



Marine Management Organisation

**South East
Inshore and Offshore
Marine Plan Areas**

**Consultation Draft
Statement of Public
Participation:
April 2016**



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This consultation draft has been produced to provide an opportunity for people, with an interest in the south east marine plan area, to input to the development of a Draft Statement of Public Participation that the Marine Management Organisation will recommend to the Secretary of State for approval to publish.

1. Introduction

Marine planning guides what happens in the marine area, making sure the right activities are carried out in the right place. It enables sustainable economic growth whilst protecting the environment and heritage, recognising the needs of all. It is important that all those with an interest can have their say in the south east marine planning process and contribute to shaping our seas and coast. The Marine Management Organisation (MMO) will involve people in preparing a marine plan for the south east marine plan areas.

We will be developing the marine plan for the south east simultaneously with those for the south west, north east and north west marine plan areas. Plan development will focus on all of the phases of the marine planning process, taking an approach that will enable us to share progress with stakeholders at an early stage, with outputs being available to review on an annual basis. By working on all four areas together it will allow us to develop a common approach to generic issues, that apply to all marine plan areas, allowing more time and resource to focus on the more localised issues and progress each of the plans at their own pace.

What is this document?

This document describes how and when we will engage with stakeholders and what we will do with the outcomes of your views and opinions. More information about the marine planning process and progress with plans in other areas around England is available from gov.uk/mmo.

The Statement of Public Participation (SPP) is required under the [Marine and Coastal Access Act 2009](#) which created a framework for the marine planning system. It is important that, as well as drawing on best practice and experience, we take account of stakeholders' views on how they want to be involved to ensure their participation at appropriate stages in the marine planning process.

Marine planning formally commences with the publication of the SPP. We are consulting informally on this draft SPP to secure stakeholder input to a final draft for submission to the Secretary of State for approval to publish under Schedule 6 of [Marine and Coastal Access Act 2009](#).

The [Marine and Coastal Access Act](#) (S51(1)) requires a marine plan for each marine plan area. A single SPP has been produced for the south east inshore area. This document will be referred to as the 'South East Marine Plan'.

We have established principles for marine planning engagement which we will follow throughout the marine planning process. These are based on how we believe we should work and how you have told us you would like us to work.

Our principles of engagement

We will:

- involve people early on in the marine planning process and in developing policy within the framework provided by the Marine Policy Statement
- engage with interested people and organisations at the appropriate time using effective engagement methods and allowing sufficient time for meaningful consultation
- be adaptable, recognising that different consultation methods work for different people and that a “one size fits all” approach will not work
- respect the diversity of people and their lifestyles and give people a fair chance to have their voice heard regardless of gender, age, race, abilities, sexual orientation, circumstances or where they live
- be clear in the purpose of any engagement and how you may contribute, and let people know how their views have been taken into account within agreed timescales
- make documents publicly available on our website (located at gov.uk/mmo) and across our network of coastal offices and be consistent in our approach
- communicate clearly with people using plain English and avoiding jargon and acronyms as much as possible

2. South east marine plan area

The south east marine area includes the inshore marine plan area only; there is no south east offshore marine plan area.

The south east inshore marine plan area covers an area of approximately 1,400 kilometres of coastline stretching from Felixstowe to near Dover, taking in over 3,900 square kilometres of sea. The inland extent to the inshore plan area includes the waters of every estuary, river or channel, so far as the tide flows at mean high water spring tide. The inshore area extends out to the 12 nautical mile boundary.

The area overlaps with 37 local authorities (including two unitary authorities) and three Areas of Outstanding Natural Beauty. The River Thames has a large influence on the south east inshore marine plan area. France and the east and south marine plan areas border the south east marine plan area.



A more detailed map can be found at gov.uk

3. Stages for producing marine plans

Marine planning for the south east will begin in spring 2016. Throughout the process, we will carry out ongoing engagement as the plan develops and will work closely with stakeholders and those interested in the south east marine plan areas. There are certain stages in developing the plan during which we are legally required to engage in a more structured and formal way, for example formal representations on the consultation draft plans. However, we think it is important to engage during other stages to ensure interested parties' views and knowledge are understood and inform the developing plan. The developing marine plan will also spend a proportion of time in government approval. Engagement will be staggered through three iterations which aim to provide government with earlier sight of the marine plan.

