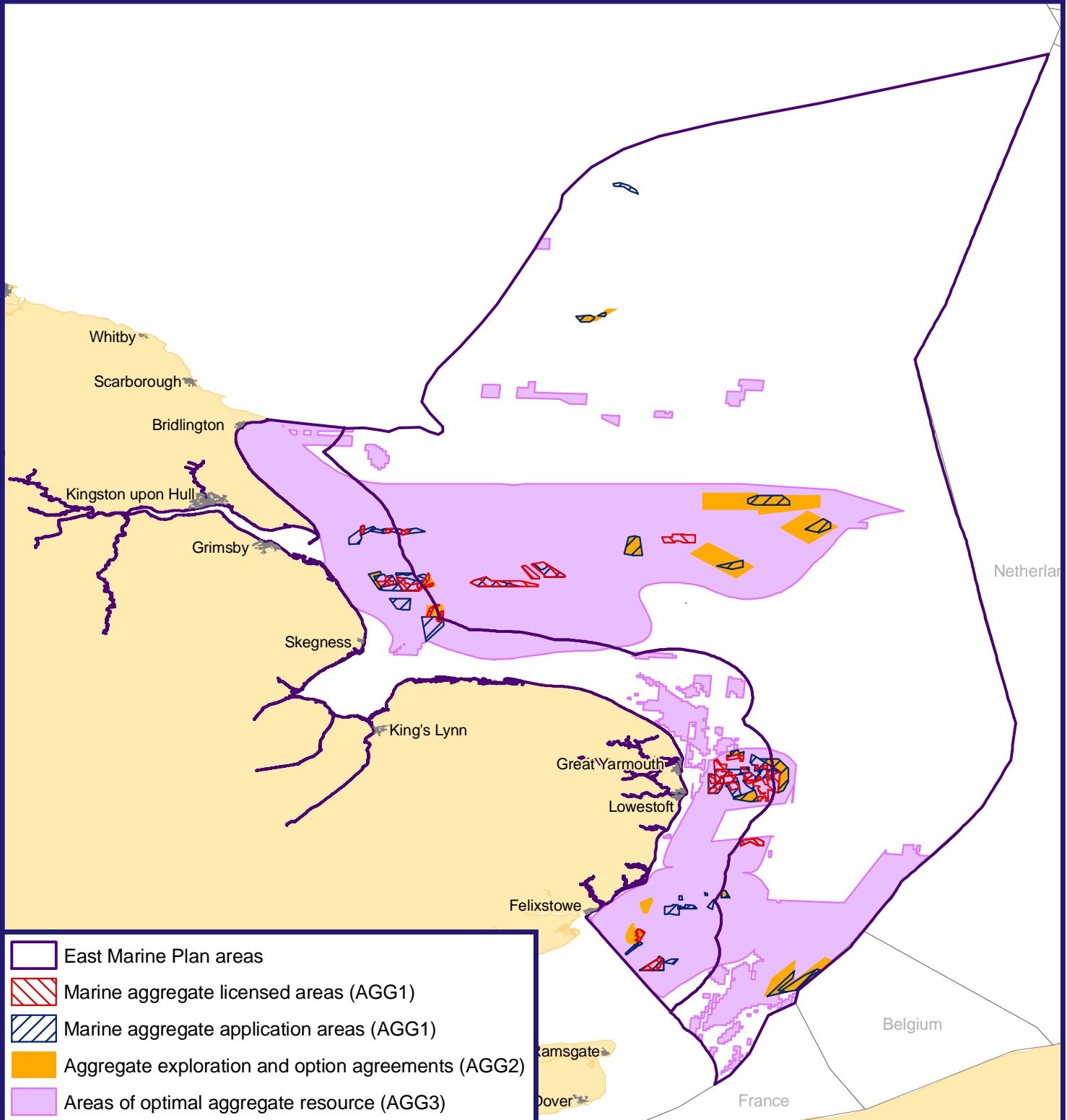
393. A range of public authorities are relevant to ensuring the plan policy is met, particularly public authorities that make relevant authorisations (including the Marine Management Organisation as public authority for aggregate licences) and The Crown Estate.
394. Licensed areas to which the policy applies in the East Inshore and East Offshore Marine Plan Areas are shown in figure 21. The Marine Management Organisation also provides a [public register](#) of aggregate licence applications that have been formally received. This policy protects licensed areas (existing and new once identified at the application stage) against other new proposed development or activities, eg cables, built infrastructure, whether in or adjacent to the area, that would compromise aggregate extraction operations. This is to reflect the work by all involved parties, including investment by the applicant, to obtain a licence or reach the point of application for an aggregate extraction licence. It encompasses any agreement between The Crown Estate and dredging companies to give exclusive rights to seek permission for extraction of sand and/or gravel for a defined term. This is considered a crucial means to maintain supply of aggregate and meet various objectives within the marine plans, supporting land based sustainable development. It also helps to provide confidence to the industry to meet the demands of changing markets. Where a marine licence is issued, operators are required to commence works within five years of the date of issue, subject to the completion of any pre-dredge surveys required, otherwise the licence will lapse.








# Figure 21: Marine aggregate application and licensed areas (AGG1), exploration and option agreements (AGG2) and areas of optimal aggregate resource (AGG3)

February 2014

**POLICY MAP-** This map highlights the area where policies AGG1, AGG2 and AGG3 apply. This area may be reviewed as necessary during the life of the Marine Plans. The reader should check for any updates via the link provided in paragraph 102.



-  East Marine Plan areas
-  Marine aggregate licensed areas (AGG1)
-  Marine aggregate application areas (AGG1)
-  Aggregate exploration and option agreements (AGG2)
-  Areas of optimal aggregate resource (AGG3)

Map produced in ETRS89. Not for navigation. Reproduced with the Permission of the Crown Estate © Crown Copyright 2013. Contains Ordnance Survey and UK Hydrographic Office data Crown copyright and database right 2013. All rights reserved. Ordnance Survey Licence number 100049981. Marine Management Organisation. VLIZ (2013). Maritime Boundaries Geodatabase, version 7.

395. Existing licences for aggregate extraction are subject to renewal. Assuming that there are commercially viable deposits remaining, it is expected that such licences would be renewed subject to successfully completing the necessary regulatory processes, eg [Environmental Impact Assessment](#).
396. The exceptional circumstances are: i) where the aggregates company that holds the lease allows another party to use that area either for aggregate extraction or another use; ii) where it is determined that the location should be licensed (by the Department for Energy and Climate Change) for oil or gas development (see also plan policies OG1 and OG2). Changes to the lease would be subject to agreement with the lease holder.
397. All licences (new or renewal) are subject to project-level assessments including [Environmental Impact Assessment](#) or Coastal Impact Study (where relevant) and subsequent conditions (see [Marine Policy Statement](#) 3.5.6, and more detailed guidance provided by Marine Management Organisation).<sup>225</sup>

### Policy AGG2

Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate<sup>226</sup> should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction or there are exceptional circumstances.

**Plan policy applies to the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies. This policy will apply to the point where a production licence is applied for (after which policy AGG1 applies).**

### Justification/Explanation

398. ‘Exploration area’ includes what The Crown Estate refers to as the act of investigating, through survey techniques, for commercially viable aggregate resources within a defined area of seabed, and is subject to the exclusive option agreement outlined above. This policy signals to those applying for an authorisation for a new development or activity that prevents future extraction of aggregates in exploration areas that it is likely to be looked on unfavourably once an area is awarded ‘rights’ by The Crown Estate and identified on a map by the Marine Management Organisation (see figure 21). The exploration area will be updated as soon as possible after new data is provided. It is expected that proponents of new development or activities will consult with the relevant aggregate company and others such as The Crown Estate, to determine compatibility and to satisfy the public authorities that the policy is met. Early

<sup>225</sup> <http://www.marinemanagement.org.uk/licensing/marine/activities/dredging.htm>  
<http://www.marinemanagement.org.uk/licensing/documents/guidance/03.pdf>

<sup>226</sup>Details of tender rounds available at <http://www.thecrownestate.co.uk/marine/aggregates/working-with-us/tender-rounds/>

consultation should help to avoid a conflict arising after either the aggregate company or non-aggregate proponent have made investment in the location – ie increasing investor certainty at an early stage.

399. A range of parties are involved in ensuring the plan policy is met including public authorities that make relevant authorisations, the Marine Management Organisation (as public authority for aggregate licences) and The Crown Estate.
400. Aggregate exploration occurs within a defined area of search which is expected to yield a production agreement covering a smaller spatial area. It is crucial that exploration areas have a level of protection, indicated by this policy to ensure that the smaller (in area) production agreements can be derived. Applications for authorisation of other development or activities, within an exploration area for aggregates, should clearly demonstrate that they are not compromising access to, or the licensed extraction of, aggregate resource. Examples where this is likely to be the case include increased shipping traffic arising from a port development. One possible interaction that may merit further consideration is the designation of new anchorage areas within harbour jurisdictions. Whilst this has not been identified as an issue in the East Inshore Marine Plan Area, consultation between harbour authorities and existing aggregate rights holders is encouraged to facilitate co-ordination and avoid spatial conflict between these activities in the future.
401. The exceptional circumstances are: i) where the aggregates company that holds the agreement allows another party to use that area either for aggregate extraction or another use; ii) where it is determined that the location should be licensed (by the Department for Energy and Climate Change) for oil or gas development (see also plan policies OG1 and OG2).
402. Exploration and follow up activities are subject to various conditions. The area to which this policy applies will change, as exploration rights are surrendered over time to make way for production agreements. Where exploration areas are considered unsuitable for aggregate extraction and an operator's rights are relinquished, they fall outside of the scope of this policy.

### **Policy AGG3**

Within defined areas of high potential aggregate resource, proposals should demonstrate in order of preference:

- a) that they will not, prevent aggregate extraction
- b) how, if there are adverse impacts on aggregate extraction, they will minimise these
- c) how, if the adverse impacts cannot be minimised, they will be mitigated
- d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to the Inshore and Offshore Marine Plan Areas.**



**In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

403. The [Marine Policy Statement](#) (3.5.6) states that, amongst other considerations, marine plan authorities and decision-makers should: ‘...take into account the need to safeguard [aggregate] reserves for future extraction’. Policy AGG3 applies the [Marine Policy Statement](#) taking account of the regional and national importance of the East Inshore and East Offshore Marine Plan Areas for marine aggregate supply and of the spatially discrete areas in which commercially viable deposits of sand and gravel are found. The policy is intended to enable public authorities to consider how proposals (for a definition of proposals see paragraph 88) for marine development and activities within areas of high potential aggregate resource, as defined by British Geological Survey, may impact the ability to access commercially viable marine sand and gravel resources in the future. This will help to secure access to sufficient supply of aggregate resources. Application of the policy should take account of other policies, eg OG2. Other considerations set out in national policy include the need to base decisions on sustainability criteria;<sup>227</sup> and plan policy BIO1 should be considered given the importance of sand and gravel habitats.
404. The areas defined as high potential aggregate resource are based on mapping undertaken by British Geological Survey<sup>228</sup> on behalf of The Crown Estate and identify the locations with the greatest potential for aggregate resource, taking into account the geological processes that created them. In turn, these areas identify where future exploration is most likely to occur, with the exclusion of Round 3 wind energy zones (in accordance with plan policy WIND2). See the resulting map in figure 21. Estimates of the new spatial footprint required to meet projected demand for marine aggregates indicate that less than 5% of the area shown in figure 21 would be needed for aggregate production.<sup>229</sup>
405. A range of public authorities are relevant to ensuring the plan policy is met, particularly those making relevant authorisations (including the Marine Management Organisation as public authority for aggregate licences) and The Crown Estate.
406. The policy does not apply to other activities that are already licensed including where those activities may exclude new aggregate extraction, eg protected cable corridors and existing aggregate licence areas; such locations are not shown in figure 21. In the longer term, the area may encompass locations with potential aggregate resource that are currently excluded due to existing

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<sup>227</sup> [Marine Policy Statement](#) 3.5.6.

<sup>228</sup> The Mineral Resources of the East Inshore and East Offshore Marine Plan Areas, Southern North Sea <http://www.thecrownestate.co.uk/media/340963/BGS%20east%20coast%20report.pdf>

<sup>229</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, Chapter 4.15 [http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

proposals, eg oil and gas installations and associated exclusion zones, when they come to the end of their life and are decommissioned.

407. Applications to authorise alternative activities should demonstrate that no viable sand and gravel resources are present, or where they are, that any new proposals within these defined areas will not prevent the ability to extract the resource in the future. It is expected that proponents of other development or activities would consult with others, such as The Crown Estate, aggregate companies, and regulators, in addressing a), b), c) or d). The requirement under d) is to provide information for consideration by the relevant public authority. It does not indicate that approval of the proposal will follow by default. In determining proposals, the public authority will take account of a range of relevant considerations including compliance with legislation and regulations and environmental assessment.
408. Where a development comes to the end of its lifecycle and requires decommissioning (the removal of existing hard infrastructure), potential for future aggregate extraction should be demonstrated in the decommissioning plan.
409. In AGG3, ways in which applicants may satisfy a) include providing data that shows the area does not contain aggregates or providing evidence that their operation will be compatible with extraction activity. Given the uncertainty that applies to some of the mapped areas and the size of the 'area of search', the policy makes substantial allowance for the possibility of other, competing development to proceed under particular circumstances; as such, it is a less protective policy than AGG1 or AGG2. Circumstances under which b) might be satisfied could include showing that the footprint of the proposal relative to the available aggregate in that location is de minimis. Circumstances under which c) might be satisfied could include moving the proposal from a more to less favourable area for aggregates, or proposing that prior extraction of aggregates before development is feasible. Circumstances under which d) might be satisfied could include demonstrating the importance of the proposal to meet other objectives or policies in the marine plans or other material considerations, that there are no or limited alternative locations, that alternative locations present other or similar conflicts, or that avoiding the location is unreasonable (for example, in terms of cost).

