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## South East Inshore Marine Plan Sustainability Appraisal. Sustainability Appraisal Statement.



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# South East Inshore Marine Plan Sustainability Appraisal. Sustainability Appraisal Statement

**Report prepared by:** ClearLead Consulting Ltd. in association with WSP UK Ltd. and MarineSpace Ltd.



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## 1. Introduction

This Sustainability Appraisal (SA) Statement forms the final output from the SA of the South East Marine Plan. The South East Inshore Marine Plan has been subject to an integrated SA and Strategic Environmental Assessment (SEA)<sup>1</sup> (hereafter referred to as SA) in line with the requirements of Statutory Instrument 2004 No. 1633: The Environmental Assessment of Plans and Programmes Regulations 2004.

Under the terms of the SEA regulations<sup>2</sup> when a plan is adopted, a statement must be produced summarising:

- how environmental/sustainability considerations have been integrated into the plan
- how the SA report has been taken into account
- how opinions expressed in response to consultation have been taken into account
- the reasons for choosing the plan or programme as adopted, in light of the other reasonable alternative options dealt with
- the measures that are to be taken to monitor the significant sustainability effects of the implementation of the plan or programme.

To reflect these requirements, the format of this report is as follows:

- Chapter 2 describes how sustainability considerations identified through the SA process have been integrated into the South East Marine Plan
- Chapter 3 describes the reasons for choosing the Plan as adopted, in light of other reasonable alternatives
- Chapter 4 describes how the opinions expressed in response to the relevant consultations have been taken into account
- Chapter 5 describes the measures decided upon to monitor all of the potential significant environmental effects of implementation of the Plan.

If you have any queries relating to this report or the marine planning process, please contact the Marine Planning Team via [planning@marinemanagement.org.uk](mailto:planning@marinemanagement.org.uk).

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<sup>1</sup> An integrated SEA/SA refers to the fact that the assessment adheres to the requirements of the SEA regulations (see below) but also fully reflects relevant social and economic issues.

<sup>2</sup> Statutory Instrument 2004 No.1633: The Environment Assessment of Plans and Programmes Regulations 2004

## 2. The South East Marine Plan

### 2.1 How the South East Marine Plan addresses sustainability

The UK Government vision for the marine environment is for, “clean, healthy, safe, productive and biologically diverse oceans and seas”. The UK Marine Policy Statement (MPS)<sup>3</sup> is the framework for preparing Marine Plans and taking decisions affecting the marine environment. The UK high level marine objectives (HLMOs), published in January 2009<sup>4</sup>, are an integral part of the MSP and set the broad outcomes for the marine plan areas in achieving this vision, and reflect the principles for sustainable development. The HLMOs are detailed in Box 1.

#### Box 1: High Level Marine Objectives.

##### 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.

##### Ensuring a strong, healthy and just society

- people appreciate the diversity of the marine environment, its seascapes, its natural and cultural heritage and its resources and act responsibly
- the use of the marine environment is benefiting society as a whole, contributing to resilient and cohesive communities that can adapt to coastal erosion and flood risk, as well as contributing to physical and mental wellbeing
- the coast, seas, oceans and their resources are safe to use
- the marine environment plays an important role in mitigating climate change
- there is equitable access for those who want to use and enjoy the coast, seas and their wide range of resources and assets and recognition that for some island and peripheral communities the sea plays a significant role in their community
- use of the marine environment will recognise, and integrate with, defence priorities, including the strengthening of international peace and stability and the defence of the UK and its interests.

<sup>3</sup> UK Marine Policy Statement available at: <https://www.gov.uk/government/publications/uk-marine-policy-statement>

<sup>4</sup> HMG,NIE, WAG, SG (2009) Our Seas A Shared Resource - High Level Marine Objectives (online) available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/182486/ourseas-2009update.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/182486/ourseas-2009update.pdf)

### **Living within environmental limits**

- biodiversity is protected, conserved and where appropriate recovered and loss has been halted
- healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems
- our oceans support viable populations of representative, rare, vulnerable, and valued species.

### **Promoting good governance**

- all those who have a stake in the marine environment have an input into associated decision-making
- marine, land and water management mechanisms are responsive and work effectively together, for example through integrated coastal zone management and river basin management plans
- marine management in the UK takes account of different management systems that are in place because of administrative, political or international boundaries
- marine businesses are subject to clear, timely, proportionate and, where appropriate, plan-led regulation
- 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.

### **Using sound science responsibly**

- our understanding of the marine environment continues to develop through new scientific and socio-economic research and data collection
- sound evidence and monitoring underpin effective marine management and policy development
- the precautionary principle is applied consistently in accordance with the UK Government and Devolved Administrations' sustainable development policy.

The aim of marine planning is to ensure a sustainable future for coastal and offshore waters through managing and balancing the many activities, resources and assets in our marine area and in doing so, deliver these high-level marine objectives. Marine plans (including the South East Marine Plan) are intended to guide:

- marine users to the most suitable locations for different activities
- the use of marine resources
- all marine users, to ensure everyone with an interest has an opportunity to contribute to marine plans
- a holistic approach to decision making and consideration of all the benefits and impacts of all the current and future activities that occur in the marine area.

Therefore, the concept of sustainability is integrated throughout the South East Marine Plan from the vision and objectives downwards, as demonstrated by the plan vision reproduced in Box 2.

### **Box 2: South East Marine Plan Vision.**

#### **The vision for the south east marine plan area in 2041**

The south east marine plan area is distinctive for being a substantial maritime gateway to the world with locally and nationally important ports that are thriving. Prosperous ports, together with associated industries and shipping sectors, are contributing to the long-term economic growth and prosperity of the UK and south east coastal communities. The tidal rivers in the south east have been optimised for short sea shipping. The Tidal Thames facilitates more sustainable passenger and freight transport than before with improved access, infrastructure, local employment and air quality, benefiting the Greater Thames area.

The valuable cultural heritage, environmental assets and seascape of the densely populated areas of the south east are more appreciated and resilient than ever before, including to the impacts of climate change and coastal change. The important role that marine and estuarine environments and their biodiversity play in mitigating climate change is realised. A profitable, sustainable fisheries sector is thriving in the south east.

Decisions made in the south east marine plan area apply an ecosystem approach and natural capital framework. The environment is in a better state than before, and Good Environmental Status is achieved. Biodiversity is conserved, enhanced and restored through applying well-established principles of biodiversity gain and delivery of a well-managed, ecologically coherent network of marine protected areas. The South East Marine Plan promotes good governance and has solved challenges and conflicts in the crowded marine plan area through enabling planned decisions, taking account of cumulative effects and coordinating the co-existence of activities. Awareness of the marine plan and connectivity with the large number of consenting regimes and local planning authorities is high, especially in the densely populated London and Greater Thames Estuary area.

#### **How will the south east marine plan area look in 2041?**

The south east inshore marine plan area is a small but busy, healthy and thriving coastal region of England with environmental, economic, cultural and historic assets that are known worldwide. The plan area includes the waters around Essex and parts of Kent and Suffolk, and the Thames Estuary – each with their own characteristics and challenges. In 2041, the South East Marine Plan will have successfully coordinated the needs of the multiple overlapping sectors, activities and assets across complex governance arrangements. The interconnected nature of the marine economy, environment and society has been recognised in decision-making, ensuring that improvements in all areas have been made. Understanding of the marine environment has developed through new scientific and socio-economic research. Our understanding of the south east inshore marine plan area is better than ever before through sound science

(including data collection, monitoring and research) that underpins effective marine management, policy developments and transboundary co-operation.

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

The south east inshore marine plan area is distinctive for being a substantial maritime gateway for global shipping with some of the country's busiest ports that are thriving, including Felixstowe, London, Sheerness, Ipswich and Dover. The prosperous ports, associated industries and shipping sectors are contributing to the long-term economic growth and prosperity of the UK and south east coastal communities. The sustainable development and diversification of ports has opened trade to new markets, enhancing their strength in a global market. Dredging has allowed the ports to run efficiently. The Tidal Thames continues to be a key transport corridor with short sea shipping facilitating more sustainable passenger and freight transport than before with improved access, infrastructure, local employment and air quality, benefiting the Greater Thames area. In an ever more crowded area, the connection between land-based infrastructure and marine activities continues to be strong. For example, waste transfer and the landing of marine aggregate in the Thames and Ipswich continue to support the construction sector.

