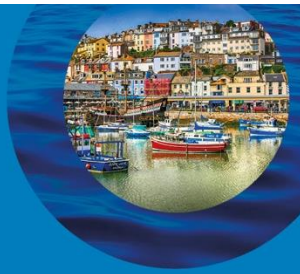




Marine
Management
Organisation

South West Marine Plan Modifications : overview and summary of consultation



...ambitious for our seas and coasts

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1. Introduction

The South West Marine Plan provides a framework to guide the sustainable development of the south west marine plan areas. It has been prepared and adopted under the [Marine and Coastal Access Act 2009](#).

Public consultation on the [Draft South West Marine Plan and Technical Annex](#) (and on the Draft North East, North West and South East Marine Plans and Technical Annex) was held between the 14 January and 20 April 2020. The [Revised statements of public participation – South West](#) describes the Marine Management Organisation's process for analysing the consultation responses, which includes the publication of a modifications report summarising the comments received and the resultant changes made to the [Draft South West Marine Plan and Technical Annex](#)).

In fulfilling its obligations as set out in the [Revised statements of public participation – South West](#), the Marine Management Organisation has produced this modifications report, which includes:

- a summary of responses to the consultation
- an overview of changes made
- an overview of changes not deemed appropriate

2. Purpose

In accordance with the [Marine and Coastal Access Act 2009](#) Schedule 6, Section 15(7), the Marine Management Organisation are required to publish statements detailing the modifications made to the [Draft South West Marine Plan and Technical Annex](#) and the reasons for the amendments. The purpose of this document is to provide the above requirements and to summarise:

- previous engagement on the iterative process prior to the development of the [Draft South West Marine Plan and Technical Annex](#)
- the engagement process for the [Draft South West Marine Plan and Technical Annex](#)
- the responses received during consultation, including the levels of agreement with the marine plan supporting sustainable development and compliance with the [Revised statements of public participation – South West](#)
- the changes made to the [Draft South West Marine Plan and Technical Annex](#) following consultation

3. Engagement and consultation

Throughout the development of the South West Marine Plan, extensive engagement has been carried out with stakeholders prior to, during and following public consultation.

3.1 Stakeholder engagement prior to public consultation

The development of the Draft North East, North West, South East and South West Marine Plans was undertaken in parallel and followed an iterative process, which began in 2016 with an initial engagement period of launch events and a 'call for issues'. A total of three iterations of marine plan products were developed with stakeholder engagement and involvement throughout the process. Each of the three iterations were made up of nine month periods of marine plan development work, followed by three months of stakeholder engagement. After each period of engagement, stakeholder responses were analysed and used to build the next iteration.

Further details on the engagement undertaken for each iteration, including the number of responses received, are available at the links below:

- [Marine plans iteration 1 engagement summary](#)
- [Marine planning: second outputs for north east, north west, south east and south west marine plan areas Marine Planning engagement events](#)
- [Marine Planning: Iteration 3 engagement for the north east, north west, south east and south west marine plan areas](#)
- [Draft North East, North West, South East and South West Marine Plans: Consultation Summary 2020](#)

Between each iteration, targeted engagement was undertaken with stakeholder groups to address specific issues.

3.2 Stakeholder engagement during the consultation

The [Draft North East, North West, South East and South West Marine Plans: Consultation Summary 2020](#) details the stakeholder engagement undertaken to support the public consultation of the [Draft South West Marine Plan and Technical Annex](#). In summary, the activities undertaken included:

- hosting the [Draft South West Marine Planning Consultations 2020 Webinar](#), attended by 25 stakeholders: responses to the questions raised are provided within the published [questions and Answers from the South West Marine Planning Webinar](#) report and have been shared with stakeholders
- providing implementation training sessions which were attended by 165 representatives from 8 local authorities and other decision making groups
- publishing a range of communications and supporting material
- promoting interest around the launch of the consultation using both print and social media
- extending the consultation period by two weeks in response to the COVID-19 health emergency

3.3 Assurance processes within plan production

The development of the South West Marine Plan has been complemented and informed by several assurance processes, including formal statutory assessments (ie Habitats Regulations Assessment and Sustainability Appraisal). Further assurances in the development of the South West Marine Plan were provided through the following:

- Marine Planning Programme Board: includes representatives from government departments and provides assurance on delivery of the marine planning programme
- Peer Review Panel: a small group of independent specialists and experts who provide technical and user assurance to ensure that processes and outputs are robust
- Stakeholder Focus Group: includes representatives from a range of stakeholders and acts as a sounding board rather than providing assurance
- Statutory Nature Conservation Bodies: ensure that the Habitats Regulations Assessment has been prepared correctly and are required to sign off the final appropriate assessment
- Sustainability Appraisal Advisory Group: includes a range of statutory and non-statutory representatives, they advise on the processes and outputs of the Sustainability Appraisal

4. Overview of consultation responses

4.1 Assessment of the consultation responses

The Marine Management Organisation undertook a thorough process to analyse the comments received during the public consultation of the [Draft South West Marine Plan and Technical Annex](#), including:

- importing the outputs of the Citizen Space consultation tool and transcribing written responses into an analysis database
- identifying whether comments required amendments to the marine plan documents and recording an action against every comment in the analysis database
- identifying whether further engagement with stakeholders, based on their consultation response, was required (see Section 4.2)
- identifying comments made in response to the [Draft South West Marine Plan Documents](#) that were also relevant to the Draft North East, North West and South East Marine Plan Documents
- identifying whether there were any unresolved issues which would require an Independent Investigation
- sending relevant comments to the external contractors to revise the Sustainability Appraisal
- testing the analysis approach with the Peer Review Panel

4.2 Follow up discussions following consultation responses

Where required, the Marine Management Organisation undertook targeted engagement with relevant stakeholders to follow up on specific comments raised during consultation on the [Draft South West Marine Plan and Technical Annex](#) to agree a suitable resolution. The engagement process included:

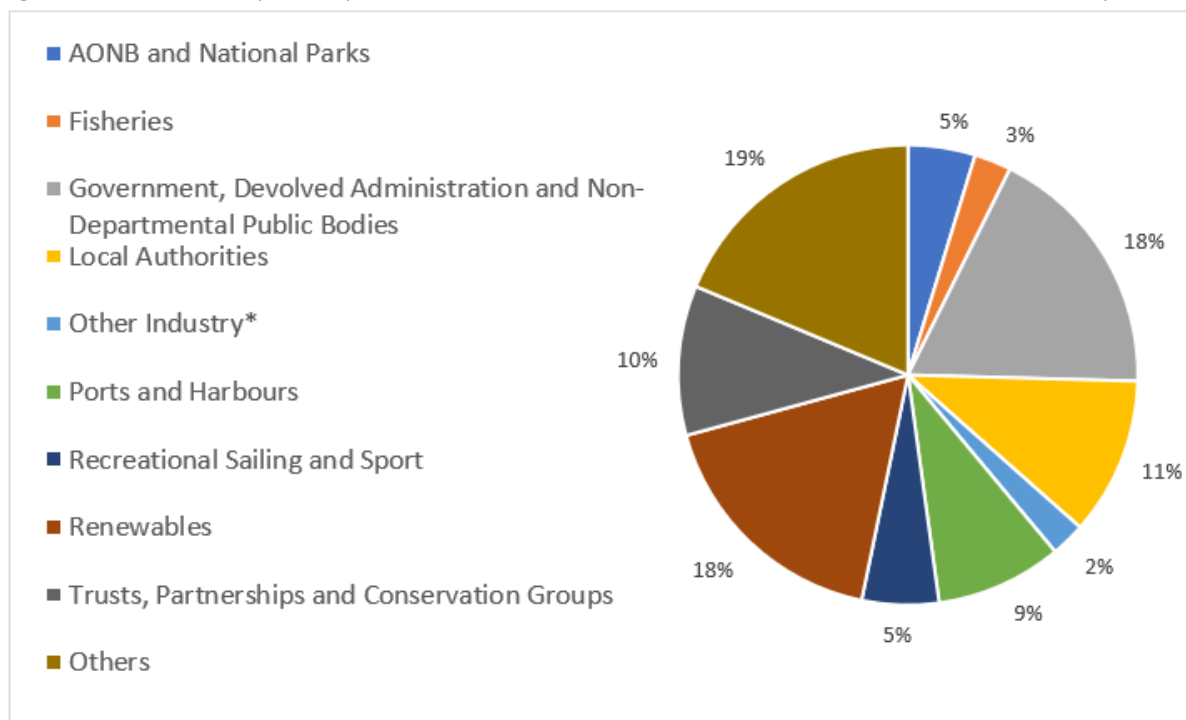
- discussing comments with 25 stakeholders to clarify comments made, or to discuss significant matters raised during consultation, where required; follow up emails were also sent to seek clarification on consultation responses
- where required, a note of the discussion was shared with stakeholders to confirm any outstanding actions and/or the resolution suggested
- following the assessment of comments received, government departments and delivery partners were engaged, in addition to any existing planned activities, through email and via telephone, as required

4.3 Respondent profile

A total of 122 responses, with 3,534 individual comments, were received to the consultation on the [Draft South West Marine Plan and Technical Annex](#). Please note that these totals include responses received from stakeholders who had selected multiple plan areas to respond to in a single response.