### 3.15 Subsea Cabling

#### Context

410. As stated in the [Marine Policy Statement](#) (3.7.1), 'submarine cables are part of the backbone of the world's power, information and international telecommunications infrastructure, and are socially and economically crucial to the United Kingdom. Submarine telecommunication cables carry over 95% of the world's international traffic including telephone, internet and data, as well as many services for the United Kingdom's local communities, major utilities and industries. The transatlantic cables landing in the United Kingdom carry more than 70% of Europe's transatlantic internet traffic.' Alongside this,

electricity power cables will support 18Gigawatts of offshore windfarms by 2020.<sup>230</sup>

411. There is likely to be significant additional subsea cable installation to support the sector's expanding activity (both power and telecommunications) to service renewable energy development in the East marine plan areas and increases in broadband use across the United Kingdom. The East marine plan areas contain 19% of English submarine cables, second only in importance to the South West Marine Plan Areas.<sup>231</sup> Subsea cables deliver the benefits of any Offshore Wind Farm activity, future renewables activity, offshore power grid, interconnectors, communication and broadband provision. They also include interconnectors between the United Kingdom and Europe. Future improvement could be severely limited if these aspects are not properly considered in planning and decision-making.
412. Subsea cable types are subject to differing controls in legislation depending on what the cables are for and where the cables are to be located. All cables are subject to licensing controls where they are within the 12 nautical mile United Kingdom territorial waters. Outside of the 12 mile limit telecommunications cables are exempt from licensing, but cables associated with exploration or exploitation of natural resources within the United Kingdom Renewable Energy Zone remain subject to licensing control. Subsea cables are generally buried where seabed conditions are suitable, but this is not always practical or possible and therefore not all cables can be buried. Where this is the case, alternative 'protection' measures may be deployed, such as split pipe, grout bags, rock placement, or mattressing, taking account of the circumstances of individual cases including normal depth limitations.<sup>232</sup> These measures are required to protect telecommunications cables in order to reduce the risk of telecommunications unavailability of service. A break in service can have a significant impact upon the financial trading industry and other internet based businesses with considerable implications for the economy. Given their critical nature to the United Kingdom, electricity power cables also need similar protection measures to ensure the safety and security of the supply grid.<sup>233</sup>
413. The East marine plans recognise that the growth in other sectors, as well as within the cabling industry, increases the risk of potential damage to subsea cables (telecommunications, interconnector and renewable energy power cables) so marine users and public authorities need to know how this risk can be minimised. The [Evidence and Issues Report](#) 2012 identified a number of sectors that could conflict with submarine cables. Consideration will need to be given to activities outside of areas where cables are currently laid that may prevent any expansion of cable networks in the future, as well as the cumulative effects of these activities on cabling installation. This is likely to be

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<sup>230</sup> [Renewable Energy Roadmap](#)

<sup>231</sup> [Strategic Scoping Report](#) for marine planning in England

<sup>232</sup> Where using diver applied measures – up to 10-15m water depth, beyond that depth protection measures could take the form of rock placement or mattress application or similar measures which are applied without the use of divers.

<sup>233</sup> North Sea Countries Offshore Grid Initiative is in the process of considering the best way forward for a long term solution to connections in the North Sea. <http://www.benelux.int/NSCOGI/>

especially pronounced in the inshore area due to the number of activities occurring, and potential conflict regarding landfall sites – which would also impact on the planned location within the marine area. In the future, defining zones for cables (both electricity cables from interconnectors, Offshore Wind Farm and communications) may be a useful approach for all developers and public authorities, to reduce installation and maintenance interference by other users, and should be considered as part of any revisions to the marine plans.

414. Landfall sites and access to them are a key issue for the subsea cables sector. This issue however, does not just apply to this sector but much more widely to a range of activities. This is dealt with through the governance objective (10) which aims to ensure that provision is made for onshore infrastructure (see policy GOV1) for the subsea cables sector amongst others.
415. In the future, any possible cable zones would require further assessment, such as to avoid sensitive seabed habitats, the limited locations of suitable power grid or telecommunications connections (landfall points) as well as considering other socio-economic constraints and other aspects as identified in the [Marine Policy Statement](#) (3.7.4). Considerations for landfall sites should include the technical opportunity for cable installation, any existing cable activity (see figure 22 and figure 15)<sup>234</sup> and any existing infrastructure<sup>235</sup> on land. The [Coastal Concordat](#) principles should help public authorities to manage such matters. See also paragraph 5 in this document and the governance section. Pending such assessment an appropriate policy with a map showing the location of cable zones could be included in future iterations of the marine plans. The Marine Management Organisation's [Socio-Economic Study](#) can help cable owners and infrastructure licence applicants understand the characteristics of different communities and what may drive demands for infrastructure in the future. In particular it could indicate where demands for broadband or other telecommunications services may be required, and assist in consideration of the impacts on the communities and other sectors.

### Signposting to existing policies and measures

416. In addition to the [Marine Policy Statement](#) paragraphs already highlighted and the [National Planning Policy Framework](#) text below (paragraph 418), guidance released in summer 2012 and agreed by industry as current best practice in relation to cable proximity and maintenance in relation to Offshore Wind Farm, has been endorsed by government departments with an interest in cables, and other agencies including the Marine Management Organisation. The Crown Estate study<sup>236</sup> supports industry best practice,<sup>237</sup> finding that the single most important factor in reaching a successful outcome for any cable project is early

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<sup>234</sup> See also figure 13: Offshore Wind Farms leased area, agreements for lease and areas under exclusive zone for the locations of leased areas for wind energy development.

<sup>235</sup> Existing power infrastructure is shown in the National Grid's Ten Year Electricity Statement [http://www.nationalgrid.com/uk/electricity/ten-year-statement/particularly Appendix A](http://www.nationalgrid.com/uk/electricity/ten-year-statement/particularly%20Appendix%20A)

<sup>236</sup> <http://www.thecrownestate.co.uk/marine/cables-and-pipelines/studies-and-guidance/> Submarine cables and offshore renewable energy installations proximity study

<sup>237</sup> <http://www.ukcpc.org.uk/guidelinesForm.asp?y=DocumentTxt ASC&Id=123>

and open engagement between key stakeholders, and consideration of this guidance.

## Plan policy

### Policy CAB1

Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.

**Policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction at the start of chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

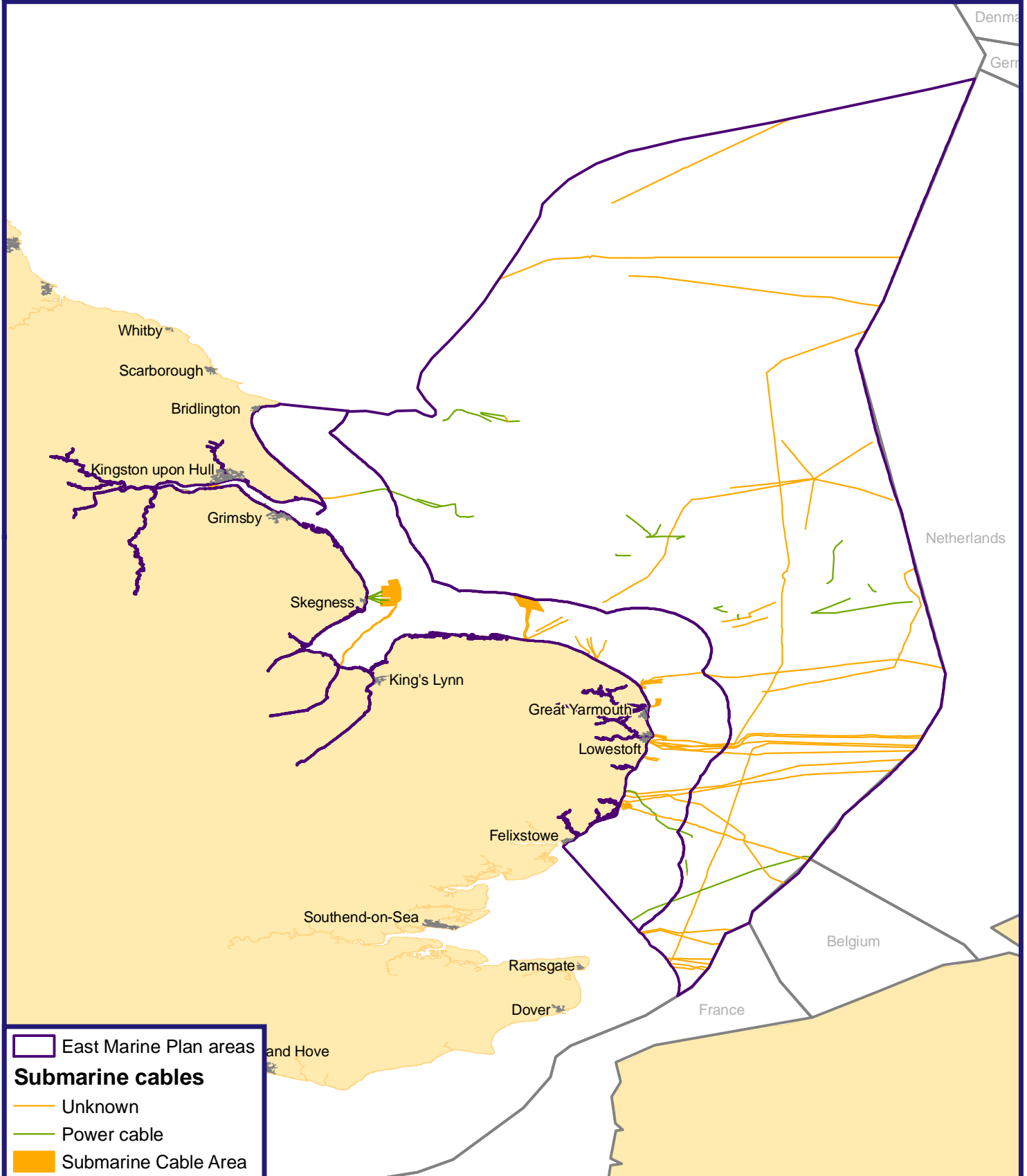
417. The [Marine Policy Statement](#) (3.7) indicates the importance of the sector, the impacts it may have and the circumstances under which cables may be buried or not. The policy will be implemented by the public authorities responsible for authorising such activity. A key concern is damage to cables from other activities. The [Marine Policy Statement](#) (3.7.4) states that ‘through the marine planning process, marine plan authorities should help facilitate the co-ordination of marine activities, a better understanding among relevant industries and the communication of guidelines to ensure both the safety of these installations and safe access to them for maintenance purposes’.
418. The [National Planning Policy Framework](#) (S 162) states that ‘local planning authorities should work with other authorities and providers to:
- Assess the quality and capacity of infrastructure for ...energy, telecommunications, ...and its ability to meet forecast demands and
  - Take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.’
419. The prevalent view from stakeholders throughout the marine planning process is that cable burial, where possible, is preferred in order to minimise impact and protect cables. This has the additional benefit of increasing co-location and co-existence opportunities eg; fishing, shipping and recreation (leisure boating). Therefore, a policy in preference of cable burial seeks to meet the needs of the sector whilst maximising the potential opportunity for other uses of the marine plan areas. Where cable burial is to be undertaken, the installation is to be compliant with all applicable legislation. Burial is reliant on compliance with management measures of any designated conservation sites. This is aligned also with the [Safety Of Life At Sea](#) aims.



# Figure 22: Submarine telecommunication and power cables

February 2014

INFORMATION MAP- This map provides supporting information for section 3.15. The reader should check for any updates via the link provided in paragraph 102.



Map produced in ETRS89. Not for navigation. Contains Ordnance Survey and UK Hydrographic Office data © Crown Copyright and database right 2013. All rights reserved. Ordnance Survey Licence No. 100049981. © British Crown Copyright. All rights reserved. Permission number Defra 012012.003. Marine Management Organisation. VLIZ (2013). Maritime Boundaries Geodatabase, version 7.

420. Where burial is not possible or practical, public authorities should take account of any protection measures for the cable that may be proposed and the circumstances of the individual case (ie any present project level assessment) in determining the licence. In making decisions, public authorities should note that not all protection measures are appropriate or possible in all circumstances, and may be affected by various project factors, for example; cable purpose, type, length, operational installation or maintenance costs.
421. Public authorities should look to ensure that adverse impacts upon cable operations are in the first instance avoided. Where this is not possible, such impacts should be minimised through any mitigation proposals. Mitigation proposals will vary with cable type and purpose, as does any applicable legislation. Where appropriate and required by relevant legislation, proposals should also consider other interests such as likely sector activity or applicable environmental constraints (ie based on the proposed activity, associated risks, and consequences). The role and scope of the marine plans and how these policies are applied should be considered when making these decisions (see paragraph 82 onwards).
422. Cable owners should also take note that navigation lanes and deep water channels should be kept free of cabling in order to allow for maintenance dredging (see plan policies GOV1, DD1 and PS2). An associated increase in cabling from Offshore Wind Farm development may have implications for navigation channels where cables come to shore. Ports and marinas should be kept free of cabling where possible to allow for future development including capital dredging as set out in policies PS2 and TR2.

