

South Marine Plan Areas Sustainability Appraisal

Final Sustainability Appraisal Report Part 1

May 2018



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South Marine Plan Areas

Final Sustainability Appraisal Report Part 1

May 2018

Report prepared by: Ramboll Environ, Marine Planning Consultants and ClearLead Consulting Ltd.



Project funded by: Marine Management Organisation

Version	Author	Note
A	Emma Jones	Final SA report – internal draft
1	Emma Jones	Final for client review

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Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

Tel: 0300 123 1032
Email: info@marinemanagement.org.uk
Website: www.gov.uk/mmo

If referencing this document, please cite it as: MMO (2018) South Marine Plan Areas Final Sustainability Appraisal Report Part 1. A report produced for the Marine Management Organisation

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1. Introduction

1.1 This report

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

These are the second set of marine plans to be produced under the Marine and Coastal Access Act 2009 and seek to take account of 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 area. The first set cover the East inshore and offshore marine plan areas and can be found [here](#).

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. The South Marine Plan will cover a 20-year period and will be reviewed regularly throughout this time.

The South Marine Plan has been subject to an integrated¹ 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 final SA report. Part 1 outlines the process and methodology of the SA. This final SA report reports on the assessment of the final South Marine Plan produced by the MMO.

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

1.2 Purpose of the SA

SA considers the economic, social and environmental impacts of a plan (the three dimensions of sustainable development). The aim in undertaking SA is to identify likely significant effects so plan makers can 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 SA², and that it is undertaken in line with the procedures prescribed by the SEA Directive.

¹ An integrated SEA/SA refers to the fact that the assessment adheres to the requirements of the SEA regulations but also fully reflects relevant social and economic issues

² 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 has ensured 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 plans³.

1.3 Purpose and structure of this report

The SEA Regulations require that an assessment is carried out on a draft version of the plan and a statutory environmental report (an SA report under the English planning system) is produced and consulted on. An assessment of the draft South Marine Plan was undertaken and a draft SA report was produced and can be found [here](#). The report set out the results of the SA process, outlined why alternatives were selected or rejected, reported on the assessment of the draft plan and outline a programme for monitoring the effects of the plan. The SA report referred to above was the statutory SA report and it was produced alongside the production of the South Marine Plan and was published for consultation at the same time, providing respondents with appropriate information to base their representations about the sustainability implications of the plan.

This report is the final SA report which reports on the assessment of the final South Marine Plan produced by the MMO. It is also accompanied by a SA statement which sets out how environmental / sustainability considerations and consultee comments have been integrated into the plan.

For the sake of clarity this 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.

³ 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.

All reports are available at the following weblink:

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

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

Table 1.1: Fulfilling the requirements of the SEA regulations

What the regulations say ⁴	How this is addressed
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 Plan 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 plan
The environmental characteristics of areas likely to be significantly affected	SA report Part 2 outlines the characteristics of the South Marine Plan areas 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.

⁴ Please see Schedule 2 of the SEA regulations: *Information for Environmental Reports*.

What the regulations say ⁴	How this is addressed
<p>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</p>	<p>SA report Part 2, each Annex outlines relevant environmental protection objectives and the implication of those objectives on the South Marine Plan and the SA process. The way that those environmental objectives have been taken into account has been through integrating them into the SA framework</p>
<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 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 SA report Part 2 outlines data gaps</p>
<p>A description of measures envisaged concerning monitoring</p>	<p>SA report Part 3 sets out monitoring measures.</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>

What the regulations say ⁴	How this is addressed
<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>
<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 the statutory 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 has been outlined in the SA Adoption Statement</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>SA report Part 3 sets out monitoring measures.</p>

1.4 Habitat Regulations Assessment

As well as SA, the South Marine Plan was subject to a Habitat Regulations Assessment. This process was undertaken as a requirement of the Habitats Regulations⁵ for inshore and offshore waters and assessed the effects of the plan 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 Plan HRA process consists of a screening process and a fuller assessment process. The results of these processes have been summarised below. For details of the methodology used please review the [Appropriate Assessment Information Report](#).

1.4.1 Screening phase

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 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 Plan.

