

# South East

## Economy

### Policy groupings:

- Aggregates
- Aquaculture
- Cables
- Carbon Capture and Storage
- Co-existence
- Dredging and Disposal
- Oil and Gas
- Ports and Shipping
- Renewables
- Wind

### HLMOs addressed by policies:

#### ***Achieving a sustainable marine economy***

- Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
- The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
- Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating efficiently.
- Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.

#### ***Promoting good governance***

- All those having a stake in the marine environment have an input into associated decision-making
- The use of the marine environment is spatially planned where appropriate and based on an ecosystems approach which takes account of climate change and recognises the protection and management needs of marine cultural heritage according to its significance

*See also individual policies linked in templates. This is summarised on the cover page of each group of policies*

Plan area	South East		
Grouping	Aggregates		
Related High Level Marine Objectives (HLMO).	<b>Achieving a Sustainable Marine Economy</b> The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.		
Other relevant policies	SE-DD-1 SE-DD-2 SE-DD-3 SE-DD-4		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>

## Policy drafting template SE-AGG-1

<b>HLMO</b>	Achieving a Sustainable Marine Economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Marine Aggregates	<b>Code</b>	SE-AGG-1

### Policy

**SE-AGG-1** Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the other development or activity is compatible with aggregate extraction

### What are marine aggregate extraction activities?

1. Marine aggregates are sand and gravel removed from the seabed. Marine aggregate extraction can only take place 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.
2. The [National Planning Policy Framework](#) states that 'It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Further, The [Marine Policy Statement](#) section 3.5.1 highlights that England has some of the best marine aggregate resources in the world.

### Where are licenced areas for marine aggregate extraction activities in the south east marine plan area?

3. There is currently one licensed marine aggregate extraction area within the south east marine plan area, area 521, commonly known as Goodwin Sands. This area will be used for marine sand extraction for the Dover Western Docks Revival Project. Area 512 is currently licensed for the extraction of 3 million tonnes of aggregate, up until 31 December 2022.
4. New marine aggregate leasing rounds are usually run by the Crown Estate every two years, which means the spatial extent of this policy may change. The most up to date information on licensed aggregate extraction areas can be found on the [Marine Information System](#).

### When do marine aggregate extraction activities take place in the south east marine plan area?

5. Aggregate extraction may occur year-round, but is often constrained to outside of sensitive migration periods for fish. This period is species dependant, but sometimes falls during the summer months. The south east marine plan area is home to

important spawning grounds for thornback ray, which spawn between March and September.

### **Why is marine aggregate extraction important to the south east marine plan area?**

6. Marine aggregate extraction are important for ensuring a supply of sand and gravel to the English and wider European construction industry. Over 20 million tonnes is extracted annually In England, and nearly 20% of aggregates currently used for construction is marine aggregate<sup>1</sup>. Demand is predominantly for use in construction projects, supporting associated benefits such as investment and jobs, and contributing to the economy both in the UK and in Europe. In the south east marine plan area London has a continuing need for aggregate material to support growth, as set out in the [London Plan](#) policy SI10.

### **Who is this of interest to?**

- Ports and harbour authorities
- Terrestrial planning authorities
- Marine Management Organisation licensing
- Developers
- Recreational users of the marine area

### **How should this policy be applied?**

7. Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the other development or activity is compatible with aggregate extraction.
8. Proposals should demonstrate that they have given due consideration to existing aggregate licence areas and that they have consulted all relevant stakeholders, by considering the figures below and the most up to date information on the [Marine Information System](#). Stakeholders may include aggregate extraction businesses and the relevant land owner, often the Crown Estate.
9. Figure XXX outlines current licensed aggregate extraction areas in the south east marine plan area.
10. Figure XXX should not be considered in isolation and any interpretation is subject to review with neighbouring jurisdictions to ensure all aggregates extraction areas are considered.
11. Please visit the [Marine Information System](#) for up to date versions of these maps.
12. Public authorities will take account of a range of relevant considerations including compliance with legislation, regulations and environmental assessment.

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<sup>1</sup> [https://www.thecrownestate.co.uk/media/2483/marineplusaggregates\\_2017\\_web.pdf](https://www.thecrownestate.co.uk/media/2483/marineplusaggregates_2017_web.pdf)

## **Signposting**

13. Further information and guidance that may help in implementing the policy include:
- SE-AGG-2
  - SE-AGG-3

Iteration 3 draft

## Policy drafting template SE-AGG-2

<b>HLMO</b>	Achieving a Sustainable Marine Economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Marine Aggregates	<b>Code</b>	SE-AGG-2

### Policy

#### SE-AGG-2

Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction.

### What are marine aggregate exploration and option agreements?

1. An aggregates 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'. Aggregate exploration occurs within a defined search area which is larger than the area of the final production agreement.
2. Following acceptance of a tender area, The Crown Estate, alongside the issuing of a prospecting and exploration licence, will also issue an Option Agreement. The Option Agreement provides exclusive rights to develop a production licence. The Option Agreement is for an initial period of 5 years from the date of the tender, and can be extended for a further 5 years if the application process has been delayed.

### Where are aggregate areas subject to exploration and options agreement in the south east marine plan area?

3. In the south east marine plan area there is currently one area subject to an exploration or option agreement, area 528/2. This area crosses the boundary of the south east and the east inshore marine plan areas.
4. Aggregate option and exploration areas change when a new round of leasing is undertaken by the [Crown Estate](#), and as exploration rights are surrendered to make way for production agreements. Up to date figures of aggregates exploration and options agreement areas can be found on the [marine information system](#).

### When do marine aggregate exploration activities take place in the south east marine plan area?

5. Aggregate exploration may occur year-round, but is often constrained to the better weather of the summer months. Increased activity is likely in the exploration and options areas following each round of leasing, as new areas are announced.

## **Why is marine aggregate exploration important to the south east marine plan area?**

6. It is important that exploration areas have a level of protection, to ensure sure that the smaller (in area) production agreements can be implemented and aggregate extraction can continue.
7. Marine aggregate extraction are important for ensuring a supply of sand and gravel to the English and wider European construction industry. Over 20 million tonnes is extracted annually In England, and nearly 20% of aggregates currently used for construction is marine aggregate<sup>1</sup>. Demand is predominantly for use in construction projects, supporting associated benefits such as investment and jobs, and contributing to the economy both in the UK and in Europe. In the south east marine plan area London has a continuing need for aggregate material to support growth, as set out in the [London Plan](#) policy SI10.

## **Who is this of interest to?**

- Ports and harbour authorities
- Terrestrial planning authorities
- Marine Management Organisation licensing
- Developers
- Recreational users of the marine area

## **How should this policy be applied?**

8. Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction.
9. Some examples of activities which are unlikely to be compatible with aggregates extraction are:
  - Other dredging activities
  - Energy extraction
  - Cable placement
  - Certain types of fishing (bottom trawling and netting)
10. Proposals should demonstrate that they have given due consideration to areas subject to exploration and option agreements, and that they have consulted all relevant stakeholders. This may include aggregate extraction businesses and the relevant land owner, the Crown Estate.
11. Once an operator's exploration or options rights are relinquished for any reason (such as the transfer of an area to a production agreement or finding the area unsuitable for aggregates extraction) they will fall outside of the scope of this policy.
12. Figure XXX outlines current explorations and option agreement areas in the south east marine plan area.

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<sup>1</sup> [https://www.thecrownestate.co.uk/media/2483/marineplusaggregates\\_2017\\_web.pdf](https://www.thecrownestate.co.uk/media/2483/marineplusaggregates_2017_web.pdf)

13. Figure XXX should not be considered in isolation and any interpretation is subject to review with neighbouring jurisdictions to ensure all areas are considered.

14. Please visit the [Marine Information System](#) for up to date versions of these maps.

15. Public authorities will take account of a range of relevant considerations including compliance with legislation, regulations and environmental assessment.

### **Signposting**

16. Further information and guidance that may help in implementing the policy include:

- SE-AGG-1
- SE-AGG-3

Iteration 3 draft

## Policy drafting template SE-AGG-3

<b>HLMO</b>	Achieving a Sustainable Marine Economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Marine Aggregates	<b>Code</b>	SE-AGG-3

### Policy

#### SE-AGG-3

Proposals in areas where high potential aggregate resource occurs should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on aggregate extraction, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

#### What are areas of high potential aggregate resource?

1. Areas of high potential aggregate resource describes spatial areas where there is a high potential for aggregate resource, which can be used to guide future decisions on aggregate extraction, exploration and optioning.
2. Areas of high potential aggregate resource were developed by the British Geological Survey, in conjunction with the Crown Estate. Areas of high potential aggregate resource were identified by spatially modelling a mix of existing geological evidence, sea bed and core samples taken by the British Geological Survey, bathymetry and geophysical information<sup>1</sup>.

#### Where are high potential aggregate resource areas in the south east marine plan area?

3. The areas defined as high potential aggregate resource are based on mapping undertaken by British Geological Survey on behalf of The Crown Estate and identify the locations with the greatest potential for aggregate resource. These are shown in figure XXX and on the [Marine Information System](#).

#### When do marine aggregate extraction activities take place in the south east marine plan area?

4. Aggregate extraction may occur year-round, but is often constrained to outside of sensitive migration periods for fish. This period is species dependant, but often falls during the summer months. The south east marine plan area is home to important spawning grounds for thornback ray, which spawn between March and September.

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<sup>1</sup> <http://www.marineaggregates.info/images/publications/SandAndGravelResourcesOfTheUKCS-EnglishChannelAndThamesEstuaryReport.pdf>

## **Why are areas of high potential aggregate resource important to the south east marine plan area?**

5. It is important that future potential areas of extraction have a level of protection, to ensure the continued availability of marine aggregates for construction.
6. Marine aggregate extraction are important for ensuring a supply of sand and gravel to the English and wider European construction industry. Over 20 million tonnes is extracted annually In England, and nearly 20% of aggregates currently used for construction is marine aggregate<sup>2</sup>. Demand is predominantly for use in construction projects, supporting associated benefits such as investment and jobs, and contributing to the economy both in the UK and in Europe. In the south east marine plan area London has a continuing need for aggregate material to support growth, as set out in the [London Plan](#) policy SI10.

## **Who is this of interest to?**

- Ports and harbour authorities
- Terrestrial planning authorities
- Marine Management Organisation licensing
- Developers
- Recreational users of the marine area

## **How should this policy be applied?**

7. Proposals in areas where high potential aggregate resource occurs should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on aggregate extraction, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.
8. Proposals should demonstrate that they have given due consideration to areas of high potential for aggregate resource, and that they have consulted all relevant stakeholders. This may include aggregate extraction businesses and the relevant land owner, the Crown Estate.
9. Figure XXX outlines high potential aggregate resource areas in the south east marine plan area.
10. Please visit the Marine Information System for up to date versions of these maps.
11. Public authorities will take account of a range of relevant considerations including compliance with legislation, regulations and environmental assessment.

## **Signposting**

12. Further information and guidance that may help in implementing the policy include:
  - SE-AGG-1
  - SE-AGG-2

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<sup>2</sup> [https://www.thecrownestate.co.uk/media/2483/marineplusaggregates\\_2017\\_web.pdf](https://www.thecrownestate.co.uk/media/2483/marineplusaggregates_2017_web.pdf)

Plan area	South East		
Grouping	Aquaculture		
Related High Level Marine Objectives (HLMO).	<b>Achieving a sustainable marine economy</b> Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.		
Other relevant policies	SE-DIST-1 SE-UWN-2 SE-FISH-1 SE-FISH-2 SE-FISH-3 SE-FISH-4 SE-FISH-6 SE-EMP-2 SE-EMP-3 SE-EMP-4		
Are these policies consistent across other plan areas?	<b>NW</b> ✓	<b>NE</b> ✓	<b>SW</b> ✓

## Policy drafting template SE-AQ-1

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.
<b>Grouping</b>	Aquaculture	<b>Code</b>	SE-AQ-1

### Policy

#### SE-AQ-1

Proposals in existing or within potential sustainable aquaculture production areas must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference:

- a) avoid,
- b) minimise,
- c) mitigate significant adverse impacts on sustainable aquaculture,
- d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

#### What is aquaculture?

1. Aquaculture refers to the controlled rearing of aquatic shellfish and finfish, the cultivation of aquatic plants and algae and the restocking of wild populations, for example using lobster hatcheries where individuals are grown from eggs and released into the marine environment. Aquaculture can take place in both the inshore and offshore marine environment.
2. Sustainable aquaculture should not disrupt ecosystems, cause pollution or impact biodiversity, while reducing dependence on wild stocks (environmentally sustainable). Aquaculture businesses should be viable with good long-term prospects that help meet increased customer demand (economically sustainable) and should be socially responsible and positively impact on surrounding communities through the creation of jobs and businesses (socially sustainable).

#### Where is aquaculture in the south east marine plan area?

3. The existing aquaculture industry across England is based predominantly in the inshore marine areas. The (MMO 2016) [MMO Sustainability appraisal scoping report](#) records 38.2% of the south east marine plan area being used for shellfish production (including both cultivation and harvesting), the highest percentage across all marine areas. There are important shellfish beds in the plan area, with oysters being particularly prevalent: On the Swale, Greater Thames Estuary and North Kent Coast (in particular Whitstable) (native oyster, Pacific oyster and Manila clam); Colne to Blackwater (blue mussel, Pacific oyster, Manila clam, native oyster); and Walton backwaters (Manila clam, native oyster and Pacific oyster) (Seafish (2016) [The Seafish Guide to Who's Who in UK Aquaculture](#)).

#### When does aquaculture take place in south east marine plan area?

4. Aquaculture takes place all year round at sites in the south east. Breeding and growing seasons are influenced by temperature, resulting in seasonal variations in production and harvest which occur primarily in warmer summer months, though production does occur throughout the year. Harvesting may be happening at particular seasons, influenced by the market for shellfish which may be greater at certain times of the year due to market requirements.
5. Warmer waters in southern England can provide longer growing seasons for shellfish such as scallops (up to nine months). More specialist collection of shellfish seed can be used to balance out seasonal variations and ensure more constant production (Seafish (2016) [SR694 Aquaculture in England, Wales and Northern Ireland](#)).
6. Seaweed has two primary growing seasons. Though there are many variations in these according to species. Red and green seaweed grow in the spring and summer, and brown in the winter. All seaweed will require seeding prior to growing months and harvesting afterwards. Harvesting should take account of key growing seasons.

#### **Why is aquaculture important to the south east marine plan area?**

7. Aquaculture is an important industry in the UK; valued at £28.9 million in 2014 (Seafish (2016) [The Seafish Guide to Who's Who in UK Aquaculture](#)). Over 50% of pacific oysters and 75% of native oysters were produced in the south east in 2015 (MMO (2018) [South East Inshore Marine Plan Area Sustainability Appraisal Options Assessment Report](#)), and there is potential for growth in shellfish aquaculture over the next two decades (MMO (2017) [Futures analysis for the North East, North West, South East and South West marine plan areas](#)). As a rapidly growing marine activity, aquaculture is a key area for development due to its potential to contribute to the sustainability and security of the UK's food supply, 80% of which is imported from sources, many of which are not robust in the long term and subject to global demand and competition (Defra (2012) [Planning for sustainable growth in the English Aquaculture Industry](#)). Aquaculture also supports diversification of the fishing sector, see SE-AQ-2.
8. The integration of aquaculture with other coastal activities can extend the benefits of the sector to the wider community and across other marine activities (MMO (2013) [Social impacts of fisheries, aquaculture, recreation, tourism and marine protected areas \(MPAs\) in marine plan areas in England](#)). Wider demands of aquaculture can include infrastructure investment (SE-AQ-2) and the utilisation of local resources and skills such boat building, providing support and stability to coastal communities in the wake of aging and emigrating populations (MMO (2016) [Evidence Supporting the Use of Environmental Remediation to Improve Water Quality in the south marine plan areas](#)).
9. Aquaculture is a means to increasing or maintaining employment levels in the south east and realising the associated social benefits; particularly important in coastal peripheral towns or ports with high levels of unemployment, or for communities where the employment base is transitioning from traditional occupations and is vulnerable to economic fluctuations. In the 1980s, fishermen used expertise gained seasonally to transition fully into aquaculture in the face of quota-related uncertainty (MMO (2013) [Social impacts of fisheries, aquaculture, recreation, tourism and marine protected areas \(MPAs\) in marine plan areas in England](#)). The establishment

of agencies supporting aquaculture, protecting the surrounding environment and monitoring the quality of output can also lead to the creation of jobs.

10. Aquaculture is based on renewable resources and is a means to conserve and recover marine biodiversity through restocking species. Restocked species can support recreational angling and assist the recovery of habitats in the south east. Efforts by local initiatives in collaboration with fishermen and conservation groups and statutory bodies have seen the reintroduction of tens of thousands of native oysters in Essex estuaries. Native oysters, the populations of which were estimated to have been reduced in the south east by more than 95% (due to over-harvesting, disease, pollution, competition from invasive species and predation), are important as they filter water and stabilise shorelines by providing structured habitats for other fauna in the form of successive generations of oysters. The re-establishment of sustainable oyster populations will also benefit fishermen who have previously relied on oysters for income, particularly in areas where fishing bans have been introduced. For example in Poole Harbour, farmed Manila clams which spread from their culture site were allowed to be harvested went on to benefit local fishermen as they commanded high market prices.
11. Aquaculture relies on good water quality and the control of pollution. Poor water quality can lead to reduced growth and an increased risk of disease to farmed species and human consumers. All of the waters in the south east plan areas are of good chemical status, though ecological status varies from good to moderate, and of the large numbers of designated shellfish waters, most are failing to achieve assessment standards (MMO (2016) [Sustainability appraisal scoping report](#)). With high water quality status minimal processing of harvested shellfish is required due to a need to meet safety standards of clean aquaculture production. Processed shellfish are also unable to command as high a market price. The main shellfish species cultured in the south east plan areas are filter feeders and can actually improve water quality through natural cleaning functions.
12. SE-AQ-1 supports the continuation of existing production by focussing on maintaining space for the industry, ensuring other activities demonstrate consideration of and compatibility with aquaculture.

