



Marine Management Organisation

South Marine Plan Sustainability Appraisal Report Sustainability Appraisal Report Part 1 Draft for consultation November 2016



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1 Introduction

1.1 This report

The Marine Management Organisation (MMO) is currently preparing draft marine plans for England's South inshore and offshore areas. These will eventually set out how the UK Marine Policy Statement (MPS) will be implemented in the plan areas.

These will be the third and fourth marine plans to be produced under the Marine and Coastal Access Act 2009 and will seek to take account of social, economic and environmental factors that affect the South marine areas and the communities that are dependent on or have an interest in the marine area.

Marine plans, and their reflection of the MPS, contribute to a plan-led regulatory system for marine activities. They provide greater coherence in policy and a forward-looking, proactive and spatial planning approach to the management of the marine area, its resources, and the activities and interactions that take place within it. Once prepared the Plans will cover a 20 year period and will be reviewed regularly throughout this time.

The South Marine Plans have been subject to an integrated Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) (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.

This report is Part 1 of the SA report which outlines the process and methodology of the appraisal.

The SA has been carried out by Ramboll Environ, Marine Planning Consultants, ClearLead Consulting Ltd and Peter Brett Associates on behalf of the Marine Management Organisation (MMO).

1.2 Purpose of the SA

SA considers the economic, social and environmental impacts of an emerging plan (the three dimensions of sustainable development). The aim in undertaking SA is to identify a plan's likely significant effects and take steps to avoid and/or mitigate the negative effects as well as identify opportunities to maximise a plan's contribution to sustainability.

The requirement for SA in the marine plan process is outlined in the Marine and Coastal Access Act 2009, which stipulates that all marine plans are subject to SA¹, and that it is undertaken in line with the procedures prescribed by the SEA Directive.

¹ Schedule 5, paragraph 7

SA differs from SEA in that it gives greater consideration to socio-economic issues (although the SEA Directive refers to a possible need to consider issues such as 'population' and 'human health' and to contribute to sustainable development) alongside the environment.

The purpose of SEA is:

"...to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to contributing to sustainable development". (Article 1 of the SEA Directive).

The requirement to undertake a SA reflects the fact that, although marine plans will be developed to reflect the principles of sustainable development, it is important that there is an independent check. The SA ensures that sustainability issues are considered in a clear and transparent manner. In particular, the SA process ensures a structured and systematic consideration of sustainability issues through its focus on testing and comparing the merits of different plan alternatives as well as consultation with key stakeholders. Note that there is no formal guidance for SA of marine plans – the closest to this would be the now published National Planning Practice Guidance (NPPG) for terrestrial plans².

1.3 Purpose and structure of this report

The SEA Regulations require that an assessment is carried out on a draft version of the Plans and a statutory environmental report (an SA report under the English planning system) is produced and consulted on. This SA report should set out the results of the SA process, outline why alternatives were selected or rejected, report on the assessment of the draft plan and outline a programme for monitoring the effects of the Plans.

This report is this statutory SA report and it reports on the assessment of the South Marine Plans. This SA report has been produced alongside the production of the Plans and will be published at the same time, thus providing respondents with appropriate information on the sustainability implications of the Plans on which to base their representation.

For the sake of clarity the SA report is split into a number of parts. This is Part 1 of the SA report: Introduction and Methodology. The other parts of the report are:

- Part 2: Scoping Information;
- Part 3: Results of the Assessment

A Non-Technical Summary is also available.

All reports are available at the following weblink:

<https://www.gov.uk/topic/planning-development/marine-planning>

² DCLG (2014) National Planning Practice Guidance [online] available at: http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-local-plans/#paragraph_013.

Table 1.1 outlines where elements of the SEA regulations are addressed within the report.

Table 1.1: SEA regulation requirements	
An outline of the contents, main objectives of the plan or programme	SA report Part 1
An outline of the relationship with other relevant plans and programmes	SA report Part 2, each Annex outlines relevant plans and programmes and the implication of those programmes on the South Marine Plans and the SA process
The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme	SA report Part 2 outlines the current baseline situation and what the situation would be in the absence of the Plans
The environmental characteristics of areas likely to be significantly affected	SA report Part 2 outlines the characteristics of the Plans area in general and SA report Part 3 outlines those areas likely to be significantly affected
Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.	SA report Part 2 outlines key issues (including problems) related to each SA topic and this includes sites designated pursuant to Directives 79/409/EEC and 92/43/EEC. Further information is also available in the Habitat Regulations Assessment (HRA) which is discussed in SA report Part 1.
The environmental protection objectives, established at international, Community or national 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	SA report Part 2, each Annex outlines relevant environmental protection objectives and the implication of those objectives on the South Marine Plans and the SA process. The way that those environmental objectives have been taken into account has been through integrating them into the SA framework

Table 1.1: SEA regulation requirements

<p>The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects)</p>	<p>SA report Part 3 sets out the significant effects of the draft plan and reasonable alternatives</p>
<p>The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme</p>	<p>SA report Part 3 sets out mitigation measures for significant adverse effects and uncertain effects and relevant enhancement measures</p>
<p>An outline of the reasons for selecting the alternatives dealt with</p>	<p>SA report Part 3 outlines the reasons for selecting the alternatives dealt with</p>
<p>A description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information</p>	<p>SA report Part 1 outlines the methodology for all stages of the SA and described any technical difficulties that were encountered</p> <p>SA report Part 2 outlines data gaps</p>
<p>A description of measures envisaged concerning monitoring</p>	<p>SA report Part 3 sets out draft monitoring measures. A final monitoring programme will be outlined in the SA Adoption Statement</p>
<p>A non-technical summary of the information provided under the above headings</p>	<p>A separate Non-Technical Summary has been issued with this report</p>
<p>The report must include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process and the extent to which certain matters are more appropriately assessed at different levels in that process to avoid duplication of the assessment</p>	<p>The whole SA report does this</p>

