



# Marine Management Organisation

## Draft North East, North West, South East and South West Marine Plans Consultation 2020 Webinars: North West 5/2/2020



INVESTORS  
IN PEOPLE

Bronze



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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](mailto:info@marinemanagement.org.uk)  
Website: [www.gov.uk/mmo](http://www.gov.uk/mmo)

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## 1. Our Draft North West Marine Plan

Thank you for participating in our webinar on 5 February 2020 on the current statutory consultation on the Draft North West Marine Plan.

A [recording of the webinar](#) is now available for viewing.

Thank you for your support for marine planning. We look forward to receiving your representations on one or more of the draft marine plans.

### **Questions and answer session [including number of likes]**

The following responses are provided for the Q&A session that was held within the webinar and for those questions that were not able to be answered due to time constraints.

#### **I want to canvas my organisation and submit a single response covering multiple people, what is the best way to do this? [6 likes]**

As every organisation is different it is not for the MMO to dictate how to manage this process. However, CitizenSpace provides the facility to save progress and come back at a later date, this would allow a response to be filled in a bit at a time as it is received from different parts of your organisation. If you are having difficulties and would like to discuss further please get in touch with the Marine Planning team at: [planning@marinemanagement.org.uk](mailto:planning@marinemanagement.org.uk)

#### **Is there an option to submit a response by any means other than citizen space? [3 likes]**

Citizen Space, the Government's online consultation tool, has been designed specifically to receive comments on the draft North East, North West, South East and South West Marine Plans. As such it is by far the most effective way for you to have your say. The risk with submitting comments in another format is that they may not link to the consultation questions that we are asking and therefore there is a danger that we might misinterpret your comments.

If you really feel it necessary to respond in another format or are having accessibility issues then please get in touch to discuss your requirements [planning@marinemanagement.org.uk](mailto:planning@marinemanagement.org.uk).

#### **Where can I provide comments and feedback on Explore Marine Plans? [3 likes]**

The consultation is on the draft plans and associated documents and does not include [Explore Marine Plans](#). [Explore Marine Plans](#) is a new service and we welcome any feedback you have. Please send it to [planning@marinemanagement.org.uk](mailto:planning@marinemanagement.org.uk). This includes any data sources appropriate for marine planning that you suggest should be included.

### **How do we know how much weight to give Marine Plan policies when determining planning applications prior to the adoption of the Marine Plan? [3 likes]**

The draft North West Marine Plan (as well as the Draft North East, Draft South East and Draft South West Marine Plans) are now material considerations in decision-making. It is for each decision-maker to decide what weight is to be given to material considerations in each case.

Guidance about material planning considerations exists from the Ministry of Housing Communities and Local Government [here](#). The following sections have been extracted for information:

“A material planning consideration is one which is relevant to making the planning decision in question (eg whether to grant or refuse an application for planning permission).”

“The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.”

### **If / when is the MMO a statutory consultee for planning applications? [0 likes]**

The MMO is a statutory consultee under the Planning Act 2008 for relevant authorisation decision matters. Therefore, for proposed development within the intertidal area the MMO will need to be consulted. Under s.58 of MCAA a local authority decision-maker must take the appropriate steps to ensure all requirements have been followed and make a judgement about whether any land-based development falls under this section.

### **Are marine licences always required for development that includes onshore marine space? [0 likes]**

The Marine and Coastal Access Act 2009 provides that a marine licence is required for certain activities carried out within the [UK marine area](#).

The MMO is responsible for marine licensing in English waters and for Northern Ireland offshore waters.

Many activities that take place in and around the sea require a marine licence. It is your responsibility to find out whether your activity requires a marine licence. This will usually depend on:

Where the activity will take place

What the activity is

How the activity will be carried out

Use the [marine licence interactive assistance tool](#) to find out:

If your activity falls within the jurisdiction of the MMO

If an exemption may apply (where appropriate)

If your activity is suitable for self-service marine licensing (where appropriate)

For further information about whether you may require a marine licence, please visit the following webpage: <https://www.gov.uk/guidance/do-i-need-a-marine-licence>