Marine-related employment is higher than ever before. Sustainable fisheries, shellfisheries and aquaculture activities are flourishing in the Greater Thames Estuary area, especially at Leigh-on-Sea. Supported by the local economy, high-quality seafood is being produced, including Whitstable and Essex oysters, whelks, flatfish, rays, herring and Thames Estuary cockles. Sustainable marine-related tourism and recreation are thriving, ensuring that the natural environment is valued and boosting employment and skills development. The potential for carbon capture storage is successfully understood and appropriately applied. Increased renewable energy production and subsea cables provide sustainable energy for the country and contribute to achieving the UK's commitment to reducing greenhouse gas emissions to net zero by 2050, which supports the local skilled workforce. This has brought new investment in the region and the potential for appropriate future nuclear energy development along the tidal coast has been established.

### **Ensuring a strong, healthy and just society**

Historic assets, such as ship and plane wrecks, including those from the Second World War, continue to be preserved for future generations as well as the four World Heritage sites overlooking the River Thames: The Royal Botanic Gardens in Kew, The Palace of Westminster, The Tower of London and Maritime Greenwich. In Essex and Sussex, saltmarshes, mudflats and estuarine islands provide a distinct sense of remoteness and wilderness. This contrasts with the vibrant Essex coastal resorts, Greater London and Kent, giving a distinctive sense of place across different parts of the plan area. The White Cliffs of Dover and extensive coastal chalk are internationally renowned for their iconic views.

The marine plan area is safe to use by all and has benefitted society as a whole, including contributing to resilient and cohesive communities that have adapted to and mitigated climate change, coastal erosion and flood risk. The coast and

Essex and Suffolk saltmarsh play an important role in mitigating and adapting to the ever-increasing threats from climate change and coastal change.

The benefits to physical and mental well-being have been achieved by providing equitable access for those who want to use and enjoy the coast and sea. As a result of improved knowledge and education, those who live, work and visit the south east inshore marine plan area have an increased awareness and enjoyment of the marine environment as well as the increased health and well-being benefits that it brings. Health and well-being are also supported through enjoyment of the Thames through good riverside access and increased involvement in events and recreational activities. Defence priorities are recognised and supported in the south east marine plan area, including by other activities.

Access to fishing grounds has been protected, ensuring a sustainable fisheries sector is thriving with benefits to communities dependent on the sector. Diversification of the tourist industry has provided opportunities for those living in coastal communities to seek new employment in coastal resorts, and new development has increased local employment outside of the major cities. The continued expansion of the renewable energy sector is helping to diversify and develop local skills and expertise to bring multiple areas out of deprivation.

#### **Living within environmental limits**

Decisions made in the south east marine plan area apply an ecosystem approach and natural capital framework. The environment is in a better state than before, and Good Environmental Status is achieved. Biodiversity is conserved, enhanced and restored through applying well-established principles of biodiversity gain and delivery of a well-managed, ecologically coherent network of marine protected areas. Water quality, air quality and litter pollution in the south east have improved. Understanding the impacts of underwater noise on the species in the south east has increased and been appropriately managed. The impact of invasive non-native species has been successfully managed, protecting the biodiversity and habitats of the south east marine plan area.

Fish nurseries in estuaries and other essential fish habitats continue to support diverse habitats and species for North Sea fish populations. The multiple estuaries in the south east continue to provide essential migration routes for a variety of bird species. Extensive saltmarshes and mudflats continue to be conserved and protected from rising sea levels on the Greater Thames Estuary, Essex, Kent and Suffolk coasts. Sandbanks in the Outer Thames continue to be vital for representative, rare, vulnerable, and valued species, including flatfish, shellfish and the red-throated diver. A diverse Kent coastline, including the longest continuous stretch of coastal chalk in the UK, continues to support nationally important birds and marine life.

Sustainable management of the wide range of activities within the south east inshore marine plan area has resulted in reduced disturbance of species and habitats. In particular, the understanding of cumulative and in-combination effects

has improved and is addressed appropriately, with time given for ecosystem recovery following any significant developments.

### **Promoting good governance**

The South East Marine Plan has promoted and achieved good governance by spatially planning the use of the marine environment. All those who have a stake in the marine environment provide input into associated decision-making. In an area with a high and increasing population density and busier sea, marine, land and water management, mechanisms have been responsive and now work effectively together. Marine management in the south east takes account of different management systems that are in place because of administrative, political or international boundaries. Marine businesses have been and continue to be subject to clear, timely, proportionate and, where appropriate, south east marine plan-led regulation.

Decision-makers, including the 42 local planning authorities, are utilising the plan and working efficiently and in co-operation on transboundary issues.

Furthermore, collaboration has led to effective co-location of different uses of the marine environment. The South East Marine Plan acts as a 'go-to' plan for the area, bringing together those who have a vested interest in our coast, sea and estuaries. The marine plan successfully supports the Thames Estuary Growth project, has made urban London more connected to the rural Greater Thames Estuary and improved connectivity at the marine and terrestrial overlap.

Cumulative effects have been understood and appropriate action to manage them has taken place.

## **2.2 How the SA report has been taken into account**

The final SA report identified 46 significant positive effects of the South East Marine Plan, mainly in relation to economic effects and the support given for certain communities or industries such as tourism. In the SA of the final plan there was only one residual significant negative effect, 27 residual uncertain effects and 9 residual significantly negative or uncertain cumulative effects.

This represents a considerable change from the assessment of the draft Marine Plan undertaken in 2019 which reported on the SA of the preferred policies. At this stage the assessment identified 31 potential significant negative effects and 46 uncertain effects. In addition, 82 potential negative or uncertain cumulative effects were identified. Mitigation measures were put forward in the [draft SA report](#) (September 2019) to address these effects and improve the sustainability performance of the plan. The mitigation put forward in the draft SA report is presented in Table 1.

**Table 1: South East Plan Area Mitigation Measures Identified in the Draft Plan SA.**

SA Sub-Topic	Causal Grouping	Draft SA Mitigation	MMO Action Taken
<b>Cultural Heritage</b>			
Heritage assets within south east inshore marine plan area Heritage assets adjacent to the south east inshore marine plan area (for Cables grouping only)	Cables, Aggregates, Dredging and disposal, Oil and gas, Ports and harbours (including shipping), and Renewables	There is an assumption that any proposals arising from these sectors will need to address the potential for adverse effects to arise on heritage assets through the Environmental Impact Assessment (EIA) process, where required under the Marine Works EIA Regulations 2017.	Accepted.
		Policy SE-HER-1 aims to provide protection to heritage assets, however, it is recommended that consideration is given to amending the policy supporting text to refer specifically to activities which may occur as a result of these groupings and related proposals.	Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3 of the marine plan, that the plan must be taken as a whole and no policy should be taken in isolation. SE-HER-1 should therefore provide adequate mitigation.
Heritage assets within south east inshore marine plan area	Aggregates	The Crown Estate leasing process and other required consenting schemes also ensures that sensitive receptors are taken into account during these processes and conditions frequently applied to limit effects.	Accepted.
Heritage assets within south east marine plan areas	Heritage assets	The uncertain effect identified could be mitigated through a strengthening of policy wording for SE-HER-1. Stronger consideration of the effects of altering the settings of heritage assets and challenges at the marine / terrestrial interface for cultural heritage within the policy wording could	The policy wording of SE-HER-1 has been agreed with heritage stakeholders, including Historic England. The supporting text is also being reviewed to consider how to make appropriate references.