### 3.16 Fisheries

#### Context

423. The [Marine Policy Statement](#) explicitly expresses support for the fishing sector, and is aware of many issues that the industry faces such as displacement, seeking solutions such as co-location of activity wherever possible. The [Marine Policy Statement](#) states that ‘the United Kingdom has a long history of fishing in both inshore and offshore waters which the United Kingdom administrations wish to see continue’ ([Marine Policy Statement](#) 3.8.1). The term ‘fishing activity’ (as used in FISH1 below), includes any activity undertaken by licensed, commercial fishing vessels.
424. In the East Inshore and East Offshore Marine Plan Areas fishing takes many forms, with some types reliant on particular grounds that are fished seasonally and others being nomadic in nature. The mobility of the fishing sector is dependent on stock behaviour and migratory patterns together with any individual vessel or crew logistical limitations, such as the size of vessel and its capacity to remain at sea overnight, or for numerous days or weeks.
425. Off the Suffolk coast there are predominantly inshore fisheries based on small concentrations of vessels under ten metres in length operating from several locations using a variety of fishing gear and methods to target different

species (for example bass in summer and cod and rays in winter). Around Norfolk smaller vessels target mainly crab and lobster offshore whilst activity in the Wash is focussed on shellfish – primarily cockle, mussel and brown shrimp. There are a mix of smaller vessels inshore and much larger vessels operating offshore working out of Grimsby and Hull, together with a clustering of locally significant processing facilities in King's Lynn, Boston and Cromer, that offer economic and social benefits in terms of numbers employed onshore well beyond those active within the sector at sea. Activity off the Holderness coast up to Flamborough supports a large number of vessels, particularly in the shellfish sector, although other species are targeted. Bridlington is host to the most significant<sup>238</sup> shell-fishery in the United Kingdom and is the most significant lobster fishery in Europe. Onshore activities associated with fisheries include important market, processing and infrastructure facilities. Locations include Grimsby and Lowestoft where these activities have greater local significance than fishing activity alone.

426. Fishing also provides additional benefits including contributing an important source of protein which can be part of a healthy diet<sup>239</sup> (see SOC1) and contributing to food security. It is also recognised that the fishing industry is an important part of the character of many coastal towns;<sup>240</sup> a factor which is further addressed under SOC3.
427. The installation of structures within the marine area may bring about changes to the local habitat, which in turn can contribute towards the enhancement of the existing environment/habitat. However these enhancements may not be immediate and may accrue over a period of time, which in itself may be significant; these changes and any arising benefits have to be viewed against any adverse impact that may arise as part of their installation.
428. Note that issuing a general licence to fish may be considered as a 'proposal' under the [Marine and Coastal Access Act](#) (S 58(1)). However, where an individual wishes to act in accordance with the terms of an existing licence or other consent, that individual would not be required to inform or seek any additional permission from a public authority (where consistent with current practice). This means that a fisher who elects to fish a new area that is consistent with the conditions of their general licence to fish, is not caught by the term 'proposal' as used in the East marine plans. Bringing forward a fisheries management measure such as a bylaw falls under either section 58(1) or 58(3) of the [Marine and Coastal Access Act](#) depending on whether the measure is to do with an authorisation and enforcement decision or not. However in either case, there will be other existing legislative and management requirements that determine the decision and which may carry greater weight than the plan policies.

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<sup>238</sup> In terms of value of landings.

<sup>239</sup> [Marine Policy Statement](#) 3.8.1

<sup>240</sup> Natural England (2011) Seascape Characterisation around the English Coast (Marine Plan Areas 3 and 4 and Part of Area 6 Pilot Study) Available online at: <http://publications.naturalengland.org.uk/publication/2736726?category=10006>



## Signposting to existing policy and measures

429. The [Common Fisheries Policy](#) provides the main framework for the management of fisheries in European Union waters. It is supported by national and locally applied legislation including bylaws delivered through the Inshore Fisheries Conservation Authorities and others. The [Common Fisheries Policy](#) has now been revised<sup>241</sup> and its implementation should contribute to the delivery of the effective management of our seas and be integrated into wider marine policy including marine nature conservation.
430. Fish stocks are principally managed by the Marine Management Organisation, with Inshore Fisheries and Conservation Authorities sharing the role between 0 – 6 nautical miles. Management measures include setting quota limits<sup>242</sup> and effort/ technical control measures. Quotas (or total allowable catches) are set annually for over 130 fish stocks, by taking account of various factors including the latest scientific advice on the condition of the stocks. Due to the annual variability of stock condition, stock management requires a degree of temporal flexibility. For this reason, reactive, annual management measures (such as quotas) are considered a more appropriate mechanism than marine planning to manage fish stocks.
431. On the 14 August 2012, the Department for the Environment, Food and Rural Affairs announced a revised approach to managing fishing activities within European Marine Sites. The Marine Management Organisation has been working closely with the Inshore Fisheries Conservation Authorities, the Department for the Environment, Food and Rural Affairs, Statutory Nature Conservation Bodies, Non-Governmental Organisations and the fishing industry to prioritise high-risk fishing activities on sensitive features.<sup>243</sup> Management measures have been put in place to protect the features most at risk, (reef, maerl and seagrass, listed as 'red' in the risk matrix), at the end of 2013 to avoid the deterioration of Annex I features in line with obligations under Article 6(2) of the [Habitats Directive](#). Risks rated as either amber or green (medium or low risk) will have a site-level assessment to assess whether management of an activity is required to conserve site features. These assessments will be consistent with the provisions of Article 6(3) of the [Habitats Directive](#) and will be implemented in 2016.
432. It is envisaged that the Marine Management Organisation will work together with key partners to increase the understanding of the sensitivity of different habitats to different fishing gear types. Potential management measures for Marine Conservation Zones by all public authorities responsible will also need to assess the impacts of fishing. It is proposed by the Marine Management Organisation that the development of future fisheries management measures for European Marine Sites and Marine Conservation Zones will be based on a regional approach to allow for the consideration of all sites and restrictions in a

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<sup>241</sup> European Commission (2009) Green Paper on the Reform of the Common Fisheries policy  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0163:FIN:EN:PDF>

<sup>242</sup> [http://www.marinemanagement.org.uk/fisheries/management/quotas\\_how.htm](http://www.marinemanagement.org.uk/fisheries/management/quotas_how.htm)

<sup>243</sup> [http://www.marinemanagement.org.uk/protecting/conservation/ems\\_fisheries.htm](http://www.marinemanagement.org.uk/protecting/conservation/ems_fisheries.htm)

particular region at the same time. This will help to assess potential cumulative displacement of fishing and cumulative impacts across multiple sites.

## Evidence

433. The current data available on fisheries is varied and unfortunately does not provide a complete view of fishing activity with a high degree of accuracy. Data showing the activity of under ten metre vessels in the inshore area is particularly limited, yet these make up a large proportion of the fleet. Work is underway to establish an improved evidence base of fishing activity, together with other sectors, in order to address these limitations.
434. The lack of uniformity and stakeholder consensus regarding fisheries data combined with the difficulties in predicting the future of fisheries, makes formulating prescriptive marine plan policies for this sector a challenge. The Marine Management Organisation will continue to work closely with the fishing sector to assess how this challenge might be addressed in the future.
435. Significant issues identified through the [Evidence and Issues Report](#) included avoiding displacement wherever possible, environmental impact, navigational safety and access to onshore facilities. Possibilities for the co-location of fisheries with other sectors are highlighted within GOV2 under objective 10, together with a cross-sectoral policy on displacement (GOV3), with access to infrastructure addressed in GOV1. In addition to these, there are two plan policies specific to the sector addressing the significant issues of access to fishing grounds and protection of spawning and nursery areas. The environmental impact of certain fishing gears on sensitive habitats is highlighted above under 'signposting existing policies and measures'.
436. Further information on data and evidence regarding fishing activity can be found in the [Evidence and Issues Report](#) and information on how figures 23 – 26 were derived can be found on the Marine Management Organisation website.<sup>244</sup> Further information on evidence gathering in relation to the development of current and future marine plans can be found under Objective 11 in chapter 2.

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<sup>244</sup> Please see the published map annex

## Plan policies

### Policy FISH1

Within areas of fishing activity, proposals should demonstrate in order of preference:

- a) that they will not prevent fishing activities on, or access to, fishing grounds
- b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them
- c) how, if the adverse impacts cannot be minimised, they will be mitigated
- d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

This plan policy supports fishing activity by avoiding adverse impacts resulting from development and activities in the East marine plan areas. The policy will be implemented by the public authorities responsible for authorising such developments or activities. Fishing grounds in the East marine plan areas are considered to play an important role in the delivery of a variety of marine food sources. The East marine plan areas contain some of the most important shellfish grounds in England making a significant, direct, economic contribution with much of its catch including crab, lobster, cockles and prawns exported to other markets both in Europe and beyond. Associated with this are a number of land-based catch processing and handling facilities throughout the East marine plan areas dealing with finfish and shellfish both caught within the marine plan areas, such as at King's Lynn and that landed from further afield, such as in Grimsby. These facilities offer significant employment opportunities within their locality and beyond.

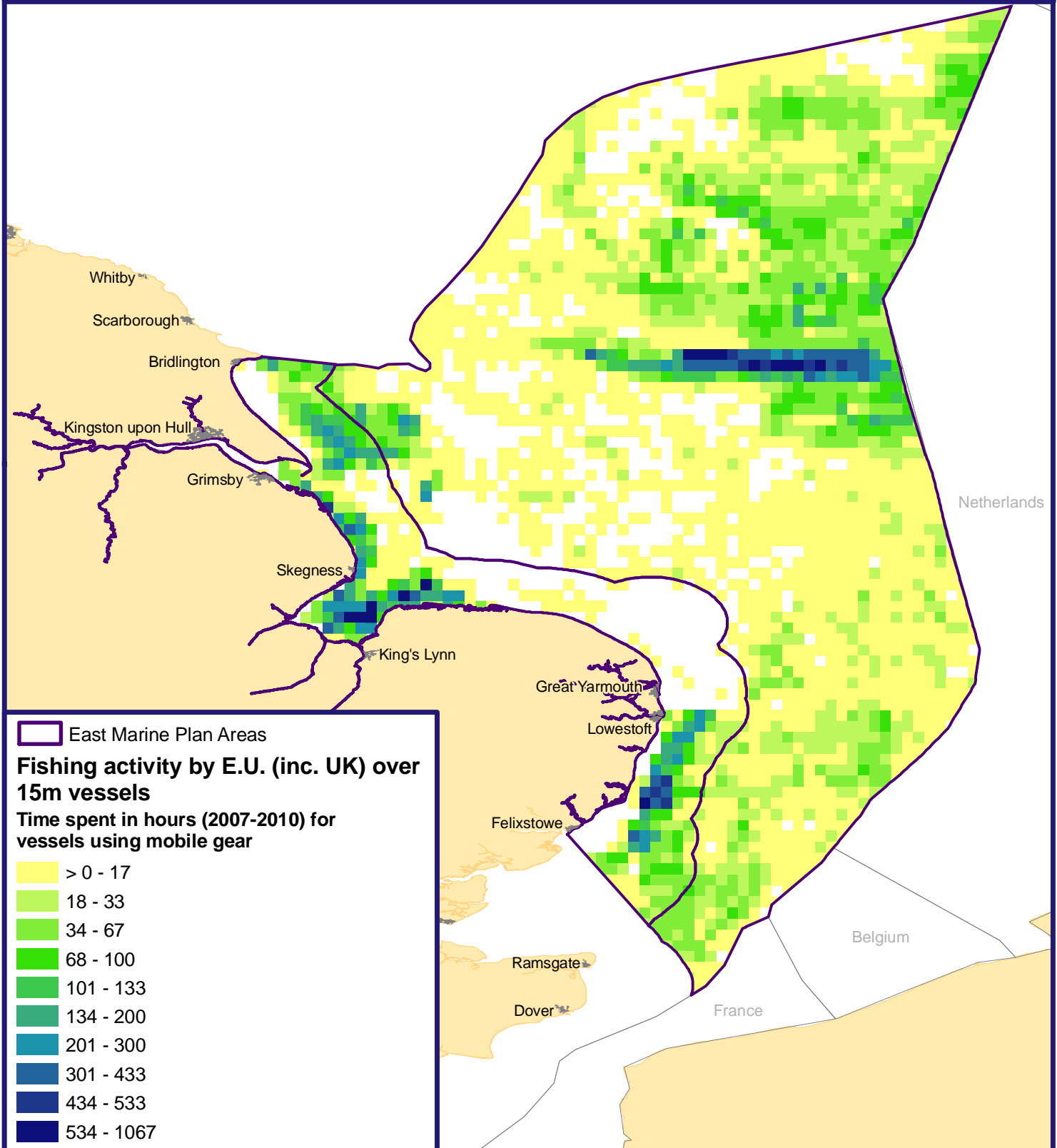
437. This policy focuses specifically on the access to fishing grounds. It seeks to support the fishing sector's ability to undertake its activities and requires proposals to demonstrate where any impacts to fishing activity may occur and how they have been dealt with. Where these issues cannot be resolved they would be detailed with an explanation as to why they cannot be overcome and any mitigation measures, thereby allowing decision-makers to assess the impacts to fishing activity posed by any development, with the aim to support fishing activity and co-location in accordance with the aspirations of the [Marine Policy Statement](#). The requirement under d) in policy FISH1 is to provide information for consideration by the relevant public authority. It does not indicate that approval of the proposal will follow by default. In deciding on the proposal, the public authority will take account of a range of relevant considerations including compliance with legislation and regulations and potential impacts highlighted in project level assessments.



