

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY
REGIONAL PLANNING COMMITTEE**

Date: 23 May 2007

Subject: **Policies for the Seas - Consultations at UK and EU Level**

Report of: Director of Planning
South East England Regional Assembly

Recommendations:

It is recommended that in its responses to Defra and the European Commission the Committee:

1. Supports that the seas have become the focus of attention of policy development at the EU and the UK level and that the need for marine spatial planning is recognised;
2. Seeks assurance that that EU and UK policies on the use and protection of the seas are consistent and complement sectoral policies, in particular concerning ports;
3. Proposes to Defra that the regional level for terrestrial planning could generally present the right timescale and geographical scale for individual Marine Plans facilitating the integration of a broad strategic framework with local needs of coastal areas;
4. Seeks assurance that a statutory right of consultation on the development of Marine Plan(s) bordering their coast is given to Regional Assemblies to ensure consistency between land and marine planning;
5. Stresses that major infrastructure improvements are necessary to support the needs of coastal communities and ports. Planning for these has to be carefully integrated into Marine Plans.

Purpose of Report:

- To provide an overview of the consultation on the UK Marine White Paper and the EU Maritime Green Paper.
- To recommend the Assembly's response.

Key Issues:

The marine environment is under increasing demand for development, to exploit resources, for recreation and nature conservation. Space is particularly in demand near to the coast, in shallow waters and in our estuaries. Technological developments and the demand for resources for an increasing variety of activities have led to further exploitation of the marine area, which has moved into deeper waters and more remote areas. Moreover, climate change will have significant impacts on the environment and human activities.

Both the UK Marine White Paper and the EU Maritime Green Paper advocate the need for a strategic approach and new decision-making tools to help manage marine activities and protecting the marine environment in an integrated way, overcoming reactive and sectoral management systems.

1. Background

- 1.1 The European Commission and Defra in the UK are currently consulting on documents preparing the formulation of tools related to a better management and protection of the seas.
- 1.2 The UK Marine White Paper 'A Sea Change - A Marine Bill White Paper' was published by Defra in March 2007 with the consultation lasting until 8 June 2007. On the basis of the White Paper the Government will prepare a Marine Bill to provide the required strategic legal framework to the protection and use of marine areas. Its introduction to Parliament will be dependent on the availability of Parliamentary time.
- 1.3 The EU Maritime Green Paper 'Towards a Future Maritime Policy for the Union: A European vision for the Oceans and Seas' was published by the European Commission in June 2006, and the consultation will end on 30 June 2007. It will inform the development of an Action Plan in 2008, which could include policy and legal measures.
- 1.4 As follows an overview of the content of the two consultation documents is given.

2. UK Marine White Paper

- 2.1 The White Paper proposes that the following measures will be provided for through a Marine Bill:
 - The introduction of a new system of marine planning to provide a strategic approach to the use of marine space and the interactions between its uses.

It should set out priorities, guidance and environmental standards for the development and protection of marine resources. A UK Marine Policy Statement is proposed to be developed within 2 years of the adoption of a Marine Act, and then within further 3 years a series of Marine Plans, applying to specific geographic areas and providing the spatial context. The Marine Plans will guide decisions on licence applications for activities such as minerals dredging, harbour developments, offshore renewables, and carbon capture/storage.

- The delivery of an integrated marine licensing system that is more efficient and transparent, leading to less risk, delay and cost to business. The Marine Plans will steer decisions on the granting of the licences.
- Additional tools for the conservation of marine ecosystems and biodiversity including new protected areas for important species and habitats.
- The modernisation of inshore fisheries management arrangements managing recreational sea angling more actively and strengthening fisheries enforcement powers.
- A Marine Management Organisation (MMO) to help effectively deliver the marine policies and will be guided by the Marine Policy Statement. It will deal with marine planning, licensing and enforcement. This new body will work for all relevant UK Government departments, acting as an expert and an impartial delivery agent.

3. EU Maritime Green Paper

3.1 The Green Paper aims to initiate a broad discussion on ways to establish an integrated Maritime Policy which will both deliver on growth / jobs and set high standards of protection for the marine environment. More specifically, the five concrete areas for discussion are:

- Retaining Europe's leadership in sustainable maritime development through innovation, clustering, research and the improvement of skills;
- Maximising the quality of life in coastal regions through integrated coastal zone management, the developing coastal tourism and ports, as well as adapting to coastal risks;
- Providing tools such as a spatial planning system for the sea, enhanced data monitoring and mapping and more effective financial support to manage the oceans;
- Enhance maritime governance across Member State boundaries;
- Reclaiming Europe's maritime heritage and identity.

