

APPENDIX 4 – OTHER POTENTIALLY RELEVANT INITIATIVES

A4.1 INTRODUCTION

The *Environmental Assessment of Plans and Programmes Regulations 2004* require that within the SEA Environmental Report consideration is given to:

- the degree to which the “*plan or programme influences other plans and programmes including those in a hierarchy*”
- as well as the “*environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation*”.

Previous wind leasing (Rounds 1 & 2) and previous oil and gas licensing is considered elsewhere in the report. The following sections outline the main objectives/requirements of a range of other initiatives (including plans and programmes) established at international, European Community or national level, which are relevant to the current plan/programme for UK offshore wind leasing and offshore oil and gas licensing and gas storage.

A4.2 INTERNATIONAL INITIATIVES

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
<p>UN Conference on the Human Environment, Stockholm, 1972</p> <p>The UN Conference on Environment and Development (UNCED, Earth Summit) Rio de Janeiro, Brazil 1992</p> <p>The UN Millennium Declaration (2000) and Millennium Development Goals</p> <p>The World Summit on Sustainable Development (WSSD), Johannesburg, September 2002 - Commitments arising from Johannesburg Summit. A further summit was held in 2005 and a high level meeting in 2008.</p> <p>The EU's renewed sustainable development strategy (2006) 'Securing The Future' the UK strategy for sustainable development March 2005</p>	<p>The UN Conference on Environment and Development in 1992 reviewed the linkages between economic and social development and environmental protection and adopted Agenda 21. The Rio Declaration on Environment and Development reaffirmed the declaration of the UN Conference on the Human Environment (Stockholm conference 1972) and included 27 sustainable development principles, “the Rio Principles”.</p> <p>In December 1992 - The UN General Assembly created the Commission on Sustainable Development (CSD) to ensure effective follow-up to UNCED and a special session of the General Assembly Earth Summit + 5, held in New York in 1997, adopted a “Programme for the Further Implementation of Agenda 21”.</p> <p>Following from UNCED, the WSSD (Rio+10) reviewed progress and results achieved since the 1992 Earth Summit and adopted the Johannesburg Plan of Implementation (JPOI), with concrete steps and quantifiable and time-bound targets and goals.</p> <p>The seventh of the Millennium Development Goals is for Environmental Sustainability and includes a target to “integrate the principles of sustainable development into country policies and programs and reverse the loss of environmental resources”.</p>	<p>UK Government sustainable development strategy includes a table of the UK's international priorities for sustainable development primarily arising from the WSSD which are relevant to the draft plan/programme.</p>

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
<p>Vienna Convention for the Protection of the Ozone Layer Montreal Protocol (UN September 1987) and subsequently updated and adjusted</p> <p>EC has implemented the Protocol through Regulations</p>	<p>Montreal Protocol was negotiated under the framework established by the Vienna Convention for the Protection of the Ozone Layer, 1985.</p> <p>The Protocol is revised regularly and sets out a timetable for the phase-out of ozone-depleting substances or substance groups (e.g. chlorofluorocarbons (CFCs), halons)</p>	<p>Consider contributions to ozone depleting substance emissions as a result of licensing.</p> <p>Activities which may be conducted subsequent to licensing will need to be compliant with implementing EU and national legislation and consistent with Montreal Protocol requirements.</p>
<p>Kyoto Protocol and the UN Framework Convention on Climate Change adopted 1997 entered into force in 2005</p> <p>The UK Climate Change Act 2008, which entered into force at the end of November 2008, contains legally binding targets for UK carbon account reductions of at least 80% by 2050, and at least 26% by 2020, against a 1990 baseline.</p>	<p>The protocol sets out targets to reduce specific greenhouse gasses, and a framework of actions to achieve these reductions in a meaningful timeframe. The methodologies employed to meet the targets are at the discretion of each nation – the current UK commitment under Kyoto is a 12.5% reduction in greenhouse gases below 1990 levels for the 2nd commitment period of 2008-12.</p> <p>The 2007 Bali UN Climate Change Conference adopted “the Bali Road Map”, which includes amongst other things: the “Bali Action Plan”, for a new negotiating process to tackle climate change; and the timetable for the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol. Aim for both processes to be complete by end 2009.</p>	<p>Consider implications of the draft plan/programme in terms of greenhouse gas emissions targets and climate change.</p>
<p>Geneva Convention on Long-Range Transboundary Air Pollution 1979</p>	<p>Provides framework for controlling and reducing environmental damage caused by transboundary air pollution, covering a range of pollutants including persistent organic pollutants, heavy metals, sulphur, VOCs and nitrogen oxides.</p>	<p>Consider implications of the draft plan/programme in terms of transboundary air pollution.</p>
<p>Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal Adopted March 1989. Entry into force 1992.</p>	<p>The Convention is concerned with the reduction and management of movements of hazardous waste between nations, and the prevention of transfers of hazardous waste from developed to less developed countries.</p>	<p>Returnable wastes produced by UK offshore developments and operations are generally returned to the UK via the port of supply.</p>
<p>The Convention on EIA in Transboundary Context 1991 (Espoo Convention)</p> <p>Implemented by the 1997 Directive 97/11/EC</p>	<p>To facilitate a wider, more transparent and comprehensive consultation process for projects with cross-boundary effects.</p>	<p>Consider potential for transboundary effects on the environment.</p>
<p>United Nations Convention on the law of the sea (Montego Bay, 1982) Entry into force 1994.</p>	<p>UNCLOS III, (3rd UN Conference on the Law of the Sea) took place between 1973 and 1982. The Convention, concluded in 1982, replaces earlier treaties and defines the rights and responsibilities of nations in their use of the seas. In exercising rights under the convention, nations must have due regard for the rights of other nations and for cooperation.</p> <ul style="list-style-type: none"> Coastal States exercise sovereignty over their territorial sea which they have the right to establish its breadth up to a limit not to exceed 12nm from a defined baseline, with certain rights extended to 24nm. 	<p>Consider the implications for navigation for the draft plan/programme. The responsibilities for environmental protection and pollution prevention are implemented through OSPAR, EU and national legislation.</p>

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International and European Conventions/Agreements and Legislation		
	<ul style="list-style-type: none"> Coastal States have: sovereign rights in a 200nm exclusive economic zone (EEZ) for exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; and jurisdiction for the establishment and use of artificial islands, installations and structures; marine scientific research, the protection and preservation of the marine environment. Coastal States have sovereign rights over the continental shelf (the national area of the seabed) for exploring and exploiting it. The shelf can extend at least 200nm from the shore, or more under defined circumstances. There are rights to "innocent passage" for ships through territorial waters, to "transit passage" for ships and aircraft through straits used for international navigation (States bordering the straits may regulate navigational and other aspects of passage) and freedom of navigation and overflight in the EEZ. All States enjoy freedoms of navigation, overflight, scientific research and fishing on the high seas; they are obliged to adopt, or cooperate with other States in adopting, measures to manage and conserve living resources. Requires cooperation and sets obligations with regard to the prevention of pollution from activities under their jurisdiction. 	
IMO International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78)	Prevent marine pollution from ships and in part from oil rigs and production platforms. Includes six annexes covering pollution by oil, noxious liquids carried in bulk, harmful substances in packaged form, sewage, garbage and air pollution.	Activities which may be conducted subsequent to licensing will require to be compliant with national legislation.
International Convention for the Control and Management of Ships' Ballast Water and Sediments (IMO 2003), adopted February 2004, still to enter into force	Objective to prevent, minimise and ultimately eliminate the transfer of harmful aquatic organisms and pathogens through the control and management of ships' ballast water and sediments. Pending ratification the Helsinki and OSPAR Commissions have issued General Guidance on the Voluntary Interim application of the D1 Ballast Water Exchange Standard as of April 2008, which requests that vessels entering North East Atlantic waters exchange all their ballast tanks at least 200nm from the nearest land in water at least 200 metres deep.	Consider the management issues surrounding ballast water.
International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990, entered into force 1995	Provides a framework for international co-operation in combating major incidents or threats of marine pollution.	Activities which may be conducted subsequent to licensing will require to be compliant with implementing national