A breakdown of the respondent profile to the consultation on the [Draft South West Marine Plan and Technical Annex](#), by sector, is presented in **Error! Reference source not found.**

Figure 1 Breakdown of respondent profile to the consultation on the Draft South West Marine Plan Documents by sector



*Aggregates, Aquaculture, Cables, Carbon Capture and Storage, Oil and Gas

5. Summary of change to the consultation documents

Following an overview of the consultation questions, a summary is provided of changes made (Table 1) or not made (Table 2) in response to a summary of the comments received from the consultation. The focus is on relevant comments where changes were suggested or requested rather than comments that did not require amendments, for example those in agreement with the draft plan text or which reiterated the importance of various aspects of a particular plan policy. Where comments or changes have not been actioned a short explanation has been provided (see Table 2).

5.1 Overview of questions asked of respondents

Respondents to the consultation were asked to answer questions on the Draft South West Marine Plan and Draft Technical Annex to structure their response. Questions are detailed in Annex A.

For each section, respondents were asked to state whether they agreed, agreed subject to change or disagreed with content and were invited to provide a comment to justify their answer and/or suggested changes.

Stakeholder requests for amendments have been considered by taking account of the range of comments received, the marine plan evidence base, and other requirements such as the statutory assessments. Where, on balance, stakeholders were in favour of retaining the existing wording, or suggested a change that would contradict a legal or statutory requirement, the plan or technical annex has not been amended.

Figure 2 shows the proportion of respondents who agreed; agreed subject to changes; or disagreed, with the objectives of the [Draft South West Marine Plan and Technical Annex](#).

Figure 3 shows the number of respondents that agreed; agreed subject to changes; or disagreed with the policies of the [Draft South West Marine Plan and Technical Annex](#).

Figure 2 Proportion of respondents who agreed ('Yes'); agreed subject to changes ('Yes with changes'); or disagreed ('No'), with the objectives of the Draft South West Marine Plan

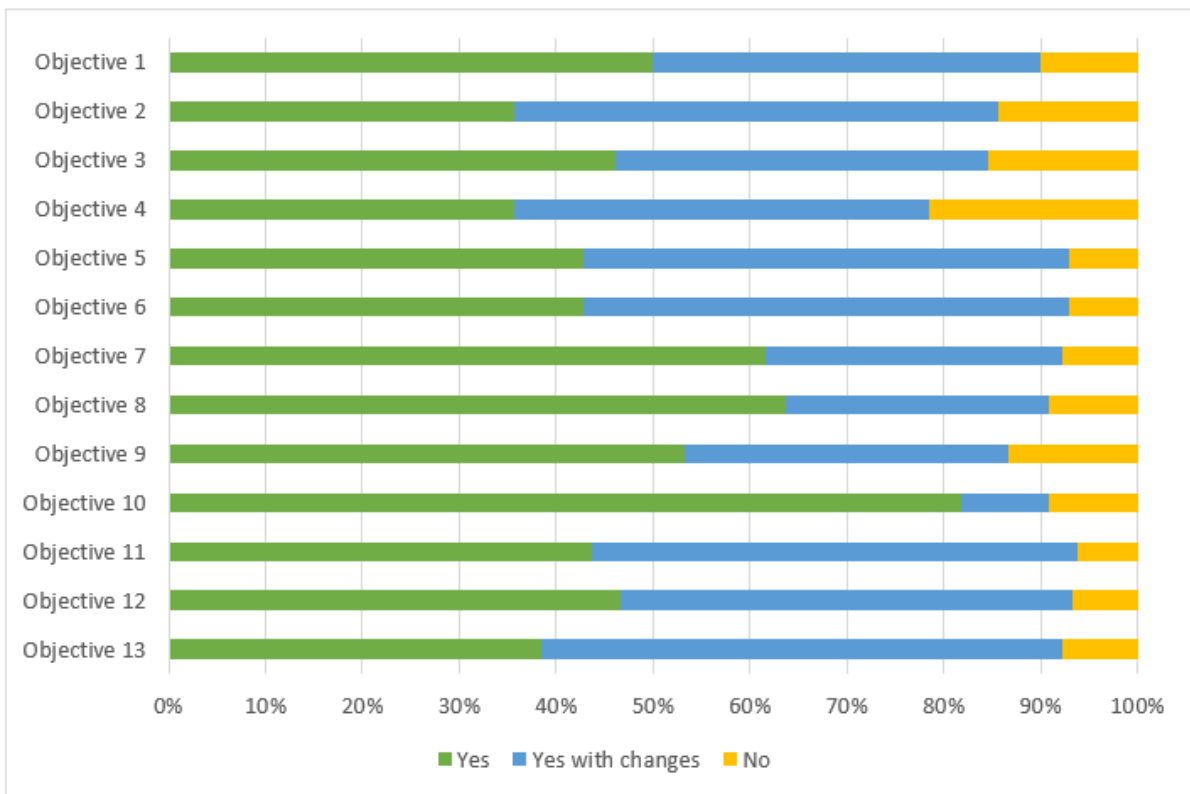
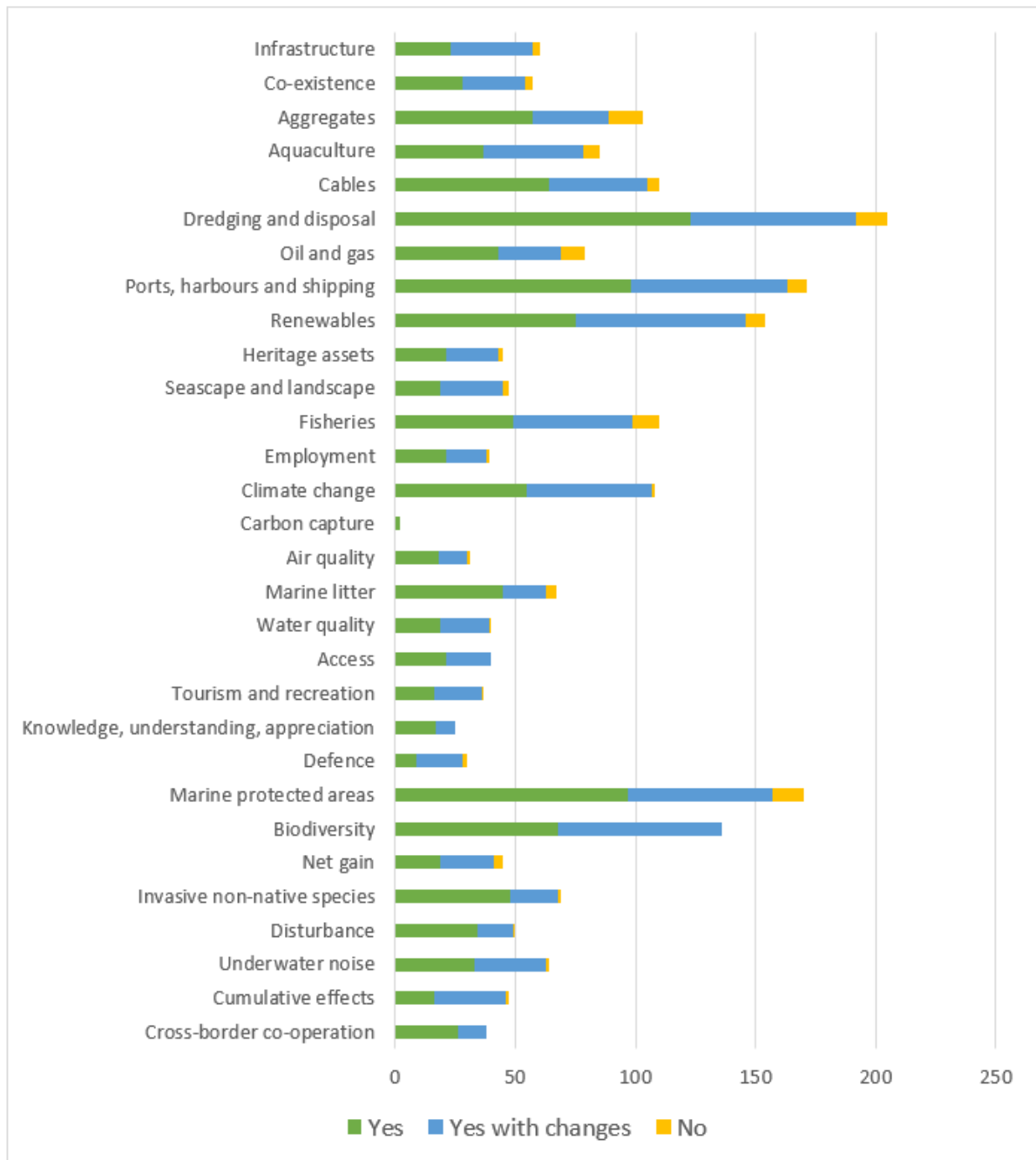


Figure 3 Number of respondents who agreed ('Yes'); agreed subject to changes ('Yes with changes'); or disagreed ('No'), with the policies of the Draft South West Marine Plan



5.2 Summary of change by section

Table 1 provides a summary of the comments received from the consultation which resulted in changes being made to the South West Marine Plan and Technical Annex.