Table 1.1: SEA regulation requirements

<p>Consultation: Authorities with environmental responsibility, when deciding on the scope and level of detail of the information which must be included in the environmental report (Art. 5.4)</p>	<p>Consultation was carried out at the scoping stage with consultees and this is outlined in SA report Part 1</p>
<p>Authorities with environmental responsibility and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme</p>	<p>Consultation on this SA Report</p>
<p>Other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country</p>	<p>Not applicable. No potential transboundary effects have been identified as part of the assessment</p>
<p>Taking the environmental report and the results of the consultations into account in decision-making (Art. 8)</p>	<p>This will be outlined in the SA Adoption Statement which will be produced after the final adoption of the Plans.</p>
<p>Provision of information on the decision: When the plan or programme is adopted, the public and any countries consulted under Art.7 must be informed and the following made available to those so informed: The plan or programme as adopted A statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report of Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Art. 7 have been taken into account in accordance with Art. 8, and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with The measures decided concerning monitoring</p>	
<p>Monitoring of the significant environmental effects of the plan's or programme's implementation</p>	<p>A final monitoring programme will be outlined in the SA Adoption Statement</p>

1.4 Habitat Regulations Assessment

As well as SA, the South Marine Plans are also being subject to a Habitat Regulations Assessment. This process is being undertaken as a requirement of the

Habitats Regulations³ for inshore and offshore waters and will assess the effects the Plans may have on the network of Natura 2000 sites. Natura 2000 is a network of areas designated to conserve natural habitats that are in danger of disappearance in their natural range, have a small natural range, or present outstanding examples of typical characteristics of the biogeographic region and/or species that are rare, endangered, vulnerable or endemic within the European Community. Their creation is specified in the Habitats and Birds Directives as outlined below and referred to collectively as European sites. These European sites include:

- Special Areas of Conservation (SACs) designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) for their habitats and/or species of European importance;
- Special Protection Areas (SPAs) classified under the EC Directive on the Conservation of Wild Birds (the Birds Directive) for rare, vulnerable and regularly occurring migratory bird species and internationally important wetlands;
- Sites of Community Importance (SCIs) that have been adopted by the European Commission but not yet formally designated by the government of each country; and
- Candidate SACs (cSACs) that have been submitted to the European Commission, but not yet formally adopted.

The term HRA refers to the assessment of the implication of a proposed plan on one or more European designated sites in view of the sites' conservation objectives. The South Marine Plans HRA process has been carried out in the following stages:

- Pre-Screening: identifying an initial list of potentially relevant European/Ramsar sites for consideration and setting out the HRA methods;
- Screening: identifying (i.e. 'screening in' to the next assessment stage) those European/Ramsar sites for which there is a 'likely significant effect' (LSE) from the South Marine Plans (or where a LSE cannot be excluded).
- Appropriate Assessment Information Review (AAIR): assessing the plans' effects on the integrity of the 'screened in' European/Ramsar sites
- Appropriate Assessment (AA) preparing the formal assessments and HRA record on the basis of the AAIR findings.

The HRA findings so far are summarised below.

1.4.1 Outcomes of the pre-screening review

As a first step in the HRA process, a 100 kilometre (km) buffer zone was drawn around the South Marine Plan areas, and the European/Ramsar sites within that

³ The Conservation of Habitats and Species Regulations 2010 which replace the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) in England and Wales; and the Offshore Marine Conservation (Natural Habitats) Regulations 2007 (SI 2007 No. 1842) (as amended) (the Offshore Habitats Regulations).

buffer were identified and initially screened in. This included all non-coastal terrestrial habitats and species interest features within that 100km buffer. This use of a 100km buffer is to ensure coverage of the areas used by many of the mobile species interest features (fish, seabirds and mammals) from European/Ramsar sites that could be indirectly affected by activities associated with the South Marine Plans.

1.4.2 Screening phase

The screening process has been pursued in two phases:

- Policy screening process, whose result is a final list of policies which could devolve material changes to existing activities and for which there may be a likely significant effect (LSE).
- Ecological screening process, whose result is a final list of European/Ramsar sites and interest features for which there is the potential for a LSE from any activity under the South Marine Plans.

Policy Screening Process

Each of the policies that identify discrete areas ('areas under review') and where distinct activities will, or may take place as a consequence of the South Marine Plans has been screened into the assessment. This is a three stages process in which three screening criteria questions have been asked in sequence:

- Screening Criterion 1: Is the policy general or 'criteria-based' such that it has no specific spatially-definable implications for activities (i.e. it does not direct, influence or clarify the nature and location of activities) within the marine Plan area?
- Screening Criterion 2: Has the policy been subject to previous HRA (for example, encapsulated within a sectoral Plan such as the Round 3 Offshore Wind Plan) and is that HRA still valid (i.e. has there been a further change to proposals as originally assessed)?
- Screening Criterion 3: Does the policy change what was previously assessed or bring greater clarity to sectoral Plan elements?

Of all the draft plan policies in the draft South Marine Plans, the following policies have been screened into the assessment as they are deemed to have met policy screening criteria 1 and 2:

Draft Plan Policy S-DD-1 - Proposals must identify where use of disposal sites can be minimised by pursuing re-use opportunities through matching of spoil to suitable sites.

Draft Plan Policy S-AQ-1 - Areas of existing aquaculture production will be protected and proposals for aquaculture in areas of potential aquaculture production will be supported. Other proposals within these areas must demonstrate consideration of

and compatibility with aquaculture. Where compatibility is not possible, proposals will demonstrate in order of preference:

- a) That they will avoid adverse impacts on the areas identified for aquaculture
- b) How, if there are adverse impacts that cannot be avoided they will minimise these impacts on aquaculture industry growth
- c) How, if adverse impacts cannot be minimised they will be mitigated
- d) If mitigation is not possible a case for proceeding should be prepared and presented

Ecological Screening Process

Following the policy screening process, the ecological screening methods have only been applied to those defined areas of the seabed where activities will occur from screened-in policies 'areas under review'. This process identified those protected areas which could be LSE, or the potential for LSE cannot be excluded as a result of the policies.