⁵ 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).

To complete the screening a two-stage process of policy screening and ecological screening was carried out. With regard to the policy screening, the following policies of the draft South Marine Plan were screened into the assessment:

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

With regard to the ecological screening process, 196 European/Ramsar sites were 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).

1.4.2 Assessment phase and overall conclusions

Following the screening stages, it was concluded that the draft South Marine Plan policies that related to future potential aquaculture initiatives and future opportunities for the 'beneficial reuse' of (dredged) sediment might have an effect on a European/Ramsar site and therefore these policies warranted further consideration.

These policies were subjected to a more detailed assessment through analysis of impact pathways and sensitive features.

The assessment has concluded that it is not possible to be certain of no adverse effect on integrity (NAEOI). This is because of the uncertainties that exist around the South Marine Plan and other plans and projects. There is also the lack of a guarantee that there will be no evidence/analysis gap in the future.

1.4.3 Mitigation

Based on lessons learnt and approaches followed in past plan-level HRAs, two key mitigation measures are proposed to provide the necessary assurances that the South Marine Plan as a whole will have NAEOI on European/Ramsar sites either alone or in-combination with other plans or project. These are as follows:

1. An Iterative plan review (IPR) process: This process would involve a phased and iterative approach to plan-implementation which is linked to ongoing project developments and their associated monitoring work and with the findings from such project-level work feeding back into the next phases of plan-implementation. This is done so that results from monitoring data from consented projects and on-going research programmes can be fed into subsequent developments in order for lessons to be learnt and evidence gaps filled, thus reducing potential impacts to European/Ramsar sites.
2. Project-level HRA: Further assurances that there will be NAEOI on European/Ramsar sites is provided by the fact that each individual development that is undertaken within the South Marine Plan Area will be legally required to undergo an HRA process in its own right.

2. Background to the South Marine Plan

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 set out how the UK MPS will be implemented in these plan areas. They 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 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 South Marine Plan has a defined vision:

By 2038, the South Marine Plan areas' iconic and unique qualities, characteristics and culture will be conserved, promoted and where needed enhanced, through good management of its marine space. The natural beauty of the coastline and busy coastal and offshore waters are qualities that make the South Marine Plan area distinctive. By 2038 the South Marine Plan area will have maintained this distinctive natural beauty and diversity while sustainable economic growth, protection of the natural and historic environment as well as the wellbeing of those who live, work and visit the south coast will have been enhanced through balanced and sustainable use of its resources.

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 inclusive 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 support the reduction of the environmental, social and economic impacts of climate change, through encouraging the implementation of mitigation and adaptation measures that:
 - avoid proposals' indirect contributions to greenhouse gas emissions
 - reduce vulnerability
 - improve resilience to climate and coastal change
 - consider habitats that provide related ecosystem services.
- 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 its constituent marine character and visual resource and the landscape of the south marine plan areas,;

- Objective 10: To support marine protected area objectives and the delivery of a well managed ecologically coherent network with enhanced resilience and capability to adapt to change.
- Objective 11: Compliment and contribute to the achievement or maintenance of;
 - Good Environmental Status under the Marine Strategy Framework Directive and
 - Good Ecological Status or Potential under the Water Framework Directive with respect to descriptors for marine litter, non-indigenous species and underwater noise.
- 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, cumulative impacts on highly mobile species.

2.3 Content of the South Marine Plan

The South Marine Plan is divided into 4 chapters and also includes a supporting technical annex that sets out clear direction for application of the policies.

Chapter 1: Background and introduction

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: Vision, objectives and policy

This chapter sets out a vision statement for the South Marine Plan areas to 2037 and outlines the objectives and policies of the plan.

Chapter 3: Using and implementing the South Marine Plan

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

Chapter 4: 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.

The technical annex now contains the detail that was included as Chapter 5 in the consultation draft. It sets out policies and supporting text for the objectives.