Where required, mitigation measures identified as part of the statutory Habitats Regulations Assessment and Sustainability Appraisal have been applied to policies and supporting texts.

Structural changes have been made to all policies, including integration of the signposting sections into the policy supporting text and updating of hyperlinks, where required. The definitions provided in Annex 1 Glossary of the Technical Annex have also been updated to provide additional explanation, where necessary.

The South West Marine Plan and Technical Annex have been subjected to a full spelling and grammar check, in addition to an independent proof read of all material.

Table 1 Table showing summary of change by section

Section	Stakeholder comment summary	Resulting change made
Introduction and background	Clarify how the South West Marine Plan has been future proofed.	An additional paragraph clarifying how the marine plan policies have been future proofed has been added to Section 1.5 of the South West Marine Plan.
	Clarify the role of the Marine Management Organisation in decision-making linked to nationally significant infrastructure projects, pre-application discussions and how bordering nations are included in discussions.	Sections 3.3 and 3.6 have been updated to clarify roles and responsibilities.
	Provide stronger recognition of the role of the environment in supporting the local economy.	Reference to the environment strengthened throughout Section 1.2, including adding references to 'good environmental status'.

Section	Stakeholder comment summary	Resulting change made
	<p>Clarify that the marine plan policies should not be considered in isolation and that the South West Technical Annex is a statutory document.</p> <p>Acknowledge the spatial limitations of plans due to limited data.</p> <p>Acknowledge the role coastal partnerships in marine planning and implementation.</p> <p>Include the duty placed on all relevant authorities to have regard to the purposes of Areas of Outstanding Natural Beauty confirmed under the Countryside and Rights of Way Act (2000).</p> <p>Add in-combination effects to the statement which states that plans will address potential cumulative effects.</p>	<p>Clarification has been provided in Chapters 1 and 2 of the South West Marine Plan alongside guidance in Chapter 3 on how to apply the marine plan, including the technical annex.</p> <p>Text updated to explain that plans also provide a framework for how and when activities might take place in the plan area and are not just to inform spatial considerations.</p> <p>Text updated to explain the role of coastal partnerships.</p> <p>Text updated to reflect duties placed on authorities regarding Areas of Outstanding Natural Beauty.</p> <p>Text updated to include in-combination effects.</p>
Vision	<p>The vision needs to be more specific to the south west.</p> <p>Ensure consistency with other marine plans and the sectors that are included within them.</p>	<p>The vision has been amended to include the role of the south west in delivering offshore renewable energy and contributing to achieving the UK's net zero target. Reference has also been made to the importance of co-existence and co-location in reducing conflict and balancing economic, environmental and social needs.</p> <p>Additional regionally specific information has been added, including reference to cultural and heritage assets, as well as to major ports.</p> <p>The structure of the vision across the North East, North West, South East and South West Marine Plans has been aligned to ensure consistency across marine plans.</p>

Section	Stakeholder comment summary	Resulting change made
Marine Plan Objectives		
Overarching comments	No significant comments or associated changes.	
Objective 1	No significant comments or associated changes.	
Objective 2		
Objective 3		
Objective 4	Provide additional details on renewable energy, jobs and technology within the objective text.	Requested amendments have been made.
Objective 5	Correct factual errors in the objective wording.	Errors have been corrected.
Objective 6	No significant comments or associated changes.	
Objective 7		
Objective 8	Update the objective text to include offshore muds as carbon sinks.	Requested amendments have been made.
Objective 9	No significant comments or associated changes.	
Objective 10		
Objective 11	Emphasise the importance of enhancement as well as protecting, conserving and restoring biodiversity.	Requested amendments have been made.
Objective 12	No significant comments or associated changes.	
Objective 13		
Marine Plan Policies – General Comments		
Explore Marine Plans	Clarify that Explore Marine Plans is view only and that marine plan users should consult relevant authorities to discuss data gaps.	Section 3.5 has been updated. Specific references to Explore Marine Plans have been included within policies that require consideration of up-to-date spatial data. A link to the Department for Environment, Food and Rural Affairs Data Services Platform has been added.

Section	Stakeholder comment summary	Resulting change made
Mitigation hierarchy	Clarify how the mitigation hierarchy should be applied, particularly regarding how 'stating the case for proceeding' does not compromise the environment.	<p>The wording of the mitigation hierarchy has been standardised across policies. Section 3.2 of the South West Marine Plan has been updated to clarify the role of the hierarchy, how it should be applied and why the structure differs between policies.</p> <p>Specifically, standardised revisions to the wording and structure of the mitigation hierarchy have been applied to SW-ACC-1; SW-AGG-3; SW-AIR-1; SW-AQ-1; SW-BIO-1; SW-BIO-2; SW-BIO-3; SW-CAB-2; SW-CC-1; SW-CC-3; SW-CE-1; SW-CO-1; SW-DD-2; SW-DIST-1; SW-FISH-2; SW-FISH-3; SW-HAB-1; SW-HER-1; SW-ML-2; SW-MPA-1; SW-MPA-2; SW-MPA-4; SW-PS-1; SW-SCP-1; SW-TR-1; SW-UWN-2 and SW-WQ-1.</p>
Policy strength	Decrease/increase the strength of policies.	<p>Policy strength is dictated by the strength of the underpinning evidence and legislation as well as balancing individual policies against marine plan policy requirements. All marine plan policies have been assessed as part of the Sustainability Appraisal and Habitats Regulations Assessment.</p> <p>Policy strength was also subject to engagement during Iteration 2, where economic, environmental and social objectives were considered, and stakeholders invited to choose their preferred option.</p> <p>Unless otherwise stated (against the relevant policy in this table), policy strength has not changed since the Draft South West Marine Plan were published.</p>
Achieving a sustainable marine economy		
Infrastructure		
Section 5.1	Include a policy to address existing safeguarded and non-safeguarded landing facilities in the south west.	SE-INF-2 has been adapted and added to the South West Marine Plans as SW-INF-2.
SW-INF-1	Ensure that the wording of SW-INF-1 is consistent across the North East, North West, South East, South West Marine Plans.	Requested amendments have been made.

Section	Stakeholder comment summary	Resulting change made
	Provide a definition of 'appropriate infrastructure'.	Additional detail has been added to the definition of 'appropriate' within the supporting text.
Co-existence		
Section 5.2	No significant comments or associated changes.	
SW-CO-1	Provide additional information within the supporting text to support policy implementation by decision-makers.	<p>The supporting text has been amended to include a definition of 'co-location' and to provide examples of co-existence, as well as clarifying policy intent with regard to minimising and/or optimising the footprint of a proposal. Additional information has also been added to include mitigation measures required under the Sustainability Appraisal.</p> <p>The supporting text has been amended to acknowledge the need for spatial restrictions for certain activities in order to safeguard access to a resource.</p>
Aggregates		
Section 5.3	No significant comments or associated changes.	
SW-AGG-1	Clarify how 'other development or activities' might be applied.	The policy text has been amended to refer to 'the proposal', rather than 'other development or activity'.
SW-AGG-2		
SW-AGG-3	Clarify whether 'areas of future technical opportunity' are the same as 'areas of high potential' and provide details on how these areas are defined and how they affect other marine users.	The supporting text has been amended to explain that areas of 'future technical opportunity' are based on technical limitation only and do not have regard for existing users of the marine estate, or other factors including cultural and natural resources. Information on the modelling of aggregate extraction areas from The Crown Estate has also been added to the supporting text.
Aquaculture		
Section 5.4	No significant comments or associated changes.	
SW-AQ-1	Recognition needs to be given to the pacific oyster as an invasive non-native species and the historical impacts associated with its introduction.	Further information regarding the pacific oyster and its historical impacts has been added to the supporting text.