#### **Who is this of interest to?**

13. Public Authorities such as
  - Marine Management Organisation
  - Natural England
  - local planning authorities
  - Southern Water
  - Thames Water
  - Anglian Water
  - Centre for Environment, Fisheries and Aquaculture Science
  - Inshore Fisheries and Conservation Authorities
  - The Crown Estate
  - The Environment Agency
  - Seafish
  - local recreational groups
  - Shellfish Association of Great Britain

### **How should this policy be applied?**

14. Proposals within current and potential aquaculture production areas must demonstrate they have considered potential significant adverse impacts on:
  - water quality within the site where common adverse impacts could include pollutant release or increases in turbidity,
  - the culture species and its immediate environment - more information on culture species can be found in species profiles,
  - the wider water column – for example could pollutants or invasive species released by your proposal flow towards an aquaculture site?
15. Applicants can view areas of current and future potential sustainable aquaculture within the south east marine plan area by viewing aquaculture models and relevant layers in [Marine Information System](#).
16. Relevant organisations it may be beneficial to consult to determine whether there are aquaculture developments (or proposals), and the potential impacts of the proposal include:
  - the Centre for Environment, Fisheries and Aquaculture Science, who can advise on water quality and wider species requirements in relation to aquaculture,
  - Inshore Fisheries and Conservation Authorities if your proposal is within 0-6nm as they will be aware of aquaculture operations here,
  - The Crown Estate for land use consents or if a proposal is outside 6nm as they will be aware of any aquaculture lease proposals here,
  - Natural England who are responsible for management agreements in SSSIs for activities that are likely to damage the protected features,
  - Fish Health Inspectorate – to ensure that aquaculture production businesses are compliant with European and national aquatic animal health legislation.
17. Engagement should be as early as possible in the planning process, and evidence should be provided within the proposal. Early engagement will improve compatibility and may increase support for proposals.
18. Proposals should demonstrate that they will, in order of preference, minimise or mitigate significant adverse impacts on areas of potential sustainable aquaculture production. Proposals cannot proceed to (c) unless they have first demonstrated why they cannot meet (a) or (b) etc. Adverse impacts on potential aquaculture can be avoided by considering the location of any development. Examples of how adverse impacts can be minimised or mitigated include: change in location, and provision of space within the proposal area for aquaculture production. Where it is not possible to mitigate significant adverse impacts proposals must state the case for proceeding, including how the proposal supports the South East Marine Plan vision, objectives and policies. Inclusion of this information does not indicate that approval of the proposal will follow by default. That will also depend on other material considerations to be taken into account by the decision-maker.
19. Decision-makers will apply this policy when determining planning permission for proposals in areas of potential aquaculture production. Areas of current and future potential aquaculture must be considered. Given the uncertainty on the exact location of future aquaculture developments, the policy makes allowance for the possibility of other, competing developments to proceed under particular circumstances.

20. Decision-makers should assess the potential impacts that proposals may have on areas of potential aquaculture production, and measures taken into account to promote coexistence and compatibility. The potential importance and relative contributions of areas of aquaculture potential should also be considered. Public authorities should take into account evidence of consultation with relevant organisations concerning existing aquaculture businesses and areas of potential future sustainable aquaculture.

### **Signposting**

21. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [Marine Policy Statement](#)
- [Aquatic Animal Health \(England and Wales\) Regulations 2009](#)
- [Alien and Locally Absent Species in Aquaculture \(England and Wales\) Regulations 2011](#)
- [The Gangmasters \(Licensing\) Act 2004](#)

22. Further information and guidance that may help in implementing the policy include:

- [National Planning Policy Framework](#)
- [The Water Framework Directive](#)
- [River Basin Management Plans](#)
- [Habitat Regulations](#)
- [Sustainable aquaculture: the United Kingdom multiannual national plan](#)
- [Exemption guidance](#)
- SE-AQ-2
- [Fish, shellfish or crustacean farm authorisation](#)
- [Marine Information System](#)
- [Licensing Application Process](#)
- [Guidance on Aquaculture and Natura 2000](#)
- [Application of the Water Framework Directive \(WFD\) and the Marine Strategy Framework Directive \(MSFD\) in relation to aquaculture](#)
- Background information for sustainable aquaculture development, addressing environmental protection in particular - [Part 1](#) and [Part 2](#)

## Policy drafting template SE-AQ-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.
<b>Grouping</b>	Aquaculture	<b>Code</b>	SE-AQ-2

### Policy

#### SE-AQ-2

Proposals enabling the provision of appropriate infrastructure for sustainable fisheries, aquaculture and related industries will be supported.

#### What is infrastructure for sustainable fisheries and aquaculture?

1. Infrastructure for fisheries supports and enables commercial and subsistence fishing and the wider processing industry. This policy addresses shoreside infrastructure as listed below, not marine infrastructure that enables the capture of wild fish (for example vessels, pots, nets and fishing gear).
2. Infrastructure for aquaculture supports and enables the cultivation of algae, shellfish, and finfish, and the restocking of wild populations using hatcheries. Aquaculture can use extensive areas. For example, shellfish are often re-layed from natural beds to areas better suited for on-growing. Shellfish can also be farmed intensively, and for fish and algal aquaculture intensive growing is often the preferred method using trestles, racks, ropes, cages and other fixed infrastructure.
3. Sustainable aquaculture and fisheries require much of the same shoreside infrastructure. Examples to consider under this policy could include (but are not limited to):
  - ports and harbours with offloading facilities (vessel berths for dry goods landing),
  - storage and processing facilities (including depuration plants for shellfish and storage for wet fish, dry goods and other produce),
  - repair and chandlery facilities,
  - markets, including infrastructure that helps build supply chain resilience
  - local food establishments,
  - transport of produce to shore and once on shore (logistics companies),
4. Both fishing and aquaculture are highly variable industries with the infrastructure required depending on the system in use.

#### Where is infrastructure for sustainable fisheries and aquaculture in the south east marine plan area?

5. The extent of aquaculture in the south east marine plan area is varied; there are also areas highlighted for future sustainable production released as part of the south east marine plan products. The (MMO 2016) [MMO Sustainability appraisal scoping report](#) records 38.2% of the south east marine plan area being used for shellfish production, the highest percentage across all marine areas. Specific sites for culture

are highlighted in SW-AQ-1, aquaculture-specific infrastructure as described above such as ropes and trestles for mussels can be found at these sites.

6. There are numerous ports and harbours across the south east inshore marine plan area ranging from major ports such as the Ports of Dover, Sheerness, London and Felixstowe. The smaller south east inshore plan area ports are important for recreational and commercial fishing. Infrastructure for marine fisheries and aquaculture across the south east region includes all port and harbour facilities and associated landing, storage and offloading facilities for fish, as well as storage and processing facilities and other supporting infrastructure such as transporters and sellers of produce.

#### **When does sustainable fisheries and aquaculture take place in south east marine plan area?**

7. As highlighted in SE-AQ-1 there is seasonality in the growing seasons for cultured species, though associated actions can take place throughout the year. Fisheries also have seasonality based on different species though vessels are able to harvest different species throughout the year to maintain their production levels. Infrastructure supporting these activities also must operate all year round.

#### **Why is infrastructure for sustainable fisheries and aquaculture important to the south east marine plan area?**

8. The south east marine plan area is important for England's fishing industry, and aquaculture has been identified as an important area for development due to its potential to contribute to the sustainability and security of the UK's food supply as highlighted in SE-AQ-1.
9. Sufficient infrastructure should be available to help maintain current contributions of fisheries and aquaculture, as well as enable and support future developments such as potential larger scale offshore finfish aquaculture operations. It is especially appropriate to support infrastructure for both fisheries and aquaculture since they can share much of the same shoreside infrastructure for landing and processing. By considering both fisheries and aquaculture, this policy may also further support the diversification of fishermen.
10. Fisheries and aquaculture industries employ people across a number of different skill sets, including boat handlers, processors, species cultivators and business managers. Both fisheries and aquaculture are seen as industries where development could occur particularly at local levels.
11. Maintenance and enhancement of infrastructure is important for fisheries and aquaculture activity, which are increasingly restricted for space by competing activities such as offshore renewable energy and new marine protected areas. Without the right infrastructure the potential value of fishing and aquaculture cannot be realised.
12. SE-AQ-2 aims to maintain and develop infrastructure for fisheries and aquaculture industries. This will ensure that appropriate facilities are available to support production, landing, processing and transport of produce. Provisions may include sharing infrastructure and the responsibility for it, for example, shared slipways or other access points or landing facilities. This supports the development of

aquaculture projects and improves the integration between marine and terrestrial elements involved in aquaculture and fisheries.

13. This policy is particularly important in the south east marine plan area as wider investment in infrastructure and the demand for traditional skills such as boat building will support local economies, thereby contributing to reduced emigration and the maintenance of traditions and culture providing stability to remote or peripheral communities. This will help maintain their traditions and social identities (MMO (2013) [Social impacts of fisheries, aquaculture, recreation, tourism and marine protected areas \(MPAs\) in marine plan areas in England](#)). The policy also ensures that existing onshore facilities contribute to marine employment purposes. If these facilities are utilised to their maximum potential for fisheries and aquaculture industries, other onshore areas will be protected from sterilisation and can be used for other developments.
14. This policy indirectly links to policies regarding employment (SE-EMP-1 and SE-EMP-2) and could lead to an increase in employment.

#### **Who is this of interest to?**

15. Public Authorities such as
- ports and harbour authorities
  - terrestrial planning authorities
  - Marine Management Organisation licensing
  - Inshore Fisheries and Conservation Authorities
  - local enterprise partnerships
  - Seafish
  - local recreational groups

#### **How should this policy be applied?**

16. Proposals and decision-makers should consider the impacts to infrastructure, and evidence how support can be given via the proposed development. It is positive impacts on such infrastructure (eg increase facilities) that public authorities are looking for when deciding if the proposal can be supported under this policy.
17. Proposals should show how they have consulted the following organisations to enable a greater understanding of how their development could support sustainable infrastructure for aquaculture and fisheries. The potential impacts identified through discussions should be evidenced in the proposal.
- Seafish - advice on the distribution and requirements of capture fisheries and aquaculture industry
  - Shellfish Association of Great Britain - can offer advice on shellfish specific fisheries and aquaculture requirements,
  - Inshore Fisheries and Conservation Authorities - will have detailed knowledge of fisheries and aquaculture operations in their district,
  - The Crown Estate – lease land in the inshore and offshore marine areas of marine developments
18. Applicants should ensure that proposals do not result in significant environmental impacts. During infrastructure development of impacts upon hydrodynamic regimes, sediment movement and substrate types will be considered. Current aquaculture in the south east marine area is composed of shellfish facilities that are generally small

scale and are not removing large tracts of habitat. Many current aquaculture sites are based around existing natural beds that were once much more extensive in nature. Individual developments of the scale likely to cause impact will, where necessary, include conditions to mitigate impacts on marine mammals.

19. As with other marine activities the aquaculture industry may increase disturbance for example through vessel traffic, and could displace wildlife through mooring lines etc. Other relevant policies include SE-DIST-1, SE-UWN-2 and relevant legislation.
20. Applicants can identify existing infrastructure that supports fisheries and aquaculture within the south east marine plan area by viewing aquaculture models and relevant layers in MIS. Areas of current and potential future aquaculture production can also be viewed.
21. Public authorities with functions capable of influencing relevant infrastructure should consider the provision and maintenance of appropriate infrastructure to support fisheries and aquaculture operations in the south east marine area. This could include ensuring that facilities are fully operational and accessible to operators.
22. Proposals should also ensure cohesion with local planning authorities and terrestrial plans when concerned with the provision and use of infrastructure on land to support fisheries and aquaculture, such as large scale offshore finfish aquaculture operations that may develop in the future. As part of this, provision and use of infrastructure for aquaculture and fisheries should also consider the opportunity to influence and improve local employment opportunities. The [Coastal Concordat](#) sets out how regulatory bodies can co-ordinate the separate processes for coastal development consents including aquaculture, while paragraphs 24-27 of the National Planning Policy Framework highlight methods for effective cooperation and joint working between authorities. Applicants should demonstrate how their proposals improve integration between marine and terrestrial elements.

### **Signposting**

23. Existing measures which relate to, and may contribute to the achievement of this policy:
  - [Marine Policy Statement](#)
  - [Localism Act 2011](#)
  - [International Regulations for the Prevention of Collision at Sea](#)
  - [Planning Act \(2008\)](#)
24. Further information and guidance that may help in implementing the policy include:
  - [National Planning Policy Framework](#)
  - [Coastal Concordat](#)
  - SE-AQ-1
  - FISH Policies
  - INF Policies
  - EMP Policies
  - [Fish, shellfish or crustacean farm authorisation](#)
  - [Marine Information System](#)
  - [Licensing Application Process](#)

Plan area	South East		
Grouping	Cables		
Related High Level Marine Objectives (HLMO).	<b>Achieving a sustainable marine economy</b> Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.		
Other relevant policies	SE-REN-1 SE- REN-2 SE-WIND-2		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>  ✓

## Policy drafting template SE-CAB-1

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine business
<b>Grouping</b>	Infrastructure/Cables	<b>Code</b>	SE-CAB-1

### Policy

#### **SE-CAB-1 Cables**

Proposals which demonstrate due account to the potential for cable burial, interaction and coexistence with other users of the sea will be supported. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.

#### **What are subsea cables?**

1. Subsea cables are used for several purposes, including connecting offshore infrastructure to the point where the cable comes ashore, connecting different electricity markets known as interconnectors, and ensuring telecommunication between separate landmasses. Submarine cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission.
2. Subsea cables are subject to differing controls in legislation and licensing depending on what the cables are for and where the cables are to be located. All subsea cables are subject to licensing controls within the 12nm UK territorial waters, although the licensing process for telecommunication and interconnector cables is different from that of those used for offshore energy generation. Outside the 12nm limit telecommunications and interconnector cables are exempt from licensing, but cables associated with exploration or exploitation of natural resources (such as offshore wind energy generation) within the UK Exclusive Economic Zone remain subject to licensing control (for example interarray cables for wind farms or power cables).
3. Licensing controls protect cables to reduce the risk of telecommunications unavailability of service, or lack of power supply.
4. SE-CAB-1 supports and encourages cable burial where possible to meet the needs of the sector whilst making allowances for alternative methods of cable protection where more appropriate. The policy also enables the maximum potential opportunity for other uses of the south east marine plan area by encouraging coexistence and compatibility between different users of the maine area. SE-CAB-1 supports infrastructure that encourages marine businesses.

#### **Where are subsea cables in the south east marine plan area?**

5. The south east marine plan area contain some of the largest wind farms in England and therefore interconnector cables play an essential part in maintaining the nation's

energy supply. There are also several important landfall sites for telecommunication cables at Margate and St Margret's at Cliffe. In total, the south east marine plan area hosts some 520km of subsea cables.

6. In the coming years several more projects will be commissioned in the south east marine plan area, including the Nemo Electricity Inter-connector (operational in 2019, between Richborough and Belgium) and the NeuConnect Electricity Inter-connector (operational 2023, between Isle of Grain and Germany).

#### **When does subsea cable activity take place in south east marine plan area?**

7. Subsea cables operate year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year.

#### **Why are subsea cables important to the south east marine plan area?**

8. Subsea cabling is important to the growth and sustainability of a range of areas including:
  - telecommunications
  - offshore wind farms
  - electricity transmission
  - climate change mitigation.
9. Submarine telecommunications cable connectivity is a vital part of supplying a high quality superfast broadband experience to users. It contributed to the [Broadband Delivery UK](#) plans to achieve superfast broadband for upto 95% of the UK by 2017, and will by 2020 ensure that everyone in the UK has a clear, enforceable right to request high speed broadband. Successful implementation of the [Broadband Delivery UK](#) plans may well require new infrastructure or upgrades to existing infrastructure.
10. Lack of telecommunications service can have a significant impact upon the financial trading industry and other internet based businesses, with considerable implications for the economy. Also given their support role to the UK, electricity power cables need similar protection measures to ensure the safety and security of the energy supply network.
11. [The Marine Policy Statement \(3.7.1\)](#) and [Broadband Delivery UK](#) emphasise the importance of telecommunication and power cabling as vital infrastructure for the domestic and global economy. Timely development of the telecommunications network in all parts of the UK is vital to action the government's plan for minimum broadband speed. The [National Planning Policy Framework \(Parts 10 and 14\)](#) confirms support for continued expansion of high quality, advanced communications infrastructure, in which cables play an essential part. National policy also continues to support the development of offshore wind energy and the associated subsea cables to connect those installations to land, with continued funding and support set out in the [Renewable Energy Road Map](#). This approach supports both the [Clean Growth Strategy](#) and [Industrial Strategy](#).
12. Cables are also important for future of electricity transmission, including the mitigation of climate change through greater efficiency and enhanced cabling and

transmission networks. The mapping of impacts of cables and their mitigation is in progress by the National Grid. Similarly interconnectors between European countries provide a number of services to electricity markets. Several subsea cables in the south east marine plan area, including Nemo and Neuconnect, have been designated European Commission's Projects of Common Interest, helping create an integrated European energy market.

### **Who is this of interest to?**

13. Public authorities such as;

- Local Planning Authorities
- The Planning Inspectorate
- Marine Management Organisation licensing
- Department for Business, Energy & Industrial Strategy
- The Crown Estate
- Trinity House
- Maritime and Coastguard Agency
- United Kingdom Hydrographic Office

### **How should this policy be implemented?**

14. For developments including subsea cables, preference should be given to proposals for cable installation where the method of installation is burial.
15. Where burial is not achievable, developers should show due consideration of protection measures for the proposed development. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.
16. Alternative protection measures may include rock armour or other various types of scour protection.
17. Areas where cable burial may not be appropriate include for example, areas of hard seabed, or areas where burying a cable may have a larger environmental impact than another cable protection method.
18. Proposals should also demonstrate consultation with relevant stakeholders. This may include but not be limited to, National Grid, European Subsea Cables Association, Marine Management Organisation, Department for Communities Media and Sport, local authorities, recreational users and fishing interests. Further information on existing cabling routes can be viewed on the [Marine Information System](#).