# Figure 23: MMO fishing activity by E.U. (inc.UK) over 15-metre vessels (time spent in hours 2007-2010 - mobile gears)

February 2014

**INDICATIVE MAP-** This is an indicative map in support of policy FISH1. This map is based on the best available evidence and must only be viewed alongside the accompanying text setting out the data limitations. The reader should check for any updates via the link provided in paragraph 102.

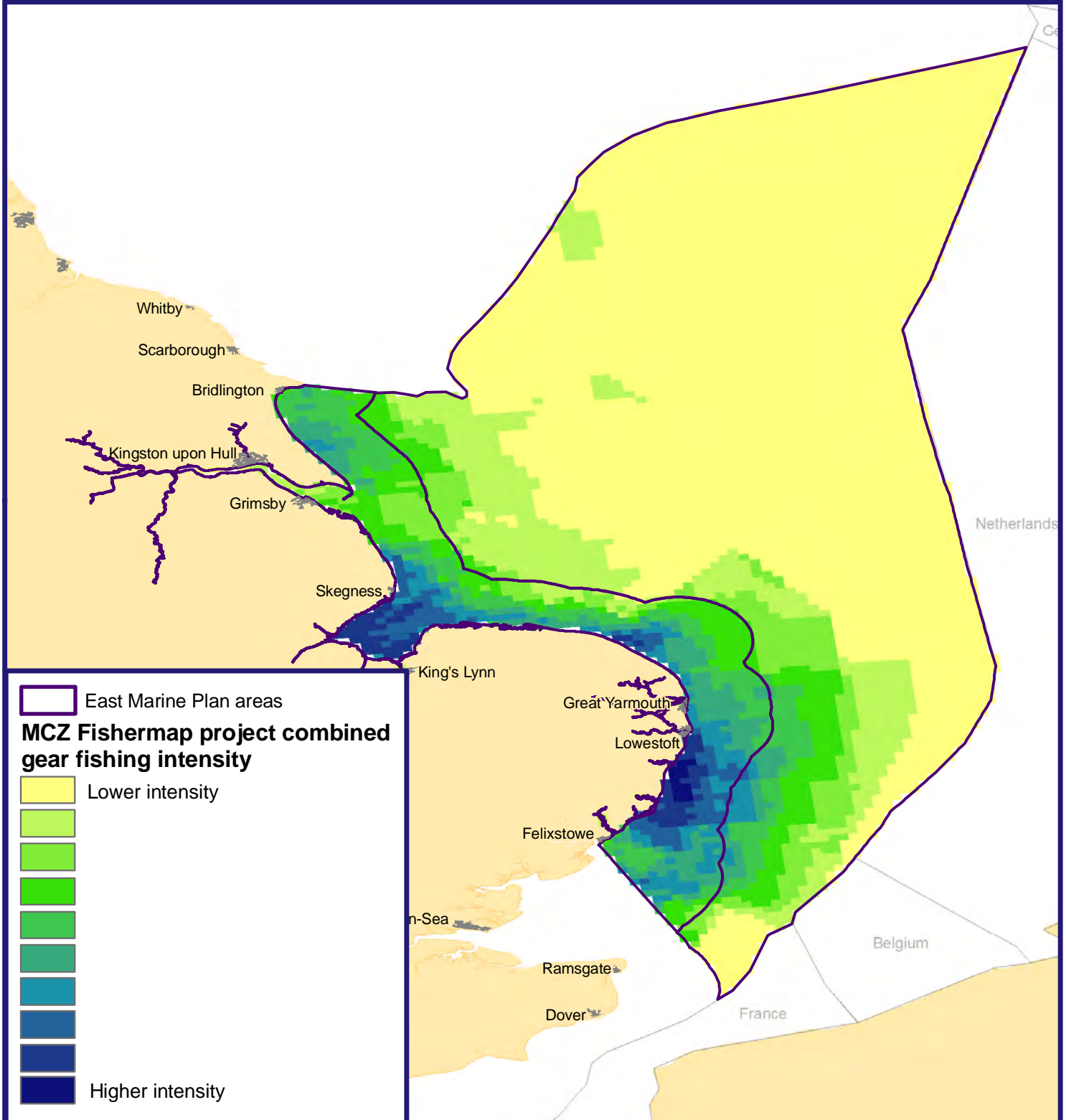




# Figure 24: MCZ Fishermap project combined gear fishing intensity

February 2014

**INDICATIVE MAP-** This is an indicative map in support of policy FISH1. This map is based on the best available evidence and must only be viewed alongside the accompanying text setting out the data limitations. The reader should check for any updates via the link provided in paragraph 102.



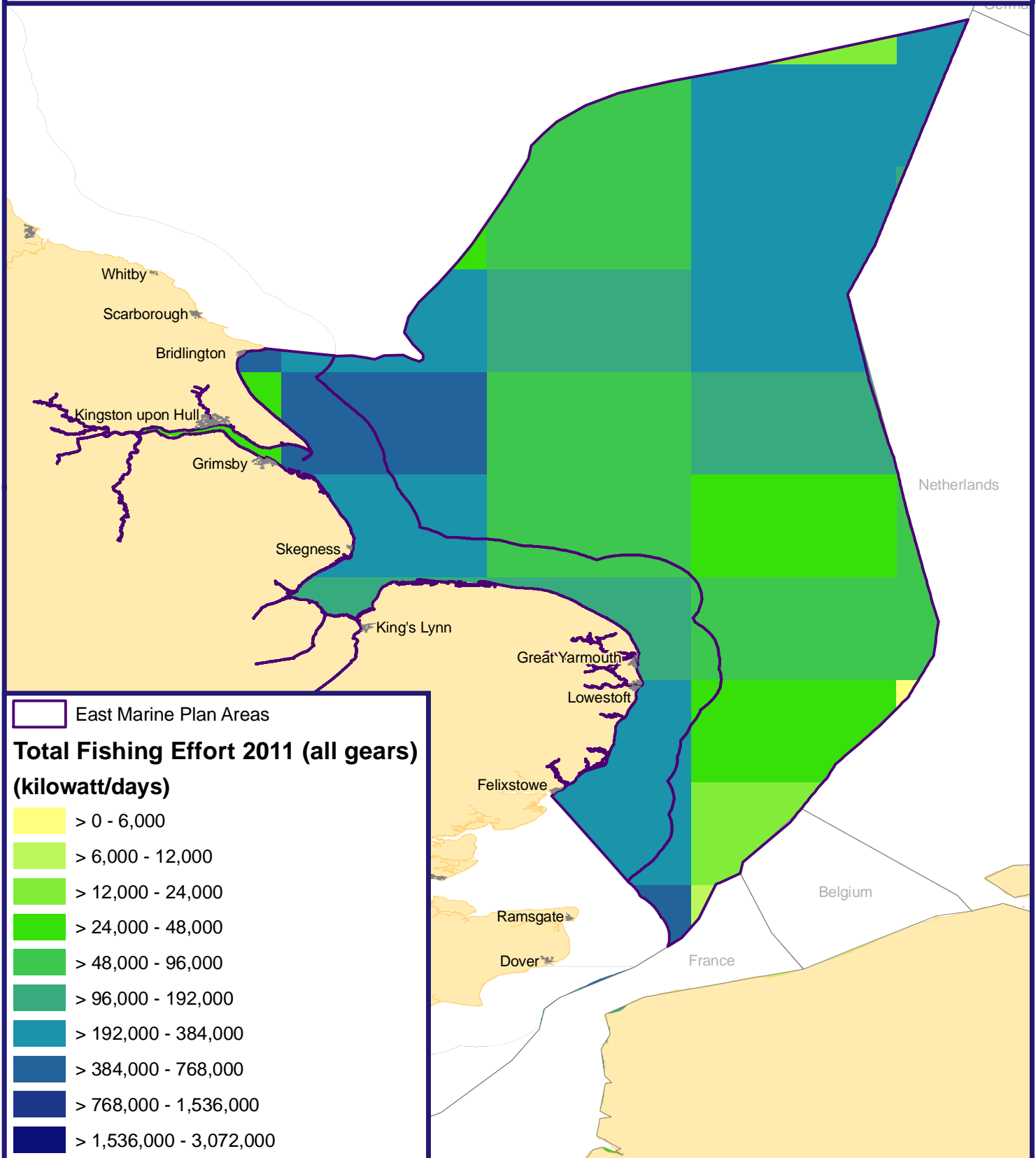
Map produced in ETRS89. Not for navigation. Reproduced with permission of Natural England and JNCC © Crown Copyright 2011. Contains Ordnance Survey and UK Hydrographic Office data Crown copyright and database right 2013. All rights reserved. Ordnance Survey Licence number 100049981. Marine Management Organisation.VLIZ (2013). Maritime Boundaries Geodatabase, version 7. Figure 24 has combined together six maps showing different gears: pots and traps, nets, mobile pelagic gear, hook and line, dredging gear and mobile demersal gear. Please visit the marine planning portal to view maps of individual gears (<http://planningportal.marinemangement.org.uk>).



# Figure 25: Total Fishing Effort 2011 (Fisheries Activity Database- all gears)

February 2014

**INDICATIVE MAP-** This is an indicative map in support of policy FISH1. This map is based on the best available evidence and must only be viewed alongside the accompanying text setting out the data limitations. The reader should check for any updates via the link provided in paragraph 102.



438. FISH1 applies to the whole of the plan areas both inshore and offshore. The indicative maps included at figures 23, 24, 25 give an illustration of some of the known areas of fishing activity within the plan areas. Due to the variation in fishing activity, seasonality and technologies deployed (including the use of fishing vessel telemetry systems) these alone cannot provide a complete illustration of all fishing activity at all times. Proponents will need to liaise with the fishing sector locally to fully appreciate the level of activity.<sup>245</sup>
439. As outlined in the context above there is significant variety and volume of activity in the East marine plan areas that is predicted to increase over the lifetime of the marine plans, particularly in terms of marine renewables and other offshore installations. The [Marine Policy Statement](#) (3.8.1, 3.8.2, and 2.3.1.5) makes clear that the process of marine planning will 'enable the co-existence of compatible activities wherever possible', and supports the reduction of real and potential conflict as well as maximising compatibility and encouraging co-existence of activities. Co-existence is addressed further under GOV2. Also in applying this policy, consideration will need to be given to the potential for the displacement of fishing activity. See also GOV3.
440. Public authorities will need to ensure that supporting information is submitted, proportionate to any proposal, illustrating any potential impacts (this may include consultation to identify issues at scoping stage) and suggested measures to minimise, or if impacts cannot be minimised, mitigate them. Consultees could include such organisations as:
- Inshore Fisheries and Conservation Authorities
  - Centre for Environment, Fisheries and Aquaculture Science
  - National Federation of Fishermen's Organisations
  - New Under Tens Fishermen's Association or the
  - North Sea Advisory Council
441. Therefore in applying this policy consideration will need to be given to the potential for the displacement of fishing activity. See also GOV3.

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<sup>245</sup> See 'BERR (2008) Recommendations for Fisheries Liaison: Best Practice guidance for offshore renewables developers; UKOAA (2006) Code of Practice on Interaction with Static Gear Fisheries)' and the 'Fishing Liaison with Offshore Wind and Wet Renewables' for best practice guidelines.

## Policy FISH2

Proposals should demonstrate, in order of preference:

- a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat
- b) how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them
- c) how, if the adverse impacts cannot be minimised they will be mitigated
- d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

442. The [Marine Policy Statement](#) (3.8.6) states ‘sustainable fish stocks have the potential to maintain a prosperous and efficient fishing industry and provide social, cultural and economic benefits to often fragile coastal communities’. Stakeholders from the fisheries sector have strongly expressed the need to support the recovery of fish stocks through all possible means, in order to ensure the sustainable future of the industry. A sustainable fishing industry relies upon fish spawning and nursery areas to support stock recruitment and these spawning and nursery areas need protection from adverse impact that may result from development or activity. Concerns exist as to the potential for new activities to have adverse effects on stock recruitment and the associated fishing grounds through development. FISH2 seeks to contribute to the aims of the [Marine Policy Statement](#) (3.8.1) in supporting the long term existence of the sector through support of stock recruitment. In applying policy FISH2, proposals should consider their potential to have an adverse impact on spawning and nursery grounds (including any adverse impact on the ability of species to access these grounds).
443. Over half of the East marine plan areas (56%) is defined as high intensity spawning areas for plaice, over a third high intensity spawning areas for sandeels and whiting with over 11% a high intensity nursery ground for cod.<sup>246</sup>
444. The ‘indicative’ map shown in figure 26 highlights some known spawning and nursery grounds in the East plan areas and should be viewed alongside the policy text. However, the map does not show all the species relevant to this policy due to limited evidence. Spawning and nursery areas for all finfish and shellfish species should be considered during project level assessments. The data shown in figure 26 is of a coarse resolution and data collected at a

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<sup>246</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, Chapter 4.8  
[http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