Section	Stakeholder comment summary	Resulting change made
	Maps of the outputs of the Identification of areas of aquaculture potential in English waters (MMO1184) report must be included in the adopted plan.	Comments received, as part of the consultation, on the report outputs were fed into validation of the aquaculture model. The outputs of the Identification of areas of aquaculture potential in English waters (MMO1184) report have been included in maps in section 5.4 of the Technical Annex, with instructions and examples, including how to use the mapped outputs.
SW-AQ-2	<p>Concern that this policy gives unqualified support for aquaculture, especially if read in isolation.</p> <p>Clarify that the onus is on proponents to ensure that they are avoiding significant adverse impacts on the environment.</p>	<p>The definition of ‘sustainable aquaculture’ and why it is important has been updated. The supporting text has also been amended to clarify that the policy should not be applied in isolation.</p> <p>Implementation text has been amended to include a non-exhaustive list of significant adverse environmental impacts that should be avoided. The list of consultees has been updated and links to regulatory guidance and tools have been added.</p>
Cables		
Section 5.5	Ensure that the use of terminology is consistent, particularly with regards to the terms ‘subsea’, ‘submarine’, ‘interconnector’ and ‘export cables’.	The supporting text has been amended to ensure consistency of subsea and submarine cables. The difference between an interconnector and export cables has also been clarified.
SW-CAB-1	<p>Change ‘burial’ in the policy to clarify that the intent of burial is for cable protection.</p> <p>Provide more context in the supporting text on when burial is appropriate and when it is not.</p>	Included information on when burial is appropriate to the implementation text.
SW-CAB-2	Define ‘future landfall opportunities’ and provide further information on how they can be differentiated from ‘existing landfall sites’.	The supporting text has been amended to include suggested evidence sources on the determination of ‘potential future landfall sites’. Reference to cable bundling/sharing as mitigation measures for reducing impacts on existing landfall sites has also been provided.
SW-CAB-3	Clarify how ‘compatibility with existing cable assets’ should be demonstrated.	The supporting text has been amended to include definitions of ongoing function, maintenance and decommissioning of cables.

Section	Stakeholder comment summary	Resulting change made
Dredging and disposal		
Section 5.6	<p>Ensure that the Coast Protection Act 1949 is referenced correctly.</p> <p>Include reference to port and harbour powers that fall under local acts.</p> <p>Provide reference to inlets as an example of clearance dredging.</p> <p>Provide a definition of 'major' and 'minor' ports.</p> <p>Remove the redundant description of 'adjacent areas'.</p> <p>Remove examples of activities that have the potential to impact dredging activity.</p>	<p>All references to the Coast Protection Act 1949 have been checked, and amended where necessary, to ensure that they are correct.</p> <p>Reference to port and harbour powers that fall under local acts has been added into the supporting text.</p> <p>The example of inlets has been added as an example of clearance dredging.</p> <p>Reference to 'major' and 'minor' ports has been removed.</p> <p>The description of 'adjacent areas' has been removed.</p> <p>Examples of activities that have the potential to impact on dredging activity have been removed.</p>
SW-DD-1	Add 'significant' to the proponent section of the supporting text.	The proponent section of the supporting text has been amended to include the term 'significant'.
SW-DD-2	<p>Add 'significant' to the proponent section of the supporting text.</p> <p>Change the term 'areas' in the policy wording to 'sites'.</p> <p>Add reference to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</p>	<p>The proponent section of the supporting text has been amended to include the term 'significant'.</p> <p>The term 'areas' in the policy wording has been amended to 'sites'.</p> <p>Reference to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 has been added.</p>
SW-DD-3	Clarify the licensing process, particularly with regards to alternative use sites.	Clarity around the waste hierarchy has been added. The role of the Centre for Environment, Fisheries and Aquaculture Science has been added.

Section	Stakeholder comment summary	Resulting change made
	<p>Include 'alternative use' in the policy wording for SW-DD-3.</p> <p>Add references to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, River Basin Management Plans and Port Maintenance Dredge Protocol.</p>	<p>Alternative use is considered as part of best practice. Clarification that alternative use sites are considered as disposal sites has been added to the supporting text.</p> <p>References to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, River Basin Management Plans and Port Maintenance Dredge Protocol have been added.</p>
Oil and gas		
Section 5.7	No significant comments or associated changes.	
SW-OG-1	Clarify the safeguarding intent of the policy.	Clarification on the implementation of the safeguarding element of the policy has been provided.
SW-OG-2	No significant comments or associated changes.	
Ports, harbours and shipping		
Section 5.8	<p>Reference to 'harbour administration area' must be updated to the correct terminology, 'statutory harbour area'.</p> <p>Some ports were omitted in the figures or named incorrectly.</p>	<p>The policy supporting text and associated maps have been amended to reflect correct terminology.</p> <p>Maps have been checked and updated to ensure that they include as many ports as possible given space limitations.</p>
SW-PS-1	<p>The National policy statement for ports must be included in the policy wording to align the policy with those in the devolved administration plans.</p> <p>The policy needs to better reflect the support for sustainable port development, as in the National policy statement for ports, align the policy with those in the devolved administration plans.</p>	<p>Added references to the National policy statement for ports to the policy wording.</p> <p>The policy has been amended to explicitly support sustainable port and harbour development, in line with the National policy statement for ports.</p>

Section	Stakeholder comment summary	Resulting change made
	The policy should reflect the role of statutory harbour masters to avoid the potential of putting a port or harbour authority in a position that would detrimentally and materially affect safety of navigation, or the compliance by the harbour authority with the Open Port Duty or the Port marine safety code .	The policy has been amended to reflect safety of navigation, and compliance by statutory harbour authorities with the Open Port Duty and the Port marine safety code .
SW-PS-2	The supporting text should put a greater emphasis on consultation with the harbour master	Clarification on the role of the harbour master has been added.
SW-PS-3	The supporting text should put a greater emphasis on consultation with the harbour master. Include the methodology for high density shipping as shown in the East and South Marine Plans Technical Annex.	Clarification on the role of the harbour master has been added. Reference to the Mapping UK shipping density and routes from AIS (MMO1066) report, the evidence project that developed the methodology, has been added.
SW-PS-4	Add reference to environmental legislation.	Requested change has been made.
Renewables		
Section 5.9	Update renewable energy targets to reflect the commitments made in the Conservative Manifesto. Clarify the relationship between The Crown Estate and Marine Planning. This section should consider the future deployment of technology types other than fixed foundation offshore wind.	Renewable energy targets have been updated. A paragraph on the relationship between The Crown Estate and the Marine Management Organisation has been added. An introductory paragraph on floating offshore wind technology has been added. Updated the supply chain paragraph to also reference opportunities presented by floating offshore wind. A description of location and depth requirements for floating offshore wind has been added and reference to theoretical generating capacity of wave and tidal generating devices provided.

Section	Stakeholder comment summary	Resulting change made
SW-REN-1	Clarify how the policy could be applied in the intertidal area, specifically that this is a marine plan policy that is to be used in conjunction with terrestrial policies.	References have been updated to demonstrate how the policy can be applied, specifically reference to the Maximising the socio-economic benefits of marine planning for English coastal communities (MMO1001) report has been replaced with links to supply chain directories and the Offshore Wind: Sector Deal .
SW-REN-2	No significant comments or associated changes.	
SW-WIND-1	<p>Include other renewable energy technology types.</p> <p>The policy gives unqualified support for renewable energy developments, specifically in regard to visual impacts on designated landscapes.</p> <p>Clarify where the spatial data layers underpinning SW-WIND-1 are sourced.</p>	<p>SW-WIND-1 has become SW-REN-3 and expanded to cover floating offshore wind, wave and tidal energy types.</p> <p>A caveat has been added to the policy wording to reference relevant assessments. A section has been added to make it explicit that SW-REN-3 does not preclude the need to undertake other assessments in order to comply with existing legislation. The link to SW-SCP-1 has been strengthened.</p> <p>Link to Marine Data Exchange added for access to Round 4 characterisation reports. Updated layer name in the associated map in line with The Crown Estate terminology.</p>
Ensuring a strong, healthy and just society		
Heritage assets		
Section 5.10	No significant comments or associated changes.	
SW-HER-1	SW-HER-1 does not differentiate between ‘substantial harm’, ‘less than substantial harm’ and ‘no harm’ as per terrestrial planning.	SW-HER-1 has been amended to differentiate between ‘substantial harm’, ‘less than substantial harm’ and ‘no harm’ for greater compatibility with National Planning and Policy Framework . Further amendment has been made to the supporting text to clarify designated and non-designated assets.
Seascape and landscape		
Section 5.11	No significant comments or associated changes.	