### **Signposting**

19. Existing measures which relate to, and may contribute to the achievement of this policy include:
- [National Planning Policy Framework](#)
  - [MMO Cables Licensing Guidance](#)
  - MMO Cables [Desknote](#)

20. Further information and guidance that may help in implementing the policy include:

- Marine Information System
- Renewable Energy Road Map
- 25 year environment plan
- Ten Year Electricity Statement

Iteration 3 draft

## Policy drafting template SE-CAB-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
<b>Grouping</b>	Cables	<b>Code</b>	SE-CAB-2

### Policy

#### **SE-CAB-2**

Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: a) avoid b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding

### What are subsea cables?

1. Subsea cables are used for several purposes, including connecting offshore infrastructure to the point where the cable comes ashore, connecting different electricity markets known as interconnectors, and ensuring telecommunication between separate landmasses. Submarine cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission.
2. Subsea cables are subject to differing controls in legislation and licensing depending on what the cables are for and where the cables are to be located. All subsea cables are subject to licensing controls within the 12nm UK territorial waters, although the licensing process for telecommunication and interconnector cables is different from that of those used for offshore energy generation. Outside the 12nm limit telecommunications and interconnector cables are exempt from licensing, but cables associated with exploration or exploitation of natural resources (such as offshore wind energy generation) within the UK Exclusive Economic Zone remain subject to licensing control (for example interarray cables for wind farms or power cables).
3. Licensing controls protect cables to reduce the risk of telecommunications unavailability of service, or lack of power supply.

### Where are subsea cables in the south east marine plan area?

4. The south east marine plan area contain some of the largest wind farms in England and therefore interconnector cables play an essential part in maintaining the nation's energy supply. There are also several important landfall sites for telecommunication cables at Margate and St Margret's at Cliffe. In total, the south east marine plan area hosts some 520km of subsea cables.
5. In the coming years several more projects will be commissioned in the south east marine plan area, including the Nemo Electricity Inter-connector (operational in 2019, between Richborough and Belgium) and the NeuConnect Electricity Inter-connector (operational 2023, between Isle of Grain and Germany).

## **When does subsea cable activity take place in south east marine plan area?**

6. Subsea cables operate year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year.

## **Why are subsea cables important to the south east marine plan area?**

7. Subsea cabling is important to the growth and sustainability of a range of areas including:
  - telecommunications
  - offshore wind farms
  - electricity transmission
  - climate change mitigation.
8. Submarine telecommunications cable connectivity is a vital part of supplying a high quality superfast broadband experience to users. It contributed to the [Broadband Delivery UK](#) plans to achieve superfast broadband for upto 95% of the UK by 2017, and will by 2020 ensure that everyone in the UK has a clear, enforceable right to request high speed broadband. Successful implementation of the [Broadband Delivery UK](#) plans may well require new infrastructure or upgrades to existing infrastructure.
9. Lack of telecommunications service can have a significant impact upon the financial trading industry and other internet based businesses, with considerable implications for the economy. Also given their support role to the UK, electricity power cables need similar protection measures to ensure the safety and security of the energy supply network.
10. [The Marine Policy Statement \(3.7.1\)](#) and [Broadband Delivery UK](#) emphasise the importance of telecommunication and power cabling as vital infrastructure for the domestic and global economy. Timely development of the telecommunications network in all parts of the UK is vital to action the government's plan for minimum broadband speed. The [National Planning Policy Framework \(Parts 10 and 14\)](#) confirms support for continued expansion of high quality, advanced communications infrastructure, in which cables play an essential part. National policy also continues to support the development of offshore wind energy and the associated subsea cables to connect those installations to land, with continued funding and support set out in the [Renewable Energy Road Map](#). This approach supports both the [Clean Growth Strategy](#) and [Industrial Strategy](#).
11. Cables are also important for future of electricity transmission, including the mitigation of climate change through greater efficiency and enhanced cabling and transmission networks. The mapping of impacts of cables and their mitigation is in progress by the National Grid. Similarly interconnectors between European countries provide a number of services to electricity markets. Several subsea cables in the south east marine plan area, including Nemo and Neuconnect, have been designated European Commission's Projects of Common Interest, helping create an integrated European energy market.

12. Landfall sites for subsea cables are not currently protected from other uses, which may prevent these sites being used. Policy SE-CAB-2 supports the need to avoid displacement of this economically and socially vital activity. It gives clear direction to public authorities that proposals which may constrain or have an adverse impact upon landfall sites, should not be supported.

### **Who is this of interest to?**

13. Public authorities such as;

- Local Planning Authorities
- The Planning Inspectorate
- Marine Management Organisation licensing
- Department for Business, Energy & Industrial Strategy
- The Crown Estate
- Trinity House
- Maritime and Coastguard Agency
- United Kingdom Hydrographic Office

### **How should this policy be implemented?**

14. Proposals should demonstrate they have considered potential impacts on cable landfall sites within the area of their proposal, and make due consideration of the potential to develop the site for cable landfall in the future.

15. Proposals should demonstrate that they will, in order of preference, avoid, minimise or mitigate significant adverse impacts on new and existing landfall sites for subsea cables (telecoms, power and interconnectors). Proposals cannot proceed to (b) unless they have first demonstrated why they cannot meet (a).

16. Where it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding, including how the proposal supports the South East Marine Plan vision, objectives and other plan policies. Inclusion of this information does not indicate that approval of the proposal will follow by default. That will also depend on other material considerations to be taken into account by the decision-maker.

17. Examples of how adverse impacts can be avoided, minimised or mitigated include: change in location, provision of space within the proposal area for cables to connect or alternative location for subsea cables to connect.

18. Proposals should also demonstrate consultation with relevant stakeholders. This may include but not be limited to, National Grid, European Subsea Cables Association, Marine Management Organisation, Department for Communities Media and Sport, local authorities, recreational users and fishing interests. Further information on existing cabling routes can be viewed on the [Marine Information System](#).

### **Signposting**

19. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [National Planning Policy Framework](#)

- [MMO Cables Licensing Guidance](#)
- MMO Cables [Desknote](#)

20. Further information and guidance that may help in implementing the policy include:

- Marine Information System
- Renewable Energy Road Map
- [Ten Year Electricity Statement](#)
- 25 year environment plan

Iteration 3 draft

## Policy drafting template SE-CAB-3

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
<b>Grouping</b>	Renewables and Cables	<b>Code</b>	SE-CAB-3

### Policy

#### SE-CAB-3

Where seeking to locate close to existing sub-sea cables, proposals should demonstrate how ongoing function, maintenance and decommissioning activities of the cable will be facilitated.

#### What are sector/activity?

1. Subsea cables are used for several purposes, including connecting offshore infrastructure to the point where the cable comes ashore, connecting different electricity markets known as interconnectors, and ensuring telecommunication between separate landmasses. Submarine cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission.
2. Subsea cables are subject to differing controls in legislation and licensing depending on what the cables are for and where the cables are to be located. All subsea cables are subject to licensing controls within the 12nm UK territorial waters, although the licensing process for telecommunication and interconnector cables is different from that of those used for offshore energy generation. Outside the 12nm limit telecommunications and interconnector cables are exempt from licensing, but cables associated with exploration or exploitation of natural resources (such as offshore wind energy generation) within the UK Exclusive Economic Zone remain subject to licensing control (for example interarray cables for wind farms or power cables).
3. Licensing controls protect cables to reduce the risk of telecommunications unavailability of service, or lack of power supply.
4. SE-CAB-3 ensures proposals which propose to collocate to existing subsea cables appropriately demonstrate how ongoing functions of the subsea cable will be facilitated, ensuring operational impacts are minimised.

#### Where are subsea cables in the south east marine plan area?

5. The south east marine plan area contain some of the largest wind farms in England and therefore interconnector cables play an essential part in maintaining the nation's energy supply. There are also several important landfall sites for telecommunication cables at Margate and St Margret's at Cliffe. In total, the south east marine plan area hosts some 520km of subsea cables.
6. In the coming years several more projects will be commissioned in the south east marine plan area, including the Nemo Electricity Inter-connector (operational in 2019,

between Richborough and Belgium) and the NeuConnect Electricity Inter-connector (operational 2023, between Isle of Grain and Germany).

### **When subsea cable activity take place in south east marine plan area?**

7. Subsea cables operate year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year, however damage to essential links will be repaired as quickly as possible.

### **Why is are subsea cables important to the south east marine plan area?**

8. Subsea cabling is important to the growth and sustainability of a range of areas including:
  - telecommunications
  - offshore wind farms
  - electricity transmission
  - climate change mitigation.
9. Submarine telecommunications cable connectivity is a vital part of supplying a high quality superfast broadband experience to users. It contributed to the [Broadband Delivery UK](#) plans to achieve superfast broadband for upto 95% of the UK by 2017, and will by 2020 ensure that everyone in the UK has a clear, enforceable right to request high speed broadband. Successful implementation of the [Broadband Delivery UK](#) plans may well require new infrastructure or upgrades to existing infrastructure.
10. Lack of telecommunications service can have a significant impact upon the financial trading industry and other internet based businesses, with considerable implications for the economy. Also given their support role to the UK, electricity power cables need similar protection measures to ensure the safety and security of the energy supply network.
11. [The Marine Policy Statement \(3.7.1\)](#) and [Broadband Delivery UK](#) emphasise the importance of telecommunication and power cabling as vital infrastructure for the domestic and global economy. Timely development of the telecommunications network in all parts of the UK is vital to action the government's plan for minimum broadband speed. The [National Planning Policy Framework \(Parts 10 and 14\)](#) confirms support for continued expansion of high quality, advanced communications infrastructure, in which cables play an essential part. National policy also continues to support the development of offshore wind energy and the associated subsea cables to connect those installations to land, with continued funding and support set out in the [Renewable Energy Road Map](#). This approach supports both the [Clean Growth Strategy](#) and [Industrial Strategy](#).
12. Cables are also important for future of electricity transmission, including the mitigation of climate change through greater efficiency and enhanced cabling and transmission networks. The mapping of impacts of cables and their mitigation is in progress by the National Grid. Similarly interconnectors between European countries provide a number of services to electricity markets. Several subsea cables in the south east marine plan area, including Nemo and Neuconnect, have been designated European Commission's Projects of Common Interest, helping create an integrated European energy market.

## Who is this of interest to?

13. Any developers wishing to collocate a proposal with an existing subsea cable.
14. Public authorities such as;
  - Local Planning Authorities
  - The Planning Inspectorate
  - Marine Management Organisation licensing
  - Department for Business, Energy & Industrial Strategy
  - The Crown Estate
  - Trinity House
  - Maritime and Coastguard Agency
  - United Kingdom Hydrographic Office

## How should this policy be applied?

15. Plans and strategies should consider subsea cables in relation to their area of interest, for example minerals and waste plans, when considering extraction of aggregate adjacent to subsea cable installations.
16. Proposals that seek to co-locate to existing sub-sea cables should demonstrate how ongoing function, maintenance and decommissioning activities of the cable will be facilitated.
17. Guidance agreed by industry as current best practice in relation to cable proximity and maintenance for offshore wind farms, has been endorsed by government departments with an interest in cables, and other agencies including the Marine Management Organisation. The Crown Estate study ([Proximity of offshore renewable energy installations and submarine cable infrastructure in UK waters](#)) supports industry [best practice](#).
18. Proposals should also demonstrate consultation with relevant stakeholders. This may include but not be limited to, National Grid, European Subsea Cables Association, Marine Management Organisation, Department for Communities Media and Sport, local authorities, recreational users and fishing interests. Further information on existing cabling routes can be viewed on the [Marine Information System](#).
19. Consultation with the relevant stakeholders will ensure that appropriate demonstration of function, maintenance and decommissioning activities of cables can be provided.

## Signposting

20. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [National Planning Policy Framework](#)
  - [MMO Cables Licensing Guidance](#)
  - MMO Cables [Desknote](#)
21. Further information and guidance that may help in implementing the policy include:
  - Marine Information System

- Renewable Energy Road Map
- Ten Year Electricity Statement
- Broadband Delivery UK plans

Iteration 3 draft

Plan area	South East		
Grouping	Carbon Capture and Storage (Energy)		
Related High Level Marine Objectives (HLMO).	<b>Achieving a sustainable marine economy</b> Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.		
Other relevant policies	SE-OG-1 SE-CC-1 SE-CC-2 SE-CC-3 SE-CC-4 SE-CC-5 SE-CC-6		
Are these policies consistent across other plan areas?	<b>NW</b>	<b>NE</b>	<b>SW</b>

## Policy drafting template SE-CCS-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.
<b>Grouping</b>	Energy	<b>Code</b>	SE-CCS-2

### Policy

#### SE-CCS-2

During the decommissioning phase of oil and gas facilities the potential for re-use of infrastructure in particular for Carbon Capture Usage and Storage should be considered.

### What is carbon capture, usage and storage?

1. Carbon capture, usage and storage (CCUS) is a technology that can capture carbon dioxide emissions produced from the use of fossil fuels in electricity generation and industrial processes, preventing the carbon dioxide from entering the atmosphere. The captured carbon dioxide can then be either stored or utilised in other processes or to make new products. CCUS is the process of:
  1. **capturing** carbon dioxide from industrial processes or electricity production
  2. **transporting** compressed (liquid) carbon dioxide by pipeline or ship to a storage site
  3. **storing** the carbon dioxide in very deep subsurface rock formations, where it can be safely and permanently stored. Suitable storage sites include, but are not limited to, depleted oil and gas fields.
  4. In some instances the captured carbon dioxide can be utilised.
3. CCUS has the potential to decarbonise the economy and maximise economic opportunities for the UK. Government wants the UK to become a global technology leader in CCUS and, in October 2017, the government announced its new approach to CCUS in the Clean Growth Strategy setting out the range of actions, domestically and internationally, that Government will take to unlock its potential.

### Oil and gas installation and pipeline decommissioning

4. The decommissioning of offshore oil and gas installations and pipelines on the United Kingdom Continental Shelf is controlled through the [Petroleum Act 1998](#).
5. The responsibility for ensuring that the requirements of the [Petroleum Act 1998](#) are complied with rests with the Offshore Petroleum Regulator for Environment and Decommissioning is the Oil and Gas Authority, which sits within the Department for Business, Energy and Industrial Strategy.
6. Owners of oil and gas installations and pipelines are required to decommission their offshore infrastructure at the end of a field's economic life. The Act requires owners to

set out the measures to decommission disused installations and/or pipelines in a decommissioning programme.

7. A decommissioning programme must identify all the items of equipment, infrastructure and materials that have been installed or drilled and describe the decommissioning solution for each.

#### **Where is carbon capture, usage and storage in the south east marine plan area?**

8. Carbon dioxide can only be safely stored where geology and infrastructure is suitable; this is reflected in the locations of existing oil and gas installations which have the same locational requirements. The Energy Technologies Institute have highlighted potential carbon dioxide storage sites in their [Strategic UK CCS Appraisal](#), while [CO<sub>2</sub> Stored](#) illustrates potential storage sites in the UK offshore marine area. Figure XXX identifies potential areas and infrastructure for carbon capture and storage.
9. The majority of the storage units are in three major regions, the Southern North Sea, The Central and Northern North Sea and the East Irish Sea. The offshore regions are prioritised for storage as they are known to have suitable geology. Onshore oil and gas fields are likely to be too small to store the large amounts of carbon dioxide needed to reduce emissions.

#### **When does carbon capture, usage and storage take place in south east marine plan area?**

10. CCUS has the potential to operate year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year, however emergency repairs will be undertaken as required.

#### **Why is carbon capture, usage and storage important to the south east marine plan area?**

11. The United Kingdom offshore area is considered to be one of the most promising locations anywhere in the world to permanently store carbon dioxide ([Marine Policy Statement 3.3.31](#)). CCUS is regarded internationally as a key abatement technology for limiting the impact of climate change, including the impact on the marine environment, and is potentially important for both the power and industrial sectors. Many industrial sectors have no other option for emission reductions aside from carbon capture and storage, as their carbon dioxide is both process and fuel generated. The [Carbon Capture and Storage Roadmap](#) identifies potential deployment rates for carbon capture and storage, and estimates commercial benefits of £3 – 6.5 billion a year by the late 2020s as well as supporting circa 100,000 jobs by 2030. These figures are similar to estimates in the [Marine Policy Statement \(3.3.34\)](#).
12. The overarching [National Policy Statement for Energy EN-1](#) states that ‘all commercial scale (at or over 300 Megawatts) combustion power stations (including gas, coal, oil or biomass) have to be constructed carbon capture ready’ and that ‘new coal-fired power stations are required to demonstrate carbon capture and storage on at least 300 Megawatts of the proposed generating capacity’. The [Marine](#)

[Policy Statement \(3.3.33\)](#) states that ‘there are also possibilities to re-use existing infrastructure’ to provide access to storage sites. EN-1 also states that ‘initially, attention is likely to focus on depleted oil and gas fields’.

### **Who is this of interest to?**

- Terrestrial planning authorities
- Marine Management Organisation
- BEIS
- The Crown Estate
- oil and gas operators and developers
- Oil and Gas Authority
- Planning Inspectorate

### **How should this policy be applied?**

13. The public authorities for decommissioning of offshore oil and gas installations and pipelines include; the Department for Business, Energy and Industrial Strategy under the [Petroleum Act 1998](#) and the Marine Management Organisation under the [Marine and Coastal Access Act 2009](#).
14. Public authorities for CCUS include; the Department for Business, Energy and Industrial Strategy under the [Energy Act 2010](#) and [Storage of Carbon Dioxide \(Licensing etc.\) Regulations 2010](#), the Marine Management Organisation under the [Marine and Coastal Access Act 2009](#) and the Planning Inspectorate under the [Planning Act 2008](#). The licensing authority for CCUS is the Oil and Gas Authority, which regulates offshore carbon dioxide storage, approves and issues storage permits, and maintains the carbon storage public register. In addition to applying for a licence, developers must obtain a grant of the appropriate rights from The Crown Estate.
15. These authorities should ensure that carbon capture and storage projects consider the potential for infrastructure co-location and re-use as early as possible. Such consideration could include an assessment of other infrastructure within the vicinity of the project and analysis of the routing options in terms of cost, and minimising disruption to other users and the environment. If existing infrastructure is unable to be used for a potential development then this should be detailed within the proposal. Local authorities may also have a role in governance with the need for the onshore infrastructure requirements of marine activities to be considered by them in producing land based plans.