SA Sub-Topic	Causal Grouping	Draft SA Mitigation	MMO Action Taken
		help to modify the identified uncertain effect to a positive effect	
<b>Geology, Substrates and Coastal Processes</b>			
Coastal features and processes Seabed substrates and bathymetry	Aggregates, Dredging and disposal	Any proposals arising from these sectors will need to address the potential for adverse effects to arise on both coastal features and processes and seabed substrates and bathymetry, through the EIA process.	Accepted.
		Policy SE-MPA-4 could provide some protection, however, supporting text could be strengthened by making reference to Geological Conservation Review Sites.	Accepted, the supporting text will be reviewed and amendments made where appropriate.
Coastal features and processes	Air quality	Policies SE-CC-5 could provide some resilience, however, it is suggested that Policy SE-CC-5 supporting text should draw upon the latest climate change projections provided within the UKC18 Marine Report, as it currently refers to UKCPC09.	Accepted, the supporting text will be reviewed and amendments made where appropriate.
		The supporting text for SE-AIR-1 currently states that air pollution contributes to climate change, however, it does not detail the potential negative implications of climate change on coastal features and processes. It is suggested that the policy supporting text details the negative effects of climate change, of which air pollution can contribute to.	Supporting text of policy updated with relevant links to climate change.
Coastal features and processes	Renewables	If future renewable energy proposals were to come forward, the potential negative effects on coastal features and processes will need to be addressed through the EIA process (for schedule	Accepted.

SA Sub-Topic	Causal Grouping	Draft SA Mitigation	MMO Action Taken
		2 developments as classified by the EIA regulations, it is assumed that an EIA will be undertaken should the project be likely to give rise to significant environmental effects, be located in a sensitive area and is above the threshold specified in the EIA regulations).	
Coastal features and processes, Seabed substrates and bathymetry	Aggregates	The Crown Estate's leasing process and other required consenting schemes also ensures that cultural heritage receptors are taken into account during these processes and conditions frequently applied to limit effects.	Accepted.
Coastal features and processes	Aquaculture, cables, infrastructure, oil and gas, ports and harbours	Mitigation could be provided through project level assessment, such as EIAs. These will identify specific potential adverse effects resulting from each proposal, and appropriate mitigation methods. Thus, this uncertain effect could be mitigated.	Accepted.
Landscape and Seascape			
Landscape and seascape	Cables, Aggregates, Infrastructure, Oil and gas and Renewables	Any proposals arising from these sectors will need to address the potential for adverse effects to arise on both landscape and seascape, through the EIA process.	Accepted.
Landscape and seascape	Renewables Aggregates	The Crown Estate leasing process and other required consenting schemes also ensures that sensitive receptors are taken into account during these processes and conditions frequently applied to limit effects.	Accepted.

Water			
Marine Litter, Water Quality	Aquaculture and fisheries	Whilst it is recognised that marine litter can enter the marine plan area from adjacent areas, policy SE-ML-2 seeks to minimise the potential release of litter from aquaculture sites within the south east marine plan area.	Accepted.
		It is suggested that SE-ML-1 explicitly makes reference to the fisheries sector, or that a fisheries-specific policy is created which prevents the intentional release of gear into the marine environment and provides support for the retrieval of debris which has already become marine litter.	Part of this is already addressed within SE-ML-1. Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3 of the marine plan, that the plan must be taken as a whole and no policy should be taken in isolation. Fisheries management is not within the remit of marine plan.
Pollution and water quality	Oil and gas and ports and shipping	If oil and gas development is undertaken, the potential negative effects on water quality will need to be addressed through the EIA process. As ports and shipping developments would be classified as schedule 2 developments by the EIA Regulations, it is assumed that an EIA will be undertaken, should the project be likely to give rise to significant environmental effects, be located in a sensitive area and if the proposal is above the threshold specified in the EIA regulations.	Accepted.
Pollution and water quality and Marine Litter	Tourism and recreation	Supporting text for policy SE-TR-1 needs to clearly identify what is meant by 'sustainable tourism and recreational activities' and highlight the importance of water quality to tourism and recreation.	Further steps are being taken to consider how sustainable tourism and recreational activities can be defined, but it's important to note that this may have to be decided on a

			case by case basis during the implementation of the policy. Steps are being taken to consider how to best incorporate water quality references into the supporting text of the policy.
<b>Air Quality</b>			
Air pollutants	Ports and harbours	As ports and shipping developments would be classified as schedule 2 developments by the EIA Regulations, it is assumed that an EIA will be undertaken, should the project be likely to give rise to significant environmental effects, be located in a sensitive area and if the proposal is above the threshold specified in the EIA regulations.	Accepted.
<b>Climate</b>			
Climate change resilience and adaptation	Air quality	Policies SE-CC-5 could provide some resilience, however, it is suggested that Policy SE-CC-5 supporting text should draw upon the latest climate change projections provided within the UKC18 Marine Report, as it currently refers to UKCPC09.	Accepted, the supporting text will be reviewed and amendments made where appropriate.
Climate change resilience and adaptation and Greenhouse gas emissions	Ports and harbours	As port and shipping developments would be classified as schedule 2 development by the EIA regulations, it is assumed that an EIA will be undertaken, should the project be likely to give rise to significant environmental effects, be located in a sensitive area and is above the threshold specified in the EIA regulations. Policy SE-AIR-1 could help to ensure that future ports and shipping proposals consider their effects upon air quality, which could mitigate potential negative effects.	Accepted.
Climate change	Oil and gas	As oil and gas developments are classed as Schedule 1 developments, under the EIA regulations, any oil and	Accepted.

resilience and adaptation and Greenhouse gas emissions		gas development that would come forward as a result of this policy, would be subjected to an EIA. The specific reference to greenhouse gas emissions in the EIA regulations seeks to address this issue with the intention of embedding climate change consideration.	
<b>Communities, Health &amp; Wellbeing</b>			
Effects on communities	Renewables	Policy supporting text for SE-REN-1 should be expanded to better detail potential employment opportunities associated with renewable energy supply chains. If future renewable energy proposals were to come forward, the potential negative effects on communities will need to be addressed through the EIA process. The Crown Estate leasing process and other required consenting schemes also ensures that sensitive receptors are taken into account during these processes and conditions frequently applied to limit effects.	Employment opportunities are covered in several other policies in the plan, including SE-EMP-1. Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3, that the plan must be taken as a whole and no policy should be taken in isolation. EIA point is accepted.
<b>Economy</b>			
Fisheries and aquaculture	Access	Whether adequate mitigation could be provided would be dependent on whether preference is given to the SA (sub) topic and associated activities or to the policy grouping and activities associated with this. This 'prioritisation' would ultimately be dependent on the project being proposed and the associated effects, and would be decided at a more granular level than the marine plan. As such, no further appropriate mitigation can be suggested.	Accepted.
		SE-FISH-1, SE-FISH-2, SE-FISH-3 and SE-CO-1 may provide some mitigation for the potential effects which	Accepted.

		may be incurred on fisheries and aquaculture as a result of increased access.	
Fisheries and aquaculture	Aquaculture	The circumstances under which proposals with an adverse effect on aquaculture facilities would be accepted is unclear. Policy supporting text should explicitly state these cases.	While the circumstances will have to be determined on a case by case basis the supporting text will be reviewed and appropriate consideration given to where clarity could be provided.
Fisheries and aquaculture	Aggregates and Dredging and disposal	Policies SE-AQ-1, SE-FISH-2 and SE-FISH-3 aim to provide protection to aquaculture and fishing from activities that could have an adverse effect. The above policies do not specifically reference aggregates and give the options of minimising and mitigating effects of activities and developments. It is recommended that the wording of both the aggregates and/or AQ/FISH supporting text is changed to reflect the potential effect of aggregates on fisheries and aquaculture.	Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3, that the plan must be taken as a whole and no policy should be taken in isolation. These policies therefore still provide mitigation.
		Policy SE-CO-1 could also provide mitigation for fisheries and aquaculture, as it aims to optimise the use of space and incorporate opportunities for co-existence and co-operation with existing activities, within the south east inshore marine plan area.	Accepted.
Fisheries and aquaculture, Leisure/ recreation and Tourism	Natural capital	Clarity in the supporting text is required in relation to fisheries and aquaculture, to ensure that the cyclical and interdependent nature of this industry with natural capital assets within the marine and coastal environment are adequately and appropriately explained.	Many sectors are dependent on natural capital assets and it would not be appropriate to single out aquaculture and fisheries. At present there is no strategic approach, nor evidence in place to state which natural capital assets within the plan area should be prioritised over and above the priorities that are already set out in nature conservation