Section	Stakeholder comment summary	Resulting change made
SW-SCP-1	Include references to protected landscape designations and specific areas or landmarks in the supporting text.	SW-SCP-1 has been amended to take account of the character, quality and distinctiveness of seascape and landscape generally. Amendments explicitly recognise the specific statutory purposes of designated areas (ie national parks and areas of outstanding natural beauty) as well as world heritage sites and heritage coasts.
Fisheries		
Section 5.12	<p>Clarify whether policies apply to both recreational and commercial fishing.</p> <p>Policies should reflect the seasonal nature of fisheries. Amend the maps to identify where there is no data rather than no essential fish habitat or activity and add more data for smaller fishing vessels.</p> <p>The historical importance of fisheries to local communities and the need to diversify to remain sustainable should be reflected in the policy supporting text.</p>	<p>Clarification has been added to SW-FISH-1, SW-FISH-2 and SW-FISH-3 to explain that for the purposes of the marine plan, recreational fishing is considered as an activity that falls under the tourism and recreation policy.</p> <p>The supporting text has been updated to highlight that temporal and seasonal aspects of fisheries activities must be considered, as well as the spatial aspect. Data gaps for smaller fishing vessel activity or essential fish habitat have been highlighted, as well as recommendations to gather additional data from local sources.</p> <p>Detail has been added to encourage support for diversifying markets into locally-caught fishery products, or proposals that lead to a rejuvenation of local fisheries. Data gaps for smaller fishing vessel activity have been highlighted, as well as recommendations to gather additional data from local sources. A definition of what constitutes a 'sustainable fishery' has been added to SW-FISH-1, SW-FISH-2 and SW-FISH-3 drawing on the Fisheries Bill. Additional examples of predicted climate change impacts on fisheries have been added to the supporting text.</p>
SW-FISH-1	No significant comments or associated changes.	
SW-FISH-2	Concerns were raised that the term 'significant' can be used as a loophole in the Environmental Impact Assessment process and is often detrimental to fishing in decision-making.	Clarification that 'significant adverse impacts' also include the impediment, and not just the prevention of access has been added, as well as the specification that information on traditional fishing grounds should be obtained.

Section	Stakeholder comment summary	Resulting change made
	Additional spatial information on smaller vessels is required and further clarification on where the burden of proof lies where data is lacking.	Caveats have been added to highlight gaps in the data and to encourage proponents and decision-makers to refer to additional sources of information, particularly for coastal waters.
SW-FISH-3	<p>Concerns about data gaps in the nursery and spawning grounds map.</p> <p>Net gain should be represented in this policy. A definition of environmental limits for implementation to be possible is required.</p>	<p>Explanations on data gaps have been added, with a recommendation for proponents and decision-makers to gather additional data from local sources.</p> <p>Environmental caveats have been added to the supporting text including signposting to the net gain box within the South West Marine Plan and an emphasis on the need for an ecosystem approach.</p>
Employment		
Section 5.13	No significant comments or associated changes.	
SW-EMP-1	<p>SW-EMP-1 should recognise the importance of maintaining existing employment opportunities and support the creation of quality jobs. Reference to relevant plans and strategies should also be provided.</p> <p>Provide further detail on identifying ‘most deprived areas’ beyond the use of national deprivation indices.</p> <p>Acknowledge the provision of land-based skills that support marine-based employment opportunities.</p>	<p>Policy wording has been updated to clarify support for proposals that will maintain existing employment opportunities. Supporting text has been amended to acknowledge the importance of maintaining existing and traditional employment opportunities in delivering a net increase in marine-related employment. Support for the creation of quality jobs and land-based skills that support marine-based employment opportunities has also been clarified.</p> <p>The role of Local Planning Authorities in providing additional area specific information on local deprivation beyond the national deprivation indices has been acknowledged.</p> <p>Reference to relevant supporting plans and strategies has been added.</p>
Climate change		
Section 5.14	No significant comments or associated changes.	

Section	Stakeholder comment summary	Resulting change made
SW-CC-1	Supporting text should illustrate the benefits habitats have on carbon sequestration, including references to submerged peat deposits and forests. Include reference to habitat restoration and suitable reuse of dredged material.	The policy wording has been amended to align with Department for Environment, Food and Rural Affairs guidance on climate change. New supporting text has been added, including reference to the net gain box within the Technical Annex which replaces the net gain policy (SW-NG-1). References to peat bogs for carbon sequestration, habitat restoration and better references to Shoreline Management Plans and flood and coastal erosion risk management have been added.
SW-CC-2	Clarify the impacts if proponents cannot meet the policy requirements.	Further guidance has been added for decision-makers for when the policy has not been met.
SW-CC-3	Include references to Shoreline Management Plans, coastal change management areas and flood and coastal erosion risk management.	The suggested references have been added.
Air quality		
Section 5.15	Add a reference to net zero carbon emissions.	The definition of 'air quality' has been updated to include reference to net zero. The supporting text has also been updated to include reference to the Climate Change Act 2008 target of net zero emissions by 2050.
SW-AIR-1	<p>Clarify that climate change targets apply in relation to this policy.</p> <p>Clarify the definition of 'air pollutants'.</p> <p>The supporting text should highlight cross-boundary effects of air quality and emissions.</p> <p>Check consistency of policy wording and supporting text between marine plan areas.</p> <p>Clarify that proposals not meeting legal requirements will not be supported within the policy aim.</p>	<p>The supporting text has been updated to include reference to the Climate Change Act 2008 target of net zero emissions by 2050.</p> <p>The definition of 'air pollution' has been updated to list specific pollutants.</p> <p>The supporting text has been updated to highlight cross-boundary effects and signpost to SW-CBC-1.</p> <p>Minor changes were made to the policy wording to ensure consistency between marine plans. The policy intent was clarified by amending the title to 'air quality and emissions'.</p> <p>Amendments have been made to the policy aim to clarify that proposals that do not meet legal requirements must not be supported.</p>

Section	Stakeholder comment summary	Resulting change made
Marine litter		
Section 5.16	<p>Include negative impacts from recreation as well as tourism.</p> <p>Highlight the links between shellfish aquaculture and marine litter.</p>	<p>The supporting text has been amended to recognise that tourism and recreation contribute to marine litter.</p> <p>The supporting text has been amended to highlight the links between shellfish aquaculture and marine litter.</p>
SW-ML-1	<p>Clarify the definition of lost or discarded fishing gear, the removal of marine litter, waste management and the role of the waste planning authority. Additional clarifications on the definition of ‘public authority jurisdiction’ and ‘marine litter’ are also required.</p> <p>Provide further information on the sources and risks of marine litter.</p> <p>Explain how the application of this policy helps to address the issue of abandoned, lost or discarded fishing gear.</p>	<p>Further clarification of definitions, terms and supporting legislation have been provided in the supporting text, including the provision of examples, where relevant.</p> <p>The supporting text has been amended to further highlight the impacts of marine litter, as well as providing examples of potential sources and pathways of marine litter, including from the terrestrial environment.</p> <p>Other revisions to the supporting text include highlighting policy benefits in reducing marine litter and the provision of further information on policy implementation.</p>
SW-ML-2	<p>Acknowledge that it might not be possible to avoid or minimise marine litter. Provide examples to demonstrate how marine litter could be avoided, minimised or mitigated.</p> <p>Provide examples of what should be considered in a waste management approach.</p>	<p>Explanation added that mitigation may be required as a means by which the impacts of marine litter can be reduced, if introduction cannot be avoided or minimised. Examples of mitigation have been provided in the supporting text.</p> <p>Examples of avoiding or minimising marine litter have been added to the supporting text.</p> <p>Added requirement that proposals should include information about how they will provide well designed, functional and accessible refuse and recycling storage space which allows for ease of collection.</p>

Section	Stakeholder comment summary	Resulting change made
Water quality		
Section 5.17	No significant comments or associated changes.	
SW-WQ-1	<p>Update the supporting text to reflect the different requirements for implementation in the inshore and offshore marine plan areas.</p> <p>Include 'protect' in the policy wording.</p>	<p>The supporting text has been amended to clarify the implementation approaches regarding The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 out to one nautical mile and then The Marine Strategy Regulations 2010 out to the outer limit of the Exclusive Economic Zone. Reference to the Estuary Edges ecological design advice and how it can support the implementation of this policy has been provided. Reference to proposals clearly outlining baseline classification status for local waterbodies which may be influenced by the activity has also been included. Clearer examples of proposals that are of benefit to water quality have also been provided.</p> <p>Policy wording has been amended to clarify support for proposals that 'protect' water quality.</p>
Access		
Section 5.18	No significant comments or associated changes.	
SW-ACC-1	<p>Recognise requirements to restrict public access, in certain areas (eg for health, safety and security reasons) and ensure that increased public access does not compromise nature conservation objectives, by increasing disturbance to protected species and habitats, or other existing activities.</p> <p>Recognise role of plans and strategies in supporting policy implementation.</p>	<p>Additional definitions and clarification of policy terms have been included within the supporting text to further recognise public access restriction requirements for policy implementation. Examples of disturbance resulting from increased public access have been included within the supporting text.</p> <p>The supporting text has been amended to recognise the role of relevant plans and strategies in supporting policy implementation.</p>