### **Signposting**

16. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [The Storage of Carbon Dioxide \(Licensing etc.\) Regulations 2010](#)
  - [Climate Change Act 2008](#)
  - [Energy Act 2008](#)
  - [Energy Act 2010](#)
  - [Petroleum Act 1998](#)
  - [Planning Act 2008](#)

17. Further information and guidance that may help in implementing the policy include:

- [The Clean Growth Strategy 2017](#)
- [Marine Policy Statement Section 3.3](#)
- [National Policy Statement for Energy EN-1](#)
- [Industrial Strategy](#)
- [National Planning Policy Framework](#)
- [Marine Information System](#)
- [The CCS Road Map 2012](#)

Iteration 3 draft

Plan area	South East		
Grouping	Co-existence		
Related High Level Marine Objectives (HLMO).	<p><b>Promoting good governance</b></p> <p>The use of the marine environment is spatially planned where appropriate and based on an ecosystems approach which takes account of climate change and recognises the protection and management needs of marine cultural heritage according to its significance.</p>		
Other relevant policies	<p>SE-HER-1 SE-MPA-1 SE-MPA-2 SE-MPA-3 SE-MPA-4 SE-MPA-6</p>		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>  ✓

## Policy drafting template SE-CO-1

<b>HLMO</b>	Promoting good governance	<b>Sub bullet(s)</b>	The use of the marine environment is spatially planned where appropriate and based on an ecosystems approach which takes account of climate change and recognises the protection and management needs of marine cultural heritage according to its significance.
<b>Grouping</b>	Co-existence	<b>Code</b>	SE-CO-1

### Policy

#### SE-CO-1

**Proposals should demonstrate that they will optimise the use of space and consider opportunities for co-existence and co-operation with existing activities, providing benefits to existing activities where appropriate**

**If proposals cannot avoid significant adverse impacts of their activity (including displacement) on existing activities in the marine plan area they must, in order of preference: a) minimise, b) mitigate significant adverse impacts or c) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.**

#### What is co-existence?

1. Space is essential for activities to function. For example, shipping requires room for transit and anchorage and fishing requires access to grounds. Some activities can operate in the same space, such as aquaculture farms within a wind farm development. Others require exclusive use of an area such as for reasons of navigational safety. Co-existence is where multiple developments, activities or uses exist alongside or close to each other in the same area or at the same time.
2. Existing activities can be described as how an area is currently used. This can include management measures of both protected and unprotected areas as well as industrial and recreational use. 'Existing activities' includes activities that have been authorised but not yet implemented.

#### What is co-operation?

3. It is essential for sectors to communicate when considering multiple uses within a shared space to identify opportunities to optimise the use of the area, enhance sector activity or provide mutual benefits. Co-operation describes the positive working relationship between marine sectors to secure long term beneficial and sustainable growth for all. Co-operation also ensures that sectors work together to resolve potential conflicts between activities and find appropriate solutions for these conflicts at an early stage.

## What are the potential impacts on existing activities?

4. Adverse impacts on existing activities can result in a decline in expected economic gains or targets for the existing activity and/or a reduction in available space for an activity to take place. New activities that result in access restrictions to existing activities could cause displacement to less desirable areas or stop the activity happening altogether. New activities could result in declines in environmental condition in non-designated areas that are managed by local authorities or local environment groups and cause degradation of designated sites which could result in loss of favourable conservation status. Positive impacts could assist in economic gains for the existing activity, provide better access, diversify the current activity or enhance the environmental condition of the area.

## Where is the optimisation of space most important in the south east marine plan area?

5. There are a large range of existing activities already occurring across the south east plan area. The south east vision states the south east marine plan area as 'England's maritime gateway to the world' as it contains some of the busiest ports in the UK.<sup>1</sup> Ports of Felixstowe, London, Sheerness and Dover are operational year round for passenger and freight transport and the Port of London aims to increase short sea shipping activities to minimise road congestion within Greater London. These ports are large contributors to the local and national economy via the import and export of goods nationally and internationally. The transit and landings of aggregates in the south east marine plan area, especially in the Tidal Thames, facilitates a strong marine aggregate industry and supports the construction industry throughout the south east plan area.<sup>1</sup> There can be a high level of activity in and around ports and harbours. Therefore, it is important new activities or expansion of current activities in these areas consider their spatial footprint and optimise the use of space to allow existing operations to continue safely and successfully.
6. Offshore wind energy is currently the only form of renewable energy in the south east marine plan area with no known future projects for the installation of other types of wet renewables (tidal/wave energy for example)<sup>2</sup>. The [Marine Information System](#) will provide the most up to date information regarding any new installations. There are [seven operational offshore wind farms](#)<sup>1</sup> in the area. Further wind farms may be installed during the lifetime of the south east marine plan. Any new information regarding the consent or installation of new wind farms can be found on the [Marine Information System](#). Offshore wind farms can have a large spatial footprint and can create barriers to existing users of an area. It is important that new and expanding wind farms optimise the use of space where possible to minimise this potential adverse impact.
7. The south east marine plan area is home to many designated and proposed protected areas which provide crucial safe havens for a range of locally, nationally and internationally important habitats and species such as [seabirds](#) and [estuarine rocky](#)

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<sup>i</sup> Note that links to data will load the base MIS map and will require the selection of the appropriate layers to view the data

<sup>1</sup> [Economic baseline assessment for the north east, north west, south east and south west marine plans \(MMO 1119\)](#)

<sup>2</sup> [Futures analysis for the north east, north west, south east and south west marine plan areas \(MMO1127\)](#)

[habitats](#). These [protected areas](#)<sup>i</sup> are designated or have been identified to protect the environment but can also provide social and economic benefits by increasing tourism and local access to areas of natural beauty. Protected areas can restrict access to other marine activities depending on the management measures in place. The spatial footprint of protected areas can be relatively large but can provide exclusive access to other suitable activities that do not pose a risk to the designated features of the site.

8. Based on data currently available, there are high intensity [fish spawning grounds](#)<sup>i</sup> for plaice and sole and high intensity [fish nursery grounds](#)<sup>i</sup> (for herring and sole) in the south east marine plan area. Therefore, it is important that activities in these areas consider the use of space to avoid adverse impacts upon fish during these sensitive life stages.
9. Some recreational activities in the south east plan area occur across the plan area whereas others are in spatially specific locations. [Recreational boating](#)<sup>i</sup> is common across the plan area with over 140 recognised Royal Yachting Association cruising routes.<sup>3</sup> There are currently fifteen [blue flag beaches](#), two AONBs and five UNESCO world heritage sites which attract many tourists to the area.<sup>3</sup> The [coastal path](#) provides access to the coast for tourists and local residents. It is likely that other recreational and tourist activities occur in the inshore south east marine plan area that are not currently mapped and new recreational activities are likely to become popular during the 20 year lifetime of the marine plan. Recreational activities in the south east marine plan area are spread throughout the plan area and in some cases can require exclusive use of space for safety reasons. Optimisation of space and co-existence with appropriate activities is important to ensure all activities can operate safely and sustainably.
10. The lifetime of the South East Marine Plan is 20 years. It is possible that the location of these activities will change throughout the lifetime of the plan and that activities will cease to occur, increase in popularity or evolve to suit the interests of the local community and tourism interests. Thus, the [Marine Information System](#) should be regularly checked for changes in the use of an area.

### **When is the optimisation of space most important in the south east marine plan area?**

11. Existing activities covers a broad range of use of the south east marine plan area. Some activities are driven by seasonal factors such as recreation and tourism use whereas some exist continuously such as port and harbour operations. Co-existence of current and new activities in the marine area is complex due to the extensive use of different sectors at different times.
12. [Bird density](#)<sup>i</sup> tends to be higher in the inshore plan area in winter months compared to summer months. Therefore, optimising the use of space to avoid adverse impacts upon these species is especially important during the winter season.

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<sup>i</sup> Note that links to data will load the base MIS map and will require the selection of the appropriate layers to view the data

<sup>3</sup> [Strategic scoping report for marine planning in England](#)

13. Tourism and recreation activities in the south east marine plan area are more popular in summer months (May-September) than other times of the year.<sup>4</sup> Therefore, optimisation of space, co-existence measures and co-operation between sectors is particularly important during these months.
14. Ports and harbours operate year round in the south east marine plan area and many have to undertake regular activities such as dredging to maintain safe access to the port or harbour. Navigational routes are also in operation throughout the year and require exclusive access for safety reasons. Therefore, the use of these areas for other purposes would need to consider their use of space at all times.
15. It is likely that the seasonal trends of some of the current activities in the south east marine plan area will change over the lifetime of the plans as current use evolves and due to the effects of climate change on weather and tidal conditions.<sup>5</sup> The most up to date information regarding seasonal use can be found on the [Marine Information System](#).

### **Why is the optimisation of space important to the south east marine plan area?**

16. [The Marine Policy Statement](#) promotes compatibility, encouraging co-existence between different activities within the context of social, economic and environmental considerations. Activities that can co-exist should be encouraged to do so, for example, fisheries and tourism or aquaculture and wind farm developments. Space within the south east marine plan area is very limited due to high levels of shipping, a number of operational or consented offshore wind farms, a high proportion of protected and proposed protected areas, recreational and tourist use and increased landward pressures such as the need for housing. During the lifetime of the South East Marine Plan, the competition for space in the plan area is likely to increase as new activities develop and existing activities expand.
17. The marine plans objective is to increase the sustainable use of the marine area, ensuring sufficient space for all activities to take place, including protecting and enhancing the marine environment and historical assets. Optimisation of space and co-existence between competing sectors will assist in the achievement of this objective. Co-operation between sectors could help reduce conflict and potentially find solutions for existing and new activities to co-exist. For example, a wind farm developer could allow access for aquaculture farms for local fishermen to assist in diversifying the industry and allowing for the co-existence of both activities.
18. Existing activities within the south east marine plan area can hold cultural, historical, economic and environmental importance for local communities. The sea shellfish industry holds cultural significance in Leigh on Sea as the town has historically been known for this industry which is still in operation today. The Tidal Thames has been used as a passenger, tourist and freight transit route for centuries. Felixstowe is the UK's wealthiest container port whilst the Port of London is the 2<sup>nd</sup> largest port in the UK. These ports are therefore strong economic pillars within the south east marine plan area. Dover is the busiest roll on/roll off port (vessels carrying wheeled cargo) in Europe, providing local job opportunities and supporting the local economy. Coastal

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<sup>4</sup> [Visit Britain regional activities report](#)

<sup>5</sup> [Futures analysis for the north east, north west, south east and south west marine plan areas \(MMO1127\)](#)

communities rely on access to the marine area for wellbeing benefits as well as for tourist use. For example, beaches and resorts including Thanet, Southend and Clacton, and paths for wellbeing including the Thames path and coastal path in Essex.

19. New developments could potentially provide benefits to existing activities. Conversely, new developments could be detrimental to existing activities and local communities if the proposed new activity is not compatible with current use and does not hold as much social, economic or environmental value. Some coastal towns adjacent to the south east marine plan area can heavily rely, both economically and socially, upon existing marine activities whilst others would benefit from diversification of industry. It is important that the application of the range of activities within and adjacent to the proposed new activity and to consider the relative importance of current activities to the area. In order for co-operation between sectors to occur and to facilitate co-existence, consultation with current users should be considered to support the application of this policy.
20. Many local plans as well as national objectives will require an increase in use of the marine area. For instance, the requirement for the UK to reduce carbon emissions by 80% (compared to 1990 levels) by 2050<sup>6</sup> and the target of 32% renewable energy by 2030<sup>7</sup> means it is likely that the installation of marine renewable devices will increase across England, including within the south east marine plan area. This policy is important as it ensures that these future uses are considerate of current use and seeks ways to optimise the use of space whilst also exploring options to aid co-existence between sectors. For example, a wind farm that is built in a known offshore fishing area could grant permits for certain types of fishing access or provide access for aquaculture use which could diversify the fishing industry.
21. Expansion of current use is likely to be required throughout the lifetime of the South East Marine Plan. Therefore, consideration of current and future marine use is important to ensure current activities have the space to expand when necessary to meet the economic needs of the area.
22. This policy is required to make sure that proposals seek to optimise the footprint of their development, considering co-existence with other activities where appropriate and co-operating with competing sectors to minimise conflict. Other policies under this [High Level Marine Objective](#), manage the spatial requirements of specific sectors.

#### **Who is this of interest to?**

- Marine Management Organisation
- Local planning authorities
- Port and harbour authorities
- Local Enterprise Partnerships
- Developers
- The Planning Inspectorate
- Ministry of Housing Communities and Local Government
- Coastal Significant Interest Groups
- Maritime and Coastguard Agency
- Fishing industry
- Recreational users
- Inshore Fisheries and Conservation Authorities
- Tourism boards
- Royal Yachting Association
- Department of Business, Energy and Industrial Strategy
- The Crown Estate

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<sup>6</sup> [Report to Parliament meeting carbon budgets – closing the policy gap](#)

<sup>7</sup> [http://europa.eu/rapid/press-release\\_STATEMENT-18-4155\\_en.htm](http://europa.eu/rapid/press-release_STATEMENT-18-4155_en.htm)

## How should this policy be applied?

### 23. Proposals will:

- demonstrate whether and how the footprint could be reduced to optimise the use of space
- consider opportunities for co-existence with existing activities or other known planned proposals
- demonstrate how they have considered engagement opportunities with existing users to promote co-operation between sectors
- demonstrate how they have considered impacts (both beneficial and adverse) upon existing activities in the proposal area, including displacement. Existing activities can be identified via the [Marine Information System](#) and the [public register](#). Additionally, existing activities are outlined in other policies within the marine plans and in local and [shoreline management plans](#) as well as heritage coast and coastal partnership plans
- assess the relative importance of the proposed activities should they be incompatible with current use within the area of the proposed activity
- assess any unintended consequences as a result of the proposal and co-operate with existing users to, in order of preference; avoid, minimise or mitigate these consequences

24. Decision makers will assess proposals to confirm they optimise their use of space. They should also consider the impact on current and known future users of the same marine space when making their decision. For example, static installations could change mobile sediments to solid substrate resulting in a change in habitat with possible impact on other activities such as recreational sea angling.

25. Decision makers assessing proposals that have required to select option c ('if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.') will fully consider the relative importance of proceeding with the activity. The decision maker should only authorise the proposed activity if it is clear that the new activity will provide significant economic, social or environmental benefit to the local communities affected by this change. It is essential that all policies in the marine plan are applied to a proposal to ensure compliance with the marine plan. An assessment of all of the policies against a new proposed activity will also provide guidance on the relative importance of the proposed activity compared to current use.

26. Proposals should consult with stakeholders that currently use the area to promote co-operation between sectors, minimise conflict and find ways to co-exist where appropriate. Note that current users can be a broad spectrum of stakeholders from fishermen to coastal communities that have a view of the coast. Consultation should therefore engage all interested parties who should be identified before the consultation stage begins. Consultation with stakeholders will also provide decision makers with further guidance regarding the relative importance of the proposed activity compared to existing use.

27. The term activities encompasses the full use of the marine area including (but not limited to) industrial, recreational and tourist use as well as management of designated

and non-designated areas and the presence of heritage sites. Therefore, as well as the need to manage spatial interactions with other marine users, there is also the need to manage interactions with heritage sites (see policy SE-HER-XX), marine protected areas (see policy SE-MPA-XX) and other interests. An example of how this is being achieved is where the aggregates industry have adopted a range of best practice measures. This includes developing guidance notes concerning [heritage, reporting protocols](#) and [fisheries liaison](#) codes of practice. In addition, regional approaches to assessment, monitoring and management have been adopted through regional dredging associations and associated marine aggregate regional environmental assessments.

28. Where co-existence is not possible, the potential use of a site over different periods of time should be explored. For example, early negotiation with aggregate extractors prior to the construction of a wind farm. Where co-existence or sequential use of a site cannot be achieved and detrimental impacts upon existing use is unavoidable, other measures to minimise or mitigate impact should be explored. In cases where co-existence with existing activities is not possible and it is not possible to minimise or mitigate impacts, an assessment regarding the relative importance of the activity in terms of wider environmental, social and economic objectives should be completed. The decision maker will take this into consideration when determining whether the proposal should proceed. Other factors will also need to be taken into consideration including Habitats Regulation Assessment, Environmental Impact Assessment and National Policy Statements where appropriate. A [marine licence](#) may be required or consent from [The Crown Estate](#) may be needed depending on the proposed activity.
29. In examining and determining applications for nationally significant infrastructure projects, examining authorities and the secretary of state for The Ministry of Housing, Communities and Local Government must have regard to this policy for nationally significant infrastructure projects capable of affecting existing activities in the marine plan area.

### Signposting

- Local authority plans
- [Shoreline management plans](#)
- Neighbourhood plans
- [Public register](#) of licensed activities
- [Marine Information System](#)
- [MMO byelaws](#)
- [IFCA byelaws](#)
- The crown estate leases
- Harbour and port authority plans/jurisdiction

Plan area	South East		
Grouping	Dredging (Harbours and Ports)		
Related High Level Marine Objectives (HLMO).	<b>Achieving a sustainable marine economy</b> Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating effectively.		
Other relevant policies	SE-CO-1 SE-MPA-1 SE-MPA-4 SE-WQ-1 SE-WQ-2 SE-Q-2 SE-ML-2 SE-BIO-3 SE-HER-1 SE-SCP-1		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>  ✓

## Policy drafting template SE-DD-1

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating effectively.
<b>Grouping</b>	Dredging: Harbours and Ports	<b>Code</b>	SE-DD-1

### Policy

#### SE-DD-1

In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.

### What is dredging activity?

1. Dredging activity involves the removal of sediment from waterways and the sea bed followed by discard of this sediment (spoil) at an agreed site. There are two main types of dredging: maintenance and capital. Maintenance dredging is required to maintain water depths in areas where sedimentation occurs and is a routine activity required for the preservation of navigable depths<sup>1</sup>. Continued safe navigational access to the majority of ports and harbours would not be possible without maintenance dredging. Capital dredging enables new activities to proceed by creating new or improved existing navigational channels and berths, often making them deeper and / or wider. Other types of dredging activity include clearance dredging which is the removal of silt from outfalls or culverts.

### Where do dredging activities occur in the south east inshore marine plan area?

2. In the south east inshore marine plan area there are ten major ports and five minor ports, which require maintenance dredging to maintain access<sup>1</sup>. The [Marine Information System](#) and the [Public Register](#) identifies the most up to date record of licensed sites for dredging.

### When does dredging activity take place in the south east inshore marine plan area?

3. Dredging activity operates all year round and is weather dependant. Licensing restrictions may apply, for example, to avoid fish migration and/or spawning. Timing restrictions related to certain states of the tide may also apply, for example slack tide, to avoid sediment transportation and smothering. These restrictions occur at different times of the year and vary in their potential impacts according to methodology, species and location. Relationships between extraction, disposal sites

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<sup>1</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

and re-use may also need to be considered as different licensing conditions may apply to each specific activity.