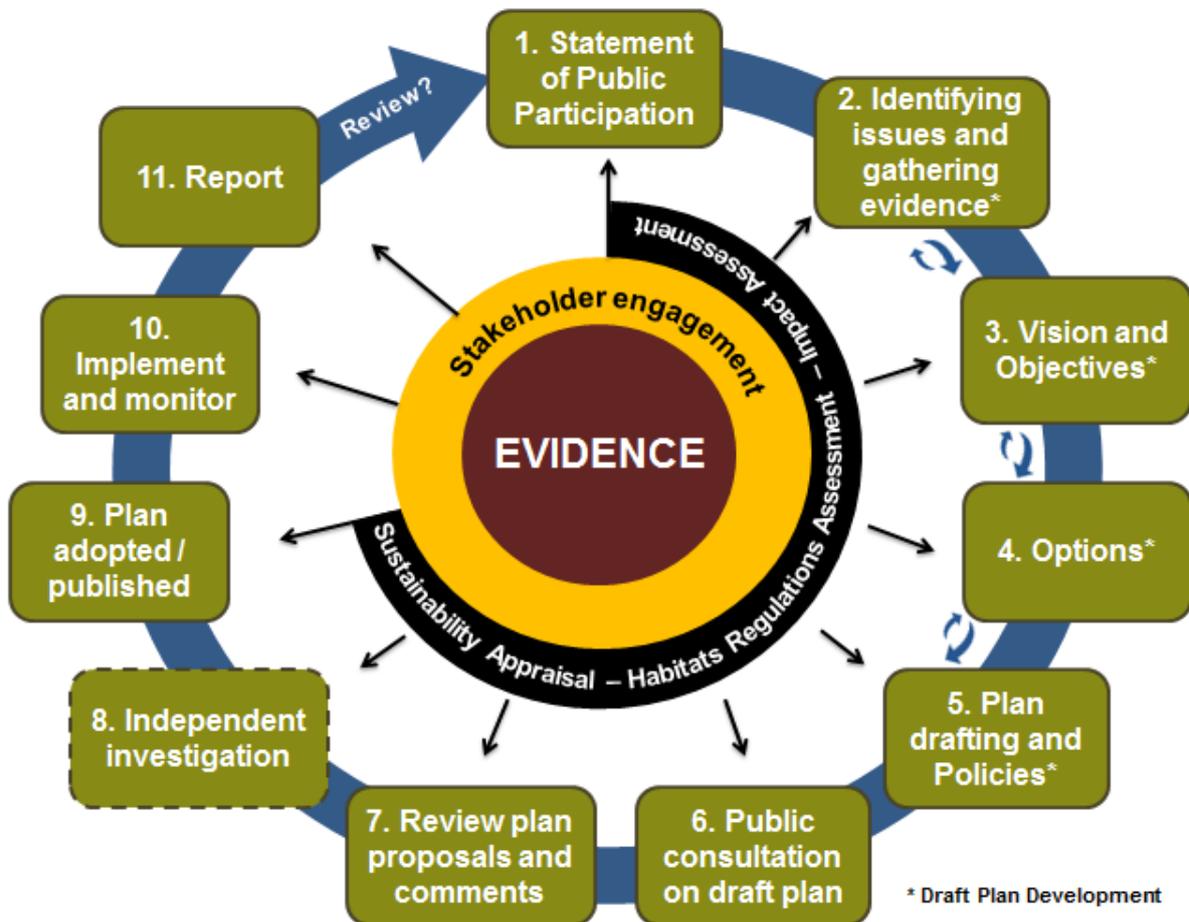


Figure 1: Stages and indicative process for producing marine plans in the south east marine plan areas. Stages 2 through 5 will progress through three “iterations”. The circular arrows between these stages represent feedback ‘loops’. Each iteration will end with an output on an annual basis that will be shared with stakeholders. The dotted line around stage 8 indicates that an Independent Investigation may not be required. We will maintain engagement with stakeholders throughout this approval period. Whether or not a plan is reviewed is dependent on the outputs of the report.

Stage 1 - Agree how and when interested people will be involved

We will identify who will be involved in the plan development process and when and how this will happen. The Secretary of State must approve the Statement of Public Participation (SPP).

Stage 2 - Initial preparation - identify issues and gather evidence

A marine plan must be built on a strong evidence base and a thorough understanding of the activities, issues and resources in a plan area. We will begin collecting and analysing area specific information, scientific data and evidence in consultation with stakeholders. We also will use our existing data and evidence on the English marine area, gathered from a number of sources. The majority of the evidence will be available through the [Marine Planning Evidence Base](#).