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
		legislation on oil spill contingency planning.
London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (as amended) 1996 Protocol - Revision to convention 2006 Amendments to the 1996 Protocol	Prohibits the dumping of certain hazardous materials, requires a prior special permit for the dumping of a number of other identified materials and a prior general permit for other wastes or matter. Operational wastes derived from the exploration and exploitation of sea-bed mineral resources are excluded. Guidelines were adopted in 2000, to specify different classes of waste, including platforms and other man-made waste. Amendments adopted in 2006 (which entered into force in February 2007) create a basis in international law to allow and regulate carbon capture and storage (CCS) in sub-seabed geological formations.	Decommissioning, disposal of CO ₂ and spatial considerations for draft plan/programme.
Convention on International Civil Aviation (Chicago Convention) (ICAO)	Originally conceived following WWII, the Chicago Convention established the International Civil Aviation Organisation (ICAO). Now in its 9 th edition, the convention outlines agreements between governments on principles of safe international navigation, for instance cabotage (right to refuse an aircraft of another state to take on passengers/mail etc. and prohibited areas (e.g. for military use/public safety).	Potential impacts of developments on aircraft navigation and restrictions from military use.
Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar 2.2.1971, as amended 3.12.1982)	An intergovernmental treaty which provides the framework for national action and international co-operation for the conservation and wise use of wetlands and their resources: <ul style="list-style-type: none"> To stem the progressive encroachment on and loss of wetlands now and in the future Recognition that waterfowl in their seasonal migrations may transcend frontiers and so should be regarded as an international resource The conservation of wetlands and their flora and fauna can be ensured by combining far-sighted national policies with co-ordinated international action 	Consider implications of the draft plan/programme in terms of Ramsar sites.
Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) (1979) The EC adopted Council Directive 79/409/EEC on the Conservation of Wild Birds (the EC Birds Directive) in 1979, and Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the EC Habitats Directive) in 1992 to implement the Bern Convention	Objectives include: <ul style="list-style-type: none"> To conserve wild flora and fauna and their natural habitats To promote co-operation between states To give particular emphasis to endangered and vulnerable species, including endangered and vulnerable migratory species 	Consider implications of the draft plan/programme for protected habitats and species.
Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention) (1979)	An intergovernmental treaty, concerned with the conservation of wildlife and habitats on a global scale: <ul style="list-style-type: none"> Aims to conserve terrestrial, marine and 	Consider implications of the draft plan/programme for migratory species.

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International and European Conventions/Agreements and Legislation		
	<p>avian species throughout their range through international cooperation</p> <ul style="list-style-type: none"> The UK is party to the convention and to several regional agreements which have been concluded under the auspices of the convention including: AEWA (the Agreement on the Conservation of African-Eurasian Migratory Waterbirds); ASCOBANS (whose coverage was extended in February 2008 and is now the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas); and EUROBATS (the Agreement on the Conservation of Populations of European Bats). 	
<p>United Nations Convention on Biodiversity (the Rio Convention) adopted in 1992, entered into force 1993</p> <p>The UK Biodiversity Action Plan (and various subsidiary plans) is part of the implementation of the Convention</p>	<p>To promote:</p> <ul style="list-style-type: none"> The conservation of biological diversity The sustainable use of its components The sharing of the benefits of genetic resources. <p>Agreed on a 'significant reduction' of the current rate of biodiversity loss by 2010. Specific programmes are required for the identification of important components of biodiversity and their understanding and protection.</p>	Consider implications of the draft plan/programme for UK Biodiversity Action Plan.
"Biosphere Conference" organised by UNESCO in 1968	Established framework for designation of a coordinated world network of new protected areas designated as "Biosphere Reserves".	Consider implications of the draft plan/programme for Biosphere Reserves.
Convention for the Protection of the Marine Environment of the North East Atlantic (the OSPAR Convention 1992)	<p>Currently five annexes in force:</p> <p>I: Prevention and elimination of pollution from land-based sources</p> <p>II: Prevention and elimination of pollution by dumping or incineration</p> <p>III: Prevention and elimination of pollution from offshore sources</p> <p>IV: Assessment of the quality of the marine environment</p> <p>V: Protection and conservation of the ecosystem and biological diversity of the maritime area</p>	<p>Consider measures to prevent and eliminate pollution, assess the quality of and protect and conserve the ecosystem of the maritime area.</p> <p>Activities which may be conducted subsequent to licensing will require to be compliant with national legislation implementing OSPAR recommendations and decisions.</p> <p>Amendment proposals have been drafted regarding CCS.</p>
OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings	No such fluids used without prior authorisation. Discharge of cuttings to sea with a concentration >1% by weight of oil based fluids on dry cuttings prohibited.	Activities which may be conducted subsequent to licensing will require to be compliant with national legislation with regard to OPFs and OPF-contaminated cuttings.
OSPAR Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals (as amended by OSPAR Decision 2005/1)	Mandatory harmonised system of testing, risk assessment and approval for offshore chemicals across the OSPAR area. Objective is reduction in harm from use and discharge.	Activities which may be conducted subsequent to licensing will require to be compliant with implementing national legislation relating to the use and discharge of

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<p>OSPAR Recommendation 2000/5 on a Harmonised Offshore Chemical Notification Format (HOCNF), as amended by OSPAR Recommendation 2005/3 and 2008/2</p> <p>OSPAR Recommendation 2005/2 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that are, or Contain Added Substances, Listed in the OSPAR 2004 List of Chemicals for Priority Action</p> <p>OSPAR Recommendation 2006/3 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that are, or which Contain Substances Identified as Candidates for Substitution</p> <p>Implemented through the Offshore Chemicals Regulations 2002</p>		offshore chemicals.
<p>OSPAR Recommendation 2001/1 for the Management of Produced Water from Offshore Installations as amended by Recommendation 2006/4</p> <p>Implemented through the Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005</p>	<p>Reduction in discharge of oil in produced water by 15% over a five year period.</p> <p>Lowering of the discharge concentration from each installation to 30mg/l.</p> <p>Presumption against the discharge to sea of oil in produced water from new stand-alone developments.</p>	Activities which may be conducted subsequent to licensing will require to be compliant with the implementing national legislation for the management of produced water.
OSPAR Recommendation 2003/3 on a Network of Marine Protected Areas (MPA)	OSPAR will identify the first set of MPAs by 2006 (ongoing) and complete by 2010 a joint network of well managed marine protected areas that, together with the Natura 2000 network, is ecologically coherent.	Bring attention to the new MPAs currently being designated by OSPAR.
OSPAR Recommendation 2003/5 to Promote the Use and Implementation of Environmental Management Systems by the Offshore Industry	Recommendation that by the end of 2005 all operators within a Contracting Parties' jurisdiction in the maritime area should have in place Environmental Management Systems that are in accordance with the principles of internationally recognised standards.	Requirement that all operators with offshore operations have in place an Environmental Management System.
OSPAR Decision 98/3 on the Disposal of Disused Offshore Installations	The dumping, and the leaving wholly or partly in place, of disused offshore installations within the maritime area is prohibited (with derogations).	Decommissioning of installations will require to be compliant with the implementing national legislation.
OSPAR Recommendation 2006/5 on a Management Regime for Offshore Cuttings Piles	A two stage Cuttings Pile Management Regime aimed to reduce to a level that is not significant, the impacts of pollution by oil and/or other substances from existing cuttings piles.	Consider recommendation in relation to existing North Sea and Irish Sea cuttings.
OSPAR Recommendation 2003/1 on the Strategy for the Joint Assessment and Monitoring	Joint programme to fulfil the obligations under the OSPAR Convention in relation to monitoring and assessment.	UK participates in JAMP.