			<p>legislation. For the time being, until an approach is set by government, the marine plan should be read as a whole and the suite of environmental policies should be used, alongside the aquaculture and fisheries policies, to set the strategic direction for natural capital protection and conservation. The importance of aquaculture and fisheries to the plan area is covered in the AQ and FISH policies.</p>
Aggregate extraction	Natural capital	<p>At present there is no approved marine natural capital approach from government. We would anticipate that following an approved approach, clarity could be provided to the supporting text to state whether natural capital which benefits aggregate extraction is to be treated as preferential to other natural capital assets such as biodiversity which can be significantly affected by the industry.</p>	<p>The supporting text already states that the most up-to-date government approach should be applied and that the way in which the policy applies over time may change. There is currently no strategic approach, nor evidence in place to state which natural capital assets within the plan are should be prioritised over and above the priorities that are already set out in nature conservation legislation. For the time being, until an approach is set by government, the marine plan should be read as a whole and the suite of environmental and other plan policies should be used, alongside nature conservation legislation, to set the strategic direction for natural capital protection and conservation.</p>

Access, Leisure and recreation, Tourism	Defence	Public access and restrictions within military areas are likely to be determined by MOD Byelaws. SE-DEF-1 may provide some mitigation. It aims to avoid conflict between defence activities and new proposals within the marine plan area. It will ensure that defence interests are not impeded. Supporting text for Policy SE-DEF-1 needs to be amended to highlight likely conflicting proposals.	This would have to be determined on a case by case basis and depends what proposals for Leisure/recreation/tourism could be within or adjacent to MOD areas. The policy is clear that "The Ministry of Defence should be consulted in all circumstances to verify whether defence interests will be affected and make sure that national defence capabilities and interests are not compromised".
Fisheries and Aquaculture	Renewables	Policy supporting text could be amended to address the potential negative effects that renewable energy could have. Policy SE-FISH-1 could provide some mitigation for the effects of renewable installations on fisheries and aquaculture. Policy SE-CO-1 could provide some mitigation with regards to co-existence.	Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3, that the plan must be taken as a whole and no policy should be taken in isolation. These policies therefore still provide mitigation.
Marine Manufacturing	Water quality	In order to protect marine manufacturing, it should feature within the planning policies, whether this be within the supporting text to an existing economic policy (for example, infrastructure, defence etc.) or within its own policy.	Marine manufacturing is covered by multiple sector specific policies, incl. EMP, REN, AGG, PS. Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3, that the plan must be taken as a whole and no policy should be taken in isolation.

			These policies therefore still provide mitigation.
Ports and shipping	Renewables	It is assumed that any new developments arising as a result of the policies will require an updated navigational risk assessment in line with the Port Marine Safety Code. Policies SE-PS-1 and SE-PS-2 will ensure that important navigational routes will be safeguarded from static sea surface infrastructure.	Accepted.
Aggregate extraction	Renewables	SE-AGG-1 and SE-AGG-3 may work to reduce the potential restrictions which may be imposed on aggregate extraction as a result of the renewables policy grouping. Policy SE-CO-1 could provide some mitigation with regards to co-existence.	Accepted.
<b>Biodiversity, Habitats, Flora &amp; Fauna.</b>			
Protected sites and species, ornithology	Tourism and recreation	Policy supporting text needs to provide clarification on what 'sustainable tourism and recreation activities' entails. Strength could be added to policy SE-MPA-1 by removing options to minimise and mitigate.	Further steps are being taken to consider how sustainable tourism and recreational activities can be defined, but it's important to note that this may have to be decided on a case by case basis during the implementation of the policy. Steps are being taken to consider how to best incorporate water quality references into the supporting text of the policy. SE-MPA-1 ensures all impacts will be avoided, minimised or mitigated in that order of preference.

			Benthic and intertidal habitats are also protected by the policy, where relevant.
Protected sites and species, ornithology, fish and shellfish	Renewables and Aggregates	If future renewable energy proposals were to come forward, the potential negative effects on protected sites and species will need to be addressed through the EIA process. The Crown Estate leasing process and other required consenting schemes also ensures that sensitive biodiversity receptors are taken into account during these processes and conditions frequently applied to limit effects.	Accepted.
Marine megafauna	Access	SE-BIO-1, SE-BIO-2 and SE-BIO-3 may aid in alleviating some negative effects. However, the caveats within this policy grouping allowing for environmental net gains to be used as mitigation elsewhere, may still mean that megafauna within the south east inshore marine plan area are adversely affected. A minor negative rather than significant effect has been recorded due to the mitigation provided by these other plan policies. Policy SE-BIO-1, SE-DIST-1, SE-UWN-1 and SE-UWN-2 could help to mitigate the cumulative effect, although only 'highly mobile' species will be protected by SE-DIST-1.	Accepted. Currently, the evidence base only supports the protection of highly mobile species in SE-DIST-1. As the evidence base develops the policy will be reviewed. This policy also directly aligns with 2 out of the 11 qualitative descriptors of the UK Marine Strategy, D1 and D4.
Ornithology	Access	Policies within groupings such as those for Marine Protected Areas (SE-MPA-1) and Biodiversity (SE-BIO-2), may help to mitigate these effects. A minor negative rather than significant effect has been recorded due to the mitigation provided by these other plan policies.	Accepted. Currently, the evidence base only supports the protection of highly mobile species in SE-DIST-1. As the evidence base develops the policy will be reviewed. This policy also directly aligns with 2 out of the

		Policy SE-BIO-2 and SE-DIST-1 could help to mitigate the cumulative effect, although only 'highly mobile' species will be protected by DIST-1.	11 qualitative descriptors of the UK Marine Strategy, D1 and D4.
Ornithology	Aggregates	Policy SE-MPA-1 may offer further protection to Marine Protected Areas through discouraging proposals which may have adverse effects on the objectives of marine protected areas.	Accepted.
Benthic and intertidal ecology	Aquaculture	It should be clear within supporting text that "where appropriate" refers to sites which are not protected, and that direct building on the seabed is to be minimal. For example, raised cages within the water column, which are anchored by several points on the seabed.	Accepted, and changes will be made to the supporting text where appropriate.
Benthic and intertidal ecology, Fish and shellfish, Ornithology, protected sites and species and marine megafauna	Ports and harbours	All new ports and harbours proposals would need to be subject to an EIA, which would assess the potential effect on benthic intertidal ecology, fish and shellfish, ornithology, protected sites and species and marine megafauna. This could mitigate both potential negative effects and cumulative effects arising from development.	Accepted.
Marine Megafauna, Ornithology, Invasive non-native species	Climate change	SE-AIR-1 seeks to avoid increased greenhouse gas emissions. SE-FISH-1 supports a sustainable fishing industry, however this focuses on diversification and may not necessarily alleviate pressure on over-exploited fish stocks. SE-ML-1 and SE-ML-2 seek to reduce the quantity of litter within the marine environment, however its introduction will not necessarily be wholly prevented.	Accepted. By-catch management is outside the remit of the marine plans and impacts will be mitigated by existing processes and legislation.