This has included reviewing sites that lie within the South Marine Plan areas and the 100km buffer zone that was identified at pre-screening, as well as sites beyond the 100km buffer that support highly mobile species which use or traverse the South Marine Plan areas. This includes the following groups of key habitat and species interest features:

- Habitats and associated species;
- Birds;
- Marine mammals (cetaceans and seals);
- Migratory fish and freshwater pearl mussel;
- Otters; and
- Bats.

As a result of the analysis, from the original 295 European/Ramsar sites identified at pre-screening, a revised total of 196 European/Ramsar sites have been screened in for consideration at the assessment stage. These include 105 SACs/cSACs/SCIs (56 of which lie beyond the 100km buffer), 53 SPAs (four of which lie beyond the 100km buffer), 30 Ramsar Sites (one of which lies beyond the 100km buffer) and 8 compensatory sites (none of which are beyond the 100km buffer).

1.4.3 Next stages of the assessment

The next step is the assessment following the methodology described in the pre-screening review of the potential impacts of the "screened in" policies on the "screened in" protected areas.

This assessment will be conducted at both individual and in-combination levels with each other and with all spatially-definable policies irrespective of whether they have been previously subject to an HRA. This part of the process will include the combination impacts of the South Marine Plans with other plans, project and activities.

There will be inherent uncertainties about the project details and the impacts arising from the two screened in policies that will not be resolved fully at the assessment stage. This uncertainty also applies to the in-combination effects of all 'spatially-definable policies' and other plans, projects and activities. These uncertainties will need to be mitigated, in part, through both the application of project level HRAs for all future activities but also through the application of an iterative process for implementation and monitoring of the Marine Plans (including an integrated research strategy and regular feedback to policy reviews).

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2 Background to the South Marine Plans

2.1 Context

The MMO was established in 2010 following the Marine and Coastal Access Act (MCAA) 2009 and one of its delegated responsibilities is to prepare marine plans for the English inshore and offshore waters. Marine plans seek to provide greater coherence of policy and a forward-looking, proactive and spatial approach to the management of the marine area, its resources and the activities and interactions that take place within it. Marine plans and their reflection of the Marine Policy Statement (MPS), form part of a plan-led regulatory system for marine activities, which is in the early stages of being established.

England's South inshore and offshore marine plans will set out how the UK MPS will be implemented in these plan areas. They will reflect the MPS at the sub-national level, taking into account the social, economic and environmental factors that affect the South marine plan areas and the communities that are dependent on or have an interest in the marine areas.

2.2 Vision and objectives

The UK Government vision for the marine environment is for, "clean, healthy, safe, productive and biologically diverse oceans and seas". The UK high level marine objectives, published in April 2009, set the broad outcomes for the marine area in achieving this vision, and reflect the principles for sustainable development. The high level marine objectives are:

- Achieving a sustainable marine economy;
- Ensuring a strong, healthy and just society;
- Living within environmental limits;
- Promoting good governance; and
- Using sound science responsibly.

The aim of marine planning is to ensure a sustainable future for our coastal and offshore waters through managing and balancing the many activities, resources and assets in our marine area and in so doing, deliver these high-level marine objectives.

It was decided that marine planning should follow a similar approach to terrestrial planning in order that the two systems complement one another, aiding integration at the land-sea boundary. Therefore, like terrestrial plans, marine plans will set the direction for decision making to ensure efficient and sustainable use of our marine resources.

Marine plans are intended to guide:

- Marine users to the most suitable locations for different activities;
- The use of marine resources to ensure sustainable levels;
- All marine users, to ensure everyone with an interest has an opportunity to contribute to marine plans; and

- 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.

The Plans have a defined vision

The vision for the South Marine Plan areas in 2036

“Beautiful, busy and beneficial for all”

The South Marine Plan areas are distinctive for their dynamic and rapidly changing nature both in terms of the natural and man-made influences and activities. The natural beauty and busyness stand out as qualities that make the South distinctive from other areas. Developments in sustainable economic growth, enhanced protection of the natural and historic environment and improvements in health and well-being are beneficial to those who live, work and visit the South Coast. By 2036, the area’s iconic, unique qualities, characteristics and culture will be conserved and, where needed, enhanced through the clear and balanced use of its marine space.

This vision is supported by a set of 12 objectives as listed below:

- Objective 1: To promote effective use of space to support existing, and facilitate future sustainable economic activity through the encouragement of co-existence, mitigation of conflicts and minimisation of development footprints;
- Objective 2: To manage existing, and facilitate the provision of new, infrastructure supporting marine and terrestrial activity;
- Objective 3: To support diversification of activities which improve socio-economic conditions in coastal communities;
- Objective 4: To support marine activities that increase or enhance employment opportunities at all skills levels among the workforce of coastal communities, particularly where they support existing or developing industries within the South Marine Plan areas;
- Objective 5: To avoid, minimise or mitigate displacement of marine activities, particularly where of importance to adjacent coastal communities, and where this is not practical to ensure adverse effects on social benefits are avoided;
- Objective 6: To maintain and enhance access to, and within, the South Marine Plan areas appropriate to its setting and in a way that is equitable to users;
- Objective 7: To reduce the environmental, social and economic impacts of climate change, through the implementation of mitigation and adaptation measures that:
 - a) reduce vulnerability
 - b) improve resilience to climate and coastal change or
 - c) reduce indirect contributions of proposals to climate change.
- Objective 8: To identify and conserve heritage assets that are significant to the historic environment of the South Marine Plan areas;
- Objective 9: To consider the seascape and landscape of the South Marine Plan areas, and their constituent marine character and visual resource;
- Objective 10: To support the objectives of Marine Protected Areas and the delivery of a well-managed ecologically coherent network by ensuring enhanced resilience and the capability to adapt to change;

- Objective 11: Activities within and adjacent to the South Marine Plan areas must contribute to the achievement or maintenance of Good Ecological Status under the Water framework Directive and Good Environmental Status (GES) under the Marine Strategy Framework Directive with respect to descriptors on litter, non-indigenous species and underwater noise, particularly where current measures need to be reconsidered or enhanced and where new measures are under development; and
- Objective 12: To safeguard space for, and improve the quality of, the natural marine environment, including to enable continued provision of ecosystem goods and services, particularly in relation to coastal and seabed habitats, fisheries, estuarine and coastal water quality and cumulative impacts on highly mobile species.