Stage 3 - Agree vision and objectives

The overall vision and related objectives are the starting point for the plan. We will work with stakeholders to develop and agree a vision and objectives.

Stage 4 - Develop options

At this stage we consider different ways of achieving the plan objectives and vision as well as any implications. As part of this we will identify options and work with stakeholders to determine which should be taken forward to the developing plan. Some elements of this process, such as the Sustainability Appraisal and Habitats Regulations Assessment are legally required as part of the marine planning process.

Stage 5 - Draft plan produced

Following the options stage, emerging plan policies are refined. We will produce a draft south east marine plan and, following engagement with key stakeholders and other government departments, present it to the Secretary of State (together with the sustainability appraisal and other required documentation) for approval for it to be published as a Consultation Draft.

Stage 6 and 7 - Consultation

We will publish the Consultation Draft plan for formal public comment. At the end of the consultation, we will analyse responses and produce a summary report of the consultation and changes made.

Stage 8 - Independent investigation (if required)

If substantial unresolved issues remain after the consultation process, the Secretary of State will consider whether an Independent Investigation is required. If so, the Secretary of State will appoint an independent person, likely to be the Planning Inspectorate, to investigate the unresolved issues. It would aim to complete its report within 6 months.

Stage 9 - Final plan adopted and published

We will review and amend the Consultation Draft plan as necessary in response to comments and the Independent Investigation report (if applicable). It will then be presented to the Secretary of State for approval and adoption and published on gov.uk once approved.

Stage 10 and 11 - Implement, monitor and report

The plans will be implemented by all relevant public authorities through taking account of the plans in making decisions affecting the plan areas. We must monitor and report on the effectiveness of the marine plan and related policies every three years with potential for review of the plan if required.

The Sustainability Appraisal, Habitat Regulations Assessment and Impact Assessment

The Sustainability Appraisal is an iterative process that considers the economic, social and environmental impacts of an emerging marine plan. The Habitat Regulations Assessment assesses the implication of a proposed marine plan on one or more European designated sites in view of the sites' conservation objectives. The Sustainability Appraisal and the Habitats Regulations Assessment are statutory requirements and this work is subject to full consultation, along with an Impact Assessment, throughout the marine planning process.

4. Who will we engage with

Marine plans are for anyone who has an interest in the marine plan areas¹. Marine plans are therefore potentially relevant to wide range of communities, marine users, applicants, authorities, agencies and third parties. We are committed to communicating and engaging with this range of interests as far as practically possible. The range of interests includes but is not necessarily restricted to:

- aggregate extraction
- aquaculture
- bordering nations
- cabling
- defence and national security
- ecology and biodiversity
- energy production and infrastructure development
- fisheries
- government departments
- historic environment
- local communities and elected members
- local and other public authorities
- marine aggregates
- marine conservation
- marine dredging and disposal
- non-governmental organisations
- ports and shipping
- seascape and landscape
- telecommunications and cabling
- tourism and recreation
- waste water treatment and disposal

As we develop the marine plan, we will continue to identify new stakeholders and interested individuals, taking into account their interests and views during the marine planning process.

¹ List derived from the [Marine Policy Statement](#), published by Defra in March 2011 and experience with previous planning processes in England.

There are certain groups and organisations which represent the interests of their sectors. They will be key contributors when engaging throughout the marine planning process. It is expected that these groups will play a significant role in marine planning, adding value to our work and contributing to the overall stakeholder engagement process. We will have regard to existing management and consultation arrangements within the marine plan areas. These include the following:

Bordering nations and administrations

We will work with the bordering east and south marine plan areas to develop a holistic approach to marine planning in the south east. We will also engage with neighbouring international administrations throughout the marine planning process to ensure that we take into account their relevant policies and emerging marine plans. Relevant authorities and stakeholders include France.

Coastal partnerships

Coastal partnerships aim to raise awareness of local and national issues, empower local stakeholders and seek to resolve the numerous conflicts that occur in coastal areas. These groups offer real benefits to the development and implementation of the marine planning process, not least a readily available, established and locally trusted means of engaging with local stakeholders. It is expected that they will play a significant role in marine planning, adding value to our work by contributing to the overall stakeholder engagement process. Coastal partnerships and fora in the plan areas can represent a wide range of interests and have a wide demographic and geographic coverage, therefore operating as a key channel for reaching many stakeholders.