		<p>No policies within the marine plan broach the issue of bycatch of unintended species, including marine mammals, within fishing gear.</p> <p>A neutral rather than negative effect has been recorded due to the mitigation provided by these other plan policies.</p>	
Protected sites and species, Benthic and intertidal ecology, Fish and shellfish	Fisheries and aquaculture	The policy wording of SE-FISH-3 should be amended to explicitly state whether either important habitats of commercially important species should be protected, or whether this extends to important habitats of other species, including protected sites and species, such as benthic and intertidal species and fish and shellfish.	The extent of habitat protection is determined by the evidence available to the MMO. The supporting text will be updated to clarify how it is determined which habitats are protected.
Benthic and intertidal ecology	Oil and gas	Supporting text to policy SE-BIO-2, should be amended to highlight the importance of benthic and intertidal habitats. Strength could be added to the policy by removing options to minimise and mitigate.	<p>NW-BIO-2 ensures all significant impacts will be avoided, minimised or mitigated in that order of preference.</p> <p>Benthic and intertidal habitats are also protected by the policy, where relevant.</p>
Marine megafauna and ornithology	Tourism and recreation	Supporting text for policy SE-TR-1 needs to clearly identify what is meant by 'sustainable tourism and recreational activities' and highlight the importance of water quality to tourism and recreation.	Further steps are being taken to consider how sustainable tourism and recreational activities can be defined, but it's important to note that this may have to be decided on a case by case basis during the implementation of the policy. Steps are being taken to consider how to best incorporate water quality references into the supporting text of the policy.

Benthic and intertidal ecology	Aquaculture	It should be clear within supporting text that "where appropriate" refers to sites which are not protected, and that direct building on the seabed is to be minimal. For example, rope methods which are often used for shellfish farms.	Accepted, and changes will be made to the supporting text where appropriate.
Fish and shellfish	Aquaculture	Controls should be put in place to ensure native populations are not hindered by the presence of farmed species within the water column. Disease control should be addressed, as well as aquaculture facility density. Whilst it is recognised that this is outside the remit of the MMO, the supporting text could signpost to relevant good practice, such as the CEFAS Shellfish Biosecurity Measures Plan. SE-BIO-2 and SE-FISH-3 could partially mitigate for the effects identified.	Accepted, signposting will be included in supporting text where appropriate. Impacts will also be partly mitigated by INNS policy, as well as BIO and FISH as identified.
Fish and Shellfish	Cables	The potential uncertain effect has been identified due to a lack of data. If further data became available, clearly evidencing the potential or lack of potential for effects on marine organisms, this could reduce the uncertainty.	Data gap acknowledged.
Plankton	Biodiversity	The most applicable definition of 'net environmental gain' as included within the supporting text extends only to mean low water. It is therefore recommended that a definition is included within the supporting text for both the biodiversity policy grouping, else for the policy/supporting text to signpost to the most relevant and recent advice. The same approach should be taken for the Natural Capital grouping, to ensure that the policies encompass the marine environment and are therefore applicable to proposals within the marine plan area.	There is no current guidance on net gain in the marine environment.

Benthic and intertidal ecology	Co-existence	There is no indication within the supporting text whether the protection of industries or the protection of habitats take priority. SE-BIO-1, SE-BIO-2 and SE-BIO-3 and provide some mitigation but do not specifically reference benthic and intertidal ecology.	Noted. It would have to be assessed on a case by case basis, considering the plan as a whole as discussed in section 2.3 of the marine plan documents.
Ornithology	Natural Capital	It should be clarified within the supporting text whether activities such as tourism which derive economic benefits from ornithology as a natural capital asset would take precedence over the protection of ornithology which is the natural capital asset. It is also noted that the most applicable definition of 'net environmental gain' as included within the supporting text of the Biodiversity grouping extends only to mean low water. It is therefore recommended that a definition is included within the supporting text for both the Natural Capital and the Biodiversity groupings which encompasses the marine environment and is therefore applicable to proposals within the marine plan area.	Many sectors are dependent on natural capital assets and it would not be appropriate to single out tourism and recreation. At present there is no strategic approach, nor evidence in place to state which natural capital assets within the plan area should be prioritised over and above the priorities that are already set out in nature conservation legislation. For the time being, until an approach is set by government, the marine plan should be read as a whole and the suite of environmental policies should be used, alongside the tourism and recreation policies, to set the strategic direction for natural capital protection and conservation. The importance of tourism and recreation to the plan area is covered in the TR policies. Regarding further definition of "net environmental gain, there is no current guidance on net gain in the marine environment.

Marine megafauna	Natural Capital	<p>At present there is no approved marine natural capital approach from government. We would anticipate that following an approved approach, clarity could be provided within the supporting text to state whether natural capital which is derived from marine megafauna is treated preferentially and takes priority over exploitation of other natural capital assets (aggregate extraction, dredging etc.).</p> <p>It is also noted that the most applicable definition of 'net environmental gain' as included within the supporting text of the Biodiversity grouping extends only to mean low water. It is therefore recommended that a definition is included within the supporting text for both the Natural Capital and the Biodiversity groupings which encompasses the marine environment and is therefore applicable to proposals within the marine plan area.</p>	<p>The supporting text already states that the most up-to-date government approach should be applied and that the way in which the policy applies over time may change. There is currently no strategic approach, nor evidence in place to state which natural capital assets within the plan are should be prioritised over and above the priorities that are already set out in nature conservation legislation. For the time being, until an approach is set by government, the marine plan should be read as a whole and the suite of environmental and other plan policies should be used, alongside nature conservation legislation, to set the strategic direction for natural capital protection and conservation.</p> <p>Regarding further definition of “net environmental gain, there is no current guidance on net gain in the marine environment.</p>
Ornithology	Natural Capital	<p>At present there is no approved marine natural capital approach from government. We would anticipate that following an approved approach, clarity could be provided within the supporting text to state whether activities such as tourism which derive economic benefits from ornithology as a natural capital asset would take precedence over the protection of ornithology which is the natural capital asset.</p>	<p>The supporting text already states that the most up-to-date government approach should be applied and that the way in which the policy applies over time may change. There is currently no strategic approach, nor evidence in place to state which natural capital assets within the plan</p>

		<p>It is also noted that the most applicable definition of 'net environmental gain' as included within the supporting text of the Biodiversity grouping extends only to mean low water. It is therefore recommended that a definition is included within the supporting text for both the Natural Capital and the Biodiversity groupings which encompasses the marine environment and is therefore applicable to proposals within the marine plan area.</p>	<p>are should be prioritised over and above the priorities that are already set out in nature conservation legislation. For the time being, until an approach is set by government, the marine plan should be read as a whole and the suite of environmental and other plan policies should be used, alongside nature conservation legislation, to set the strategic direction for natural capital protection and conservation.</p> <p>Regarding further definition of “net environmental gain, there is no current guidance on net gain in the marine environment.</p>
Ornithology	Dredging and disposal	<p>Policy SE-BIO-3 encourages proposals to enhance habitats and promote net gains, which could help to protect birds from negative effects associated with dredging and disposal.</p> <p>Policy SE-DIST-1 could provide some mitigation, however, supporting text should be amended to identify the potential effect dredging and disposal activities pose.</p>	<p>Discussing potential impacts caused by every sector in the supporting text would lead to an unduly long plan. It's implicit in the use of the plan, and discussed in section 2.3, that the plan must be taken as a whole and no policy should be taken in isolation. These policies therefore still provide mitigation.</p>
Plankton	Renewables	<p>The Crown Estate leasing process and other required consenting schemes also ensures that sensitive receptors are taken into account during these processes and conditions frequently applied to limit effects.</p>	<p>Accepted. Evidence requirement noted.</p>

		More data is needed on the potential effects of marine renewable energy devices on the water column and subsequently on plankton.	
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Table 1 demonstrates how the MMO addressed the suggested mitigation. Changes were then made to the plan in response to consultation and to the mitigation measures identified. The MMOs responses to the mitigation were used to inform assessment of the final plan policies, and the assessment spreadsheets were also amended in line with the changes made to the plan policies and the responses to the mitigation provided by the MMO.

## 3. Selection of the final South East Inshore Marine Plan

### 3.1 Introduction

The SEA Directive requires that, ‘... reasonable alternatives, taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated.’

### 3.2 The reasons for selecting the alternatives dealt with

As part of the development of the South East Marine Plan, several reasonable alternative options for the policies within the South East Marine Plan were identified by the MMO and tested through the SA. As required by the [SEA Regulations](#) (Schedule 2), this document identifies the reasons for the selection of the preferred options in preference to other alternative options.