2.3 Content of the plans

The Plans are divided into 6 chapters:

Chapter 1: Introduction and background.

This chapter outlines the purpose of marine plans and outlines the national and international policy framework including details of the Marine Policy Statement, High Level Marine Objectives and the Marine Spatial Planning Directive. It also describes what the South Marine Plan areas are like and sets out the plan making stages that have been followed.

Chapter 2: How to apply and use the marine plans

This chapter outlines how the Plans should be used, some general considerations for their use and some helpful hints about how to read the Plans.

Chapter 3: Vision

This chapter sets out a vision statement for the Plans to 2036.

Chapter 4: Objectives and policies overview

This chapter outlines the Plans' objectives and lists the policies by objectives. It also outlines how the Plans' objectives contribute to the High Level Marine Objectives and the Marine Strategy Framework Directive.

Chapter 5: Objectives and policies (broken down by the 12 objectives)

This is the main chapter of the Plans which sets out policies and supporting text for the 12 objectives of the Plans. Each policy section also includes details on context, how the policies will be implemented and sets out signposting for further information.

Chapter 6: Monitoring, review and reporting

This chapter outlines details of the three year progress report which will be produced as a legal requirement under Section 61 of the Marine and Coastal Access Act.

3 SA Methodology

3.1 Introduction

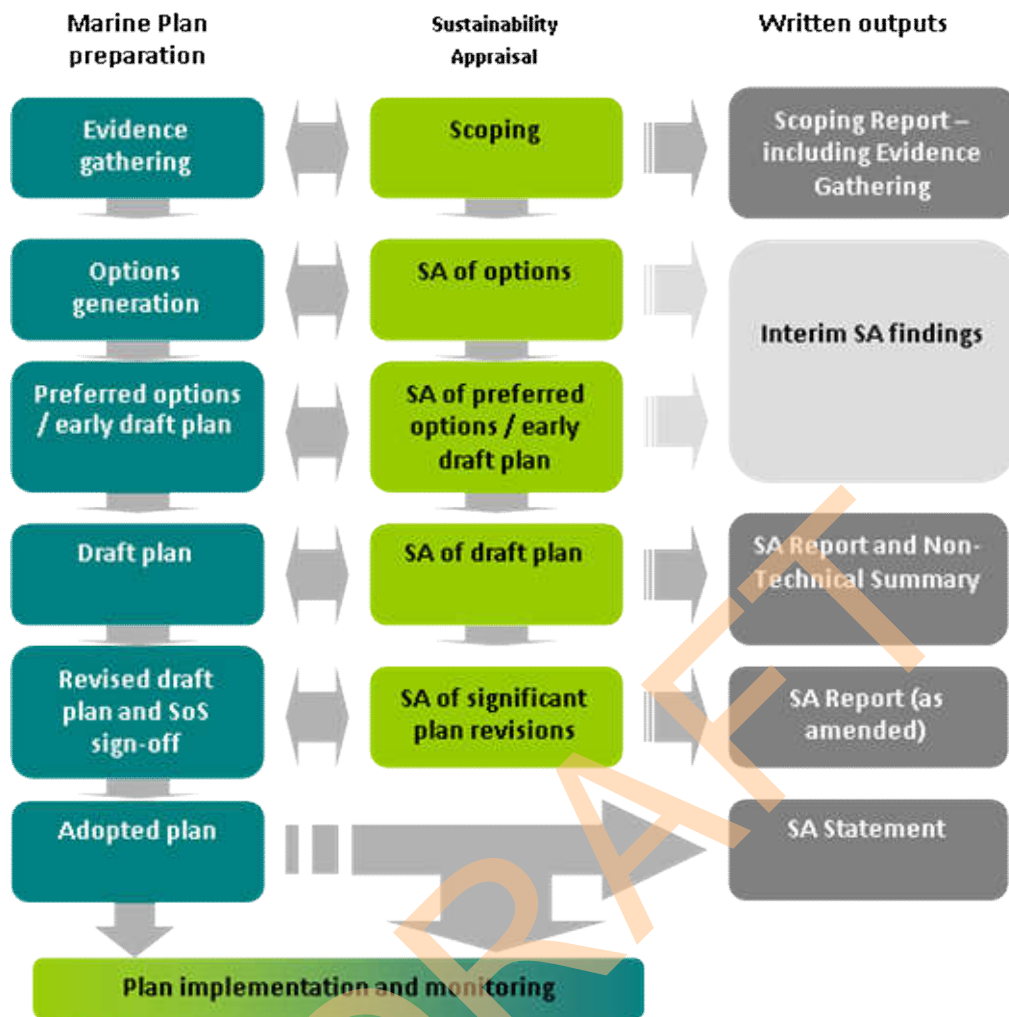
The stages in the SA process have been developed to take into account the five procedural stages of SEA:

- Stage A: (Scoping) Setting the context, establishing the baseline and deciding on the scope of the appraisal;
- Stage B: Developing and refining marine plan alternatives and appraising the effects;
- Stage C: Preparing the SA Report (this Report);
- Stage D: Consulting on the SA Report and the draft marine plans and assessing any significant changes; and
- Stage E: Monitoring the significant effects of implementing the marine plans.