Section	Stakeholder comment summary	Resulting change made
Tourism and recreation		
Section 5.19	No significant comments or associated changes.	
SW-TR-1	Highlight potential adverse impacts of tourism and recreation.	The supporting text has been amended to provide additional resources to support decision-makers when implementing the policy, including examples. Amendments have also been made to make the supporting text more specific to the south west marine plan areas.
Knowledge, understanding, appreciation and enjoyment		
Section 5.20	No significant comments or associated changes.	
SW-SOC-1	SW-SOC-1 is aspirational and needs to not only 'consider', but demonstrate how proposals will enhance public knowledge, understanding, appreciation and enjoyment of the marine environment.	The policy wording has been amended to require proponents to demonstrate how their proposal shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment.
Defence		
Section 5.21	No significant comments or associated changes.	
SW-DEF-1	Address the differences in the supporting texts between the North East, South East, North West and South West Marine Plans.	Amendments to the supporting texts have been made to ensure consistency across the North East, South East, North West and South West Marine Plans.
Living within environmental limits		
Marine protected areas		
Section 5.22	Explain which marine protected sites are international, European and national.	Explanations of international, European and national marine protected areas have been added.
SW-MPA-1	Clarify that Ramsar sites are treated as European sites.	Amendments have been made to the supporting text to clarify the legislative process and to signpost to the most up-to-date case law. Reference to relevant byelaws for marine conservation and management of fishing activities have been added.
SW-MPA-2	Provide clearer examples for minimisation and mitigation are needed.	The supporting text has been updated to clarify the legislative process for marine protected areas and the need to consider the latest case law. Marine conservation and management of fishing activities byelaws have been signposted to in the supporting text, including examples.

Section	Stakeholder comment summary	Resulting change made
SW-MPA-3	Standardise the supporting text so that it is in line with terminology used by Natural England.	Terminology has been updated to 'may' from 'will likely' to ensure climate change is not foreseen as inevitable in the text.
SW-MPA-4	The policy needs to be clear that it covers geodiversity. Explain that adverse impacts on geodiversity may impact areas outside the marine plan areas.	MPA-4 policy wording has been amended so that 'designated geodiversity' appears in the initial line of the policy. Explanation of geological conservation review sites has been updated. The supporting text now also signposts to the relevant byelaws for marine conservation and management of fishing activities. Explanation of wider impacts of adverse impacts on geodiversity added.
Biodiversity		
Section 5.23	There are discrepancies between the policy aim text in the South West Marine Plan and Technical Annex. Provide information on habitats and species in the local area to improve the local specificity of the marine plan.	The policy aims of the biodiversity policies have been updated and amended to address the discrepancies between the marine plan and technical annex. Local information on habitats and species has been incorporated into the supporting text.
SW-BIO-1	Clarify compensation requirements.	The supporting text has been amended to highlight statutory requirements for assessments within marine protected areas, including Habitats Regulations Assessment.
SW-BIO-2	No significant comments or associated changes.	
SW-BIO-3	Clarify that the policy aims to protect habitats from the effect of coastal squeeze. Concern about the net gain element of the policy.	The supporting text has been amended to clarify the policy's intent to protect habitats from the effects of coastal squeeze. The net gain element of SW-BIO-3 has been removed. SW-BIO-3 retains a positive enhancement element of the net gain policy (SW-NG-1) to encourage recovery, enhancement and restoration of coastal habitats.
SW-HAB-1	No significant comments or associated changes.	

Section	Stakeholder comment summary	Resulting change made
Net gain and natural capital		
Section 5.24	Provide further clarity on the implementation of net gain, particularly in relation to proposals within the offshore marine area. Net gain should be delivered across all proposals, and not just for those that cannot avoid, minimise or mitigate significant adverse impacts.	An information box has been provided in the marine plan detailing current biodiversity net gain obligations for terrestrial planning decisions and how biodiversity and net gain principles should be implemented in the marine environment, following engagement with the Department for Environment, Food and Rural Affairs.
SW-NG-1	SW-NG-1 should be removed as the government is yet to determine its approach to delivering net gain in the marine area and discussions over the intertidal biodiversity metric are still ongoing.	SW-NG-1 has been removed from the South West Marine Plan.
Invasive non-native species		
Section 5.25	No significant comments or associated changes.	
SW-INNS-1	<p>The policy aim should cover proposals seeking to eradicate invasive non-native species, or those that will avoid or minimise the introduction and/or spread of invasive non-native species.</p> <p>The supporting text should be made specific to the south west marine plan areas. Further examples and clarification of biosecurity measures should be provided within supporting text.</p> <p>Clarify what happens if proposals do not adhere to the policy.</p> <p>Acknowledge that monitoring of invasive non-native species is generally poor.</p>	<p>The policy aim has been amended to include reference to eradication as a biosecurity measure.</p> <p>Amendments have been made to the supporting text, including the addition of information specific to the south west marine plan areas and an additional example of a biosecurity measures.</p> <p>The supporting text has been amended to state that proposals will not be supported if they do not adhere to policy.</p> <p>A statement acknowledging the importance of, and encouraging, monitoring has been added to the supporting text.</p>
SW-INNS-2	Acknowledge that monitoring of invasive non-native species is generally poor.	A statement acknowledging the importance of, and encouraging, monitoring has been added to the supporting text.

Section	Stakeholder comment summary	Resulting change made
Disturbance		
Section 5.26	No significant comments or associated changes.	
SW-DIST-1	Additional information on the types and impacts of disturbance to highly mobile species and management measures is required.	Requested amendments have been made.
Underwater noise		
Section 5.27	No significant comments or associated changes.	
SW-UWN-1	No significant comments or associated changes.	
SW-UWN-2	The mitigation and minimise examples given in the supporting text are incorrect and need to be changed.	Amendments have been made to the supporting text to provide appropriate examples of measures used to avoid, minimise and mitigate the impacts of underwater noise.
Promoting good governance		
Cumulative effects		
Section 5.28	No significant comments or associated changes.	
SW-CE-1	<p>Clarify the definition of 'effect'.</p> <p>Include heritage assets as features that may be impacted by cumulative effects.</p> <p>Proposals must also consider cross border cumulative effects.</p>	<p>Amendments have been made to the supporting text to provide additional clarification of 'effect'.</p> <p>Reference to heritage assets as potential receptors to cumulative effects has been provided.</p> <p>A section has been added to the supporting text outlining the need for proposals to account for cross-border cumulative effects outside of the south west marine plan areas. An additional statement has also been added regarding policy implementation and the requirements for cumulative effects to be resolved.</p>
Cross-border co-operation		
Section 5.29	No significant comments or associated changes.	
SW-CBC-1	Incorporate 'duty to co-operate' as part of the management process for marine and terrestrial planning.	The terminology used within the supporting texts has been updated, including reference to 'duty to co-operate' within the implementation section.

Section	Stakeholder comment summary	Resulting change made
Monitoring, review and reporting overview		
Monitoring, review and reporting	No significant comments or associated changes.	

5.3 Summary of no change by theme

Table 2 provides a summary of the comments received from the consultation which requested or suggested changes but which did not lead to revision of the South West Marine Plan and Technical Annex.

Table 2 Table showing summary of no change by theme

Section	Stakeholder comment summary	Justification
Vision	Include sector level information in the vision.	Suggested changes to the visions were not made as they were either not feasible or were not within the remit of marine planning.
Marine Plan Objectives		
Objective 1	Amendments to the high level marine objectives. Reassign policies to different objectives.	The high level marine objectives are set out in the Marine Policy Statement . The marine plan policies will contribute to the delivery of more than one marine plan objective. However, for clarity of presentation, marine plan policies have been assigned to the most relevant objective. Marine plan policies should not be taken in isolation and the plan applied as a whole, as set out in Section 2.3 of the South West Marine Plan.
Objective 2		
Objective 3		
Objective 4		
Objective 5		
Objective 6		
Objective 7		
Objective 8		
Objective 9		
Objective 10		
Objective 11		
Objective 12		
Objective 13		
Marine Plan Policies		
Policies overview	Consider other sectors/environment, social or economic impacts within sector specific marine plan policies. Two-part policies should be split into separate policies.	Marine plan policies should not be taken in isolation and the marine plan applied as a whole, as set out in Section 2.3 of the South West Marine Plan. Two part policies have both protect and conserve elements. Which part of the policy is applicable is dependent on the proposal and should be determined by the decision-maker.