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International and European Conventions/Agreements and Legislation		
Programme		
OSPAR Quality Status Reports (QSRs) of the North Atlantic and its sub-regions	<p>The OSPAR 2000 Quality Status Report provides an assessment of current knowledge of the North Atlantic, assessing the impact of humans on hydrodynamics, chemistry, habitats and biota.</p> <p>A new QSR is currently being prepared for the 2010 OSPAR ministerial meeting, and will examine all aspects of anthropogenic interaction with the sea, including contaminants, nutrient pollution and radioactive substances and the effects of human activities such as the offshore oil and gas industry, offshore wind farms, maritime transport and fisheries, and the effectiveness of associated legislation.</p>	Existing QSR information used to inform current offshore energy SEA. Developers should be aware of updated material available from 2010.
OSPAR Guidance on Environmental Considerations for Offshore Wind Farm Development (2008)	Guidance note issued is to assist in the identification and consideration of issues associated with determining the environmental effects of offshore wind farm developments.	Consider guidance in relation to draft plan/programme.
OSPAR Decision 2007/1 to Prohibit the Storage of Carbon Dioxide Streams in the Water Column or on the Sea-bed Entered into force January 2008.	The placement of CO ₂ streams in the water column or on the seabed is prohibited unless it results from normal operations as described in Article 1(g)(i) of the Convention or is for the purpose other than the mere disposal thereof as described in Article 1(g)(ii) of the Convention and is in accordance with the relevant provision of the Convention.	Disposal of CO ₂ .
OSPAR Decision 2007/2 on the Storage of Carbon Dioxide Streams in Geological Formations Entered into force January 2008.	Application of the OSPAR Guidelines for Risk Assessment and Management of Storage of CO ₂ Streams in Geological Formations. Authorities to ensure that CO ₂ streams, which are stored in geological formations, are intended to be retained in these formations permanently and will not lead to significant adverse consequences for the marine environment, human health and other legitimate uses of the maritime area.	Disposal of CO ₂ .
Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris 1972)	To encourage the identification, protection and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity.	Consider implications of the draft plan/programme in relation to World Heritage Sites.
<p>Aarhus Convention</p> <p>Directive 2003/4/EC formally adopted of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC</p> <p>Directive 2003/35/EC, formally adopted on 26 May 2003, providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC</p>	<p>The Convention provides for:</p> <ul style="list-style-type: none"> • The right of everyone to receive environmental information that is held by public authorities • The right to participate in environmental decision-making • Access to justice with respect to the above 	The SEA Directive and implementing regulations require that public consultation is carried out on the Draft Plan or Programme and the Environmental Report.

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International and European Conventions/Agreements and Legislation		
<p>EU Sustainable Development Strategy (EU SDS) First issued 2001 Renewed June 2006</p> <p>'Securing The Future' the new UK strategy for sustainable development March 2005</p>	<p>The overall aim is to identify and develop actions to enable the EU to achieve continuous improvement of quality of life both for current and for future generations, through the creation of sustainable communities able to manage and use resources efficiently and to tap the ecological and social innovation potential of the economy, ensuring prosperity, environmental protection and social cohesion. The themes are:</p> <ol style="list-style-type: none"> 1. Climate change and clean energy; Overall Objective: To limit climate change and its costs and negative effects to society and the environment 2. Sustainable transport; Overall Objective: To ensure that our transport systems meet society's economic, social and environmental needs whilst minimising their undesirable impacts on the economy, society and the environment 3. Sustainable consumption and production; Overall Objective: To promote sustainable consumption and production patterns 4. Conservation and management of natural resources Overall Objective: To improve management and avoid overexploitation of natural resources, recognising the value of ecosystem services 5. Public health; Overall objective: To promote good public health on equal conditions and improve protection against health threats 6. Social inclusion, demography, migration; Overall Objective: To create a socially inclusive society by taking into account solidarity between and within generations and to secure and increase the quality of life of citizens as a precondition for lasting individual well-being 7. Global poverty and sustainable challenges. Overall objective: To actively promote sustainable development worldwide and ensure that the European Union's internal and external policies are consistent with global sustainable development and its international commitments <p>Cross cutting policies are:</p> <ol style="list-style-type: none"> 1. Education and training; 2. Research and development; 3. Financing and Economic Instruments; 4. Communication, mobilising actors and multiplying success. 	<p>Consider the potential impact of plan/programme alternatives on a range of indicators of sustainable development.</p>
<p>A European Strategy for Sustainable, Competitive and Secure Energy. European Commission Green Paper. March 2006. COM(2006) 105 final</p> <p>Action Plan for Energy Efficiency: Realising The Potential - Saving 20% By 2020</p>	<p>Put forward suggestions and options that could form the basis for a new comprehensive European energy policy. Identifies six key areas where action is necessary:</p> <ul style="list-style-type: none"> • Energy for growth and jobs in Europe • An Internal Energy Market that guarantees security of supply • Tackling security and competitiveness of energy supply • An integrated approach to tackling climate change • Encouraging innovation • Towards a coherent external energy policy 	<p>Consider the implications of licensing and potential activities on maintaining security of supply as well as greenhouse gas emissions and climate change.</p>

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International and European Conventions/Agreements and Legislation		
An Energy Policy for Europe. Communication from the Commission to the European Council and the European Parliament. COM(2007) 1 final	<p>This Strategic Energy Review follows on from the submissions received during the consultation period on the Green Paper above. Proposes that the European Energy Policy be underpinned by:</p> <ul style="list-style-type: none"> An EU objective in international negotiations of 30% reduction in greenhouse gas emissions by developed countries by 2020 compared to 1990. In addition, 2050 global GHG emissions must be reduced by up to 50% compared to 1990, implying reductions in industrialised countries of 60-80% by 2050 An EU commitment now to achieve, in any event, at least a 20% reduction of greenhouse gases by 2020 compared to 1990 	Consider the implications of licensing/leasing and potential activities on maintaining security of supply as well as greenhouse gas emissions and climate change.
<p>EU Energy Security and Solidarity Action Plan: Second Strategic Energy Review - Securing our Energy Future</p> <p>Green Paper: Towards a Secure, Sustainable and Competitive European Energy Network. COM(2008) 782 final</p> <p>Communication on Offshore Wind Energy: Action needed to deliver on the Energy Policy Objectives for 2020 and beyond. COM(2008) 768 final</p> <p>Communication on the Directive 2004/67/EC concerning measures to safeguard security of natural gas supply. COM(2008) 769 final</p>	<p>As part of the process to achieve core energy objectives of sustainability, competitiveness and security of supply, the March 2007 European Council invited the Commission to bring forward an updated Strategic Energy Review in early 2009. The Commission proposes a five-point EU Energy Security and Solidarity Action Plan: Infrastructure needs and the diversification of energy supplies; External energy relations; oil and gas stocks and crisis response mechanisms; energy efficiency; making the best use of the EU's indigenous energy resources. In November 2008 the Commission launched a package which includes a range of policy and consultation papers, other proposals and supporting documents, including:</p> <ul style="list-style-type: none"> a strategic energy review to guide decisions on short and medium-term measures new rules and standards on energy efficiency green paper on energy networks, launching a public consultation on a more coordinated system for developing energy networks, featuring a policy paper on offshore wind power a revised nuclear illustrative programme exploring options for nuclear power alongside proposals to improve nuclear safety coordination between EU countries <p>Following public consultations on the green paper and further consideration specific proposals will be put forward (expected 2010).</p>	Consider the implications of licensing/leasing and potential activities on maintaining security of supply as well as greenhouse gas emissions and climate change.
Communication on: 20 20 by 2020 Europe's climate change opportunity. COM(2008) 30 final	<p>Presents a "Roadmap" aimed at the achievement of the targets set by the European Council in 2007 (see Energy Policy for Europe above). Measures proposed include: an updated Emissions Trading System; specific, binding national targets; a new approach to actively promote renewable targets with binding national targets; new rules to stimulate carbon capture and storage.</p> <p>Agreement was reached in December 2008 on the overall 20 20 20 targets: a 20% cut in</p>	Consider the implications of licensing/leasing and potential activities on greenhouse gas emissions and climate change