In practice, the SA is an iterative process which is being undertaken in parallel with the development of the South Marine Plans and has fed into the Plans' development at appropriate intervals – see Figure 3-1 below.

The methodology used for each stage of the SA is discussed below.

Figure 3.1 Stages in the SA Process



3.2 Stage A Scoping

The purpose of the scoping stage is to decide on what the coverage (scope) and the level of detail of the SA should be. These details should then be subject to consultation in line with the requirements of the SEA Regulations. A draft scoping report was published in April 2014 and was finalised in March 2015 after public consultation.

The scoping report sets the framework and approach for the SA process and explains how it will be undertaken for the draft South Marine Plans. Subsequent sections of the report provide information about the proposed approach and provide background information about the existing conditions within the Plan areas. The scoping report outlines a SA framework that the Plans are measured against in order to test their sustainability. Table 3.1 presents the SA framework which has been used to assess the relative performance plan.

Table 3.1: SA framework.

Overarching SA topic	Proposed SA sub topic
Communities, health and well being	<ul style="list-style-type: none"> • Health and wider determinants of health • Coastal communities • Fishing communities • Tourism focused communities
Cultural heritage	<ul style="list-style-type: none"> • Coastal assets • Marine assets
Marine ecology	<ul style="list-style-type: none"> • Plankton • Seabed habitats/Benthos • Fish and Shellfish • Cephalopods • Birds • Marine mammals • Conservation sites
Economy	<p>Economy activity and GVA</p> <ul style="list-style-type: none"> • Ports and shipping • Fisheries • Leisure • Tourism • Marine manufacturing and defence⁴ <p>Other marine activities</p> <ul style="list-style-type: none"> • Aggregates • Oil and gas • Renewables • Carbon capture and storage • Nuclear • Subsea cabling⁵ <p>Coastal typologies</p>
Geology, geomorphology and coastal processes	<ul style="list-style-type: none"> • Seabed substrates and topography • Coastal features and processes
Landscape and seascape	<ul style="list-style-type: none"> • Statutory and non-statutory landscape designations • Wider landscape and seascape character

⁴ This sub-topic has been altered from 'Marine industry' more accurately describe the coverage of this sub-topic.

⁵ This sub-topic has been altered from 'Subsea communications' to reflect the fact that not all sub-sea cables relate to communications e.g. energy infrastructure.

Table 3.1: SA framework.

Water environment	<ul style="list-style-type: none">• Tides and currents• Water temperature and salinity• Pollution and water quality• Eutrophication• Contaminants• Marine litter
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The scoping report also helped to outline what the geographical and temporal scope of the SA should be. These are set out below:

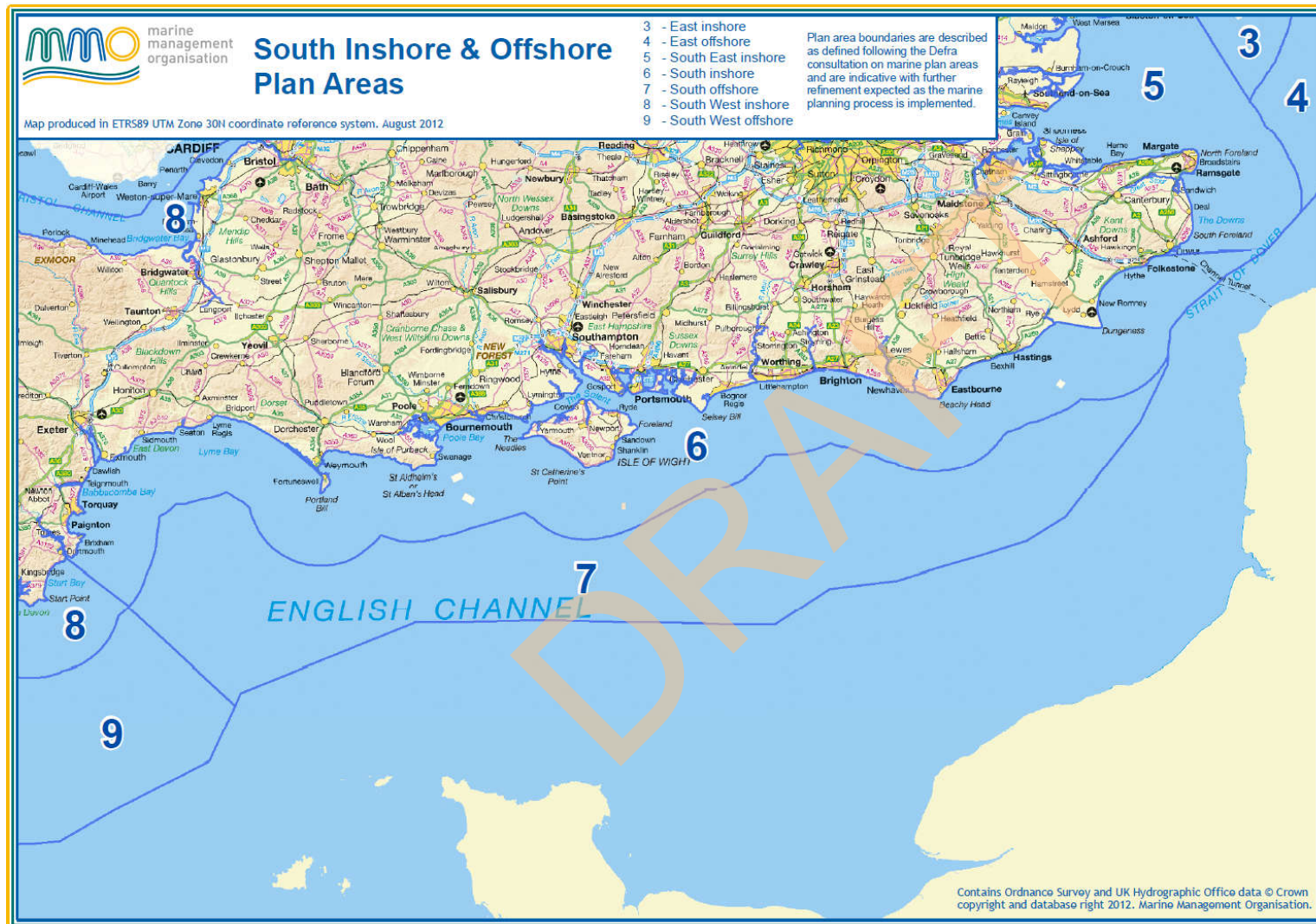
3.2.1 Geographical scope

The South Marine Plans will cover the South Inshore and South Offshore areas. The marine plan area stretches from the river Dart in the west to Folkestone in the east. The inshore area extends out to 12 nm from the coast and the offshore area extends from the limit of the inshore area to the external limits of the Exclusive Economic Zone (EEZ). The Inshore area also includes all coastal and inland water areas up to the mean high water spring tide. The areas are illustrated in Figure 3-1. The geographical scope of the SA is wider and has also considered the potential for trans-boundary effects.

3.2.2 Temporal scope

The marine plans will cover a twenty year period and therefore the SA will consider the effects of the Plans over the next 20 years and beyond where possible. It should be noted that making predictions beyond 5 years into the future increases the levels of uncertainty in the prediction of effects with this uncertainty increasing over longer time horizons.

Figure 3.1: South Marine Plan Areas (areas 6 and 7 on the figure below)



3.2.3 Consultation on the scoping report

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 consultation began on the 24th November 2014 and closed on 2nd January 2015. The scoping report was issued to the following statutory environmental bodies:

- Natural England;
- English Heritage; and
- The Environment Agency.

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

- Joint Nature Conservation Committee (JNCC);
- Defra;
- East Sussex County Council/South East Aggregates Working Party;
- Visit England;
- Plymouth Marine Laboratory;
- The Crown Estate;
- Coastal Partnerships (Solent Forum);
- Dorset Area of Outstanding Natural Beauty (AONB) Manager;
- UK Chamber of Shipping;
- National Federation of Fishermen's Organisations (NFFO);
- Associated British Ports Southampton;
- Marine Conservation Society;
- Wildfowl and Wetlands Trust;
- The National Trust;
- World Wildlife Fund (WWF);
- The Wildlife Trusts; and
- Royal Society for the Protection of Birds (RSPB).

Consultees were broadly happy with the work that had been carried out but recommended some changes to the report. Where possible these comments have been taken into account in the SA report. A detailed analysis of consultation responses will be provided as part of the SA Adoption Statement (produced following the adoption of the South Marine Plans setting out how the SA process has influenced the development of the Plans).

The organisations listed above, in addition to the statutory environmental bodies, form the SA Advisory Group.

The SA Advisory Group was convened by the MMO to informally advise on the approach, development and delivery of the SA. The terms of reference for the group are as follows:

- To provide a forum for discussion between the MMO, SA consultants, statutory consultees and other interested parties for SA (and marine planning).
- To provide a means of seeking informal advice from members of the Advisory Group for the MMO and SA contractors on, for example:
 - Overall approach;
 - Data sources;
 - Early versions of documents; and
 - To provide other advice and support as appropriate;
- All advice and discussion is 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.

3.3 Stage B Assessing the options

3.3.1 Introduction

The SEA Directive requires that the assessment identifies and evaluates reasonable 'alternatives' to what is proposed within the Plan.

Article 5(1) of the SEA Directive states:

*"..an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and **reasonable alternatives** taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated" (our emphasis).*

Please note that this report uses the terms options and alternatives interchangeably. Good practice is to consider reasonable, realistic and relevant alternatives and that they should be sufficiently distinct to enable a meaningful comparison of their different environmental effects.

A number of strategic alternatives were identified by the MMO and a rationale provided for each one. These are identified and described in the SA report Part 3 together with an appraisal of the sustainability effects of each and a justification from the MMO as to why the preferred approach was selected.

3.3.2 Guiding Principles

This stage involves appraisal of the alternative options against the SA framework, taking into account the evidence base. The guiding principle in the assessment of the options was to ensure that the assessment is proportionate. The South Marine Plans are strategic plans which do not address site or project-specific details. Therefore, the key features of the options assessment approach were:

- An approach that assesses each option as a whole. Around 200 policies were suggested which were packaged into three options. Each option needed

to be analysed as a package to see how different elements interacted to potentially give rise to significant effects;

- An evidence-led assessment which considers how marine planning under the options will be different from marine planning under a business as usual scenario.
- Incorporation of information gained from an Advisory Group Options Assessment Workshop to inform the options assessment (see below for further detail); and
- A qualitative approach used to highlight areas of risk.

Part 3, Section 2.2 also includes a summary of an appraisal of an interim draft of the draft South Marine Plan, undertaken in July 2015. At this stage drafting recommendations were made to improve the sustainability performance of the Plans which were subsequently incorporated into the final draft which is the subject of this Environmental Report.

3.3.3 Involving the Advisory Group

To assist in the assessment of the options an options assessment workshop was held with the Advisory Group on 3rd March 2015. The majority of the options assessment was completed before the options assessment workshop. The Advisory Group discussed the draft options assessment with facilitation and note taking provided by the consultants.

The Advisory Group was divided into two groups which consisted of representatives from the following organisations:

Group 1: Environment:

- Sarah Soffe - JNCC
- Richard O’Callaghan - Environment Agency
- Eleanor Stone - Wildlife Trusts
- Chris Pater - Historic England
- Mel Parker - Natural England
- Alec Taylor - RSPB
- Tom Munro - Dorset County Council – AONB

Discussions for Group 1 focussed on the following topics:

- Communities, health and well-being; and
- Economy;

Group 2: Socio-economic

- Steve Collins - Defra
- Tony Cook - East Sussex Council
- Susan Kidd - Crown Estate
- Caroline Hattam - Plymouth Marine Lab
- Emma Barton - RYA
- Sara Catahan – Defra

Discussions for Group 2 focussed on the following topics:

- Cultural heritage;
- Marine ecology;
- Geology, geomorphology and coastal processes;
- Landscape and seascape; and
- Water environment.

