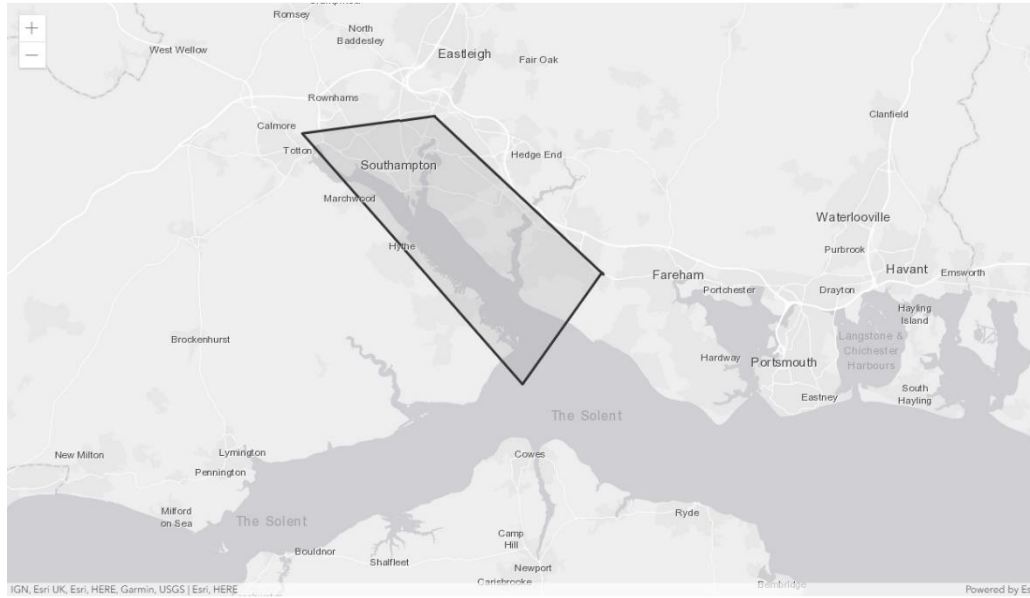


<b>Application name</b>	<b>ABP Southampton HRO</b>	<b>Case reference</b>	<b>HRO/2020/00001</b>
<b>Assessment date</b>	30/08/2024		
<b>Case team</b>			
<b>Case Officer</b>	David Morris		
<b>Case Manager</b>	Kristina Benson		
<b>Senior Case Manager</b>	Adrian Clarke		
<b>Application description</b>	<p>Location: Southampton, South England</p> <p>This HRO application is to provide ABP Southampton the powers of general and special direction within their port's jurisdiction. There has also been a request to amend the limits of the port to include the dock estate and make minor amendments to existing harbour legislation to bring it into alignment with modern wording.</p>		
<b>Marine Plan Area</b>	South (Inshore)		
<b>Conclusion</b>	<p>The MMO has considered the area specific policies and the other policies which apply in the South Marine Plan area. The area searched on Explore Marine Plans has been included on the next page.</p> <p>Due to the nature of the application as a non-works order, many of the policies were not considered relevant. Policies which were considered relevant have been highlighted in blue in the table below.</p> <p>The MMO has concluded that the application is compliant with the policies of the South Marine Plan.</p>		

**Location used on Explore Marine Plans:**



<b>Area specific policies as highlighted by EMP</b>		
<b>Policy</b>	<b>Policy text</b>	<b>MMO consideration</b>
S-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating, or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	The application is to modernise the powers of the Authority. The application does not involve any works, therefore no significant adverse impacts on any marine protected site are likely.  This policy is not relevant.
S-DD-1	Proposals within or adjacent to licenced dredging and disposal areas should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on licenced dredging and disposal areas, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The application is to modernise the powers of the Authority. There are no works in the application to impact dredging and disposal activities.  This policy is not relevant.
S-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	The application is to modernise the powers of the Authority. There are no works in the application to impact under keel clearance in high density navigation routes.  This policy is not relevant.
<b>Plan area policies</b>		
<b>Policy</b>	<b>Policy text</b>	<b>MMO consideration</b>
S-ACC-1	Proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on public access.	The application is to modernise the powers of the Authority. The powers of General Directions in the Order will allow the Port to effectively manage access of the waterways for both leisure and commercial vessels.