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International and European Conventions/Agreements and Legislation		
	emissions of greenhouse gases by 2020, compared with 1990 levels; a 20% increase in the share of renewables in the energy mix; and a 20% cut in energy consumption.	
Directive 2001/42/EC of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment.	Strategic environmental assessment required for relevant plans and programmes. The Environmental Assessment of Plans and Programmes Regulations 2004 apply to any plan or programme which relates either solely to the whole or any part of England or to England and any other part of the UK.	The SEA should address all requirements of Directive 2001/42/EC.
Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.	Requires an Environmental Impact Assessment (EIA) and a public consultation document, an Environmental Statement (ES) to be submitted for certain projects considered likely to have an environmental effect.	Development activities will be subject to the implementing EIA regulations.
Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC	Provides for public participation in the preparation of environmental plans, programmes and projects with significant environmental impacts, thus enabling the ratification of the Aarhus Convention by the Community.	Amendments to procedures for EIA and PPC.
European Commission White Paper - European transport policy for 2010: time to decide (2001) Regulation (EC) No 1692/2006 of the European Parliament and of the Council of 24 October 2006 establishing the second Marco Polo programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II) and repealing Regulation (EC) No 1382/2003 Decision No 884/2004/EC amending Decision No 1692/96/EC on community guidelines for the development of the trans-European transport network	European Commission proposed measures to promote freight transport including the creation of a framework to allow European ports to attract investment for their modernisation, putting maritime freight transport on an equal footing with other transport modes and reviewing progress made in developing Motorways of the Sea. The European Commission introduced the concept of Motorways of the Sea in the 2001 White Paper <i>"Motorways of the Sea are existing or new sea-based transport services that are integrated in door-to-door logistic chains and concentrate flows of freight on viable, regular, frequent, high-quality and reliable Short Sea Shipping links. The deployment of the Motorways of the Sea network should absorb a significant part of the expected increase in road freight traffic, improve the accessibility of peripheral and island regions and states and reduce road congestion."</i> A second joint call for consortia to tender for Motorways of the Sea projects in the North Sea region was made in 2008.	Consideration of ports and navigation issues in relation to the draft plan/programme.
Council of Europe, European Landscape Convention, 2000	The convention establishes the general legal principles which should serve as a basis for adopting national landscape policies and promoting interaction between local and central authorities, as well as establishing international co-operation in such matters. Entered into force in the UK on 1/3/2007.	The convention also includes seascape and is relevant to the SEA for the assessment of the implications of facility siting under the draft plan/programme.
European Convention on the Protection of the Archaeological	The convention includes provisions for the identification and protection of archaeological	Requires due consideration is taken of

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International and European Conventions/Agreements and Legislation		
Heritage (Revised), Valletta, 1992	heritage, its conservation, the control of excavations, the use of metal detectors and the prevention of illicit circulation of archaeological objects, as well as for dissemination of information. Entered into force in the UK on 21/3/2001.	archaeological heritage.
Convention for the Protection of Underwater Cultural Heritage 2001	This convention builds on the current international protection of underwater heritage afforded under UNCLOS and seeks to preserve, <i>in situ</i> , remains on the seabed of age greater than 100 years, albeit wreck, settlement or any other archaeological context. To pass into force on 2 nd January 2009.	Though the UK is not currently a signatory, this convention may eventually influence reporting and protection of archaeology outside of the 12nm limit.
<p>Air Quality Framework Directive (96/62/EC)</p> <p>First Daughter Directive (1999/30/EC) relating to limit values for NO_x, SO₂, Pb and PM₁₀ in ambient air. Second Daughter Directive (2000/69/EC) relating to limit values for benzene and carbon monoxide in ambient air. Third Daughter Directive (2002/3/EC) relating to ozone. Fourth Daughter Directive (2004/107/EC) relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (a revised directive (2008/50/EC) has been released consolidating earlier directives)</p> <p>Implemented in England through the Air Quality Limit Values Regulations 2001 (as amended) and similar in Scotland (SSI 2001/224), Wales (SI 2001/2683) & Northern Ireland (S.R. 2002/94) Air Quality Standards Regulations 2007</p> <p>The UK Government and the devolved administrations published the latest Air Quality Strategy for England, Scotland, Wales and Northern Ireland, in July 2007.</p>	<p>EU air quality policy takes the form of an Air Quality Framework Directive and a number of 'daughter' directives which address individual or groups of pollutants.</p> <p>The main aims of the framework are:</p> <ul style="list-style-type: none"> • Set limits and thresholds for air quality • Assessing air quality in uniform manner • Information made available to public • Maintaining/improving ambient air quality 	<p>Consider potential implications of draft plan/programme in terms of air pollution (e.g. exhaust emissions, flaring and venting).</p> <p>Activities conducted subsequent to licensing will require to be compliant with EU and national legislation on Air Quality.</p>
Clean Air for Europe (CAFE) programme 2001	To integrate the various strands of air policy under the 6 th Environmental Action Programme. CAFE will form both an air quality strategy for Europe and an active framework within which air pollution measures, national emissions ceilings Directives and the air quality Daughter Directives can be coordinated.	Consider possible effects of air pollution resulting from potential activities (e.g. exhaust emissions, flaring and venting).
Directive 2001/81/EC on National Emission Ceilings	<p>The Directive sets emission ceilings for each Member State for four atmospheric pollutants to be met by 2010:</p> <ul style="list-style-type: none"> • Sulphur dioxide (SO₂) • Nitrogen oxides (NO_x) • Volatile Organic Compounds (VOCs) 	Consider potential effects of air pollution resulting from potential activities (e.g. exhaust emissions, flaring and venting).

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
	<ul style="list-style-type: none"> Ammonia (NH₃) 	
<p>Council Directive 2003/87/EC of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC</p> <p>Implemented in the UK through Regulations</p>	<p>The scheme is divided into phases for which Member States must develop a National Allocation Plan (NAP) approved by the European Commission. NAPs set a 'cap' on the total amount of emissions allowed from all the installations covered by the scheme. This is converted to allowances – 1 allowance equals 1 tonne CO₂ which are then distributed by Member States to the relevant installations. Allowances can be traded. The second phase of the Scheme covers the Kyoto commitment period 2008-2012 and includes emissions from flaring.</p>	<p>Consider implications of CO₂ emissions as a result of licensing.</p>
<p>Commission proposal for a Directive on the geological storage of carbon dioxide</p>	<p>Proposed framework for the regulation of Carbon Capture and Storage.</p>	<p>Disposal of CO₂ and spatial considerations for draft plan/programme.</p>
<p>Ozone Depleting Substances Regulation 2037/2000/EC</p> <p>The Environmental Protection (Controls on Ozone Depleting Substances) Regulations 2002 (SI 528)</p>	<p>A licence is required for the production, supply, use, trading and emission of certain "controlled substances" that deplete the ozone layer.</p>	<p>Activities conducted subsequent to licensing will require to be compliant with EU and national legislation regarding ozone depleting substances.</p>
<p>Water Framework Directive (2000/60/EC)</p> <p>A 'daughter directive' aimed at protecting groundwater (2006/118/EC) was adopted in December 2006. A second daughter directive aimed and reducing pollution of surface water (rivers, lakes, estuaries and coastal waters) by pollutants on a list of priority substances (2006/11/EC) is still in preparation.</p> <p>The Water Framework and Groundwater Directives have been transposed into English & Welsh, Northern Irish and Scottish Regulations</p>	<p>Purpose and Objectives:</p> <ul style="list-style-type: none"> Prevents further deterioration, protects and enhances the status of aquatic ecosystems Promotes sustainable water use Aims at enhanced protection and improvement of the aquatic environment Ensures the progressive reduction of pollution of groundwater and prevents further pollution Contributes to mitigating the effects of floods and droughts <p>River Basin Management Plans (RBMPs) to be created by 2009, including programmes of measures (which are to be implemented by 2012). RBDs are made up of both river basins and associated groundwater and coastal waters.</p>	<p>Activities conducted subsequent to licensing will require to be compliant with requirements of the Water Framework Directive and implementing national legislation. However seaward extent has been set at one nautical mile from the coast – most activities subsequent to licensing will take place outside this area.</p>
<p>Urban Waste Water Treatment Directive (91/271/EEC)</p> <p>The Directive has been transposed into English & Welsh, Northern Irish and Scottish Regulations</p>	<p>To protect the environment from the adverse effects of waste water discharges from urban and industrial sources.</p> <p>Sets acceptable pollutant levels.</p>	<p>Offshore activities fall out with the criteria for inclusion in this regulation.</p>
<p>Sixth Environmental Action Plan (EAP), 'Environment 2010: Our Future, Our Choice'.</p>	<p>Sets out EU's environmental policy agenda until 2012.</p> <p>Highlights nature and biodiversity as a top priority.</p> <p>States that responses must be found to the pressures from human activities on nature and the biodiversity it supports.</p>	<p>Consider implications of the draft plan/programme on biodiversity, habitats, flora and fauna.</p>
<p>Action plan 'Halting the loss of biodiversity by 2010 – and beyond' (2006)</p>	<p>EU Action Plan consists of ten priority objectives:</p> <ol style="list-style-type: none"> To safeguard the EU's most important 	<p>Consider the implications of the proposed plan/programme on</p>