The group discussions identified matters such as:

- Additional baseline data which should be referred to within the assessment;
- Preferences for options when compared with others;
- Gaps in policy coverage;
- Recommendations for changes to policy wording and policy supporting text in the draft plans;
- Links to other projects and plans, such as shoreline management plans, which the South Marine Plans should reference and have regard to; and
- Additional potential impacts of policy options, including indirect effects and impact interactions.

The outcomes of the workshop were a set of recommendations for changes to the options assessment and suggestions for the coverage and content of the chosen policies within the South Marine Plans. The recommendations have been recorded within the Sustainability Appraisal Recommendations Tracker. Recommendations have either been passed on to the MMO for consideration in decisions regarding the chosen policy option and development of the draft plans or have resulted in changes to the options assessment.

3.3.4 Appraising the objectives of the plans

The South Marine Plans set out policies to deliver a set of fifteen high level objectives. These high level objectives are set out in Table 3.2. Please note that the objectives were slightly different at the options assessment stage.

Table 3. 2: Summary of Revised Draft South Marine Plans Objectives	
Number	Objective
Objective 1	To reduce contributory drivers ⁶ of climate change that result from human activities through specific action to minimise and mitigate emissions of greenhouse gases
Objective 2	To reduce the environmental, social and economic risks of climate change, activities should take account of adaptation and mitigation measures, that reduce (net) vulnerability and/or improve resilience to climate and coastal change
Objective 3	To support the objectives of Marine Protected Areas and the delivery of an ecologically coherent network by ensuring enhanced resilience and the capability to adapt to change

⁶ Contributory drivers are defined as the human controlled influences that contribute towards a rapidly changing climate. Specifically, those contributions originating from marine activities and their associated terrestrial infrastructure (e.g. port operations).

Table 3. 2: Summary of Revised Draft South Marine Plans Objectives

Number	Objective
Objective 4	Activities within and adjacent to the South marine plan areas must take account of the achievement or maintenance of Good Environmental Status (GEnS) and Good Ecological Status (GES) under the Marine Strategy Framework Directive and Water Framework Directives respectively
Objective 5	To safeguard space for the natural marine environment to enable continued provision of ecosystem goods and services
Objective 6	Disturbance impacts on mobile species, within or reliant on the South marine plan areas, resulting from new proposals and existing activities must be avoided, minimised or mitigated
Objective 7	Cumulative impacts affecting estuarine water quality within the South Inshore Plan area should be addressed through strategic management addressing terrestrial and marine drivers
Objective 8	Displacement of marine activities should be avoided, minimised or mitigated in order to achieve a net gain in social benefits (especially to coastal communities)
Objective 9	Maintenance and enhancement of access to, and within, the south plan areas (that is appropriate to its setting and equitable to users) will be supported
Objective 10	Features significant to the historic environment of the South marine plan areas, that are not designated as heritage assets, should be identified and conserved
Objective 11	Decisions should consider the seascape of an area, and its constituent marine character and visual resource
Objective 12	To provide space to support existing, and facilitate future sustainable economic activity through the encouragement of colocation, mitigation of conflicts and minimisation of development footprints
Objective 13	To manage existing, and where appropriate facilitate the provision of new, infrastructure which supports marine and terrestrial activity incorporating resilience to the effects of climate change where appropriate
Objective 14	Regeneration and investment in, and diversification of activities which improve socio-economic conditions in south plan coastal communities will be supported
Objective 15	To support marine activities that create and enhance employment opportunities at all skills levels, particularly where this reflects existing or developing skills among the workforce of coastal communities using the South marine plan areas

At the options assessment stage the coverage of these high level plan objectives were tested to ensure the objectives have an adequate sustainability coverage. This is reported in the “South Marine Plan Areas Sustainability Appraisal Options Assessment Report. March 2015.”

As the objectives of the Plans changed this has been revised at the draft plan assessment stage. Results of this assessment are included in Part 3 of the SA report.

The next step was to test each of the three options against the SA objectives. The approach to the SA of the options 1, 2 and 3 was to provide information to enable a selection to be made between the options. Policy wording underpinned each option and provided an indication of the strength or flexibility of the options 1, 2 and 3. Individual draft policies were not assessed as the detailed policy wording is likely to change as the Plans are drafted. However the draft policies have been reviewed in order that we are able to understand the thrust of the policy and its potential implications and to identify and potential differences in the outcomes of the different options.. The SA did not focus on the policy wording but identified key issues in relation to each of the options. However, comments were made in the assessment regarding any particular policy wording which could potentially result in significant effects.

The options assessment has been set out in a number of tables which can be used to compare each option and provide a commentary. These tables are set out in Part 3 of the SA report.

The appraisal has evaluated the possible effects of pursuing the options in relation to each of the seven SA topics. For each topic, an appraisal score has been assigned relating to how the baseline characteristics are predicted to evolve following each of the strategic policy approaches. The notation used is described in Table 3.2. Please note that a significant effect has been defined as a Major Positive or Major Negative effect.

Table 3.2 Notation Used for the Assessment	
Notation	Description
Degree to which baseline conditions may change (significance of change) compared with the future baseline situation	
++	Major Positive Effect (significant positive) The Plan is likely to lead to significant improvements in baseline conditions.
+	Minor Positive Effect The Plan is likely to lead to some improvements in baseline conditions.
0	Neutral Effect The Plan is unlikely to alter baseline conditions significantly.
-	Minor Negative Effect The Plan is likely to lead to a deterioration in baseline conditions.