4. Comments

4.1 There will be considerable benefits through improving the coordination of the use and protection of marine areas. In particular in the Eastern English Channel and the Thames Estuary there are increasing pressures from range of different activities, and these areas are forecast to experience the most significant impacts of climate change through increased storminess, tidal surges and sea level rise.

4.2 Consistency of Policies at EU and UK Level

4.2.1 There is the need for consistency with other spatial and sectoral policies.

4.2.2 In the UK a Draft Climate Change Bill has been published, and a Planning White Paper and an Energy White Paper are both expected to be published this summer. Moreover, there has been consultation on a National Ports Policy review. In our response we consider a strategic planning framework for port development is required. This needs to be integrated with other marine and coastal considerations.

4.2.3 From an environmental perspective, the Green Paper should complement:

- The draft Marine Strategy Directive aiming at a more effective protection of the marine environment across Europe,
- The draft Flood Directive requiring the preparation of flood risk management plans and maps,
- The Water Framework Directive (WFD), which addresses water quality standards for water bodies including the coast, and
- The Habitats Directive, providing protection and enhancement for biodiversity.

4.2.4 The UK White Paper goes much further in particular with regard to Marine Spatial Planning. We support the UK Government in taking a lead on this. Moreover, the White Paper pursues a more balanced and integrated approach between use and protection of the seas, whilst the Green Paper focuses on its economic potentials leaving environmental protection to the EU Marine Strategy.

4.3 Marine Spatial Planning

4.3.1 Recognising the fundamental differences between in the marine and the terrestrial environment, the marine planning system should still build on the strengths of the plan-led terrestrial system.

4.3.2 For the Regional Assemblies the introduction of a marine planning system with Marine Plans is of key importance due to the interrelationship with terrestrial and coastal planning.

The regional level for terrestrial planning could generally represent the appropriate geographical scale and timescale (20 years) for individual Marine Plans. It would be a suitable scale for the integration with River Basin Management Plans and Shoreline Management Plans. Moreover, Assemblies could contribute to the preparation of guidance to steer the work of the MMO, providing expertise on regional spatial planning, participation and environmental assessment processes.

- 4.3.3 The Assemblies' involvement in the development of the Marine Plans is crucial to ensure consistency between land and marine planning. Therefore, they should be given statutory rights of consultation on the development of Marine Plan(s) bordering their coast. Marine planning in the sea bordering the South East must be informed by South East Plan policies related to the coast, flood risk, water management, biodiversity, energy, climate change, minerals & waste, tourism, ports, regeneration and the coastal sub-regions.
- 4.3.4 Major infrastructure improvements are necessary to support the long-term needs of coastal communities, for example in terms of regeneration, tourism and flood risk management. Such strategic infrastructure needs with clear implications on coastal and marine areas should be reflected in the Marine Plans. This also applies to ports that are of strategic importance to shipping activities, as they require significant investment in access. And port planning and seaborne transport concepts such as the "Motorways of the Sea" (part of TEN-T) have to be integrated with marine / coastal planning to minimize conflicts.
- 4.3.5 We agree with the White Paper that in coastal areas with a complex structure of uses such as around estuaries or ports more detailed planning is required considering local knowledge and expertise. In many cases non-statutory arrangements exist, for example estuary management plans. We would expect to be involved in the suggested 'marine planning steering groups' for such areas to ensure that these detailed plans fit into the regional context.
- 4.3.6 Finally, it should be noted that the interrelationship between marine and terrestrial planning is not confined to the coast. The minerals policies in the South East Plan for example explicitly address marine minerals dredging in the East English Channel and the policies on renewable energy consider off-shore wind and other marine technologies. This demonstrates again that consistency between the two planning systems is required. Furthermore, activities could also have impacts beyond UK waters. Therefore, at the European level a harmonization of Marine Plans or a cross-border framework would be necessary.

5. Outlook

- 5.1 The South East of England is well placed to be at the forefront of marine spatial planning: The vulnerability to climate change impacts is nowhere in the UK greater. This requires innovative mitigation and adaptation measures. There is also a considerable pressure for the exploitation of natural resources (minerals, water, energy, and fish) and for development and infrastructure close to the coast.

The South East is a gateway to continental Europe and therefore a hub for shipping and tourism. Its economic prosperity, the emphasis on environmental technology and marine-related research institutions such as the Oceanography Centre at Southampton offer potentials in terms of exploring and supporting marine spatial planning. Areas like to Solent with its numerous uses would be ideal for piloting and testing potential ways forward.

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