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
	habitats and species 2. To restore and conserve biodiversity and ecosystems service in the wider EU countryside 3. To restore and conserve biodiversity and ecosystem service in the wider EU marine environment 4. To reinforce compatibility of regional and territorial development with biodiversity in the EU 5. To substantially reduce the impact on EU biodiversity of invasive alien species and alien genotypes 6. To substantially strengthen effectiveness of international governance for biodiversity and ecosystem services 7. To substantially strengthen support for biodiversity and ecosystem services in EU external assistance 8. To substantially reduce the impact of international trade on global biodiversity and ecosystem services 9. To support biodiversity adaptation to climate change 10. To substantially strengthen the knowledge base for conservation and sustainable use of biodiversity in the EU and globally	biodiversity.
COM(2008) 789 final Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions towards an EU strategy on invasive species December 2008	Presents policy options for development of an EU Strategy on Invasive Species by 2010.	Consider the management issues surrounding ballast water and other potential transfer mechanisms.
Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)	Establishes a European Chemicals Agency and aims to: <ul style="list-style-type: none"> improve the protection of human health and the environment from the hazards of chemicals enhance the competitiveness of the EU chemicals industry 	Interface with existing OSPAR requirements for testing and registration of offshore chemicals.
Directive 79/409/EEC, on the Conservation of Wild Birds (1979) and Directive 92/43/EEC, on the Conservation of Natural Habitats and of Wild Fauna and Flora (1992) Implemented with respect to offshore oil and gas by the Offshore Petroleum Activities (Conservation of Habitats) Regulations, 2001 (as amended) Implemented outside territorial waters by Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).	The Birds Directive covers the protection of birds in Member States. Special Protection Areas (SPAs) are strictly protected sites classified in accordance with Article 4 of the Directive. The Habitats Directive covers protection of species and habitats and sets out the framework for the establishment of Special Areas of Conservation (SACs), for sites hosting habitats listed in Annex I and habitats of the species listed in Annex II of the Directive. SPAs and SACs are known as European sites or collectively as the Natura 2000 network of sites. <i>"Any plan or project not directly connected with or necessary to the management of [a European] site but likely to have a significant</i>	Consider plan/programme potential for adverse effects on the integrity of relevant European Sites and on protected species.

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
	<i>effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."</i>	
<p>Directive 2008/98/EC on waste and repealing certain directives (Revised Waste Framework Directive)</p> <p>Implemented through EPA and associated Regulation</p>	<p>The revised Waste Framework Directive (2008/98/EC) sets out the framework for the regulation of waste management, confirms the waste prevention, management and policy hierarchy in order of priority:</p> <ul style="list-style-type: none"> • prevention • preparing for re-use • recycling • other recovery, e.g. energy recovery; and • disposal <p>Member States are required to take measures to encourage that the options deliver the best overall environmental outcome and the Directive recognises that this may require specific waste streams departing from the hierarchy where this is justified by life-cycle consideration of the overall impacts of the generation and management of such waste. The Directive bans (subject to derogations) the mixing of hazardous wastes</p>	Consider waste management implications of draft plan/programme.
<p>European Council Directive 91/689/EEC (the Hazardous Waste Directive as amended)</p> <p>Implemented through Special Waste and Hazardous Waste Regulations</p>	Set the framework within Member States for provisions to control the movement of hazardous wastes. Provided a European-wide definition of hazardous waste promoting the correct management and regulation of such waste.	Consider contributions to hazardous waste production resulting from licensing/leasing.
<p>Commission Regulation (EC) No 1013/2006 on shipments of waste Commission Regulation (EC) No 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply Commission Regulation (EC) No 669/2008 on completing Annex 1C of Regulation (EC) No 1013/2006 on shipments of waste Commission Regulation (EC) No 740/2008 amending Regulation (EC) No 1418/2007 as regards the procedures to be followed for export of waste to certain countries</p> <p>Provision for full implementation of the regulations are made through various UK Regulations</p>	Regulates the shipment of waste within the Community, between Member States, imports to and exports from Member States from/to other countries and to waste transiting through the Community. The regulation prohibits all exports of waste from the Community destined for disposal with few exceptions.	Returnable wastes produced by UK offshore developments and operations are generally returned to the UK via the port of supply.
Council Directive 99/31/EC of April 1999 on the landfill of waste	Landfill Directive intent is to reduce amount of waste disposed of to landfill, promote recycling	Consider waste associated with the draft

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
(as amended) ("Landfill" Directive) Implemented in the UK by various Regulations	and recovery and establish high standards of management. It sets targets for reducing biodegradable municipal waste to landfill, requires categorisation of all landfills as either hazardous, non-hazardous or inert, ends the practice of co-disposal (where hazardous and non-hazardous wastes are disposed of in the same landfill), requires pre-treatment of hazardous waste going to landfill, introduces waste acceptance criteria for hazardous wastes, bans the landfill of certain wastes including liquid wastes and used whole and shredded tyres.	plan/programme.
EC Directive on Integrated Pollution Prevention and Control (96/61/EC) Pollution Prevention and Control Act 1999 The Offshore Combustion Installations (Prevention and Control of Pollution) Regulations 2001 (as amended)	Integrated Pollution Prevention and Control (IPPC) applies a comprehensive approach to the environmental regulation of combustion processes to generate power on offshore facilities. The integrated approach means that emissions to air, the sea and land, plus a range of other environmental effects, must be considered together.	Activities must be compliant with PPC legislation.
Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants Implemented in UK through Regulations	The revised Large Combustion Plant Directive (LCPD) applies to combustion plants with a thermal input of more than 50 MW and aims to reduce acidification, ground level ozone and particles by controlling emissions of sulphur dioxide, nitrogen oxides and particulate matter from large combustion plants.	LCPD does not apply to gas turbines used on offshore platforms.
Directive 2005/33/EC of the European Parliament and of the Council of 6 July 2005 as regards the sulphur content of marine fuels Amending Directive 1999/32/EC	Directive aims to reduce impact of emissions from shipping due to the combustion of marine fuels with high sulphur content.	Sets limits on the sulphur content of marine fuels.
EU Maritime Green Paper Towards a future Maritime Policy for the Union: A European vision for the oceans and seas Consultation closed June 2007 EU Marine Strategy Framework Directive was adopted June 2008 UK Marine and Coastal Access Bill 2008 and Bills proposed by devolved administrations	<p>The Maritime Green Paper was intended by the Commission to stimulate debate about the future direction and focus of Community maritime policy.</p> <p>The EU Marine Strategy Framework Directive establishes European Marine Regions on the basis of geographical and environmental criteria. UK waters lie within the Greater North Sea and Celtic Sea sub-regions of the North-East Atlantic Ocean Region. Each Member State is required to develop strategies for their marine waters in cooperation with other Member States and non-EU countries within a Marine Region.</p> <p>The Marine Strategies must contain a detailed assessment of the state of the environment, a definition of "good environmental status" at regional level, and the establishment of clear environmental targets and monitoring programmes. The Directive requires that programmes of measures be established to achieve good environmental status, and that these include spatial protection measures contributing to coherent and representative networks of marine protected areas, adequately</p>	Consider implications of draft plan/programme for good environmental status and current potential future protected areas.