		The application is compliant with this policy.
S-ACC-2	Proposals demonstrating enhanced public access to and within the marine area will be supported.	<p>The application is to modernise the powers of the Authority. The purpose of the application is not to enhance public access to the marine area.</p> <p>The policy is not relevant.</p>
S-AGG-4	Where proposals require marine aggregates as part of their construction, preference should be given to using marine aggregates sourced from the south marine plan areas. If this is not appropriate, proposals should state why.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. No marine aggregates are therefore needed.</p> <p>This policy is not relevant.</p>
S-AQ-2	Proposals that enable the provision of infrastructure for sustainable fisheries and aquaculture and related industries will be supported.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. There are no proposals for the provision of infrastructure for sustainable fisheries and aquaculture and related industries in the application.</p> <p>This policy is not relevant.</p>
S-BIO-1	Proposals that may have significant adverse impacts on natural habitat and species adaptation, migration and connectivity must demonstrate that they will, in order of preference: a) avoid, b) minimise c) mitigate significant adverse impacts.	The application is to modernise the powers of the Authority. The application does not involve any works to have a

		<p>significant adverse impact on natural habitat and species.</p> <p>This policy is not relevant.</p>
S-BIO-2	Proposals that incorporate features that enhance or facilitate natural habitat and species adaptation, migration and connectivity will be supported.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to have a significant adverse impact on natural habitat and species.</p> <p>This policy is not relevant.</p>
S-BIO-3	Proposals that enhance coastal habitats where important in their own right and/or for ecosystem functioning and provision of goods and services will be supported. Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of goods and services and demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate for net loss of coastal habitat.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. There are no proposals in the application to enhance coastal habitats.</p> <p>This policy is not relevant.</p>
S-BIO-4	Proposals that enhance the distribution and net extent of priority habitats should be supported. Proposals must demonstrate that they will avoid reducing the distribution and net extent of priority habitats.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. There are no proposals in the application to enhance the distribution and net extent of priority habitats.</p> <p>This policy is not relevant.</p>
S-CAB-1	Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection	The application is to modernise the powers of the Authority. The application

	measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	does not involve any works or cable installation.  This policy is not relevant.
S-CAB-2	Proposals that have a significant adverse impact on new and existing landfall sites for subsea cables (telecoms, power and interconnectors) should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The application is to modernise the powers of the Authority. The application does not involve any works; therefore, no new or existing landfall cable sites will be impacted.  This policy is not relevant.
S-CC-1	Proposals must consider their contribution to greenhouse gas emissions arising from unintended consequences on other activities. Where such consequences are likely to result in increased greenhouse gas emissions, proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate unintended consequences on other activities.	The application is to modernise the powers of the Authority. The application does not involve any works; therefore, no increase in greenhouse gas emissions is likely to occur.  This policy is not relevant.
S-CC-2	Proposals should demonstrate for the lifetime of the proposal that: 1) they are resilient to the effects of climate change 2) they will not have a significant adverse impact upon climate change adaptation measures elsewhere. In respect of 2) proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate the significant adverse impacts upon these climate change adaptation measures.	The application is to modernise the powers of the Authority. The application does not involve any works to be impacted by climate change.  This policy is not relevant.
S-CC-3	Proposals in and adjacent to the south marine plan areas that are likely to have a significant adverse impact on coastal change should not be supported	The application is to modernise the powers of the Authority. The application does not involve any works; therefore, no impacts on coastal change is likely to occur.