### **Why is dredging activity important to the south east marine plan area?**

4. Part II of the Coastal Protection Act (1942) gives ports powers to undertake navigational dredging to maintain access. Dredging activities play a vital role in both maintaining and expanding the socio-economic benefits that port development enables through direct and indirect job creation. Dredging also supports terrestrial infrastructure as well as imports, exports and tourism. Ports create a cluster effect by bringing together groups of related businesses, within and around the estate, which supports economic growth by encouraging innovation and the creation and development of new business opportunities. When considered alongside expected growth in port expansion, marine development proposals and the offshore renewable energy developments in particular, there is scope for expansion of the dredging sector to support this growth.
5. The [Marine Policy Statement](#) (Section 3.4.1) identifies ports as an essential part of the UK's economy and how they provide an important infrastructure between the land and the sea. Furthermore, in Section 3.6.3, dredging is identified as an enabling activity for the successful and safe function of ports and marinas. Ports and harbours in the south east inshore marine plan area require this regular maintenance dredging as a result of estuary processes that deposit suspended material in maintained navigational channels and berths pockets<sup>2</sup>. This policy therefore supports the preservation of dredging sites within the south east plan area, assisting these associated activities and functions.
6. The south east inshore marine plan area contains the largest concentration of ports in the UK, many of which are important for the UK's economy. For example, the Port of Felixstowe is Britain's biggest and busiest container port, and the Port of Dover is Europe's busiest ferry port. Many of these ports in the south east inshore plan area have well defined dredge access channels, allowing them to accommodate larger vessel. Therefore dredging activity plays a vital role in the maintenance of ports and harbours along with the expanding economic benefits that port development attracts through direct and indirect job creation.
7. In addition to this the south east inshore marine plan area accommodates a very large number of international sea movements from The Port of Dover and there are several commercial shipping routes across the region with several connections to world markets. These also require maintenance dredging resulting in the need to maintain safe access to these areas.
8. Increased shipping activity and larger vessels are likely to result in applications to dredge deeper, wider and more frequently<sup>2</sup>. This would result in an increase in licence applications for navigation dredging activity within the south east marine plan area.

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<sup>2</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

9. This policy protects dredging activities in or adjacent to authorised dredging areas against other new proposals, including cables or built infrastructure that negatively impact the ability to access or egress from these sites. The intent is to ensure continued safe access by vessels to ports and harbours over the lifetime of the South East Marine Plan. Adjacent areas in this policy are defined as those identified to be necessary to dredge activity. This policy discourages proposals that would cause significant adverse impacts on dredge activities, due to the need for related vessels to navigate to and from authorised dredge areas.

#### **Who is this of interest to?**

- Marine Management Organisation
- The Crown Estate
- Natural England
- Maritime and Coastguard Agency
- Environment Agency
- Centre for Environment, Fisheries and Aquaculture Science
- Terrestrial Local Planning Authorities
- Port and Harbour Authorities
- Region Flood and Coastal Committee
- Planning Inspectorate
- Other government bodies
- Coastal Groups
- Inshore Fisheries Conservation
- Ministry of Defence
- Ministry of Housing, Communities and Local Government

#### **How should this policy be applied?**

10. Proposals should include supporting information illustrating all known and potential impacts on dredging activity. This may include a consultation to identify issues at the scoping stage and include how the proposal supports the South East Marine Plan vision, objectives and other plan policies. Consultation should include all relevant ports and harbours and as this policy may apply more widely than Statutory Harbour Areas, proposals should identify all ports and harbours that may be effected and engage with them early in the proposal development. Where they exist, port master plans and their descriptions of future development should be referred to. Inclusion of this information does not indicate that approval of the proposal will follow by default. Approval will also depend on other material considerations to be taken into account by the decision-maker which may include, for example, other plans and policies.
11. Proposals should consider applicable environmental constraints based on specifications of the proposed activity (including location, scale and timing), associated risks, and consequences.
12. Decision makers must establish whether the intent of this policy has been achieved through the determination of any applications. Decision makers will take into account a range of relevant considerations including [Habitats Regulations Assessment](#), [Environmental Impact Assessment](#) and [National Policy Statements](#), where appropriate. Further considerations also include compliance with legislation and regulations detailed in the relevant local maintenance dredging protocol.

13. Decision makers should note that harbour authorities' statutory powers to dredge and dispose of dredged materials in tidal water are subject to consent. Applicants can find guidance online regarding [exempted activities](#) and how to make a [marine licence application](#). Where the proposal area for dredging activity occurs from mean low water springs landwards, an environmental permit may also be required. Where The Crown Estate, or another party, own the seabed, their permission is also likely to be needed. The Marine and Coastal Access Act Transitional Provision Order [2012](#) requires all maintenance and navigational dredging requires consent through a marine licence, unless it is specifically exempted under the [Marine and Coastal Access Act](#) (Section 75).
14. In examining and determining applications for nationally significant infrastructure projects, examining authorities and the secretary of state for The Ministry of Housing, Communities and Local Government must have regard to this policy for nationally significant infrastructure projects that may have significant adverse impact on areas of authorised dredge activity.
15. This policy, like all policies within the marine plans, should not be taken in isolation, and the plan as a whole should be considered when submitting proposals. Co-existence is a key aspect to marine planning and this policy is complemented by SE-CO-1.

### **Signposting**

16. Existing measures which relate to, and may contribute to the achievement of this policy include:
- [UK Marine Policy Statement](#) (3.6)
  - [EU Waste Framework Directive](#)
  - [EU Water Framework Directive](#)
  - [Oslo/Paris Convention for the Protection of the Marine Environment of the North East Atlantic](#)
  - [Marine and Coastal Access Act](#) (2009)
17. Further information and guidance that may help in implementing the policy include:
- [Use of beneficial dredge materials in the South inshore and offshore marine plan areas](#) (MMO 1073)
  - [Marine Information System](#)
  - [Environmental impacts of maintenance dredging and disposal](#)
  - [Marine Licensing exemption for certain dredging activities](#)
  - [Self-Service Marine Licensing](#)
  - Local Harbour Authority Plans
  - Harbour Orders
  - Maintenance Dredging Protocols
  - [Shoreline Management Plans](#)
  - [River Basin Management Plans](#)
  - Biosecurity Action Plans

## Policy drafting template SE-DD-2

<b>HLMO</b>	Achieving a sustainable economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Dredging and Disposal	<b>Code</b>	SE-DD-2

### Policy

#### SE-DD-2

Proposals that cause significant adverse impacts on licensed disposal areas should not be supported.

Proposals that cannot avoid such impact must, in order of preference (a) minimise, (b) mitigate or (c) if it is not possible to mitigate the significant adverse impacts, proposal must state the case for proceeding.

#### What are disposal areas?

1. Disposal areas are sites in which sediment, for example from navigational dredging, is discarded. Disposal sites are classified into open, disused and closed sites. Sites are assessed and classified on a case by case basis, but in general, sites which are open are defined as those that are in use, disused sites are those that have not been used in the last five years, and closed sites are defined as those that have not been used in the last ten years. Beneficial and alternative use sites are also currently considered as a category of disposal site.

#### Where are disposal areas in the south east inshore marine plan area?

2. There are 58 designated disposal sites in the south east inshore marine plan area, 24 of which are open, 5 of which are disused and 29 of which are closed<sup>1</sup>. The [Marine Information System](#) and the [Cefas Data Hub](#) contain the most up to date record of dredge disposal sites.

#### When does disposal activity take place in the south east inshore marine plan area?

3. Disposal activity operates all year round and is weather dependant. Licensing restrictions may apply, for example to avoid fish migration. Timing restrictions to certain tide states may also apply, for example at slack tide, to avoid sediment transportation and smothering. These restrictions occur at different times of the year and vary in their potential impacts according to methodology, species and location.

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<sup>1</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

## Why is disposal activity important to the south east inshore marine plan area?

4. The [Marine Policy Statement](#) (Section 3.4.1) identifies ports as an essential part of the UK's economy and how they provide an important infrastructure between the land and the sea. Furthermore, in Section 3.6.3, dredging is identified as an enabling activity for the successful and safe function of ports and marinas and therefore it is important to protect dredge disposal activity. Ports and harbours in the south east inshore plan area require this regular maintenance dredging as a result of estuary processes that deposit suspended material in maintained navigational channels and berth pockets<sup>2</sup>. The designated disposal sites in the south east inshore marine plan area are predominantly used for the disposal of this dredged material.
5. The south east inshore marine plan area contains the largest concentration of ports in the UK, many of which are important for the UK's economy. For example, the Port of Felixstowe is Britain's biggest and busiest container port, and the Port of Dover is Europe's busiest ferry port. Many of the ports in the south east inshore marine plan area have dredge access channels, allowing them to accommodate larger vessels. Therefore dredge disposal plays a vital role in the maintenance of ports and harbours along with the expanding economic benefits that port development enables through direct and indirect job creation.
6. In addition to this, the south east inshore marine plan area accommodates a very large number of international sea movements from Dover and there are several commercial shipping routes across the region with numerous connections to world markets. These also require maintenance dredging resulting in the need for disposal sites in this area.
7. Increased shipping activity and larger vessels are likely to result in applications to dredge deeper, wider and more frequently<sup>2</sup>. This would result in an increase in licence applications for disposal activity within the south east inshore marine plan area and an increased need for disposal sites. This policy therefore supports the preservation of current disposal sites, particularly where sites are being used for beneficial and alternative use, which will enable the growth of ports within the south east inshore plan area. This may be particularly prevalent in the developing economic climate.
8. Protecting disposal sites within the same vicinity as the dredging activity aids in retaining the material within the same sediment cell. This is a useful way of managing sediment budgets within estuaries, and therefore maintaining environmental conditions and habitats for native species. This may be prevalent in the areas where sediment movement is high, for example in the Greater Thames Estuary, and therefore protecting disposal sites within the south east inshore marine plan area will aid in retaining this sediment.
9. This policy protects disposal activities in or adjacent to licensed disposal areas against other new proposals, including cables or built infrastructure that negatively impact the ability to access or egress from these sites. The intent is to prevent activities that would compromise disposal which is essential in enabling continued

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<sup>2</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

safe access by vessels to ports and harbours. This will therefore reduce the need to designate new disposal sites which are not intended for beneficial or alternative use, reducing environmental impacts. Adjacent areas in this policy are defined as those identified to be necessary to dredge disposal activity. This policy discourages proposals that would cause significant adverse impacts on dredge disposal activities, due to the need for vessels to navigate safely to and from disposal sites.

### **Who is this of interest to?**

- Marine Management Organisation
- Local Authorities
- The Crown Estate
- Natural England
- Maritime and Coastguard Agency
- Environment Agency
- Centre for Environment, Fisheries and Aquaculture Science
- Terrestrial Local Planning Authorities
- Port and Harbour Authorities
- Region Flood and Coastal Committee
- Defence Infrastructure Organisation

### **How should this policy be applied?**

10. Proposal should include supporting information illustrating potential significant adverse impacts upon licensed disposal sites. This may include consultation with relevant stakeholders to identify issues at the scoping stage, and suggest measures to avoid, minimise or mitigate them. Proposals that cause significant adverse impacts on licensed disposal areas cannot proceed to (a) unless they have first demonstrated why they cannot avoid significant adverse impacts, (b) unless they have first demonstrated why they cannot meet (a) and (c) unless they have demonstrated why they cannot meet (b). Where it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding including how the proposal supports the South East Marine Plan vision, objectives and other plan policies. Inclusion of this information does not indicate that approval of the proposal will follow by default. Approval will also depend on other material considerations to be taken into account by the decision-maker which may include, for example, other plans and policies.
11. Decision makers must establish whether the intent of this policy has been achieved through the determination of any applications. Decision makers will take into account a range of relevant considerations including [Habitats Regulations Assessment](#), [Environmental Impact Assessment](#) and [National Policy Statements](#), where appropriate. Further considerations also include compliance with legislation and regulations detailed in the relevant local maintenance dredging protocol.
12. Decision makers should note that harbour authorities' statutory powers to dredge, and dispose of dredged materials, in tidal waters are subject to consent unless the activity is specifically exempt. A licence to dispose of dredge material must be obtained from the Marine Management Organisation. Applicants can find guidance online regarding [exempted activities](#) and how to make a [marine licence application](#). Where the disposal area occurs from mean low water springs landwards, an

environmental permit may be required and where The Crown Estate, or another party, own the seabed, their permission is also likely to be needed. The Marine and Coastal Access Act Transitional Provision Order [2012](#) requires all maintenance and navigational dredging requires consent through a marine licence, unless it is specifically exempted under the [Marine and Coastal Access Act](#) (Section 75).

## Signposting

13. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [UK Marine Policy Statement](#) (3.6)
- [National Planning Policy Framework](#)
- [EU Waste Framework Directive](#)
- [Oslo/Paris Convention for the Protection of the Marine Environment of the North East Atlantic](#)
- [Marine and Coastal Access Act](#) (2009)
- [Shoreline Management Plans](#)

14. Further information and guidance that may help in implementing the policy include:

- [Marine Information System](#)
- [Environmental impacts of maintenance dredging and disposal](#)
- [Marine Licensing exemption for certain dredging activities](#)
- [Use of beneficial dredge materials in the South inshore and offshore marine plan areas](#) (MMO 1073)
- [Marine Licensing guidance: Disposing of waste to sea](#)

## Policy drafting template SE-DD-3

<b>HLMO</b>	Achieving a sustainable economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Governance	<b>Code</b>	SE-DD-3

### Policy

#### SE-DD-3

Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. If creation of waste from dredging cannot be prevented, where practicable, dredged material must be put to alternative use.

#### What is disposal of dredged material?

Dredging is a common and necessary activity in ports and harbours to maintain access for incoming and outgoing vessels. Dredging excavates the sea/river bed which results in the production of dredged material. Disposal of dredged material refers to the relocation of this material. Dredged material can only be disposed of in identified areas subject to the type of dredged material. Disposing of dredged material means that the material serves no further purpose and can often cause localised disturbance within and near disposal sites.

#### What is alternative use of dredge material?

The preferred option in the [Waste Framework Directive waste hierarchy](#) is prevention, for example, by not carrying out dredging activities. If prevention is not possible, the options in the waste hierarchy in order of preference are: preparing for re-use, recycling and other recovery. These options are encompassed by the term alternative use.

Preparing for re-use relates to the re-use of dredged material as sediments, commonly referred to as beneficial use projects. For example:

- engineering uses such as for construction materials, flood defence, land reclamation and beach nourishment
- environmental enhancement including habitat creation and enhancement, and recreation
- sustainable relocation – relocating the dredged material back into the system that it was removed from to maintain the sediment budget of a system – this can be done if the sediment is clean and it is the best option for the system. This includes mid-river disposal sites<sup>1, 2</sup>.

<sup>1</sup> [Oslo Paris Commission Guidelines for the Management of Dredged Material](#)

<sup>2</sup> [MMO 1073 Report](#)

Recycling relates to the re-use of dredged material as sediments or for other purposes, where the dredged materials have had to be reprocessed to other products, materials or substances. This can include making high grade products from dredged material such as bricks or aggregates.

Other recovery can include treatment of dredged material to reduce contamination or alter the physical nature of the material.

### **Where are alternative use opportunities in the south east marine plan area?**

The [Online Marine Registry database](#) provides an online map displaying existing alternative use sites. In the South East Inshore Marine Plan Area, beneficial use projects have taken place in the Thames Estuary, Medway Estuary, Crouch Estuary, Blackwater Estuary, Colne Estuary, Hamford Water, Stour Estuary and the Orwell Estuary<sup>3</sup>.

Sources which may aid in identifying potential locations for alternative use of dredged material include [Shoreline Management Plans](#), Beach Management Plans, Port Master Plans and the assessment of Sites of Scientific Interest<sup>2</sup>. In addition to these suggested sources, other existing and future studies should also be considered to identify alternative use opportunities in the south east.

Potential locations for the alternative use of dredged material should not be restricted to the south east marine plan area. Locations in other marine plan areas can be considered if the proposal is practical and meets the requirements of the relevant marine plan area policies. In considering locations for the alternative use of dredged materials outside the south east marine plan area, it should be kept in mind that this may include jurisdictions beyond England's waters.

### **When does dredging and disposal and alternative use activity take place in south east marine plan area?**

Dredging and disposal activity operates all year round and is weather dependant. Licensing restrictions may apply, for example, to avoid fish migration and/or spawning. Timing restrictions to certain tide states may also apply, for example, to avoid sediment transportation and smothering. These restrictions occur at different times of the year according to location-specific species, sea conditions, and tides. Similar restrictions will also occur for the alternative use of material, depending on the proposal and site. Each proposal will be addressed on a case by case basis. Relationships between extraction, disposal and alternative use will need to be considered to make the policy more spatially specific and to provide options for alternative use.

### **Why is alternative use of dredged material important to the south east marine plan area?**

Dredging is an important activity in the south east marine plan area. It is essential for the functioning of ports and marinas and the social and economic benefits which derive from these. Alternative use is important as it can reduce the disposal of this

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<sup>3</sup> [The Royal Society for the Protection of Birds report: Precipitating a SEA Change in the Beneficial Use of Dredged Sediment](#)

dredged material. Reduction in the use and creation of disposal sites increases available space within areas under development. This is important in the south east marine plan area where there is a high density of activities.

Alternative use of dredged material is important because it supports the growth of industry by providing an additional source of material. For example, dredged material can be used for engineering, agricultural and product uses.

Disposal activities have a range of potential environmental impacts which may be reduced by considering alternative use options over disposal. Disposal activities may release contaminants into the water column which could have secondary impacts through bioaccumulation and biomagnification in the food web<sup>4</sup>. Contaminants associated with dredged material include organotin compounds, trace metals and polycyclic aromatic hydrocarbons<sup>4</sup>. Tributyltin (an organotin) can cause shell malformation in oysters and imposex in marine snails, for example<sup>4</sup>. When found above the natural background level, mercury (a trace metal) is a neurotoxin and can adversely impact the reproduction and development of many species<sup>4</sup>. Polycyclic aromatic hydrocarbons may cause changes in enzyme activity, reproductive failure and reduced growth potential in marine organisms<sup>4</sup>. Disposal activities can also have physical impacts, for example, the smothering of sensitive species and habitats and the disruption of sensory capabilities of fish by masking natural characteristics of sea water or tributary streams<sup>6</sup>. Through the potential reduction of environmental impacts, this policy supports environmental policies in the south east marine plans, including SE-MPA-1, SE-MPA-4, SE-WQ-1, SE-WQ-2 and SE-ML-2. Dredging of ports and harbours removes material from estuaries and coastal systems and can lead to coastal erosion and increased vulnerability to pressures caused by climate change<sup>2</sup>. As described in the [Strategic Scoping Report for marine planning in England](#), pressures such as sea level rise and coastal erosion exist within all marine plan areas. The alternative use of dredged material is important because it can contribute to the protection of coastal areas from these pressures. For example, dredged material can be used to protect, create and restore designated and deteriorating habitats, such as saltmarsh and mudflats<sup>2</sup>. The protection of coastal areas through alternative use opportunities supports policy SE-BIO-3.