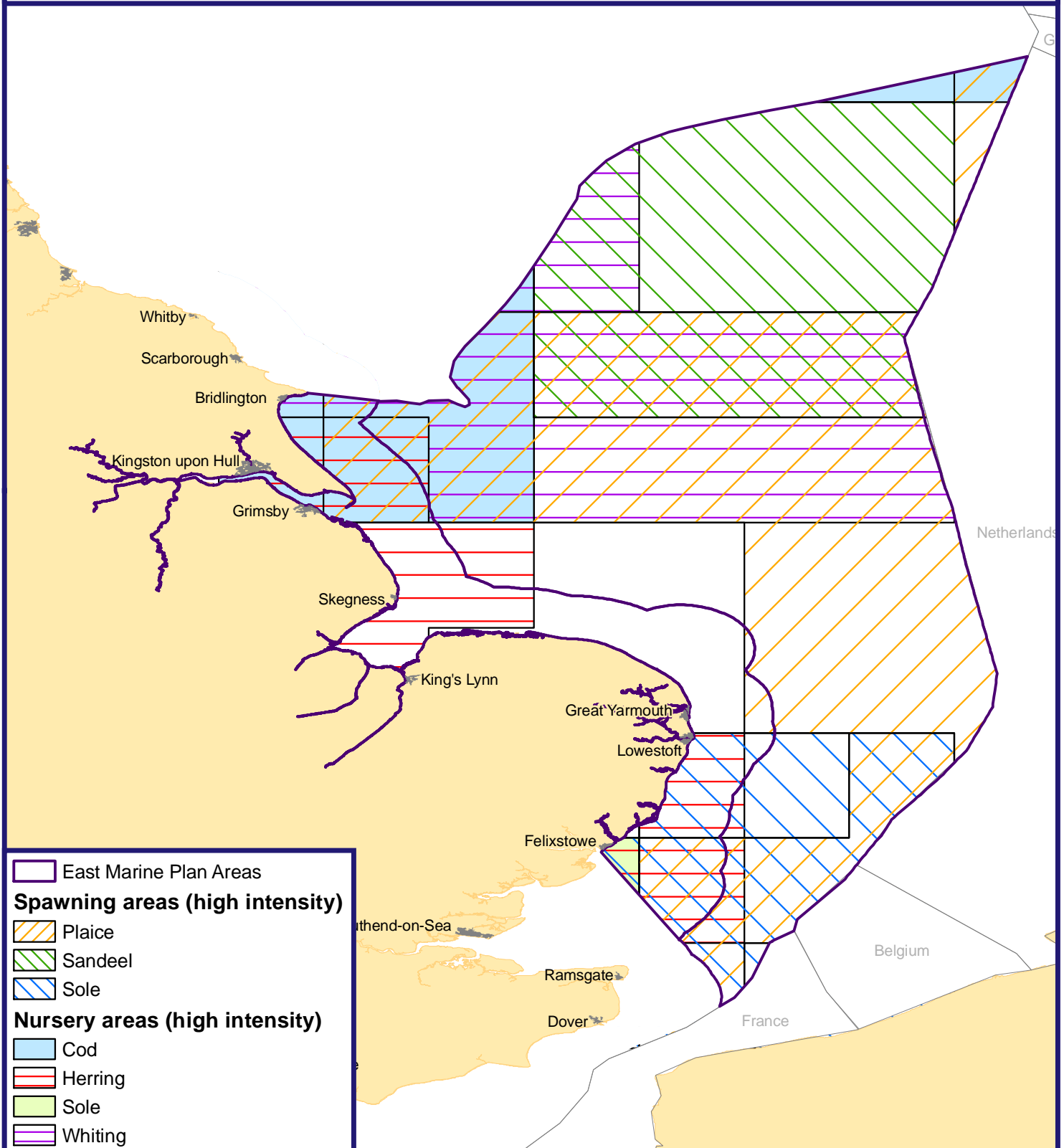




# Figure 26: Known high intensity fish spawning and fish nursery grounds

February 2014

**INDICATIVE MAP-** This is an indicative map in support of policies FISH2 and BIO1. This map is based on the best available evidence and must only be viewed alongside the accompanying text setting out the data limitations. The reader should check for any updates via the link provided in paragraph 102.



project level to support [Environmental Impact Assessments](#) will be current and at a more appropriate resolution to accurately assess any project's impact on nursery and spawning grounds. Information on the location of areas closed due to a high abundance of juvenile fish (either seasonal or 'real-time' closures) can be found on the Marine Management Organisation's website.<sup>247</sup>

445. Public authorities will need to ensure that supporting information is submitted, proportionate to any proposal, illustrating any potential impacts (this may include consultation to identify issues at scoping stage) and suggested measures to minimise or mitigate them.
446. The requirement under d) is to provide information for consideration by the relevant public authority. It does not indicate that approval of the proposal will follow by default. In deciding on the proposal, the public authority will take account of a range of relevant considerations including compliance with legislation and regulations and potential impacts highlighted in project level assessments.

### 3.17 Aquaculture

#### Context

447. Aquaculture is a growing industry<sup>248</sup> predicted to expand in the United Kingdom. It has been identified as a key area for development through its potential to contribute to the sustainability and security of the United Kingdom food supply which, in turn, may encourage growth in small and medium enterprises supporting the industry. This is emphasised in the recent consultation on developing aquaculture in England<sup>249</sup> and reforms to the [Common Fisheries Policy](#). These reforms highlight European and national governments' desire to promote the sustainable growth of the sector.
448. In 2010 the East Inshore Marine Plan Area accounted for around 40% of English shellfish production via aquaculture and 51% of English mussel production via aquaculture. Of the total area in England covered by waters where shellfish are harvested, the East Inshore Marine Plan Area included approximately 9%<sup>250</sup> of these, giving an indication of the high intensity of the activity at a local level. There are nationally significant private, Regulated and Several fisheries (mussel, oyster and cockle) within the Wash and along the North Norfolk coast. The East Inshore Marine Plan Area has the potential to make a significant contribution to the growth of aquaculture in English waters given the large estuaries and sheltered sites.
449. To establish a shellfish aquaculture facility in marine waters, the following consents must be obtained: land use consent from The Crown Estate or other

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<sup>247</sup> <http://www.marinemanagement.org.uk/fisheries/monitoring/closures.htm>

<sup>248</sup> [http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

<sup>249</sup> [Planning for Sustainable Growth in the English Aquaculture Industry \(draft\)](#).

<sup>250</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, page 159 [http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

land owner, local authority permissions (food hygiene and safety), and potentially a marine licence from the Marine Management Organisation if the facility will impact navigation or could be construed as an artificial reef. If the applicant for the aquaculture facility wishes to apply for a Several Order they should contact the Department for the Environment, Food and Rural Affairs (or their local Inshore Fisheries and Conservation Authority, if this authority holds a Hybrid Order). For finfish developments a marine licence from the Marine Management Organisation would be required and construction works would be subject to [Environmental Assessment Regulations](#) Discharge consents, administered by the Environment Agency under the Environmental Permitting Regulations taking into account the European Commission [Water Framework Directive](#).

450. The main issue with respect to aquaculture in the East marine plan areas is to help enable the broadly recognised opportunity for growth in the sector and to ensure this growth is sustainable. An assessment of the optimum sites for future expansion of the industry was identified as a requirement (commenced by the Marine Management Organisation with published report [Marine Management Organisation 1040](#)) along with further research into the possibility for co-location of aquaculture with other activities, and carrying capacity of areas for aquaculture. Recent research into co-location includes a live trial at North Hoyle wind farm off North Wales<sup>251</sup> and carrying capacity is being investigated at an international scale by the European Union.<sup>252</sup> This research need is recognised in the Marine Management Organisation's [Strategic Evidence Plan](#) under the fisheries section and under objective 11. Research needs include further data on all forms of aquaculture – shellfish, finfish and novel forms as defined in the [Marine Policy Statement](#) (3.9.1 and 3.9.3). A Centre for the Environment Fisheries and Aquaculture Science report, '[Bivalve Cultivation – criteria for selecting a site](#)',<sup>253</sup> gives an indication of the optimum conditions for various cultured shellfish species. Potential shellfish developers can use this information to assist in selecting a suitable site.
451. The control of pollution within [Water Framework Directive](#) Protected Areas (previously Designated Shellfish Waters) and shellfish harvesting waters<sup>254</sup> is important to allow the continuing existence and future sustainable expansion of inshore aquaculture facilities. Designated Shellfish Waters were replaced by [Water Framework Directive](#) Protected Areas in December 2013 when the [EC Shellfish Waters Directive](#) was subsumed into the [Water Framework Directive](#). This change does not affect the level of protection that the waters are afforded. If an aquaculture development outside of one nautical mile is proposed, it would need to take into account the [Marine Strategy Framework Directive](#).

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<sup>251</sup> [www.shellfish.org.uk/files/7599EFF%20Co-Location%20Project%20December%20202012%20meeting%20report%20FINAL.pdf](http://www.shellfish.org.uk/files/7599EFF%20Co-Location%20Project%20December%20202012%20meeting%20report%20FINAL.pdf)

<sup>252</sup> [http://ec.europa.eu/fisheries/aquaculture/official\\_documents/com\\_2013\\_229.en.pdf](http://ec.europa.eu/fisheries/aquaculture/official_documents/com_2013_229.en.pdf) and <http://fao.org/docrep/017/i3099e/i3099e00/htm>

<sup>253</sup> See table 2 on page 28.

<sup>254</sup> The European Union Food Hygiene Regulations (regulations 852/853/854) relating to Shellfish Harvesting Waters - <http://www.legislation.gov.uk/ukxi/2006/14/contents/made>

### Signposting to existing policies and measures

452. The following highlights national policy from the [Marine Policy Statement](#) and other East marine plan policies to ensure that they are taken into account by public authorities.
453. The [Marine Policy Statement](#) (3.9.1, 3.9.2 and 3.9.6) is supportive of the aquaculture industry. In considering the benefits of encouraging the development of 'efficient, competitive and sustainable' aquaculture, it is not thought necessary to have a plan policy that protects current sites from conflicting activities. This is due to the mechanisms for protection already afforded such as designated shellfish waters, shellfish harvesting waters, seabed leases and private and Several Order fisheries. The [Marine Policy Statement](#) states the need for consideration of the: 'significant opportunities for co-existence of aquaculture and other marine activities...' ([Marine Policy Statement](#) 3.9.6). Policy GOV2 seeks that co-location opportunities should be maximised, where possible.
454. Marine aquaculture commonly requires bespoke land infrastructure to support it, such as purification and processing facilities as well as storage areas and transport infrastructure. These needs are not unique to aquaculture, and the governance policy (GOV1) under objective 10 covers the need for onshore infrastructure requirements of new and existing marine activities.

### Plan Policies

#### Policy AQ1

Within sustainable aquaculture development sites (identified through research), proposals should demonstrate in order of preference:

- a) that they will avoid adverse impacts on future aquaculture development by altering the sea bed or water column in ways which would cause adverse impacts to aquaculture productivity or potential
- b) how, if there are adverse impacts on aquaculture development, they can be minimised
- c) how, if the adverse impacts cannot be minimised they will be mitigated
- d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

#### Justification/Explanation

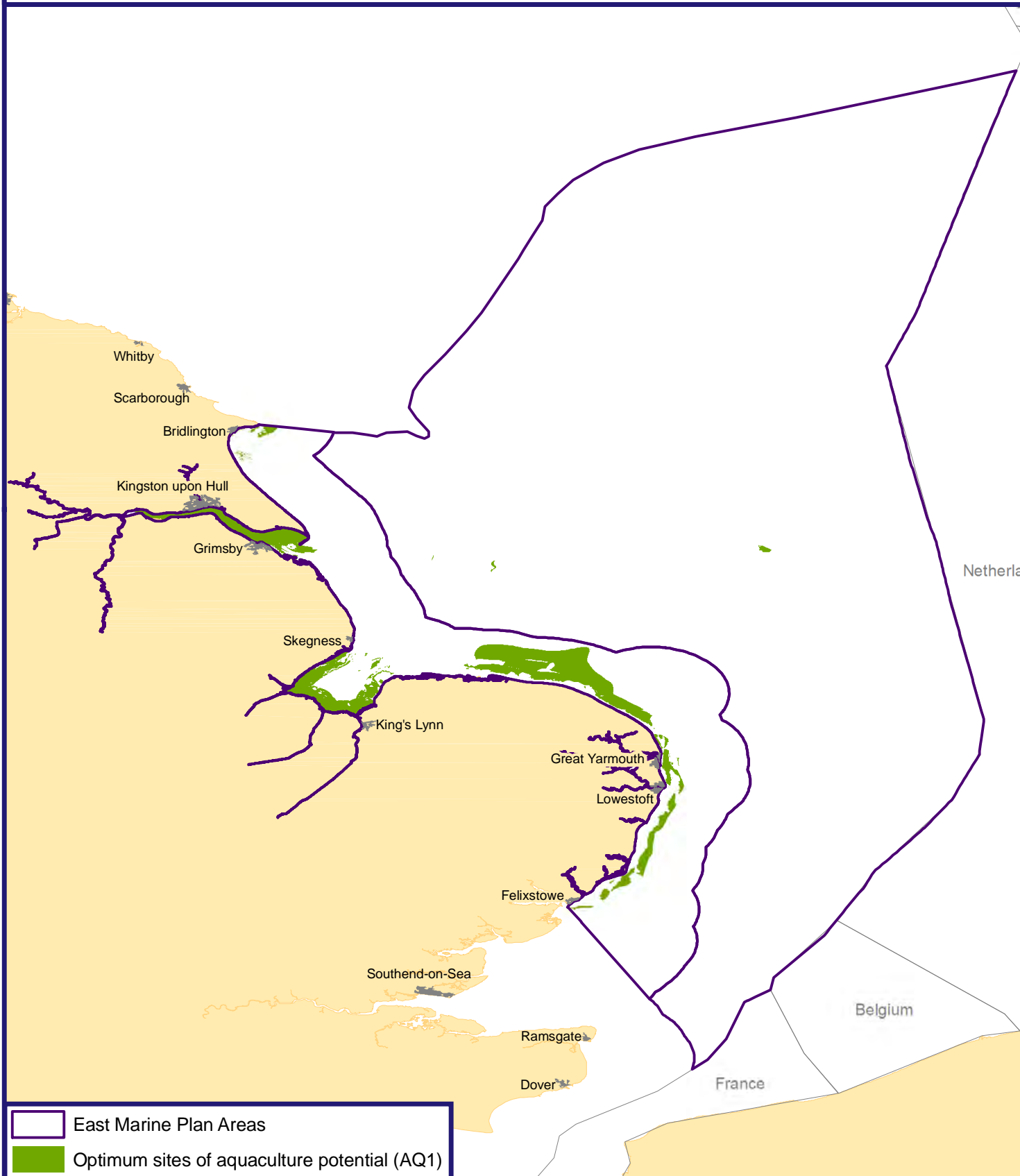
455. Policy AQ1 seeks to protect opportunities for aquaculture, as they are identified through research and evaluation. Research has the potential to



# Figure 27: Optimum sites of aquaculture potential (AQ1)

February 2014

**POLICY MAP-** This map highlights the area where policy AQ1 applies. This area may be reviewed as necessary during the life of the Marine Plans. The reader should check for any updates via the link provided in paragraph 102.



define which sites within the East plan areas may be preferred for aquaculture. See also objective 11.