In SA, this is interpreted as having two meanings:

1. why it was ‘reasonable’ to select the alternatives which were developed to be tested
2. why the preferred approach was selected in light of the SA of alternatives.

Prior to options development the MMO identified key issues, which were then categorised as opportunities or challenges across the south east inshore marine plan area, which were determined at an appropriate spatial and temporal scale. These key issues were then recorded within the Issues and Evidence Database and arranged into themes:

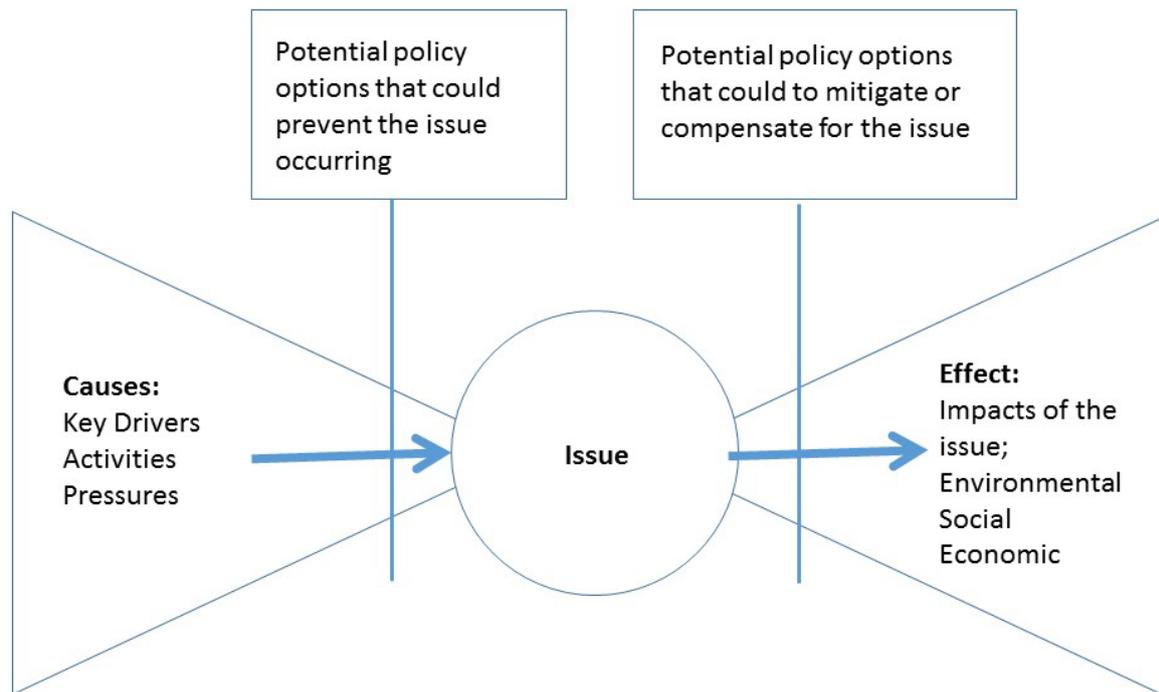
- **economy:** aquaculture, co-existence, ports and harbours, shipping, renewables, oil and gas, cables, infrastructure, aggregates
- **environment:** climate change, coastal change, air quality, disturbance, ecosystem approach, habitats, invasive non-native species, litter, Marine Protected Areas (MPAs), geodiversity, species, water quality
- **governance:** cumulative effects
- **social:** access, employment, fisheries, historic environment, seascape, tourism and recreation, dredging and disposal, heritage assets, defence.

The issues under these themes are not exclusive and others have been included as appropriate when issues and supporting evidence have been identified through the planning process.

Once key issues were identified for the south east marine plan area, the causes and effects of these issues were considered, and later validated by stakeholders. Using this, the MMO identified where the most appropriate policy intervention could sit, either preventing the cause of the issue, or where this can't be controlled by policies within the South East Marine Plan, addressing the effect of the issue.

This process is presented in Figure 1.

**Figure 1: Methodology for Devising Policy Options.**



Following the identification of key issues, realistic and deliverable alternatives were created under each theme, which align with the UK Marine Policy Statement (MPS) High Level Marine Objectives (HLMOs)<sup>5</sup> and other relevant legislation, as well as address current and future issues in the plan area. As a result, each of the marine plan areas (north east, north west, south east and south west) has a variety of different 'groupings' (for example, Access) and each 'grouping' had a number of potential options. The groupings and options reflect key issues in each of the marine plan areas, and therefore vary across plan areas. For the South East Marine Plan there were 28 groupings under which 264 individual options were identified and assessed through the SA.

These options were subject to stakeholder engagement during Iteration 2 across the north east, north west, south east and south west marine plan areas. This took place between 29 January 2018 and 29 March 2018. Across these marine plan areas, a total of 1632 comments were received by the MMO in response to the Iteration 2 consultation. This stakeholder input, along with the SA options assessment findings, was then used to identify a preferred and sustainable option for each grouping which could be developed into a detailed policy.

<sup>5</sup> HM Government, UK Marine Policy Statement, 2011

Following the identification of a preferred option for each grouping, compatibility checks were undertaken by the MMO, during which the preferred option for each grouping was compared with other preferred options to ensure compatibility with each other. Following this exercise, a gap analysis was undertaken which identified any policy gaps within each marine plan area. A policy gap is where policies existed in other plan areas that were deemed to be nationally relevant, so were therefore introduced in areas where they did not exist after the Iteration 2 options process. During the compatibility check and gap analysis exercises, some policy options were merged to create preferred policies compatible across the marine plan areas and some additional preferred policies were introduced to some marine plans in order to fill an identified policy gap. In these cases, the policies had not been considered at the options (Iteration 2) stage as no marine plan issues had been identified in the earlier marine plan development stages. In these cases, there is not considered to be an alternative option to consider because the policy is required to fill a policy gap.

Iteration 3 stakeholder engagement was then undertaken on a preferred set of policies with detailed policy content between 21 January 2019 and 29 March 2019. Following engagement, the preferred policies were edited to address consultee comments. The final set of policies was then passed to the SA consultants for assessment. The methodology followed for undertaking this assessment is described in Section 3.3 Part 1 of the SA Report.

As part of the draft plan consultation a number of respondents suggested alternative policy wordings or updates to policy supporting text. As these could be viewed as alternatives, analysis was undertaken by the MMO regarding whether these policies would be seen as reasonable alternatives to that which had already been tested and therefore, whether they should be tested.

As a result of this process, changes were made to both policy wording and policy supporting text in the final marine plans. A full list of changes can be seen in the Modifications Report.

All amendments made to the plan were then incorporated into the SA, including changes which were slight wording alterations and those which altered in strength or intent.

### **3.3 The reasons for choosing the plan or programme as adopted**

A wide range of evidence, including stakeholder input, along with the SA options assessment findings were used to identify a preferred and sustainable option for each grouping which was then developed into a detailed policy. Some of the preferred policies resulted from a combination of options assessed at the options stage and some have also been merged with other policy options.

Through the development of the preferred set of policies for each marine plan area, options have been rejected for the following reasons:

- they were not identified as the most sustainable option in the SA

- they were not identified as compatible with other preferred policies, for example because they were a duplicate or overlapped with another policy (in which case some preferred policies were merged, or their strength changed)
- they were not favoured by stakeholders during the Iteration 2 engagement in February/March 2018
- evidence did not support taking the development of the policy forward.

## 4. Consultation

### 4.1 Introduction

Consultation is an essential part of the plan making and SA processes. This section of the report sets out the main issues raised through consultation and outlines how these comments have been taken into account in the development of the final South East Marine Plan.