This policy will support [Shoreline Management Plans](#) which may include the need to identify options for alternative use of dredged material. In the south east, the [Essex and South Suffolk Shoreline Management Plan](#) Action Plan highlights the need to identify opportunities for the beneficial use of dredging within the SMP project area. The [River Medway and Swale Estuary Shoreline Management Plan](#) refers to habitat creation and restoration and the [Isle of Grain to South Foreland Shoreline Management Plan](#) refers to beach nourishment and recharge, all of which could be opportunities for alternative use of dredged material.

This policy supports existing legislation. The [Marine Policy Statement](#) (3.6.8) states that waste disposal applications must consider the [Waste Framework Directive waste hierarchy](#), in which the re-use of waste is a priority over disposal. This policy is in alignment with the [Oslo Paris Commission Guidelines for the Management of Dredged Material](#) which states that it is important to recognise the potential value of dredged material as a resource and to consider the availability of beneficial uses. This policy complements Section 207 of the [National Planning Policy](#)

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<sup>4</sup> [Oslo Paris Commission Assessment of Dumping and Placement of Dredged Material](#)

[Framework](#) which requires Mineral Planning Authorities to prepare annual Local Aggregate Assessments and consider dredged material as a possible source of aggregates. This policy also supports marine licences for dredging activities which may stipulate alternative use of the dredged material as a condition, in accordance with the waste hierarchy.

#### **Who is this of interest to?**

- Marine Management Organisation
- The Crown Estate
- Joint Nature Conservation Committee
- Natural England
- UK Hydrographic Office
- Maritime and Coastguard Agency
- Defence Infrastructure Organisation
- Environment Agency
- Centre for Environment, Fisheries and Aquaculture Science
- Terrestrial Local Planning Authorities
- Local Flood Authorities
- Regional Flood and Coastal Committees
- Inshore Fisheries and conservation Authorities
- Port and Harbour authorities
- Mineral Planning Authorities

#### **How should this policy be applied?**

Proposals for disposing of dredged material must follow the [Waste Framework Directive waste hierarchy](#) which specifies the order of preference for how waste should be dealt with. The preferred option is prevention, followed by preparing for re-use, recycling, other recovery and finally, disposal. Therefore, proposals for disposing of dredged material must first consider prevention and if this is not possible, consider alternative use as the next preference. Disposal is considered as a last resort.

Decision makers must establish whether the intent of this policy has been achieved through the application process.

Proposals which are unable to consider alternative use or the other preferred options in the waste hierarchy and instead dispose of dredged material, must demonstrate the reasons why. Proposals must detail the process which the applicant went through to assess and screen out any other management options. Cases where alternative use is not practicable may be due to contamination status of the material, site selection, technical feasibility, environmental acceptability, costs/benefits and/or legal considerations.

This policy, like all policies within the marine plans, should not be taken in isolation, and the plan as a whole should be taken into consideration when submitting proposals. Specifically, policies relating to seascape (SE-SCP-1) and historic environment (SE-HER-1) should be considered when matching dredge materials to suitable alternative use sites. Proposals must consider local seascape and historic assets in or adjacent to the proposed site for alternative use and should ensure that disposal in this area will not cause significant harm to these features. The [Marine](#)

[Information System](#) mapping tool may assist in identifying the location of historic assets as will the [Historic England historic asset database](#). The seascape character assessment for the south east marine plan area will also guide applicants on the seascape features within the plan area.

Dredging and disposal activities require a marine licence from the Marine Management Organisation. The [Marine and Coastal Access Act Transitional Provisions Order 2012](#) requires all maintenance and navigational dredging to gain consent through a marine licence, unless it is specifically exempted under the [Marine and Coastal Access Act](#) (Section 75). Alternative use is considered as a type of disposal activity and so requires a marine licence. Such marine licences include pre-application requirements for alternative use proposals. Proposals not considering alternative use or other preferred options in the waste hierarchy and instead disposing of dredged material, must also obtain a marine licence. Permissions for any type of disposal may also be required from the landowner, Harbour Authority, The Crown Estate and/or any other parties with jurisdiction/ownership of the river/seabed. [Marine licence guidance](#), [exemption guidance](#) and information on the [licensing application process](#) can be found on the Marine Management Organisation's website.

A project level appropriate assessment will be required where alternative use proposals mean that the possibility of a 'likely significant effect' on a European/Ramsar site cannot be excluded on the basis of currently available information. An Environmental Impact Assessment and a Water Framework Directive Assessment may also be required.

## Signposting

Existing measures which relate to, and may contribute to the achievement of this policy include:

- [Marine and Coastal Access Act](#)
- [UK Marine Policy Statement](#)
- [Oslo Paris Convention for the Protection of the Marine Environment of the North East Atlantic](#)
- [Oslo Paris Commission Guidelines for the Management of Dredged Material](#)
- [National Planning Policy Framework](#)
- [European Union Waste Framework Directive](#)
- [Water Framework Directive](#)
- [The England and Wales Waste Regulations](#)
- [Shoreline Management Plans](#)

Further information and guidance that may help in implementing the policy include:

- [Environmental Impact Assessment/Strategic Environmental Assessment/Habitats Regulations Assessment](#)
- [MMO 1073: Use of beneficial dredge materials in the South inshore and offshore marine plan areas](#)
- [Marine Information System](#)
- [Marine Licensing exemption for certain dredging activities](#)
- [Marine Licensing application process](#)
- [Guidance on applying the Waste Hierarchy](#)

- [The Royal Society for the Protection of Birds report: Precipitating a SEA Change in the Beneficial Use of Dredged Sediment](#)
- [Landscape and seascape character assessment](#)
- [National Character Area Profiles](#)
- [An approach to seascape character assessment](#)

Iteration 3 draft

## Policy drafting template SE-DD-4

<b>HLMO</b>	Promoting good governance	<b>Sub bullet(s)</b>	All those that have a stake in the marine environment have an input into associated decision-making
<b>Grouping</b>	Governance	<b>Code</b>	SE-DD-4

### Policy

#### SE-DD-4

**Proposals identifying new dredge disposal sites which are subject to best practice and guidance from previous studies should be supported. Proposals will include an adequate characterisation study, be assessed against the waste hierarchy and must be informed by consultation with all relevant stakeholders.**

#### What are dredge disposal areas?

1. Disposal areas are sites in which sediment, for example from navigational dredging, is discarded. Disposal sites are classified into open, disused and closed sites. Sites are assessed and classified on a case by case basis, but in general, sites which are open are defined as those that are in use, disused sites are those that have not been used in the last five years, and closed sites are defined as those that have not been used in the last ten years. Beneficial and alternative use sites are also currently considered as a category of disposal site.

#### Where do dredge disposal sites occur in the south east marine plan area?

2. There are 58 designated disposal sites in the south east marine plan area, 24 of which are open, 5 of which are disused and 29 of which are closed<sup>1</sup>. The [Marine Information System](#) and the [Cefas Data Hub](#) contain the most up to date record of dredge disposal sites.

#### When does dredge disposal activity take place in the south east marine plan area?

3. Disposal activity operates all year round and is weather dependant. Licensing restrictions may apply, for example to avoid fish migration. Timing restrictions to certain tide states may also apply, for example at slack tide, to avoid sediment transportation and smothering. These restrictions occur at different times of the year and vary in their potential impacts according to methodology, species and location.

#### Why is the need for new dredge disposal sites important to the south east marine plan area?

4. The [Marine Policy Statement](#) (Section 3.4.1) identifies ports as an essential part of the UK's economy and how they provide an important infrastructure between the land and the sea. Furthermore, in Section 3.6.3, dredging is identified as an enabling

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<sup>1</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

activity for the successful and safe function of ports and marinas. Ports and harbours in the south east inshore marine plan area require this regular maintenance dredging as a result of estuary processes that deposit suspended material in maintained navigational channels and berth pockets<sup>2</sup>. This policy therefore supports the designation of disposals sites within the south east plan area, assisting these associated activities and functions.

5. The south east inshore marine plan area contains the largest concentration of ports in the UK, many of which are important for the UK's economy. For example the Port of Felixstowe is Britain's biggest and busiest container port, and the Port of Dover is Europe's busiest ferry port. Many of these ports in the south east inshore plan area have well defined dredge access channels, allowing them to accommodate larger vessel. Therefore dredging activity, and consequently disposal of this material, plays a vital role in the maintenance of ports and harbours along with the expanding economic benefits that port development enables through direct and indirect job creation.
6. In addition to this the south east inshore marine plan area accommodates a very large number of international sea movements from the Port of Dover and there are several commercial shipping routes across the region with numerous connections to world markets. These also require maintenance dredging resulting in the potential need to identify new dredge disposal sites to deposit this material.
7. Increased shipping activity and larger vessels are likely to result in applications to dredge deeper, wider and more frequently<sup>2</sup>. This would result in an increase in licence applications for disposal activity within the south east marine plan area and an increased need for disposal sites.
8. This policy supports proposals for new dredge disposal sites and provides guidance and best practice for proposing such activities. The intent is to encourage proposal of new dredge disposal sites as demand increases, and encourages early consideration of impacts to avoid conflicts during the application process. The establishment of new dredge disposal sites should only be explored after previous levels within the waste hierarchy have been considered and where the disposal is for re-use purposes. If existing designated disposal sites cannot be used, for example where sediment size does not match or there are particular constraints, and the potential to utilise closed or disused sites has been fully investigated and discounted, the designation of new dredge disposal sites may also be required.
9. Following best practice and guidance, such as those stated in the [OSPAR Guidelines for the Management of Dredged Material](#), will aid in minimising any potential environmental impacts, including biological, chemical and/or physical, that dredge disposal may have. Through the potential reduction of these impacts, this policy supports environmental policies in the south east marine plan, including SE-MPA-1, SE-MPA-4, SE-WQ-1, SE-WQ-2 and SE-ML-2.

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<sup>2</sup> Futures Analysis for the North East, North West, South East and South West Marine Plan Areas (June 2017) <https://www.gov.uk/government/publications/futures-analysis-for-the-north-east-north-west-south-east-and-south-west-marine-plan-areas-mmo-1127>

## Who is this of interest to?

- Marine Management Organisation
- Joint Nature Conservation Committee
- Natural England
- United Kingdom Hydrographic Office
- Maritime and Coastguard Agency
- Defence Infrastructure Organisation
- Environment Agency
- Centre for Environment Fisheries and Science
- Local Authorities
- Port and Harbour Authorities
- Inshore Fisheries and Conservation Authority

## How should this policy be applied?

10. A licence to dispose of dredge material, including the tidal extent of rivers and up to the mean high water springs mark, must be obtained from the Marine Management Organisation. Information on [exemption guidance](#) and the [licensing application process](#) can be found on the Marine Management Organisation's website. Where the disposal area occurs from mean low water springs landwards, an environmental permit may be required and where The Crown Estate, or another party, own the seabed, their permission is also likely to be needed.
11. Proposals should consider other interests, including potential impacts from other marine activities and the impacts that disposal has on these activities. They should also consider applicable environmental constraints based on specifications of the proposed activity (including location, scale and timing), associated risks, and consequences. This policy, like all policies within the marine plans, should not be taken in isolation, and the plan as a whole should be considered when submitting proposals.
12. Proposals should demonstrate how other disposal sites, potential beneficial and alternative use opportunities in the vicinity have been taken into account. New sites should be designated where there are positive benefits to designation, the [Waste Framework Directive](#) and related waste hierarchy has been taken into account, and a characterisation study has been completed. In order of preference, the waste hierarchy states that prevention of waste material is preferential. This is followed by re-use, recycling, recovery and then finally disposal. Examples of characterisation studies can be found on the [marine licensing selected cases](#) page such as the [Plymouth Dredged Material Disposal Site Selection – Characterisation Report](#), the [Hornsea Offshore Wind Farm Dredging and Disposal: Site Characterisation report](#) and the [Harwich Dredge Disposal Characterisation report](#).
13. Decision makers will establish whether the intent of this policy has been achieved through the determination of any applications. Inclusion of this information does not indicate that approval of the proposals will follow by default. Decision makers will take into account a range of relevant considerations including [Habitats Regulations Assessment](#), [Environmental Impact Assessment](#) and [National Policy Statements](#), where appropriate. Further considerations also include compliance with

legislation and regulations detailed in the relevant local maintenance dredging protocol.

14. Plans and strategies should consider dredge disposal in relation to their area of responsibility, for example mineral and waste planning, when considering extraction of aggregates adjacent to existing or potential dredge disposal sites.

### **Signposting**

15. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [UK Marine Policy Statement](#) (3.6)
- [National Planning Policy Framework](#)
- [EU Waste Framework Directive](#)
- [Oslo/Paris Convention for the Protection of the Marine Environment of the North East Atlantic](#)
- [Marine and Coastal Access Act](#) (2009)
- [Shoreline Management Plans](#)

16. Further information and guidance that may help in implementing the policy include:

- [Marine Information System](#)
- [Environmental impacts of maintenance dredging and disposal](#)
- [Landscape and seascape character assessment](#)
- [National Character Areas](#)
- [An approach to seascape character assessment](#)
- [Use of beneficial dredge materials in the South inshore and offshore marine plan areas](#) (MMO 1073)
- [Marine Licensing exemption for certain dredging activities](#)
- [Marine Licensing guidance: Disposing of waste to sea](#)

Plan area	South East		
Grouping	Oil and gas		
Related High Level Marine Objectives (HLMO).	<b>Achieving a sustainable marine economy</b> Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.		
Other relevant policies	SE-CCS-1 SE-CCS-2 SE-GOV-1 SE-CO-1		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>	<b>SW</b>  ✓

## Policy drafting template SE-OG-1

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are acting in a way which respects environmental limits and is socially responsible. This is rewarded in the marketplace.
<b>Grouping</b>	Energy	<b>Code</b>	SE-OG-1

### Policy

#### SE-OG-1

Proposals demonstrating compatibility with oil and gas activities in areas where a licence for oil and gas has been granted or formally applied for should be supported.

#### What is oil and gas activity?

1. In the marine area oil and gas activity includes exploration for and production of oil and gas from below the seabed. Oil and gas deposits are located in spatially discrete areas where the deposits were formed and the associated infrastructure required to explore for or exploit the resource usually has a limited spatial footprint. Rigs are used to drill for hydrocarbons, and production is either via a platform or floating storage facility, where it may be processed prior to being exported ashore via pipelines or using shuttle tankers.

#### Where is oil and gas activity in the south east marine plan area?

2. UK oil and gas reserves are predominantly in the North and Irish Seas, with the majority of oil to the north of the continental shelf and the gas to the south.
3. The [MMO Sustainability appraisal scoping report](#) notes that there are no oil or gas fields or terminals in the south east marine plan area and no currently licenced areas to be awarded or offered in the south east marine area. The remaining blocks in the area may be included in licensing rounds in the future and subject to award and development, especially if additional exploration work is undertaken.

#### When does oil and gas activity take place in south east marine plan area?

4. Oil and gas installations can operate year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year.

#### Why is oil and gas activity important to the south east marine plan area?

5. Oil and gas provides the UK with a significant proportion of its primary energy demand, contributing 67% in 2015. Oil and gas is on a long-term decline, but will remain of central importance to the UK's energy (as well as being a significant provider of employment and tax revenue) as the country moves towards a low carbon economy (BEIS (2017) [Industrial Strategy](#)).

6. Sustainably maximising the economic recovery (and transmission) of oil and gas from the UK Continental Shelf (UKCS) is a priority for energy supply and security and is crucial to meeting UK energy needs during the transition to a low carbon economy (BEIS (2017) [Strategic Security of Supply Report](#)). This is also an important aspect of increasing the UK's reliance on indigenous energy sources, minimising reliance on foreign imports and thereby enhancing energy security.
7. As of 2013, the south east marine plan area contained 0.4% of England's oil and gas infrastructure and no licensed extraction blocks. The south east marine plan area contains 9.8% of England's share of pipelines (MMO (2013) [Strategic Scoping Report for marine planning in England](#)).
8. Licensed oil and gas blocks should be safeguarded for the activities identified in the licence until the licence is surrendered, (including completion of any relevant decommissioning activity) unless agreement over collocated use can be negotiated or suitable mitigation such as temporal measures are agreed. More detail on how such issues may be resolved between offshore wind and oil and gas is provided by the written ministerial statement made by the Secretary of State for Energy and Climate Change to Parliament on the 12th July 2011 and the subsequent [Oil and Gas Clause in Crown Estate Leases](#) guidance on procedures for independent valuation where necessary.
9. This policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space. It builds upon Marine Policy Statement (3.3.4 and 3.3.8) which states: 'The UK's policy objective to maximise economic development of the UK's oil and gas resources' and 'maximising the economic recovery of UK oil and gas resource sustainably is therefore a priority in the UK's energy supply and energy security strategies'.

#### **Who is this of interest to?**

10. Public Authorities such as
  - Marine Management Organisation Licensing
  - Department for Business, Energy and Industrial Strategy
  - Oil and Gas Authority
  - The Crown Estate
  - UK Hydrographic Office

#### **How should this policy be applied?**

11. The potential for interaction between proposed oil and gas activity and current activities is addressed through existing measures, both as part of the process to identify and award licence blocks and to support application for a production licence (both requiring substantial investment) and through arrangements in place where any conflict remains. The policy wording supports that approach.
12. The Oil and Gas Authority (OGA), which was set up in April 2015 and is now responsible for issuing Seaward Production and Exploration Licences and the Department for Business, Energy & Industrial Strategy Offshore Petroleum Regulator for Environment and Decommissioning (BEIS OPRED) which is responsible for issuing activity specific approvals, should be consulted when considering whether a

proposal has a potential impact on current or future exploration and production of oil and gas.