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
	covering the diversity of the constituent ecosystems. Such protected areas are to be coordinated with the Natura 2000 site network established under the Birds and Habitats Directives, for which designations in some UK marine areas are not yet completed.	
Communication from the Commission Report to the European Parliament and the Council: An evaluation of Integrated Coastal Zone Management (ICZM) in Europe 2007	Report on implementation of ICZM following EU ICZM Recommendation. Notes importance of the development of ICZM strategies in close co-ordination and co-operation with Marine Strategy Directive and the related work of regional seas conventions.	National ICZM strategies.
Directive 2004/35/CE on environmental liability with regard to the prevention and remedying of environmental damage (as amended)	<p>The Directive established a common framework of environmental liability based on the 'polluter-pays' principle, to prevent and remedy environmental damage at a reasonable cost to society.</p> <p>The Directive applies strict liability for the operators of inherently hazardous activities, as defined by the relevant EU Directives and Regulations listed in Annex III of the Directive, and fault based liability for other activities.</p>	Consider environmental damage prevention measures relevant to the draft plan/programme.
<p>Directive 2003/4/EC on public access to environmental information and repealing Council Directive 90/313/EEC</p> <p>Implemented through Regulations in the UK.</p>	The Environmental Information Directive implements the requirements for public access to environmental information contained in the 1998 Aarhus Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters.	SEA reports and data available to public via UK DEAL website and Offshore SEA website.
<p>Directive 2003/35/EC providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC</p> <p>Implemented through Regulations in the UK.</p>	The Public Participation Directive implements the requirements for publicity and access to justice contained in the 1998 Aarhus Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters.	The consultation of the public and stakeholders is an integral part of the SEA process.
<p>Council Directive 2001/77/EC on the Promotion of Electricity from Renewable Energy Sources in the Internal Electricity Market (Renewables Directive) (2001)</p> <p>Implemented in the UK through the Renewables Obligation</p>	Sets a target of 22% of electricity from renewable sources in the EC by 2010, with the UK target set at 10% by 2010.	Contributions as a result of the draft plan/programme would be post 2010.
Proposal for a Directive on the promotion of the use of energy from renewable sources COM(2008) 19. (consultation closed June 2008)	<p>The consultation for the proposed directive had its roots in the Renewables Energy Roadmap and the 2008 EU Commission Energy Climate Package. Primarily concerned with offshore and nearshore wind energy, the consultation sought views on:</p> <ul style="list-style-type: none"> Barriers to development of offshore renewables in Europe Actions that might be taken at the EU level 	Consider how the draft plan/programme will help achieve the UK's share of the 2020 renewables energy target.

Initiative	Main objectives/requirements	Implications
International and European Conventions/Agreements and Legislation		
	to reduce barriers The proposal for the Directive sets the UK national 2020 target for energy from renewable sources at 15%. European Parliament voted in favour of the Directive in December 2008.	
Proposed EU Directive on Carbon Capture and Geological Storage January 2008	One of the measures in response to EU leaders' spring summit 2007 and EC's proposal of 'limiting climate change to 2°C, the way ahead for 2020 and beyond'. The main scope of the Directive is the regulation of CO ₂ storage and the removal of barriers in existing legislation to CO ₂ storage. The proposed Directive would ensure that CO ₂ capture is regulated under IPPC and EIA Directives.	Disposal of CO ₂ , spatial consideration.

A4.3 NATIONAL INITIATIVES

Initiative	Main objectives/requirements	Implications
Relevant National Strategies Policies, Plans, Programmes and Other Initiatives		
Securing the Future - UK Government sustainable development strategy (2005) See also One future – different paths (the UK's shared framework for sustainable development March 2005) agreed by the UK Government and the Administrations in Scotland, Wales and Northern Ireland, to provide a consistent approach and focus across the UK: <ul style="list-style-type: none"> Choosing Our Future: Scotland's Sustainable Development Strategy The Sustainable Development Scheme and Sustainable Development Action Plan Wales First Steps – towards sustainability. A sustainable development strategy for Northern Ireland 	Principles for sustainable development and shared priorities agreed across the UK, including the Devolved Administrations. Strategy contains: <ul style="list-style-type: none"> An integrated vision building on the 1999 strategy – with stronger international and societal dimensions Five principles – with a more explicit focus on environmental limits Four agreed priorities – sustainable consumption and production, climate change, natural resource protection and sustainable communities, and An outcome focused indicator set and commitments to look at new indicators such as on wellbeing 	To support the UK Government Sustainable Development Strategy there are 68 national sustainable development indicators including 20 UK Framework Indicators, which are shared by the UK Government and the Devolved Administrations in Scotland, Wales and Northern Ireland.
Energy White Paper: Our energy future - creating a low carbon economy February 2003	Addresses issues of climate change and security of energy supplies. Reiterates UK Government policy that by 2010, 10% of UK electricity needs, should be met from renewable sources. Establishes four energy policy goals: <ul style="list-style-type: none"> "To put ourselves on a path to cut the UK's CO₂ emissions by some 60% by about 2050, with real progress by 2020; To maintain the reliability of energy supplies; To promote competitive markets in the UK and beyond, helping to raise the rate of sustainable economic growth and to improve productivity; and To ensure that every home is adequately and affordably heated." 	Secretary of State's 2 nd report to parliament (July 2006) on security of gas and electricity supply in Great Britain stated that North Sea oil and gas will continue to play a key role in helping to meet the UK's energy needs well beyond the next decade.

Initiative	Main objectives/requirements	Implications
Relevant National Strategies Policies, Plans, Programmes and Other Initiatives		
Our Energy Challenge Securing clean, affordable energy for the long-term. 2006	UK Energy Review report published in 2006 with a view to stimulating wide ranging debate of the Government's four goals for the country's energy policy set in the 2003 White Paper.	Consider the implications of the draft plan/programme in terms of maintaining security of supply and climate change.
The Energy White Paper: Meeting the Energy Challenge (May 2007)	Sets out the UK Government's international and domestic energy strategy to deliver energy policy goals: <ul style="list-style-type: none"> To cut UK carbon dioxide emissions by some 60% by about 2050, with 26-32% by 2020 (against a 1990 baseline) To maintain the reliability of energy supplies To promote competitive markets in the UK and beyond, helping to raise the rate of sustainable economic growth and to improve UK productivity To ensure that every home is adequately and affordably heated 	Consider contributions to greenhouse gas emissions and reliability of energy supplies as a result of licensing.
Renewables Obligation (introduced 2002) Current Statutory Consultation on the Renewables Obligation Order 2009. Banding would be achieved through the Energy Act 2008	Renewables Obligations (ROs) require electricity providers to supply a specified and growing proportion of their sales from renewables. The UK proportion is set at 9.1% in 2008/09 rising to 15.4% by 2015/16. The RO is currently undergoing reform which is likely to include targets of 10% by 2010 and 20% by 2020. The reform of the Renewables Obligation under the Energy Act 2008 introduces the banding of technologies, whereby the number of Renewables Obligation Certificates (ROCs) earned by suppliers per KWh varies depending on the energy supply technology, which provides incentives to develop and diversify renewables energy production. There is a current statutory consultation on the Renewables Obligation 2009 and a draft statutory instrument is available at the time of writing.	Draft plan/programme contribution to future energy mix.
Energy Wales: Route Map to a Clean, Low Carbon and more Competitive Energy Future for Wales Consultation document 2005	Sets out a vision for Wales to become a global showcase for clean energy production and energy efficiency.	The implications of draft plan/programme on sustainability and maintaining security of supply.
Marine Renewable Energy Strategy for Wales	Project (2007-2010) to develop a Welsh Marine Renewable Energy Strategic Framework covering sustainable energy extraction and CO ₂ storage in Welsh seas with minimum environmental impact, taking account of the Welsh Assembly Government's sustainability duties.	Liaise and monitor progress.
Renewable Energy Route Map for Wales – 2008 consultation on way forward to a leaner, greener and cleaner Wales	The Renewable Energy Route Map for Wales sets out potential actions to achieve objectives on self-sufficiency in renewable electricity, use of biomass resources for significant renewable heat production, and energy efficiency and small-scale micro-generation.	The implications of draft plan/programme on sustainability and maintaining security of supply.
Strategic Energy Framework for Northern Ireland	Stated objective is to achieve a competitive, sustainable, reliable energy market at the minimum cost necessary in an all-island, UK	The implications of draft plan/programme on sustainability and