Delivery partners

Delivery partners have an important role in the development and implementation of marine plans. Their involvement is essential in the sharing of data, knowledge and information which informs our evidence gathering process and the development of marine plan policies. These include:

- Centre for Environment, Fisheries and Aquaculture Science
- Historic England
- Harbour authorities²
- Inshore Fisheries and Conservation Authorities
- Joint Nature Conservation Committee
- Maritime and Coastguard Agency
- Natural England
- National Infrastructure Directorate of the Planning Inspectorate
- The Crown Estate
- The Environment Agency

General public, local communities and local interest groups

As part of the marine planning process, we will need to ensure the interests of local people, communities and interest groups are taken into account. We will support the

² For more information on these agencies, see [A Description of the marine planning system for England](#), published by Defra in March 2011.

empowerment of local communities through the marine planning process, together with local authorities.

Government departments

Government departments play an important role in the development of marine plans and they will be engaged throughout the marine planning process. A cross government programme Board has been established to provide advice and support to the MMO in the development of marine plans. The board has representatives from government departments with particular interest in the governance of MMO (listed below), as well as from The Crown Estate:

- Department for the Environment Food and Rural Affairs
- Department of Energy and Climate Change
- Department for Communities and Local Government
- Department for Transport

Aside from the Board, we will engage with these and other government departments during the marine planning process. Other departments include: Ministry of Defence; Department for Business, Innovation and Skills; Department for Culture, Media and Sport; and Department for Work and Pensions.

Industry representative groups

There are many industry groups which represent a number of sectors making use of marine resources such as fisheries, aggregates and renewable energy. These representative groups will have an important input into marine planning. It is essential to engage with these groups and the individuals they represent to obtain their views throughout the process, making best use of their knowledge and experience.

Local authorities and other public authorities

We will maintain an ongoing and open dialogue with the relevant authorities in the plan areas and beyond, consulting with them at each stage of the marine planning process and have due regard to the Localism Act and in particular, the duty to co-operate. We will engage with all authorities throughout marine planning process and ensure that we integrate marine plans with relevant plans within local development frameworks³, Areas of Outstanding Natural Beauty plans and other plans such as river basin management plans, shoreline management plans.

Local authorities can also act as a channel for communicating with local communities, representing their interests and offering opportunities for engagement, including newsletters and community events.

Elected Members will also play an important part in the marine planning process, representing the interests of their local communities.

Non-governmental organisations

³ Including each Local Authority Statement of Community Involvement and Sustainable Community Strategies.

The third sector, including non-governmental organisations (NGOs), will play an important role in the marine planning process. These NGOs such as Wildlife and Countryside Link, Royal Society of the Protection of Birds, WWF-UK and many others, have a great deal of experience in land use and coastal planning and of marine ecosystems. These organisations can represent a wide range of interests of groups and individuals and are therefore important to engagement throughout the process.

As we progress through the marine planning process, we will continually identify new stakeholders and interested individuals taking into account their interests and views during the planning process. If you or your organisation would like to get involved, please [contact us](#) to be added to our distribution list.

5. How and when we will be engaging with stakeholders

Throughout the marine planning process we will keep stakeholders informed of developments requiring their input. Details of the marine planning process will be communicated to ensure stakeholders are engaged at each stage in the process. We will use a range of methods from the list below to engage and communicate with stakeholders at and during each stage.

- workshops
- drop-ins
- targeted meetings and events
- web updates via gov.uk/mmo
- [marine information system](#)
- one-to-one meetings
- exhibitions and drop-in sessions
- attendance at stakeholder meetings
- questionnaires
- newsletters
- stakeholder groups (set out in section 5)
- social media such as Facebook and Twitter

Table 1 sets out the schedule for engagement in the south east. It outlines the methods for each stage of the marine planning process. We will consider the differing opinions of stakeholders and stakeholder groups and that some methods of engagement may not be appropriate for all. The marine planning process will be inclusive using a mix of communication channels to support and encourage stakeholder participation.