13. Maximising economic recovery of oil and gas resources may require access to discoveries that have not yet been developed. Future oil and gas extraction proposals may require access to the same area of seabed as other proposals. Proposals located in or around a licensed block should demonstrate they could co-locate with any oil and gas activities (see figure xxx). Due to the small footprint of oil and gas infrastructure any actual conflict or impact may be minimal. Furthermore, exploration and appraisal work is transient and therefore not a permanent barrier to other uses of the marine area.
14. Early engagement is recommended with the oil or gas licence holder as there may be requirement for negotiation between parties involved, the Oil and Gas Authority and the Department for Business, Energy and Industrial Strategy. Where conflict arises public authorities should take account of the full range of benefits and risks, the national policy on development of oil and gas resources and arrangements in place for managing conflicts.

### **Signposting**

15. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [Petroleum Act 1998](#)
  - [Energy Act 2008](#)
  - [Energy Act 2010](#)
  - [Marine Policy Statement](#)
  - [Planning Act 2008](#)
  - [The Petroleum Licensing \(Applications\) Regulations 2015](#)
  - [Climate Change Act 2008](#)
16. Further information and guidance that may help in implementing the policy include:
  - [National Policy Statement for Energy EN-1](#)
  - [Industrial Strategy](#)
  - [National Planning Policy Framework](#)
  - [Statutory security of supply report](#)
  - [Marine Information System](#) Layers
    - Oil & Gas Awarded Blocks
    - Hydrocarbon Fields
    - Oil & Gas Safety zones
    - Other Relevant layers
  - Other relevant policies to the oil and gas sector
    - SE-OG-2
    - SE-CCS-1
    - SE-CCS-2

Plan area	South East		
Grouping	Ports and Harbours (Shipping)		
Related High Level Marine Objectives (HLMO).	<p><b>Achieving a sustainable marine economy</b>  Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.</p> <p>The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.</p>		
Other relevant policies	SE-GOV-1 SE-CO-1 SE-AIR-1		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>  ✓

## Policy drafting template SE-PS-1

<b>HLMO</b>	Achieving a sustainable marine economy.	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
<b>Grouping</b>	Ports and Harbours	<b>Code</b>	SE-PS-1

### Policy

#### SE-PS-1

Proposals demonstrating compatibility with current activity and future opportunity for expansion of port and harbour activities will be supported. Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

### What are port and harbour activities?

1. Port and harbour activities in the south east marine plan area includes:
  - transport of cargo (including bulks such as raw sugar, vehicles, steel and metals, chemicals including petroleum products and fertilisers, animal feeds, cement, containers and roll-on roll-off units) and passengers
  - landing of marine aggregates
  - facilitating recreational use
2. Ports and harbours also play a role in managing their local environments (natural and historic) and often play an active role in marine and maritime related events.
3. Ports and harbours are essential to realising the economic and social benefits of marine resources including ports' and harbours' ability to respond to the demand of users. UK ports compete with each other and with European ports. This helps drive efficiencies and lowers costs for industry and consumers, contributing to the competitiveness of the UK economy ([National Policy Statement for Ports](#)). Synchronising ports' and harbours' functions requires careful planning and management to ensure efficient use of space and support future growth.
4. Ports and harbour future growth is directly related to the number of vessels and/or the size of vessels using them, making their growth difficult to predict as it is responsive to global markets. Growth is not the aspiration of all ports and harbours, some seek to maintain current operations and management practices with no further expansion.
5. This policy provides clarity on how the economic interests of ports and harbours should be protected and makes sure new development does not restrict current activities or future growth. This policy protects the efficiency and resilience of continuing port operations, and further port development ([Marine Policy Statement 3.4.7](#)). This policy also complements the [National Policy Statement for Ports](#), setting

provisions for port growth in the context of the management and development of other activities.

### **Where is port and harbour activity in the south east marine plan area?**

6. There are numerous ports and harbours across the south east inshore marine plan area ranging from major ports such as the Ports of Dover, Sheerness, London and Felixstowe, to operations based in Areas of Outstanding Natural Beauty such as Ipswich. The smaller south east inshore plan area ports are important for recreational and commercial fishing. The major commercial ports of London (in particular Tilbury and London cruise terminal), Dover and Felixstowe have plans to expand operations and will benefit from an ability to increase resilience within a changing global market place.

### **When does port and harbour activity take place in the south east marine plan area?**

7. Ports and harbours operate year round.

### **Why are ports and harbours important to the south east marine plan area?**

8. Ports play an important part in local and regional economies. As well as port related employment, by bringing together groups of related businesses within and around the estate, ports create a cluster effect supporting economic growth by encouraging innovation and the creation and development of new business opportunities.

### **Who is this of interest to?**

9. Public authorities such as:
  - ports and harbour authorities
  - terrestrial planning authorities
  - Marine Management Organisation licensing

### **How should this policy be applied?**

10. Proposals should demonstrate that they have considered the resilience of ports and harbours to changing markets and international needs.
11. Proposals should demonstrate that relevant ports and harbours have been consulted and their current activities and future growth considered. As this policy may apply more widely than Statutory Harbour Areas, proposals should identify all ports and harbours that may be affected and engage with them early in proposal development. This should include the matters listed in these plans but may also include other considerations such as anchorages.
12. Figure XXX outlines important areas where this policy should be applied. It includes navigational approaches, harbour administrative areas and anchoring areas. This should not be considered definitive. For example, in understanding where future port or harbour use may need to be accommodated, developments and other activities should also have regard to access and approach channels into ports (see Figure XXX).

13. Figure XXX should not be considered in isolation and any interpretation is subject to review with neighbouring port or harbour authorities to make sure navigation channels are considered in their entirety. This is necessary as navigation channels are composed of areas maintained by licenced and natural processes. It may be that areas maintained by natural processes are subject to capital and maintenance dredging in the future as port requirements are identified. Where they exist, port master plans and their descriptions of future development should be referred to.
14. Figure XXX can also be used to identify potential future development as it shows existing licenced dredging and disposal areas, which can indicate future capital dredging and thereby port development. Please visit the Marine Information System for up to date versions of these maps.
15. Public authorities will take account of a range of relevant considerations including compliance with legislation, regulations and environmental assessment.

### **Signposting**

- [National Policy Statement for Ports](#)
  - [Marine Policy Statement](#) (3.4.7)
  - Port and harbour master plans
  - [Marine and Coastal Access Act](#) (2009)
16. Further information and guidance that may help in implementing the policy include:
    - Marine Information System

## Policy drafting template SE-PS-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine businesses
<b>Grouping</b>	Ports and Harbours	<b>Code</b>	SE-PS-2

### Policy

#### SE-PS-2

Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within International Maritime Organization routing systems unless there are exceptional circumstances.

#### What are International Maritime Organization routing systems?

1. The International Maritime Organization is the United Nations agency with responsibility for the safety and security of shipping and the prevention of marine pollution by ships. International Maritime Organization routing systems are established to maintain navigational safety by managing shipping traffic in busy areas and/or in response to prevailing hydrographic features.

#### Where are sector/activity in the south east marine plan area?

2. The Strait of Dover Traffic Separation Scheme (see Figure XXX) is the International Maritime Organization routing system in the south east marine plan area.

#### When does sector/activity take place in the south east marine plan area?

3. Shipping operates year round.

#### Why is sector/activity important to the south east marine plan area?

4. The south east marine plan area includes routing systems that make sure international obligations are met with regards to maintaining particular navigational requirements.
5. The [Marine Policy Statement](#) (3.4.7 and 2.3.1.1) states that 'marine plan authorities and decision-makers should take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety and make sure that their decisions are in compliance with international maritime law. [The National Policy Statement for Renewable Energy Infrastructure](#) (2.6.161) states that nationally significant infrastructure projects should not be '... grant[ed] development consent in relation to the construction or extension of an offshore wind farm... [if] interference with the use of recognised sea lanes essential to international navigation is likely to be caused by the development'.
6. The policy specifies that developments should not be authorised where use of International Maritime Organization routing systems may be compromised. This reflects the UK plan to preserve internationally important navigation routes.

Authorisation of proposals that impact upon use of International Maritime Organization routing systems are very rare.

### **Who is this of interest to?**

7. The policy will mainly be implemented by the Marine Management Organisation. Other government departments may also implement this policy, as per the [Planning Act](#) (2008).

### **How should this policy be applied?**

8. The policy focuses on proposals that result in static infrastructure that may have a presence at the sea surface and/or may reduce under-keel clearance to the extent that it will impact on vessel traffic. See Figure XXX for the areas that are included. The areas involved are beyond the intertidal area and outside port and harbour authority limits.
9. This policy recognises existing designations for navigation whilst acknowledging the ability to co-locate with many sea bed related and non-permanent activities.
10. Proposals should demonstrate that they have consulted with the Maritime and Coastguard Agency to define 'significant' reduction of under-keel clearance in relation to their proposal during the scoping process.
11. Mid water structures may also impose restrictions on navigation. Development of such structures or the intent to do so within International Maritime Organization routing systems in the south marine plan area have not been identified.
12. This policy does not preclude non-permanent static sea surface infrastructure for example jack-up vessels, which are subject to operational requirements such as notifications to mariners to ensure safe operation. The policy does not discount International Maritime Organization routing and reporting systems changing in the future.

### **Signposting**

13. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [Marine Policy Statement](#) (3.4.7 and 2.3.1.1)
  - [The National Policy Statement for Renewable Energy Infrastructure](#)
  - [Planning Act](#) (2008).
14. Further information and guidance that may help in implementing the policy include:
  - Marine Information System

## Policy drafting template SE-PS-3

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Infrastructure is in place to support and promote safe, profitable and efficient marine businesses.
<b>Grouping</b>	Ports and Harbours	<b>Code</b>	SE-PS-3

### Policy

#### SE-PS-3

Proposals requiring static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.

#### What are high density navigation routes and passenger services?

1. High density navigation routes are areas along which shipping traffic travels. This reflects routes used by vessels of 300 gross tonnes or more, including cruise services (see Figure XXX, the methodology used to define the high density navigation route in this figure can be found in appendix X). Passenger ferry services are regular routes for these vessels (which may or may not overlap with high density navigation routes).
2. The location and level of shipping activity is related to the location of ports, harbours and destinations for passenger and commercial traffic. The south east marine plan area is home to nationally significant levels of coastal, short sea and international shipping, with considerable levels of passing traffic in the English Channel, recognised in the [Marine Policy Statement \(3.4.5\)](#).
3. New activities in the south east marine plan area should afford protection to safe and competitive shipping, particularly where high density navigation routes and/or passenger ferry services are identified.

#### Where is sector/activity in the south east marine plan area?

4. There are numerous ports and harbours across the south east inshore marine plan area ranging from major ports such as the Ports of Dover, Sheerness, London and Felixstowe, to operations based in Areas of Outstanding Natural Beauty such as Ipswich. The smaller south east inshore plan area ports are important for recreational and commercial fishing. The major commercial ports of London (In particular Tilbury and London cruise terminal), Dover and Felixstowe have plans to expand operations and will benefit from an ability to increase resilience within a changing global market place.

#### When does sector/activity take place in the south east marine plan area?

5. Shipping activity takes place throughout the year, with seasonal peaks and variations.

## Why is sector/activity important to the south east marine plan area?

6. Shipping in and around the Port of London and the surrounding coast, particularly Felixstowe, is vital to the maintenance of Britain's global economic position and the south east marine plan area's place as England's marine gateway to the world. The South East contributes over £2.5 billion to the national economy from ports and shipping, (the greatest amount of GVA of all the marine plan areas). With the expansion of London Gateway allowing the world's biggest ships access to port facilities, containerised handling of cargo and passenger traffic in the south east plan area will increase proportionately in line with the Port of London Authority vision and the Mayor's London Plan
7. Dover to Calais is the most popular international passenger route accounting for 48% of all short sea international passengers. Dover is the busiest ro-ro port in the whole of Europe. The English Channel is one of the world's busiest shipping routes, linking the North and Baltic Seas to the North-West Atlantic.
8. There are other pressures on the industry which may impact on future growth. For example, requirement to reduce sulphur emissions may lead to an increase in sea transport costs, reducing competitiveness of short sea shipping and potentially affecting income for ports. The Port of London Authority is addressing this issues by introducing an air quality strategy and employing new hybrid fuel vessels.
9. Vessel diversions, which may arise from direct displacement by permanent or non-permanent development or activities, are likely to have a negative impact on the industry for example increasing operational costs due to increased use of fuel.
10. The policy focuses on minimising negative impacts on shipping activity, protecting the economic interests of ports, shipping and the UK economy overall, affording protection to the areas used by high intensities of traffic ([Marine Policy Statement 3.4.2](#)). It also gives effect to provisions in the [National Planning Policy Framework \(section 37\)](#) which aims to encourage sustainable transport. See Figure XXX for high density navigation routes and passenger services within the south marine plan area.

## Who is this of interest to?

11. Public authorities such as;
  - Terrestrial planning authorities
  - Marine Management Organisation licensing
  - BEIS
  - Marine and Coastguard Agency
  - port and harbour authorities

## How should this policy be applied?

12. This policy will be implemented by public authorities for proposals requiring static sea surface infrastructure or above surface structures that may encroach upon high density navigation routes, or that may cause a risk to the viability of passenger ferry services (see Figure XXX). For example, infrastructure at the sea surface and/or below/above that reduces under-keel or overhead clearance. This approach

recognises the ability to co-locate with sea bed located and non- permanent activities.

13. The policy will mainly be implemented by the Marine Management Organisation. Other government departments may also implement this policy, such as the [Department for Business, Energy and Industrial Strategy](#) in the case of energy related nationally significant infrastructure projects where marine plans are a consideration ([Planning Act](#) (2008)).
14. This policy should be implemented in high density navigation routes that begin on the landward side at the boundaries of harbour administrative areas and/or areas within International Maritime Organization routing systems. See Figure XXX and the [Marine Information System](#) for affected areas - this does not include non-routine traffic such as fishing vessels, military vessels, tugs, dredgers and recreational vessels. Irrespective of the map provided, each proposal will be treated on its own merits, with measures such as navigational risk assessments undertaken as required.
15. Proposals should:
  - be compatible with the need to maintain space for safe navigation, avoiding adverse impacts
  - anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows
  - account for impacts upon navigation in combination with other existing and proposed activities
16. Proposals should demonstrate that they have consulted harbour and other navigation authorities (including [Trinity House](#)), public authorities (including the [Maritime and Coastguard Agency](#)), and commercial shipping representation (including the [UK Chamber of Shipping](#)). Where a proposal may impede navigation or expected growth they should also consult with other relevant navigation and shipping representatives.
17. Proposals should be informed by all relevant bodies that can advise on impact on navigation routes. For example, those proposing offshore wind farms should consult with the Nautical and Offshore Renewable Energy Liaison group, who can help identify related impacts on navigation.

### **Signposting**

18. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [National Planning Policy Framework](#) (3.4.2)
  - [The National Policy Statement for Renewable Energy Infrastructure](#) (2.6.161)
  - [Planning Act](#) (2008)
  - relevant port master plans
  - Maritime 2050
19. Further information and guidance that may help in implementing the policy include:
  - key data sets on the [Marine Information System](#)

## Policy drafting template SE-PS-4

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Shipping	<b>Code</b>	SE-PS-4

### Policy

#### SE-PS-4

**Proposals promoting short sea shipping as an alternate to road and rail transport will be supported**

### What is short sea shipping?

1. Short sea shipping is the movement of cargo and passengers by sea over short distances including along the coast between domestic ports and to and from the UK to European ports. This includes support services for oil and gas facilities and renewable energy installations. Short sea shipping reduces congestion caused by terrestrial road transport and can provide air quality improvements through greater fuel economy and lower emissions of harmful pollutants. Short sea shipping is one of the most sustainable and economically competitive modes of transport.
2. Short sea shipping is important as a means of both distributing goods brought into ports by growing numbers of ultra large container ships (ULCS) and through direct movements of smaller bulk materials. The short sea shipping market is expected to grow as a sustainable alternate to the transport of goods by road or rail, providing a flexible and specialised service. There are however, a number of factors to consider in what is a price sensitive market. In particular the relative lower costs of road transport, time constraints on delivery of goods and the availability of government subsidies.
3. The types of cargo carried by short sea shipping in the south east plan area include:
  - transport of cargo (including bulks such as raw sugar, chemicals including petroleum products and fertilisers, animal feeds, cement) containers and roll-on roll-off units) and passengers
  - landing of marine aggregates
  - steel and metals
  - motor vehicles and plant
  - containerised refuse

### Where is short sea shipping activity in the south east marine plan area?

4. Short sea shipping activity in the south east plan area occurs at all large ports in the area including Port of London Authority ports (London Gateway, London Container

Terminal Tilbury, London International Cruise Terminal), Felixstowe, Sheerness, Dover, Ramsgate, Ipswich and Harwich.

### **When does short sea shipping take place in the south east marine plan area?**

5. Short sea shipping occurs throughout the year in the south east plan areas, though there are seasonal variations related to grain and agricultural produce.

### **Why is short sea shipping important to the south east marine plan area?**

6. Ports and harbours are essential to realise economic and social benefits for the south east marine plan area and the UK. Marine plans make sure proposals do not restrict current port and harbour activity or future growth, enabling long-term strategic decisions, and supporting competitive and efficient port and shipping operations
7. Short sea shipping provides a sustainable alternative to road and rail transport, lowering CO<sup>2</sup> emissions and reducing road congestion (see SE-AIR-1). Bulk volumes are moved quickly with a reduction in administrative burden and increased efficiency through economies of scale. Short sea routes also allow the transshipment of cargo from large vessels landing into major European ports to the UK, reducing costs, improving reliability and allowing smaller ports to expand through the establishment of increased numbers of short sea shipping routes.

### **Who is this of interest to?**

8. Public authorities such as:
  - ports and harbour authorities
  - terrestrial planning authorities
  - Marine Management Organisation licensing
  - Maritime and Coastguard Agency
  - Department for Transport

### **How should this policy be applied?**

9. Proposals that promote short sea shipping will be supported where appropriate.
10. It is likely that the primary driver of this policy will be from the ports and harbour sector when considering expanding operations or increasing capacity of trade into ports. This is an enabling policy designed to apply to all ports and harbours to enable growth without giving an advantage to any one port over another. Therefore all proposals should demonstrate that all relevant ports and harbours port master plans have been considered. As this policy may apply more widely than Statutory Harbour Areas, proposals should identify all ports and harbours that may be affected and engage with them early in proposal development. This should include the matters listed in these plans but may also include other considerations such as safeguarding anchorages which may be restricted through port expansion.
11. Figure XXX outlines important areas where this policy should be applied. It includes navigational approaches, harbour administrative areas and anchoring areas. This should not be considered definitive. For example, in understanding where future port or harbour growth in short sea shipping may need to be accommodated,

developments and other activities should also have regard to access and approach channels into ports (see figure XXX).