456. Figure 27 shows the current sites identified through research deemed suitable for aquaculture development. These are the areas to which policy AQ1 applies.
457. The East Inshore Marine Plan Area is highly important to current aquaculture, and both the East Inshore and Offshore Plan Areas have potential for development of new activity. The [Marine Policy Statement](#) (3.9.6 and 3.9.7) highlights the potential benefits of aquaculture, in existing areas, and aspirations for sustainable growth of the industry in possible future locations. Policy AQ1 does not preclude other developments or activities, including current aquaculture. Rather, it applies the intent of the national policy to ensure consideration is given to how other proposals may impact access to and use of areas suitable for future aquaculture development.<sup>255</sup> It also aims to identify optimum locations for aquaculture development, through research,<sup>256</sup> to ‘seek information on possible future aquaculture operations in areas not previously used...’ ([Marine Policy Statement](#) 3.9.7).
458. Policy AQ1 is designed to enable aquaculture, be it for shellfish, finfish, novel forms such as algae cultivation, or re-stocking wild populations of species such as lobster using hatchery reared animals, to continue or to realise new opportunities, subject to meeting legislative requirements and other plan policies.
459. The policy requires any proposals to demonstrate using best evidence available<sup>257</sup> where adverse impacts to aquaculture activities may occur and how these impacts can be avoided. Where avoidance is not possible an explanation as to why the impacts cannot be overcome and possible minimisation, or mitigation, measures should be provided, allowing decision-makers to assess (as part of the application process) the adverse impacts to aquaculture posed by the development. This is already a consideration where an application relates to an area within the extent of a Several Order.<sup>258</sup> The applicant is required to consider whether their proposal would affect the ability of the site to continue to support aquaculture activity.
460. It is expected that proponents of development or activities would early in the project scoping stage consult with others such as The Crown Estate, Inshore Fisheries Conservation Authorities, Marine Management Organisation and other regulators including Natural England and the Environment Agency in

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<sup>255</sup> Examples of wider considerations can be taken from a report produced by Ian Laing of the Centre for the Environment, Fisheries and Aquaculture Science ‘Bivalve Cultivation, criteria for selecting a site’, produced in 2000.

<sup>256</sup> <http://www.marinemanagement.org.uk/evidence/index.htm>

<sup>257</sup> Current evidence gives a broad scale overview of areas seen as having potential for future aquaculture developments, as more detailed evidence is produced it is inferred that the information contained within a proposal will reflect this.

<sup>258</sup> Several Orders protect the rights of the holder to undertake aquaculture of the named shellfish species present in the area, even if the species are not currently being exploited. Several Orders cover the vast majority of shellfish lays that are located within the area managed by the Crown Estate.

addressing a), b), c) or d), to determine whether there are aquaculture developments in the area. The marine plans, together with wider published aquaculture research (including research<sup>259</sup> completed under the Marine Management Organisation's [Strategic Evidence Plan](#)) will help to identify current aquaculture waters and suitability of areas for future aquaculture development.

461. Given the uncertainty that applies to the location of future aquaculture developments, the policy makes substantial allowance for the possibility of other, competing developments to proceed under particular circumstances. Circumstances under which a) might be satisfied include using information provided through research completed under the Marine Management Organisation's [Strategic Evidence Plan](#) to show that the area of interest is unsuitable for aquaculture (see figure 27).
462. Circumstances under which b) might be satisfied could include; moving the proposal to a less favourable area for aquaculture (based on best available evidence), or proposing co-location of aquaculture with the proposed activity. In respect of c) mitigation will be addressed at the project level. The requirement under d) is to provide information for consideration by the relevant public authority. It does not indicate that approval of a proposal will follow by default. In determining the proposal public authorities will take account of a range of relevant considerations including:
- compliance with legislation and regulations demonstrating the importance of the development to meet other objectives or policies in national policy statements and the marine plans, while meeting environmental requirements
  - that there are no or limited alternative locations
  - or that alternative locations present other or similar conflicts

### 3.18 Tourism and Recreation

#### Context

463. Tourism<sup>260</sup> and recreation<sup>261</sup> are recognised as important contributors to the local economy and as sources of income for coastal communities. The recreational boating industry alone was estimated to contribute £1.042 billion to the United Kingdom economy in 2009/10 with tourism one of the top three national growth sectors.<sup>262</sup> Tourism and recreation also provides many social

<sup>259</sup> <http://www.marinemanagement.org.uk/evidence/index.htm>

<sup>260</sup> Tourism is defined by the World Tourism Organization as comprising the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes. This definition has been adopted by the United Kingdom Government

<sup>261</sup> In this context tourism and recreation activities include but are not limited to; surfing, diving, sea angling, boating, swimming, boat-trips, accommodation and food outlets, bird watching, and other beach activities.

<sup>262</sup> [Marine Policy Statement](#) 3.11.1.

benefits for communities such as improved health (mental and physical) and well-being, greater social cohesion,<sup>263 264</sup> and the creation of jobs.

464. The East marine plan areas are becoming increasingly busy with activities putting pressure on the space available for marine recreation. There are many marinas, training and racing areas in the East marine plan areas<sup>265</sup> and wildlife watching is becoming an increasingly popular activity for visitors to the East of England.<sup>266</sup> In Suffolk, the coast is an important factor for people in deciding to visit an area<sup>267</sup> and 69% of people in Waveney visit local beaches<sup>268</sup> so coastal tourism is popular alongside recreation. Recreational opportunities attract tourism and so the clear link between the two may mean challenges arise in the future to both maintain the current standard, and diversify the type and location of opportunities, which is an aspiration of the industry and many local authorities.
465. It is important to recognise that, apart from recreational sailing, the majority of tourism and recreation activities occur on the coastline and in the inshore area eg surfing.<sup>269</sup> Therefore this sector is spatially constrained. Tourism and recreation rely on the preservation of the historic environment and heritage assets, a healthy marine environment including good water quality, clean beaches, abundant wildlife and a healthy ecosystem to attract people.
466. Issues identified through the development of the East marine plans include the potential for displacement of tourism and recreation due to increases in new activities and the cumulative effect of other activities.
467. In order to sustain the contribution to the economy and to ensure that opportunities for growth and enhancement in tourism and recreation are maintained, marine plans must ensure that other sectors do not have a detrimental effect on the tourism and recreation sector. This can be achieved by:
- guiding industry to specific locations
  - guiding industry to designs which will avoid or minimise impacts
  - offering mitigation of these impacts where they cannot be avoided and

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<sup>263</sup> Wheeler, B. W., M. White, *et al.* (2012). "Does living by the coast improve health and wellbeing?" *Health & Place* 18(5): 1198-1201.

<sup>264</sup> Depledge, M. H. and W. J. Bird (2009). "The Blue Gym: Health and wellbeing from our coasts." *Marine Pollution Bulletin* 58(7): 947-948.

<sup>265</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, Fig 4.24 [http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

<sup>266</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, Page 176 [http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

<sup>267</sup>

[www.choosesuffolk.com/tourismpartnership/pageDownloads/65566654Suffolk%20Visitor%20Survey%20Report%20Draft.pdf](http://www.choosesuffolk.com/tourismpartnership/pageDownloads/65566654Suffolk%20Visitor%20Survey%20Report%20Draft.pdf)

<sup>268</sup> [www.waveney.gov.uk/site/scripts/news\\_article.php?newsID=214](http://www.waveney.gov.uk/site/scripts/news_article.php?newsID=214)

<sup>269</sup> Please see the marine planning portal for more information about surfing and other recreational activities in the East Inshore Marine Plan Area.



- reflecting the aspirations of terrestrial plans for this sector

## Signposting to existing policies and measures

### Water Quality

468. A clean and healthy marine environment, including healthy beaches and good water quality, are important to tourism and recreation. There are a number of existing measures to support improvements to bathing water quality through the [Water Framework Directive](#), the Marine Strategy Framework Directive and [Bathing Water Directive](#), that should be taken account of in relation to their impact on tourism and recreation by decision-makers in assessing proposals. The [Marine Strategy Framework Directive](#) overlaps with the [Water Framework Directive](#) (within one nautical mile) therefore the [Marine Strategy Framework Directive](#) will adopt the [Water Framework Directive](#) standards for ecological and chemical water quality.

### Plan policies

#### Policy TR1

Proposals for development should demonstrate that during construction and operation, in order of preference:

- they will not adversely impact tourism and recreation activities
- how, if there are adverse impacts on tourism and recreation activities, they will minimise them
- how, if the adverse impacts cannot be minimised, they will be mitigated
- the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

469. The [Marine Policy Statement](#) (3.11.1 and 3.11.2) recognises the importance of tourism and recreation to the national economy. It also recognises the considerable amount of income it brings to coastal towns, supporting quality of life and providing health and well-being benefits. The [National Policy Statement](#) (S 5.9.7) for Energy also states that applicants should assess ‘the effects during construction of the project’ and this should include the ‘visibility and conspicuousness of the project during construction’. This is particularly relevant as the character and environment is an important factor in tourism and recreation. Please also see Social and Cultural section 3.3.

470. There are many communities adjacent to the East marine plan areas with a strong connection to tourism and recreation such as Bridlington, Cromer, Great Yarmouth and Cleethorpes.<sup>270</sup> Although ‘many seaside towns have developed cultural facilities to attract visitors all year round... some marine activities will of necessity be restricted by the weather and many family holidays are taken during the summer school holidays’ ([Marine Policy Statement](#) 3.11.3). This indicates that this sector is seasonally constrained and so any further disruption could have adverse impacts on tourism and recreation.
471. This policy recognises the importance of tourism and recreation in the East Inshore and East Offshore Marine Plan Areas and seeks to minimise adverse impacts of development on tourism and recreation. This mirrors the terrestrial planning system which provides detailed, local considerations that need to be addressed when planning a new development. For example, the [Suffolk Coastal Local Development Framework](#) outlines a minimum list of local issues which need to be adequately considered for nuclear power station development which include (but are not limited to): the economic impacts on tourism, during and after construction and coastal access.<sup>271</sup> This example is very specific to one activity in one area. There are many activities in the marine area that could impact on tourism and recreation activities, therefore it is not possible to provide more detailed criteria for this policy.
472. This policy should ensure that the impacts of construction and operation on tourism and recreation are either avoided, minimised or mitigated. It will be implemented by the public authorities responsible for authorising such developments. This could mean consideration of:
- construction being undertaken during the low season (autumn/winter) with consideration for over wintering mobile species (birds etc)
  - the impacts to amenity through noise or light disturbance and the effect this will have on tourism, recreation and coastal communities
  - the impacts to water quality and the local marine environment
  - any navigational constraints for recreational activities which include the use of personal water craft
  - seascape (please refer to the seascape section – character and visual resource – for more information)
  - any impacts on inshore fishing and the strong links it has with many popular coastal resorts

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<sup>270</sup> Marine Management Organisation (2011), Socio-Economic Study  
<http://www.marinemanagement.org.uk/marineplanning/key/se.htm>

<sup>271</sup> Suffolk Coastal District Council (July 2013). Core Strategy and Development Management Policies. SP 13 <http://www.suffolkcoastal.gov.uk/yourdistrict/planning/review/corestrategy/>

473. Any land-based impacts, eg increase in traffic due to materials being brought to site over land are considered through the terrestrial consents process.
474. The requirement under d) is to provide information for consideration by the relevant public authority. It does not indicate that approval of the proposal will follow by default. In determining proposals, the public authority will take account of a range of relevant considerations including compliance with legislation and regulations and environmental assessment.
475. All of the above points are already considered through the [Environmental Impact Assessment](#) process or as best practice. These are listed as examples of the types of issues that should be considered and addressed in the application.