		This policy is not relevant.
S-CC-4	Proposals that may have a significant adverse impact on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts	The application is to modernise the powers of the Authority. The application does not involve any works; therefore, no impacts on habitats that provide a flood defence or carbon sequestration ecosystem service is likely to occur.  The policy is not relevant.
S-CO-1	Proposals will minimise their use of space and consider opportunities for co-existence with other activities.	The application is to modernise the powers of the Authority. The application does not involve any works and there is no need to minimise the use of space and consider co-existence with other activities.  This policy is not relevant.
S-DD-2	Proposals must identify, where possible, alternative opportunities to minimise the use of dredged waste disposal sites by pursuing reuse opportunities through matching of spoil to suitable sites.	The application is to modernise the powers of the Authority. The application does not involve any works. No dredged material will be produced by the application.  This policy is not relevant.
S-DIST-1	Proposals, including in relation to tourism and recreational activities, within and adjacent to the south marine plan areas must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant cumulative adverse physical disturbance or displacement impacts on highly mobile species.	The application is to modernise the powers of the Authority. The application does not involve any works and

		<p>therefore highly mobile species are unlikely to be impacted.</p> <p>This policy is not relevant.</p>
S-EMP-1	Proposals that develop skills related to marine activities, particularly in line with local skills strategies, will be supported.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. The application is not designed to develop skills related to marine activities.</p> <p>This policy is not relevant.</p>
S-EMP-2	Proposals resulting in a net increase to marine related employment will be supported, particularly where they are in line with the skills available in and adjacent to the south marine plan areas.	<p>The application is to modernise the powers of the Authority. The application does not involve any works. The application is not designed to increase marine related employment.</p> <p>This policy is not relevant.</p>
S-FISH-1	Proposals that support the diversification of a sustainable fishing industry and or enhance fishing industry resilience to the effects of climate change should be supported.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to support the diversification of a sustainable fishing industry and or enhance fishing industry resilience to the effects of climate change.</p> <p>This policy is not relevant.</p>

S-FISH-2	Proposals that may have significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to have significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites.</p> <p>This policy is not relevant.</p>
S-FISH-3	Proposals that enhance access to, or within sustainable fishing or aquaculture sites should be supported.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to enhance access to, or within sustainable fishing or aquaculture sites.</p> <p>This policy is not relevant.</p>
S-FISH-4	Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. Proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impact on essential fish habitat, including, spawning, nursery, feeding grounds and migration routes.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to enhance essential fish habitat.</p> <p>This policy is not relevant.</p>
S-FISH-4-HER	Proposals will consider herring spawning mitigation in the area highlighted on Figure 26 (in the technical annex) during the period 01 November to the last day of February annually.	<p>The application is to modernise the powers of the Authority. The application does not involve any works to impact herring spawning.</p> <p>This policy is not relevant.</p>

S-HER-1	Proposals that may compromise or harm elements contributing to the significance of heritage assets should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate compromise or harm. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh the compromise or harm to the heritage asset.	The application is to modernise the powers of the Authority. The application does not involve any works to impact heritage assets.  This policy is not relevant.
S-INF-1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported.	The application updates the Port limits to include all dock estate. The proposals do not include any works for any infrastructure.  This policy is not relevant.
S-ML-1	Public authorities should ensure adequate provision for and removal of beach and marine litter on amenity beaches.	The application is to modernise the powers of the Authority. The application does not involve any works to generate beach or marine litter or measures to remove beach or marine litter.  This policy is not relevant.
S-ML-2	The introduction of litter as a result of proposals should be avoided or minimised where practicable and activities that help reduce marine litter will be supported.	The application is to modernise the powers of the Authority. The application does not involve any works to generate beach or marine litter or measures to remove beach or marine litter.  This policy is not relevant.
S-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas and the ecological coherence of the marine protected area network must demonstrate that they will, in	The application is to modernise the powers of the Authority. The application does not involve any works. The application does not include proposals