Initiative	Main objectives/requirements	Implications
Relevant National Strategies Policies, Plans, Programmes and Other Initiatives		
	and European context. The four goals are to: <ul style="list-style-type: none"> • Reduce energy costs relative to other UK/EU regions • Build competitive energy markets • Protect our future by enhancing the sustainability of our energy supply and consumption and • Maintain the reliability of energy supplies. 	maintaining security of supply.
Climate Change – the UK Programme (Nov 2006)	Sets out how to tackle climate change domestically and to secure agreement on action to reduce global greenhouse gas emissions. Programme expected to reduce the UK's emissions of greenhouse gases to 23-25% below base year levels and reduce the UK's carbon dioxide emissions to 15-18% below 1990 levels by 2010. Reduce carbon emissions by some 7-12Mt by 2010.	Consider implications of the draft plan/programme in terms of greenhouse gas emissions and climate change.
Changing our Ways: Scotland's Climate Change Programme 2006 Securing a Renewable Future: Scotland's Renewable Energy	Quantifies Scotland's contribution to UK commitments on climate change, including the Kyoto target and more ambitious domestic goal on CO ₂ emissions. Sets a Scottish Target to exceed Scotland's fair share in devolved policy areas by an additional 1 million tonnes of carbon (MtC) savings in 2010. A Scottish Marine Renewables Strategic Environmental Assessment was published in 2007.	Consider contributions to greenhouse gas emissions as a result of licensing. Consider implications of draft plan/programme in terms of potential future marine renewables.
Environment Strategy for Wales 2006	Assembly Government's long term strategy for the environment of Wales has five main environmental themes: <ul style="list-style-type: none"> • Addressing climate change • Sustainable resource use • Distinctive biodiversity, landscapes and seascapes • Our local environment • Environmental hazards 	The potential for impact of plan/programme alternatives on a range of indicators of sustainable development.
Biodiversity: UK Action Plan Scotland's Biodiversity: It's In Your Hands Northern Ireland Biodiversity Strategy & Habitat Action plans Working with the grain of nature: a biodiversity strategy for England	A strategy for the conservation and enhancement of biodiversity in the UK. Includes an agreement to promote awareness of biodiversity and encourage public involvement. Habitat and species action plans have been produced to protect some of our most threatened species of plants and animals. <ul style="list-style-type: none"> • Scotland and England have published national biodiversity strategies • In Wales the focus for action will be through the preparation and implementation of local plans in partnerships (see also above) • The Northern Ireland Biodiversity Strategy was published in August 2002 	Consider implications of the draft plan/programme for UK Biodiversity Action Plan.
Consultation on Proposals to Establish Scotland's First Coastal and Marine National Park 2006	Consultation identified 5 potential areas and responses to the consultation were published in March 2007. Following a change in administration, plans are currently on hold.	Consider implications of the draft plan/programme for potential future National Parks.
Safeguarding our seas: A strategy for the conservation and sustainable development of our marine environment (Defra) 2002	Set out UK government policy for marine waters. Ecosystem based management.	Consider the proposed plan/programme in the context of the UK policy for the marine

Initiative	Main objectives/requirements	Implications
Relevant National Strategies Policies, Plans, Programmes and Other Initiatives		
Seas of Change – Consultation 2003		environment.
<p>A Follow up to Seas the Opportunity: A Strategy for the Long Term Sustainability of Scotland's Coasts and Seas (2007)</p> <p>An Integrated Coastal Zone Strategy for Northern Ireland 2006-2026</p> <p>Making the Most of Wales' Coast: Integrated Coastal Zone Management Strategy</p> <p>Cleaner Coasts Healthier Seas, Working for a better marine environment, Our strategy for 2005-2011 (Environment Agency)</p> <p>A strategy for promoting an integrated approach to the management of coastal areas in England 2008</p>	Set out marine and coastal strategies.	ICZM plans.
<p>Waste Strategy for England 2007</p> <p>The National Waste Strategy and the National Waste Plan (Scotland)</p> <p>Wise about Waste, The National Waste Strategy for Wales</p> <p>The Northern Ireland Waste Management Strategy 2006-2020</p>	Set out the national strategies on waste with targets including reducing waste to landfill.	Implications of draft plan/programme in terms of achievement of reductions and other targets.
<p>Unitary Development Plans</p> <p>Structure Plans</p> <p>Regional Spatial Strategies</p> <p>Regional Development Strategies</p>	Onshore regional planning strategies and plans set out frameworks for the future use and development of land in an area.	Onshore interfaces for offshore developments.
<p>Consultation on the Renewable Energy Framework (Scotland) October 2008</p> <p>BERR's Renewables Energy Strategy, EU Directive on renewable energy</p>	Seeks to promote renewable energy as an aspect of sustainable development and as part of the commitment to reduced CO ₂ emissions.	Implications of draft plan/programme on the EU and UK CO ₂ reduction targets.
<p>Towards Carbon Capture and Storage Consultation June 2008</p> <p>Proposed EU Directive on the Geological Storage of Carbon Dioxide</p>	Consultation seeks views on the regulation of CCS. The Government launched a competition to develop the UK's first full-scale demonstration of carbon capture and storage.	Disposal of CO ₂ .
UK Renewable Energy Strategy Consultation June 2008	This consultation seeks views on how to increase the use of renewable energy as part of a strategy for tackling climate change, and to meet our share of the EU target to source 20% of the EU's energy from renewable sources by 2020.	Consider how the draft plan/programme may aid meeting renewable energy targets.
Offshore Transmission - A joint Ofgem/BERR Policy Statement July 2007	The Government and Ofgem have an ongoing joint consultation process with the aim of establishing a regulatory regime for offshore electricity transmission as part of the expected	Consider potential for implied regulatory regime to influence the objectives of the draft

Initiative	Main objectives/requirements	Implications
Relevant National Strategies Policies, Plans, Programmes and Other Initiatives		
<p>Modification of Electricity Transmission Standard Licence Conditions - Way Forward</p> <p>Offshore Electricity Transmission - A Joint Ofgem/BERR Regulatory Policy Update 13 June 2008 - Consultation Document</p> <p>Offshore Electricity Transmission - A further Joint Ofgem/DECC Regulatory Policy Update – Consultation Document 20 November 2008</p> <p>Transmission Access Review (TAR) Final Report 2008</p>	<p>increase in offshore renewable energy technologies associated with other initiatives such as the Renewable Energy Strategy and the Energy Act.</p> <p>The Transmission Access Review was announced in the 2007 Energy White Paper. The measures set out in the report, aim to remove, or significantly reducing, grid-related access barriers. The report includes: actions to allow faster connection of some renewable generation to the Grid in the short-term; steps to introduce new, enduring grid access arrangements that allow faster connection and expansion of Grid capacity; measures to identify the new transmission infrastructure necessary to meet the UK share of the 2020 EU renewable energy targets; and new financial incentives on the transmission companies to deliver that capacity.</p>	plan/programme.
<p>Scottish Historic Environment Policy (SHEP) consultation 2008</p> <p>Related documents: The consultation on the draft Scottish Marine Bill</p>	<p>Relates only to the protection of marine archaeology. Aims to <i>inter alia</i>, widen designation categories, identify damaging operations and promote voluntary agreements. Mechanisms for effective management of cultural resources would be integrated within the draft Scottish Marine Bill.</p>	May influence regulation of activities within 12nm limit.
<p>Heritage Protection for the 21st Century March 2007 White Paper</p> <p>Draft Heritage Protection Bill 2008 (England and Wales) Analogous to the SHEP but covering terrestrial, intertidal and marine designations. Seeks to unify designation criteria (e.g. scheduled ancient monument, listed building), with responsibilities passing from DCMS to English Heritage. Introduction of 'Marine Heritage Licenses' for damaging activities.</p>	<p>The Draft Bill would reform and unify the terrestrial and marine heritage protection systems in England and Wales, and the marine heritage protection system in Northern Ireland. Proposals for reform include:</p> <ul style="list-style-type: none"> • Broadening the range of marine historic assets that can be protected • Designation decisions to be made on the basis of special archaeological or historic interest. • Publication of new selection criteria for marine designation • Introduction of simpler and clearer designation records • Introduction of interim protection for marine historic assets • Consideration of scope for a new, flexible consents system, including provision for voluntary management agreements <p>Introduction of a new statutory duty on the Receiver of Wreck to inform heritage bodies about marine historic assets.</p>	Consider implications for heritage protection.