### Policy TR2

Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:

- a) that they will not adversely impact on recreational boating routes
- b) how, if there are adverse impacts on recreational boating routes, they will minimise them
- c) how, if the adverse impacts cannot be minimised, they will be mitigated
- d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

476. The marine planning process will, amongst other aims, manage competing demands on the marine area and enable the co-existence of compatible activities where possible.<sup>272</sup> The [Marine Policy Statement](#) (3.11.1 and 3.11.6) emphasises the estimated economic contribution of recreational boating to the United Kingdom economy as well as highlighting the indirect benefits for coastal towns. It also states that in weighing up considerations, it is important to engage with the many different stakeholders related to tourism and recreation.
477. Static objects can pose a risk to vessels and may include objects both on and under the water as well as on the seabed. They could also restrict navigation routes for recreational boating. In the East marine plan areas there are many

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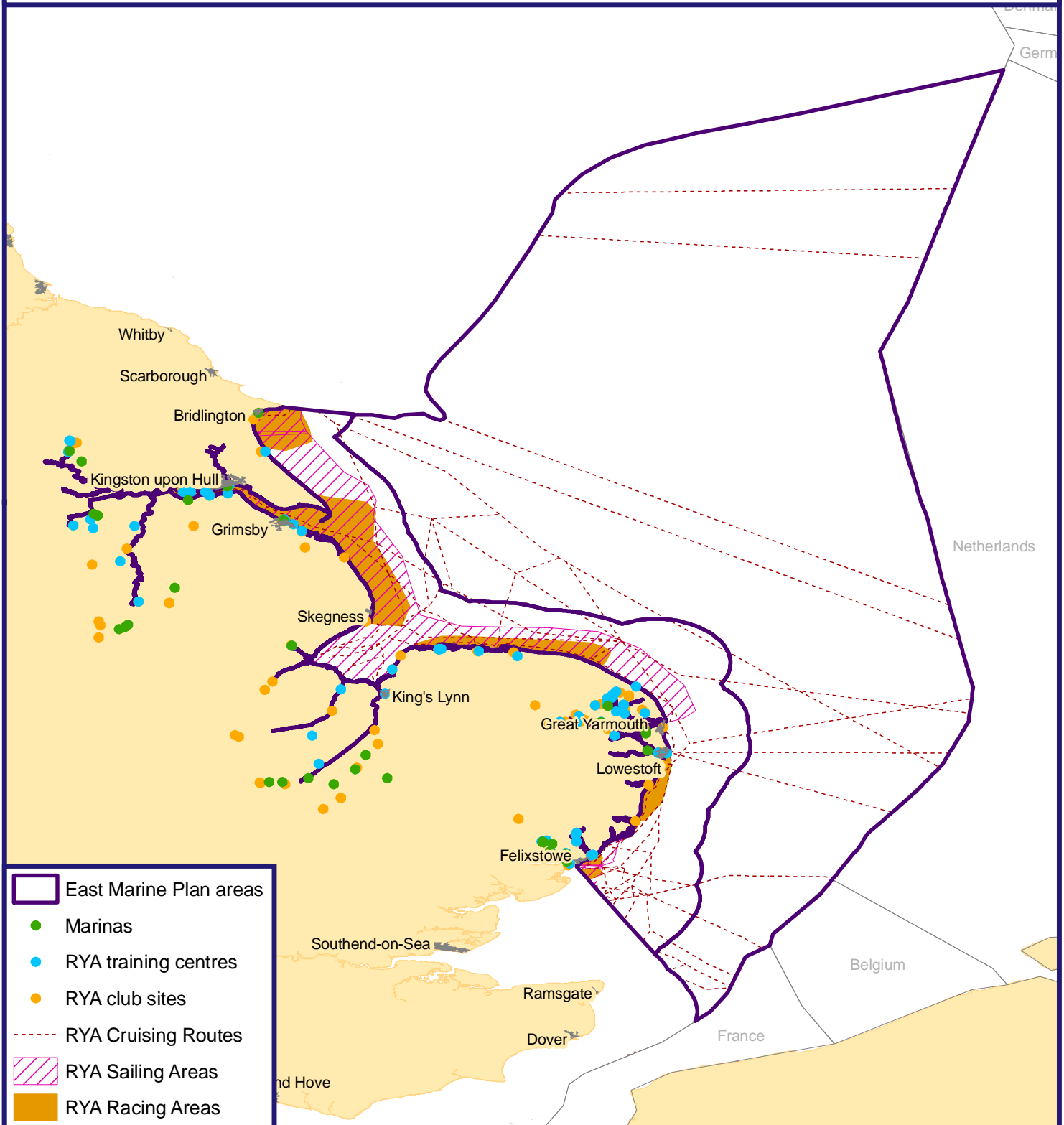
<sup>272</sup>. [Marine Policy Statement](#). Page 3-4.



# Figure 28: Recreational boating routes and areas

February 2014

**INDICATIVE MAP-** This is an indicative map in support of policy TR2. This map is based on the best available evidence and must only be viewed alongside the accompanying text setting out the data limitations. The reader should check for any updates via the link provided in paragraph 102.



Map produced in ETRS89. Not for navigation. Contains Ordnance Survey and UK Hydrographic Office data © Crown copyright and database right 2013. Marine Management Organisation. VLIZ (2013). Maritime Boundaries Geodatabase, version 7. © Crown Copyright and database right 2013. All rights reserved. Ordnance Survey Licence number 100049981. Data reproduced with permission of the Royal Yachting Association. This map does not represent all recreational boating routes. This data was developed by the Royal Yachting Association and represents routes that are well known and well used. Please see paragraph 480 for further information.

recreational boating routes<sup>273</sup> within the inshore area (eg from The Wash and Humber along the coastline) and also across to mainland Europe from East Anglia (see figure 28). This policy seeks to address the potential conflict between proposals involving static objects and recreational boating.

478. This policy adds clarification to the [Marine Policy Statement](#) through highlighting the benefits of early engagement and aims to ensure that any development takes account of the recognised boating areas and most used cruising routes for recreational craft in the East marine plan areas. This policy will be implemented by the public authorities responsible for authorising such developments.
479. Public authorities, in line with their statutory duties, may need to bring forward proposals to maintain safe navigation within harbour areas or carry out emergency work such as in response to a marine incident. These activities would take precedence over others including recreational activities. Please see the navigational safety section under the Governance chapter (3.5) for more information.
480. Figure 28 indicates some of the well-known and well-used boating areas and cruising routes in the East plan areas (data developed by the Royal Yachting Association). This figure is indicative<sup>274</sup> and serves to highlight some of the most frequent passages used. It is recognised that recreational boating takes place throughout the East marine plan areas and the absence of a specific cruising route or boating area should not be interpreted as an absence of activity. This is particularly the case in estuaries, and where there is activity shown at sea it should be assumed that all navigable parts of the estuary will/can be used for extensive recreational boating.
481. As part of the [Environmental Impact Assessment](#) process, the applicant is required to identify any navigational issues and list receptors that may be affected by the development. A stakeholder consultation strategy is also required. This policy builds on this, taking account of recreational boating being the only activity enabling leisure access to the offshore area, to highlight the importance of recreational boating in the East marine plan areas and the need to avoid or minimise impact to the activity.
482. Therefore there is a requirement for proponents to consider boating routes as well as industry representations in their licence applications to ensure the activity can continue and grow. Public authorities should look for evidence of consultation with the recreational boating sector, the outcome of those discussions and any mitigation agreed.
483. The requirement under d) is to provide information for consideration by the relevant public authority. It should not be taken in any way or of itself to indicate that approval of the proposal will follow by default. In determining proposals, the public authority will take account of a range of relevant

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<sup>273</sup> Term used to encompass all forms of sailing

<sup>274</sup> See paragraph 102 for an explanation of indicative maps

considerations including compliance with legislation and regulations and environmental assessment.

484. In assessing the impact of development on recreational boating, decision-makers should also be aware of provisions set out relating to the assessment of commercial shipping in PS1, PS2 and PS3.
485. Change of use of existing static infrastructure would be subject to relevant licensing and permission processes and would be required to adhere to this policy.

### Policy TR3

Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.

**Plan policy applies to both the Inshore and Offshore Marine Plan Areas. In reading this policy, please note the introduction to chapter 3 which explains the scope, application, structure and content of plan policies.**

### Justification/Explanation

486. The [Marine Policy Statement](#) (2.3.1.5 and 3.11.1) states that ‘marine plans should identify areas of constraint and locations where a range of activities may be accommodated. This will reduce real and potential conflict, maximise compatibility between marine activities and encourage co-existence of multiple uses.’ The [Marine Policy Statement](#) recognises the changes made by seaside towns to attract visitors all year round, although some marine activities are restricted by weather and many families only visit during school holidays.
487. Through analysis of local plans and discussions with local planning authorities in the East marine plan areas, diversification of tourism was identified as an important growth area.<sup>275</sup>
488. This policy aims to promote and support sustainable tourism and recreation opportunities in the East marine plan areas, an aspiration of many Local Authorities (eg East Lindsey, East Riding of Yorkshire, King’s Lynn and West Norfolk and Suffolk Coastal), to help improve the local economies of many coastal communities. It must be noted that local authorities would not want new forms of tourism or recreation to harm the existing offers. This approach gives effect to the [Marine Policy Statement](#) (3.11.5) in proactively supporting tourism and recreation development such as, but not limited to:
- the general diversification of activities, particularly where they are accessible all year round
  - provision of slipways

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<sup>275</sup> East Inshore and East Offshore Marine Plan Areas Evidence and Issues Report, page 176  
[http://www.marinemanagement.org.uk/marineplanning/areas/east\\_issues.htm](http://www.marinemanagement.org.uk/marineplanning/areas/east_issues.htm)

- coastal footpaths
  - ensuring coastal access
  - wildlife watching
  - adding to or improving existing tourism facilities and opportunities such as visiting heritage assets or areas of historic environment
  - sustainable tourism and recreation activities which incorporate improvements in the quality of the natural environment
  - promoting recreational sea angling and inshore fishing in coastal towns that is of cultural or historic significance to the local community and
  - opportunities to learn more about, or visit, wind farms
489. This policy supports applications that deliver tourism and/or recreation related benefits through their proposal, either directly (ie the primary purpose of the application is tourism or recreation) or indirectly (ie new tourism or recreation activities are an additional benefit, alongside the original purpose of the development, such as an offshore wind farm or port expansion). This policy will be implemented by the public authorities responsible for authorising developments and activities.
490. Where tourism and recreation is not the primary reason for the development, public authorities will assess the extent to which proponents have considered the benefits of the development for tourism and recreation, and where appropriate, include improvements or additions as part of the application.

## Chapter 4

# Implementation, Monitoring and Review

### Implementation

491. The marine plans will primarily be applied in practice through public authority decisions. (See chapter 1 ‘The effect of the East Inshore and Offshore Marine Plans’). Objectives and policies in the marine plans will be delivered through a wide variety of existing regulatory and decision-making mechanisms. Implementation will involve many public authorities, as although the Marine Management Organisation has been delegated the marine planning functions, it is not solely responsible for delivery of the policies in the East marine plans.
492. The plans should be taken as a whole, as it is likely that several plan policies will be pertinent to any decision or situation. It will be for the public authorities, working with the applicants and others, to determine which plans policies are appropriate to a particular decision.
493. Any decisions must be compliant with relevant legislation, regulations and existing policies and measures (see, for example, the [Habitats Directive](#)); the plan policies complement rather than replace such requirements. These relevant considerations may well have a stronger influence on the decision than the marine plan policies (see for example, MPA1).
494. In implementing the plans, the relevant public authorities, including the Marine Management Organisation, will need to apply precaution within an overall risk-based approach,<sup>276</sup> in accordance with the sustainable development policies of the United Kingdom Administrations.<sup>277</sup> This will apply equally to the

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<sup>276</sup> This means that if the risks from an activity are uncertain preventative measures may be required if there is concern that human activities may harm human health, living resources and marine ecosystems or interfere with other legitimate uses of the sea or have other social and economic impacts. This would need to be considered based on risk.

<sup>277</sup> [Marine Policy Statement](#) 2.3.1.2.



protection of the natural marine environment, impacts on society and impacts on economic prosperity.

495. When decisions are made under the precautionary principle in situations of uncertainty, the uncertainty that is being responded to should be made explicit, as should the precautionary measures that are being taken. This will ensure transparency, and also provide a clear basis for monitoring and feedback to future decision-making and management.
496. The precautionary principle covers those specific circumstances where: scientific evidence is insufficient, inconclusive or uncertain, and there are indications through preliminary objective scientific evaluation that there are reasonable grounds for concern that potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the requirements of protection. Ultimately, the precautionary principle requires a balancing exercise in which the risks of an activity, in the light of imperfect evidence, must be balanced against the need for sustainable development. In having recourse to the precautionary principle, the aim is to identify (and where possible quantify) the plausible risks, reduce uncertainty (to the extent possible) and then employ management measures that are proportionate to the activity in question and the level of plausible risk.
497. Decisions should be made in line with the better regulation principles<sup>278</sup> and lead to action that is proportionate, consistent and targeted, delivered through a transparent and accountable process. A proportionate level of strategic and detailed assessment should be considered in decision-making determined by the complexity, scale and sensitivity of the project or activity.
498. To support plan implementation, the Marine Management Organisation has developed an online Marine Information System,<sup>279</sup> to display the East Inshore and Offshore marine plan policies and provide some suggestions to help consider the marine plans during application and decision-making processes. The aspiration for the MIS is that once fully functional it will support plan-led management and streamline the consenting process by providing a platform to present marine plans as they are developed, along with links to other relevant plans and existing measures, and information on existing marine developments.

## Monitoring and Review

499. The process of monitoring and periodical reporting on the implementation of the marine plans and any need for review is a requirement under the [Marine and Coastal Access Act](#) (S 61). The Marine Management Organisation (under its functions delegated to it by the Secretary of State) has a duty to:
- At intervals not more than three years after each marine plan is adopted, report on the effects of policies, the effectiveness of those policies in securing

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<sup>278</sup> HM Treasury (2005) Reducing Administrative Burdens: Effective Inspection and Enforcement. Hampton, P.