Table 1: Indicative timing of stages and activities in the marine planning process and stakeholder engagement

Planning stage / activity and stakeholder engagement	What we will be engaging about	Estimated timing
Iteration 1		
South East launch events	<ul style="list-style-type: none"> introduction to marine planning communicate informal engagement opportunity to provide input to Draft Statement of Public Participation 	w/c 11 April 2016
Consultation Draft Statement of Public Participation	<ul style="list-style-type: none"> engagement with stakeholders to seek input to the draft SPP provide details of who we engage with, when we engage and how we engage during the marine planning process the Consultation Draft SPP will be available online with hard copies available on request 	11 April – 13 May 2016
Gathering issues and evidence	<ul style="list-style-type: none"> stakeholders to input on plan areas' evidence base stakeholders to input into plan areas' issues identification sustainability Appraisal (SA) Stage A – Consultation with designated Strategic Environmental Assessment (SEA) consultation bodies and other relevant stakeholders on the scope of the SA 	Summer/ Autumn 2016
Engagement on Iteration 1 outputs	<ul style="list-style-type: none"> engagement with stakeholders to seek views on Iteration 1 output 	By April 2017
Iteration 2		
Mid-point engagement	<ul style="list-style-type: none"> stakeholders engaged to help shape the developing marine plan 	Summer 2017
Engagement on Iteration 2 outputs	<ul style="list-style-type: none"> engagement with stakeholders to seek views on Iteration 2 output 	By April 2018
Iteration 3		
Mid-point engagement	<ul style="list-style-type: none"> stakeholders engaged to help shape the plans 	Summer 2018
Engagement on Iteration 3 outputs	<ul style="list-style-type: none"> engagement with stakeholders to seek views on Iteration 3 output 	By April 2019

Planning stage / activity and stakeholder engagement	What we will be engaging about	Estimated timing
Consultation Draft Plan		
Public consultation on draft plan and associated documents	<ul style="list-style-type: none"> invitation to stakeholders and general public to make representations as to the proposals included in the Consultation Draft SE Marine Plan and associated documents (including the Sustainability Appraisal, Habitats Regulations Assessment and Impact Assessment) representations on the consultation documents must be made in writing (online, by email or letter) within the stipulated 10 week period 	Summer 2019
Review plan proposals	<ul style="list-style-type: none"> engagement with stakeholders to clarify responses to the public consultation (where necessary) recording main changes to the Consultation Draft SE Marine Plan 	Winter 2019
Independent Investigation (if required)	<ul style="list-style-type: none"> engagement to be determined but will be set out in appropriate documents separate from the SPP a guidance note setting out the process for Independent Investigation has been produced by the Planning Inspectorate and Defra. It is available from the Planning Inspectorate website 	
Adoption and publication of the marine plans (and supporting documents) ⁴	<ul style="list-style-type: none"> stakeholders will be alerted to the adoption and publication of the marine plans (and supporting documents) 	
Monitoring plan (ongoing process after adoption)	<ul style="list-style-type: none"> although the legislation focusses the SPP on marine plan development and adoption⁵ this stage is included here for completeness to match Figure 1 will be set out in documents separate to the SPP including the relevant Implementation and Monitoring Plan or associated documents 	From date of plans' adoption onwards

⁴ The Secretary of State decides to adopt the Marine Plans and they are developed in collaboration with the marine planning programme board.

⁵ [Marine and Coastal Access Act 2009](#) (S6, 4 to 6)

Making representations on the draft marine plan documents

At the end of each iteration we will make outputs available to review on our website and invite stakeholders to comment.⁶ When we are consulting or seeking representations on marine plan iterations, we will clearly set out how long you have to make your views known and how best to do so. Comments at each of these iterations must be made through the web-based consultation, in writing via email or letter.

Public consultation will take place for up to 12 weeks using a web-based consultation and will be publicised by email, gov.uk and social media. To ensure all consultations are inclusive any materials and supporting documents will be available in other formats on request.

Any representations made on the Consultation Draft South East Marine Plan may be included as part of the Independent Investigation and used as evidence. More information on the process of [Independent Investigation](#) is available on the Planning Inspectorate website.

6. Your views and comments

Whenever we carry out stakeholder engagement on the marine planning process or the draft South East Marine Plan, we will provide general feedback on the views and representations made. This is understood to be fundamental to the success of plan development, in addition to our duty to maintain transparency throughout the marine planning process.

Feedback will be communicated to stakeholders through a variety of methods, including gov.uk and newsletters. We will also produce a summary of consultation activities/responses where appropriate.

All stakeholder feedback will be considered and integrated into the development of the South East Marine Plan. Factors such as legal constraints and the need to operate within national government policies will also be recognised.