A4.4 OTHER RENEWABLE ENERGY INITIATIVES

Initiatives	Summary
Northern Ireland	An SEA considering offshore wind and marine renewables was commissioned in December 2008 for Northern Irish waters. The coverage for this SEA extends to 12nm from the coast and will concentrate on sites off the North Coast, Lough Foyle, the Copeland Islands and Strangford Lough, which have been previously identified as having the potential to generate viable quantities of energy from marine renewable technologies (e.g. the SeaGen tidal project in Strangford Lough). The report is expected to be completed in early 2010.

Initiatives	Summary
Scotland	<p>In May 2008, the Crown Estate invited companies with an interest in developing offshore wind in Scottish territorial waters to make applications to be considered for exclusive development rights over certain areas. Considerable interest was generated, with 14 development companies submitting a total of 23 site applications with a combined generation capacity some 10GW. The selection process is due to end in January 2009 and the Scottish Executive has indicated it will carry out an SEA for offshore wind in Scottish waters, to be completed within one year.</p> <p>In November 2008, the Crown Estate invited proposals for a first round of tidal energy leasing in the Pentland Firth area aimed at generating 700MW by 2020. The outcome is expected by the summer of 2009.</p>
Wales	Welsh Assembly Government commissioned a three year study in 2007 to collate all the relevant environmental data for the seas of Wales. The intention is to optimise the marine energy resource and to secure a marine energy industry sector in Wales to maximise the economic potential of this resource. It is also intended that the study will examine the scope for carbon storage in Welsh waters.
Severn	A Severn Tidal Power Feasibility Study was commenced in 2008. The study, aims to enable Government to decide whether and on what terms a tidal range power scheme in the Severn Estuary could be supported and focuses on tidal range technologies, including barrages and lagoons. It will assess in broad terms the costs, benefits and impact of such a scheme, including environmental, social, regional, economic and energy market impacts. A consultation on the scope of the Strategic Environmental Assessment that is being carried out within the feasibility study is expected in 2009.
Other	There are a number of individual marine renewable energy demonstrator, other project proposals and regional initiatives around the UK for example: tidal stream generator demonstrator project located off Lynmouth; the Wave Hub project off Cornwall; SeaGen tidal project in Strangford Lough; EMEC in Orkney.

A4.5 RECENT KEY ACTS AND BILLS

The Energy Act, alongside the Planning Act and Climate Change Act received Royal Assent at the end of 2008 and will underpin the long term delivery of UK energy and climate change strategy. Likewise the Marine and Coastal Access Bill and similar Bills proposed by the devolved administrations are important considerations for future planning in the marine environment.

Act/Bill	Summary
Energy Act 2008, Planning Act 2008, Climate Change Act 2008	
The Energy Act 2008	<p>The Act implements the legislative aspects of the 2007 Energy White Paper: meeting the energy challenge and updates the legislative framework. Key points of the Act are summarised below:</p> <p>Offshore gas supply infrastructure: strengthens the regulatory framework to enable private sector investment in order to help maintain reliable supplies of energy given we expect to rely on imported gas to meet up to 80% demand by 2020</p> <p>Carbon Capture and Storage: creates a regulatory framework to enable private sector investment in CCS projects. CCS has the potential to reduce the carbon emissions from fossil fuel power stations by up to 90%</p> <p>Renewables: Strengthens the Renewables Obligation to drive greater and more rapid deployment of renewables in the UK. This will increase the diversity of the UK's electricity mix, thereby improving the reliability of our energy supplies and help lower the carbon emissions from the electricity sector</p> <p>Feed-in Tariffs: to enable the Government to introduce a tailor-made scheme</p>

Act/Bill	Summary
	<p>to financially support low carbon generation of electricity in projects up to 5MW. The aim is that generators will receive a guaranteed payment for generating low carbon electricity</p> <p>Decommissioning of offshore renewables and oil and gas installations: strengthens statutory decommissioning provisions to minimise the risk of liabilities falling to the Government</p> <p>Improvements to offshore oil and gas licensing: to improve the licensing regime in response to changes in the commercial environment and enable DECC to carry out its regulatory functions more effectively</p> <p>Nuclear waste and decommissioning financing: ensuring the operators of new nuclear power stations accumulate funds to meet the full costs of decommissioning and their full share of waste management costs</p> <p>Offshore electricity transmission: amends powers such that Ofgem is able to run the offshore transmission licensing regime more effectively</p> <p>Smart Metering: allows the Secretary of State to modify electricity and gas distribution and supply licences to require the licence holder to install, or facilitate the installation of, smart meters to different customer segments, including the domestic sector</p> <p>Renewable Heat Incentive: to allow the Secretary of State to establish a financial support mechanism for renewable heat, from large industrial sites down to the household level. The aim is to introduce a 'banded' system, similar to that for the Renewables Obligation</p> <p>Housekeeping: Various provisions covering nuclear security and transfer of various regulatory functions to/from DECC</p>
Planning Act 2008	<p>The Act establishes the Infrastructure Planning Commission and makes provisions about its functions concerned with the authorisation of nationally important infrastructure. The Act also deals with the development of a single consent regime for projects.</p> <p>The Act considers a range of issues (e.g. transport, water, waste, waste water), but with specific reference to energy, considers; generating stations, electric lines, underground gas storage facilities, LNG facilities, gas reception facilities, gas transporter pipelines and other pipelines.</p>
Climate Change Act 2008	<p>The Climate Change Act 2008 makes provisions for the reduction of CO₂ emissions through a number of legislative measures. The key target of the Act is the reduction of greenhouse gas emissions by 80% on 1990 levels by 2050 and a specific reduction in CO₂ emissions of 26% by 2020. The Act aims to meet this target through a range of measures, but principally the establishment of a Committee on Climate Change, to provide a system of carbon budgeting, to encourage activities that reduce or remove greenhouse gases from the atmosphere and to promote through financial incentive the production of less waste and more recycling.</p>
Marine Bills	
Marine and Coastal Access Bill 2008/09	<p>The Bill will:</p> <ul style="list-style-type: none"> • Introduce a new marine planning system, with long-term objectives for the marine area around the UK and, subsequently, the creation of more detailed local marine plans • Establish a Marine Management Organisation for the waters around England and the UK offshore area • Streamline the law on licensing marine development so that, as far as possible, only one licence is needed for each development • Provide powers to designate Marine Conservation Zones and to protect those zones from damaging activities • Secure a long-distance route around the coast of England, including beaches, cliffs, rocks and dunes, with public access for coastal walking and other recreational activities • Strengthen and modernise the licensing and management of marine, migratory, freshwater and shellfish fisheries, including the creation of new Inshore Fisheries and Conservation Authorities, and introduce a scheme to manage live fish movement • Streamline and modernise enforcement powers for fisheries and nature

Act/Bill	Summary
	conservation, providing a civil sanctions scheme for licensing and nature conservation offences, and an administrative penalty scheme for domestic fisheries offences
Consultation on a Draft Scottish Marine Bill (current)	The consultation for a draft Scottish Marine Bill proposes Scotland manage its seas out to 200nm, and presents a draft framework on management, including integrated coastal zone management, marine heritage protection, conservation, licensing of marine activities (excludes oil and gas but includes CCS to 12nm, and suggests dredging in Scottish waters be licensed), sea fisheries and the development of a marine science strategy.
Potential Northern Ireland Assembly Marine Bill	<p>Northern Ireland is included in the UK Marine Bill for provisions relating to the Marine Policy Statement, certain aspects of marine planning and reformed marine licensing insofar as it relates to the Food and Environment Protection Act 1985 and marine aggregates extraction.</p> <p>The Northern Ireland Environment Minister intends to take forward similar proposals in Northern Ireland using a combination of the UK Bill and a Northern Ireland Assembly Bill.</p>