<sup>279</sup> <http://www.marinemanagement.org.uk/MIS>

marine plan objectives and the progress towards achieving the [Marine Policy Statement](#) objectives set out for that region in the [Marine Policy Statement](#). After each report, the marine planning authority should decide whether or not the marine plans need to be amended or replaced. The Marine Management Organisation, with the input of government and stakeholders, may choose to report to government more frequently

- At intervals not more than six years after the passing of the [Marine Coastal Access Act](#) until 2030, the Marine Management Organisation will report to government on any marine plans it has prepared and adopted, its intentions for their amendment, and its intentions for the preparation and adoption of further marine plans
500. If there are significant changes to the evidence base supporting the East marine plans, or there are other significant relevant considerations since the marine plans were adopted (such as new legislation), the Marine Management Organisation may recommend to government an earlier review. The monitoring and review of the East marine plans is essential in ensuring that they remain fit for purpose and take account of and incorporate any new drivers or influences where appropriate.
501. In developing the approach to marine plans monitoring, consideration has been given to guidance on evaluation of policies provided in the government's [Magenta Book](#), the [Marine Policy Statement](#), and the Department for Environment Food and Rural Affairs' description document to ensure the approach is comprehensive but proportionate. Case studies of existing statutory and non-statutory plans have also been reviewed, such as River Basin Management Plans, Estuary Management Plans, Shoreline Management Plans, Local Plans and their equivalents such as Local Development Frameworks, Regional Spatial Strategies and marine plans for Victoria Australia, The Netherlands, Massachusetts and Rhode Island.
502. Monitoring of the impacts of marine plans will also be informed by recommendations from the Sustainability Appraisal including the [Strategic Environmental Assessment](#) and Habitats Regulations Assessment, and the analysis of the East marine plans.
503. The monitoring framework should be appropriate for all marine plans, therefore it should link to the [Marine Policy Statement](#) objectives, as these underpin the plan objectives, and in turn the policies. This approach will allow subsequent plan objectives to fit into one framework, and provide an explicit link to the [Marine Policy Statement](#), to allow monitoring of the cumulative effect of marine planning.
504. A description of how and when the marine plan policies and objectives will be implemented and monitored can be found in the supporting Implementation and Monitoring Plan.<sup>280</sup> The Implementation and Monitoring Plan has been developed with the engagement of delivery partners and public authorities, and will enable public authorities and stakeholders to understand in a clear

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<sup>280</sup> Please see the published implementation and monitoring plan

and transparent way whether or not implementation of the marine plans is being monitored appropriately and the policies are achieving marine plan objectives.

505. A specific aspect of the implementation and evolution of the East marine plans is the evidence base. The Marine Management Organisation's commitment to continue to develop the evidence base for the East marine plan areas is of central importance to the successful delivery of plan monitoring and review and reinforces the requirement set out in the [Marine Policy Statement](#) (3.2.1.2) for marine plans to use the best available evidence.<sup>281</sup>

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<sup>281</sup> [Marine Policy Statement](#) Box 1

# Annex 1

## Glossary

### Glossary

**Activities** – A general term that includes development and uses. Examples of uses might include fishing or recreation.

**Analysis of the marine plans** – Looks at potential impacts of the marine plans. It discusses current and expected future marine development in the absence of plans and provides an overview of how marine plans might alter future development.

**Applicant** – Organisation or individual that applies for an authorisation, for example those applying for an authorisation in relation to a development or activity (see 'Development').

**Area of search** – A broad area (of seabed and associated water column) within which some development or other activity may be acceptable, subject to detailed consideration, for example mineral extraction, or renewable energy generation. Can refer to areas of search used by Joint Nature Conservation Committee for offshore Special Areas of Conservation and may be defined in map format by the relevant organisations involved depending on the sector concerned.

**Authorisation** – Normally relates to something which can be applied for. See also 'Decisions'.

**Capital dredging** – This can be deepening or widening an existing navigable area, or enabling an entirely new channel for access to a new facility. Capital dredging allows improvement of access, eg to allow bigger and deeper vessels, longer optimum tidal windows and the provision of passing places. This area will not have been dredged during the preceding 10 years.

**Co-existence** – Where multiple development, activities or uses can exist alongside or close to each other in the same area and/or at the same time.

**Co-location** – Where multiple development (often structures), activities or uses co-exist in the same place by sharing the same marine footprint or area. Footprint can

include both the physical location of a development or activity, eg a built structure, and a wider area associated with the development or activity, eg a surrounding safety zone.

**Cumulative Impact** – An impact occurs only when a pressure is present and acts on a receptor that is sensitive to that pressure. A cumulative impact refers to the combined impact of such pressures over time in the marine area.

**Cumulative Effects** – Effects are taken to be distinct from impacts; an effect is a change caused by a pressure without any consideration of the impact. A cumulative effect is the result of a set of effects that are linked over time in the marine area. If cumulative effects occur but there is no or little impact, there may be no need for a management intervention.

**Decisions** – There are two types of ‘decision’ specified in the [Marine Coastal Access Act](#) (S 58) that are to be made by public authorities and which will involve consideration of the marine plans. Firstly, ‘An authorisation or enforcement decision which is defined in Section 58(4) the [Marine Coastal Access Act](#) as any approval, confirmation, consent, licence, permission or other authorisation (however described), whether special or general. Examples include a decision to grant or refuse a marine licence in accordance with Part 4 of the [Marine Coastal Access Act](#), or a planning permission granted by a local planning authority if the permission is capable of affecting part of the marine area. Such decisions must be taken ‘in accordance with’ the marine plans ([Marine Coastal Access Act](#) S58 (1)) unless relevant considerations indicate otherwise. An exception is a decision under the [Planning Act](#) on applications for development consent for Nationally Significant Infrastructure Projects which only have to have regard to marine plans. Secondly any other decisions which ‘relate to the exercise of any function capable of affecting the United Kingdom marine area, but which are not an authorisation or enforcement decision’. Examples include designation of Marine Protected Areas or bylaws that do not extend/replace/vary/revoke or withdraw an authorisation. A public authority must ‘have regard to’ the marine plans when taking any such decision ([Marine Coastal Access Act](#) S58 (3)).

**Development** – Built infrastructure and ‘activities’ as defined in [Marine Coastal Access Act](#) (S 66) and other legislation, for example oil and gas activities (under [Petroleum Act](#) 1998) and carbon dioxide storage (under [Energy Act](#) 2008). Includes Nationally Significant Infrastructure Projects under the [Planning Act](#) (S 29). The definition is analogous to that in section 55 of the Town and Country Planning Act 1990 of ‘carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land’. Encompasses, but is not restricted to, what is sometimes commonly called ‘development’. Examples include built or fixed structures, such as a gas platform or a wind farm comprising pilings, turbines, and associated structures (converter stations etc), and activities such as aggregate extraction and maintenance dredging.

**Displacement** – The action of causing the moving of a development, or activity from its current place or position, eg shipping traffic can no longer occur in an area due to the placement of built infrastructure.

**Evidence** – For the purpose of marine planning, evidence includes policy, data, information, surveys, maps, and any other relevant material.

**Gross Value Added** – Gross Value Added is the value generated by any unit engaged in a production activity. It is measured at basic prices, excluding taxes (less subsidies) on products. Regional Gross Value Added is measured using the income approach.

The main components of income based Gross Value Added are:

- compensation of employees (wages)
- gross operating surplus (the sum of self-employment income, gross trading profits) and
- surpluses, non-market capital consumption, rental income (less holding gains)
- taxes (less subsidies) incurred as a result of engaging in production, independently of the quantity or value of goods and services produced such as business rates

**Heritage Assets** – Elements of the historic environment such as buildings, monuments, or landscapes that have been identified as holding a degree of significance.

**Implementation and Monitoring Plan** – A description of how and when the marine plan policies and objectives will be implemented and monitored.

**Independent Investigation** – Once the consultation draft of the marine plans has been published, and the Marine Management Organisation has assessed comments received, resolved any issues where possible and identified any issues that remain unresolved, the Marine Management Organisation will consider whether or not to recommend the need for an Independent Investigation (II). The Secretary of State will then determine (in accordance with paragraph 13 of Schedule 6 of the [Marine Coastal Access Act](#)), whether or not to initiate. If an Independent Investigation is initiated by the Secretary of State the Marine Management Organisation will appoint an independent person to assist the Planning Inspectorate to investigate the draft marine plans' proposals, to make any recommendations and the reasons for those recommendations will be published.

**Leasing Round** – A public tendering process where The Crown Estate Commissioners invite applications for the grant of exclusive rights to exploit the seabed for a specified purpose.

**Licensing Round** – Period during which Government offers and then allocates a number of specified areas (Blocks or part Blocks) within its national boundaries for exploration to oil and gas companies, typically in return for fees and/or a commitment to carry out a work programme.

**Local planning authority** – An organisation that has powers under the Town and Country Planning Act to determine applications for planning permission and prepare development plans for its area. In England local planning authorities are: (1) district

councils; (2) London borough councils; (3) metropolitan district councils; (4) county councils in relation to any area in England for which there is no district council; (5) the Broads Authority. A National Park authority is the local planning authority for the whole of its area.

**Marine Conservation Zone** – Specific areas designated under the [Marine Coastal Access Act](#) for the purposes of conserving marine flora or fauna, marine habitats or features of geological or geomorphologic interest.

**Nationally Significant Infrastructure Project** – Major infrastructure developments in England and Wales as defined in section 14 of the [Planning Act](#). In England and Wales, consents for Nationally Significant Infrastructure Projects, including the larger offshore renewable energy (> 100Megawatts) and port developments, need to be determined in accordance with the [Planning Act](#). However, where a relevant National Policy Statement has been published, Nationally Significant Infrastructure Project applications must be determined in accordance with the National Policy Statement, subject to certain exceptions, and having regard to the [Marine Policy Statement](#) and relevant marine plans. The determining authority is the relevant Secretary of State (for example, the Department for Energy and Climate Change in the case of offshore wind energy) on a recommendation supplied by the National Infrastructure Directorate within the Planning Inspectorate (to whom the Marine Management Organisation is a statutory consultee).

**Objectives** – Desired outcomes of the marine plans. Objectives form the link between the vision and the detailed strategy, including policies.

**Options** – In planning terms, this is the part of the planning process for considering different ways of achieving the objectives of a plan and addressing any significant issues.

**Precautionary Principle** – Where evidence is inconclusive, decision-makers should make reasonable efforts to fill evidence gaps but will also need to apply precaution within an overall risk-based approach, in accordance with the sustainable development policies of the United Kingdom Administrations. This means that if the risks from an activity are uncertain, preventative measures may be required if there is concern that human activities may harm human health, living resources and marine ecosystems or interfere with other legitimate uses of the sea, or have other social and economic impacts. This would need to be considered based on risk.

**Pressure** – The effects from any given activity over time in the marine area. Pressures can be physical, chemical or biological. The same pressure can be caused by a number of different activities, eg fishing using bottom gears and aggregate dredging both cause abrasion.

**Proponent** – Organisation or individual putting forward a 'proposal' (see below). Includes but is not restricted to 'applicant'.

**Proposals** – General term, usually for something new but could also be for a change that encompasses development and uses, subject to management by public authorities, eg fishing or certain recreation activity, together with management

measures. Proposals may relate to either type of decision specified in the [Marine Coastal Access Act](#) (see 'Decisions').

**Public authority** – This means a Minister of the Crown, a public office-holder or a public body ([Marine Coastal Access Act](#) S322 (1)). A 'public body' includes government departments, The Crown Estate, local authorities, local planning authorities, Inshore Fisheries Conservation Authorities and statutory undertakers. A 'public office holder' means a person holding an office under the Crown, an office created by an Act or devolved legislation, or an office paid for by Parliament. Public authorities are responsible for ensuring that relevant decisions (see 'Decisions') take appropriate account of the marine plans and plan policies.

**Renewable Energy Zone** – The Renewable Energy Zone was declared under section 84 of the [Energy Act](#) 2004. It extends up to a maximum of 200 nautical miles from the baseline (usually the low water mark but with exceptions such as straight baselines across the mouths of some bays). The United Kingdom has claimed exclusive rights in this area with respect to production of energy from water or wind.

**Seascape** – In the context of this document, reference to seascape should be taken as meaning landscapes with views of the coast or seas, and the adjacent marine environment with cultural, historical and archaeological links with each other.

**Seascape character** – In the marine environment seascape character relates to the perception of an area, and the combination of characteristics at the surface, within the water column and on the seabed.

**Signposting** – Highlights or points to existing plans, policies, measures or information, relevant to a specific plan policy or sector/topic, particularly if they are critical to addressing an issue identified in the planning process.

**Sustainability appraisal** – The purpose of the sustainability appraisal is to promote more sustainable development by checking and testing a plan, policy or programme for the quality and robustness of its environmental, social and economic content. Sustainability appraisal is iterative and must be closely linked with the plan making process.

**Sustainable development** – Development that meets the needs of the present, without compromising the ability of future generations to meet their own needs.

**Use** – Generally a purpose for which the marine area is used, for example fishing or recreation. Distinguished from 'development' (see above), which has a specific meaning in legislation and in marine management.

**Visual Resource** – Can be interpreted primarily as views of the coast and sea from land. Views from the sea to land, and sea to sea, are also relevant.