Section	Stakeholder comment summary	Justification
Definition of terms	<p>Significant.</p> <p>Sector specific terminology.</p>	<p>Significance can vary on the type, scale and location of a proposal.</p> <p>Sector specific terminology used throughout the marine plan documents is defined in the South West Marine Plan Technical Annex, Annex 1 Glossary</p>
Co-existence	Potential research opportunities for future evidence projects.	Future research opportunities have been noted and will be considered as part of the Marine Management Organisation's evidence prioritisation.
Aggregates	<p>Define 'proposal'.</p> <p>Add 'safeguarding' into the policy texts.</p>	<p>'Proposal' as it is written for SW-AGG-1 and SW-AGG-2, incorporates both aggregate and non-aggregate proposals and is for the decision maker to define.</p> <p>Safeguarding is already implied in the policy aim.</p>
Cables	<p>The policy should be clearer that burial is not the preferred option in all cases.</p> <p>Change SW-CAB-2 to include consented as well as existing cables.</p>	<p>The policy encourages burial but does also recognise that burial is not always appropriate and therefore provides alternatives.</p> <p>Changes to policy wording to include 'operation' have not been included as these aspects are captured under 'ongoing function'. The request to change the policy to include consented as well as existing cables has not been actioned. It would be challenging to demonstrate compatibility with a cable that does not yet exist particularly when the exact details of that cable may not yet have been defined.</p>
Dredging and disposal	<p>Narrow the scope of SW-DD-1 to include only navigation maintenance dredging.</p> <p>Change the intention of SW-DD-1 from preventing impacts on dredge activity from other proposals, to support dredging activities in a more positive way.</p> <p>Specify the criteria within the waste hierarchy in SW-DD-3.</p>	<p>The Marine Policy Statement requires that marine plans support all types of dredging activity, where appropriate.</p> <p>The current approach of preventing impacts was preferred by most stakeholders during the options development process and stakeholder engagement. Sector level marine plan policies require that proposals for dredging activities consider impacts on other sectors. Furthermore, marine plan policies should not be taken in isolation and the marine plan applied as a whole.</p>

Section	Stakeholder comment summary	Justification
	<p>Reference specific types of dredge or disposal activity, such as water injection dredging, in SW-DD-3.</p> <p>Outline how implementation of the activity will be monitored.</p>	<p>The criteria within the waste hierarchy are referenced within the policy. Marine plans do not seek to reiterate or replace existing legislation.</p> <p>The preferred method of dredge and disposal activity depends on sediment type, transport requirements and environmental implications, therefore it is not appropriate to specify a specific methodology in SW-DD-3.</p> <p>A detailed description of monitoring was not included in the marine plan as requirements be would set through licence conditions applied to the proposal.</p>
Oil and gas	The inclusion of oil and gas policies during a period of transition to a more carbon neutral economy is not consistent with the Paris Agreement and UK climate change policies.	The current importance of oil and gas to the UK energy mix in existing legislation needs to be reflected in marine plans.
Ports, harbours and shipping	<p>Include a policy for statutory harbour masters in line with SW-DEF-1 or include the National policy statement for ports in the SW-PS-1 policy text to bring the plans in line with those of other UK devolved administrations.</p> <p>Combine SW-PS-2 and SW-PS-3 should be combined.</p>	<p>The National policy statement for ports has been added to the policy wording of SW-PS-1, removing the need for an additional policy.</p> <p>SW-PS-2 reinforces longstanding international management measures. It accounts for the needs of shipping in International Maritime Organization routes and highlights their importance across all sectors. SW-PS-3 is specific and can only be delivered through marine plans. It bridges the gap in the shipping network, connecting International Maritime Organization measures and proactively makes the case for space for shipping in the face of growing industries with permanent footprints (eg offshore wind farms).</p>

Section	Stakeholder comment summary	Justification
	<p>'Encroach upon' should be removed from SW-PS-2 or added to other policies.</p> <p>SW-PS-3 should provide a provision over time to represent future growth in shipping, noting that navigation routes will vary in both position and traffic density over time.</p>	<p>The definition of 'encroachment' is a gradual advance beyond usual or acceptable limits or overstepping a boundary (in this case the International Maritime Organization routes and their buffer zones). This does not apply to other sectors as those proposals and their boundaries, as defined by The Crown Estate, are temporary (ie for the duration of the licence, so will not need to be added to other policies or removed from SW-PS-2).</p> <p>A particular navigation route that might be identified as a constraint during the planning phase of an offshore wind farm could become redundant by the time that development would be due to progress into the offshore construction phase.</p>
Renewables	<p>Spatially define SW-REN-1 to remove automatic support for any proposals that relate to the supply chain.</p> <p>The policy precludes the requirements of Environmental Impact Assessment, Habitats Regulations Assessment and Sustainability Appraisals.</p> <p>Include a nuclear policy.</p>	<p>SW-REN-1 could be applied to a diverse of businesses. Spatially defining the policy could inadvertently restrict future development of supply chains.</p> <p>Introductory text to the marine plan outlines the legislative basis in which marine plan policies sit. The marine plan policies reiterate that policy compliance does not remove the requirement to undertake statutory assessments. The supporting text states that marine plan policies do not preclude any existing requirements.</p> <p>Nuclear power generation is a nationally significant infrastructure project and largely covered by the terrestrial planning regime. Marine impacts of nuclear deployment are covered by other policies (eg water quality).</p>
Fisheries	<p>Include examples of significant adverse impacts to SW-FISH-2.</p> <p>Combine SW-FISH-2 and SW-FISH-3.</p>	<p>Specific examples of significant adverse impacts were not added to SW-FISH-2 as a non-exhaustive list of examples is already included.</p> <p>SW-FISH-2 could not be combined with SW-FISH-3 because they cover different subjects.</p>

Section	Stakeholder comment summary	Justification
	<p>Include 'conserve' in SW-FISH-3.</p> <p>Information provided by proponents to support applications is biased and inaccurate information.</p> <p>Provide a definition of what constitutes a sustainable fishery.</p>	<p>The addition of 'conserve' to SW-FISH-3 is not necessary as the mitigation hierarchy manages impacts of other activities on essential fish habitat.</p> <p>The type and quality of information required is to be determined by the decision-maker and is determined by legislative requirements (eg The Town and Country Planning (Environmental Impact Assessment) Regulations 2017).</p> <p>Providing a definition of what constitutes a sustainable fishery is not within the remit of marine planning, the supporting text explains that the Fisheries Bill should be consulted for such a definition.</p>
Employment	<p>Include sector specific strategies and reports.</p>	<p>Explicit mention to sector specific strategies and reports has not been provided as they are supported by the higher level policy/guidance documents already referenced in the supporting text. Furthermore, the supporting text clarifies that the policy criteria is not exhaustive and may be supported by other relevant employment and skills strategies.</p>
Climate change, resilience and adaptation	<p>Remove 'significant' from the policy wording of SW-CC-1.</p> <p>Explain why SW-CC-1 applies the south west offshore marine plan area.</p>	<p>The word 'significant' has been retained in SW-CC-1 as it maintains the proportionality of the policy as habitats in marine protected areas are covered by stronger regulations.</p> <p>Offshore sediments also perform carbon sequestration and must therefore be considered in SW-CC-1.</p>
Air quality	<p>Add 'significant' to SE-AIR-1.</p> <p>Align the policy with Local Authority air quality limits and reference carbon neutrality. Add 'local' in front of 'air quality' in the policy text.</p> <p>Provide more scope on proportionality.</p>	<p>Changes do not align with government aspirations within the Clean Air Strategy 2019 and Net Zero 2050 target.</p> <p>The supporting text already accounts for consideration against local targets.</p> <p>The supporting text already allows for decision-makers to apply a proportionate approach, as well as detailing how the mitigation hierarchy should be implemented.</p>