### 4.2 SA Advisory Group

The SA Advisory Group (SAAG) was convened by the MMO to informally advise on the approach, development and delivery of the SA. The overall objective of the SAAG was to guide and advise on the delivery of the SA for the South West, North West, North East and South East Marine Plans. The advisory group provided objective procedural, technical and general advice:

- to facilitate the marine plan SA process
- to input, as appropriate to each stage of the SA process (scoping, appraisal of alternatives, appraisal of the draft plan and SA reporting)
- to promote stakeholder involvement
- to ensure appropriate consideration of relevant information, including that arising from engagements
- to achieve timely preparation of quality documents to inform appraisal decisions.

All advice and discussion was informal, in recognition of the fact that members of the group may want to (or may be required to) respond to formal consultations on the SA scoping report and final SA report.

The following organisations were members of the group:

- Associated British Ports
- Association of Inshore Fisheries and Conservation
- British Marine Aggregate Producers Association
- Chamber of Shipping
- Devon Coastal Partnership
- Durham Heritage Coast
- Historic England
- Joint Nature Conservation Committee
- Natural England
- National Federation of Fishermen's Organisations
- North-West Coastal Forum
- Royal Yachting Association
- Severn Estuaries Partnership
- Tamar Estuaries Consultative Forum
- Thames Estuary Partnership
- The Crown Estate
- The Environment Agency
- Marine Scotland (the Scottish Government).

As well as formal consultation on the SA, the SAAG agreed the methodology used and assisted in assessing both the options and the draft plan.

### 4.3 SA Scoping Consultation

The scoping report is the primary mechanism for consulting on the scope and level of detail of the SA, and was consulted upon in accordance with the requirements of Regulation 12(5) and (6) of the SEA Regulations. The scoping engagement began on the 11 April 2016 and closed on 13 May 2016. The scoping report was published on the MMO's website where anyone could submit a comment.

The scoping report was issued to the following statutory environmental bodies:

- Natural England
- Historic England (formerly English Heritage)
- The Environment Agency.

In addition, the scoping report was issued to the following organisations for comment:

- Associated British Ports
- Association of Inshore Fisheries and Conservation Authorities
- British Marine Aggregate Producers Association
- Chamber of Shipping
- Department for Environment, Food and Rural Affairs
- Devon Coastal Partnership
- Durham Heritage Coast
- Marine Scotland (The Scottish Government)
- National Federation of Fishermen's Organisations
- North West Coastal Forum
- Oil and Gas UK
- Renewables UK
- Royal Yachting Association
- Severn Estuaries Partnership
- Tamar Estuaries Consultative Forum
- Thames Estuary Partnership
- The Crown Estate
- Visit England
- Welsh Assembly Government
- Wildlife and Countryside Link.

The SAAG met on 2 March 2016 to discuss the scope of the SA and views expressed at this meeting informed the scoping report. At this meeting the SAAG provided baseline information and identified data gaps. Recommendations were made to change the format of the 'scorecard' presentation of information within the scoping report and some interactions between topics / activities were clarified through discussion. Additional policy documents were identified for review.

In response to the comments received on the scoping report, the following actions were undertaken:

- additional policy documents were reviewed and added to the SA Database
- additional baseline data was added to the SA Database in relation to water quality, air quality, economy, geology, substrates and coastal processes, marine litter, transboundary issues, fisheries and aquaculture, aggregates extraction, seabed assets, energy and safeguarded wharves
- additional data gaps were identified, for example, potential impacts on bats which may migrate across marine areas
- relationships between some topics were clarified
- amendments were made to some outdated or incorrect baseline data and clarifications, for example, in relation to some protected sites and recreational boating activity
- additional detail on how magnitude is defined was added into the methodology for the preferred options assessment
- fishing was added as a cross-cutting issue
- information was provided which was useful for the assessment stage.

#### **4.4 Consultation on the options**

An Iteration 2 SAAG meeting was held on 28 February 2018. As part of this session, the SAAG members were invited to comment on the approach being taken to the options assessment and examples of some of the completed assessments of the groupings were provided.

During this meeting the SAAG asked for more detailed justification to be provided for options screened into the assessment as likely to result in significant effects. SAAG members agreed that where there is likely to be significant impacts on social issues the consideration of tourism and recreation should be considered separately. The SAAG questioned whether signposting to legislation within policy options could result in a negative effect. The consultants clarified that where there is an ongoing issue, which is not being solved by current legislation/signposting, the SA of options has identified this could result in a negative effect. Where there is not an issue, the SA of options has identified a potential positive effect as the legislation is clearly working.

The SAAG identified an issue on how particular terminology is used when talking about the significance on heritage assets. It can change in relation to societal benefits, and the use of National Planning Policy Framework and terrestrial planning. The MMO agreed that supporting text would provide details on issues and address concerns and the consultants would ensure that significance was clearly defined within the SA.

The SAAG requested that the SA matrices approach should be more flexible. The consultants agreed that the options report would include a narrative and will be more flexible.

The SAAG were invited to provide more information on issues identified by the MMO for which options were being developed to address them. The SAAG suggested some corrections to issues.

The consultants raised a discussion point on whether more prescriptive options would be beneficial, for example, policy options relating to social benefits, eco-tourism, natural capital and ecosystem services. The SAAG agreed the options could be clearer in this respect.

To assist in the assessment of the preferred options, a further assessment workshop was held with the SAAG on 19 June 2019. The Advisory Group discussed the key issues identified in the preferred policies assessment with facilitation and note taking provided by the consultants. At this meeting the SAAG asked that assessment spreadsheets be included as appendices to SA options assessment reports to provide transparency and detailed information to consultees. The group suggested that the assessment description in relation to economy, oil and gas be amended to state that Carbon Capture and Storage (CCS) may be beneficial in achieving the UK's carbon targets. The consultants raised a discussion point regarding which policy groupings/receptors would be given precedence where policies from different policy groupings conflict with one another. As a result it was decided that the MMO needed to determine which approach would be favoured e.g. provide a written hierarchy for a couple of policies, change the wording, or leave it to the decision makers. The consultants were asked to include mitigation in assessment or policy options to explain that the hierarchical preference included in policies needs to be stated, this may include relevant policies being qualified with, for example, "....must not affect (e.g. MPAs)".

Regarding Natural Capital Assessments the consultants were asked by the SAAG in the 19 June 2019 meeting to amend the mitigation put forward to the MMO regarding the natural capital policy grouping, to include that should it not be possible for a definition of natural capital to be included within the policy or supporting text, then the policy/supporting text should signpost to the most relevant guidance.

The options assessment of the draft South East Marine Plan was reported in an [options assessment SA report](#). The options assessment SA report was published in June 2018 and made available for comment. In response to the comments received, additional information relating to air, biodiversity, climate, communities, cultural heritage, economy, landscape and water was added to the SA Database, including baseline data and policy documents. For example, more information was added to the SA Database on air quality strategies and ports strategies.

## **4.5 Consultation on the Draft South East Marine Plan and SA Report**

The draft South East Marine Plan and accompanying draft SA report were consulted on with the public and other key stakeholders between 14 January 2020 and 20 April 2020.

Following consultation, responses relating to the SA have been reviewed and responded to. Amendments to the SA have been undertaken in response to consultees' comments as appropriate.

Across all marine plan areas, (south east Inshore and the north west, south west and north east Inshore and Offshore) 14 individual written responses were received which included approximately 124 comments.