3. SA Methodology

3.1 Introduction

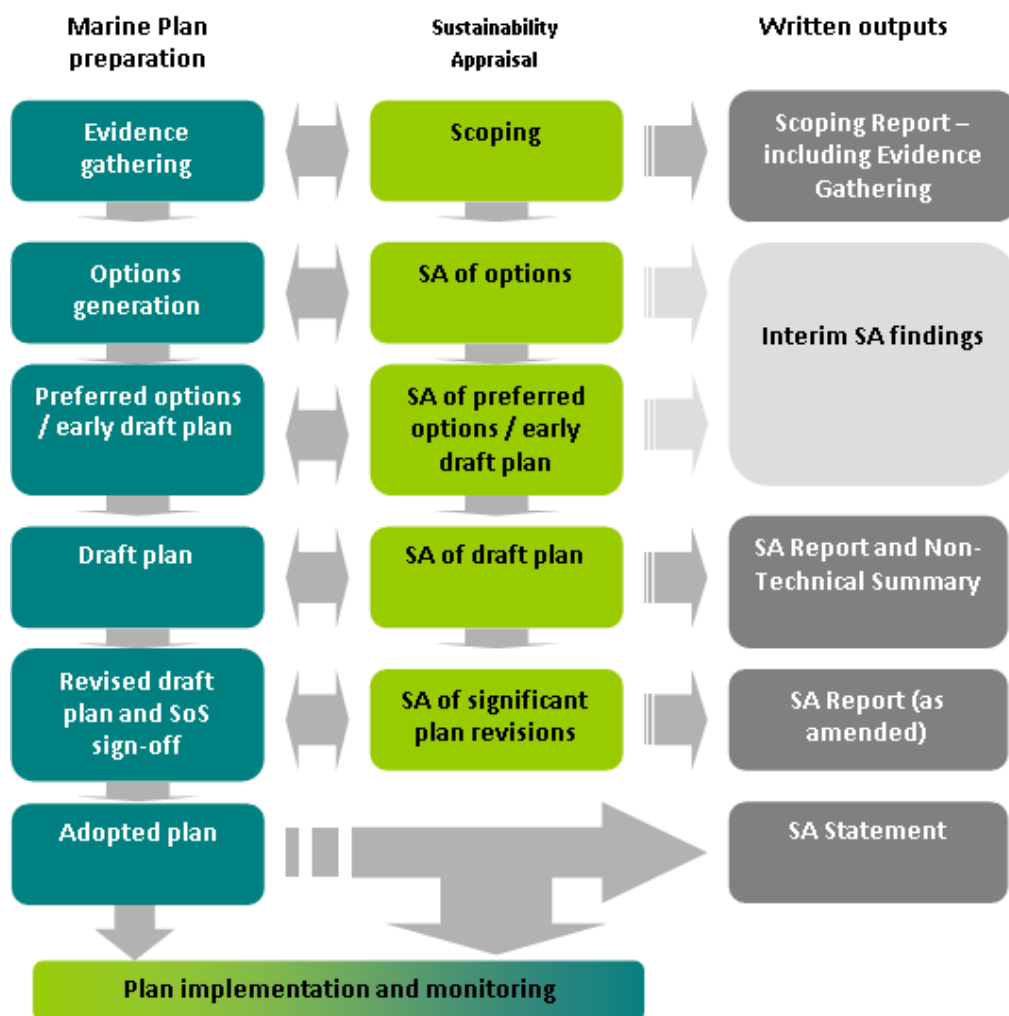
The stages in the SA process have been developed to take into account the five procedural stages of SEA:

- Stage A: (Scoping) Setting the context, establishing the baseline and deciding on the scope of the assessment;
- Stage B: Developing and refining alternatives and appraising the effects;
- Stage C: Preparing the SA Report;
- Stage D: Consulting on the SA Report and the South Marine Plan and assessing any significant changes; and
- Stage E: Monitoring the significant effects of implementing the South Marine Plan.

In practice, the SA is an iterative process which has been undertaken in parallel with the development of the South Marine Plan and has fed into the development of the South Marine Plan at appropriate intervals – see Figure 3.1 below.

The methodology that has been 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. Some small factual changes have been made to the scoping report and it has been re-issued in final form as part of this final SA report. Please note that the team led by Ramboll Environ were not responsible for production of the scoping report or the decisions made regarding what to scope in and out of the assessment. The draft scoping report was produced by a consortium composed of URS, Hartley Anderson and Hyder and the final report was completed and published by the Marine Management Organisation.