12. This policy provides support to the efficiency and resilience of continuing port operations, and further port development ([Marine Policy Statement](#) (3.4.7)). This policy also complements the [National Policy Statement for Ports](#), setting provisions for port growth in the context of the management and development of other activities including the growth of short sea shipping.
13. Public authorities will take account of a range of relevant considerations including compliance with legislation, regulations and environmental assessment.

### **Signposting**

14. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [Merchant Shipping Act 1995](#)
  - [National planning policy framework](#)
  - [port statutory powers of 'competent harbour authorities'](#)
  - port and harbour master plans
15. Further information and guidance that may help in implementing the policy include:
  - Marine Information System
  - [UK maritime and shipping statistics](#)
  - Maritime 2050

Plan area	South East		
Grouping	Renewables		
Related High Level Marine Objectives (HLMO).	<p><b>Achieving a sustainable marine economy</b>  The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.</p> <p>Marine businesses are taking long term strategic decisions and managing risks effectively. They are competitive and operating efficiently.</p>		
Other relevant policies	SE-GOV-1 SE-CO-1 SE-WIND-2		
Are these policies consistent across other plan areas?	<b>NW</b>  ✓	<b>NE</b>  ✓	<b>SW</b>  ✓

## Policy drafting template SE-REN-1

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Economy	<b>Code</b>	SE-REN-1

### Policy

#### SE-REN-1

Proposals that enable the provision of emerging renewable energy technologies and associated supply chains, will be supported.

#### What is an emerging renewable energy technology?

1. Offshore renewable energy is currently dominated by fixed foundation offshore wind. There are a number of technologies, and associated supply chains, at various stages of the development lifecycle within the English marine area that could reach commercial scale deployment within the 20 year vision of the marine plan. Such technologies include, but are not limited to:

#### Tidal

2. Tidal energy generation is where tidal devices generate energy by harnessing the surge of ocean waters during the rise and fall of tides. Tidal energy resource is at its best when there is a good tidal range, defined as the vertical difference between the high tide and the succeeding low tides, and the speed of the current is amplified by the funnelling effect of the local coastline and seabed.

#### Wave

3. Wave power is produced by generators on the sea surface that use the power of waves to generate electricity. Energy generation is dependent on wave height, speed and length. A range of different technologies have been proposed, however commercial deployment has not yet occurred.

#### Supply chains

4. Supply chains are the movement of material from their source to the end customer. In the marine renewables sectors these include the manufacture, transport and installation of wind turbines, wave and tidal devices, and supporting infrastructure such as foundations and cables. An illustration of the location of businesses involved in the renewable energy supply chain can be viewed [here](#). Development of supply chains has the potential to drive down the costs associated with renewable energy development. In particular UK support for operations and maintenance bases could contribute to further reductions in the cost of renewable energy

## **Where does renewable energy generation take place in the south east marine plan area?**

5. The south east has been identified as having potential for wave, tidal stream and tidal range energy resources. There are seven operational offshore wind farms in the area, with a combined capacity of 1254.3MW:
  - Gunfleet Sands I
  - Gunfleet Sands II
  - Gunfleet Sands III
  - Kentish Flats I
  - Kentish Flats II
  - London Array
  - Thanet

## **When does renewable energy take place in south east marine plan area?**

6. Renewable energy generation can occur at any point in the year. The activity is limited by the availability of conditions needed to generate electricity, for example strong enough winds to turn wind turbines.

## **Why is renewable energy important to the south east marine plan area?**

7. The Government's [Clean Growth Strategy](#) sets out an ambition to reduce emissions from the power sector to zero by 2050 and to grow renewables and nuclear to over 80% of electricity generation. There is also an ambition to develop a Sector Deal for offshore wind.
8. The [Marine Policy Statement](#) (3.3.5) requires marine planning to take account of preferred areas for development of different energy sources and their generation and distribution infrastructure. In England, licences for offshore wind energy projects are granted by the Marine Management Organisation (projects <100MW) and the Planning Inspectorate (projects >100MW). Developers also require a seabed lease from The Crown Estate.
9. More information on the leasing and consenting process for renewable energy can be found in the [National Policy Statement](#) for energy EN-1, EN-3 and EN-5. These documents provide the primary basis for decision-making in relation to Offshore Wind Farms over 100 Megawatts including assessment of impacts on biodiversity, other activities and social receptors on land and offshore.
10. The UK supply chain plays an important role in developing technology, driving down associated costs of infrastructure and realising the economic and social benefits of renewable energy to the UK economy. [The Marine Policy Statement](#) (3.3.19) states that 'Expansion of the offshore wind [energy] supply is likely to require significant investment in new high value manufacturing capability with potential to regenerate local and national economies and provide employment'. The value of supply chains to cost reduction is identified in the [Clean Growth Strategy](#).
11. The [Electricity Market Reform](#) recognises the role of nationally significant infrastructure projects in influencing supply chains and encourages greater

competition and diversification in the supply chain by identifying important tender dates for all projects over 300MW through a [supply chain plan](#).

12. Figure xxx identifies the potential for renewable energy in the south east marine plan area.

### **Who is this of interest to?**

13. Developers

- Public authorities such as;
  - Terrestrial planning authorities
  - Marine Management Organisation licensing
  - BEIS
- The Crown Estate

### **How should this policy be applied?**

14. Proposals should demonstrate that they will contribute to the development or creation of supply chains associated with renewable energy. For example, the development of blade manufacturing plants or the provision of facilities or services to test emerging technologies. This does not indicate that approval of the proposal will follow by default. Public authorities also take into account legislation and regulations, such as the [Habitats Regulations Assessment](#) and [Environmental Assessment](#).

15. The Marine Management Organisation report '[Maximising the socio-economic benefits of marine planning for English coastal communities](#)' identifies and highlights areas of coastal challenge typology that could benefit from renewable energy development. Coastal typologies differentiate between different types (or categories) of coastal area on the basis of their socio-economic characteristics. Although every coastal community has a unique combination of characteristics, the typology helps group together those areas with similar characteristics on important indicators, for which particular planning developments and policy initiatives may be appropriate. Typologies identified within the south east marine plan area are a probable good fit for energy development including B1 structural shifters, B2 new towns and ports and B3 striving communities.

16. Proposals could include community owned installations and should ensure that local needs and resource availability have been assessed.

17. The above is dependent on the ability of the location to capture wider elements of the supply chain processes within the local economy. Appropriate technology is also dependent on resource availability (figure xxx) and should be implemented in accordance with requirements identified in local plans. Numerous sub-national policy documents offer differing levels of support for renewable energy and associated industries, including the [Newcastle Local Plan](#) and [Scarborough Local Plan](#).

### **Links to other plan policies**

- Employment
- Renewables

## Signposting

18. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [The Climate Change Act 2008](#)
- [Renewable Energy Directive](#)
- [Electricity Market Reform](#)
- [National Planning Policy Framework](#)
- National Policy Statements [EN-1](#) and [EN-3](#)
- [Industrial Strategy](#)
- [Clean Growth Strategy](#)

19. Further information and guidance that may help in implementing the policy include:

- Offshore wind potential resource areas (MIS)

Iteration 3 draft

## Policy drafting template SE-REN-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	Marine businesses are taking long-term strategic decisions and managing risks effectively. They are competitive and operating efficiently.
<b>Grouping</b>	Renewables	<b>Code</b>	SE-REN-2

### Policy

#### SE-REN-2

Proposals that are in or could affect sites held under a lease or an agreement for lease (see Figure XXX) for renewable energy generation (wind, wave or tidal) should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.

### What is renewable energy?

#### Offshore wind

1. Offshore wind is the use of wind farms constructed in bodies of water to harvest wind energy to generate electricity. [The Crown Estate](#) owns almost the entire seabed out to 12 nautical miles and has powers to lease areas in the United Kingdom (with the exception of Scotland) Renewable Energy Zone to generate electricity from wind. It has run a number of offshore wind leasing rounds using its powers under the [Energy Act](#) 2004. Round 1 and 2 were leased in December 2000 and July 2003 respectively. In 2009 The Crown Estate invited developers to bid for exclusive rights to develop Offshore Wind Farms in nine zones around the United Kingdom. These sites make up the Round 3 programme.
2. The Crown Estate also leases areas for demonstration projects. These developments are usually small scale and aim to allow manufacturers to test and prove new wind farm technologies. The aim of these demonstration projects is to help to reduce costs to the offshore wind industry.

#### Tidal energy

3. Tidal energy generation is where tidal devices generate energy by harnessing the surge of ocean waters during the rise and fall of tides. Tidal energy resource is at its best when there is a good tidal range, defined as the vertical difference between the high tide and the succeeding low tides, and the speed of the current is amplified by the funnelling effect of the local coastline and seabed.

### Where is renewable energy in the South East marine plan area?

4. Within the plan area there are two operation Round 1 offshore wind farms (Gunfleet Sands I and Kentish Flats 1), three Round 2 sites (Thanet, Gunfleet Sands II and London Array 1) and the Kentish Flats 2 extension.

5. Figure XXX identifies a large portion of the plan area that has potential for future development of fixed foundation offshore wind as well as an area of potential for tidal energy generation

#### **When does renewable energy take place in South East marine plan area?**

6. Renewable energy generation can occur at any point in the year. The activity is limited by the availability of conditions needed to generate electricity, for example strong enough winds to turn wind turbines.

#### **Why is renewable energy important to the South East marine plan area?**

7. The Clean Growth Strategy sets out an ambition to reduce emissions from the power sector to zero by 2050 and to grow renewables and nuclear to over 80% of electricity generation. There is also an ambition to develop a Sector Deal for offshore wind.
8. [The Marine Policy Statement](#) (3.3.5) requires marine planning to take account of preferred areas for development of different energy sources and their generation and distribution infrastructure. In England, licences for offshore wind energy projects are granted by the Marine Management Organisation (projects <100MW) and the Planning Inspectorate (projects >100MW). Developers also require a seabed lease from The Crown Estate.
9. More information on the leasing and consenting process for renewable energy can be found in the [National Policy Statement](#) for energy EN-1, EN-3 and EN-5. These documents provide the primary basis for decision-making in relation to Offshore Wind Farms over 100 Megawatts including assessment of impacts on biodiversity, other activities and social receptors on land and offshore.
10. Figure xxx identifies the potential for renewable energy in the South East Marine Plan Area.

#### **Who is this of interest to?**

- Developers
- Public authorities such as;
  - Terrestrial planning authorities
  - Marine Management Organisation licensing
  - BEIS
  - The Crown Estate

#### **How should this policy be applied?**

11. Proposals for new developments or activities should demonstrate that they will, in order of preference, avoid, minimise or mitigate impact on renewable energy development-proposals cannot proceed to (b) unless they have first demonstrated why they cannot meet (a) etc. This includes, but is not limited to, hard infrastructure that is installed at any point through the water column either on or under the sea bed.
12. Where it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding, including how the proposal supports the South East Marine Plan vision, objectives and other plan policies. Inclusion of this information

does not indicate that approval of the proposal will follow by default. That will also depend on other material considerations to be taken into account by the decision-maker which may include, for example, other plans.

13. Information could include:

- evidence that the proposed activity will be compatible with renewable energy generation
- evidence showing the footprint of the proposal will not have a negative impact on the renewable energy sites ability to generate energy
- undertaking the conflicting activity during periods of no energy generation with the permission of the rights holder

14. Proposals should demonstrate that relevant public authorities have been consulted in the pre-application phase of the consenting processes, that mitigation and/or minimisation has been discussed with project developers and public authorities to make sure solutions are suitable (this could also include trade bodies). Objective 1 – co-existence sets out arrangements for the update of the area covered by this policy as new information becomes available.

15. Public authorities should take account of a range of relevant considerations including compliance with legislation, regulations, Habitats Regulations Assessment and environmental assessment.

### **Signposting**

16. Existing measures which relate to, and may contribute to the achievement of this policy include:

- [The Climate Change Act 2008](#)
- [Renewable Energy Directive](#)
- [Electricity Market Reform](#)
- [National Planning Policy Framework](#)
- National Policy Statements [EN-1](#) and [EN-3](#)
- [Industrial Strategy](#)
- [Clean Growth Strategy](#)
- [OESEA](#)

17. Further information and guidance that may help in implementing the policy include:

- Offshore wind potential resource areas (MIS)

## Policy drafting template SE-WIND-2

<b>HLMO</b>	Achieving a sustainable marine economy	<b>Sub bullet(s)</b>	The marine environment and its resources are used to maximise sustainable activity, prosperity and opportunities for all, now and in the future.
<b>Grouping</b>	Renewables & cables	<b>Code</b>	SE-WIND-2

### Policy

#### SE-WIND-2

Preference will be given to proposals for offshore wind farms inside areas of identified potential for fixed foundation offshore wind resource (see Figure XXX), including relevant enabling projects and infrastructure, will be supported

#### What is offshore wind?

1. Offshore wind is the use of wind farms constructed in bodies of water to harvest wind energy to generate electricity. [The Crown Estate](#) owns almost the entire seabed out to 12 nautical miles, and has powers to lease areas in the United Kingdom (with the exception of Scotland) Renewable Energy Zone to generate electricity from wind. It has run a number of offshore wind leasing rounds using its powers under the [Energy Act 2004](#). Round 1 and 2 were leased in December 2000 and July 2003 respectively. In 2009 The Crown Estate invited developers to bid for exclusive rights to develop Offshore Wind Farms in nine zones around the United Kingdom. These sites make up the Round 3 wind farm zone leasing programme.
2. The Crown Estate also leases areas for floating and hybrid wind demonstration projects. These developments are usually small scale and aim to allow manufacturers to test and prove new wind farm technologies. The aim of these demonstration projects is to help to reduce costs in the offshore wind industry.
3. More information on the leasing and consenting process for Offshore Wind Farms can be found in the [National Policy Statement](#) for energy EN-1, EN-3 and EN-5. These documents provide the primary basis for decision-making in relation to Offshore Wind Farms over 100Megawatts including assessment of impacts on biodiversity, other activities and social receptors on land and offshore.
4. Offshore wind has benefits beyond energy generation. Supply chains are the movement of material from their source to the end customer. In the marine renewables sectors these include the manufacture, transport and installation of wind turbines and supporting infrastructure such as foundations and cables. An illustration of the location of businesses involved in the renewable energy supply chain can be viewed [here](#). Development of supply chains has the potential to drive down the costs associated with renewable energy development. In particular UK support for operations and maintenance bases could contribute to further reductions in the cost of renewable energy. There are opportunities for existing oil and gas supply chains to diversify into offshore wind.

### **Where is offshore wind in the South East marine plan area?**

5. Within the plan area there are two operation Round 1 offshore wind farms (Gunfleet Sands I and Kentish Flats 1), three Round 2 sites (Thanet, Gunfleet Sands II and London Array 1) and the Kentish Flats 2 extension.
6. Figure XXX identifies a large portion of the plan area that has potential for future development of offshore wind.

### **When does offshore wind take place in the South East marine plan area?**

7. Offshore wind infrastructure operates year round with the majority of installation and routine maintenance occurring in the better weather during the summer and autumn each year, however damage to essential infrastructure will be repaired as quickly as possible.

### **Why is offshore wind important to the South East marine plan area?**

8. Offshore wind is essential to enable a sustainable energy generation mix. The UK has some of the best wind resources in the world. Offshore wind will play an important role in meeting renewable energy and carbon emission targets as well as improving energy security towards 2050 as recognised by the [Marine Policy Statement](#) (3.3.19).
9. The Crown Estate also leases areas for demonstration projects. These developments are usually small scale and aim to allow manufacturers to test and prove new wind farm technologies. The aim of these demonstration projects is to help to reduce costs in the offshore wind industry.
10. The [Marine Policy Statement](#) (3.3.5) requires marine planning to take account of preferred areas for development of different energy sources and their generation and distribution infrastructure. In England, licences for offshore wind energy projects are granted by the Marine Management Organisation (projects <100MW) and the Planning Inspectorate (projects >100MW). Developers also require a seabed lease from The Crown Estate.
11. The [Industrial Strategy](#) recognises the need to continue to decarbonise the energy system to deliver the commitments of the [Paris Agreement 2015](#). The [Clean Growth Strategy](#) sets out the the governments ambitions for continuing to reduce costs to the sector by developing the supply chain and agreeing a Sector Deal with industry.

### **Who is this of interest to?**

- Developers
- Public authorities such as;
  - Terrestrial planning authorities
  - Marine Management Organisation licensing
  - BEIS
  - The Crown Estate

## How should this policy be applied?

12. This policy will be applied by public authorities to ensure that the potential for fixed foundation Offshore Wind Farms in the South East marine plan area and the ambitions of government for renewable energy are realised.
13. Offshore Wind Farm proposals will still be required to be in compliance with relevant legislation and regulations including habitat regulations assessment, [Environmental Impact Assessment](#) and [National Policy Statements](#).
14. This policy signals that public authorities will look favourably upon development of Offshore Wind Farms and any supporting projects, including associated infrastructure, inside areas identified as potential for offshore wind where conditions are met (see Figure XXX for resource location). These authorities should work in conjunction with the offshore wind farm developer, the Department for Business, Energy and Industrial Strategy's Secretary of State (who will determine Offshore Wind Farm proposals over the [100 Megawatts threshold](#)) and/or the National Infrastructure Directorate.
15. Applicants should consider consulting The Crown Estate for site specific enquiries or the Department for Business, Energy and Industrial Strategy for queries on [Contracts for Difference](#) or other funding mechanisms.

## Signposting

16. Existing measures which relate to, and may contribute to the achievement of this policy include:
  - [The Climate Change Act 2008](#)
  - [Renewable Energy Directive](#)
  - [Electricity Market Reform](#)
  - [National Planning Policy Framework](#)
  - National Policy Statements [EN-1](#) and [EN-3](#)
  - [Industrial Strategy](#)
  - [Clean Growth Strategy](#)
17. Further information and guidance that may help in implementing the policy include:
  - Offshore wind potential resource areas (MIS)