Where appropriate these comments have been taken into account in the final SA report. These comments can be broken down into the following main themes:

**Table 2: Changes made as a result of consultation on the draft SA Report.**

Theme	Detail
General	<ul style="list-style-type: none"> <li>alignment between land and sea planning systems to be emphasised</li> </ul>
Baseline Data	<ul style="list-style-type: none"> <li>ensure both designated and non designated heritage assets are considered, both marine and terrestrial and their settings</li> <li>include reference to the relationship between seascape and landscape and the settings of some heritage assets</li> <li>provision of new data on fisheries, communities, geology and coastal process, water quality, marine litter, biodiversity (fish and shellfish), biodiversity (protected sites and species) and economy (ports and shipping)</li> <li>clarification of effect from underwater noise.</li> <li>clarification that fishing industry is not sole contributor to marine litter</li> <li>added a data gap to economy baseline (fisheries)</li> <li>additional emphasis placed on predicted impacts from climate change on fisheries</li> <li>clarification of general environmental effects of shipping</li> <li>clarification of importance of fishing to certain communities</li> <li>clarification of potential effect from aquaculture regarding newly introduced species</li> </ul>
Assessment Findings	<ul style="list-style-type: none"> <li>adjusted positive effect from the marine plan on cultural heritage to uncertain and added mitigation to strengthen policy wording giving consideration of the effects of altering the settings of heritage assets and challenges at the marine/terrestrial interface</li> <li>clarified that not only do sediments get affected by physical disturbance but that any change in sediment as well as any disturbance affects the resident assemblages of species</li> <li>amended a minor negative effect from cables relating to electromagnetic fields to an uncertain effect as some research suggests that there could be a negative effect on fish but it is limited</li> <li>amended effect from aquaculture, cables, infrastructure, oil and gas, ports and shipping policy groupings on coastal processes to uncertain</li> <li>clarified that policy has a positive effect on all protective features and thereby on the whole MPA network.</li> </ul>

## 5. Monitoring

The SEA Regulations require that the significant environmental effects of plans and programmes be monitored. This intends to allow the early identification of unforeseen adverse effects so that appropriate remedial action can be taken.

Therefore, monitoring undertaken for the South East Marine Plan as part of the SA, and as part of the implementation and monitoring of the adopted South East Marine Plan, should help to:

- monitor the significant effects of the final South East Marine Plan
- track whether the South East Marine Plan has had any unforeseen effects
- ensure that action can be taken to reduce/offset the significant negative effects of the plan

The requirements of the SEA regulations focus on monitoring the significant negative and unforeseen effects of the Marine Plan. Therefore, monitoring within these reports is only discussed within the context of residual effects which are significantly negative or uncertain.

The South East Marine Plan process itself includes a comprehensive monitoring programme which is focused on the achievement of the plan policies contribution towards the marine plan objectives, which in the case of the South East, South West North East and North West Marine Plans are the UK Marine Policy Statement high level marine objectives. This monitoring programme will enable the MMO to track the success of policies and also to monitor the baseline environmental, economic and social conditions of the marine plan areas. The monitoring also contributes to the three-yearly reporting to parliament, which in turn provides a mechanism for reviewing and amending the plan or individual policies.

The monitoring programme will, as outlined in section 2.6 of the North East, North West, South East and South West Approach to Monitoring, also meet the requirements of the SEA regulations in order to identify any undesirable effects and the need for remedial action, based on the residual significant negative effects and uncertain effects identified within the SA.

The North East, North West, South East and South West Approach to Monitoring provides a framework to monitoring of the English marine plans. It uses the UK Marine Policy Statement high level marine objectives to provide consistency between marine plans allowing monitoring activities to be set in a common context. Indicators will be developed to allow process, outcome and contextual monitoring. Process monitoring examines the development and implementation of marine plans, outcome monitoring measures progress towards real world change resulting from the marine planning process, and contextual monitoring recognises that marine plan monitoring must consider changes in the wider operating context.

The Annex of Indicators will be developed following the publication of the North East, North West, South East and South West Approach to Monitoring and, once completed will be available on request from the Marine Management Organisation. The SA topics and sub-topics for which residual significant negative or uncertain effects have been identified in the assessment of the final policies are presented in

Part 3 of the SA report. Suggested indicators to monitor these effects are presented in Table 3, below. During the development of the Annex of Indicators, these suggestions will, if practicable, be integrated into the monitoring programme or new indicators will be created to assess these effects.

Data will be collected, based on these indicators, which will be used to inform the reporting requirements under the Marine and Coastal Access Act 2009 Section 54 and 61, as well as the monitoring requirements under the SEA regulations. Due to the iterative nature of the marine planning process the monitoring programme will be refined over time.

**Table 3: Suggested monitoring indicators.**

SA Sub-topic	Indicator suggestions
<b>Cultural Heritage</b>	
Heritage Assets within marine plan areas	<p>Objective indicator: Changes to the Heritage at Risk Register entries linked to proposals going ahead</p> <p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted specific outcomes* (both policy and non-policy) have occurred</p> <p>*predicted specific outcomes would include the effects on heritage assets within marine plan areas from marine developments including: cables developments, dredging applications, oil and gas and carbon capture usage and storage projects and renewable energy projects</p> <p>MMO objective indicator: Changes to the Heritage at Risk Register entries linked to proposals going ahead</p>
Heritage Assets adjacent to marine plan areas	<p>Objective indicator: Changes to the Heritage at Risk Register entries linked to proposals going ahead</p> <p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted specific outcomes* (both policy and non-policy) have occurred</p> <p>*predicted specific outcomes would include the effects on heritage assets adjacent to marine plan areas from marine developments</p>
<b>Geology, Substrates and Coastal Processes</b>	
Seabed substrates and bathymetry	<p>Outcome <i>indicator</i>: Data from aggregate developments or licenses need to be monitored for significant negative effects on seabed substrates and bathymetry</p> <p>Outcome indicator: Monitor data from dredging applications and licenses for potential significant negative effects on seabed substrates and bathymetry</p>

SA Sub-topic	Indicator suggestions
Coastal features and processes	<p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted specific outcomes* (both policy and non-policy) have occurred</p> <p>*predicted specific outcomes would include the effects on coastal features and processes within marine plan areas from marine developments including: aggregate developments or licenses and renewable energy projects</p>
<b>Seascape and Landscape</b>	
Effects on seascape and landscape	Intermediate outcome indicator: A reduction in proportion of proposals securing approval in areas that are identified as sensitive for their visual resource and marine character
<b>Biodiversity, Habitats, Flora and Fauna</b>	
Benthic and intertidal ecology	<p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted policy specific outcomes have occurred</p> <p>Outcome indicator: Data from aggregate developments or licenses need to be monitored for potential significant negative effects on benthic and intertidal ecology</p> <p>Outcome indicator: Monitor data from oil, gas projects for potential significant negative effects on benthic and intertidal ecology</p> <p>Outcome indicator: health or distribution of benthic or intertidal habitats; and sessile species</p>
Fish and shellfish	<p>Outcome indicator: Magnitude of change in the spatial extent of S41 priority habitats, or the sub-set of S41 priority habitats relevant to the policy.</p> <p>Outcome indicator: Contributions to the (Marine Noise Registry (MNR) increase annually until they exceed 5% per year.</p> <p>Contextual indicator: Data and studies regarding the impacts of electromagnetic fields on fish, particularly from cables developments</p>
Marine megafauna	Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted specific outcomes* (both policy and non-policy) have occurred

SA Sub-topic	Indicator suggestions
	<p>*predicted specific outcomes would include the effects on marine megafauna from marine developments including: oil and gas projects, noise generating projects and aggregate developments or licenses</p> <p>Outcome indicator: Voluntary contributions to the (Marine Noise Registry (MNR) increase annually until they exceed 5% per year</p>
Ornithology	<p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted policy specific outcomes* have occurred</p> <p>*predicted specific outcomes would include the effects on ornithology from marine developments including: oil and gas projects and aggregate developments or licenses</p>
Plankton	<p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted policy specific outcomes have occurred</p> <p>Contextual indicator: Data and studies regarding the impacts of marine renewable energy devices on the water column and subsequently on plankton</p>
Protected sites and species	<p>Outcome indicator: Condition status for designated sites and the relative frequency of human activities or other factors identified as adversely impacting feature condition</p> <p>Outcome indicator: Magnitude of change in the spatial extent of S41 priority habitats, or the sub-set of S41 priority habitats relevant to the policy.</p> <p>Outcome indicator: Stakeholder survey responses identify the extent to which stakeholders perceive predicted specific outcomes (both policy and non-policy) have occurred</p> <p>*predicted specific outcomes would include the effects on protected sites and species within marine plan areas from marine developments including: noise generating projects, oil and gas projects</p>