The scoping report sets the framework and approach for the SA process and explains how it will be undertaken for the draft South Marine Plan. Subsequent sections of the report provide information about the proposed approach and provide

background information about the existing conditions within the South Marine Plan areas. The scoping report outlines a SA framework that the South Marine Plan is measured against in order to test its sustainability. Table 3.1 presents the SA framework which has been used to assess the South Marine Plan.

The SA framework has been developed with the guiding principles of sustainable development⁶ in mind while considering the requirements of the SEA Regulations, which lists a number of issues that might be included as part of any assessment⁷. It is also drawn from the experiences of the SA of the East Marine Plan and from information suggested at an SA Advisory Group workshop held in February 2014 to help define the scope.

It should be noted that no single strand of sustainable development is considered more or less important than any another and the topics considered as part of the SA will be afforded equal weight in the appraisal process.

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

⁶ Taken from [HM Government, Securing the Future - UK Sustainable Development Strategy \(2005\)](#)

⁷ Schedule 2 (6): (a) biodiversity; (b) population; (c) human health; (d) fauna; (e) flora; (f) soil; (g) water; (h) air; (i) climatic factors; (j) material assets; (k) cultural heritage, including architectural and archaeological heritage; (l) landscape; and (m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).

Economy	<p>Economy activity and GVA</p> <ul style="list-style-type: none"> • Ports and shipping • Fisheries • Leisure • Tourism • Marine manufacturing and defence⁸ <p>Other marine activities</p> <ul style="list-style-type: none"> • Aggregates • Oil and gas • Renewables • Carbon capture and storage • Nuclear • Subsea cabling⁹ <p>Coastal typologies</p>
Geology, geomorphology and coastal processes	<ul style="list-style-type: none"> • Seabed substrates and topography • Coastal features and processes (which includes coastal flooding and erosion risk management)
Landscape and seascape	<ul style="list-style-type: none"> • Statutory and non-statutory landscape designations • Wider landscape and seascape character
Water environment	<ul style="list-style-type: none"> • Tides and currents • Water temperature and salinity • Pollution and water quality • Eutrophication • Contaminants • Marine litter

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 Plan covers the South inshore and South offshore marine plan areas. The South Marine Plan areas stretch 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

⁸ This sub-topic has been altered from 'Marine industry' more accurately describe the coverage of this sub-topic.