--	Major Negative Effect (significant negative) The Plan is likely to lead to a significant deterioration in baseline conditions.
+/-	Positive and Negative Effect The Plan is likely to lead to both a deterioration and an improvement in baseline conditions, perhaps in different areas or ways.
?	Uncertain Effect It is not known whether the Plan would lead to an improvement or deterioration in the baseline conditions.
Direct / Indirect	
D	Direct effect
I	Indirect effect
Reversibility of effects	
R	It is considered that the effects upon the receptor group could be reversed if activities were to change in the future. The receptor may hence be able to recover or indeed improvements could be diminished.
IR	It is considered that the effects upon the receptor group could not be reversed and would be permanent. This may apply to situations where, for example, features are destroyed for ever or systems/trends are irrevocably changed.
Certainty of prediction / Likelihood	
H	There is a high level of confidence in the assessment prediction. No identified data gaps.
M	There is a medium level of confidence in the assessment prediction. This means that the appraiser is largely certain of the direction of impact and some of the elements of prediction but there remains some doubt or certainty about some other elements.
L	There is low level of confidence in the assessment prediction. This may be as a result of significant baseline data gaps, there being very little control over how an activity may come forward or there is limited evidence to support the prediction.

3.4 Stage B: Assessing the draft plan

The SA of the South Marine Plans has been undertaken as a 'baseline-led' appraisal which considers how marine planning under the South marine plans will be different from marine planning under a 'business as usual' scenario (without the South marine plans but with a continuation of current policy). This appraisal asks 'how will environmental, social and economic conditions change under the South marine plans compared with 'business as usual'?

A qualitative approach was used comprising the appraisal and description of effects rather than a quantitative approach which is not considered appropriate or feasible at this strategic level, in view of the form and content of the Plans.

The SA of the draft South Marine Plans focuses on the preferred plan policies proposed in the draft completed in August 2015. For each of the SA topics an appraisal table has been used to record anticipated impacts. In accordance with SEA Directive requirements, the table and the supporting commentary clarifies whether

effects are positive, negative or neutral, whether they are permanent or temporary and, where relevant, the likely geographical and temporal scale of the effect. This is not completed for every policy individually, rather it seeks to appraise the Plans as a whole. This is important as future consents will need to be judged against a suite of policies and not individual policies in isolation. Policies will need to be read together as they each cover different requirements. Whilst an overall assessment is given, an explanation of the appraisal is given in the discussion sections beneath the tables. Here the relative merits and disbenefits of individual policies are discussed more specifically.

Following the discussion of appraisal results, a section is provided on recommended measures to mitigate or further enhance the draft plan policies. A table is provided with recommended changes or additions to specific policies or for additional policies to be included.

3.4.1 Likelihood

For many of the activities and environmental topics assessed, the likelihood of an impact occurring is considered to be low. However, the impact itself has the potential to result in a significant effect if it did occur. This is particularly the case for major accidental events, which are by nature unlikely and unplanned.

For the purposes of identifying all required mitigation and monitoring measures, the approach taken within this ER is that likelihood is not considered to be mitigation in itself and that if an assessment has identified the potential for major effects then these effects should be mitigated irrespective of their likelihood. This represents a precautionary approach and provides an assessment of the worst case scenario.

3.5 Stage C: Preparing the Draft SA Report

This report (in all its three parts) constitutes the SA report for the South Marine Local Plans.

A considerable amount of material has been generated as part of the SA process and relevant documents are available at the following website:

<https://www.gov.uk/topic/planning-development/marine-planning>

3.6 Stage D: Consulting on the SA Report

This SA report has been produced for comment alongside the South Marine Plans and both the Plans and this related SA report will be put out for consultation in spring 2016.

Following this consultation, the MMO will review all responses received and amend the draft Plans as appropriate with some engagement with those that have commented as required. Then the Plans will be submitted, again to government for clearance to adopt.

The current timescale is to adopt the Plans in 2017.

Please note that Stage E of the SA process refers to monitoring. Monitoring the effects of the Plans will be the responsibility of the MMO guided by a monitoring programme to be included in the SA Adoption Statement. A draft monitoring programme has been included in Part 3 of this SA report in Part 3t.

3.7 Difficulties encountered

Department of Communities and Local Government (DCLG) guidance⁷ on SEA efficiency and effectiveness clarifies that the level of detail of an appraisal should correspond to the level of detail of the plan being appraised. This reflects the SEA Regulations which state “The report must include the information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision-making process **and the extent to which certain matters are more appropriately assessed at different levels in that process** to avoid duplication of the assessment”.

The South Marine Plans are regional scale strategic plans which do not seek to address site or project-specific details. The large majority of the policies in the Plans are generic or criteria-based policies without a clear spatial dimension. The Plans cannot directly result in the development of new projects. They provide guidance for decision makers to assist in consenting (or otherwise) activities in the marine plan areas. As such, the exact location and nature of new activities will also depend upon market forces and development applications being received.

This results in uncertainty when predicting the effects of activities and consequently strategic impacts can be identified with the most certainty, together with the extent to which the marine plans seek to avoid or offset these impacts. Correspondingly, this SA's predictions and proposed mitigation measures will primarily be at a strategic level.

Decision-makers will have to follow the guidance in the South Marine Plans and the MPS when considering the potential impacts of an activity and when taking decisions about whether consent for a specific activity should be granted. Whilst it is assumed that decision-makers should make decisions based upon the most sustainable outcomes, this reliance on judgement results in a further level of uncertainty in the appraisal. This is in part mitigated by the requirement in law for statutory consultation bodies such as the Environment Agency, Historic England and Natural England for example, to be consulted upon applications which require Environmental Impact Assessments (EIAs).

⁷ DCLG (2010) 'Towards a more efficient and effective use of Strategic Environmental Assessment and Sustainability Appraisal in spatial planning', <http://www.communities.gov.uk/publications/planningandbuilding/towardsmoreefficient>.