We will ensure we are clear with stakeholders as to developments during the marine planning process, including changes to the developing plan. This includes showing where stakeholder input has shaped the marine plan, and acknowledgment where the need to balance the wide ranging of views and overriding factors and constraints have restricted changes to the marine plan. It is a requirement of the [Marine and Coastal Access Act 2009](#) that we publish a summary of the differences between the draft marine plan which is subject to public consultation and the final adopted marine plan including a statement of the reasons for any changes⁷.

We note that stakeholder feedback may not always result in an alteration to the marine plan (for the reasons outlined above). All parties should understand that any

⁶ There may be no draft text available during the very early stages of the plan as the focus will be on collection and collation of information and evidence.

⁷ [Marine and Coastal Access Act 2009](#) (S6.11(2))

marine plan is unlikely to satisfy everyone and some degree of compromise may be required.

Review and revision to the Statement of Public Participation

The marine planning process is not a static process and is dynamic and evolving in nature. As we move through the process, it is possible that changes may be made to the Statement of Public Participation to reflect the views of stakeholders and to ensure their full participation in achieving the overall aims of marine planning. Any significant revisions to the Statement of Public Participation would need to be approved by the Secretary of State and will be publicised to stakeholders.

7. Glossary of terms

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

Development – Built infrastructure and ‘activities’ as defined in [Marine and Coastal Access Act](#) (S66) and other legislation, for example oil and gas activities (under [Petroleum Act](#) 1998) and carbon dioxide storage (under [Energy Act](#) 2008). This includes nationally significant infrastructure projects under the [Planning Act](#) (S29). The definition is similar to that in the [Town and Country Planning Act](#) (1990) (S55) 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’. It includes, 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), and activities such as aggregate extraction and maintenance dredging.

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

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 we have assessed comments received, resolved any issues where possible and identified any issues that remain unresolved, we 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 and Coastal Access Act 2009](#)), whether or not to initiate. If an Independent Investigation is initiated by the Secretary of State, we 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.

Local planning authority (or local 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 and Coastal Access Act 2009](#) for the purposes of conserving marine flora or fauna, marine habitats or features of geological or geomorphologic interest.

Nautical mile - A nautical mile is a unit of distance used in marine navigation and marine forecasts.

Objectives – A more detailed statement of desired outcomes or observable behavioural changes that the marine plan is seeking to achieve. Objectives represent achievement of a goal or vision, identifying specifically where a marine plan is able to bring benefit in terms of initiating or complementing responses to core issues. They are, as far as possible, specific, measurable, achievable, relevant and time bound (SMART). Objectives can include targets, such as interim steps to achieving the outcome and goal. They provide a framework within which policies are to be set out.

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.

Plan policies – Support the delivery of the marine plan objectives and addresses the issues outlined for the sustainable development of the plan area. By following the above approach there is a greater focus on the added value of marine plans, with more refined objectives, paving the way for further specificity in plan policies. When developing SMART plan policies, consideration can be given to a number of different factors such as becoming more local, spatial or prescriptive.

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 and Coastal Access Act 2009](#) (see ‘Decisions’).

Public authority – This means a Minister of the Crown, a public office-holder or a public body ([Marine and Coastal Access Act 2009](#) 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.

Stakeholders – for the purpose of marine planning stakeholders are defined as “people, groups, individuals, and businesses with an interest in the marine area”.

Strategic environmental assessment (SEA) – A strategic environmental assessment is a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European SEA directive (2001/42/EC) requires a formal environmental assessment of certain plans and programmes, including those in the field of marine planning.

Sustainability appraisal – Sustainability appraisal incorporates the requirements of the [Environmental Assessment of Plans and Programmes Regulations 2004](#) (commonly referred to as the ‘Strategic Environmental Assessment Regulations’), which implement the requirements of the [European Directive 2001/42/EC](#) (the ‘Strategic Environmental Assessment Directive’) on the assessment of the effects of certain plans and programmes on the environment. Sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.

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

Vision – Includes a short statement of the overall aim for the marine plan area (based on a 20 year time horizon). It also includes a description of what will characterise the marine plan area in 20 years’ time. It should be noted that this is a vision for the marine plan area and there will be numerous other drivers which contribute to its successful delivery.

8. Getting involved

If you would like to get involved in marine planning and would like to be added to our contacts database, follow our twitter account or receive our blog, please get in touch with the Marine Planning Team:

Email: planning@marinemanagement.org.uk Phone: 0208 0265 325

By post: Marine Planning Team
Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle Business Park
NE4 7YH

or contact your local Marine Officer:
Pete Cosgrove – London Office
Tel: 0208 0267 865