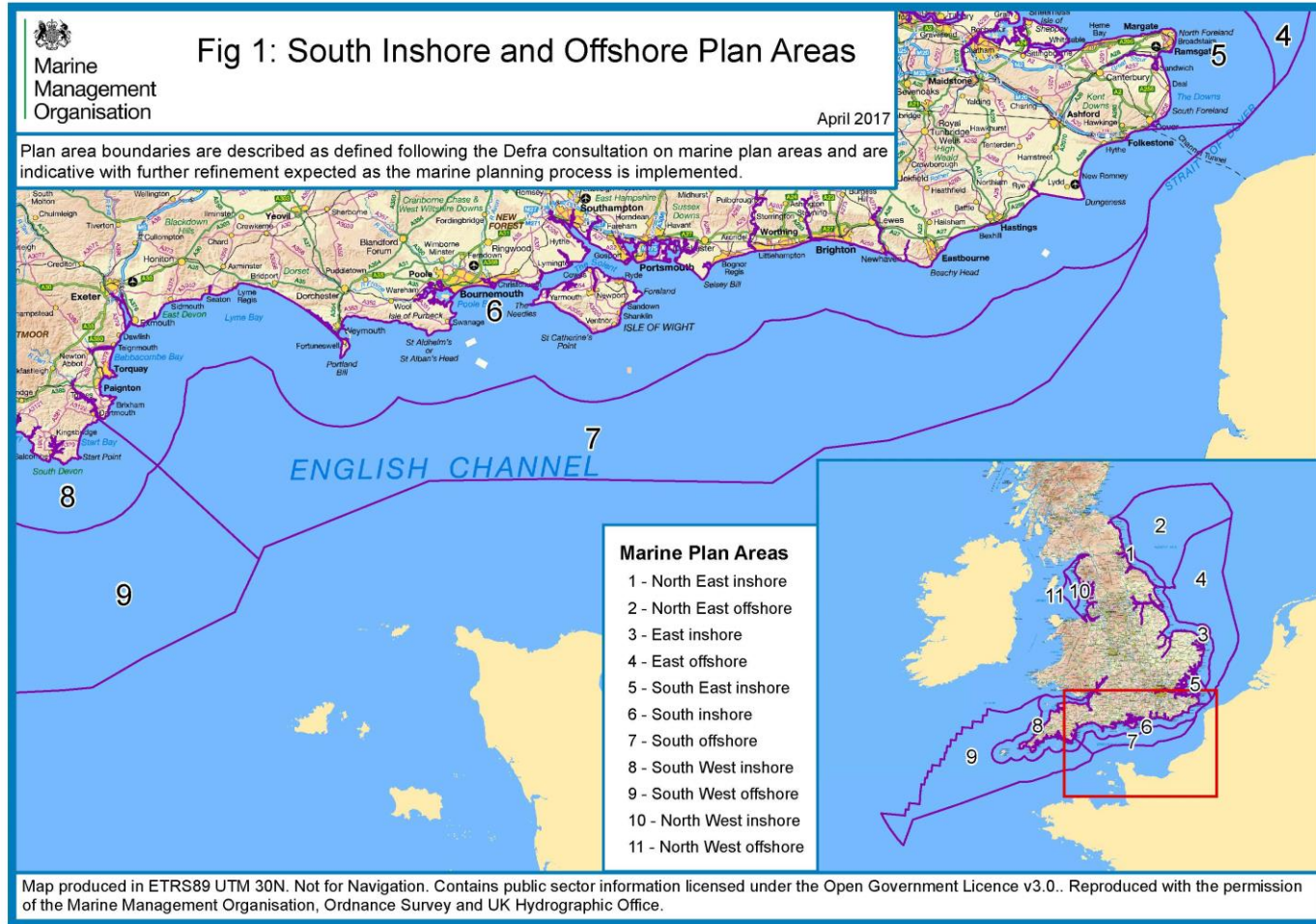
⁹ This sub-topic has been altered from 'Subsea communications' to reflect the fact that not all sub-sea cables relate to communications e.g. energy infrastructure.

inland water areas up to the mean high water spring tide. The areas are illustrated in Figure 3.2. The geographical scope of SA, however should be wider and consider effects on other countries (trans-boundary effects) where applicable.

3.2.2 Temporal scope

The South Marine Plan covers a twenty year period and therefore the SA has considered the effects of the plan 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 3.2: South Marine Plan Areas



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. An analysis of consultation responses has been provided as part of the SA Statement.

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.

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 assessment of the sustainability effects of each and a justification from the MMO as to why the preferred approach was selected.

Please note that some consultees have suggested alternative policy wording as part of the draft plan consultation. Additional work has been undertaken on analysing these alternatives and this is reported in Part 3 of the SA report.

3.3.2 Guiding Principles

This stage involves assessment 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 Plan is a strategic plan which does 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 assessment 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 plan which were subsequently incorporated into the final draft Plan.

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 South Marine Plan;
- Links to other projects and plans, such as shoreline management plans, which the South Marine Plan 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 Plan. 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 South Marine Plan or have resulted in changes to the options assessment.

3.3.4 Appraising the objectives of the South Marine Plan

The South Marine Plan sets out policies to deliver a set of high level objectives. These high-level objectives are set out in Section 2.2. Please note that the objectives were slightly different at the options assessment stage and also at the draft plan assessment stage.

At the options assessment stage of the sustainability appraisal the high-level plan objectives were tested against the sustainability objectives (a consistency assessment) to make sure that the basis for the options development is consistent with the achievement of the key sustainability objectives which were identified as important for the South Marine Plan areas. The output of this assessment was a commentary which identified the relationship between the South Marine Plan objectives and the SA objectives and highlighted any potential gaps. The assessment used baseline information from both the [SA scoping report](#) and the [South Plans Analytical Report](#).