Section	Stakeholder comment summary	Justification
Marine litter	<p>Include reference to the ‘collaborative approach’ and add an additional clause within the mitigation hierarchy of SW-ML-2 to secure compensation.</p> <p>A government-led, top-down approach to reduce plastic use and prevent waste should be applied.</p>	<p>Inclusion of the ‘collaborative approach’ within the policy wording of SW-ML-1 could constrain policy implementation. Information on collaborative approaches has been added to the supporting text. A compensation clause has not been included within the mitigation hierarchy of SW-ML-2 as the comment was resolved through plan-level standardisation of the mitigation hierarchy.</p> <p>A government-led approach to reduce plastic use and to prevent waste is not within the remit of marine planning.</p>
Water quality	<p>Clarify the purpose of the reference to the Article 4.7 derogation route by which developments that are beneficial to society can still be progressed even if they are likely to cause deterioration in Water Framework Directive water body status?</p> <p>The information on waste from sea toilets is of minor concern compared to other sources of water pollution is not directly relevant.</p>	<p>Information on the Article 4.7 derogation route was included upon request from the Department for Environment, Food and Rural Affairs.</p> <p>Information concerning sea toilets has been retained as an appropriate signpost to addressing local water quality issues associated with house boats.</p>
Access	<p>Include a map of public access infrastructure.</p> <p>Provide criteria for determining what is ‘appropriate’ public access.</p>	<p>A map of public access infrastructure has not been included as the data would not be visible on a regional map.</p> <p>Criteria for determining the degree to which a proposal is ‘appropriate’ will vary based on type, scale and location of a proposal. A definition of ‘appropriate public access’ is provided in the supporting text.</p>
Tourism and recreation	<p>Separate tourism and recreation into two distinct policies.</p>	<p>Tourism and recreation are considered together in line with the Marine Policy Statement. Information highlighting the similarities between tourism and recreation activities is included in the supporting text of SW-TR-1, as well as the socio-economic benefits of recreational boating.</p>

Section	Stakeholder comment summary	Justification
Knowledge, understanding, appreciation and enjoyment	Provide definitions for ‘coastal typologies’, ‘the marine environment’ and ‘devices for education and interpretation’.	Definitions are provided in Annex 1 Glossary of the South West Marine Plan Technical Annex.
Defence	Clarify which Ministry of Defence areas and activities the policy intends to cover (eg radar coverage areas).	Following consultation with other government departments, suggested changes were not considered to be appropriate. SW-DEF-1 enables Ministry of Defence interests to be identified and requirements considered through the relevant consenting processes on a case-by-case basis.
Marine protected areas	<p>Include an additional clause within the mitigation hierarchy for compensation and offsetting of adverse impacts for SW-MPA-1 and SW-MPA-2.</p> <p>Integrate SW-MPA-4 into SW-MPA-1.</p> <p>Widen the scope of SW-MPA-3 to include boundary change in response to climate change.</p> <p>Include a hierarchy of policies within the South West Marine Plans.</p> <p>Requests were received for the relevant map of protected sites to be updated to include site names.</p>	<p>SW-MPA-1 and SW-MPA-2 cover all marine protected area designations. The inclusion of a mitigation clause related to compensation and the offsetting of adverse impact within the policy wording is therefore not appropriate. The derogation process is outlined within the Technical Annex.</p> <p>The integration of SW-MPA-4 into SW-MPA-1 is not appropriate as SW-MPA-4 concerns both statutory and non-statutory protected geodiversity.</p> <p>Widening the scope of SW-MPA-3 is beyond the remit of marine planning.</p> <p>Marine plan policies have been developed under the framework of the Marine Policy Statement which does not prioritise or give weighting to particular policy sectors over others. While policies do not sit within a hierarchy within the plan, policy weighting is achieved through the wording strength of individual policies, the legislative and national policy framework that governs the management of the subject matter of the policy, and other material considerations that will be accounted for by the decision-maker at the proposal level.</p> <p>Site names have not been added to the spatial map as marine protected area data can be interrogated on Explore Marine Plans.</p>

Section	Stakeholder comment summary	Justification
Biodiversity	<p>The mitigation hierarchy for the biodiversity policies (SW-BIO-1, SW-BIO-2 and SW-BIO-3) is not strong enough for designated sites.</p> <p>There is currently no legislative basis for the net gain element of SW-BIO-3.</p> <p>Include an enhancement element within SW-HAB-1.</p> <p>Provide a map of deep sea habitats within the south west offshore marine plan area.</p>	<p>Biodiversity policies aim to protect non-designated habitats and species and do not seek to replicate statutory legislation or regulations. Designated species or habitats are protected by their primary legislation.</p> <p>Proposals will not be required to apply net gain until the approach has been developed by government. The implementation of net gain within the marine area is detailed within the supporting text. Elements of net gain remain within SW-BIO-3 to address the requirements, as set out in the National Policy Planning Framework on land and in the intertidal area.</p> <p>Due to their slow growth and development, enhancement of deep sea habitats is not practical. It is therefore not feasible to include an enhancement element within SW-HAB-1.</p> <p>A map of deep sea habitats within the south west offshore marine plan area has not been included as there is currently insufficient data available with which to do so.</p>
Invasive non-native species	Remove 'adequate' from the policy wording of SW-INNS-2.	The word 'adequate' is necessary to provide proportionality.
Disturbance	<p>Broaden the policy to protect all species against disturbance, not just highly mobile species.</p> <p>Amend the policy wording to include an additional clause within the mitigation hierarchy concerning the provision of compensation for disturbance to highly mobile species.</p>	<p>The policy covers specific issues related to highly mobile species, broadening the policy would not be proportionate.</p> <p>The inclusion of a mitigation clause to compensate for disturbance in the marine area is not feasible as it is a concept that is not currently defined.</p>
Underwater noise	Clarify terms concerning operational and construction sound.	No changes have been made as the supporting text already provides examples of operational noise (vibrational) and construction (piling).

Section	Stakeholder comment summary	Justification
Cumulative effects	Amend the policy wording to include an additional clause within the mitigation hierarchy concerning the provision of compensation for cumulative effects.	The addition of a compensation option would weaken the policy strength. The policy covers a broad range of receptors. Given the difficulties of delivering compensation in the marine environment, the policy seeks to manage these impacts at source, rather than allowing the impact to occur and providing compensation afterwards. Where compensation is a viable option for a particular receptor, compensation provision is provided in the relevant marine plan policy for that given receptor.
Cross-border co-operation	<p>Emphasise cross-border joint plan working.</p> <p>Provide further guidance on policy implementation, particularly regarding the management of conflicting regularity priorities.</p>	<p>Comments related to the clarification of policy implementation are more appropriately addressed through the provision of implementation training.</p> <p>Guidance and examples related to policy implementation have been provided in the supporting text.</p>

Annex A

Background

Does the Draft South West Inshore and Offshore Marine Plan provide adequate background information on the marine planning process and the south west inshore and offshore marine areas?

Yes / Yes, subject to changes / No

Vision

The Draft South West Inshore and Offshore Marine Plan provides a 20 year vision for the south west inshore and offshore marine areas. Do you support the Draft South West Inshore and Offshore Marine Plan vision statement?

Yes / Yes, subject to changes / No

Policies

Do you support policy [Name] and its aim?

Yes / Yes, subject to changes / No

Do you support policy [Name] implementation text?

Yes / Yes, subject to changes / No

Do you have any other comments on Section 5.X (Sector)?

Objectives

By reference to the sections on objectives, and particularly Table 1 of the Technical Annex, do you agree that the relevant high level marine objectives are appropriate to use as the marine plan objectives for the South West Inshore and Offshore Marine Plan?

Yes / Yes, subject to changes / No

Do you agree that the marine plan objectives, as set out in the sections on objectives and particularly Table 1 of the Technical Annex, will lead to the achievement of the Draft South West Inshore and Offshore Marine Plan Vision Statement (Section 2.1 of the Draft Marine Plan)?

Yes / Yes, subject to changes / No

Do you agree that the following policies support the achievement of Objective [Objective]?

Yes / Yes, subject to changes / No

Do you have any other comments about the South West Inshore and Offshore Marine Plan Objectives?

Yes / No

Applying the Plan as a whole

Do you consider Section 3 of the Draft South West Inshore and Offshore Marine Plan provides adequate information about using and implementing the Marine Plan once adopted?

Yes / Yes, subject to changes / No

Do you agree that all relevant policies together form a coherent package supporting decisions which will generally involve a number of policies?

Yes / Yes, subject to changes / No

Do you agree in applying the Plan as a whole that the policies will collectively achieve the sustainable development, objectives and vision for the south west inshore and offshore marine plan areas?

Yes / Yes, subject to changes / No

Other Comments

Do you have any other comments about the Draft South West Inshore and Offshore Marine Plan?

Do you have any other comments about the Draft South West Inshore and Offshore Plan Technical Annex?

Draft Sustainability Appraisal

Do you have any comments on the findings of the Sustainability Appraisal for the Draft South West Inshore and Offshore Marine Plan?

Yes / No

Consultee Feedback on the Online Survey

Overall, how satisfied are you with our online consultation tool?

Very satisfied / Satisfied / Neither satisfied nor dissatisfied / Dissatisfied / Very dissatisfied / Don't know

Do you agree that the MMO has taken all reasonable steps to engage with people or groups with an interest in marine planning in the south west as outlined in the approved Statement of Public Participation?

Strongly Agree / Agree / Neither agree or disagree / Disagree / Strongly Disagree