	order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	to support the objectives of marine protected areas and the ecological coherence of the marine protected area network.  This policy is not relevant.
S-MPA-2	Proposals that enhance a marine protected area's ability to adapt to climate change and so enhance the resilience of the marine protected area network will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.	The application is to modernise the powers of the Authority. The application does not involve any works. The application does not include proposals to enhance a marine protected area's ability to adapt to climate change.  This policy is not relevant
S-MPA-4	Until the ecological coherence of the marine protected area network is confirmed, proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts on features that may be required to complete the network, d) if it is not possible to mitigate adverse impacts, proposals should state the case for proceeding.	The application is to modernise the powers of the Authority. The application does not involve any works. The application does not include proposals to support the objectives of marine protected areas and the ecological coherence of the marine protected area network.  This policy is not relevant.
S-INIS-1	Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts on the marine area that would arise through the introduction and transport of non-indigenous species, particularly when: 1) moving equipment, boats or livestock (for example fish and shellfish) from one water body to another 2) introducing structures suitable for settlement of non-indigenous species, or the spread of invasive non-indigenous species known to exist in the area.	The application is to modernise the powers of the Authority. The application does not involve any works that could increase the risk of the spread of non-invasive species.  This policy is not relevant.

S-PS-1	<p>Proposals that may have a significant adverse impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>The application is enabling the efficient and economic management of the harbour and the activities that take place there. This will support any potential sustainable expansion of the harbour activities.</p> <p>The application is compliant with this policy</p>
S-PS-2	<p>Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within International Maritime Organization routing systems unless there are exceptional circumstances.</p>	<p>The application is enabling the efficient and economic management of the harbour and the activities that take place there. The application will support the navigational management of any sea surface infrastructure.</p> <p>The application is compliant with this policy.</p>
S-PS-3	<p>Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.</p>	<p>The application is enabling the efficient and economic management of the harbour and the activities that take place there. The application will support the navigational management of any sea surface infrastructure.</p>

		The application is compliant with this policy.
S-REN-1	Proposals that support the development of supply chains associated with the deployment of renewable energy will be supported.	The application is to modernise the powers of the Authority. The application does not involve any works that support the development of supply chains associated with the deployment of renewable energy will be supported.  This policy is not relevant.
S-SCP-1	Proposals that may have a significant adverse impact upon the seascape of an area should only be supported if they demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts upon the seascape of an area, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding	The application is to modernise the powers of the Authority. The application does not involve any works that may have a significant adverse impact upon the seascape of an area.  This policy is not relevant.
S-SOC-1	Proposals that enhance or promote social benefits will be supported. Proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits.	The application is to modernise the powers of the Authority. The application does not involve any works to enhance or promote social benefits.  This policy is not relevant.
S-TR-1	Proposals supporting, promoting or facilitating tourism and recreation activities, particularly where this creates additional utilisation of related facilities beyond typical usage patterns, should be supported.	The application is to modernise the powers of the harbour authority and extend the limits of the Port. The modernised general direction powers will allow the harbour authority to

		<p>explain the activities allowed in the Port to recreational users to manage those recreational activities effectively.</p> <p>The application is compliant with this policy.</p>
S-TR-2	<p>Proposals that enhance or promote tourism and recreation activities will be supported. Proposals for development must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on tourism and recreation activities.</p>	<p>The application is to modernise the powers of the harbour authority and extend the limits of the Port. The modernised general direction powers will allow the harbour authority to explain the activities allowed in the Port to recreational users to manage those recreational activities effectively.</p> <p>The application is compliant with this policy.</p>
S-UWN-1	<p>Proposals generating impulsive sound, must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the UK Marine Strategy part one descriptor 11.</p>	<p>The application is to modernise the powers of the Authority. The application does not involve any works generating impulsive sound.</p> <p>This policy is not relevant.</p>
S-UWN-2	<p>Proposals that generate impulsive sound and/or ambient noise must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on highly mobile species, d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>The application is to modernise the powers of the Authority. The application does not involve any works generating impulsive sound and or ambient noise.</p> <p>This policy is not relevant.</p>

S-WQ-1	Proposals that may have significant adverse impacts upon water environment, including upon habitats and species that can be of benefit to water quality must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts.	The application is to modernise the powers of the Authority. The application does not involve any works that may have significant adverse impacts upon the water environment.  This policy is not relevant.
S-WQ-2	Activities that can deliver an improvement to water environment or enhance habitats and species which can be of benefit to water quality should be supported.	The application is to modernise the powers of the Authority. The application does not involve any works. The applicant does not propose to deliver an improvement to water environment or enhance habitats and species This policy is not relevant.