Now that the plan (and its objectives) has been finalised a review has been undertaken to ensure that the final objectives don't significantly change the coverage of the plan with regard to sustainability. This review is a brief consistency check to ensure that the same issues are addressed. Results of this assessment are included in Part 3 of the SA report.

3.3.5. Assessing the options

The MMO set out three options for consideration as part of the development of the draft South Marine Plan. The three options are outlined in detail in Part 3 of this SA report. However, for the purpose of understanding Table 3.3, the three options are:

1. Option 1 – Balanced Option: A high strength option that includes the highest possible number of high-strength policies;
2. Option 2 – Flexible Option: An option that looks to find the middle ground across objectives (and therefore contains primarily medium strength policies);
3. Option 3 – Prescriptive Option: An option that seeks to be more prescriptive and looks to achieve more certain outcomes for issues that have been highlighted as being particularly important for the South Marine Plan areas.

Each of the fifteen plan objectives were supported by several policies that set out how the objective would be implemented in practice. Table 3.3 provides an example of this structure, showing some of the policies that were presented in order to deliver objective 1 on climate change (please note that this refers to the draft plan objectives which were different to those presented in Section 2.2 above – please see Table 3.3 below to see the fifteen original plan objectives).

Table 3.2 Structure of objectives and policies

Objective 1	To reduce contributory drivers of climate change that result from human activities through specific action to minimise and mitigate emissions of greenhouse gases			
Policy name	Policy text	Option 1	Option 2	Option 3
S-CC-1a	Proposals should , throughout all phases of delivery minimise net greenhouse gas emissions, as far as practical		Y	
S-CC-1c	Proposals must ensure that net greenhouse gas emissions resulting from commissioning, operational and decommissioning phases are minimised as far as practical or mitigate the net greenhouse gas emissions. By implementing (but not limited to) the following measures as far as practical; employing low carbon technologies, maximising combustion efficiency where low carbon technologies cannot be employed, appropriate and proportionate mitigation (e.g. carbon offsetting), and employing intelligent design and location and use of low carbon transport.	Y		Y

To ensure that the SA focused the assessment on the issues where there was the potential for significant positive or negative effects to occur, the assessment used the output of the consistency assessment between the SA objectives and the plan objectives to identify which policies required assessment under each SA objective.

The results of this consistency assessment are shown in Table 3.4. For example, policies which were listed as delivering Objective 1 were primarily assessed against SA objectives on communities, health and wellbeing, marine ecology, economy, geology, geomorphology and coastal processes and water. This is because if the policies are to have significant effects it is most likely to be against these topics. The argument is not being made that it is impossible for those policies to have effects on cultural heritage or landscape but that these effects are more likely to be minor. A check and balance were performed by ensuring that at the options assessment workshop with the Advisory Group each workshop group discussed each policy to ensure that all potential effects were identified.

Individual draft policies were not assessed in detail at this stage as the detailed policy wording was likely to change as the plan was drafted. However, the draft policies were reviewed in order to understand the thrust of the policy and its potential implications and to identify any potential differences in the outcomes of the different options. The options assessment was set out in a number of tables which were used to compare each option and provide a commentary. These tables are set out in

Section 3 of the SA report. The tables in Section 3 also outline any changes that have been made to the objectives of the plan and how they have changed the consistency assessment.

Table 3.3: Consistency assessment

SA objective	Communities, health and wellbeing	Cultural heritage	Marine ecology	Economy	Geology, geomorphology and coastal processes	Landscape and seascape	Water
Draft South Marine Plan objective							
Objective 1: Contributory drivers ¹⁰ of climate change	X		X	X	X		X
Objective 2: Resilience to climate and coastal change	X	X	X	X	X	X	x
Objective 3: Marine Protected Areas			X				
Objective 4: Good Environmental Status (GEnS) and Good Ecological Status (GES)			X			X	x
Objective 5: Provision of ecosystem goods and services	X		X	X	X		
Objective 6: Disturbance impacts on mobile species			X				
Objective 7: Estuarine water quality			X		X		X
Objective 8: Displacement of marine activities	X			X			
Objective 9: Equitable access	x			X			
Objective 10 Historic environment		X					
Objective 11: Seascape, marine character and visual resource						X	

¹⁰ 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).

SA objective Draft South Marine Plan objective	Communities, health and wellbeing	Cultural heritage	Marine ecology	Economy	Geology, geomorphology and coastal processes	Landscape and seascape	Water
Objective 12: Sustainable economic activity				X			
Objective 13: Infrastructure provision	X			X			X
Objective 14: Diversification of activities	X			X			
Objective 15: Developing skills	X			X			

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At the draft South Marine Plan stage an addition row was added to the tables set out in section 3, which sets out the assessment of the draft plan and therefore allows further comparison between the options assessment and the draft plan assessment. For the assessment of the final plan this has been further expanded to allow comparison with changes made to the final plan.

The assessment has evaluated the possible effects of pursuing the options in relation to each of the seven SA topics. For each topic, an assessment 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 3.5. Please note that a significant effect has been defined as a Major Positive or Major Negative effect.

Table 3.5: 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. ¹¹
Direct / Indirect	
D	Direct effect

¹¹ Please note that for the purposes of this SA uncertain effects have been treated as potentially significant and mitigation measures suggested

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 and final South Marine Plans

The SA of the South Marine Plan has been undertaken as a 'baseline-led' assessment which considers how marine planning under the South Marine Plan will be different from marine planning under a 'business as usual or do nothing' scenario (without the South Marine Plan but with a continuation of current policy). This assessment asks 'how will environmental, social and economic conditions change under the South Marine Plan compared with 'business as usual or do nothing'?

Throughout the assessment references have been of where other policy regimes are making a difference (and perhaps have more influence than the marine planning regime) (for example, marine litter, where most marine litter comes from land-based sources). This approach enables focused recommendations to be made to the plan makers.

A qualitative approach was used comprising the assessment 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 plan.

The SA of the draft South Marine Plan focused on the preferred policies proposed in the draft completed in August 2015. The SA of the final South Marine Plan focused on the policies selected in the final plan (January 2018).

For each of the SA topics an assessment table has been used to record anticipated effects. 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 effect¹². This is not completed for every policy individually, rather it seeks to appraise the plan 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 assessment is given in the discussion sections beneath the tables. Here the relative merits and disbenefits of individual policies are discussed more specifically.

A section is also provided on measures that were recommended to mitigate or further enhance the policies at the draft plan stage.

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 final 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 [here](#).

Please note that this report is not the statutory SA report which must be published alongside the draft report. This can be found [here](#).

This report is the final SA report which reports on the assessment of the final South Marine Plan produced by the MMO. It is also accompanied by a SA statement which sets out how environmental / sustainability considerations and consultee comments have been integrated into the South Marine Plan.

¹² Please note that although the potential for transboundary effects was considered in the assessment none were identified.

3.6 Stage D: Consulting on the SA Report

The statutory SA report was produced for comment alongside the draft South Marine Plan and was consulted on between November 7th 2016 and January 27th 2017. 81 individual written responses were received which included 1570 comments.

The current timescale is to adopt the South Marine Plan in 2018 following government sign off. Implementation of the South Marine Plan has already started and will continue over the lifetime of the South Marine Plan.

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

3.7 Difficulties encountered

Department of Communities and Local Government (DCLG) guidance¹³ on SEA efficiency and effectiveness clarifies that the level of detail of an assessment 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 Plan is a regional scale strategic plan which does not seek to address site or project-specific details. The large majority of the policies in the plan are generic or criteria-based policies without a clear spatial dimension. The plan 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. Much of the assessment is guided by the judgement of the team making the assessment based on their professional experience and backed by evidence where available. This includes evidence/information taken from the SA scoping stage, and this is evidence that has been used to inform the assessment. In addition, substantive stakeholder engagement (with the Advisory Group) was used to inform the assessment as well as public consultation on the plan and draft SA report. In

¹³ 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>.

this way it is considered that a robust strategic level assessment has been carried out.

Decision-makers will have to follow the guidance in the South Marine Plan 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 assessment. 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).